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House of Representatives

The House met at 10 a.m.

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

May today's prayer rise before You, O Lord, and give You praise.

May the acts of Congress be accomplished this day according to Your holy will, and generate a new spirit among the Members that will give them satisfaction in their work and bring justice and security to the Nation.

May those who are in most need of Your mercy take refuge in You today.

May this day bring joy and laughter to children, relief of suffering to the sick and loving consolation to the elderly.

At the end of the day, may all rest from their labors and may You grant the world peace.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. BURGESS 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will recognize up to five 1-minute speeches on each side.

PLACEMENT OF THE TEN COMMANDMENTS

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

Mr. POE. Mr. Speaker, the Supreme Court once again has made complex that which is clear.

In their decisions regarding placement of the Ten Commandments on public property, an alleged violation of the first amendment, their rulings are inconsistent. They have said that the Ten Commandments must be removed from those courthouses in Kentucky. On the same day, the same Supreme Court said that the Ten Commandments placed on the State Capitol grounds of Texas, that is okay.

The Supreme Court, the Ten Commandments police, has created confusion, chaos and calamity. What if folks in Kentucky decide to remove those forbidden Ten Commandments from inside the courtrooms and place them on the courthouse grounds, is that permitted?

Well, the chief of police of the Ten Commandments police, Justice David Souter, would be the one to decide because he ruled one way in one case and the opposite way in the other case.

Mr. Speaker, the Supreme Court ruling should be simple for all Americans to understand. The Ten Commandments are simple to understand. The 10 amendments to the Constitution are simple to understand. It is ironic that the same Supreme Court, policing the Ten Commandments throughout courthouses, in their own courtroom above their head, Moses holding the Ten Commandments. This ought not to be.

HONORING LOS ANGELES COUNTY DEPUTY JERRY ORTIZ

(Ms. LINDA T. SÁNCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today with a heavy heart to honor the life and public service of Los Angeles County Sheriff's Deputy Jerry Ortiz.

A 15-year veteran of the police department, as well as an Army veteran, husband and father, Deputy Ortiz was slain in the line of duty while valiantly working to wipe out gangs in southeast Los Angeles County.

Deputy Ortiz's tragic murder shows how the gang epidemic has gotten out of hand, and he paid the ultimate price trying to make his community safer.

Deputy Ortiz was a model law enforcement agent and was admired and respected by his colleagues.

He was awarded the Lakewood City Medal of Valor for arresting a robbery suspect, and he will be remembered as a tireless crime fighter who personified the ideals of community-based policing.

On behalf of every resident of the 39th Congressional District, I thank and honor Deputy Ortiz for dedicating his life to defending our country and making our community a safer place to live and to raise a family.

May God bless and give strength to Deputy Ortiz's wife and children as they mourn their tragic loss. Deputy Ortiz will truly be missed.

EMINENT DOMAIN

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

Ms. PRYCE of Ohio. Mr. Speaker, as a former judge and now a Member of Congress, I rise today to protest the attack on individual private property rights contained in the recent Supreme Court decision Kelo v. City of New London.

Following the Court's logic, nothing can stop a local government from replacing a church with a Wal-Mart, or a family farm with a shopping mall, because these will produce greater tax revenues for the government in charge.

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Private property ownership is vital to both our freedom and our prosperity. The Kelo decision now puts every home and every business owner on notice that their property may be taken by the government at any time.

This is not the American way, Mr. Speaker. The Court's decision is an abdication of its responsibility to protect individual property rights, and it is a gross misinterpretation of the Constitution.

As we approach our Nation's Day of Independence, we should be concerned about protecting our freedoms, not curtailing them. A just and wise government values individual ownership and protects it.

Mr. Speaker, it is a sad day. Our Nation is built on many, many important tenets, and protection of private property is certainly not the least of them.

EXPRESSING THANKS

(Mr. AL GREEN of Texas asked and was given permission to address the House for 1 minute.)

Mr. AL GREEN of Texas. Mr. Speaker, on yesterday this august body amended the Transportation-Treasury-HUD appropriations bill to include $7.7 million to fight discrimination in housing. I stand before this body today, Mr. Speaker, to thank all of the persons who supported this amendment, both Democrats and Republicans because it could not have been done without bipartisan support, and for that, I am thankful.

I also thank my staff, Mr. Speaker, because no one does anything without a capable, competent and qualified staff, and I think I have one of the best.

Finally, Mr. Speaker, I want to thank another group of people. On yesterday, we had another event wherein we had to leave rather untimely. I want to thank those many security persons who work on our behalf. They are not only helpful and respectful, they are also full of care for us. Mr. Speaker, as we rush out, they rush in to uncertain danger. I want them to know that we care about them. Mr. Speaker, I do not know exactly what we pay them, but whatever it is, it is not enough for the service that they render.

HONORING BARNEY CHAPMAN

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

Mr. BISHOP of Utah. Mr. Speaker, I rise today to honor a constituent and friend, who after 37 years is retiring as an officer of the largest credit union in my congressional district, the America First Federal Credit Union.

Barney B. Chapman's service to constituents' financial needs in my district over the years is impressive, but his work in the community is the reason he deserves the respect and thanks today.

The organizations which have benefited from him include: The Air Force Reserves, Boy Scouts of America, Chamber of Commerce, Legislative and Military Affairs Committee, the Federation of Independent Business, several Governors Advisory Boards, Salt Lake Community College, the Junior League, Junior Achievement of Utah, the United Way, Weber School District and Weber State College.

Like the good old boy scout that he is, Barney Chapman does his best to do his duty to God and his country and to help other people at all times, but I am particularly grateful for his commitment to the Air Force. A good airman lives by three principles: integrity first, service before self, excellence in all he does. These are the Air Force core values, and as a full colonel retired, they are his as well. They typify the life of Barney Chapman, and for that, I do honor and thank him today.

REPUBLICAN REFUSAL TO FUND VETERANS HEALTH CARE

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

Mr. PALLONE. Mr. Speaker, America's veterans are still waiting. It has been a week now since the Department of Veterans Affairs finally admitted that veterans health care funding was short $1 billion. As a result of that shortfall, VA facilities around the country can no longer schedule appointments for new veterans.

House Republicans, however, do not seem to be too concerned. Democrats have tried repeatedly over the last week to offer amendments that would provide the VA the $1 billion so veterans can get the services they were promised, but Republicans have shot down every effort to increase funding.

Last week, the gentleman from Texas (Mr. EDWARDS) tried to offer an amendment to the Labor-HHS bill to eliminate the Republican VA funding shortfall, but the Republican majority refused to allow a vote. Then, yesterday the gentleman from Texas (Mr. EDWARDS) wanted to offer the amendment to the Transportation spending bill, and once again, Republicans refused to allow a vote.

Mr. Speaker, this House should not adjourn for the 4th of July recess until we honor our promise to our veterans.

CONGRATULATIONS TO THE ELDER PANTHERS

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

Mr. CHABOT. Mr. Speaker, earlier this month, Ohio's number one-ranked Elder Panthers capped off a season of domination in grand fashion by celebrating its 12th State baseball championship.

Here is my dentist's son, the catcher, Billy O'Conner, and pitcher, Matt Klausing, moments after the win on the front page of the Delhi Press.

The 3–0 shutout over Toledo Start gave the Panthers 28 victories for the year, the most in school history, and marked the third consecutive Division I State baseball championship by a Cincinnati area team following in the footsteps of fellow GCL rivals Moeller back in 2004 and St. Xavier in 2003.

Cincinnati Elder is no stranger to being honored on this House floor for its long-standing tradition of athletic and academic excellence.

It gives me great pleasure to, once again, congratulate Elder High School and its players and coaches and students and teachers and parents on capturing yet another State title. As always, they make the west side of Cincinnati proud.

An Elder Panther family, the Lysaghts, dropped off this T-shirt at my office, celebrating the win, and this La Salle Lancer intends to wear it with pride. Go Elder.

□ 1015

EIGHTH ANNIVERSARY OF KHOBAR TOWERS BOMBING

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

Mr. BURGESS. Mr. Speaker, this past Monday, June 25, marked the eighth anniversary of the bombing of the Khobar Towers in Saudi Arabia. At 9:50 p.m. local time, a truck bomb exploded with the force of 20,000 tons of TNT, and 19 Americans were left dead, Americans who were due to return home 2 days later on June 27.

Mr. Speaker, we now know that this was one of the first battles in the global war on terror, and we have since seen other such battles, and other Americans have lost their lives. Now we are engaged in what the President describes as a forward strategy of the war on terror, and he articulated that vision again for the American people 2 nights ago, and I was grateful for his ability to do that.

Mr. Speaker, the recollection of our record in what has happened in the past 10 years' time around the world has so changed everything that we do in this House, and the events of last evening have shown us one more time how the world has changed around us.

I salute the families of the men and women who died at the Khobar Towers. God bless them, God rest their souls, and God bless every one of our American troops serving today.

GENERAL LEAVE

Mr. KNOLLENBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 3058, and that I may include tabular material on the same.

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

There was no objection.

TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 342 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3058.

□ 1017

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 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, with Mr. MCHUGH in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday June 29, 2005, the amendment by the gentleman from Indiana (Mr. SOUDER) had been disposed of and the bill had been read through page 194, line 7.

Mr. KNOLLENBERG. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 210, line 18, be considered as read, printed in the RECORD and open to amendment at any point.

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

There was no objection.

The text of the remainder of the bill through page 210, line 18, is as follows:

TITLE IX—GENERAL PROVISIONS, GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SEC. 901. Funds appropriated in this or any other Act may be used to pay travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

SEC. 902. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2006 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act) by the officers and employees of such department, agency, or instrumentality.

SEC. 903. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at $8,100 except station wagons for which the maximum shall be $9,100: *Provided*, That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: *Provided further*, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further*, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles.

SEC. 904. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 905. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person in the service of the United States on the date of the enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States; (3) is a person who owes allegiance to the United States; (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence; (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975; or (6) is a national of the People's Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992: *Provided*, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

SEC. 906. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (87 Stat. 216), or other applicable law.

SEC. 907. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13101 (September 14, 1998), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 908. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided*, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 909. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

SEC. 910. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 911. Funds made available by this or any other Act to the Postal Service Fund (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service or under the charge and control of the Postal Service. The Postal Service may give such guards with respect to such property, any of the powers of special policemen provided under 40 U.S.C. 1315. The Postmaster General, or his designee, may take any action that the Secretary of Homeland Security may take under such section with respect to that property.

SEC. 912. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a joint resolution duly adopted in accordance with the applicable law of the United States.

SEC. 913. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2006, by this or any other Act, may be used to pay any prevailing rate employee described in

section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by the comparable section for previous fiscal years until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2006, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section; and

(2) during the period consisting of the remainder of fiscal year 2006, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 2006 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2006 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

(b) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which subsection (a) is in effect at a rate that exceeds the rates that would be payable under subsection (a) were subsection (a) applicable to such employee.

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 2005, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 2005, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall apply with respect to pay for service performed after September 30, 2005.

(f) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 914. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is expressly approved by the Committees on Appropriations. For the purposes of this section, the term ''office'' shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 915. Notwithstanding section 1346 of title 31, United States Code, or section 910 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 12472 (April 3, 1984).

SEC. 916. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to section 3302 of title 5, United States Code, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

(5) the Bureau of Intelligence and Research of the Department of State;

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Department of Homeland Security, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of National Intelligence or the Office of the Director of National Intelligence.

SEC. 917. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for the current fiscal year shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment and that all of its workplaces are not in violation of title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, and the Rehabilitation Act of 1973.

SEC. 918. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance of efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 919. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 920. No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: ''These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive order and listed statutes are incorporated into this agreement and are controlling.'': *Provided*, That notwithstanding the preceding paragraph, a nondisclosure policy form or agreement that is to be executed by a person connected with

the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

SEC. 921. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 922. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 923. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations.

AMENDMENT OFFERED BY MR. HINCHEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HINCHEY:

Page 210, line 20, after ''used'' insert ''directly or indirectly, including by private contractor,''.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from New York (Mr. HINCHEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York (Mr. HINCHEY).

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

This amendment, Mr. Chairman, clarifies that the existing anti-propaganda section of the bill also includes contracting out for these services to publicity experts and others. Its intent is to simply prevent contracts with journalists and other publicity experts without authorization by the Congress, and it will prevent additional embarrassing reports in the future because it will prohibit these bogus news reports, generated by contracts between the government and those willing to take the money and spin the information.

Examples of administrative propaganda are numerous. Last month, The Washington Post reported that the National Resource Conservation Service paid a freelance writer at least $7,500 to write articles touting so-called Federal conservation programs and placed them in outdoors magazines. These articles were placed and not one of them disclosed the fact that the writer was under Federal contract and that these were not objective articles.

Last year, the conservative commentator Armstrong Williams was paid $241,000 by the Education Department to promote the administration's education policy. And columnist Maggie Gallagher received $21,500 from the Department of Health and Human Services to work on the administration's marriage initiative. Again, neither of these individuals informed the public that they were working for the government and that they were not writing objective articles.

Finally, it has recently surfaced that a semi-invisible PR group had received $200 million of taxpayers' dollars to spread anti-Saddam Hussein propaganda prior to the Iraq war. In fact, soon after the attacks on our country on September 11, 2001, the company received a $100,000-a-month contract from the Pentagon to offer media strategy advice. This was part of the misinformation campaign that led to the war in Iraq; and the result of that misinformation was that two-thirds of the American people thought that Saddam Hussein was actually behind the 9/11 attacks. We know, of course, that that was not the case. And eight out of ten Americans thought that Iraq had nuclear weapons because they were afflicted with this misinformation campaign.

While the administration has been embarrassed by their contracts, at least the ones that have been made public, the agencies knew what they were doing when they hired these people to promote these misinformation campaigns. Many have questioned the legality of all of these contracts. The GAO, in fact, is looking into the legality of Armstrong Williams and the Gallagher case, and that ought to determine whether or not the administration violated the ban on covert propaganda.

It is obvious, however, Mr. Chairman, that we need to make this statement with greater clarity and define more clearly what cannot be done by this or future administrations to misinform and mislead the American people by contracting out and engaging in a propaganda campaign using taxpayer dollars to misinform the American people.

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

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

Mr. KNOLLENBERG. Mr. Chairman, I claim the time in opposition, but we accept the amendment.

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

Mr. HINCHEY. Mr. Chairman, is there an opposing argument to the amendment?

The CHAIRMAN. The gentleman from Michigan claimed the time in opposition, and he has reserved his time.

Mr. KNOLLENBERG. Mr. Chairman, if I may inquire, does the gentleman have any time remaining?

The CHAIRMAN. The gentleman from New York (Mr. HINCHEY) has 1½ minutes remaining; and the gentleman from New York has inquired if there are Members who wish to be heard in opposition. The gentleman from Michigan (Mr. KNOLLENBERG) controls the time in opposition.

Mr. KNOLLENBERG. Mr. Chairman, I yield myself such time as I may consume to note that there are no Members here that are in opposition, and I have no position on this matter except to accept the amendment.

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

Mr. HINCHEY. Mr. Chairman, I yield myself the balance of my time, and I thank the gentleman for accepting the amendment.

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

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

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 924. No part of any appropriation contained in this or any other Act shall be used for publicity or propaganda purposes within the United States not heretofor authorized by the Congress.

SEC. 925. (a) In this section the term ''agency''—

(1) means an Executive agency as defined under section 105 of title 5, United States Code;

(2) includes a military department as defined under section 102 of such title, the Postal Service, and the Postal Rate Commission; and

(3) shall not include the Government Accountability Office.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under section 6301(2) of title 5, United States Code, has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 926. Notwithstanding 31 U.S.C. 1346 and section 910 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Joint Financial Management Improvement Program (JFMIP), shall be available to finance an appropriate share of JFMIP administrative costs, as determined by the JFMIP, but not to exceed a total of $800,000 including the salary of the Executive Director and staff support.

SEC. 927. Notwithstanding 31 U.S.C. 1346 and section 910 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse ''General Services Administration, Government-wide Policy'' with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts: *Provided*, That these funds shall be administered by the Administrator of General Services to support Government-wide financial, information technology, procurement, and

other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency groups designated by the Director (including the Chief Financial Officers Council and the Joint Financial Management Improvement Program for financial management initiatives, the Chief Information Officers Council for information technology initiatives, the Chief Human Capital Officers Council for human capital initiatives, and the Federal Acquisition Council for procurement initiatives). The total funds transferred or reimbursed shall not exceed $10,000,000. Such transfers or reimbursements may only be made 15 days following notification of the Committees on Appropriations by the Director of the Office of Management and Budget.

SEC. 928. None of the funds made available in this or any other Act may be used by the Office of Personnel Management or any other department or agency of the Federal Government to prohibit any agency from using appropriated funds as they see fit to independently contract with private companies to provide online employment applications and processing services.

POINT OF ORDER

Mr. ISSA. Mr. Chairman, I raise a point of order.

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

Mr. ISSA. Mr. Chairman, I raise a point of order against section 928. This provision violates clause 2 of House rule XXI. It proposes to change existing law within the jurisdiction of the Committee on Government Reform and, therefore, constitutes legislation on an appropriations bill in violation of House rules.

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

The Chair finds that this section addresses funds in other acts. This section, therefore, constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained and this section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 929. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 930. Notwithstanding section 1346 of title 31, United States 945./Code, or section 910 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: *Provided*, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science; and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 931. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds, the Catalog of Federal Domestic Assistance Number, as applicable, and the amount provided: *Provided*, That this provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 932. Subsection (f) of section 403 of Public Law 103–356 (31 U.S.C. 501 note), as amended, is further amended by striking ''October 1, 2005'' and inserting ''October 1, 2006''.

SEC. 933. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF INDIVIDUALS' INTERNET USE.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any nongovernmental Internet site.

(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to the rendition of the Internet site services or to the protection of the rights or property of the provider of the Internet site.

(c) DEFINITIONS.—For the purposes of this section:

(1) The term ''regulatory'' means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term ''supervisory'' means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 934. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF HealthPlans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 935. The Congress of the United States recognizes the United States Anti-Doping Agency (USADA) as the official anti-doping agency for Olympic, Pan American, and Paralympic sport in the United States.

SEC. 936. Notwithstanding any other provision of law, funds appropriated for official travel by Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A–126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 937. None of the funds made available under this or any other Act for fiscal year 2006 and each fiscal year thereafter shall be expended for the purchase of a product or service offered by Federal Prison Industries, Inc., unless the agency making such purchase determines that such offered product or service provides the best value to the buying agency pursuant to governmentwide procurement regulations, issued pursuant to section 25(c)(1) of the Office of Federal Procurement Act (41 U.S.C. 421(c)(1)) that impose procedures, standards, and limitations of section 2410n of title 10, United States Code.

SEC. 938. Notwithstanding any other provision of law, none of the funds appropriated or made available under this Act or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68, number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch).

SEC. 939. Each Executive department and agency shall evaluate the creditworthiness of an individual before issuing the individual a government travel charge card. The department or agency may not issue a government travel charge card to an individual that either lacks a credit history or is found to have an unsatisfactory credit history as a result of this evaluation: *Provided*, That this restriction shall not preclude issuance of a restricted-use charge, debit, or stored value card made in accordance with agency procedures to: (1) an individual with an unsatisfactory credit history where such card is used to pay travel expenses and the agency determines there is no suitable alternative payment mechanism available before issuing the card; or (2) an individual who lacks a credit history. Each Executive department and agency shall establish guidelines and procedures for disciplinary actions to be taken against agency personnel for improper, fraudulent, or abusive use of government charge cards, which shall include appropriate disciplinary actions for use of charge cards for purposes, and at establishments, that are inconsistent with the official business of the Department or agency or with applicable standards of conduct.

SEC. 940. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without advance approval of the Committees on Appropriations, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 941. From funds made available in this or any other Act under the headings ''The White House'', ''Special Assistance to the President and the Official Residence of Residence of the Vice President'', ''Council on Environmental Quality and Office of Environmental Quality'', ''Office of Science and Technology Policy'', and ''Office of the United States Trade Representative'', the

Director of the Office of Management and Budget (or such other officer as the President may designate in writing) may, 15 days after giving notice to the Committees on Appropriations of the Senate and the House of Representatives, transfer not to exceed 10 percent of any such appropriation to any other such appropriation, to be merged with and available for the same time and for the same purposes as the appropriation to which transferred: *Provided*, That the amount of an appropriation shall not be increased by more than 50 percent by such transfers: *Provided further*, That no amount shall be transferred from the heading ''Special Assistance to the President and the Official Residence of the Vice President'' without approval of the Vice President.

SEC. 942. Section 4(b) of the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270) is amended by adding at the end the following new paragraph:

''(5) Executive agencies with fewer than 100 full-time employees as of the first day of the fiscal year. However, such an agency shall be subject to section 2 to the extent it plans to conduct a public-private competition for the performance of an activity that is not inherently governmental.''.

SEC. 943. (a) No funds shall be available for transfers or reimbursements to the E-Government Initiatives sponsored by the Office of Management and Budget (OMB) prior to 15 days following submission of a report to the Committees on Appropriations by the Director of the Office of Management and Budget or receipt of approval to transfer funds by the House and Senate Committees on Appropriations.

(b) The report in (a) shall detail:

(1) the amount proposed for transfer for any department and agency by program office, bureau, or activity, as appropriate;

(2) the specific use of funds;

(3) the relevance of that use to that department or agency and each bureau or office within, which is contributing funds; and

(4) a description on any such activities for which funds were appropriated that will not be implemented or partially implemented by the department or agency as a result of the transfer.

SEC. 944. (a) The adjustment in rates of basic pay for employees under the statutory pay systems that takes effect in fiscal year 2006 under sections 5303 and 5304 of title 5, United States Code, shall be an increase of 3.1 percent, and this adjustment shall apply to civilian employees in the Department of Defense and the Department of Homeland Security and such adjustments shall be effective as of the first day of the first applicable pay period beginning on or after January 1, 2006.

(b) Notwithstanding section 913 of this Act, the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2006 under sections 5344 and 5348 of title 5, United States Code, shall be no less than the percentage in paragraph (a) as employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under section 5303 and 5304 of title 5, United States Code. Prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303 and 5304 of title 5 and prevailing rate employees described in section 5343(a)(5) of title 5 shall be considered to be located in the pay locality designated as ''Rest of US'' pursuant to section 5304 of title 5 for purposes of this paragraph.

(c) Funds used to carry out this section shall be paid from appropriations, which are made to each applicable department or agency for salaries and expenses for fiscal year 2006.

SEC. 945. (a) IN GENERAL.—Section 604(d) of the Fair Credit Reporting Act (15 U.S.C. 1681b(d)) is amended to read as follows:

''(d) LIMITATION ON USE OF CONSUMER REPORT.—

''(1) IN GENERAL.—A credit card issuer may not use any negative information contained in a consumer report to increase any annual percentage rate applicable to a credit card account, or to remove or increase any introductory annual percentage rate of interest applicable to such account, for any reason other than an action or omission of the card holder that is directly related to such account.

''(2) NOTICE TO CONSUMER.—The limitation under paragraph (1) on the use by a credit card issuer of information in a consumer report shall be clearly and conspicuously described to the consumer by the credit card issuer in any disclosure or statement required to be made to the consumer under this title.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 604(a)(3)(F)(ii) of the Fair Credit Reporting Act (15 U.S.C. 1681b(a)(3)(F)(ii)) is amended by inserting ''subject to subsection (d),'' before ''to review''.

□ 1030

POINT OF ORDER

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) will state his point of order.

Mr. LINCOLN DIAZ-BALART. Mr. Chairman, I make a point of order that section 945 of H.R. 3058 is in violation of clause 2 of rule XXI.

That rule precludes changes in existing law from being report in a general appropriation bill. The section directly amends the Fair Credit Reporting Act, an Act within the jurisdiction of the Committee on Financial Services regarding the use of credit reports.

The section beginning on page 222, line 23, through 223, line 20, clearly constitutes legislation on an appropriations bill.

I would note further that House Resolution 342, the rule providing for consideration of the bill, did not waive points of order under clause 2 rule XXI against this section.

I would urge the Chair to sustain the point of order.

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

Mr. OBEY. Mr. Chairman, I rise to be heard on the point of order.

Section 945 to which the gentleman objects is in this bill for the purpose of ending a practice under which a credit card company can jack up a cardholder's interest rates to the default rate which can be as high as 30 percent. Even if that person has never missed a payment and never been a day late on any payment to that credit card company, that interest rate can be jacked up if that consumer was 1 day late in the payment of some other bill and that was reported on a credit report.

This language is in here to correct a glaring and obscene omission in legislation which was passed by the House several weeks ago, the infamous bankruptcy bill.

As I understand the rules, the gentleman is objecting to this language because it is legislation on an appropriation bill and falls under the jurisdiction of another committee. As I understand the rules, while the Rules Committee did not protect this section in the rule under which the bill is being debated, this section could be passed by the House if no Member chooses to object to it.

I would respectfully suggest to the gentleman, in the interest of protecting consumers in this country from these bloodsuckers, I would suggest that the gentleman would do the country a great service if he would withdraw his point of order.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, this issue has been debated at length by the House. There was a similar amendment that was debated at length. It was rejected by the membership of this House by a significant vote. In this case today on an appropriations bill, legislating this issue, that has been debated and rejected in an appropriate forum, this is not clearly an appropriate forum. I reiterate my point of order.

Mr. OBEY. Mr. Chairman, I would have to reluctantly concede because of the warped rules which the majority party passed out of the Committee on Rules, which protected countless other provisions from points of order, but neglected to protect this section so that some of the biggest banks in the country can rip-off Americans, I would have to confess that under that myopic and misguided rule, I would have to concede the point of order.

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

The CHAIRMAN. The Chair must first dispose of the point of order. Does the gentleman wish to be heard on the point of order?

Mr. OLVER. Mr. Chairman, I will wait until the point of order has been disposed of and then claim my 5 minutes.

The CHAIRMAN. The Chair is prepared to rule on the point of order.

The Chair finds that this section directly amends existing law. The section, therefore, constitutes legislation in violation of clause 2 of rule XXI.

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

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

Mr. Chairman, I am going to repeat some remarks that I made on the floor the other day. I happen to have a Visa card. I have had it for years.

The other day I received in the mail a notification that this Visa card had been transferred to another bank. If you take a look at the fine print on the notice that accompanies that transfer, the fine print makes clear that the following can occur.

Let us say that for 10 years the gentleman from Florida who just lodged

the point of order, let us say for 10 years that gentleman has held this same Visa card, and that for that 10-year period he has not been late a single day in any payment to this credit card company. Nonetheless, the gentleman from Florida, or any other citizen of America, can have the interest rate on this card raised to the default rate if, for instance, that person had gone on vacation and while on vacation that person's wife, let us say, had broken her arm. And let us say she was responsible for writing the checks each month and because she was hurt she could not write the checks for a couple of weeks. And if that late payment because of that injury—to another company on another account—wound up in a credit report totally unrelated to your performance on the initial card, nonetheless, that credit card company claims the right to jack up interest rates to 30 percent.

In my view, that is nothing but blood-sucking usury, and I find it incredible that the majority party in this House finds ways time and time and time again to genuflect to the special interests like these credit card companies and to use the technicalities of the rules of this House to deny the average American citizen the protection that they ought to have a right to expect from representatives of this body who are supposed to represent the general interests rather than the special interests of these credit card companies.

It is an outrage that this body would allow this kind of a practice to continue. It is an outrage that the well-connected shysters who engage in this practice are not stood up to unanimously by 435 people in this House.

So all I can say is if the majority wants to hide behind the technicalities to protect yet another well-paying special interest, I cannot do a whole lot about it except raise my voice, and that is what I am doing today.

I would hope that the American consumers would take notice who it is that decides that the technicalities of the rules are more important than giving the consuming public a fair shake.

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

The CHAIRMAN. As the designee of the gentleman from Wisconsin (Mr. OBEY), the gentleman from Massachusetts (Mr. OLVER) is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, last week the full Committee on Appropriations voted 33 to 25 to accept this provision that prevents credit card issuers from using totally unrelated consumer information to raise the annual percentage rates on cardholders. The provision could have been protected by the Committee on Rules. It was not. Therefore, the point of order was possible. The gentleman from Wisconsin (Mr. OBEY) has accepted the point of order reluctantly.

But this provision in no way prevents companies from raising interest rates, but simply states that banks can only base that decision on the interest rate on information that is relevant to the account that they issue. This provision would make sure that people who pay their credit card account on time and remain within their credit limit do not have their annual percentage rates increased.

The practice of using unrelated information to increase those rates is not allowed when lenders issue home mortgages, and it simply should not be allowed when they issue credit cards. It is outrageous that this practice is legal.

I hope that the discussion here, since the issue has been ruled out of order, will be the impetus for the Committee on Financial Services, which has raised the point of order, it will be the impetus to get rid of this practice.

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

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

Mr. HINCHEY. Mr. Chairman, I find this inexplicable. This is the House of Representatives. We are here purposefully to protect the interests of the American people. There is no situation in which it is more clear as to where the interest of the American people lie than in the context of this amendment that has been offered today by the gentleman from Wisconsin (Mr. OBEY). I assume that is why it passed the Committee on Appropriations by such a strong vote.

But for political reasons, the Committee on Rules has decided not to protect the amendment, not to allow it to come out here and not be subject to the kind of opposition it received a moment ago from the gentleman from Florida.

This issue should be debated on the floor of this House. This amendment should be passed. Why? Because the credit card companies are increasingly putting American families deeper and deeper and deeper in debt. The average debt now, according to the Federal Reserve, the average debt of the average American family is 115 percent of income and the main reason for that is credit card debt.

The credit card companies attract consumers, often attracting them in at relatively reasonable interest rates, and then very rapidly for extraneous reasons and circumstances, increase those rates. And the debt that people owe to credit card companies is going up and up and up.

That is one of the reasons why this House of Representatives passed that atrocious bankruptcy bill not long ago, a bankruptcy bill which, in effect, in large part was influenced strongly by the credit card companies. What have we become? This House, which is supposed to represent the interests of the American people, the average American, the average American family, has fallen now to represent narrower and narrower special interests, and the obvious special interest in this case are the credit card companies which has become the fastest growing and one of the most lucrative businesses in America. And why? Because we are not doing our job. This House of Representatives is not doing what it is supposed to do: Protect the interest of the average family and not allow usurious interest rates to take place here over and over and over again.

□ 1045

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

Mr. OLVER. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, the practical result of the point of order lodged by the gentleman from Florida is to make the credit card companies the only people in America who can raise the price of something you bought after you bought it. If people are comfortable putting themselves in that supine position, I cannot do anything about it. But I find it interesting that the gentleman is a member of the Rules Committee, which cleverly left this measure exposed and then exploited that failure on the part of the Rules Committee in order to knock this language out of the bill. That is a nice sleight of hand operation.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 946. Unless otherwise authorized by existing law, none of the funds provided in this Act or any other Act may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States, unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 947. None of the funds made available in this Act may be used to administer, implement, or enforce the amendment made to section 515.533 of title 31, Code of Federal Regulations, that was published in the Federal Register on February 25, 2005.

AMENDMENT NO. 14 OFFERED BY MR. SIMMONS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. SIMMONS:

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

SEC. ____. (a) LIMITATION ON USE OF FUNDS.—None of the funds made available in this Act may be used to enter into, implement, or provide oversight of contracts between the Secretary of the Treasury, or his designee, and private collection agencies. Notwithstanding this provision, the Secretary of the Treasury, or his designee, may continue to utilize any private collection contract authority in effect prior to October 22, 2004. Nothing in this provision shall impact the administration of any tax or tariff.

(b) CORRESPONDING REDUCTION IN FUNDS.—The amount otherwise provided by this Act for ''INTERNAL REVENUE SERVICE–BUSINESS SYSTEMS MODERNIZATION'' is hereby reduced by $5,000,000.

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

The CHAIRMAN. The gentleman reserves a point of order.

Pursuant to the order of the House of June 29, 2005, the gentleman from Connecticut (Mr. SIMMONS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Connecticut (Mr. SIMMONS).

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

My amendment is very straightforward. It simply requires that the collection of Federal taxes will continue to be done by officials of the IRS and not by private contractors. This amendment is similar to one that was introduced by the gentlewoman from West Virginia (Mrs. CAPITO) last year and passed by voice vote, although it was ultimately taken out of the bill in conference.

I think all of us, Mr. Chairman, want a Federal system that efficiently collects taxes, but we cannot do it at the expense of taxpayers' rights or privacy. If the IRS is allowed to go forward with the outsourcing of tax collection, millions of taxpayer files will be made available to private debt collection companies. These companies, in turn, will collect up to a 25 percent fee for any collections from American taxpayers.

This type of incentive system on the part of collectors is ripe for abuse and ripe for harassment, which is why the IRS specifically prohibits its own employees from being engaged in a quota system with regard to tax collection.

Mr. Chairman, each year millions of Americans voluntarily disclose sensitive personal information to the IRS with the expectation that it will be handled with the utmost discretion and care, that it will be protected from erroneous or deliberate disclosure outside the IRS. Yet current law allows the IRS to disclose this information to third-party contractors. This cannot be allowed to stand.

Do we really want to release commission-hungry tax collection agents on the American public? Is this really good public policy?

Mr. Chairman, at a time when we are concerned about identity theft, we should not be in the business of putting sensitive information into the hands of private contractors. Just today, the Washington Post did an editorial, Have You Been Stolen? And it says, ''Once your name, date of birth, address and Social Security number go astray, you are permanently at risk.''

Yet, if we do not pass this amendment that I have offered here today, millions of American taxpayers will be permanently at risk.

Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Chairman, I am pleased to join with my colleague from Connecticut in offering this amendment to ensure the fair treatment of the American taxpayer.

Mr. Chairman, it was just back in 1998 that, in response to overly aggressive IRS collection tactics, the Congress passed the IRS Restructuring and Reform Act. That act specifically prevented IRS agents and their supervisors from being evaluated based on how much taxes they collected. They couldn't get a bonus based on how much tax they collected. The reason was pretty simple. We wanted to make sure that the IRS agents had an objective approach, that they weren't harassing taxpayers for their own personal benefit.

That brings us to why we are offering this amendment here today. The provision that was included last year in the FSC corporate tax bill reversed that policy. In fact, even worse, it said that private collection agencies could go out and collect these taxes and that they would get a 25 percent bonus if they collected those taxes. In other words, they were on a commission, based on how much they collected, which creates exactly the wrong incentive, an incentive that we tried to address back in 1998 when we passed that earlier legislation.

Furthermore, it hurts the American taxpayer in another way. Right now, when the IRS agent goes out and collects taxes, 100 percent of those taxes go to the public Treasury to be spent on education and health care and other things that this Congress may decide to invest in for the American people. Under the existing special interest provision that got stuck into the law last year, 25 percent of those moneys are now going to go, not to the Federal Treasury for public purposes, but they are going to be pocketed by these private bounty hunters, essentially, debt collectors who are out there, who have an incentive to be overly aggressive with the taxpayer, have an incentive not to look at the issue fairly; and at the end of the day, they pocket 25 percent instead of those funds going to the benefit of the American taxpayer.

Mr. Chairman, I commend my colleague for offering this amendment and I urge its adoption.

Mr. SIMMONS. Mr. Chairman, could I ask how much time I have remaining?

The CHAIRMAN. The gentleman from Connecticut has 30 seconds remaining.

Mr. SIMMONS. Mr. Chairman, in those 30 seconds I would like to say that taxes today are complicated. Senior citizens have problems with them. Single moms have problems with them. Small business owners have problems with them. Mistakes can be made. But the collection should not be turned over to commission-based bounty hunters. We should not adopt a policy that turns these people loose on our citizens.

Mr. Chairman, I ask unanimous consent that this amendment be withdrawn, as I understand that there is a point of order against it.

The CHAIRMAN. Without objection, the gentleman's amendment is withdrawn.

There was no objection.

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

Mr. Chairman, I do understand that the point of order lies, and I understand why my chairman has raised the point of order. I just want to make something clear on the record, however, that I believe that collection of tax is an inherent role of government, and if the point of order had not lay against the provision, I would have supported the amendment that was offered by the gentleman from Connecticut.

Given the ongoing reports of identity theft and lost data these days, I have come to abhor the very idea of putting private and sensitive information in the hands of debt collectors. It seems to me, as I have already pointed out, it is an inherent role of government to collect taxes. It is a fundamental responsibility of government. We shouldn't privatize this activity, particularly when it will cost taxpayers more money than collecting the owed taxes by Federal employees.

For that reason, I would have supported the amendment, but I do understand the point of order as my chairman has raised it.

AMENDMENT OFFERED BY MR. FLAKE

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FLAKE:

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

SEC. ____. (a) None of the funds made available in this Act may be used to implement, administer, or enforce the amendments made to section 515.561 of title 31, Code of Federal Regulations, as published in the Federal Register on June 16, 2004, with respect to any Member of the United States Armed Forces.

(b) The limitation in subsection (a) shall not apply to the implementation, administration, or enforcement of section 515.560(c)(3) of title 31, Code of Federal Regulations.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. A point of order is reserved.

Pursuant to the order of the house of June 29, 2005, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

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

Mr. FLAKE. Mr. Chairman, I yield myself such time as I may consume. I had assumed that a point of order would be raised. I know that those opposing this amendment don't want to talk about this amendment, and I can understand why.

Carlos Lazo escaped from Cuba in the late 1980s. He hopped a raft, but unfortunately he was caught; he was caught by Castro's forces. He was taken back to Cuba where he spent 1 year in Castro's prisons.

A little later he decided that the pull from freedom was strong enough that

he would try again, and he did. He got on another raft and this time he made it. He made it and he became an American. Not only did he become an American, he became a soldier. Not only that, he went over to Iraq and served us proudly. In fact, Sergeant Lazo was recently awarded the Bronze Star for bravery in action in Iraq.

Last June, when he came home from Iraq, he wanted to visit his two sons who are still in Cuba. He is divorced. They and their mother live in Cuba. He tried to do so. He went to the Miami Airport only to find that since he had been in Cuba once in the past 3 years, he couldn't go again for another 3 years. He was prevented from going to see his family.

Here we are, our government, telling one of its finest, a soldier who put his life on the line in Iraq, a soldier that we trust in Iraq, but don't trust to be able to go and see his family more than once out of every 3 years. We acknowledge that he should be able to go see his family, but only once every 3 years.

What kind of a policy is that for us to have? And who would object to that? How hard-hearted do you have to be to say a soldier serving his country cannot go home and see his two kids?

Those on the other side might say, well, why don't we just bring his family over here? And he says, well, I have a good relationship with their mother and she wants them to stay there, and who am I to say any different? He also would like to see his grandmother and relatives while he is over there, that couldn't come here.

The notion that we should tell him what is best for him is at the root of this whole policy of denying Cuban-American families the right to see their families. If this amendment is indeed ruled out of order and we are unable to decide the fate of Sergeant Lazo, the only alternative is to vote for the Davis amendment that will be offered shortly.

POINT OF ORDER

Mr. LINCOLN DIAZ-BALART of Florida. Point of order, Mr. Chairman.

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

Mr. LINCOLN DIAZ-BALART of Florida. Is debate supposed to be on the point of order?

The CHAIRMAN. The gentleman from Florida reserved a point of order. The Chair has recognized the gentleman from Arizona for 5 minutes on his amendment pursuant to the unanimous consent agreement.

Mr. FLAKE. Mr. Chairman, let me point out again, this is another thing that the other side doesn't want you to hear. That is why I was just interrupted.

□ 1100

The only way we can allow Sergeant Lazo to see his family is to vote for the Davis amendment, which will allow him and other Cuban American families to go see their families better than once every 3 years.

I think Sergeant Lazo says it best. He says, Cubans pray every day that their parents die 3 years apart if their parents are in Cuba, so they are able to go see them.

Who are we? Who are we as Americans to tell other Americans that they should only be able to go and see their family, their mother, their father, or their kids in this case once every 3 years? What kind of policy is that?

Again, I am not able to offer this amendment. It is going to be ruled out of order. So the only way we can allow Sergeant Lazo or other Cuban Americans or others to see their families more than once every 3 years is to vote for the Davis amendment that will be offered shortly.

Again, Cuban Americans are only allowed once every 3 years. If they have a mother in Cuba and she dies and they decide to attend her funeral, if their father's dies 2 years later, they cannot go to his under this policy unless we vote for the Davis amendment.

I ask my colleagues to please look at their hearts here, see if this is what they want to do as an American to deny another American the right to see their family in Cuba. That is what this amendment is all about. Because we are unable to offer this one, that is what the Davis amendment will be about.

When we are debating the Davis amendment, I suppose we will hear on the other side, as we have heard in the past, hey, we oppose this, we live in a Cuban American community, we know that they do not want to go see their families. Perhaps the people they know feel that way, but I can tell my colleagues, I represent some Cuban Americans as well. People do all over.

Sergeant Lazo comes from the State of Washington, and they would like to go. And who are we, who is anyone to tell others that they cannot go there?

At the root of what we are trying to do is to give people the freedom to make that choice themselves rather than imposing that choice upon them, a choice whether to go see their families, to be able to visit their kids, as a soldier. And there are other soldiers as well; he is not the only one.

I would ask Members to please vote for the Davis amendment if we are unable to vote for this one.

Mr. FARR. Mr. Chairman, the hypocrisy of this Administration is stunning. Sergeant Lazo was sent by his commander in chief to fight in a war that President Bush has claimed is a "fight for freedom."

Yet this same Sergeant Lazo, an American citizen, has been told by the Government he serves that he is forbidden from seeing his children simply because they live in Cuba.

This tragedy is an extension of the administration's idiotic policy to restrict travel to Cuba.

This myopic policy is anti-family, anti-democratic values and it must be repealed.

I have been a strong supporter of lifting the travel ban and embargo; there is no better way to spread democracy and improve relations between Cuba and the United States then by allowing for people-to-people exchanges and unlimited family travel and promoting trade between our two countries.

But because of the restrictive travel policies implemented by this administration, each and every U.S. citizen should be very concerned that fellow American citizens do not enjoy the same rights and freedoms that each one of us has.

Sargeant Lazo is a tragic victim of a flawed 40-year-old policy. It is time for change. Support the Flake amendment and allow Sargeant Lazo to visit his children.

POINT OF ORDER

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

The rule states in pertinent part:

"An amendment to a general appropriation bill shall not be in order if changing existing law." The amendment at hand requires a new determination. And so I make the point of order against this amendment.

We will have discussion today, Mr. Chairman, on the right of all the people of Cuba to be free and the right for them not to have families divided. They pray every day for freedom, and they work for it. We will have that debate. But not on amendments that violate the rules of this House.

I ask for a ruling from the Chair.

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

Hearing none, the Chair is prepared to rule.

The Chair finds that this amendment includes language requiring a new determination by Federal officials to discern whether a person is a member of the Armed Forces. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

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

Mr. Chairman, I cannot believe what has just happened on the floor of this House. In effect, what has happened is that some of these same people who tried to stick their noses into the question of how the Schiavo family should deal with an end-of-life issue at a time of great pain for that family, some of the people in this House who felt compelled to stick their noses into that case are now trying to stick their noses into the question of how often someone who is wearing the uniform of the United States can see their family.

I am getting awfully tired of having people on this floor bleat about family values and then take actions which keep families apart. I am awfully tired of hearing people, in effect, suggest that because we dislike Mr. Castro so much that the only way someone wearing the uniform of the United States is going to be able to see his family in Cuba is only if they are lucky enough to see Castro go.

What happens in the meantime? Where are these vaunted family values?

I will tell the Members where they are. When they get in the way of people's political ideology or family squabbles in Cuba, they get tossed out the window. What a pitiful joke.

AMENDMENT NO. 4 OFFERED BY MR. DAVIS OF FLORIDA

Mr. DAVIS of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. DAVIS of Florida:

Page 224, insert the following after line 8:

SEC. 948. (a) None of the funds made available in this Act may be used to implement, administer, or enforce the amendments made to section 515.560 or 515.561 of title 31, Code of Federal Regulations (relating to travel-related transactions incident to travel to Cuba and visiting relatives in Cuba), as published in the Federal Register on June 16, 2004.

(b) The limitation in subsection (a) shall not apply to the implementation, administration, or enforcement of section 515.560(c)(3) of title 31, Code of Federal Regulations.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Florida (Mr. DAVIS) and a Member opposed each will control 5 minutes.

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

Mr. DAVIS of Florida. Mr. Chairman, may I first ask, as a matter of procedure, who will be claiming time on the other side?

The CHAIRMAN. Time has not yet been claimed.

Mr. DAVIS of Florida. Mr. Chairman, I yield myself 2¾ minutes.

Today I am offering an amendment to repeal the administration's rules restricting family travel to Cuba. I offered this same amendment last September. It passed by a vote of 225 to 174. Unfortunately, the amendment was not included in the conference report. I am asking my colleagues, Democrats and Republicans, to join me again today in correcting this cruel injustice.

As was just described in the prior amendment, the Department of Treasury introduced rules in June of 2004 that limit to once every 3 years the opportunity of anybody in my home State of Florida of the United States to visit their own flesh and blood, their family, in Cuba regardless of the circumstances.

Furthermore, the policy that I seek to repeal through this amendment is an unforgivable policy that redefines the family to exclude aunts, uncles, and cousins. And I ask anybody on the floor of the House today to stand up and defend this indefensible aspect of the policy.

A vote for my amendment is to reinstate the prior rule that allowed people here in the United States to visit their own family once a year and to apply for a specific license if there were an emergency: a birth, a death, or someone who is very sick and might die.

I represent hundreds of people in the Tampa Bay area, like many Americans, who simply would like to be with their family in these tragic times. This policy prohibits it.

Let me be clear. My amendment does not address the broader issue of the embargo or unfettered travel to Cuba. That is a debate for another day. This is simply about families. This Congress, this country should be in the benefit of supporting families, not undermining them, not separating. This policy punishes Cubans on both sides of the straits, and it has no positive impact on the embargo issue. I represent many people who are trying to reach out to their families at a time they have little hope, little support, under this oppressive regime in Cuba I have seen with my own eyes.

As was mentioned earlier, Sergeant Lazo was good enough to be sent to Iraq to defend our country as part of the Washington National Guard. He has two sons in Cuba, one of whom, I understand, is in the hospital. He is not allowed to go visit his own son because he was in Cuba 2 years ago.

A deputy assistant secretary of the United States State Department summed this up last year. He said, an individual can decide whether they want to visit Cuba once every 3 years and the decision is up to them, and if they have a dying relative, they have to figure out the best time to travel. These are words that no one would dare speak on the floor of this House of the United States of Representatives. How outrageous.

This Chamber is constantly taking steps to defend and support families: tax relief, marriage penalty relief, child tax credits. Everyone on the floor of this House of Representatives talks about family values here and at home. This is a chance to act on family values. We have an opportunity today to support families who may be divided in geography, but they are not divided in flesh and blood and commitment to each other.

I hope this body, which is divided on the embargo, will come together, support families, and adopt the Davis amendment.

Today I am offering this amendment to repeal the administration's rules restricting family travel to Cuba.

As you may remember, I offered this same amendment last September. The House of Representatives recognized this injustice and passed my amendment by a bipartisan vote of 225 to 174. Unfortunately, my amendment was not included in the conference report. I call on my colleagues to pass this amendment once again.

On June 30, 2004, the Department of Treasury implemented new restrictions on family travel to Cuba. Cuban Americans are now limited to one 14-day visit with their Cuban relatives every 3 years.

The administration has also attempted to redefine the Cuban family. Cuban-Americans are no longer permitted to visit their aunts, uncles or cousins in Cuba.

My amendment would prohibit funds in this bill from being used to implement, administer or enforce the changes made to family travel.

A vote in favor of my amendment is a vote to reinstate the previous policy, which allowed Cuban-Americans one trip per year under a general license, allowed for additional emergency visits under a specific license and kept aunts, uncles and cousins where they belong—as part of the family.

Mr. Speaker, let me be clear. This amendment deals exclusively with keeping families together and would not permit unfettered travel.

But the United States should not be in the business of separating families. The new family travel rules undermine families, punish Cubans on both sides of the Florida straits and have minimal effect on the Government of Cuba.

The Cuban people are talented and ambitious, but under Castro's oppressive rule, they are left with little hope. For many, their only lifeline is the emotional and financial support they receive from relatives in America.

Mr. Chairman, I have spoken with numerous Cuban Americans in my district of Tampa Bay and across Florida who were heartbroken by these regulations. And, most recently, I met with SGT Carlos Lazo, a Cuban American who bravely served our country in Iraq. He is not even permitted to visit his two sons in Cuba.

In fact, last year, a deputy assistant secretary at the U.S. Sate Department summed up the outrageous insensitivity of these rules when he was quoted by Reuters as saying, "An individual can decide when they want to travel once every three years and the decision is up to them. So if they have a dying relative they have to figure out when they want to travel."

Mr. Chairman, this chamber is constantly celebrating and supporting America's families. We've passed marriage penalty relief and child tax credits. But these sweeping changes on family travel to Cuba were enacted without so much as one hearing in Congress.

Again, we have an opportunity to right this wrong. We have an opportunity to celebrate the positive relationships between the United States and Cuba. We have the opportunity to support families who may be divided in geography, but not in flesh and blood and certainly not in love.

This body may be divided on whether the United States should allow travel to Cuba for tourism or business reasons, but I hope that today we can unite in support of families. I urge my colleagues to vote in favor of the Davis amendment.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 5 minutes.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New Jersey (Mr. MENENDEZ).

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

Mr. MENENDEZ. Mr. Chairman, I rise in opposition to the gentleman from Florida's amendment.

A year ago I too had concerns about the changes in the regulations on family travel when they were first introduced, and I voted with the gentleman from Florida (Mr. DAVIS) because I believed that Cuban Americans had virtually no notice that the regulations were about to be changed and they could not plan their travel to Cuba accordingly. But a year later my view of these concerns no longer applies.

So now the question becomes the focus on the impact of travel to Cuba, and I would like to share with Members of the House a letter that many of us recently received from the leading Cuban opposition leaders: Martha Beatriz Roque Cabello, Rene de Jesus Gomez Manzano, Felix Antonio Bonne Carcasses. These are the same opposition leaders who, on May 20 of this year, organized an historic Assembly to Promote Civil Society on the 103rd anniversary of Cuban independence.

This event brought many civil society organizations together for the first time to discuss democracy in Cuba. And as we learned in a hearing earlier this year in the Subcommittee on the Western Hemisphere, of which I am the ranking Democrat, the organizers and the participants in this event risked their personal freedom for the freedom of the Cuban people. In fact, these leaders have already suffered in Castro's jails for speaking out on behalf of the Cuban people. And it is the same group of leaders who risked their lives for democracy in Cuba, not those here in the diaspora, but those who are inside of Castro's Cuba, who ask this Congress in their letter not to adopt any changes, any changes, which would either partially or totally change the nature of the embargo.

In fact, they clearly state that any such change would be interpreted as a new policy of compromise with the Castro regime and cite that nothing has been done by the regime to move forward to an accommodation with that element of civil society that ultimately seeks to change the fundamental basics of human rights that we seek to promote throughout the world. And I think we have to heed the warning that they are sending, and we must send a clear message to the Castro regime that we will not compromise when it comes to human rights, freedom, and democracy in Cuba; that we will not dilute the embargo in any way and that we must respect the voices of those very same Cubans who suffer under the regime.

And, finally, let me just say that one cannot seek political asylum from a country and then constantly travel back to it. One is either a political asylee or one is not. One cannot keep traveling back to a country from which they are a political asylee.

And, lastly, we all know the great difficulties, those of us who are not only Cuban Americans but who represent 99 percent of all Cuban Americans in the country; and they have one voice, and that voice is to do everything we can to end the suffering of the Cuban people.

We hear those voices from Cuba. We should listen to them.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, some may ask why the Cuban American community overwhelmingly not only supports these measures to limit resources to the terrorist regime, but elects Members, each and every Member, Cuban American Member whether they are Republicans or Democrats, who also agree with the overwhelming majority of the Cuban American community on measures to limit resources to the terrorist regime.

Among the reasons for that, obviously, it is because it is a terrorist regime, an anti-American terrorist regime, that oppresses the Cuban people and has done so for 46 years; but also because Cuban Americans know that freedom never comes free. The only country in the world that has the benefit of a law here in the United States that says one reaches soil in the United States and they are treated like a political asylee are Cubans. And with those great privileges, the great privilege of the Cuban Adjustment Act, come responsibilities.

If one is from any other country in the world, as the gentleman from New Jersey (Mr. MENENDEZ) said, and they are a political asylee, they cannot go back once every 3 years. They cannot go back, period, until the political situation changes in the country they have left. But Cubans not only are treated, and rightfully so, because they are fleeing a Communist tyranny in this hemisphere, as though they were jumping over the Berlin Wall, they are treated as political asylees, but they can go back and visit family every 3 years; whereas from any other country in the world, political asylees cannot.

□ 1115

So, at this point, I would say this is a very serious issue, but suffice it to say that it is not by chance that all the Cuban American Members of this House and the overwhelming majority of the community support all of these measures to limit resources from the terrorist regime.

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

Mr. DAVIS of Florida. Mr. Chairman, I yield myself 1 minute.

The argument has been made that this debate is about limiting resources. Does anyone want to stand on the floor of this House of Representatives and tell anyone that they cannot go visit a dying member of their family because that is an appropriate limitation on resources?

I have been down to Cuba and seen with my own eyes the suffering and injustice and misery under this oppressive regime. This government is treating their people terribly. One of the few things they have left in life, apart from their own faith and pride, is the support of our own family. No one, no one dares stand on the floor of this House today and answer the question, what do you tell somebody I represent or you represent when someone in their family is having a baby, is approaching death or may die and cannot go down to visit their own family because they were just there 2½ years ago. That is indefensible. It is unforgivable. This is not a debate about the embargo. This is a debate about whether we are going to stand on the floor of the House of Representatives and support families and support family values.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield the balance of my time to the gentlewoman from Florida (Ms. ROS-LEHTINEN), the distinguished leader and Member from the International Relations Committee.

Ms. ROS-LEHTINEN. Mr. Chairman, when we eliminate all the emotional rhetoric here on the floor, what we get to is this amendment. This amendment provides an economic lifeline to the dictatorship. By prohibiting OFAC from enforcing U.S. laws and regulations, this amendment removes those safeguards and it provides the Castro regime with the much needed currency to continue its reign of terror.

Prisoners of conscience are languishing in squalid cells in Cuba, and yet, what are we doing? We are going to bestow this pariah state another victory. Castro is very happy when we do these amendments. Former political prisoners in my Congressional district who endured the most inhumane treatment are the first ones to oppose any weakening of these restrictions.

I urge my colleagues to vote ''no'' on the Davis amendment.

Mr. DAVIS of Florida. Mr. Chairman, I yield 15 seconds to anyone who opposes this amendment, that wants to defend a policy that says that your family or mine or anybody's family cannot include aunts, uncles or cousins.

I would be happy to yield to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART).

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, the reason that President Bush implemented these regs, the reason we have an embargo is because we want the political prisoners freed, because we want political parties legalized, labor unions legalized, the press legalized, and elections scheduled, and we want to retain the leverage of those billions of dollars in travel until the dictatorship releases political prisoners. And you know something, yes, there is pain involved in the Cuban tragedy. But the pain comes from the tragedy of the dictatorship and not because of our policies.

Mr. DAVIS of Florida. Mr. Chairman, reclaiming my time, the silence is

deafening here. With all due respect to my colleague, with whom I agree on many Cuba policies and respect, no one dares stand on the floor of the House of Representatives and answer the question why we are supporting a policy that says that your uncle, aunt or cousin is not a member of your own family, your own flesh and blood.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Florida. I yield to the gentleman from Florida.

Mr. LINCOLN DIAZ-BALART of Florida. Did the gentleman not hear when I spoke 10 seconds ago?

Mr. DAVIS of Florida. Mr. Chairman, reclaiming my time, this is not a debate about the embargo. This is a debate about who is considered a member of the family. No one dares stand on the floor of the House of Representatives today and answer the question why we are going to deny to an individual the right to visit a member of their own family who may be having a child, who may be dying. I represent people who every day are facing the cruel injustice of this policy. For them it is not about a message. It is not about rhetoric. It is about the facts. The fact is we are denying Sergeant Lazo, who was good enough to represent our country and our families, including our aunts, uncles and cousins in Iraq, the ability to visit his own sons in Cuba, including one who in the hospital. This is an unforgivable indefensible policy.

I would urge Democrats and Republicans to once again adopt the amendment.

Mr. DELAY. Mr. Chairman, the author and proponents of this amendment, which would lift the longstanding prohibition on American travel in Cuba, support it for perfectly valid motives. They believe the infusion of both American money and American culture—however limited—will be a net positive for Cuba's struggling economy. And if, in fact, Cuba's economy was simply struggling, I would whole-heartedly support this amendment. But Cuba's economy is not struggling—it is strangled. It is dominated, oppressed, and leeched by Fidel Castro's terrorist regime in Havana.

Cuba has no economy, not in the way we understand the term; it merely has economic extensions of Castro's tyranny. In Castro's Cuba, any money taken in from tourists is pilfered by the government and used to fund its decades-old machinery of oppression. There is no free market; just a command economy. There are no small businessmen; just Castro's button-men. There is no service industry; just a giant money-laundering apparatus for a murderous tyrant. Proponents of this amendment, Mr. Chairman, would have us believe Cuba could become America's playground if only the economic sanctions were lifted—that once Cuba's economy and culture were exposed to American dollars and sensibilities, we would have a tropical paradise, an exotic vacation Mecca, right around the corner.

But Mr. Chairman, the difference between Cuba and Bermuda is not the absence of tourists in the former but the absence of secret police in the latter! The money Americans would spend in Cuba under this amendment would directly—not indirectly, but directly—benefit Fidel Castro's dictatorship, his aiding and abetting of international terrorism, his oppression of the Cuban people, and his hijacking of Cuban history. The only solution is to not spend that money in the first place.

President Bush is right, as he has been for four years, to promise to veto any legislation that enriches Fidel Castro or benefits his regime. The president is right. I stand with him, and I urge all my colleagues to do the same.

Mr. MCGOVERN. Mr. Chairman, these cruel anti-family restrictions need to be reversed. They have already caused too much human pain and suffering.

Nelson Diaz arrived in the U.S. in 1981, leaving his father, brothers and extended family in Cuba. He visited his family in May 2004—and is now not eligible to return until May 2007. His father is 87 years old and in failing health. If he is forced to wait the full three years, Diaz will not see his father alive again.

Waldo Parravicini left his family behind in 1958 when he came to the U.S. Until last June, he saw them on a regular basis, delivering vital medicines to his aging father. Under the new restrictions, Waldo has missed the deaths of his father and grandfather, aunts, uncles, cousins and friends, as well as the births and baptisms of nieces and nephews. If Waldo and his 93-year-old mother have to wait two more years, she may never see her oldest daughter and grandchildren again. Regarding the new limits on family travel, Waldo says they are "not worthy of any nation that truly values family and God."

Ana Karim, a pastor with the Richmond Mennonite Fellowship in Richmond, Virginia, has family throughout Cuba, who she visited regularly until last year. She brought medicine, clothing and food to her two uncles, one suffering from cancer and the other from Parkinson's disease. Now Ana cannot visit any of her family in Cuba because the new law declares that her uncles, aunts and cousins are not immediate family.

Mr. Chairman, who in this Chamber can possibly, in good conscience, support a policy that deliberately creates such family pain and suffering?

We're supposed to be the good guys.

Stop punishing these innocent families.

Support the Davis amendment.

PROFILES OF CUBAN-AMERICANS HARMED BY THE NEW FAMILY TRAVEL RESTRICTIONS ON CUBA

MARISELA ROMERO

Marisela Romero is a 56-year-old Cuban-American woman who lives in Miami. Her only sister and her mother had died in Cuba several years ago, leaving her to manage the care of her elderly and demented father who lived in a small coastal town on the island. Prior to last summer she had traveled every two to three months to visit him. She sent him medicines, diapers, and other supplies to make his life easier, and hired several Cubans who provided him with the round-the-clock care that allowed him to stay in his own home. Then, in 2004 our government dramatically restricted Cuban-Americans in terms of both traveling to Cuba and sending material aid. She was forbidden to send money to those who were caring for him. She was forbidden to visit him more often than once every three years. She was even forbidden to send him the diapers he needed because they were not deemed to be "medicine." After several months of not seeing his only living child, he died. Both he and his daughter suffered irreparable harm because of the new regulations. It is unacceptable to treat either American families or Cuban families with such cruelty.

NELSON DIAZ

Nelson Diaz arrived in the United States in 1981, leaving his father, brothers, and extended family in Cuba. He was able to visit the island in May 2004 and is not eligible to return until May 2007. However, his father is 87 years old and in failing health. Diaz fears that if he is forced to wait the full three years that he will not see his father alive again. He also worries about his limited ability to send money and goods to the rest of his family. Despite having built a successful life in the United States, according to Diaz, "I cannot be completely happy if my family and friends in Cuba are in need and I cannot help them."

WALDO PARRAVICINI

Leaving behind his family in Cuba, Waldo Parravicini came to the United States in 1958 to attend college after Batista shut down the University of Havana. Until last June when the regulations governing family travel to Cuba changed and restricted visits to once every three years, Parravicini visited his family on a regular basis, delivering vital medicines to his aging father during his long battle with illness.

Referring to the travel restrictions, Parravicini says, "its hypocrisy and double standard are incredible . . . and not worthy of any nation that truly values family and God."

Because of the limitations on travel to Cuba, Waldo has missed important family events including the deaths of his father and grandfather, aunts, uncles, cousins, and friends; and the births and baptisms of nieces and nephews. If Waldo and his 93-year-old mother have to wait two more years to visit Cuba, his mother may not be able to see her oldest daughter and grandchildren again.

ANA KARIM

Ana has family throughout Cuba and has made a habit of visiting them at least once a year. On her visits to Cuba, Ana brings medicines, clothing, and food. These gifts are particularly helpful to her two uncles, one suffering from cancer and the other from Parkinson's disease.

While her uncles have received free medical treatment from the Cuban government, they face a drastic shortage of medicine, particularly ibuprofen. When Ana visited last May, she took several bottles of the pain medicine with her; a gift which was immensely appreciated.

Under new travel restrictions, effective June 30th, Ana is no longer able to visit her family in Cuba. The new law dictates that aunts, uncles, and cousins are not in one's "immediate family" and Cuban Americans cannot legally visit those relatives.

Ana works as a pastor with the Richmond Mennonite Fellowship in Richmond, VA. She has traveled to Cuba in this capacity as well leading two-week seminars in Cuba that fulfill a class requirement for students at Baptist Theological Seminary at Richmond. The new restrictions now prohibit any programs lasting shorter than 10 weeks, severing this opportunity from her as well.

Mr. FARR. Mr. Chairman, I rise in strong support of the Davis amendment to the Treasury Transportation bill.

Our foreign policy should reflect our Democratic values. The Administration claims that family values are the bedrock of our society,

yet this same Administration has instituted one of the most anti-family policies in US history.

In June 2004 the Office of Foreign Assets Control issued regulations that only permit Cuban-Americans to visit their immediate family members in Cuba every three years.

Are any of us willing to trade places with Cuban-Americans living in the United States who are denied the opportunity to visit freely with their family members . . . because of geography? I think not.

What does such a restrictive policy say about American values to Cuban Americans? What does such a restrictive policy say about American values to the rest of the world? What does such a policy say about the civil rights of Cuban Americans living in the United States?

It is akin to a "separate but equal" policy since Cuban Americans, who should enjoy the same civil liberties that all other Americans enjoy, cannot freely visit their families in Cuba.

As this Nation prepares to celebrate its 229th birthday on July 4, I urge my colleagues to remember the democratic principles our Founding Fathers enshrined in the Constitution. Don't treat Cuban Americans as "separate but equal."

Overturn the ban on travel to Cuba and support the Davis amendment.

Ms. DELAURO. Mr. Chairman, none of us come here to defend the Cuban Government or its historically poor human rights record and repressive system of government. But 46 years of the same failed policy have accomplished nothing. And the more we normalize relations with Cuba, the faster Fidel Castro will lose his grip on the Cuban people. This is why we should be making it easier for Americans to go to Cuba.

Yet we seem to be going in the opposite direction. Rather than being committed to political openness and the free exchange of goods and ideas—powerful forces—we are clamping down on our own citizens—in the process, preventing any liberalization of the Castro regime and penalizing law-abiding Americans.

Last week, I met with U.S. Army Sgt. Carlos Lazo, who has two sons in Cuba, one critically ill. This is a man who won the Bronze Star for fighting in Iraq, but our government will not let him visit his own son. Why? Because he traveled to Cuba last year. Even the Cuban government has said Sgt. Lazo's son can come here to visit his father.

So, Mr. Speaker, this is an issue of human rights and economic freedom. Limiting the rights of Americans to travel back to Cuba, or to send money home to their families is no way to bring change to Cuba.

In committee, we already acknowledged as much from the business end. There, we recognized how much progress we have made in the last few years on the economic front, with agriculture sales growing to almost $400 million from almost nothing 4 years earlier. That is why the committee unanimously agreed to loosen traveling restrictions to Cuba with respect to agribusiness.

There is no reason we should not do the same for these families. Now is a time for compassion. Particularly when we are talking about men and women in the United States military uniform, who are defending our freedom overseas, we should show them that their Congress recognizes that freedom begins at home. Support this amendment.

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

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

Mr. DAVIS of Florida. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. FLAKE

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FLAKE:

Page 224, insert the following after line 8:

SEC. 948. None of the funds made available in this Act may be used to amend section 515.566 of title 31, Code of Federal Regulations (relating to religious activities in Cuba), as in effect on June 29, 2005.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I reserve a point of order on Mr. FLAKE's amendments. He has got, I believe, eight of them, and I am not sure if all of them are consistent with the rules of the House. So what I would like to do because I do know that some at least or at least another one is not, I reserve a point of order on Mr. FLAKE's amendments.

The CHAIRMAN. The point of order is reserved.

Pursuant to the order of the House of June 29, 2005, the gentleman from Arizona (Mr. FLAKE) and the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) each will control 5 minutes.

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

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

Mr. Chairman, I would rather respond to the questions on this. What this amendment simply does, those who are opposed to change in Cuba have said let us keep the current regulations. Let us keep the current exemptions that we have. Let us keep it all the same. The gentleman from New Jersey (Mr. MENENDEZ) just stood and said the dissidents are saying that, let us keep it exactly the same.

This amendment, with regard to the religious exemption that exists, says keep it the same. That is what we are doing with this amendment.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, again, I was not aware of which of the multiple amendments that the gentleman from Arizona (Mr. FLAKE) has filed he was going to bring up at this time. My understanding is that this particular amendment, of the many that he has filed, is in order. So I look forward to the debate.

The CHAIRMAN. Does the gentleman withdraw his reservation of the point of order?

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The gentleman from Florida is recognized for 5 minutes.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield myself such time as I may consume.

My understanding of this, of the many amendments that Mr. FLAKE has filed with regard to matters that would increase currency to the regime, this amendment states that he wants to tie the President's hands from issuing any further regulations that could have the effect of changing the current regulation that does permit religious travel to Cuba. So I want it to be clear, there is currently a category in U.S. law that permits travel for religious purposes to Cuba.

What the gentleman from Arizona (Mr. FLAKE) is saying is, well, I do not know if in the future the President could do something that I disagree with, and so I want to prohibit something the President may do in the future with this amendment. For example, the regime, colleagues, I am sure are aware of the fact, has had about 15 spies arrested in the United States in the last 3 or 4 years. If the administration should find that the religious travel category were being utilized to either train spies or intensify the efforts of Cuban state security against the United States, this amendment would prohibit the President from issuing, in effect, further regulations on that.

Religious travel is legal. That is not being debated at this time. What the gentleman from Arizona (Mr. FLAKE) is saying is that he wants to tie the hands of the President in the future with regard to one of the six remaining terrorist states in the world. It is wrong. We should not tie the President's hands, and so I oppose the amendment.

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

Mr. FLAKE. Mr. Chairman, I yield myself 1 minute. I offered this amendment to see what the other side would do on this, and just to let this body know how far we are going here. They claim to respect religious liberties and to allow religious visits to Cuba. Yet, when I say let us protect that current exemption that exists, they say we might want to go further. We might want to apply a religious test and, in fact, it is happening right now in Miami. There are groups that are going down under a certain religion, and now we have our own Department of Treasury and the Congress apparently saying we are not sure you are really that religion, we are not sure you really believe that. And so we might restrict that further.

In fact, regulations were just issued a few months ago to say that, you know, we think, and this is without approval of Congress, just new regulations saying it ought to only be 25 people that could go at one time. Anything else is unreligious apparently. That is where we are going. It just baffles me to see where we are going here.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield 1 minute

to the gentleman from New Jersey (Mr. MENENDEZ).

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

Mr. MENENDEZ. Mr. Chairman, I think the gentleman from Arizona's amendment is very dangerous. Let me tell you why. Read the amendment. It says none of the funds made available in this Act can be used to amend this section relating to religious activities. If the administration or any future administration, if this amendment were adopted, wanted to increase the flow of religious activity into Cuba, which is permitted under existing law by license, is permitted under existing law by license, if there came a point in time in which the floodgates wanted to be open, the gentleman from Arizona's amendment would prohibit the Federal Government from doing so.

That is a prohibition that is not in the national interest, security or in the foreign policy of the United States, and it is very clear that religious institutions right now have all the wherewithal and have been traveling to Cuba.

Mr. FLAKE. Mr. Chairman, I yield myself 2 minutes. Mr. Chairman, believe me, given the history of this issue, the last thing any of us worry about is for those who oppose changes on the Cuba issue to liberalize or to allow more religion and more religious travel, because every effort is to restrict, is to tell people we know better than you. We apparently can define whether you are really religious or not or whether you really believe in that faith. That is what this is about. We are simply trying to protect it.

I would love the President to say, hey, let us open it and I would sponsor legislation to do that certainly. I have. But the last thing we are worried about here is for religion to be opened up because every effort by those who oppose the freedom to travel to Cuba has been to restrict people's freedoms and rights and religion.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield the balance of my time to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Chairman, I thank my friend from Florida for yielding time.

Mr. Chairman, this amendment is prospective. It seeks to prohibit the use of funds on something that may or may not happen, may be looser, may be stricter, legislating on hypotheticals. And once again, U.S. law already allows individual members of religious organizations to travel to Cuba for religious purposes. The only requirement is that they have a specific license. That is a safeguard in U.S. law to ensure that travel is in fact for the stated purposes, and not for the purposes of tourism.

□ 1130

The regulations ensure that financial donations are not provided to the regime under the guise of religious activity. Current law seeks to prevent the manipulation of legitimate activities to practice or share as one believes about the Cuban people.

The practice of religion should be reaching out, in solidarity, in total respect for the fundamental rights of each and every human being. But what happens in Cuba? The Cuban people continue to live mired in misery and oppression. In Cuba, people are denied their freedom of conscience, their freedom of belief, their freedom of religion. They are persecuted, prosecuted for those beliefs because they run contrary to the Communist doctrine.

Proponents of this amendment and others seeking to revoke U.S. policy toward the Castro dictatorship argue that they are doing it to help the Cuban people. But when we speak of helping the Cuban people, Mr. Chairman, we need to focus on the freedom of the Cuban people. Help is liberty. Help is helping to ensure that every Cuban can speak their minds, not be imprisoned or threatened or beaten to death for it. Help is ensuring that the Cuban people are permitted to practice their religion in true freedom. That is not taking place in Cuba right now.

I urge my colleagues to vote against this amendment. This amendment will just free, open so much of the lawlessness that is going on with the permitting process. It promotes lawlessness because it states we are not going to regulate it in the future. We do not know what will happen.

Reject this amendment.

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

The CHAIRMAN. The gentleman from Arizona has 2½ minutes remaining.

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

Mr. Chairman, I offered this amendment to allow people to see what this is all about. And the notion that what the other side wants to defeat this amendment for, because they might allow more religious travel, is pretty much laid bare by opposition to the other amendments that have been offered, allowing family members to travel or military members to travel, or support for regulations in the past to restrict religious freedom; to say, hey, if you are of a certain religion, then we at the Department of Treasury, we are going to decide how many are really in your congregation, what kind of religion you have or whether it is really a religion at all. That is what this is about.

But I am cognizant of the fact that if this is twisted, like many of the amendments offered on Cuba are, and people misunderstand it as this is something to lift the whole embargo, in fact, the talking points just read refer to a different amendment because it talked about lessening.

I am talking about keeping. I am cognizant that if this were to go down, that would embolden this side to restrict religion even further, saying we have license. The House has said, let us restrict religion even further.

That is the last thing I want, and I will not be party to that.

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

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

There was no objection.

AMENDMENT OFFERED BY MS. LEE

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

The Chairman. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. LEE:

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

SEC. ____. None of the funds made available in this Act may be used to implement, administer, or enforce the amendments made to paragraphs (a) and (b) of section 515.565 of title 31, Code of Federal Regulations (relating to specific licenses for United States academic institutions and other specific licenses), as published in the Federal Register on June 16, 2004 (69 Fed. Reg. 33772). The limitation in the preceding sentence shall not apply to the implementation, administration, or enforcement of section 515.560(c)(3) of title 31, Code of Federal Regulations.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentlewoman from California (Ms. LEE) and a Member opposed will each control 5 minutes.

The Chair recognizes the gentlewoman from California (Ms. LEE).

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

Mr. Chairman, this amendment is very simple and, hopefully, should be very noncontroversial. It passed this body last year by voice vote, and I am asking for support again this year. This amendment is good for education, the budget, and our national security concerns and it supports our students. It is good for the spread of democracy. Let me explain why I say that.

This amendment prohibits funds in this bill from being used to enforce new regulations, promulgated in June of 2004, that severely restrict and in many cases eliminate opportunities for United States students to study abroad in Cuba.

The revised travel regulations take our policy towards Cuba in exactly the wrong direction. These regulations are plain punitive and undemocratic. They simply do not make sense for Americans. Regulations that have already denied and will continue to deny many American college students the basic opportunity to gain experience, knowledge and insight through study abroad in Cuba should not be funded.

This is an issue of freedom for our students to travel and gain invaluable experience and educational opportunities that only international study abroad programs can provide.

After the House passed this amendment last year, students and institutions from across the country were

very relieved. They want the opportunities to conduct their studies, learn about other cultures, and make independent judgments for themselves.

Mr. Chairman, this amendment simply moves students closer to what they really deserve. And make no mistake, isolating Cuba and preventing these important contacts between students and Cuba will not change the Government of Cuba.

In 1963, let me remind you that Attorney General Robert Kennedy sought to lift the entire U.S. travel ban to Cuba. He believed that the travel ban was inconsistent with our views, our views of a free society. More than 40 years later we are still debating an outdated policy from a bygone era, but this is just a very simple amendment that will speak right to our American students. We need this policy to allow our young people to change ideas, values and experiences.

These types of exchanges are what will truly bring change to Cuba. Our students are the best ambassadors for democracy. Also, Mr. Chairman, money spent enforcing these regulations, I think this money would be better spent tracking down terrorist finances.

Before the new regulations were enacted, the Miami Herald reported that the Office of Foreign Assets, which, of course, is the department responsible for tracking the finances of terrorists, international narcotics, and weapons of mass destruction, has six more times personnel, I could not believe this, six more times personnel working on Cuba licensing than tracking bin Laden.

Now, OFA officials are tracking students and Cuban American families instead of focusing on terrorists.

Today, I stand against squandering our resources to enforce these ineffective, outdated policies as they relate to our students and to our education. And I ask Members to support the ranks of American students to be educated, to travel abroad, to gain experience and to make judgments for the themselves.

American students are allowed to visit and participate in educational opportunities and programs in China and in other countries which we may or may not agree with, and so I believe that our own young people deserve this right. It is basic to their educational desires if they choose to do this.

Finally, I want to remind my colleagues that last year the State Department and the 9/11 Commission both underscored the importance of our youth in spreading American values. Patricia Harrison, Assistant Secretary of State for Educational and Cultural Affairs, stated before the Committee on International Relations, on which I serve, she said, One of our greatest assets in public diplomacy is the American people themselves. Programs, she said, that which bring Americans and foreign citizens in direct contact, can and do have tremendous positive impact.

The recommendations of the 9/11 Commission report stated that we must rebuild the scholarship exchange and library programs that reach out to young people and offer them knowledge and hope. I cannot agree more. It is in our best interest to allow our youth to spread the message of American values and hope so that people can see for themselves who America is and what we stand for.

This amendment is straightforward, Mr. Chairman, and should not be controversial. We are talking about mainstream family values, education, freedom to learn and the freedom to export our American principles.

I urge my colleagues to vote ''yes'' on the Lee amendment.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I rise to claim the time in opposition to the amendment.

Mr. Chairman, it is interesting how amendments make themselves to the floor, find their way to the floor with regard to the Cuban terrorist dictatorship, with language of freedom, talking about education, talking about reunification, talking about students.

Over 100 pro-democracy activists, leaders in Cuba met last month at great risk to their lives and to their families' lives, and they met publicly for the first time in 46 years. They held a convention. Many of them were not permitted to arrive. State security kept them in their homes, threw them in prison, but over 100 did arrive at the convention.

They met there and for the first time in 46 years they had elections and they elected leaders of the prodemocracy movement. They issued positions calling for the release of political prisoners and democracy, free elections. And they sent us a letter, Mr. Chairman, signed June 24, the three leaders of the Assembly to Promotes Civil Society.

They asked us in this letter with great respect for the decisions of a sovereign Congress, to reject each and every amendment that was going to be presented this week, either completely or partially eliminating sanctions against the dictatorship. And the dictator, Mr. Chairman, has gone on his state television, obviously, the only channel that belongs to him, and has said, ''A severe response'' awaits those mercenaries.

The omnipotent, totalitarian dictator, Mr. Chairman, until one day, omnipotent, goes on television and says ''a severe response'' awaits. The Cuban people know what that means. At any moment these leaders or their families will be thrown in dungeons and subjected to the torture that thousands of political prisoners are subjected to in Cuba each day and hundreds of thousands have been subjected to for 46 years.

Now, this letter, should we give it the credence and authority and respect that its courage, its heroism demands? I believe we should. This is a very serious issue. We have a policy to help the Cuban people and not the jailers of the Cuban people, not the oppressors of the Cuban people.

Mr. Chairman, how much time is remaining?

The CHAIRMAN. The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) has 2½ minutes remaining.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I reserve the balance of my time.

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

First, let me comment with regard to the gentleman's presentation, and I thank the gentleman for calling to our attention the letter. But I am opposing U.S. foreign policy. And it is my contention that we should not allow letters from foreign citizens to dictate those types of foreign policy measures that the United States of America should be making in terms of our educational programs for our American students.

This is about American students and their right to participate in educational programs. It has nothing to do with any of the issues that this letter addresses.

The CHAIRMAN. The time of the gentlewoman has expired.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Chairman, with over 160,000 American students studying abroad each year, the United States acknowledges the potential contribution of true educational exchanges, and Cuba is no exception.

Under current law, educational activities by American students in Cuba are permitted. In fact, under current law, these activities are enhanced by regulating the manner in which students may fulfill these study semesters abroad. Therefore, if it is truly the opportunity for education that the Lee amendment attempts to preserve, then I would like to respectfully remind my colleagues here today that American students are afforded this opportunity through the implementation of current regulations.

The regulations in place merely serve to ensure that those students traveling for educational purposes are doing just that. Current law establishes that specific licenses for educational activities be preserved for undergraduate and graduate institutions. These measures were enacted and must been enforced to prevent the abuse of educational activities such as spring break getaways and island shopping sprees.

I urge my colleagues to join me in voting ''no'' for the Lee amendment because educational travel is already permitted.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, how much time is remaining?

The CHAIRMAN. The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) has 1½ minutes remaining.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield 1 minute

to the gentleman from Florida (Mr. MARIO DIAZ-BALART).

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, I have been listening to this debate, and one of the things that was said today is that we should not accept letters from even freedom fighters, heroes who are suffering under Castro's oppression.

If we should not listen to them, maybe we should listen to what the dictator himself has said about amendments such as this in the past. When an amendment such as this passed a couple years ago, he said, ''The House of Representatives voted with determination and courage for amendments that bring glory to that institution. We should always be grateful for that gesture.''

That is the dictator himself, grateful for amendments like this. Should we be on the side of the Cuban people or should we be taking actions that the dictator himself calls glorious?

□ 1145

I think that is something that clearly this body needs to take in consideration.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield myself the remaining time.

I would ask all of colleagues who may be watching this debate to realize this is a very serious issue, that the policy of the United States is a well-thought through policy. It permits travel for educational reasons, humanitarian reasons, family reasons. There are 13 categories of legal travel.

Remember, it is terrorist state that has shot down Americans just years ago, that has the head of its air force indicted for murder of American citizens, shot down over the straits of Florida. It has the head of its navy indicted for drug trafficking. It is a terrorist state, one of six remaining states.

So these are serious issues. We must keep this policy to deny hard currency to the regime while permitting the 13 categories of legal travel.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

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

Ms. LEE. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. SANDERS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SANDERS:

At the end of the bill (before the short title), insert the following: ''None of the funds made available in this Act may be used to provide for the competitive sourcing of flight service stations.''

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Vermont (Mr. SANDERS) and the gentleman from Michigan (Mr. KNOLLENBERG) each will control 10 minutes.

The Chair recognizes the gentleman from Vermont (Mr. SANDERS).

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

This tripartisan amendment is being cosponsored by the gentleman from Indiana (Mr. HOSTETTLER), the gentlewoman from South Dakota (Ms. HERSETH), the gentleman from New Jersey (Mr. LOBIONDO), the gentleman from Oklahoma (Mr. BOREN), the gentleman from Connecticut (Mr. SHAYS), and the gentlewoman from Connecticut (Ms. DELAURO). It also has the strong support of the AFL–CIO, representing 13 million American workers, the Transportation Trades Department, the Professional Airway Systems Specialists and the National Association of Air Traffic Specialists.

Mr. Chairman, on February 1, 2005, the FAA awarded a $1.9 billion contract to Lockheed Martin to close 38 out of 61 automated flight service stations across the country and privatize 20 others. This contract is not scheduled to go into effect until October 1, 2005.

If this contract is implemented, over 1,000 highly trained air traffic control specialists will be in danger of losing their jobs, and the retirement benefits of some 2,500 Federal aviation workers will also be in jeopardy.

Mr. Chairman, this privatization scheme is a bad idea, a wrong idea for a number of reasons. First and foremost is the question of air safety, something that is on the mind of every Member of Congress and every American person who flies.

Flight service stations are crucial to the safety and security of our Nation's air space. They provide a host of critical services to more than 600,000 general aviation pilots, as well as providing assistance to military and commercial pilots.

Air traffic control specialists advise pilots on such information as terrain, pre-flight and in-flight weather information, suggested routes of flight, altitudes and indications of turbulence or icing. As a matter of fact, when this country was attacked on September 11, 2001, the key national security function of air traffic control specialists was on full display. During that national tragedy, air traffic control specialists communicated crucial information to planes in the air and on the ground and were responsible for restarting air traffic in the days following. In addition, Mr. Chairman, keeping airplanes out of restricted air space is the responsibility of air traffic control specialists.

Further, air traffic control specialists are critical to protect our airways during a natural disaster. When hurricanes hit the southeast last year, flight service stations remained open, and air traffic control specialists remained working to ensure the safety of airline passengers, even though other FAA facilities were shut down.

Mr. Chairman, it is my very strong opinion that we should not be compromising air safety by privatizing air traffic control specialists to a corporation, Lockheed Martin, whose main function in life is making a profit. When passengers get on a plane, when passengers take off and land at an airport, they want to know that everything possible is being done to protect the safety of those flights and not that operations have been turned out to the lowest possible bidder.

Interestingly enough, Mr. Chairman, Congress has already passed a provision prohibiting three flight service stations in Alaska from being privatized, and that provision has been signed into law by the President. Mr. Chairman, I support that law and believe that what is good for Alaska, a State highly dependent on air travel, should be good for the rest of the country and that we should prevent flight service stations across the country from closing, which is exactly what this amendment will do.

Mr. Chairman, the second important reason that we should pass this amendment is that at a time when millions of American workers are worried that the pensions that have been promised to them will not be there when they retire, we must show that Congress will not be complicit in that process and that we will stand up for them when their pensions are going to be slashed.

Mr. Chairman, if this amendment fails, not only will 1,000 highly trained air traffic control specialists be in danger of losing their jobs, but the retirement benefits of some 2,500 Federal aviation workers, most of whom are over the age of 40, will be in jeopardy. That is wrong.

The Federal Government must set an example to the private sector. When we promise a Federal employee that he or she will get a pension, that promise must be kept. If we do not keep our promises regarding pensions to Federal employees, how can we expect that United Airlines or other major corporations will keep their promises?

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

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

Let me respond to the Sanders amendment, which I am opposed to. It is a transparent attempt to void a contract that would deliver tremendous benefits to the general aviation community and save the FAA $2.2 billion over the next 10 years.

It also could result in up to $350 million in additional costs to the FAA in the form of termination penalties.

There is no erosion of safety associated with contracting out flight service stations. Simply put, flight service stations do not control air traffic. Flight service stations receive and file flight

planes and provide pilot weather briefings, en route communications, and search and rescue services to general aviation pilots.

The contract will enhance all of these services to the general aviation community. It has strong support from private pilots because they know that better services will result in a safer system.

This contract will have little or no impact on commercial or military pilots who get these services from different sources.

It also protects existing flight service station employees. Lockheed Martin will offer jobs to all incumbent employees. Salaries will be matched, including locality pay. Lockheed Martin will provide a sign-on bonus, as well as a retention bonus for many positions, as well as up to $50,000 for relocation allowances. Additionally, Lockheed Martin will offer a 401(k) savings plan, income protection plan and performance bonuses.

The contract was fairly bid, and the flight service station employees competed in the offering.

This contract has been years in the making. Congress should not step in after the fact to stop this contract and deny better services to more than 600,000 private pilots.

Let me turn to some of the pilot private pilots on this. This is a quote: ''After spending 90 minutes getting an advance look at a 21st century flight service station and asking hard questions, all I can say is, Wow! On the basis of what the contractor will deliver under the contract, pilots are going to be much better served and much safer.''

Another: ''For the first time in history, pilots are going to get a contractual guarantee that a live briefer will answer their phone calls within 20 seconds and acknowledge their radio calls within 5 seconds. Flight plans will be filed within 3 minutes. It's in the contract.''

Then: ''And as any pilot who has been stuck on hold for 20 minutes trying to get a weather briefing can tell you, the system is overloaded and frequently non-responsive.''

These are all quotes from people who actually are involved in this process. So I strongly urge the defeat of this amendment.

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

Mr. SANDERS. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Oklahoma (Mr. BOREN).

Mr. BOREN. Mr. Chairman, I rise today in strong support of the amendment offered by the gentleman from Vermont (Mr. SANDERS), of which I am a cosponsor.

It is very important that we pass this amendment to protect aviation security and safety. The service provided by the flight service station specialists is an inherently governmental function. It is important to the community of McAlester, Oklahoma, in my district where we have many, many people employed and not only to McAlester, Oklahoma, but to our Nation because flight service stations across the country are a critical component of our air traffic system.

At a time when we all agree it is critical to strengthen aviation security and safety, privatizing these jobs is the wrong way to go. While there is a role for the private sector to competitively provide certain government services, this is not one of those services.

It is imperative they not be turned over to a for-profit company. We should not outsource our Nation's air traffic control functions. The safety of the flying public should not be offered to the lowest bidder, and these highly trained and experienced specialists should continue to provide their critical service to keep our Nation's air space safe and secure.

Mr. KNOLLENBERG. Mr. Chairman, I yield 4 minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, I thank the gentleman for yielding me time, and I rise in very strong opposition to the Sanders amendment.

I chair the Subcommittee on Aviation, and I can say that we have been involved for a number of years. We have had a comprehensive 3-year study by the Federal Aviation Administration, and in February of 2005, we awarded a contract to provide automated flight services for the next 10 years by a competent contractor.

This competitive sourcing process was supported by the aircraft owners and pilots association. They are the primary organization that represents many of the 600,000 pilots that we heard the sponsor of the amendment refer to. They are the main users of flight service stations, private pilots.

Flight service stations do not control air traffic. Flight service stations receive and file flight plans and provide pilot weather briefings, en route communications, and search and rescue services to the general aviation pilots.

According to their pilots, again AOPA, and this is Phil Boyer, he said this is the way the current system works for the safety of our pilots and so-called security in the air: ''Any pilot who has been stuck on hold for 20 minutes trying to get a weather briefing can tell you, the system is overloaded and frequently non-responsive. The system had to change, and this is a change for the better.'' He also said, ''Pilots are going to be much better served and much safer.''

□ 1200

Now, private pilots do recognize that the current system that we have in place is antiquated and it is costing us more than $600 million a year. So the worst part about this is we are paying more and getting bad service, or no service, as the head of the Aircraft Pilots Association has said.

So this contract is estimated to save the taxpayers about $2 billion over the next 10 years and provide dramatically improved service. If this amendment passes, in fact, there will be no transition money; and on top of that, there will be a $350 million penalty for termination of the contract.

Under the FAA reform plan, $2.2 billion in taxpayers' dollars will be saved, and again we will have new technology to make the airspace for our general aviation pilots safer, with the best, most efficient, cost effective technology and, at the same time, we protect the employees that are in place.

Mr. Chairman, I urge Members to consider this amendment and defeat it.

Mr. SANDERS. Mr. Chairman, I yield 1½ minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, I rise in support of this amendment to protect hard working Federal employees in my district from having their jobs transferred to the private sector and ultimately lost.

The Federal Aviation Administration recently awarded to Lockheed Martin to run the Flight Service option of air traffic controller. The AFSS facilities in Cleveland, Ohio, will be closed down in the next year or 2, and approximately 32 jobs will be lost.

The only winner here is the contractor, Lockheed Martin, who will certainly profit handsomely. From my past experiences with the A76 process, I can predict with certainty that the Federal Government will lose money, many jobs will be lost, and the essential services of air traffic control will suffer. Privatization of essential government jobs is dangerous and unnecessary.

The FAA has steadfastly refused to answer several questions I and several other Members of Congress have asked about this privatization effort. We asked questions about the process of this privatization effort, employee transfers, the retirement options, opportunities to challenge the privatization, and future health care benefits. These are the sort of questions that employees should have had answers to months ago but still lack today.

We raised concerns as Members of Congress about how the vendor bids were evaluated, how risk was assigned to these bids and how the priority of the relationship between the FAA and the winning vendor was justified. We asked for copies of various vendor bids to make sure the process was fair. To date, the FAA has not responded to any letters that Members of Congress who are concerned about this have sent. This is outrageous and evidence that FAA privatization is faulty.

If the FAA cannot even respond to simple Congressional inquires, I question their ability to perform a fair process. Employees deserve better. Support the Sanders amendment and stand up for Federal employees.

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

Mr. SANDERS. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I wish to thank the gentleman from Vermont for bringing this issue before us today.

Mr. Chairman, I have a station in my district that would be impacted by this; hard working people who work to protect all of the general pilots that come into that area, the City of Hawthorne, will lose their jobs. I do not understand why somehow the Alaska Flight Service Stations are protected from this privatization effort but all of the other stations are not, and they are going to consolidate and basically close down most of these 61 Flight Service Stations in the United States that service the needs of general aviation pilots, but not the Alaskan service stations.

In addition to that, I do not know what pilots the gentleman is referring to who have gotten behind consolidation and closing down these stations. It is not true of the pilots who call me. They do not like the privatization. They want to do away with it. They support the amendment of the gentleman from Vermont that we have before us, and I would ask the Members of this Congress to stand behind this amendment.

Save these Federal jobs and keep the protection that we have with these very caring Federal employees who do not want to be placed in a situation of unemployment.

Mr. KNOLLENBERG. Mr. Chairman, pardon me, but what is the time allotment on the other side and here?

The CHAIRMAN. The gentleman from Vermont (Mr. SANDERS) has 30 seconds remaining and the gentleman from Michigan (Mr. KNOLLENBERG) 3½ minutes remaining.

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

Mr. SANDERS. Mr. Chairman, may I inquire as to how many more speakers the gentleman from Michigan has?

Mr. KNOLLENBERG. I have no speakers left, but I reserve the right to close, so I want to continue to reserve my time.

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

Mr. Chairman, the issue here is a simple one: We cannot compromise the air safety of the United States of America to the lowest bidder, whose main function in life is profiteering rather than protecting the needs of American air travelers.

Equally important, we cannot turn our backs on the promises made to 2,500 Federal employees in terms of their pensions. If we turn our backs on them, we are turning our backs on millions of American workers whose pensions can also be slashed. Let us protect Federal employees. Let us pass this amendment.

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

Let me close with just a few points, Mr. Chairman. To summarize: Contracting out Flight Service Stations will result in no erosion in safety. It is a safer system and 600,000 general aviation pilots will get better service. The contract will save taxpayers money. Not a bad idea. Employees will be protected. This, in my judgment, is a no-brainer.

Mr. Chairman, I oppose the gentleman's amendment very strongly and urge all Members to oppose this amendment.

Ms. HERSETH. Mr. Chairman, I rise in strong support of this amendment, and I urge my colleagues to support it for several reasons.

This amendment would prevent the FAA from privatizing the critical flight safety functions that are currently performed by highly trained flight service professionals. Some government functions, like ensuring safe airspace for the flying public, play such a significant role in protecting public safety and enhancing homeland security, that we must insist that they remain government functions. Privatization, when used selectively, can deliver savings and efficiency, but not all functions are good candidates for privatization. Flight service falls into this category.

We have a flight service facility in Huron, South Dakota, that employs specialists who live in the community, and many of them are pilots themselves. The decision by the FAA to close Automated Flight Service Stations across the country would include the Huron station. Its functions are set to be delegated to facilities hundreds of miles away in other States. Taking this step would greatly strain the national capacity of the flight service and reduce pilots' access to the localized knowledge of weather and topography that the Huron station currently provides.

Of even more concern, this decision also could mean the elimination of virtually all of the flight service stations across the Northern Plains; an area of the country that relies on general aviation much more than the more densely populated regions of the country.

Finally, this step will not only weaken our Nation's air safety system, it will unfairly treat thousands of dedicated flight service employees that would be affected. While I agree that we cannot oppose privatization proposals solely because some Federal employees might lose their jobs, we also have an obligation to treat our dedicated public servants fairly. Most of the professionals that would be affected by this change, including many at the Huron flight service facility, have given many years of their professional lives to the Federal flight service. Many are within years or even months of qualifying for their Federal Government pensions. This policy would have the effect of unfairly slashing the retirement benefits that they have earned, and it is another reason why we should delay this action for a year and devise a more reasonable approach.

This amendment will give us time to devise a plan to ensure that vital aviation safety functions are provided by a well-trained and highly qualified workforce, and it would enable us to treat fairly those that have worked for many years to provide this important service. I urge my colleagues to support this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

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

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

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

AMENDMENT OFFERED BY MR. RANGEL

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. RANGEL:

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

SEC. ____. None of the funds made available in this Act may be used to implement, administer, or enforce the economic embargo of Cuba, as defined in section 4(7) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (Public Law 104–114), except that the foregoing limitation does not apply to the administration of a tax or tariff.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from New York (Mr. RANGEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York (Mr. RANGEL).

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

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

Mr. RANGEL. Mr. Chairman, right now in the Committee on Ways and Means there is a lot of discussion going on in reporting out a Central American Free Trade Agreement, which includes the Dominican Republic. This is part of an effort on the part of our great country to try to open up the doors and to make certain we give an opportunity to people throughout the world, but especially those in our own hemisphere to have an opportunity for a better quality of life.

This concept has been extended to Communist China, to North Korea, and to other countries. But here, we believe, in Cuba, it has nothing to do with anything except politics. It has nothing to do with the economy. It has everything to do with a small group of people in Florida. With all due respect to their strong feelings against Castro, it would seem to many of us that the best way to get rid of a dictator is to really open up the country; to be able to go to send remittances to families; to be able to travel; but certainly to be able to have an exchange of commodities between their country and ours.

It seems to me that American businesses are losing billions of dollars by not being able to trade. And who is being hurt? It is certainly not Castro. It is the poor people in the country. And if we cannot believe or bring ourselves to see that this policy for over 45 years has cost us in prestige around the world that respects international trade agreements; that has cost us in money; but I really believe it has cost us by allowing Castro to tell the people in Cuba that every economic crisis that

they have is based on the United States' embargo.

As an American, if every country in the world has recognized this man, why can we not say that we recognize the Cuban people? Why can we not allow our business people to establish a relationship so that we are not blamed for what is happening in Cuba?

We have tried to do this before. The United Nations believes that we are in violation of international law. The CARICOM nations in the Caribbean believe that we are violating the law. The World Trade Organization certainly cannot support what we are doing. In many areas it is considered an act of war to surround a nation and not allow ships to go in or to penalize a country.

Most importantly, however, this is an un-American concept. We should not be afraid that any small island nation can take away from the strong deep-seated principles of democracy that we enjoy here.

Mr. Chairman, I yield 1 minute to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Chairman, I rise in support of the Rangel amendment. The current policy of trying to starve Castro out of Cuba by imposing travel bans and embargoes was put in place in 1960. Since then, Castro has outlasted nine Presidents, from Eisenhower to Clinton, and he may outlast a 10th.

It does not seem like this policy has been very successful. It has not driven Castro from power. It has not caused him to improve his human rights' record. It has not prevented him from oppressing his people. In the meantime, the power of American economy and culture has brought about changes in terrible and despotic regimes in various corners of the world.

This amendment, and others like it, simply recognizes the truth about the situation; that our current policy is a failure and needs to be replaced by something that has demonstrated success. By easing travel restrictions and the economic embargo we have a chance to overwhelm Castro with America's culture of freedom, democracy, and free markets. I urge a ''yes'' vote on the Rangel amendment.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I claim time in opposition, and I yield myself such time as I may consume.

Mr. Chairman, just 2 years ago three young men, three young black Cubans, tried to leave Cuba to come to the United States for a better life; obviously fleeing the oppression of the totalitarian regime. They were captured by the dictatorship and, under orders of the dictator, they were summarily executed.

The distinguished gentleman from New York at that time stated, and I saw his quote in a New York newspaper, La Prenza, ''I am shocked,'' he said. ''There is nothing that the Cuban government could tell me that would interest me. It is totally incredible that a government would justify this type of action. The execution of these people puts an end to any possible discussion there could have been.''

Now, that was 2 years ago. What we have seen in the interim, further repression, further torture of political prisoners, and, just in the last 2 months, more than 500 young men, over 90 percent of them black, have been rounded up by the dictatorship in Cuba and thrown in prison under what is known as preventive, preventive detention. And they are thrown in the most brutal of gulags under the concept of preventive detention.

That is what is new since the author stated that he was shocked. Also what is new, what is current, is that there are indictments at this time against the head of the Air Force of the Cuban dictatorship for murder of American citizens, indictments at this time for drug trafficking against the head of the navy of the Cuban dictatorship; that 15 spies of the dictatorship have been sent to prison in the United States in the last year alone for spying against American interests. That is what is new. What would be rewarded, in effect, Mr. Chairman, by the amendment if it were to pass.

This is a normalization of relations amendment that would reward the most brutal conduct by the only dictatorship in the Western Hemisphere. I ask our colleagues to reject it.

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

□ 1215

Mr. RANGEL. Mr. Chairman, I yield 30 seconds to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Chairman, in the Committee on Ways and Means we are debating CAFTA, and market analysts estimate the U.S. economy is losing up to $1.24 billion annually in agricultural exports alone because of the Cuban embargo.

According to the USTR, CAFTA would bring $1.5 billion in agricultural trade. Six countries, $1.5 billion; one country, $1.24 billion in trade.

The administration says CAFTA is a way for America to support freedom and democracy and economic reform in our hemisphere, yet the Cuban embargo they say is also a way to support freedom, democracy and economic reform to developing Cuba.

The consistency in your trade policy would bring a smile to George Orwell's face.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. MACK).

Mr. MACK. Mr. Chairman, I rise today in opposition to this amendment and would start off with the simple question: Do we want to reward the most notorious human rights abuser in our hemisphere with American trade, American travel, and American currency? Does this House want to appease the only state sponsor of terrorism in this hemisphere? I think the answer to that is no.

This is a call to conscience in this body. Do we stand for freedom, or do we stand with tyrants? The choice today could not be more black and white. Either you stand for freedom, or you stand with Fidel.

I urge all of my colleagues to vote ''no'' on this amendment. There have been many examples where Fidel Castro has abused any kind of trade, any kind of currency that is brought to his country, where he has done so only for himself, always looking to oppress and to hold down the wishes and hopes of others.

I today stand with the Cuban people, not with a dictator who only seeks harm.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I reserve the balance of my time.

Mr. RANGEL. Mr. Chairman, I yield the balance of my time to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, I thank the gentleman from New York (Mr. RANGEL) for his leadership and for helping us correct a failed 40-year policy which does not work.

This is about the right of American businesses, the right of Americans to travel, to create jobs, to create a level playing field for our country and the world economy.

Let me just respond to the gentleman from Florida. I think what the gentleman just talked about in terms of Cuba's black population, I need to remind the gentleman of the prison population here in America of African Americans. Look at the health disparities and look at the unemployment rates.

I think we need to understand that we who are supporting this amendment are talking about the right of Americans to travel, to create businesses, to create business opportunities and jobs. This is about giving Americans the opportunity to develop their own perspectives and own opinions. It has nothing to do with incarceration rates, and it has nothing to do with our own incarceration rates in America.

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

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

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

Mr. RANGEL. Mr. Chairman, I appreciate what was pointed out by the gentlewoman from California (Ms. LEE). I have no idea why the gentleman from Florida would refer to the victim of this atrocity that was committed in Cuba as being black. I do not see what that adds to the discussion as to whether or not as a free country we should not continue to respect international trade. I think that is what we are trying to do.

We are trying to say the best way to get after dictators is to make certain that we have communication between nations. The best way to have people to understand what democracy is all about is to demonstrate what democracy is about by allowing Americans to

go where they want to go when they want to go, to allow Americans to send money to whomever they want to send money to in Cuba.

I truly believe all of the things that have been said, we would all agree. I believe that Saddam Hussein was a terrible man; but I do not believe we had a right to have a preemptive strike against a country. What we are trying to talk about is the value of trade, the value of countries communicating with each other.

Who is being penalized? No embargo works when only one country is perpetrating the embargo. If all of the countries in the world are trading with Cuba, the best we do is lose money and restrict ourselves from showing that when it comes to competition, quality goods, farm goods, that America is the best. But when people say they do not want to offend a handful of people in Cuba, and therefore we put an embargo against an independent country, it is not the democratic, American thing to do.

Mr. OBEY. Mr. Chairman, I simply add to the gentleman's thoughts this point. I find it quaint, indeed, that this House would appear to want to try to promote the freedom of Cubans by denying freedom to Americans. That makes no sense to me.

The last time I looked at it, we are supposed to be representing Americans; and the people I represent ought to have a right to travel anywhere they choose so long as they are citizens of what is supposed to be the greatest, freest democracy in the world. I wish everyone in this Chamber would have a better understanding of that than they seem to have. I thank the gentleman for his efforts.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, the previous speaker asked as to the relevance of the fact that the dictator had summarily executed three young black Cubans 2 years ago. It is quite relevant and it is quite consistent with the fact that the dictator has consistently embarked on policies of hatred against the Cuban people, especially the black people of Cuba, which should not surprise anyone, because at the end of the 19th century, his father was sent to Cuba as a member of the Spanish Army that was fighting against Cuba. He is, in effect, the historical revenge of Spanish colonialism.

And, yes, the prisons are full of young men and women, especially young black men, that he summarily rounds up and puts under preventive detention. This is a very relevant issue, Mr. Chairman. It is very relevant. The oppression of the Cuban people and the hatred of the dictator against the Cuban people, especially the black people, it is very relevant.

Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Chairman, we have had sanctions in different parts of the world: Jackson-Vanik with Soviet Jewry, disinvestment in South Africa. There are those who would seek disinvestment and sanctions in the Sudan and many other parts of the world, so we understand that these are ways that we can ultimately bring the end of totalitarian regimes and democracies to those people, yet we hear no voices in opposition to that.

After 2 million people visit Cuba every year, spending $2.3 billion, this regime has become more repressive, not less repressive. Let us not add to that repression.

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

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

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

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

AMENDMENT OFFERED BY MR. SOUDER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SOUDER:

Page 224, insert after line 8 the following:

TITLE X—LIMITATION

SEC. 1001. None of the funds contained in this Act may be used to enforce section 702 of the Firearms Control Regulations Act of 1975 (sec. 7—2507.02, D.C. Official Code).

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Indiana (Mr. SOUDER) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I rise today to offer an extremely simple, commonsense amendment that is a first step towards restoring the rights of self-protection, a right guaranteed under the second amendment to the citizens of the District of Columbia.

My amendment would restrict funds from being used to enforce section 703 of the D.C. Firearms Control Act. This section requires that every registered gun owner ''shall keep any firearm in his possession unloaded and disassembled or bound by a trigger lock or similar device unless such firearm is kept at his place of business or while being used for lawful recreational purposes within the District of Columbia.''

This amendment does not legalize anything that cannot be legally owned now: No machine gun, sawed-off shotguns, AK–47s, or Uzis. All it does is let people keep the handguns purchased before 1976, shotguns, or rifles unlocked or loaded that they already have registered in their homes.

My amendment gives D.C. citizens the same rights at home as they have at work. Under the current law, a legal gun owner who owns a business in the District of Columbia can register a gun at their place of business to defend their business against criminals. The same person cannot use a legally registered gun to protect his or her life or family at home.

Over the past 30 years, there have been too many times where staffers or residents who live and work right here on the Hill have been at home and have come under attack from dangerous criminals. The way the current law is set up, these law-abiding citizens are forbidden from using a legally registered gun in defense of his or her home or family. I believe the good people of D.C. deserve the recognition of this basic civil right.

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

Ms. NORTON. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I appreciate that the gentleman from Indiana (Mr. SOUDER) has pulled back from total repeal of our gun safety laws. I wish I could thank him, but I do not think Mayor Williams or Chief Ramsey would yet be ready to do so. Our moderate, even-tempered Mayor, who has worked so well with this Congress and the administration, is much praised in this Congress, is really beside himself when at a time crime is at a 20-year low, here comes the Congress to do what he and the police chief say will surely increase crime.

Disassembled weapons, yes, citizens may have them in their house. Look what this does: loaded shotguns, loaded handguns, as long as citizens had them before 1976, in your home or in your place of business. Let me say that the Board of Trade does not want them in our places of business. They came to testify in total support of the laws as they are. The businesses of the District of Columbia have petitioned the Congress to keep our laws exactly as they are. Businesses say the last thing they want is the kind of liability and responsibility they would have for keeping a gun in the place of business, so they do not do it.

Post-9/11, do Members really want to legalize shotguns, handguns grandfathered in the District of Columbia at a time when we are still stopping people at checkpoints to see whether they are terrorists? Do Members know what can happen here? Someone can take one of these rifles or shotguns to the roof of an apartment or office building, aim it at foreign visitors, tourists, Members of Congress or their families, not to mention residents of the District of Columbia. I am particularly worried about children, teens.

Imagine big long guns, now loaded. Some people would call that an attractive nuisance. That is a term of art in the law. Parents, I think, would call it an unattractive, deadly, very lethal weapon. That is who is most likely to be attracted by this new set of gear that you can have loaded in your home.

There must be countless handguns that have been disassembled that were held before 1976. Now just load them up. So the same kids who knew they were unloaded before, do not know perhaps that now the guns are loaded, and here we have kids among the thousands who die every year in play from guns.

□ 1230

Mr. Chairman, no Member of Congress has the right to usurp our right to protect ourselves and our kids as we see fit. That is a basic right of self-defense of every jurisdiction.

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

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

I thank the gentlewoman from the District of Columbia. She serves on my subcommittee. We work together on many issues and we have a deep disagreement on this one. I believe a constitutional right to bear arms supersedes local authority.

A couple of facts here are very stubborn things: One is that as far as accidents, the total rate of firearm accidents from 1981 to 2002 in the District of Columbia was 2.5 times higher than across the border in Maryland which does not have a storage law. The fact is that it has not reduced accidents. It is a nice thought to talk about that, but the facts don't bear that out. Secondly, this has nothing to do with businesses. This is about self-protection in your home. If a rapist is breaking into your house or a murderer is coming after you and your children and you are struggling to find the key to the lock and then have to get your gun out and put it together, odds are pretty good you are not going to make it. And under current D.C. law, if you find the lock and get your gun out and get your gun put back together and defend yourself, you can be prosecuted. What in the world is going on?

We heard that the crime rate has dropped in the District of Columbia. For 15 of the last 16 years, the District of Columbia has been the murder capital of the United States. In the last statistics, they were again for the fourth year in a row. How can it get worse than that? Former Mayor Barry has one of my favorite quotes: Outside of the killings, Washington has one of the lowest crime rates in America.

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

Mr. Chairman, I do not believe in gun control laws. I think in most instances they don't work and I think lots of times they are designed by people who would not know one end of a gun from the other. But having said that, there is something that bugs me about this amendment, and that is that I did not come here to be a city councilman for the District of Columbia. I represent the people of my congressional district. The other thing that bugs me is that the citizens of the District of Columbia have no vote in this body, and in my view, as long as the citizens of the District of Columbia have no vote in this body, this body has no business telling the District of Columbia what their municipal laws ought to be.

Now, I have an amendment that I am going to offer if this amendment passes and that amendment reads as follows: ''The salary for individual Members of Congress shall be paid out of the funds provided in this bill for the District of Columbia and shall be limited to $92,500.'' That is the salary of a District of Columbia city councilman. If the people of this House want to act like you are a D.C. city councilman, then you ought to get paid like you are a D.C. city councilman, which means you can take about a $70,000 pay cut and I think that would be fitting.

I do not have the slightest idea what kind of laws the District of Columbia ought to have with respect to guns, but I do know one thing. I very often simply vote ''present'' whenever any matter affecting the District of Columbia comes up on this floor, because I think we have no business trying to interfere with what the city does on any subject so long as that city and its citizens do not have a vote in this Chamber. The gentlewoman from the District can speak, but when it comes to voting, she is out in the hall, just like anybody else who is not a Member of Congress.

So what you are saying is that you are going to take advantage of the fact that she has no ability to defend her district by voting in this place and you are going to say, ''Well, that's tough, but we're going to impose our judgment.'' If you want to tell the District of Columbia what their laws ought to be, run for the city council. This is not the city council. We look ridiculous and abusive when we try to act as though we are.

Ms. NORTON. Mr. Chairman, I yield myself 1 minute.

The gentleman talked about somebody breaking into your house. What his amendment does is to legalize shotguns, rifles. Already it seems to us insane that you would have a handgun at the ready when somebody broke in. And, remember, handguns grandfathered before 1976 would be legal. But imagine somebody breaks in and you go get a long rifle or a shotgun. This isn't about self-defense. This is about pressing forward the gentleman's preferences on the District of Columbia where unanimously every mayor of the city of D.C., every city council member overwhelmingly, all the residents have voted ''no.''

Mr. SOUDER. Mr. Chairman, I reserve the right to close.

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

The Acting CHAIRMAN (Mr. BASS). The gentlewoman from the District of Columbia has 1 minute remaining.

Ms. NORTON. Mr. Chairman, I yield myself the balance of my time. No Member of Congress has the right to encourage guns in homes where the overwhelming evidence is that they are mostly used for suicides and in domestic quarrels, and please do not do that here in the District of Columbia because that is the most likely use of such guns in homes. The most bankrupt rationale offered for this outrageous interference in a local jurisdiction is that we already have gun violence in the District of Columbia. Let me hear the cosponsors argue with a straight face that allowing guns in people's homes will reduce rather than increase the gun violence in the District of Columbia.

The most deeply held principle of the Founders was local control. First local from England, and then because they were so deeply principled, they denied to the national government that they themselves created any control of the local jurisdiction. The Congress gave us this control in the Home Rule Act. I ask the Congress of the United States to respect the mayor, the council and the residents of the District of Columbia by in fact defeating this amendment.

PARLIAMENTARY INQUIRY

Mr. SOUDER. Mr. Chairman, I have a parliamentary inquiry.

The Acting CHAIRMAN. The gentleman will state it.

Mr. SOUDER. Do I have the right to close at this point?

The Acting CHAIRMAN. The gentleman does have the right to close, and the time of the gentlewoman from the District of Columbia has expired.

Mr. OLVER. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I thank my friend, the ranking member from Massachusetts, and I also want to associate myself with the distinguished gentleman from Wisconsin and his remarks. We have no right to overturn a law that has been on the books for three decades. The gentleman from Indiana, I know, believes in democratic governance. But he wasn't elected by D.C. residents. He was elected by his constituents in Indiana. What right does he have to overturn D.C.'s law particularly in this situation that puts D.C. residents at such serious risk? If the Souder amendment were made law, it would allow anyone who owns a firearm to carry it loaded and without a trigger lock on city streets throughout the District of Columbia. How does that make sense from a homeland security perspective? We have spent hundreds of millions of dollars to secure our Nation's Capital from terrorists and now we are going to turn around and make it okay to carry a loaded AK–47 or a .50-caliber sniper rifle down Independence Avenue? Are we serious? That is perhaps the unintended effect, but it is clearly the effect of this legislation.

In 2003, the police confiscated 1,982 firearms from criminal suspects. They would not be able to do that if this amendment passes. They confiscated almost 2,000 last year. This overturns their ability to do that. This amendment is an affront to the concept of

home rule, my colleagues, a slap in the face to the people of the District of Columbia. It gives a new meaning to hypocrisy when we talk about fighting so hard to achieve democracy in Iraq. We have an insurgency raging in another part of the world. We are committing lives and billions of dollars to achieving that objective of a democracy, of giving people the right to represent their own interests, to have the people they elect making the laws that govern them. Yet we would consider an amendment that opens another front on the city streets of our Nation's Capital? This is unbelievable that we would even be considering such an amendment.

I strongly urge a negative vote against this outrageous amendment.

Mr. OLVER. Mr. Chairman, I yield to the gentlewoman from Indiana (Ms. CARSON).

Ms. CARSON. Mr. Chairman, certainly no disrespect is intended to my colleague from Indiana (Mr. SOUDER). I have come to this microphone before this year criticizing Congress for meddling. I think this is another clear example of how Congress meddles in areas in which he or she has no business. I was reminded of a story in my district where a lady came home with her baby from the hospital, her 2-year-old was playing at her feet, went on the couch and got a gun, shot it, a 2-year-old, mind you, and killed the mother and the newborn baby. If the gun had been protected, that tragedy would have never existed.

Homicides remain unabated, especially among kids from 14 to 18. A lot of those guns are stolen from people's homes. If we had a mechanism that would prevent those kind of incidents, perhaps all of society would be better. I would encourage you to vote down this amendment with no deference to the author.

Mr. OLVER. Mr. Chairman, I yield to the gentleman from Virginia (Mr. TOM DAVIS), the chairman of the Committee on Government Reform which is the committee of jurisdiction for our Capital City.

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

Mr. TOM DAVIS of Virginia. Mr. Chairman, let me just make a couple of points. My friend from Indiana with whom I have worked on so many issues, I tend to agree with him on the substance of the issue, an individual being able to keep a weapon in their own home to defend themselves, but the issue here is larger than that. It really goes to the question of respecting the rights of the District of Columbia to make their own laws and the mayor and the council have spoken on this innumerable times. They seem to have the support of the vast majority of the city.

Our committee held a lengthy hearing on this, hearing from all sides just 2 days ago. It was an illuminating hearing that I think highlighted both sides very, very well. But to me the issue comes down to one of home rule. Are we going to allow cities and States to make these jurisdictions or are we going to try to federalize everything out of Washington? I would just caution my colleagues that once we start doing everything out of Washington, it may be on your side, but tomorrow it could go the other way. We have to respect the Federal system that was set up.

This does not affect the workings of government, so in my judgment, Congress really should not be intervening in this matter although we have the legal right to do so.

I also want to note that there is pending the case of Parker v. District of Columbia that offers the opportunity for second amendment advocates to answer with finality the question of does this violate the second amendment. Passing this amendment today could possibly moot that decision which is currently on appeal to the D.C. Court of Appeals. This is one opportunity because the court has looked for ways out of deciding this decision. This is a way we may be able to speak with clarity and finality. If this amendment passes, we won't have that. It is a very two-edged sword, and I urge opposition to this amendment.

Mr. Chairman, I rise today in strong opposition to the D.C. Personal Protection Amendment. Let me say that I respect my colleague from Indiana's perspective on this issue. There is room in the Congress for debate on the merits of some of our nation's gun laws. My opposition is based on the legislation's blatant and potentially dangerous assault on home rule in the District of Columbia.

The Committee on Government Reform held a hearing this week on this very issue. We heard compelling stories from Mayor Tony Williams, Chief Charles Ramsey, and an array of witnesses, including residents of the District of Columbia and representatives from national think tanks and community organizations on both sides of the debate. I was disappointed that my friend from Indiana, the author of this amendment, was not able to attend the hearing to hear these views himself.

I am a strong supporter of Home Rule. For our system of federalism and democracy to work, states and localities need to be able to make their own decisions on these sorts of matters—even if some of us think they're bad ones.

There is an appropriate place for a debate on D.C.'s gun laws—and that place is the chambers of the District of Columbia Council, not the floor of the House of Representatives.

Proponents of this bill want to frame this debate in terms of the Constitutionality of the District's law. Various lawsuits have been filed in recent years questioning the constitutionality of the D.C. gun law under the Second Amendment. There's a case pending on appeal right now, Parker v. District of Columbia, that offers the opportunity for the Second Amendment challenge to be answered with finality. Proponents of this amendment have the opportunity for the courts to declare that the D.C. ban violates the Second Amendment. So what's the rush? What are they afraid of? We (and for that matter, the City Council) can consider the gun ban in light of the result of that case. In fact, if this Amendment becomes law, it could moot the ability of the Court of Appeals to address this critical 2d Amendment with finality. We are only here today because of Congress' plenary power over the District. This is a constitutional authority that is, unfortunately, occasionally abused, as is the case with this legislation. D.C. leaders have enacted gun laws that reflect their constituents' view that any increase in the number of guns in the District increases the odds that crimes will be committed with those guns. That's their view, and it should be respected.

I'm not saying I agree with the District's gun ban. Frankly, I don't. But I strongly oppose this amendment because I have a profound respect for Home Rule, for the right of local jurisdictions to craft their own local laws—even laws some of us don't agree with. This District law has no bearing on Congress and no bearing on the ability of the federal government to conduct its business. That should be the litmus test for federal involvement in the District.

□ 1245

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

First, I want to say again for the record this only applies to one's home. It does not also apply to Uzis. It applies to already registered legal guns that one is forced to put under lock and key and separate; and if a criminal breaks into their house, unlike a business, they have to find their key, unlock the box, put the gun together to defend themselves, and if they defend themselves, they can be prosecuted.

This is a straight second amendment vote. If Members believe in the right to bear arms, if Members believe in the second amendment, it is not a question of home rule. Home rule does not cover the right to abrogate constitutional rights. It does not give the right to abolish free speech. It does not give the right to abolish freedom of religion, and it does not give the right to abolish the right to bear arms.

Last year on a broader vote, we had 250 votes in this House. We had 230 cosponsors of this bill. We have 210 this year. This is a much narrower amendment. But I would urge my colleagues who support the second amendment, who believe that the Constitution overrides local laws, to vote ''yes'' on this amendment.

Mr. CUMMINGS. Mr. Chairman, I rise today to express my opposition to the Souder Amendment that would prevent the use of funds in the bill to enforce the District of Columbia's laws prohibiting the possession of a firearm or ammunition, as well as laws relating to keeping a firearm or a pistol. It is the apex of hypocrisy to defend the right of local communities to govern themselves free from the burden of needless federal interference, but deny that very right to the citizens of our Nation's capital. I encourage members of this body to agree that we need not agree on the merits of the District's gun safety laws to respect home rule for the District of Columbia.

Since the passage of the District of Columbia Self-Government and Governmental Reorganization Act or Home Rule Act in 1973, the District has utilized its authority to not only

elect a Mayor and a City Council, but also to regulate firearms. In 1976, the District of Columbia Council passed the Firearms Control Regulations Act, establishing one of the most robust limitations on gun ownership in the nation with the intention of and protecting public safety.

Specifically, this gun safety law required all firearms in the District be registered, restricted the classes of individuals who can register a firearm, and generally banned the registration of all handguns. Despite the suggestion by my colleagues on the other side that all firearms are banned in the District, it must be noted, however, that since 1976, 100,000 firearms have been lawfully registered.

Although Mayor Williams and Metropolitan Police Department Chief Ramsey testified just yesterday before the Committee on Government Reform that they passionately support the District's gun safety laws, this amendment would undermine their efforts to safeguard their city from the ravaging effects of gun violence.

In evaluating the District's limitations on firearm possession, one is compelled to ask two central questions: one, are the District's gun safety laws effective; and two, are they constitutional? In short, the answers to both those questions seem to be yes. The District's gun safety laws are effective at discouraging gun violence by making firearms less widespread throughout the city and assisting law enforcement efforts in recovering unlawful firearms that endanger the lives of police officers and law-abiding citizens. What is most tragic is the fact that some in Congress would seek to undermine or repeal the District's gun safety laws at a time when the District's homicide rate is the lowest it has been since 1986.

Secondly, the two lawsuits challenging that the District's gun laws are a violation of the Second Amendment rights, failed to overturn these laws on constitutional grounds. Specifically, the judges in both cases ruled that the District's gun safety laws were constitutional declaring that the Second Amendment does not confer a protected right of private gun ownership, rather the Second Amendment applies solely to State militias.

Mr. Chairman, it seems wise to move forward guided by the principle that democracy often functions best when those closest to an issue are empowered to address it. The residents of the District of Columbia speak through their elected Mayor and City Council that their existing approach to gun safety is best for their community.

If the residents of the District want to repeal their gun safety laws, then we should let democracy work and permit them to elect those leaders who will ease the existing restrictions on firearms within the city. Until then, let us embrace the constitutional principle from whence our great Nation was born—the right of self-determination—and let the District of Columbia manage this matter how best it sees fit. When the sun rises tomorrow, let it rise upon a city where the right of self-determination is not subject to the interest of the NRA or a congressional veto.

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

The Acting CHAIRMAN (Mr. BASS). The question is on the amendment offered by the gentleman from Indiana (Mr. SOUDER).

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

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

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

AMENDMENT OFFERED BY MR. OBEY

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OBEY:

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

SEC. . The salary for individual Members of Congress shall be paid out of funds provided in this bill for the District of Columbia and shall be limited to $92,500.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I reserve a point of order against the amendment.

The Acting CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Wisconsin (Mr. OBEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I ask unanimous consent that the Clerk read the amendment.

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

There was no objection.

The Clerk read the amendment.

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

Mr. Chairman, the purpose of this amendment is simple. I happen to agree with the gentleman from Indiana that I think that the provision in D.C. law that he referred to on guns is a dumb law, and I would hope that it would be overturned by the city council. But what I resent is year after year after year having to vote on issues that belong in the backyard of the D.C. City Council, not the House of Representatives.

I have taken this position for a good long time. The second term I was here, I organized the effort that eventually freed up the money for the D.C. subway, when our distinguished friend Bill Natcher decided to hold up that money until the District of Columbia was forced to proceed with building the Three Sisters Bridge. Thankfully, that bridge was never built, and the Congress did not dictate to the District that they do so.

But the purpose of this amendment is simply to illustrate the fact that the Congress is acting like it is the city council for the District of Columbia; and as long as it is acting that way, that is the way it ought to be paid.

I do not object to any Member of Congress having any view he wants with respect to the District of Columbia, but I feel strongly that it is wrong for this Congress to dictate to the District what any of their local laws are so long as their representative does not have a vote. That is the point that I am trying to make to the gentleman from Indiana. The problem is not that Congress has opinions about the District. The problem is that the District of Columbia has no way to express their own views on their own issues through their own elected representative because their elected representative does not have a vote in this Chamber. Until she does, I think the Congress ought to stay out of these issues.

Much though I agree with the gentleman from Indiana on the substance, in this case it seems to me that democratic processes are much more important than my individual opinion on any subject matter.

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

POINT OF ORDER

Mr. LEWIS of California. Mr. Chairman, a point of order has been reserved, and I make a point of order.

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

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

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

Mr. OBEY. Mr. Chairman, the gentleman from California has made a point of order. I am simply offering the amendment to make a point.

I concede the point of order.

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

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GARRETT of New Jersey:

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

SEC. ____. None of the funds made available in this Act may be used to enforce the judgment of the United States Supreme Court in the case of Kelo v. New London, decided June 23, 2005.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 5 minutes.

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

Mr. GARRETT of New Jersey. Mr. Chairman, I yield myself 2 minutes.

I rise today to offer an amendment to help protect one of America's most cherished rights of an American, to own their own home, to own their own property.

Last week the U.S. Supreme Court, by the slimmest of margins, ruled that

a local government can come in and seize people's homes, seize their small businesses against their will for other private economic development. This decision now will allow cities to come in and bulldoze their house, bulldoze their business, tear it all down just so that they can build a shopping center owned by somebody else.

The Garrett-Kennedy amendment seeks to prohibit any funds made available under this act from being used to enforce the judgment of the U.S. Supreme Court in the case of Kelo v. New London.

The practical effect of this will mean that we will prohibit Federal dollars from going out to be used for support purposes, infrastructure and the like, so that a private developer will benefit from the loss of these people's homes. It will mean that a bus stop will not be able to be built on what was once their home in order that a commercial building can be built there instead. It will prohibit Federal dollars from building a new entrance ramp or an exit ramp in partnership with that developer so that that developer can build a strip mall there instead.

I believe that if a private developer is going to push someone off their land, out of their house, and destroy that house or small business, then he should foot the bill for any infrastructure that he is going to build. I want to ensure that the Federal Government does not contribute in any way financially to this terrible Supreme Court decision.

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

Mr. OLVER. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Massachusetts (Mr. OLVER) is recognized for 5 minutes.

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

Mr. Chairman, America has enjoyed the oldest and the most successful democracy in the history of the world. I think this amendment puts us on a very slippery slope. This amendment places our greatest document, the Constitution of this country, which gives us three co-equal branches with a separation of powers among those branches and a whole host of checks and balances set up within that Constitution, it puts the whole Constitution under attack. When the Supreme Court of the U.S. gives final adjudication, that is the law of the land, whether it is a 9–0 or a 7–2 or a 5–4 decision.

Let me just mention a few of the 5–4 decisions that I believe I am correct on: one of them was Chief Justice Marshall's 5–4 decision against a government policy to remove American Indians west of the Mississippi River. Then President Andrew Jackson was quoted roughly, and I am perhaps not being precise in this quote: Judge Marshall has spoken, or has ruled, I guess was probably the word he used, now let them enforce it. And there resulted the complete removal of American Indians west of the Mississippi River, which was one of the blackest blots on our history.

Brown v. Board of Education, if I remember correctly, was a 5–4 vote. With an amendment of this nature, we would still have segregated schools. And then there was a 5–4 vote that assured one person, one vote. It was called ''one man, one vote'' at that time, which has assured each and every citizen that their vote would be of about the same value. That decision was not enjoyed by a sizable number of people.

I think this amendment leaves us with serious problems, and I urge the Members to oppose this amendment.

Mr. Chairman, I yield 1½ minutes to the gentleman from Michigan (Mr. KNOLLENBERG).

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

I rise in opposition to the amendment as well. The Supreme Court has ruled on the matter of eminent domain and its constitutionality. Yesterday, we debated for quite some time the issue of eminent domain, for 45 minutes I would suggest. We voted and we overwhelmingly rejected, by a margin of 42 to 374, the 374 opposing, obviously, the amendment, which I thought was a very punitive amendment, to cut funds from the Court because of its ruling.

This amendment, I am afraid to say, sets a more dangerous precedent. It would allow the legislative branch to override the independent decisions of the Court. If this passes, then what will be the next Supreme Court decision that will be effectively overturned? While we may not agree with the Court's ruling, and I understand the gentleman has a right to believe what he wants, if we do not agree on the Court's ruling, we must respect it.

For this reason and for those that have already been mentioned, I ask all Members to vote ''no'' against the Garrett amendment.

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

Mr. Chairman, I have been reminded that the Brown v. Board of Education was actually a unanimous vote, and I just want to say that regardless of whether it was unanimous or a 5–4, it is the Court's decision to make, not ours, and one where the separation of powers and the checks and balances should be upheld.

I urge a ''no'' vote on the amendment.

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

Mr. GARRETT of New Jersey. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota (Mr. KENNEDY).

Mr. KENNEDY of Minnesota. Mr. Chairman, I rise today to stand with the gentleman from New Jersey (Mr. GARRETT) because I am deeply concerned about the potential effects of the recent Supreme Court decision in Kelo v. The City of New London.

The fifth amendment of the Constitution provides that private property shall not be taken for public use without just compensation. The language is meant to prohibit government, not give a grant of power to government. However, on June 23, the Supreme Court handed down this decision under which any private property may now be taken from its owner for the benefit of another private property.

□ 1300

The Court held in this decision that even the possibility of positive economic effects to the city was sufficient public purpose to justify the taking of one's properties. Under this standard, the seizure of virtually any private property for almost any purpose would be allowable.

Mr. Chairman, I am deeply concerned about the grave effects this decision will have on property owners. Because of this decision, State and local governments now have the power to determine that a property owner is not sufficiently using his or her own property. I urge my colleagues to think about how this decision will disproportionately affect the poor, the elderly, and minorities. Cities may choose to take a person's property for anything they believe will increase their tax base. Certainly, those with less political power and less resources will make for the easiest targets.

As Sandra Day O'Connor said in her dissenting opinion: ''Nothing is to prevent the State from replacing a Motel 6 with a Ritz Carlton, any home with a shopping mall, or a farm with a factory.''

The fifth amendment was supposed to stop that, Mr. Chairman. That is why this decision was opposed by such groups as the NAACP, the AARP, in addition to the National Taxpayers Union, the Americans for Tax Reform, the Institute for Justice, the NFIB, the National Association of Homebuilders, and the list goes on.

Mr. Chairman, property rights are fundamental freedom. There is an opportunity for every American to control their own destiny. They serve as our fundamental protection from the utter destruction of government. Congress must take action to protect property owners in the aftermath of this flawed decision.

I encourage all Members to stand with the gentleman from New Jersey (Mr. GARRETT) and me on this important amendment.

Mr. GARRETT of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

I will just close by addressing the comment by the chairman, and I appreciate the chairman's remarks.

This decision of the Supreme Court will continue to be respected by this House and by the people of New London, Connecticut and the State of Connecticut as well. This legislation simply sees to it that the taxpayers of that community and the taxpayers and the citizens of the United States of America will not subsidize those private developers in that instance.

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

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

Mr. Chairman, if this amendment passes, you might as well tear up the Constitution and toss it in the ash basket. That is what this amendment does.

I happen to think that the Supreme Court decision that came down last week was nutty, and I agree with the gentleman on the substance. But if we disagree with court decisions, folks who are a heck of a lot smarter than we are, the Founding Fathers, spelled out a way to deal with that. It is called passing a law.

All we have to do if we do not like the Supreme Court decision is to bring legislation into this House, take it before the proper committee, have the committee have sensible hearings so that all points of view can be heard, and then bring to the floor either a piece of legislation or a constitutional amendment, whichever you want.

But the idea that this House, every time we do not like a court decision, should decide that we are not going to allow Federal money to be used to enforce that court decision is as nutty as the original court decision in the first place.

So I would hope that we would recognize that the Founding Fathers created the system of separation of powers; they created three independent branches of government for a purpose.

I would not ordinarily rise to oppose an amendment like this, because it is so ridiculous on its face, but it follows in a long line of actions that I have seen coming from that side of the aisle since the beginning of the year.

First, you called the Congress back in order to try to pass legislation saying that you knew better than the Florida courts in the Schiavo case. Then we had another attack launched on independent judges in the form of speeches given by your majority leader and others, and then we have seen various other activities; in fact, I listened to the majority leader himself in a conversation the other day tell some Supreme Court Justices that they were way out of line, and that if they wanted to understand American public opinion, they needed to go through the United States Congress.

Well, God help us if the Supreme Court ever starts going through the United States Congress for its advice on every subject under the sun. They are supposed to use their own independent judgment and, once in a while, they may make a screwy decision, and I think they did last week. But that does not mean that we ought to act in a way which is just as screwy as the original Court decision.

I would urge that we vote down this ridiculous amendment.

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

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

Mr. GARRETT of New Jersey. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MS. DELAURO

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. DELAURO:

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

SEC. ____. None of the funds made available in this Act may be used to enter into any contract with an incorporated entity where such entity's sealed bid or competitive proposal shows that such entity is incorporated or chartered in Bermuda, Barbados, the Cayman Islands, Antigua, or Panama.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentlewoman from Connecticut (Ms. DELAURO) and the gentleman from Michigan (Mr. KNOLLENBERG) each will control 7½ minutes.

The Chair recognizes the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I yield myself 2½ minutes.

This amendment would prevent the Departments and agencies under this bill from using any funds to contract with American companies which have created shell corporations in tax-haven countries in order to reduce their U.S. taxes. The Department of Homeland Security is operating under a similar contracting ban.

Recent data shows that despite costing our government $5 billion in lost revenue, corporate expatriates reaped $1.4 billion in Federal contracts in 2002 alone. This in the middle of a budget crisis. In every appropriations bill we have considered this year, we have heard the same refrain: we have done the best we could under the circumstances. But this budget crisis did not create itself; it is a direct result of the budget and tax choices of this Congress; and as a result, this bill lacks sufficient funding for public transit, Amtrak, housing. Perhaps if we did more to discourage companies from setting up post offices overseas to reduce their tax burden here, we would have more funding available for these critical investments.

Four of our top 100 Federal contractors have incorporated in tax-haven countries. One of them actually holds a contract with the IRS. The agency charged with collecting taxes willingly contracted with a company that is determined to avoid paying them.

These companies are not overtaxed. In fact, effective corporate tax rates have fallen by 20 percent since 2001, even as pretax profits jumped 26 percent. Between 2001 and 2003, our 275 largest companies paid taxes totaling about half of the 35 percent corporate tax rate.

I should emphasize that this amendment will not affect existing contracts. It will not affect existing contracts. It simply ensures that in the future, we will favor good corporate citizens with government contracts, rather than rewarding companies for moving overseas and putting tax-paying American companies at a permanent competitive disadvantage. Corporate expatriate companies have made a clear choice: leave the country and not pay their taxes. It is up to us to make the choice and set a standard. If they are going to manipulate loopholes in our Tax Code, they should no longer be able to reap the benefit of current government contracts.

I urge my colleagues to support this amendment.

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

Mr. KNOLLENBERG. Mr. Chairman, I rise to oppose this amendment and also to manage the time on this side of the issue, and I yield myself such time as I may consume.

Mr. Chairman, Congress addressed the issue of corporate inversions in the JOBS Act, the Jobs Creation Act of 2004. The JOBS Act added a new section to the Tax Code, section 7874, which treats U.S. companies that complete a corporate inversion transaction after March 4, 2003, as domestic U.S. corporations for tax purposes.

Congress also addressed the issue of corporate inversions by enacting a contracting ban. Section 835 of the Homeland Security Act of 2002 does prohibit the Secretary of the Department of Homeland Security from entering into contracts with companies that have completed corporate inversions as defined by the act. Congress revisited the issue in the 2005 Department of Homeland Security Appropriations Act where Congress expanded the scope of section 835.

Critics may argue that companies that have engaged in corporate inversions prior to March 4, 2003, should be covered by the JOBS Act. However, Congress should not bar companies from competing for government contracts because of legal transactions that they performed more than 2 years ago. Companies that qualify for government contracts and successfully fulfill their responsibilities should not be barred from future contracts because of retroactive legislation.

The rules for competing for Federal contracting should not be changed in midstream.

Retroactively imposing a contracting ban on companies would be severely punitive, particularly if a company's incorporation was conducted in compliance with existing law.

I strongly urge the defeat of this amendment.

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

Ms. DELAURO. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Chairman, I thank the gentlewoman from Connecticut for yielding me this time. She has provided great leadership on this matter, and I think it is the right thing to do.

This amendment very simply would prohibit companies that have renounced their American citizenship in an effort to avoid their responsibilities as American citizens from taking part in getting contracts where they would be paid with taxpayers' dollars.

At a time when we have men and women on the battlefield and they have to pay taxes on the monies that they receive for their families; at the time when they are on the battlefield to protect this country in the most unselfish way you can imagine, we are going to say, if you renounce your American citizenship and avoid taxes and get an advantage, then come and bid on our contracts and take taxpayers' dollars. That makes me want a dip of snuff.

I cannot imagine why anybody would do anything like that. I cannot imagine why this government would do it. I know the gentleman that opposes this. I know several of them. They are good people. They have good sense. I do not understand why we cannot as a body deal with this issue and stop people from getting good hard-earned taxpayers' dollars when they have renounced their United States citizenship. If they do not want to be citizens of the United States, as far as I am concerned, good riddance. Let them go. Excenture can go to Bermuda or wherever in the Sam Hill they want to go. And I say, good, let us be rid of them, but do not give them U.S. contracts in the government. Do not give them government contracts. That is all we are talking about doing here.

Mr. Chairman, it is time to hold these people accountable, and it is time for us to be responsible to our men and women on the battlefield.

Mr. KNOLLENBERG. Mr. Chairman, I am delighted to yield 2 minutes to the gentleman from Virginia (Mr. TOM DAVIS).

Mr. TOM DAVIS of Virginia. First of all, we should understand that the companies that are at issue here pay American taxes. They pay taxes on all of the income that is derived from Federal contracts that they are performing and on work done in the United States. Many of these companies are multinational corporations, and they may be headquartered in Panama or Bermuda for other reasons, and maybe how they treat their global income, but their American income is all fully taxed.

We should not force companies to reincorporate in the United States; and, in the case of a company just mentioned here, it was never incorporated in the United States. They just happened, as a multinational partnership, when they decided to go as a corporation, to locate their headquarters outside the United States, but they employ tens of thousands of Americans who are paying taxes every day. Why do you want to put them out of business, particularly if they are providing a service to the American Government that is the best value for the American taxpayers?

Why, if a company provides the best body armor or provides the best mechanics or the best service, are we excluding them and making the American taxpayer pay a higher rate for the same service that may be inferior? That is what this does.

□ 1315

Our procurement system should be based on getting the best value for the American taxpayer. If you do not like the tax system, let us go back to the Tax Code. And as the chairman said, Congress addressed this issue of corporate inversion in the JOBS Act. The JOBS Act added a new section to the Tax Code which treats U.S. companies that complete inversion transactions as domestic, U.S. corporations for tax purposes.

This amendment is not going to produce any more jobs, but it will produce higher costs for American taxpayers that buy goods and services. It will produce less of a marketplace that we can go out and shop and get the best value for our troops in the field and for government services. And for that reason it ought to be voted down. This is outdated in a global economy.

I urge my colleagues to vote against this amendment.

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

This amendment does not affect existing contracts. That is something people would like to portend to our colleagues, but it is not the fact. And later in the conversation, I will talk about dispelling some of the inaccuracies that have been talked about this afternoon.

Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Mr. Chairman, I thank the gentlewoman for yielding time to me. And frankly, if this business had been taken care of in the JOBS Act we would not be here today trying to pass this amendment.

And no corporation just happens to go to Bermuda to incorporate. They go so that they can avoid paying taxes. You know, let us be realistic about it.

I want to support this amendment because new contracts would have to go to companies that pay taxes and operate in America. Corporations who set up the offshore tax havens cost us approximately $5 billion a year in tax revenue. And of course, as you say, the employees that they have here pay taxes. But all of us pay more taxes when corporations get out from under their tax liability. These companies received $1.4 billion in Federal contracts in 2002 alone.

Now, corporations located in the United States that conduct their business in the United States and employ most of their workforce in the United States should not skirt their tax obligations by opening a Post Office box in Bermuda. And it is unconscionable that we would reward these corporate tax cheats with millions of dollars in taxpayer funded Federal contracts. The corporate expatriates hurt the other U.S. taxpayers by shifting more of the tax burden on to their shoulders. This is a point that somehow we fail to grasp here. When other people get out of the burden of paying taxes the taxes do not go away. They are simply shifted to the rest of us. They drain funds from this budget that are desperately needed here in America for essential services, Medicaid, Social Security, health care for veterans from Iraq. You have heard already that that is underfunded by $2 billion. For education, housing, child care, transportation programs, that just names a few.

This government needs a stronger safeguard to ensure that we are not pumping hardened American tax dollars into the coffers of the same corporations that maneuver and scheme to exploit tax loopholes. This is a pro business amendment that ensures that only the responsible U.S. companies can benefit from Federal contracts.

I urge my colleagues to support this amendment.

Mr. KNOLLENBERG. Mr. Chairman, I yield 1½ minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I thank the gentleman, the chairman of the appropriation subcommittee for yielding me the time.

Notwithstanding what my good friend, the gentlewoman from Connecticut (Ms. DELAURO) said, this really goes back to a contract that was issued more than a couple of years ago. It was as a result of very competitive bidding and the winning contractor is required to pay U.S. taxes on every dollar earned in the United States. Every employee employed has to pay U.S. income taxes on the revenue they earn.

Now, if the gentlewoman wants to suggest that there are any contracts where money is not being paid in taxes for revenue earned in the United States, I would agree with her, or if there are employees working in the United States not paying taxes I wholly agree we should collect from them.

But also bear in mind when we do these things, they often come back to haunt us. Trying to change the Tax Code in an appropriations committee is generally not the most effective or appropriate place to make tax law. It can come back to haunt us because we have got so many other corporations that are doing business in other parts of the world and we do not want to be suggesting to them that they ought to shut off that business. What goes around, though, generally comes around. The revenue earned overseas does generate tax revenue into our government here. But it won't if foreign countries decide to punish American

corporations who might win bids on European or Asian or Latin American government contracts.

Like it or not we must compete in a global economy. We have got to be very careful with the precedent that we set. The contract that was issued was competitive. It is a Homeland Security contract. And from everything I understand, they are doing good work and paying 100 percent of the taxes due.

Ms. DELAURO. Mr. Chairman, I yield myself 1 minute.

Let me just try to correct some inaccuracies. First of all, once again, this amendment does not deal with existing contracts. It is contracts in the future. We are not discussing the Homeland Security bill. We are discussing the Transportation Treasury bill, so this does not affect what happened with Homeland Security.

I might also add under the Homeland Security bill, this ban is in place and we voted on it in this institution.

Secondly, my colleagues have talked about the JOBS Act. Very quickly, the JOBS Act does not solve the existing problem that we have here today. Corporations who are paying their taxes in the U.S. to the full amount. Let us take a look at what Accenture is doing. Accenture earned $503 million in the United States in 2004, up from $243 million in 2002. They reduced their tax liability to $135.5 million from $241 million. Their tax burden is going down because they have set up very intricate and elaborate structures in order to reduce the amount of taxes owed in the United States. That is what this is about. They are free to go to tax haven. They should not get any contracts because they are lowering their tax obligation to the United States at a time of a budget crisis and a time of war.

Mr. KNOLLENBERG. Mr. Chairman, I yield 1½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, it is rare that I find myself in opposition to my good friend, the gentlewoman from Connecticut. But I thought that we had settled this the last time around. And this is an example of why it is so difficult to legislate tax matters on an appropriations bill.

The company in question did not flee the United States and create an elaborate tax structure. I went back and checked this because it came up prior. And the fact is, my research indicated this company had never been incorporated in the United States. It is international in scope, although it employs tens of thousands of Americans, and the information I put in the record last time indicated that their tax rate was actually above the effective corporate tax rate at that time. And I looked at more recent information. But the point is, they are paying taxes. They have never been incorporated in the United States. We want to make sure that we are sending the right signals at the right time. And I could not agree with the gentleman from Virginia more.

I am going back at the break to Oregon. I am setting up meetings with Oregon companies that are practiced in sustainable development, in land use planning, in environmental technology. I am working with them so that they can be more effective marketing their goods around the world, in China, in India, in Japan, in Singapore.

And for us to sit here and say we are not going to permit opportunities for people who are incorporated in targeted companies is undercutting a message I am taking back home. But as I say, I really think we have solved this before and I have not heard anything new that makes me think that this amendment is good policy.

Mr. KNOLLENBERG. Mr. Chairman, I will be very brief.

I think the points that have been made by the several individuals who have spoken out against this amendment pretty much says it all. I just would follow by saying I urge strongly a no vote on this amendment.

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

Mr. Chairman, I yield to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Chairman, I thank the gentleman for yielding.

You know, of all the many, many injustices for which this House Republican leadership is responsible, surely there are few that are less defensible than their defense of corporations that flee America. And how appropriate that we bring to the House this amendment at this time as we approach our Nation's Independence Day on July the 4th, because a few corporations have declared their independence from America when it comes to paying their taxes. They formally fled our shores. They dodge their taxes by reincorporating in some tax haven, buying a mailbox and having a beach-side board meeting.

To add insult to injury, the same corporations that renounce America stretch their hand out to all of us who are paying our fair share, businesses and individuals, and say ''can we have some of your tax money?'' They ask to be given the opportunity to bid on government contracts that they are not contributing to pay for. That is right. An outrage that exists that has been defended by this Republican leadership. Why do we do this in an appropriations bill? Because the House Ways and Means Committee, on which I serve, has, under the Republican leadership, as its primary responsibility to protect corporations just like those that flee and then ask to do government business.

What about this argument that these corporations are paying taxes on their government business? Well, frankly, it is a half truth. Let me tell you, these corporations do not go to Bermuda for the shorts. They do not go there for the suntan. They go there to dodge taxes. And the way they do that, as in the case of Accenture, one company that has been mentioned, is to strip away earnings and have them taxed there—at non tax rates really—in Bermuda. For example, the name Accenture did not exist a few years ago.

And so Accenture used its American presence to advertise and build up the value of the name. And so when they come to their name being owned by a foreign corporation, when they come to calculate any taxes they owe in the United States, they deduct all the royalties that they pay to that foreign corporation. So they may be paying a certain tax rate on their income, but they do not include all their income because they have stripped it and sent it abroad.

What of the argument that we will lose the opportunity for the best contract? We are not saying that Accenture or any other company cannot contract for business. Just pay your fair share of taxes like every other American is all that we say through this amendment.

And what makes the opposition to this amendment particularly shameful at this time is that wealthy tax-dodging corporations are not sacrificing at all, while we call on some young Americans to give their all and sacrifice for America. Middle-class Americans are paying hundreds of billions of dollars for this adventure abroad, while tax dodgers and tax cheats avoid paying their fair share. It is wrong. We ought to correct it with approval of this amendment.

Mr. OLVER. Mr. Chairman, I yield to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I thank the gentleman for yielding.

Let me just first say once again, and I will say it as many times as we have to. This does not affect existing contracts. It does not affect existing contracts.

Second, the Department of Homeland Security is operating under a similar contracting ban now. We are not talking solely about one company. There are some 25 or 26 companies who, in fact, have reincorporated in tax haven countries in order to be able to diminish their tax obligation to the United States. Accenture, in fact, has its roots back to 1953, as part of the Illinois-based Arthur Andersen Company. It incorporated in Bermuda in 2001. Their CEO was based in Dallas. And the fact of the matter is that they are now having it both ways.

□ 1330

I would make the point that this comes down to a question of values. Do you stand with corporations who have abandoned our country in a time of war, who have gone through these elaborate contortions to reduce their U.S. tax burdens, or do you stand with the companies who, in fact, have been good corporate citizens? They are paying their taxes, they are employing Americans, and they are living up to their obligations of their country.

Now, as it has been said by my colleagues, these companies can go and do

what it is that they would like. And if they want to diminish their tax burden here, we should not allow it, but we do at the moment. But the fact is, should we then add insult to injury to other American corporations and to American citizens by allowing these companies to get billions of dollars in Federal contracts? Again, it does not affect existing contracts.

We have a historic low in Federal corporate income taxes. The fact is these folks set up these mailboxes overseas. That they are overtaxed is not, in fact, the case. It is time we tell these corporate expatriates the free ride is over. I urge my colleagues to vote in favor of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO).

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

Ms. DELAURO. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO) will be postponed.

AMENDMENT OFFERED BY MR. MARKEY

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

The Acting CHAIRMAN (Mr. SHIMKUS). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MARKEY:

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

SEC. 948. None of the funds made available in this Act may be used in contravention of section 552a of title 5, United States Code (popularly known as the Privacy Act) or of section 552.224 of title 48 of the Code of Federal Regulations.

The Acting CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Massachusetts (Mr. MARKEY) and the gentleman from Michigan (Mr. KNOLLENBERG) each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. MARKEY).

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

Mr. Chairman, I would just briefly explain the intent of this amendment.

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

Mr. MARKEY. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I would be happy to accept the gentleman's amendment.

Mr. MARKEY. If I may explain what the amendment is before the gentleman accepts it?

Mr. KNOLLENBERG. We know what it is; but if the gentleman wants to take a moment or two, yes.

Mr. MARKEY. Reclaiming my time, I will take just a moment.

There has been a recent wave of massive privacy breaches that has highlighted the need to reaffirm the principles of the Privacy Act. This week the IRS announced that they are going to have a $20 million contract with ChoicePoint, the same company involved in a massive privacy breach in its operations in February of 2005. This reminder of the potential compromise of information is, of course, very necessary if the IRS is going to contract with ChoicePoint, with the very sensitive information of Americans.

So this amendment restates the importance of the Privacy Act being implemented. I ask the House to adopt this amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

The amendment was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: amendment No. 4 by the gentleman from Florida (Mr. DAVIS), amendment by the gentlewoman from California (Ms. LEE), amendment by the gentleman from Vermont (Mr. SANDERS), amendment by the gentleman from New York (Mr. RANGEL), amendment by the gentleman from Indiana (Mr. SOUDER), amendment by the gentleman from New Jersey (Mr. GARRETT), amendment by the gentlewoman from Connecticut (Ms. DELAURO).

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

AMENDMENT NO. 4 OFFERED BY MR. DAVIS OF FLORIDA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 208, noes 211, not voting 14, as follows:

[Roll No. 345]

AYES—208

Abercrombie
Allen
Andrews
Baca
Baird
Baldwin
Bass
Bean
Becerra
Berman
Berry
Biggert
Bishop (NY)
Blumenauer
Boehlert
Bono
Boozman
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Castle
Clay
Cleaver
Clyburn
Conyers
Costa
Costello
Cox
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Duncan
Edwards
Ehlers
Emanuel
Emerson
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Flake
Ford
Frank (MA)
Garrett (NJ)
Gilchrest
Gonzalez
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Herger
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kolbe
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller, George
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Oberstar
Obey
Olver
Osborne
Otter
Owens
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Scott (VA)
Serrano
Shays
Sherman
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Woolsey
Wynn

NOES—211

Ackerman
Aderholt
Akin
Alexander
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Beauprez
Berkley
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Carter
Case
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Engel
English (PA)
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Hobson
Hoekstra
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kuhl (NY)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo

Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Melancon
Menendez
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Murphy
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Nussle
Ortiz
Oxley
Pallone
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Ryun (KS)
Salazar
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Turner
Upton
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—14

Bachus
Bishop (GA)
Cooper
Cramer
Everett
Kingston
Moore (WI)
Peterson (PA)
Reyes
Rogers (AL)
Ross
Schiff
Scott (GA)
Westmoreland

□ 1357

Messrs. BARRETT of South Carolina, JONES of North Carolina, UPTON, DANIEL E. LUNGREN of California, and BAKER changed their vote from ''aye'' to ''no.''

Mr. HIGGINS changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. MOORE of Wisconsin. I was unavoidably detained and missed the vote on this amendment. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. COX. Mr. Chairman, on rollcall No. 345 I am recorded as having voted "aye." I intended to vote "no," and ask that the RECORD reflect this.

AMENDMENT OFFERED BY MS. LEE

The Acting CHAIRMAN (Mr. SHIMKUS). The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 187, noes 233, not voting 13, as follows:

[Roll No. 346]

AYES—187

Abercrombie
Allen
Baca
Baird
Baldwin
Bass
Bean
Becerra
Berman
Berry
Biggert
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Brady (PA)
Brown (OH)
Butterfield
Capps
Capuano
Cardin
Cardoza
Carson
Castle
Clay
Cleaver
Clyburn
Conyers
Costa
Costello
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Emerson
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gilchrest
Gonzalez
Gordon
Graves
Green, Al
Grijalva
Gutierrez
Harman
Herger
Herseth
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kolbe
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Osborne
Otter
Owens
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Scott (VA)
Serrano
Shays
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Woolsey
Wynn

NOES—233

Ackerman
Aderholt
Akin
Alexander
Andrews
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Beauprez
Berkley
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boren
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carnahan
Carter
Case
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Engel
English (PA)
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Green (WI)
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Higgins
Hobson
Hoekstra
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Melancon
Menendez
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Oxley
Pallone
Pascrell
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Ryun (KS)
Salazar
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Turner
Upton
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—13

Bachus
Bishop (GA)
Boozman
Cooper
Cramer
Everett
Kingston
Peterson (PA)
Rogers (AL)
Ross
Schiff
Scott (GA)
Westmoreland

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. SHIMKUS) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1405

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. FLAKE. Mr. Chairman, I inadvertently voted "no" on rollcall No. 346. I intended to vote "aye" on rollcall No. 346.

AMENDMENT OFFERED BY MR. SANDERS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 238, noes 177, not voting 18, as follows:

[Roll No. 347]

AYES—238

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bass
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (NY)
Blumenauer
Boehlert
Bonner
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Butterfield
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conaway
Conyers
Costa
Costello
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fitzpatrick (PA)
Foley
Ford
Fortenberry
Fossella
Frank (MA)
Gerlach
Gibbons
Gonzalez
Gordon
Green (WI)
Green, Al
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Jones (OH)
Kanjorski
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Nussle
Oberstar
Obey
Olver
Osborne
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Porter
Price (NC)
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Rogers (MI)
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Schwarz (MI)
Scott (VA)
Serrano
Shays
Sherman
Shuster
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Sodrel
Solis
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn
Young (FL)

NOES—177

Aderholt
Akin
Alexander
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Biggert
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Cox
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Feeney
Ferguson
Flake
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
King (IA)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCrery
McHenry
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Moran (VA)
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Otter
Oxley
Paul
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Reichert
Renzi
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Simpson
Smith (TX)
Souder
Sullivan
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Upton
Walden (OR)
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)

NOT VOTING—18

Bachus
Barrow
Bishop (GA)
Brown, Corrine
Cooper
Cramer
Everett
Johnson, E. B.
Kaptur
Kingston
Ortiz
Peterson (PA)
Rogers (AL)
Ross
Schiff
Scott (GA)
Stearns
Westmoreland

□ 1412

Mr. NUSSLE changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. STEARNS. Mr. Chairman, on rollcall No. 347, I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. RANGEL

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 169, noes 250, not voting 14, as follows:

[Roll No. 348]

AYES—169

Abercrombie
Allen
Baca
Baird
Baldwin
Bean
Becerra
Berry
Biggert
Bishop (NY)
Blumenauer
Bono
Boozman
Boren
Boswell
Boucher
Brady (PA)
Brown (OH)
Capps
Capuano
Carson
Clay
Cleaver
Clyburn
Conyers
Costello
Crowley
Cummings
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Emerson
Eshoo
Farr
Fattah
Filner
Flake
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Grijalva
Harman
Herger
Herseth
Hinchey
Hinojosa
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kolbe
Kucinich
LaHood
Langevin
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren, Zoe
Lowey
Lynch
Maloney
Manzullo
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meeks (NY)
Michaud
Millender-McDonald
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Osborne
Otter
Owens
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Scott (VA)
Serrano
Slaughter
Smith (WA)
Snyder
Solis
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Woolsey
Wynn

NOES—250

Ackerman
Aderholt
Akin
Alexander
Andrews
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berkley
Berman
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Cardoza
Carnahan
Carter
Case
Castle
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Costa
Cox
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Engel
English (PA)
Etheridge
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Gene
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)

Hayes
Hayworth
Hefley
Hensarling
Higgins
Hobson
Hoekstra
Holden
Holt
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kuhl (NY)
Lantos
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Meek (FL)
Melancon
Menendez
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Oxley
Pallone
Pascrell
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Ryun (KS)
Salazar
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Spratt
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Turner
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—14

Bachus
Bishop (GA)
Cooper
Cramer
Evans
Everett
Kingston
Peterson (PA)
Rogers (AL)
Ross
Schiff
Scott (GA)
Shadegg
Westmoreland

□ 1421

Mr. DICKS changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SOUDER

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 259, noes 161, answered ''present'' 1, not voting 12, as follows:

[Roll No. 349]

AYES—259

Aderholt
Akin
Alexander
Baca
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berry
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Carter
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Costa
Costello
Cox
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (AL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
English (PA)
Feeney
Fitzpatrick (PA)
Flake
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jefferson
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kind
King (IA)
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Ortiz
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wu
Young (AK)

NOES—161

Abercrombie
Ackerman
Allen
Andrews
Baldwin
Bean
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Bono
Brady (PA)
Brown (OH)
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Case
Castle
Clay
Cleaver
Clyburn
Conyers
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeGette
Delahunt
DeLauro
Dicks
Doggett
Doyle
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Foley
Frank (MA)
Frelinghuysen
Gilchrest
Gonzalez
Green, Al
Grijalva
Gutierrez
Harman
Hastings (FL)
Hinchey
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
King (NY)
Kirk
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Ramstad
Rangel
Rothman
Roybal-Allard
Ruppersberger
Rush
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Scott (VA)
Serrano
Shays
Sherman
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wolf
Woolsey
Wynn
Young (FL)

ANSWERED ''PRESENT''—1

Obey

NOT VOTING—12

Bachus
Bishop (GA)
Cooper
Cramer
Everett
Kingston
Peterson (PA)
Rogers (AL)
Ross
Schiff
Scott (GA)
Westmoreland

□ 1430

Mr. MEEK of Florida and Mr. SMITH of Texas changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 231, noes 189, not voting 13, as follows:

[Roll No. 350]

AYES—231

Abercrombie
Aderholt
Akin
Alexander
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berry
Biggert
Bilirakis
Bishop (UT)

Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Chabot
Chandler
Chocola
Clay
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Costello
Cox
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hoekstra
Hooley
Hostettler
Hulshof
Hunter
Hyde
Issa
Istook
Jackson-Lee (TX)
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
Kline
Kuhl (NY)
LaHood
Leach
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Pallone
Paul
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Rehberg
Renzi
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Salazar
Sanchez, Loretta
Saxton
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Simmons
Slaughter
Smith (NJ)
Smith (TX)
Sodrel
Souder
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thompson (MS)
Thornberry
Tiberi
Upton
Walden (OR)
Wamp
Waters
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Woolsey
Young (AK)
Young (FL)

NOES—189

Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Cleaver
Costa
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hinojosa
Hobson
Holden
Holt
Honda
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Knollenberg
Kolbe
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Rahall
Rangel
Regula
Reichert
Reyes
Reynolds
Rothman
Roybal-Allard
Rush
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanders
Schakowsky
Schwartz (PA)
Schwarz (MI)
Scott (VA)
Serrano
Shays
Sherman
Sherwood
Simpson
Skelton
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Thomas
Thompson (CA)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Wexler
Wolf
Wu
Wynn

NOT VOTING—13

Bachus
Bishop (GA)
Cooper
Cramer
Everett
Kingston
Peterson (PA)
Rogers (AL)
Ross
Schiff
Scott (GA)
Tiahrt
Westmoreland

□ 1438

Ms. DeLAURO and Mr. RYAN of Ohio changed their vote from ''aye'' to ''no.''

Messrs. BOREN, LINDER, and CONYERS, and Mrs. MUSGRAVE and Ms. LORETTA SANCHEZ of California changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. TIAHRT. Mr. Chairman, on rollcall No. 350 I was unavoidably detained. Had I been present, I would have voted ''aye.''

AMENDMENT OFFERED BY MS. DELAURO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 190, noes 231, not voting 12, as follows:

[Roll No. 351]

AYES—190

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bass
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Boucher
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Costa
Costello
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dingell
Doggett
Doyle
Duncan
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Filner
Fitzpatrick (PA)
Ford
Frank (MA)
Gonzalez
Gordon
Green (WI)
Green, Al
Grijalva
Gutierrez
Harman
Hastings (FL)
Hayes
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lowey
Lynch
Maloney
Markey
Marshall
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller, George
Mollohan
Moore (WI)
Moran (KS)
Nadler
Napolitano
Neal (MA)
Northup
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Platts
Rahall
Rangel
Reyes
Rohrabacher
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanders
Schakowsky
Schwartz (PA)
Serrano
Shays
Sherman
Sherwood
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Solis
Stark
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Wamp
Wasserman Schultz
Watson
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—231

Aderholt
Akin
Alexander
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Drake
Dreier
Ehlers
Emanuel
Emerson
English (PA)
Etheridge
Feeney
Ferguson
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hooley
Hostettler
Hulshof

Hyde
Inglis (SC)
Issa
Istook
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moore (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Petri
Pickering
Pitts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Sanchez, Loretta
Saxton
Schwarz (MI)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Simpson
Smith (TX)
Snyder
Sodrel
Souder
Spratt
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Turner
Walden (OR)
Walsh
Waters
Watt
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—12

Bachus
Cooper
Cramer
Everett
Gillmor
Kingston
Peterson (PA)
Rogers (AL)
Ross
Schiff
Scott (GA)
Westmoreland

□ 1448

Mr. JEFFERSON changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore (Mr. PETRI) assumed the chair.

ENROLLED BILLS SIGNED

The Speaker pro tempore, Mr. PETRI, announced the signature of the Speaker to enrolled bills of the following titles:

H.R. 289. An act to designate the facility of the United States Postal Service located at 8200 South Vermont Avenue in Los Angeles, California, as the ''Sergeant First Class John Marshall Post Office Building''.

H.R. 504. An act to designate the facility of the United States Postal Service located at 4960 West Washington Boulevard in Los Angeles, California, as the ''Ray Charles Post Office Building''.

H.R. 627. An act to designate the facility of the United States Postal Service located at 40 Putman Avenue in Hamden, Connecticut, as the ''Linda White-Epps Post Office''.

H.R. 1072. An act to designate the facility of the United States Postal Service located at 151 West End Street in Goliad, Texas, as the ''Judge Emilio Vargas Post Office Building''.

H.R. 1082. An act to designate the facility of the United States Postal Service located at 120 East Illinois Avenue in Vinita, Oklahoma, as the ''Francis C. Goodpaster Post Office Building''.

H.R. 1236. An act to designate the facility of the United States Postal Service located at 750 4th Street in Sparks, Nevada, as the ''Mayor Tony Armstrong Memorial Post Office''.

H.R. 1460. An act to designate the facility of the United States Postal Service located at 6200 Rolling Road in Springfield, Virginia, as the ''Captain Mark Stubenhofer Post Office Building''.

H.R. 1524. An act to designate the facility of the United States Postal Service located at 12433 Antioch Road in Overland Park, Kansas, as the ''Ed Eilert Post Office Building''.

H.R. 1542. An act to designate the facility of the United States Postal Service located at 695 Pleasant Street in New Bedford, Massachusetts, as the ''Honorable Judge George N. Leighton Post Office Building''.

The SPEAKER pro tempore. The Committee will resume its sitting.

TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2006

The Committee resumed its sitting.

AMENDMENT NO. 7 OFFERED BY MR. HEFLEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. HEFLEY:

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

SEC. ____. Appropriations made in this Act are hereby reduced in the amount of $669,350,000.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Colorado (Mr. HEFLEY) and the gentleman from Michigan (Mr. KNOLLENBERG) each will control 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. HEFLEY).

Mr. HEFLEY. Mr. Chairman, I yield myself such time as I may consume. I have learned to do these pretty fast, and I do not think there is anyone here in doubt as to what it is.

I rise today to cut the level of funding in this appropriation bill by approximately 1 percent. This equals approximately $670 million. The bill is 6 percent over last year.

It seems to me that when we do not have the money, we do not spend over last year, or should not. I will emphasize again this is not an across-the-board cut; this is an off-the-bottom-line. They can make a choice of where it comes from.

This is the seventh time that I have offered an amendment of this type this year; and had those amendments been adopted, we would have saved $3.3 billion out of our spending for this year. Now, $3.3 billion sounds like a lot of money to most of us, but it is not in comparison with the overall budget we have for the United States Government; but, still, it is a tremendous step in the right way.

It is important to remember that we do not have this money. This money is debt we are burdening our children and grandchildren with to pay back someday.

I would like to congratulate the chairman and the ranking member and the committee on addressing an issue I followed in the spending bill for years. While I would have preferred not to spend a dime on Amtrak, the committee has dramatically reduced the spending in the bill, and that would go a long way towards forcing Amtrak to change its ways. Now, I know there was a vote to reverse that last night, but I trust that this battle is not over, and I hope it is not over.

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

Mr. KNOLLENBERG. Mr. Chairman, I rise in opposition to the amendment, and I yield myself such time as I may consume.

Mr. Chairman, my good friend, the gentleman from Colorado, has offered this any number of times; and I am not counting, but I know he has done this before. He is getting very good at it.

With all due respect to the gentleman from Colorado, I believe this to be an unnecessary amendment. The Congress cannot and should not abdicate its responsibility to review individual programs and make individual recommendations based on that review. The desire to hold spending in check should be based on congressional oversight of specific programs. We should not take a meat-ax approach, and we should not yield our power to the executive.

I ask, therefore, that this amendment be defeated.

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

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

I would just say to the gentleman, who is a dear friend and for whom I have the highest respect, we should not, he is absolutely right, we should not abdicate our responsibility to the executive branch; but sometimes around here what should be done and what is reality are two different things. I know what it is to get bills out of committee. The gentleman and I worked on the subcommittee on military construction for years together, the gentleman on appropriations and me on the authorizing, and we know what it takes to get bills out of committee sometimes. Sometimes this may be the only way to do it to get a hold on spending.

But anyway, Mr. Chairman, I encourage an ''aye'' vote.

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

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

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

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

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

AMENDMENT OFFERED BY MS. KILPATRICK OF MICHIGAN

Ms. KILPATRICK of Michigan. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. KILPATRICK of Michigan:

Page 224, insert the following after line 8:

SEC. 948. None of the funds made available in this Act to the Department of the Treasury may be used to recommend approval of the sale of Unocal Corporation to CNOOC Ltd. of China.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentlewoman from Michigan (Ms. KILPATRICK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan (Ms. KILPATRICK).

Ms. KILPATRICK of Michigan. Mr. Chairman, I yield myself such time as I may consume.

I rise to prohibit the sale of an American oil company to the Chinese National Offshore Oil Corporation, recommending in this bill that Treasury not be allowed to make a favorable recommendation that our ninth largest oil company should be sold to the Chinese.

Some people say, why is the gentlewoman from Michigan interested in this amendment? We are interested because we believe that Americans ought to be able to have and hold and own American companies. Did my colleagues know that 53 percent of the privately held debt of this country is held by private investors, private countries? Japan being first, China being second. This is not the time to now sell our ninth largest oil refinery to a Chinese company.

Our trade deficit with China is $160 billion. We buy $160 billion more from China that they buy from the United States. This is not the time, if there ever is. Our national security, which is what the CFIUS committee will look at, that is the Committee on Federal Investments in the United States chaired by Secretary of the Treasury Snow, also on that panel is the Defense Secretary as well as the Secretary of State; we believe that this is not right for our country, it is not right for our economic security.

We must also look at, and CFIUS right now only looks at national security, and probably that ought to be amended. CFIUS was established in 1988, a 12-member committee. They should probably also look at economic security, and we are looking at offering an amendment to amend that legislation as well.

China is an economic and military power. They are one of our largest competitors. In my own district, General Motors put $2 billion into China last year and just 2 months ago said that they closed 30 plants, they closed 30 General Motors plants in America and laid off thousands of workers.

Should we work with China? Yes, we should. Should we turn over our government business to China? No, we should not. This amendment that I am offering would not allow the Treasury Department to issue a favorable recommendation to the President of a China company, Chinese National Offshore Oil, to sell our own, very own Unocal company.

So I am hoping that as we go through this debate and as we come to talk about this issue, we take care of Americans first.

I was just in a meeting this morning where we talked about the loss of our American jobs. We hope, Mr. Chairman, that as we have this debate, we will continue and make sure that we maintain American ownership of American corporations. Fifty-three percent of the privately held debt in America today, the bulk of it is held by Japan first, as I mentioned, and also then China. Intellectual property rights, the Chinese have no respect for our intellectual property rights. In the auto industry right now, China also abuses our parts and uses our technology.

So, Mr. Chairman, I am asking that this amendment be accepted by our entire body, that we make sure that American companies stay in America, and that we continue to employ, that we continue to train and educate our children so that your grandchildren and mine will have an America that is strong.

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

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

Mr. Chairman, I want to first yield to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I rise in opposition to this amendment.

We have done this to ourselves. We are $9 trillion in debt. We cannot purchase all this debt. We rely upon other countries throughout the world, whoever is willing to, to purchase our debt. The highest proportionate increase is attributable to China. China is buying up our debt faster than anyone else.

Now, what do we think they are going to do with it? If they choose to dump it on the world financial markets, we go into a depression, I say to my colleagues. It is a financial guillotine they are holding over our neck. Far better that they use these financial assets to purchase American corporate assets in the same way that Japan did several years ago. If you do not want China purchasing our assets, then do not put us into the kind of deficit situation that we have created.

It is far better that China diversify their holdings. If they do not buy American oil companies or Western oil companies, since they desperately are in need of energy to sustain their economy, where are they going to go? They are going to go to Iran, they are going to go to other countries that are not in our interests, and we are going to start contributing to a bipolar world again. We just got through a Cold War with the Soviet Union. If we act in this way, and I know the domestic politics of it, but if we start doing things like this, we are going to contribute to another bipolarity, another Cold War here, which is not in our interest We have American oil companies who own drilling rights and oil resources off China's shore.

□ 1500

It is in our interest to start balancing the budget and issue less debt. But it is not in our interest to forbid China from purchasing assets, even within the United States with that cash and U.S. debt securities that they own. They need to do that. We need to be serious about this and levelheaded. And so I would oppose the amendment.

Ms. KILPATRICK of Michigan. Mr. Chairman, I yield the balance of my time to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the gentlewoman for yielding and for her leadership on this important subject. As a distinguished member of the Appropriations Committee, she has been a voice for strong national security in our country, including this initiative today.

Mr. Chairman, I believe that the comments of the previous speaker speak eloquently to the need for us to get our fiscal House in order because we are seeing the consequences of going so deeply in debt to other countries where we are really held hostage in terms of our own decision making because they own our debt.

Mr. Chairman, the Chinese National Overseas Oil Company's bid to acquire UNOCAL Corporation is a graphic example of America's energy vulnerability. President Bush should refuse to prove the acquisition and Congress should indicate its disapproval as well.

I urge my colleagues to support the gentlewoman from Michigan's amendment. And again I thank her for her leadership on this issue.

The Chinese bid for UNOCAL is compelling evidence of America's strategic energy vulnerability. China has clearly decided to meet its growing demand by obtaining control of energy assets around the world.

I would say to the gentleman from Virginia (Mr. MORAN), it is true, China will turn to Iran and Sudan and other countries. In fact, they already have. Arrangements have been made in Iran, Sudan, Venezuela and other places that illustrate their strategy. With the UNOCAL bill the Chinese plan reaches our doorstep. The Chinese government's control of CNOOC made the bid possible, not the free market.

My Republican colleagues and Democratic colleagues who are all dedicated

to the free market system should understand that this is not a free market transaction. Government-provided low interest loans allow the company to bid at rates not otherwise available. And if acquisition of UNOCAL is critical to the Chinese, they would probably allow the bid to be increased to any level needed to seal the deal.

Control of energy assets by China means China controls where those assets go and when. That raises serious national security concerns for the United States. Among those other serious national security concerns are the transfer of technology associated with the UNOCAL acquisition. It is reported that China could assume ownership of the cavitation technology with applications. Cavitation is a process which UNOCAL uses to go into deep water drilling for oil. That same technology can be used by the Chinese to do nuclear tests underground and to mask them so we would not ever be able to detect them. It would also have applications again for locating matter in deep water.

Given China's commitment to improving its military capabilities, why would the United States permit the sale of this kind of technology? Left on its own, we probably would not. But as part of the UNOCAL deal, it is being pulled through with this Trojan horse.

The reason the Chinese believed a bid for UNOCAL could succeed, as the gentleman from Virginia (Mr. MORAN) mentioned in his support, no, his opposition to our position, the reason the Chinese believe a bid for UNOCAL could succeed lies in our dependence on them to finance a significant portion of our massive budget deficit. Our reliance on the Chinese to finance our debt gives them far too much leverage over our decision making process.

I go back, you know, 15 years now, our arguments that expanded trade with China would result in increased freedom for the Chinese people. We were proved wrong long ago. At that time just before Tiananmen Square, our trade deficit with China was $3.5 billion a year. And we thought, with that huge trade deficit that it would give us leverage for improving China's human rights record, for improving their behavior in terms of fair trade and for stopping China's proliferation of weapons of mass destruction. We failed in persuading Congress to do that, and today the trade deficit with China, not $3.5 billion a year, has grown to $3.5 billion a week. $3.5 billion a week. With all that capital China is able to purchase our debt, have leverage over us so that now we have to, hopefully not, but some believe, agree to their buying a strategic asset which UNOCAL represents. Our reliance on China to finance our debt weakens our ability to influence China on human rights, proliferation of weapons of mass destruction, North Korea, you name it.

This is the price we pay for failing to live within our means, and it is long past time we recognize that danger and addressed it. On that, the gentleman from Virginia (Mr. MORAN) and I agree. Let us heed the wake up call provided by the Chinese bid for UNOCAL. Let us get serious on both issues, reducing risk in energy by adopting an innovative energy policy for the 21st century and getting our fiscal House in order.

And again, I caution our colleagues that a serious transfer of technology that would be contained in this purchase of UNOCAL and urge our colleagues to support the Kilpatrick amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Michigan (Ms. KILPATRICK).

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

Mr. FRANK of Massachusetts. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Michigan (Ms. KILPATRICK) will be postponed.

AMENDMENT OFFERED BY MR. OBEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OBEY:

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

SEC. ____. None of the funds made available in this Act may be used in contravention of that portion of OMB Circular No. A–11, section 22.2, entitled ''Congressional testimony and communications'' that states that in testimony before Congressional committees and communication with Members of Congress, witnesses will give frank and complete answers to all questions.

Mr. OBEY. Mr. Chairman, I ask unanimous content that the Clerk read the amendment in its entirety.

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

There was no objection.

The Clerk read the amendment.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Wisconsin (Mr. OBEY) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

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

The OMB circular which was just read reads, or which was just referred to in the amendment reads as follows: ''When testifying before any congressional committee or communicating with Members of Congress, witnesses will give frank and complete answers to all questions.'' The purpose of this amendment is simply to make certain that none of the funds in this bill may be used to, in any way, assist in any communication from the Executive Branch of government, which is not frank and complete and truthful.

Now, that may seem like an odd thing to ask, but let me point out recent years are replete with examples of how the executive branch, including this administration, have grossly misled Congress on matters of national importance. Example, the Department of Veterans Affairs deliberately withheld information related to the cost of veterans medical care that was needed during consideration of the fiscal year 2005 supplemental, which they now admit has resulted in a $1 billion shortfall in veterans health care. In fact, they have stonewalled us over the past 3 years in terms of being frank about the needs of veterans health care.

This administration has consistently and repeatedly declined to provide a full accounting of anticipated cost for the Iraq war. Previous OMB Director Mitch Daniels once said that because of oil revenues, the war would be ''affordable,'' and probably would only cost the U.S. 50 to $60 billion.

Instead, the President continues to request funding for the war, and yet when you ask everyone from the Secretary of Defense on down, they are steadily refusing to give us real figures about the anticipated cost of that war.

We will all recall that just a year ago a Federal Medicare actuary was threatened with dismissal by a high administration official for disclosing the exact cost of the Medicare prescription drug benefit before Congress voted on the measure. And we will all remember, no doubt, former economic advisor Larry Lindsey, who was criticized by his colleagues and eventually fired for correctly predicting an Iraq war that would cost the U.S. at least $200 billion. At the time his prediction was termed outlandish by higher officials in the government.

The former Chief of Police at the National Park Service was fired for publicly discussing budget shortfalls that she argued threatened the safety of her police force and hindered their ability to protect national park lands.

And former Member of Congress, Mike Parker, who once served in this very institution was fired for speaking candidly about the budget request of the Army Corps of Engineers.

And I must say that I had the unpleasant experience in the 10 years that I chaired the Foreign Operations Appropriations Subcommittee of having well-known administration witnesses purposely mislead our subcommittee about the Iran-Contra issue. And several of those officials who were much less than candid at the time are now serving in this administration. So unfortunately, I think there is a long track record, not just with this administration, but with many, of misleading the Congress, of telling us half truths, of telling us no truths at all. And I do not know how you can change human nature to insist that the persons testifying before our committees be more forthcoming. But at least you can have the Congress spell out, through a vote, the fact that each and every Member of this Congress expects the administration to allow its witnesses to tell the truth.

We should not have to, as Senator SPECTER was forced to do last year, we should not have to change the law to require that officials from the National Institute of Health or anyone else can answer Members' questions without referring to higher-ups in the administration to get a politically correct answer.

So that is the purpose of this amendment. And I would hope it would be adopted by this House.

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

Mr. KNOLLENBERG. Mr. Chairman, I am prepared to accept this amendment.

The CHAIRMAN. The gentleman will suspend. Does the gentleman move to strike the last word?

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

The CHAIRMAN. The gentleman from Michigan is recognized for 20 minutes and reserves the balance of his time.

Mr. OBEY. Mr. Chairman, I yield 5 minutes to the gentlewoman from California (Ms. PELOSI), the distinguished minority leader.

Ms. PELOSI. Mr. Chairman, I thank the distinguished gentleman for yielding me this time, and I acknowledge the great leadership of the gentleman from Michigan (Mr. KNOLLENBERG) as the chair of the Appropriations Subcommittee.

I say to the gentleman from Wisconsin (Mr. OBEY), every chance I get I want to salute his leadership, his championing the rights of America's families and now today something that should be very clear and obvious, but having to make the point that we should have truth and honesty in our dealings with the American people.

Mr. Chairman, I rise in strong support of the Obey amendment.

□ 1515

It is ridiculous that we are debating on the floor of the people's House the need for truth. The need for truths is self-evident.

The truth and trust are fundamental to a democracy. We owe every American the truth in our dealings here. All Americans, as I say, deserve the truth. But our veterans deserve it even more. They are willing to make the supreme sacrifice for us. They are courageous, they are patriotic. They have given us the opportunity to have peace on Earth, good will to men over generations, and now they are not being dealt with honestly.

The need for truth is made painfully clear in the current crisis we are facing on veterans health care funding shortfalls. On April 5, Department of Veterans Affairs Secretary Jim Nicholson said, ''I can assure you the VA does not need emergency supplemental funds in FY 2005 to continue to provide timely quality service.''

Last week, less than 3 months later, Secretary Nicholson and the Bush administration finally acknowledged their failed budgetary policies and misplaced priorities and owned up to the shortfall in veterans funding. In the meantime, the supplemental bill passed the Congress, went to the President's desk without covering that shortfall because of the misrepresentations that were made by the Secretary to the Congress.

This should come as no surprise to anyone. Over the past 2 years, Democrats have stood shoulder to shoulder with veteran service organizations calling for adequate funding for the VA. Time after time, Democrats have put forward proposals to increase funding for our veterans, and time after time Republicans have voted them down. We have had straight party line votes. There have been some moments of clarity and truth from Republicans in this fight.

In February 2004, Veterans Affairs Secretary Anthony Principi acknowledged the inadequacy of President Bush's FY 2005 budget for the VA. He said, ''I asked OMB for $1.2 billion more than I received.'' It was his professional judgment that that $1.2 billion was needed a year and a half ago for fiscal year 2005 and here we are today still without it. Secretary Principi knew then that the Bush budget was inadequate.

The Committee on Veterans' Affairs chairman, the gentleman from New Jersey (Mr. SMITH), knew that the Bush budget was inadequate. That is why he joined the ranking Democrat on the Committee on Veterans' Affairs, the gentleman from Illinois (Mr. EVANS), a champion for veterans, in calling for additional funds for the VA.

The result? Not increasing funding for veterans but ousting the chairman, the gentleman from New Jersey (Mr. SMITH), for daring to stand up to the Republican leadership and a new VA Secretary who hides the truth so that he can be in lockstep with the failed budgetary policies and misplaced priorities of this administration.

How can we even face our veterans when we as a Congress say to them, and as a country, including the President, it is more important to us, we place a higher value in giving the people who make over a million dollars a year, $140,000 in tax cuts, but we are not giving you the health benefits that you earned, that you deserve, and that you were promised.

Democrats are united on this issue. Every single Democrat joined me yesterday in writing to President Bush calling for an emergency supplemental to fund veterans health care. This should not be partisan and I hope that later today we will right this wrong. But even if we pass a bill on the floor today, we will go into the Fourth of July weekend without correcting the situation, because it would have to come back after the recess, go into conference, et cetera, pass the Senate with which there is no guarantee.

Our veterans deserve nothing less than our honoring our commitment to them.

Mr. Chairman, in time of war, the military says we will leave no soldier behind on the battlefield. When they come home we must leave no veteran behind when it comes to delivering our promises to them.

Our Founding Fathers, over 200 years ago, declared independence with their wisdom, their enlightenment, their courage, and their willingness to sacrifice, they launched what would become the United States of America, a free and independent country. Our veterans have kept us that way. We honor our Founding Fathers' vision and we honor the sacrifice of our veterans, our men and women in uniform, when we keep our promises to them. We owe them nothing less. I support the Obey amendment.

Mr. KNOLLENBERG. Mr. Chairman, I yield 4 minutes to the gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Chairman, I thank the distinguished chairman for yielding me time.

I rise in opposition to this amendment. But first on the merits of this discussion about the veterans budget, we held a subcommittee hearing, an oversight hearing on Tuesday with the Secretary of Veterans' Affairs. The gentleman from Indiana (Chairman BUYER) held a hearing this morning with the Secretary of Veterans' Affairs to try to sort this shortfall out and that is exactly what it is. It is a shortfall.

I do not believe that there is any intent to mislead or deceive the Congress. And if this amendment is an attempt to belie the confidence of the American public in the process that we have, I think it is a mistake.

The Secretary of Veterans Affairs and his administration made a mistake. They made an estimate as to what the costs would be for 2005. Now we have 3 months left in 2005. They have completed their mid-year review and they have found that there was an error in their assumptions. Now, this is a 30-plus billion dollar budget. So a 3 percent mistake, which is what this was, they were off by 3 percent, that is a billion dollars.

Now, I cannot speak for any other Member of Congress, but I suspect there have been times when my office budget has been either overestimated or underestimated by 3 percent. It is a small percentage, but when you are talking huge amounts of money like we are talking about here, it comes out to be a very large number, a billion dollars. But I believe that they made an error. They made a mistake. I do not think they tried to deceive us or mislead us.

Let us be honest. The appropriations process moved very quickly this year. Their mid-year review came after we completed most of the deliberations in our hearings on this bill. So we are going to fix that. I mean, if the idea here is to get at the problem we have, we found the problem. By the way, it was oversight by the Committee on

Veterans' Affairs that discovered this in consultation with the Veterans Affairs Administration. So we are sorting it out. And I think we have done the responsible thing.

We have identified what that shortfall is. Somewhere in the neighborhood, plus or minus $5 million, of about $975 million. It is a lot of money, but we fortunately will be able to remedy that today. The last bill, I believe, that we work on tonight will be a supplemental bill to provide those funds to make sure that we keep the Veterans Health Administration whole.

They planned to work around the solution. They were going to use capital funds. They were going to take from their own hide, basically the capital account of $600 million and they had a reserve plan for $375 million. We want them to have that reserve. We want them to have those capital expenditures. We do not want them to defer maintenance and repair and purchases of computers and MRIs and other medical equipment. We want no diminution, no reduction in the quality of service our veterans have, especially in this time of war.

So we are moving. We are moving at a pace, and we will have this resolved at least on the House side this evening.

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

Mr. OBEY. Mr. Chairman, how much time is remaining on both sides?

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) has 10 minutes remaining. The gentleman from Michigan (Mr. KNOLLENBERG) has 16 minutes remaining.

Mr. OBEY. Does the gentleman have any other speakers besides himself?

Mr. KNOLLENBERG. I do.

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

Mr. KNOLLENBERG. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. LEWIS), the chairman of the Committee on Appropriations.

Mr. LEWIS of California. Mr. Chairman, I do not find myself always happy with what witnesses before our committees have to say. Just because I disagree with them does not mean they are not being as complete as they would choose to be.

I do not always have witnesses provide me with the answers that are my answers. But I do remember early on in my career here, it was my second term, I was a new member of the Committee on Appropriations. In those days the issues swirled around what was going on in Central America. There was a divide in the House it seemed. Most of the people on that side were very much concerned about changes in Central America. I remember the debates about the Sandinistas and there was discussion that maybe the witnesses were not being totally open and fair and straightforward.

It is convenient to point a finger and suggest one administration's witnesses is not being straight, another one is answering questions fully. The fact is that it is pretty obvious we expect people to be straightforward with us.

I would suggest if the gentleman really has a problem in some of his committees, he might want to urge that people take the oath everywhere. I do not tend to follow that pattern in my own committees. But indeed it is important to recognize that people in public service, whether they are working for the administration, maybe working for the State Department or otherwise, do come to us generally and try to do as full a service as they possibly can.

I must say that I sense a pattern here where issues are being raised in this fashion because perhaps some people have ambitions to do something else with their life besides just sitting in a committee. But indeed, it is important that we not distort our process to the point where public affairs becomes a political battle, a partisan confrontation at every turn.

If there have been partisan votes on the floor, let me submit the vast percentage of those have come that way because there was a direction from the Democratic side that we are going to be together and be opposed to whatever those Republicans are doing.

That is not a healthy way to carry forward public affairs. I am very concerned about the pattern. I do not believe I will carry my discussion about this much further than I am today but I may because it is very disturbing to this Member of Congress.

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

Mr. OBEY. Mr. Chairman, I yield 3½ minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Chairman, if I understood the chronology correctly, the gentleman from California (Mr. LEWIS) was pointing out that there were Reagan administration witnesses, of which people had similar complaints. And I would stipulate to that. But this is not a question of just one administration or another. It is a disturbing failure of this House to carry out its constitutional responsibilities for independence.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from California.

Mr. LEWIS of California. I appreciate the gentleman yielding because, indeed, that was the Reagan administration. And during that time the Democrats were supporting the Sandinistas and we were fighting for freedom.

Mr. FRANK of Massachusetts. Reclaiming my time, first of all, the gentleman from California (Mr. LEWIS) got here and I do not think most people understood that he was talking about the Reagan administration. He talked somewhat vaguely about a previous administration, as if we were somehow being partisan, and he cited the Reagan administration did the same thing.

Then he follows that up with this outrageous comment that we were supporting the Sandinistas and they were supporting freedom. If that is the gentleman's example of how not to be partisan, than I do not think the gentleman is going to be finding many people follow his example.

The problem we have here is a failure of this House to fulfill its constitutional responsibilities.

□ 1530

You say, oh, nobody was trying to be dishonest. Have people forgotten so soon the prescription drug issue? When the Department of Health and Human Services responsible officials refused to let one of their officials tell the truth, threatened their officials with retaliation, that was not an honest error. That was a deliberate pattern of suppression.

I mean, what we have here is a degree of submissiveness on the part of the Republican majority and the executive branch that I believe is unprecedented in American history.

You want an example of it? I believe the Republican membership has over the years become more afraid of its own leadership than of anything else, including terrorism. And you want the proof?

We had a very prolonged rollcall yesterday which had to be interrupted because we had a potential terrorist problem. The rollcall that was extended, because we had to evacuate and deal with the terrorist threat, took a lot less time than the rollcall that you used to pass the prescription drug bill. You were more afraid on your side of retribution from your leadership if you did not get that bill passed than you were of a terrorist threat.

I remember when the Clinton administration was new and the Democrats were in power. I served on the Committee on the Judiciary that had a very tough oversight hearing on Waco, called Janet Reno up and was very tough on her. I served on the Committee on Banking that had hearings on Whitewater.

Oversight has disappeared; and when we do have conscious and deliberate lies and we know the Health and Human Services misrepresented the cost of the prescription drug bill, they knew one thing and they threatened with retribution somebody who might have told the truth, and there was not any complaint from the Republican side.

As to the veterans budget, I do not think it is accidental that the underestimate came. It was not an overestimate, and it was not just an arithmetic error. There were people saying you do not have enough, you do not have enough. We remember. The gentleman from Wisconsin reminded me when the veterans affairs people sent out a notice telling their own people not to try to do outreach, do not bring us more people, and the gentleman from New York said it is going to be fixed. Well, at the cause of some disruption. Having the heads of the Department have to

stop and say, well, we will take some capital funds, that is not a useful way to run things.

So there has been a deliberate pattern here of a failure to oversee, and that is what the gentleman from Wisconsin's amendment seeks to remedy.

Mr. KNOLLENBERG. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. HUNTER), chairman of the defense authorizing committee.

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

I think most of my colleagues know that we had a hearing 2 days ago on something that is not an easy subject, that is, Guantanamo, the treatment of the detainees, many of whom were picked up on terrorist battlefields around the world, including the 20th hijacker, the bodyguard for Osama bin Laden and an institution which is at the focal point of a great deal of public discussion.

We had Brigadier General Hood, the commander of Guantanamo; Sergeant Major Menendez; and Lieutenant Commander Ostergaard, who runs the medical facilities. They gave us straight ahead, candid, absolutely truthful answers, and every member of the committee, Democrat and Republican, had a chance to ask them questions, cross-examine them. I would just ask my colleagues to look at the statements that came from Democrats and Republicans regarding the quality of the testimony.

Now, each year, we put together a $400 billion-plus defense budget. That requires candid, up-front testimony from the people that wear the uniform of the United States and the civilian officials that oversee the Pentagon.

In addition to that budget, we bolt on and bolted on this year a $50 billion bridge appropriations; and to do that, we had to ask of the services and of our military leadership, and we drilled down right to the platoon level; we had to ask them for unfunded requirements, that is, we said what did you need that was not in the budget but in your estimation, in your candid opinion, General, Captain, Lieutenant, Sergeant, what do you think we need for the Armed Forces of the United States.

They answered us candidly; and because of that, we were able to put together a complete and robust statement of the requirements that we had, and we were able to meet those with the $50 billion bridge fund that we then bolted on to the defense authorization bill.

Our process has been one that has been marked by candor, by truthful testimony, and I think by respect from Republicans and Democrats for the process.

Mr. OBEY. Mr. Chairman, how much time do we have remaining on both sides?

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) has 6½ minutes remaining. The gentleman from Michigan (Mr. KNOLLENBERG) has 11 minutes remaining.

Mr. OBEY. Mr. Chairman, I reserve my time.

Mr. KNOLLENBERG. Mr. Chairman, I yield 6 minutes to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Chairman, in 13 years I have seen a lot of amendments in subcommittee and in full committee and on the House floor. This one is a bit peculiar. I do not even, frankly, know what the gentleman from Wisconsin (Mr. OBEY) is trying to say. I think it is perhaps being used just so he can come to the floor and speak, I suppose.

No moneys can be used in contravention of the OMB circular that states that in testimony before congressional committee and committee before Members of Congress the witnesses give frank and complete answers to all questions. Man, blow me away today.

I want to share with my colleagues with regard to the Veterans Administration. Let me give a record as I understand it from testimony and actions that have occurred with reference to the 2005 budget.

On April 5 of 2005, a letter to Senator HUTCHISON, the chairman of the Senate Appropriations Subcommittee on Military Construction and Veterans Affairs, stating that the VA, as part of good management, prudently uses reserve funding whenever trends indicate the need to refocus priorities, and the Secretary before the full committee on the House Veterans Affairs testified about that today.

On April 7 of 2005, Dr. Perlin testified to the Senate Veterans' Affairs Committee at his confirmation hearing that reserve funds were being used to meet operational needs in 2005.

On April 12 of 2005, Dr. Perlin sent a letter to the Senate VA Committee stating that projected carryover of fiscal year 2006 might be diminished to address current operational demands, including care in OIF and OEF returning combat veterans noting that ''we do feel confident that VHA has sufficient resources for the remainder of 2005.''

On April 19 of 2005, VA staff met with both majority and minority Members of the House appropriations subcommittee. During the meeting, management decisions to reallocate capital funds for direct patient care in 2005 was discussed.

On June 3 of 2005, a meeting with the House and Senate majority staff at the request of the staff detailing the modeling differences between the independent budget and the VA's annual budget process.

On June 9, a meeting with Secretary Nicholson and the general counsel regarding the budget shortfall and the extent to which reprogramming had already taken place.

On June 21, a meeting with Secretary Nicholson regarding the upcoming hearing on budget modeling.

On June 22, a meeting with Dr. Perlin, Under Secretary for Health, regarding the mid-year review and the reprogramming of capital assets and rollover accounts into medical services.

I am going down this entire list. I should have opened with a March 24 letter that Secretary Nicholson had sent to the appropriators, in particular to the gentleman from New York (Mr. WALSH), chairman of the Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies, along with the very same letter that I have here in hand that was sent to the gentleman from Texas (Mr. EDWARDS), the ranking member of that subcommittee, regarding the reprogramming and redirection of funds.

I do not want to have to repeat that, but I just want to let my colleagues know that notice was given with regard to this reprogramming. So with regard to this question about hide the ball, there was no hiding the ball.

On June 22, 2005, there is a meeting with Dr. Perlin, the Under Secretary for Health, regarding the mid-year review and reprogramming of capital asset and rollover accounts into medical services.

On June 23, there is a hearing before the House Committee on Veterans' Affairs investigating the budget modeling process at the VA and the independent budget and the private sector, and at this hearing is where Dr. Perlin testified with regard to his shortfall of $975 million. That is when the public became fully aware.

On June 28, Secretary Nicholson testified before the House Committee on Appropriations, Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies, regarding the newly identified budget shortfalls for 2005 and 2006.

June 28, 2005, Secretary Nicholson then testified before the Senate Veterans' Affairs Committee regarding newly identified budget shortfalls for 2005 and 2006.

June 29, Senator Nicholson joined the House Committee on Veterans' Affairs at a press conference to alert everyone that he was going to come up with an exact number yesterday and then give testimony before the House Committee on Veterans' Affairs regarding that number.

Today, he came before the House Committee on Veterans' Affairs. He testified with regard to an actual shortfall, made an oral request for a supplemental appropriation in the amount of $975 million to cover the shortfall.

I would say everybody's been pretty up front. I am pretty impressed on how things have moved in a bipartisan fashion. I want to compliment the veterans service organizations. I want to compliment the gentleman from Texas (Mr. EDWARDS). I want to compliment the gentleman from Illinois (Mr. EVANS), because what we have here is we want to move in regular order.

What happened over in the Senate is that they make it as an amendment on a 2005 supplemental on an 2006 Interior

bill. What I am really pleased about is the leadership of the gentleman from California (Chairman LEWIS) and the gentleman from New York (Chairman Walsh) that they are going to take appropriate action; they are going to act on the Secretary's request for the shortfall.

Why? Because all of us believe and understand in the fabric of the common bond of why we call ourselves American is to care for the men and women who wear the uniform; and when they take off the uniform, we care for them when they are veterans. If they fall in the service of their country, we pick them up and attempt to make them whole. If they fall and die, then we make sure that we give them an honorable burial, and we take care of their widows and their orphans.

That is what this is going to do. We are going to take this measure up tonight. I applaud the chairman for his immediate action. I want to thank the gentleman from Wisconsin (Mr. OBEY) for his cooperation in making sure this happened tonight; and I know the gentleman from Wisconsin (Mr. OBEY) has been equally impatient, but we are going to make this happen, and we are going to come together to make this happen, and I thank the gentleman.

Mr. OBEY. Mr. Chairman, I yield 3½ minutes to the gentleman from Maryland (Mr. HOYER), the distinguished minority whip.

Mr. HOYER. Mr. Chairman, I thank the gentleman for the time.

Mr. Chairman, the amendment offered by the ranking member ought to win the support of every single Member of this House.

Truth should be our expectation. In fact, that proposition is a legally binding directive of the Office of Management and Budget.

I tell my friend from Indiana, the amendment that he seems to feel is peculiar simply says to the administration, tell the truth. Is that peculiar?

Yet on one of the most important pieces of legislation that this Congress has considered in recent memory, the Medicare prescription drug bill, officials in the current administration purposely, deliberately, and cynically suppressed the real costs of that bill because it did not further their political agenda.

When that legislation was under consideration in November of 2003, the Congress was told that it would cost $395 billion between fiscal year 2004 and 2013. Yet just 3 months later, in February 2004, it was disclosed that the office of the Medicare actuary actually estimated that bill would cost $534 billion. In other words, it was not a 1 or 2 percent misrepresentation; it was a 95 percent misrepresentation. Then we now hear it may cost up to $1.2 trillion.

So on the prescription drug bill, I tell my friend from New York in particular, it was not a 1 or 2 percent mistake. It was a 300 percent mistake that was made on the prescription drug bill. That is a misrepresentation.

The truth is, Mr. Chairman, the Members of this Congress, Republicans and Democrats alike, purposely had the cost hidden because the Republican leadership, in my opinion, knew that the bill would not pass if the truth were told.

□ 1545

That is what this amendment says: tell the truth.

The chief Medicare actuary, in fact, Richard Foster, told Congress in March 2004, that he had consistently estimated that the legislation would cost more than $400 billion, and he had prepared dozens of analyses that said it would be over $500 billion. But Mr. Foster told Congress that he had been ordered by Tom Scully, the head of the Centers for Medicare and Medicaid Services in this administration, to withhold his cost estimates from Congress.

The failure to tell the truth is a lie. In fact, the Government Accountability Office has found that Mr. Scully violated Federal law when he threatened Mr. Foster's job. Now, luckily for him, he was not working for the Federal Government then so no sanctions can be taken.

The gentleman from Wisconsin (Mr. OBEY) simply says, tell the truth, administration, when you talk to Congress. Mr. Chairman, this sorry episode ought to trouble, indeed infuriate, every Member of this House and, indeed, every American.

Mr. Chairman, I urge my colleagues to vote for truthfulness. That is all this amendment says. Do not be so defensive on your mistake on the veterans' funding. The Democratic budget told you the truth on the funding necessary and you simply ignored it. Vote for the truth.

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

Mr. Chairman, the gentleman from Indiana (Mr. BUYER) said he found this amendment ''peculiar.'' I do not know what is peculiar about simply saying that any witness who appears before Congress ought to tell the truth. I find it peculiar that someone thinks that that is peculiar.

Let me also make the point that he is chairman of that committee today, the Committee on Veterans' Affairs, because the previous committee chairman, Republican chairman, was removed by his party's leadership because the previous committee chairman agreed with Democrats that the veterans' budget was inadequate. He told the truth and he paid a high price for it.

There is no question that this administration has hidden the cost of the Iraqi war. They have revealed the cost on the installment plan, a little bit at a time. There is no question that the administration threatened the firing of the man who was charged with telling Congress what the cost of the new Medicare prescription drug program would be. And there is no question that they did fire the National Park Service Chief of Police for telling the truth about the safety of her forces. And there is no question they did fire former Congressman Mike Parker for telling the truth with respect to the Corps of Engineers.

With respect to the ridiculous contention on the part of the gentleman from California that during the Nicaraguan war, Democrats were ''for the Sandinistas,'' I would remind the gentleman that we signed a letter to the Sandinistas demanding that they listen to the Reagan administration's demands for free elections in Nicaragua. I would also remind the gentleman that what we were opposed to was the illegal arms-for-hostages trade with the Iranians. And I would remind him that we were against an illegal, and I emphasize ''illegal,'' war in Nicaragua. So so much for the gentleman's ridiculous contention.

I have a simple suggestion, Mr. Chairman. If the gentlemen on the other side of the aisle think that witnesses should not tell the truth when they are before the Congress, then, by all means, vote against this amendment.

I remember Lyndon Johnson lied to this country about the war in Vietnam, and we paid a high price for it for years. And when he did that, I vowed, every day I served in this Congress, that I would see to it that whoever testified before us, and whoever talked to us, whether it was President or the most lowly administration official, would be held to a high standard of truth. Because when they are not, people die.

Mr. KNOLLENBERG. Mr. Chairman, I yield the balance of my time to the gentleman from Texas (Mr. DELAY), the majority leader.

Mr. DELAY. Mr. Chairman, frankly, I support the words in this amendment, but I reject the politics that brings it here. I think this House has sunk to a very new low, using veterans and trying to scare veterans for political gain.

It is absolutely amazing to me that because you disagree with policies of the administration, you try to lead the Nation to think that people are lying. There is no lying here. Questioning the motives of military heroes that come to testify before this House and before the Senate is a new low. Questioning people's honest, forthright presentation of the facts as they know them at the time that they testify as lies is a new low. And that is what we have come to. It has come to politicizing everything. It does not matter what it is.

And not only politicizing it, but trying to scare people into supporting your position. I remember very distinctly when this issue came to us, because the Veterans Administration had done a mid-year review and found the problem with the shortfall in veterans health. They properly informed the people that should be informed, both Democrat as well as Republican. Instead of doing what the responsible

thing is, which is what our chairmen of the relevant committees did, that is, start looking at the problem, making sure we understand the problem, and then finding a solution for the problem, what did the other side of the aisle do; they immediately ran down here and tried to pass an amendment to a bill and throw over $1 billion at a problem they did not even understand.

Why? Why would you do that? Why would you do such an irresponsible thing? The only reason you would do it is for politics. They had no idea what was required. As mentioned earlier, the Veterans Administration had suggested that they just move money around to get us through this fiscal year so that we could appropriate the next year. That was not a good solution. And the gentleman from Indiana (Mr. BUYER) and the gentleman from New York (Mr. WALSH) understood that and worked with the administration, and we are going to pass the solution tonight, understanding that we need not only to replace this money that is in the shortfall, but to make sure that there is enough money forward.

I mean, in the bill that most of this House voted for that funds Veterans' Affairs, this House and our committees knew that there was a shortfall in what was presented by the administration, in our opinion. Not because we were lied to, but in our opinion. And we put $1.64 billion more than what was requested by the President, thinking that would take care of the problem. And it still may take care of the problem next year. And that is what these bills are all about, funding next year. We will take care of the problem now.

And I say to the veterans in this country, you will not miss one day of health care that is coming to you. Do not listen to the politics and be afraid that you may lose your health care. That is not going to happen. We will take care of it, just as we have always taken care of it.

Since the Republicans became the majority in 1995 funding for veterans has increased 77 percent. When the Democrats controlled this House from 1984 to 1994, spending per veteran rose from $923 to $1,300. Yet in the next 10 years, in the years that we have had the majority, it rose to $2,773. From $1,300 to $2,700. Funding for the Montgomery GI bill rose 35 percent when they were in charge. But since we have been in charge the last 10 years, the GI bill funding rose 147 percent. And yet we are constantly trying to play politics and cover up the facts.

The bill that we passed for next year will take care of this. From 2001 to 2005, the percentage increase in the VA health care funding, 40 percent, was larger than the Defense Department's increase; 33 percent. And this is a time of war. We are providing for the needs of our veterans. We are taking care of our veterans.

Do not let the political rhetoric and the political posturing and the demagoguery say otherwise. Because the facts, if you really want the truth, the facts say that we are not only taking care of our veterans, not only do we understand our responsibilities to our veterans, not only do we understand what veterans have contributed to this Nation and our welfare and our freedom, we are doing more than talking about it. We are taking the responsible way of taking care of our veterans and not playing irresponsible politics.

Mr. Chairman, I ask my colleagues to vote ''no'' against this cynical, political amendment.

Mr. HAYES. Mr. Chairman, I would like to submit the following article in regard to the Obey amendment alleging that the Bush Administration and Congress are deliberately mislead on a variety of issues.

[From the Weekly Standard, Jun. 30, 2005]

A CNN ANCHOR GETS IRAQ AND AL QAEDA WRONG. BUT WILL THE NETWORK ISSUE A CORRECTION?

(By Stephen F. Hayes)

''There is no evidence that Saddam Hussein was connected in any way to al Qaeda.''

So declared CNN Anchor Carol Costello in an interview yesterday with Representative Robin Hayes (no relation) from North Carolina.

Hayes politely challenged her claim. ''Ma'am, I'm sorry, but you're mistaken. There's evidence everywhere. We get access to it. Unfortunately, others don't.''

CNN played the exchange throughout the day. At one point, anchor Daryn Kagan even seemed to correct Rep. Hayes after replaying the clip. ''And according to the record, the 9/11 Commission in its final report found no connection between al Qaeda and Saddam Hussein.''

The CNN claims are wrong. Not a matter of nuance. Not a matter of interpretation. Just plain incorrect. They are so mistaken, in fact, that viewers should demand an on-air correction.

But such claims are, sadly, representative of the broad media misunderstanding of the relationship between Iraq and al Qaeda. Richard Cohen, columnist for the Washington Post, regularly chides the Bush administration for presenting what he calls fabricated or ''fictive'' links between Iraq and al Qaeda. The editor of the Los Angeles Times scolded the Bush administration for perpetuating the ''myth'' of such links. ''Sixty Minutes'' anchor Lesley Stahl put it bluntly: ''There was no connection.''

Conveniently, such analyses ignore statements like this one from Thomas Kean, chairman of the 9/11 Commission. ''There was no question in our minds that there was a relationship between Iraq and al Qaeda.'' Hard to believe reporters just missed it—he made the comments at the press conference held to release the commission's final report. And that report detailed several ''friendly contacts'' between Iraq and al Qaeda, and concluded only that there was no proof of Iraqi involvement in al Qaeda terrorist attacks against American interests. Details, details.

There have been several recent developments. One month ago, Jordan's King Abdullah explained to the Arabic-language newspaper al Hayat that his government had tried before the Iraq war to extradite Abu Musab al Zarqawi from Iraq. ''We had information that he entered Iraq from a neighboring country, where he lived and what he was doing. We informed the Iraqi authorities about all this detailed information we had, but they didn't respond.'' He added:

''Since Zarqawi entered Iraq before the fall of the former regime we have been trying to have him deported back to Jordan for trial, but our efforts were in vain.''

One week later, former Iraqi Prime Minister Iyad Allawi told the same newspaper that the new Iraqi government is in possession of documents showing that Ayman al Zawahiri, bin Laden's top deputy, and Zarqawi both entered Iraq in September 1999. (If the documents are authentic, they suggest that Zarqawi may have plotted the Jordanian Millennium attacks from Iraq.)

Beyond what people are saying about the Iraq-al Qaeda connection, there is the evidence. In 1992 the Iraqi Intelligence services compiled a list of its assets. On page 14 of the document, marked ''Top Secret'' and dated March 28, 1992, is the name of Osama bin Laden, who is reported to have a ''good relationship'' with the Iraqi intelligence section in Syria. The Defense Intelligence Agency has possession of the document and has assessed that it is accurate. In 1993, Saddam Hussein and bin Laden reached an ''understanding'' that Islamic radicals would refrain from attacking the Iraqi regime in exchange for unspecified assistance, including weapons development. This understanding, which was included in the Clinton administration's indictment of bin Laden in the spring of 1998, has been corroborated by numerous Iraqis and al Qaeda terrorists now in U.S. custody. In 1994, Faruq Hijazi, then deputy director of Iraqi Intelligence, met face-to-face with bin Laden. Bin Laden requested anti-ship limpet mines and training camps in Iraq. Hijazi has detailed the meeting in a custodial interview with U.S. interrogators. In 1995, according to internal Iraqi intelligence documents first reported by the New York Times on June 25, 2004, a ''former director of operations for Iraqi Intelligence Directorate 4 met with Mr. bin Laden on Feb. 19.'' When bin Laden left Sudan in 1996, the document states, Iraqi intelligence sough ''other channels through which to handle the relationship, in light of his current location.'' That same year, Hussein agreed to a request from bin Laden to broadcast anti-Saudi propaganda on Iraqi state television. In 1997, al Qaeda sent an emissary with the nom de guerre Abdullah al Iraqi to Iraq for training on weapons of mass destruction. Colin Powell cited this evidence in his presentation at the UN on February 5, 2003. The Senate Intelligence Committee has concluded that Powell's presentation on Iraq and terrorism was ''reasonable.''

In 1998, according to documents unearthed in Iraq's Intelligence headquarters in April 2003, al Qaeda sent a ''trusted confidante'' of bin Laden to Baghdad for 16 days of meetings beginning March 5. Iraqi intelligence paid for his stay in Room 414 of the Mansur al Melia hotel and expressed hope that the envoy would serve as the liaison between Iraqi intelligence and bin Laden. The DIA has assessed those documents as authentic. In 1999, a CIA Counterterrorism Center analysis reported on April 13 that four intelligence reports indicate Saddam Hussein has given bin Laden a standing offer of safe haven in Iraq. The CTC report is included in the Senate Intelligence Committee's review on prewar intelligence.

In 2000, Saudi Arabia went on kingdom-wide alert after learning that Iraq had agreed to help al Qaeda attack U.S. and British interests on the peninsula. In 2001, satellite images show large numbers of al Qaeda terrorists displaced after the war in Afghanistan relocating to camps in northern Iraq financed, in part, by the Hussein regime. In 2002, a report from the National Security Agency in October reveals that Iraq agreed to provide safe haven, financing and weapons to al Qaeda members relocating in northern Iraq. In 2003, on February 14, the Philippine

government ousted Hisham Hussein, the second secretary of the Iraqi embassy in Manila, for his involvement in al Qaeda-related terrorist activities. Andrea Domingo, head of Immigration for the Philippine government, told reporters that ''studying the movements and activities'' of Iraqi intelligence assets in the country, including radical Islamists, revealed an ''established network'' of terrorists headed by Hussein.

Can CNN stand by its claim that ''there is no evidence that Saddam Hussein was connected in any way to al Qaeda?''

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. OBEY).

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

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

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

AMENDMENT OFFERED BY MR. TIAHRT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TIAHRT:

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

SEC. ____. None of the funds made available in this Act may be used to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Kansas (Mr. TIAHRT) and a Member opposed each will control 5 minutes.

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

The CHAIRMAN. A point of order is reserved against the amendment.

The Chair recognizes the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Chairman, I yield myself such time as I may consume, and I want to thank the gentleman from Michigan (Mr. KNOLLENBERG) for this opportunity to talk about some issues that I think are very important to America and to our current economic and future economic environment.

My amendment is very simple. It says ''none of the funds made available in this Act may be used to promulgate regulations without consideration of the effect such regulations have on the competitiveness of American business.''

Recently, just about an hour ago, we had an amendment on the floor here from the gentlewoman from Michigan expressing her concern about the sale of Unocal, an American company, to a Chinese company. Now, I too am concerned. But perhaps we should ask the question: How did this company get in the situation where they are so susceptible to a hostile takeover by a Chinese company?

Perhaps we can learn a lesson from this situation, with this threat of a hostile takeover. The problem that has occurred with many businesses, including Unocal, is that they have to face barriers and overcome barriers that have been created by Congress over the last generation. The barriers have made American companies less competitive and more vulnerable.

The less competitive American companies always will have to struggle against having some outside business, especially if it is subsidized by a foreign government, taking them over. The barriers that have been created by Congress include unbridled rising health care costs. The costs have been driven up by Medicaid and Medicare and the government bureaucracies that control them.

It is also litigation abuse that has driven up the cost of insurance. In the average settlement, Mr. Chairman, 60 percent of the cost now goes to lawyers instead of those who have been taken advantage of.

Also, we have the regulation costs to comply with, which drive up costs for companies complying with confusing red tape.

We have a tax policy that punishes success. We have an energy policy that we have passed five times in the House of Representatives, and yet we have not been able to get it into law. And we could be creating 700,000 jobs and bringing down the cost of energy for our companies.

□ 1600

We have a trade policy that fails to open up new markets like Central America and the Dominican Republic. We have research and development that we need to focus on the future economy, and we have lifelong learning issues and barriers created by Congress that have failed to address the needs of a future economy and provide the engineers and scientists and those in math and other areas of technology that will be needed in the future economy.

These policies are preventing the creation of jobs, and the result has been the loss of high-quality, high-paying jobs here in America.

The amendment I have focuses on regulations because regulatory costs are killing jobs. Less government regulations will mean granting the freedom to allow Americans to pursue their dreams, and it also means providing the space for business to thrive and create opportunities.

Instead, our Federal Government has become a creeping ivy of regulations that strangle enterprise. Unrealistic, impractical, unnecessary environmental prohibitions, OSHA mandates and the like are literally driving our industries and small businesses and our health care system to a grinding halt.

How can we expect our economy to develop and grow when bureaucracy prevents business from starting and expanding jobs; when doctors cannot even keep up with the ever-changing regulations and codes; when teachers are forced to spend more time filling out paperwork than they do in the classroom. It is estimated that the total regulatory burden as of the year 2000 was $843 billion. That is $8,000 per manufacturing worker. The regulatory compliance burden on U.S. manufacturers is equivalent to a 12 percent excise tax. It is no wonder we are having trouble competing worldwide. It is no wonder our companies are more vulnerable to hostile takeovers by foreign companies.

As we approve spending allocations by the Departments of Transportation, Treasury, HUD, and related agencies, including the OMB, we need to remind them of the importance of their actions with that funding.

Each and every Federal agency should take into consideration the effects of proposed policies on competitiveness of U.S. businesses, and they should be held accountable for those effects.

We should be concerned when a U.S. company is threatened by a hostile takeover by a foreign company. We need to change the economic environment today so we can look forward and create jobs.

I intend to withdraw this amendment, but I want to thank the gentleman from Michigan (Mr. KNOLLENBERG) for looking out for American jobs. I am confident we can work together to make this possible to bring jobs back into America and to keep and create more jobs by changing the economic environment.

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

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

There was no objection.

AMENDMENT OFFERED BY MR. BROWN OF OHIO

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BROWN of Ohio:

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

Sec. ____. None of the funds made available in this Act may be used by the Council of Economic Advisers to produce an Economic Report of the President regarding the average cost of developing and introducing a new prescription drug to the market at $800 million or more.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Ohio (Mr. BROWN) and the gentleman from New Jersey (Mr. FERGUSON) each will control 5 minutes.

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

Mr. BROWN of Ohio. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this amendment is coauthored with the gentleman from Minnesota (Mr. GUTKNECHT).

The Economic Report of the President is supposed to be an educational

tool, not a drug industry PR piece. On page 167, it asserts: ''On average, a new drug takes 12 years to develop and costs $800 million to introduce to the market.''

That cost estimate, by drug industry-backed researcher Dr. Joseph DiMasi, is used widely by drug companies to justify the high and rapidly rising prices they charge American consumers. But the DiMasi estimate is based on a widely disputed methodology that dramatically inflates actual R&D costs. The most blatant shortcoming is that the DiMasi estimate generalizes from the cost of developing a breakthrough product to the cost of developing any new drug. Most new drugs on the market are me-too drugs, or second generation products. They are by their very nature far less expensive to develop than the original.

Even more troubling is the accounting gimmick unearthed by Professor Donald Light and Associate Professor Joel Lexchin. They write, ''About half of the $800 million figure consists of 'opportunity costs,' the money that would have been made if R&D funds had been invested in equities.''

Treating opportunity costs as actual costs is a good way to inflate the R&D estimate, but a bad way to give the public honest data on actual R&D spending.

By such an accounting, the cost of producing a stick of bubble gum could include the box office revenue foregone by the manufacturer's decision to make gum instead of motion pictures.

As Light and Lexchin write: ''Minus the built-in profits, R&D costs would average about $108 million 93 percent of the time, and $400 million 7 percent of the time.''

By that reckoning, the industry estimate overstates the cost of developing a new drug by 740 percent. But in his economic report, President Bush uses the drug industry's estimate without question, without qualification, without even attribution.

Put simply the Brown-Gutknecht amendment would fix that. It prevents the Council of Economic Advisers, which works with the President to produce his economic report, from using that bogus estimate next year.

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

Mr. FERGUSON. Mr. Chairman, I do not understand the purpose of this amendment. It is designed to restrict information used by the President's Council of Economic Advisers.

Just because a Member does not like the findings of an independent study does not mean we should be trying to prevent the White House from using that information. What kind of precedent would this set? Where can Congress stop in restricting the President's Council of Economic Advisers and the executive branch from discussing the findings of independent studies? What other type of economic data will Members try to restrict then?

The $800 million figure that the gentleman from Ohio cites is from a 2003 Tufts University study. Is Tufts University no longer able to provide information to this government with studies? Which university will be next? Harvard University? Are they good enough? Princeton? It seems to me Tufts University is a good source of independent information.

This information was put together independently. It was not created out of thin air. It was not created by the White House. The fact is this amount of money that pharmaceutical companies spend on R&D is considerable. They spend enormous resources on research and development. In 2003, pharmaceutical companies spent an estimated $33.2 billion on research and development. In the same year, the budget for the entire NIH, the entire budget for the National Institutes of Health, their operating budget was $27 billion, less than what the industry had spent on R&D alone.

Over the past 10 years, pharmaceutical research companies, scientists and researchers have earned an average of 32 new drug approvals a year. In 2003, a total of 35 new drugs, including 21 new molecular entities and 14 new biologics, were approved by the Food and Drug Administration.

These were important products. These are products used to prevent or treat conditions like Alzheimer's, cancer, HIV infection, asthma, pneumonia, psoriasis, and other infectious diseases. The President's advisers should not be censored while talking about this world-leading American industry and the amount of money that they spend on research and development.

I urge opposition to this amendment.

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

Mr. BROWN of Ohio. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. GUTKNECHT), the cosponsor of the amendment.

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

Mr. GUTKNECHT. Mr. Chairman, I do not think anyone should be censored, but I think having no information can sometimes be better than having bad information. And what the Council of Economic Advisers did was they took lock, stock, and barrel failed research. Then it gets repeated and repeated and repeated, this $800 million figure.

According to the pharmaceutical company themselves, that $800 million figure includes $400 million of opportunity costs. That means they could have taken that money and bought Microsoft shares and made more money. That is ridiculous.

Mr. Chairman, just read this report that I will include for the RECORD by Dr. Donald Light. He is from New Jersey. He teaches at a little school called Princeton. He also teaches at the Princeton medical school. He is the one who went through this. More importantly, in this 2-page report there are almost a page of footnotes. They document what they do.

The problem with the Council of Economic Advisers is they just took this number and they repeated it. They do not document it. They do not ask questions, and so now everyone is running around saying it cost $800 million to develop a new drug. That is not true, and it is worse than having no information at all.

This is one way to send a message to the Council of Economic Advisers, that if they are going to put out information so policymakers at the White House or here on Capitol Hill make decisions based on that information, you better make sure you check the numbers and document them first because bad information is worse than no information at all.

[From the American Journal of Bioethics, Jan. 2004]

WILL LOWER DRUG PRICES JEOPARDIZE DRUG RESEARCH? A POLICY FACT SHEET

(By Donald Light and Joel Lexchin)

This documented fact sheet provides evidence that all drug research by large firms, net of taxpayers' subsidies, is paid for out of domestic sales in each country, with profits to spare. Prices can be lower without jeopardizing basic research for new drugs. More exposure to global price competition would encourage more innovative research and less of the derivative me-too research that now dominates.

In the U.S., the FDA Commissioner, Mark McClellan, and the drug industry are responding to pressures for lower costs by mounting a large campaign to pressure all other affluent countries to raise their prices to U.S. levels. They claim that lower prices do not pay for drug research costs, but we provide evidence that this is untrue. Ultimately, however, such nationalistic arguments are based on regarding basic research and new discoveries, which can happen anywhere, and the cost of trials, which are carried out in the countries deemed most commercially advantageous, as part of national companies and national accounts, when in fact they are part of a global economy for pharmaceutical products.

FDA MYTHS

1. FDA Commissioner, Mark McClellan, holds that other affluent countries like Canada and the UK set their prices for patented drugs so low that they do not pay for research and development (R&D) (McClellan 2003). We can find no evidence to support that claim.

On the contrary, audited financial reports of major drug firms in the UK, show that all research costs are paid, with substantial profits left over, based solely on domestic sales at British prices (Pharmaceutical Price Regulation Scheme 2002). Likewise, 79 research drug companies in Canada submitted reports showing their R&D expenditures have risen more than 50% since 1995, all paid for by domestic sales at Canadian prices (Patented Medicine Prices Review Board 2002). Sales to the U.S. and elsewhere are in addition to the positive, domestic balance sheets.

2. FDA Commissioner McClellan says that European or Canadian prices are ''slowing the process of drug development worldwide'' (McClellan 2003). There is no known verifiable evidence to support this claim. In fact, drug research has been increasing steadily in Europe as well as in the U.S., with some countries having a more rapid increase than the U.S. (Patented Medicine Prices Review Board 2002).

3. FDA Commissioner McClellan says that ''price controls discourage the R&D needed

to develop new products'' (McClellan 2003). But there is no known verifiable evidence to support this claim.

R&D expenditures have been growing rapidly, though it is becoming more and more difficult to discover breakthrough drugs on targets not already hit (Harris 2003). The truth kept from Americans is that first-line treatment for 96% of all medical problems requires only 320 drugs (Laing et al. 2003). In wealthy countries, more drugs might be appropriate to treat people who do not respond to first-line agents.

4. FDA Commissioner McClellan charges that efforts to negotiate lower prices for patented drugs by other countries (and by major employers, unions and governors in the U.S.) are ''no different than violating the patent directly'' to make cheap copies (McClellan 2003). This charge echoes the drug industry and implies that large buyers seeking better value should be considered a criminal act.

5. FDA Commissioner McClellan paints a picture of other wealthy countries driving down their prices to marginal costs, but the widening gap between prices for patented drugs in the U.S. and other countries is due to drug companies raising U.S. prices, not other countries lowering theirs (Sager and Socolar 2003; Families USA 2003).

6. The ''free-rider'' problem that McClellan emphasizes can be solved by U.S. prices coming down to European levels, where they will cover all R&D costs, plus profits that are higher than those in most industries.

7. Drug company profits, after all R&D costs, have long been more than double the profits of Fortune 500 corporations. In recent years they have jumped to triple and even quadruple the profits of other major companies (National Institute for Health Care Management 2000). The global firms spend two and a half to three times more for marketing and administration than for research (Families USA 2001).

8. Americans pay for more R&D than any other country because the United States accounts for more sales than any other country. But while the U.S. accounts for 51% of world sales, it took 58% of global R&D expenditures invested in the US to discover only 43% of the more important new drugs (NCEs) (European Federation of Pharmaceutical Industries and Associations 2003). This means that other countries are helping to pay for the large, inefficient U.S. R&D enterprise, the opposite of what the editors of Business Week claimed (Business Week editors 2003). William Safire's claim of a ''foreign rip-off'' as Americans pay for the world's R&D is contradicted by the facts above (Safire 2003).

RESEARCH IS MISDIRECTED BY THE INDUSTRY, AGAINST PATIENTS' INTERESTS

9. Most drug innovation provides little or no therapeutic advantage over existing * * *

Independent review panels plus a major industry review conclude that only 10–15% of ''new'' drugs provide a significant therapeutic breakthrough over existing drugs and involve a new chemical or molecule (Barral 1996; Prescrire International 2003; National Institute for Health Care Management Research and Education Foundation 2002). Other industry-sponsored figures are much higher but not reliable.

10. The FDA approves drugs that are better than nothing (placebo) but does not test them against the best existing drugs for the same problem. Most research is for ''new'' drugs to treat problems already treated by other drugs.

11. About 18% ofthe drug industry's research budget goes to basic research for breakthrough drugs. About 82% goes to derivative innovations on existing drugs and to testing.

The long-standing survey of basic research by the National Science Foundation estimates that basic research has increased to 18% of the total research and development (R&D) budget for the pharmaceutical industry. It used to be less (National Science Foundation 2003). Industry-sponsored figures based on secret unverifiable data are much higher but not reliable (DiMasi, Hansen, and Grabowski 2003). The 85–90% of ''new'' drugs that have little therapeutic gain reflects equal protection from competition for much less investment and risk.

12. Congress has repeatedly extended patent protection for drugs beyond what other industries enjoy, despite much higher profits year in and year out. Government protection from normal competition is now more than 50% greater for the drug industry than a decade ago (National Institute for Health Care Management 2000). These incentives reward research into derivative large markets, rather than to finding effective treatments for diseases that have none.

13. These facts constitute the Blockbuster Syndrome: the lure of monopoly pricing and windfall profits for years spurs the relentless pursuit for drugs that might sell more than $1 billion a year, regardless of therapeutic need or benefit. Research projects for the disorders of affluent nations proliferate, as do clinical trials. Doctors are paid like bounty hunters to recruit patients for thousands of dollars each. Most patients get the misimpression that the experimental drug will be better than existing ones (Wolpe 2003). The corruption of professional judgment, ethics and even medical science follow (Williams 2003; Wazana 2000; Barnett 2003; Lexchin, Bero, Djulbegovic et al. 2003; Bekelman, Mphil, and Gross 2003; Villanueva, Peiro, Librero et al. 2003; Fletcher 2003).

DRUG RESEARCH COSTS MUCH LESS THAN CLAIMED

14. Drug companies claim to spend 17% of domestic sales on R&D, but more objective data reports they spend only 10% (National Science Foundation 2003). Thus, only 1.8% of sales goes to research for breakthrough new drugs (18% x 10%) (Love 2003).

15. Taxpayers pay for most research costs, and many clinical trials as well.

In 2000, for example, industry spent 18% of its $13 billion for R&D on basic research, or $2.3 billion in gross costs (National Science Foundation 2003). All of that money was subsidized by taxpayers through deductions and tax credits. Taxpayers also paid for all $18 billion in NIH funds, as well as for R&D funds in the Department of Defense and other public budgets. Most of that money went for basic research to discover breakthrough drugs, and public money also supports more than 5000 clinical trials (Bassand, Martin, Ryden et al. 2002). Taxpayer contributions are similar in more recent years, only larger.

16. The average amount of research funds the drug industry needs to recover appears to be much less than the industry's figure of $800 million per new drug approved (NDA).

The $800 million figure is based on the small unrepresentative subsample of all new drugs. It excludes the majority of ''new'' drugs that are extensions or new administrations of existing drugs, as well as all drugs developed by NIH, universities, foundations, foreign teams, or others that have been licensed in or bought. Variations on existing drugs probably cost much less because so much of the work has already been done and trials are simpler.

About half of the $800 million figure consists of ''opportunity costs'', the money that would have been made if the R&D funds had been invested in equities, in effect a presumed profit built in and compounded every year and then called a ''cost.'' Drug companies then expect to make a profit on this compounded profit, as well as on their actual costs. Minus the built-in profits, R&D costs would average about $108 million 93% of the time and $400 million 7% of the time.

The $800 million estimate also does not include taxpayers' subsidies via deductions and credits and untaxed profits (DiMasi, Hansen, and Grabowski 2003; DiMasi, Hansen, Grabowski et al. 1991). Net R&D costs are then still lower.

Contrary to some press reports from the industry, screening for new compounds is becoming faster and more efficient and the time from initial testing to approval has shortened substantially (Kaitin and Healy 2000). The large size of trials seems more due to signing up specialists to lock in substantial market share. Advertising firms are now running clinical trials (Bassand, Martin, Ryden et al. 2002; Peterson 2002; Moyers 2002).

17. Because clinical trials have become a high-profit sub-industry, trial ''costs'' appear to be much more than is necessary.

An international team of experts estimates that clinical trials could be done for about $500 per patient rather than $10,000 per patient, a 95% reduction (Bassand, Martin, Ryden et al. 2002). The most detailed empirical study of trial costs also concludes that costs can be much less than reported (The Global Alliance for TB Drug Development 2001).

U.S. DRUG PRICES VERY HIGH

18. Americans seem unaware how much more they are paying for drugs than other countries, in the name of the ''free market'' where prices are controlled by corporations. So-called ''price controls'' abroad are negotiated wholesale prices. Corporate price controls in the U.S. are un-negotiated monopoly prices, which then large buyers negotiate down.

According to a detailed analysis, American employers and health plans pay at wholesale 2.5–3.5 times the prices in Australia and other countries with comparable prices for patented drugs (Productivity Commission of Australia 2001). There is no evidence that these prices do not cover research costs. U.S. generic prices shadow patent drug prices and are also 2.5–3.5 times more.

19. High American prices are essentially monopoly rents charged to employers in every other industry. They shift profits from other industries to the drug industry.

20. If American prices were cut in half, research budgets would not have to suffer unless executives decided to cut them in favor of marketing, luxurious managerial allowances or high profits. They probably would not, because R&D gets such favorable tax treatment compared to other expenses. Lower prices would save other Fortune 500 companies billions in drug benefit costs, and drug company profits could come into line with the profits of the companies who pay for their drugs.

REALIGN INCENTIVES TO REWARD TRUE INNOVATION

21. Current incentives strongly reward derivative innovation. We get what we reward.

22. Because the U.S. is by far the biggest spender, it has by far the most R&D and new drugs. Four other industrialized countries, however, devote more of their GDP to R&D for new drugs than the U.S. (Patented Medicine Prices Review Board 2002).

23. Officials of drug companies commonly claim that nearly all new drugs are discovered in the U.S. However, the industry's own studies (and others) show that over the past quarter century, the U.S. has accounted for less than or about the same as its proportionate share of international new drugs, not more and certainly not nearly all (Barral

1996; European Federation of Pharmaceutical Industries and Associations 2000). Until 2002, even the U.S. pharmaceutical industry was investing an increasing percent of its R&D budget in highly productive research teams abroad (Pharmaceutical Research and Manufacturers of America 2002).

24. Americans are getting less innovation and paying a lot more. Competing countries profit from these American self-delusions by covering their R&D and keeping their own drug prices reasonable, while leaving drug companies to make bonanza profits from the monopoly American market.

25. Price competition has been the greatest spur to innovation for over 200 years. Price protections reward derivative and me-too innovation as well as excessive costs and a focus on blockbuster marketing. If we want lower prices and more breakthrough innovations, we need to change the incentives to reward those goals (Baker and Chatani 2002).

Mr. FERGUSON. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in strong opposition to the amendment. The Brown amendment seeks to prevent the President's Council of Economic Advisers, a highly reputable group, from referencing an independent study that concluded the average new drug or medicine takes $800 million to develop in its future economic reports.

This $800 million figure comes from a 2003 Tufts University study, not from the PhRMA, pharmaceutical industry, and not from the administration. There is nothing partisan or slanted about its findings. To try to block information just because you disagree with it is not the way to serve the American people who deserve and expect debate on the real costs of researching and developing pharmaceuticals. This amendment amounts, basically, to censorship and deserves to be defeated.

Mr. BROWN of Ohio. Mr. Chairman, I yield 1 minute to the gentleman from Cleveland, Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, is the administration manipulating information to benefit the pharmaceutical industry? Is the economic report of the President? And in that economic report, the administration parrots Big Pharmaceuticals' claims that drug prices need to be so high because of the costs of continuing to develop innovative life-saving drugs.

But this assumption is directly at odds with the assumption the administration made in its cost estimate of the new Medicare drug benefit. CMS assumed that escalating drug costs would slow because drug companies will be churning out fewer innovative drugs. Which is it?

If the drug industry is spending big on the next generation of innovative drugs, then projected costs of the Medicare drug benefit will be higher than the administration estimates. Then again, if the drug industry is not, in fact, spending big on innovative research, then the high prices charged by Big PhRMA amount to price gouging, plain and simple. I urge support for the Brown amendment.

Mr. FERGUSON. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Chairman, I will take just a few moments to rise in opposition to this amendment which attempts to use the appropriations process to control the content of information about our economy, which I think is a wrong thing to do. I believe the committee is about learning facts, not ignoring them or being denied them.

Moreover, the proposed amendment does not change the 2005 economic report of the President which discusses the average cost of developing and introducing a new prescription drug, as has been mentioned, a new drug to the market at $800 million or more. I have been informed that the administration strongly objects to the proposed Brown amendment. Preventing any discussion on the factors that contribute to pharmaceutical pricing or in fact any other topic that might be controversial would compromise the credibility of the future economic reports of the President.

So I join my colleagues in opposing the Brown amendment and urge that it be defeated.

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

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

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. OLVER. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Chairman, I hear my friend from New Jersey, well, all of my friends from New Jersey. They are arguing on behalf of the drug industry. Here is what this is all about, as the gentleman from Minnesota (Mr. GUTKNECHT) said.

The drug industry funds a study. They do it through Tufts University. They find a professor at Tufts. This Dr. DiMasi has been doing these studies for the drug industry for several years. This is, I believe, his third study. After the study is done saying it costs $800 million, numbers just pulled from all over the place as the gentleman from Minnesota (Mr. GUTKNECHT) proved in his comments, they get that study in a government report, and then that number gets all over the place to try to justify continued high drug prices, the kind of prices that the gentleman from Minnesota (Mr. GUTKNECHT) and others on this floor have tried to do something about for several years.

So when the industry does a study, then you put it in a government report, it simply does not make sense to do that for the public interest.

□ 1615

There is a lot at stake here. The industry uses that fabricated cost estimate to justify charging our constituents the highest prices in the world. Two, three, four times Americans pay what Canadians or French or Germans or Israelis or Japanese pay; prices that force way too many American seniors to choose between their medicine and food; prices that drive up employer-sponsored health care costs, making American companies less competitive. Look at the problems at GM that my State faces. Prices that drive up tax bills by exploding the cost of Medicaid and Medicare and other public health programs.

With that much at stake, the very least we should do is make sure we get the numbers right. This will be the first step in debunking this $800 million myth. This will be the first step in getting the numbers right so that we can get on in dealing with real prescription drug legislation in the future.

I ask support for the Brown-Gutknecht amendment.

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

Mr. OLVER. I yield to the gentleman from Minnesota.

Mr. GUTKNECHT. Mr. Chairman, I just want to come back to one point because I think a lot of people may not have been paying attention. This study that we are talking about where we got the $800 million figure originally started with a study that was funded by pharmaceutical companies. That number then gets repeated by the President's Council of Economic Advisers, and we all believe that it is true. We have an independent research that was not financed by PhRMA. That was done by a professor who was at Princeton from New Jersey. More importantly, he was an adviser to this President on health policy. Let me add one other thing: He is a Republican.

Now, this is, I think, far more credible than that number that keeps getting bantered around and bantered around. Bad numbers are worse than no numbers at all. This is the one way to say to the Council of Economic Advisers to the President of the United States they ought to be ashamed.

Whether or not this amendment passes, the point, I think, is made: that if they are going to put information out to the President, out to the public, out to policymakers about important issues like this, they had better make sure that the facts are correct.

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

Mr. Chairman, it seems that the sponsors of this amendment are intent on impugning the integrity of Tufts University, and that is unfortunate. And they are also intent on censoring the White House and the Council of Economic Advisers of what they can say. Does the gentleman believe that we should apply this message to a President from his party as well? Should the President be unable to reference independent studies on global warming or international labor issues or the minimum wage, or is this really just partisan censorship?

The gentleman uses rhetoric and figures that I may not agree with, but I certainly do not disagree with his right to say it.

This is a bad amendment. I urge its defeat.

The CHAIRMAN. The time of the gentleman has expired.

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

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

Mr. BROWN of Ohio. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. KNOLLENBERG

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KNOLLENBERG:

Sec. ____. The amount otherwise provided under the heading ''Management and Administration—Working Capital Fund'', in title III is hereby increased by $22,000,000.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Michigan (Mr. KNOLLENBERG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan (Mr. KNOLLENBERG).

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

This is a very simple amendment. It would simply partially restore funds to HUD's Working Capital Fund that were cut by an amendment adopted yesterday. This amendment has been cleared with the minority, and I urge its adoption.

If I were to just briefly talk about it, this is not just a random pot of money. The Working Capital Fund pays the cost of all computers and phones at HUD, which is a huge expenditure. So, briefly, that is the essence of it.

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

Mr. KNOLLENBERG. I yield to the gentleman from Massachusetts.

Mr. OLVER. Mr. Chairman, I have no objection to this amendment.

I just want to point out that we had quite a number of different places from which money was taken as a result of the amendments. During the course of the debate yesterday, very sizable money was taken from the GSA accounts, the building account, that is to say, the building fund in the GSA; and also from the Secretary of Transportation's budget; as well from, as the amendment here suggests, the Working Capital Fund within HUD. There is also money taken from the Air Transportation Stabilization Fund.

And if I could remember off the top of my head, I would probably be able to come up with about six other places where money was taken from from last year's. But I think what the chairman has proposed is to put this back in the Management and Administration Working Capital Fund of the Department of Housing and Urban Development, and this one is as difficult a spot. So I have no objection to having that done in that place.

Mr. KNOLLENBERG. Mr. Chairman, reclaiming my time, I thank the gentleman for his comments.

Briefly, we have had, what is it, over the last 15 hours, some interesting conversations about money, and we have drawn money from a number of sources and, frankly, not too many sources, and some of that does create pain. In the case of this particular situation, these moneys are needed now. So I very much appreciate the gentleman's agreeing with me that this money should go to that particular source.

So I am content to accept his approval and move forward.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. KNOLLENBERG).

The amendment was agreed to.

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

Mr. Chairman, as we are coming now close to the very end of this bill and as it would appear there are about three or four other people from, in fact, both sides of the aisle who have indicated that they wish to propose amendments, I want to take a couple of minutes to allow for the possibility that they may, in fact, come in defense of their positions and the amendments that they had, and to again commend the staff for the great work that they have done on this committee.

The people on both the minority and majority side, the majority clerk, Dena Baron, and the other members of her staff; and on the minority side, Mike Malone and Michelle Burkett, who are seated next to me and have done a yeoman's service in providing assistance to the minority and the minority members, the minority members of the subcommittee and the general minority members in the preparation of this legislation.

The gentleman from Michigan (Chairman KNOLLENBERG) has been an entirely fair chairman for this subcommittee. It is the first time that he is dealing with this newly expanded subcommittee. It is actually, of course, the first time that I have served as ranking member of the expanded Transportation, Treasury, HUD, The Judiciary, District of Columbia, and Independent Agencies Subcommittee, now covering a good many more agencies than it did before. And I found that it is very easy to work with the chairman. I appreciate very much the kind of relationship that we have been able to have. He has been very accessible and very kind in his consideration of all of the amendments and positions that I have brought forward to end on my own part and on the part of members of the subcommittee and, at the same time, for members of the minority that are not on the subcommittee that may be on the full committee or not on the Committee on Appropriations at all.

And I know that he has listened very carefully to the concerns of people from all of those categories within the House of Representatives, those that I have mentioned.

In particular, I want to thank him at this time for having listened, at a late stage in the preparation of the legislation, to the concerns that I had about the funding for the accounts for tax law compliance in the IRS, for the development and the funding for YouthBuild, which we actually chose a very creative way to allow for the funding of YouthBuild by giving some additional money which was needed back to the account for the Community Development Block Grant and then speaking here on the floor about the use of that money for the continuation of YouthBuild.

I would hope that, in fact, by the time we get to a conference committee, we may have well have had a reauthorization of YouthBuild in a different place. And if that is the case, then that money will be available for Community Development Block Grant purposes without the consideration of use for YouthBuild, but it then serves as a possibility of dealing in either place of working in either location, and I am very grateful for him to do that.

Earlier in the process, the chairman was very responsive to the request to provide funds for the Community Development Financial Institutions Fund in the Department of the Treasury and funded that well for the coming year, the 2006 fiscal year.

So there were those and a whole number of other occasions when we were able to work together well.

AMENDMENT OFFERED BY MR. CLAY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CLAY:

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 mortgage insurance under the National Housing Act (12 U.S.C. 1701 et seq.) for any mortgage or loan made by a lender that has been determined, by the Secretary of Housing and Urban Development, under the Home Mortgage Disclosure Act of 1975 (12 U.S.C. 2801 et seq.) to have engaged in lending practices that are not prudent.

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Missouri (Mr. CLAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri (Mr. CLAY).

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

The amendment seeks to prohibit funds available in this Act for the provision of mortgage insurance under the National Housing Act to lenders who engage in lending practices that are not prudent as referenced in the Home Mortgage Disclosure Act and the FDIC Improvement Act.

□ 1630

Given the chairman's willingness and commitment to collaborate with the ranking member from Massachusetts, the gentlewoman from Texas (Ms. JACKSON-LEE) and I seek to engage the conferees to include language that speaks to the issue referenced in this amendment.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON-LEE.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise as a cosponsor of this amendment.

Specifically, the amendment seeks to prohibit funds in this act for the provision of mortgage insurance under the National Housing Act to lenders who engage in lending practices that are not prudent, as referenced in the Home Mortgage Disclosure Act and FDIC Improvement Act.

The gist of this amendment is to stop predatory lending. I want to pay tribute to the National Community Reinvestment Coalition and the hearing that was just held with the members of the Committee on Financial Services, including the gentlewoman from California (Ms. WATERS), the gentleman from North Carolina (Mr. WATT), and the gentleman from Missouri (Mr. CLAY), that presented this report from the National Community Reinvestment Coalition that indicated minorities, women, and low- and moderate-income borrowers across the United States of America receive a disproportionate amount of high-cost loans.

It also says that the Community Reinvestment Act has been unsuccessful, for example, in examining subprime lenders. So they have not been able to weed out those who might raise the interest rates so high that minorities and women and others are impacted negatively.

In order to improve the housing market and to give access to better interest loans, we believe that there should be greater oversight. So this amendment was constructed to provide greater oversight.

I am delighted to be able to join the gentleman from Missouri (Mr. CLAY) on this amendment, but I hope that we will have the opportunity to work with our colleagues and really be able to provide an answer to this report, the ''2004 Fair Lending Disparities: Stubborn and Persistent.''

Mr. CLAY. Mr. Chairman, reclaiming my time, I thank the gentlewoman for her willingness to cosponsor the amendment. I also thank the chairman for his willingness to talk to us about this amendment, and I appreciate this opportunity.

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

Mr. CLAY. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I do appreciate and share the concern that my colleagues have about abusive lending practices and the need to eliminate predatory lending by financial institutions. I also recognize that HUD has been working on a regulation for more than 3 years to address the problem, the very problem my colleague mentioned.

I commit to my colleagues that, as this bill moves forward, I will work with my colleagues to include report language which helps to evaluate and accelerate a solution to what is a national problem.

Mr. CLAY. Mr. Chairman, reclaiming my time, I thank the chairman. I also wanted to make him aware that there is legislation being crafted by our colleagues, the gentleman from Ohio (Mr. NEY) and the gentleman from Pennsylvania (Mr. KANJORSKI), as well as the gentleman from California (Mr. GEORGE MILLER) and the gentleman from North Carolina (Mr. WATT), to address this issue and it is winding its way through the Committee on Financial Services.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, I want to make sure that we acknowledge and yield to the ranking member and thank him for his interest in this area and, of course, to be able to work with him during conference on this very important issue of trying to stop predatory lending.

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

Mr. CLAY. I yield to the gentleman from Massachusetts.

Mr. OLVER. Mr. Chairman, I appreciate my colleagues for bringing this matter before the House, as I agree that predatory lending is a well-recognized problem in many jurisdictions around the Nation. I will be happy to work with the chairman, as he has already indicated, to work with our colleagues as we go on through this process to conference in bringing this legislation to fruition, which will be some months from now.

Ms. JACKSON-LEE of Texas. Mr. Chairman, if the gentleman from Missouri will continue to yield, I want to thank the chairman very much. I did not hear the conclusion; I do not know if the gentleman from Michigan concludes after we conclude, with respect to report language, but I assume that is what we might be able to work with the chairman on.

Mr. CLAY. Mr. Chairman, reclaiming my time, I appreciate the cooperation of all sides on this issue. The chairman has given a commitment to work with us, and at this point I thank also the gentlewoman for her willingness to cosponsor the amendment.

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

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

There was no objection.

AMENDMENT OFFERED BY MS. VELÁZQUEZ

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. VELÁZQUEZ:

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

SEC. _____. None of the funds made available in this Act may be used by the General Services Administration to carry out the eTravel Service program.

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentlewoman from New York (Ms. VELÁZQUEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York (Ms. VELÁZQUEZ).

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

Mr. Chairman, small businesses still struggle to participate in the Federal marketplace. For the past 4 years, the Federal Government has not met its small business contracting goal, costing entrepreneurs billions of dollars in lost opportunities.

By failing to take advantage of their exceptional quality and reasonable prices, the Federal Government is losing out on the best value for taxpayers' dollars.

One of the primary reasons the Federal Government has failed is because of contract bundling. These megacontracts have been responsible for a 56 percent drop in available contracts to small businesses in 9 years. After all this time, we have yet to see one dime in savings of taxpayers' dollars.

The latest chapter in small business lost opportunity comes from the General Services Administration. GSA is moving forward with an ill-conceived megacontract called e-travel. With this contract, GSA is poised to eliminate a whole sector of the small business community, travel agents, from working with the government. This is an industry small businesses dominate, as 99 percent of its firms have 30 employees or less.

This move is despite the President's small business agenda and his repeated statements that contracts should be broken into smaller pieces. Completely ignoring this, GSA is cutting small businesses out, all in the name of streamlining, which they cannot even prove.

It is not a new issue. In fact, recognizing the potential harmful impact that this contract will have for small businesses and local economies, the conference report for the fiscal year 2004 omnibus appropriation took the

extraordinary step of telling GSA it needs to preserve these contracts for small businesses.

Despite this mandate, GSA did just the opposite, and made the e-travel project mandatory barely 1 month after the conference report. This means that no local or Federal office can use their neighborhood travel agency, even if they already have for years.

The results of GSA's actions are massive losses which industry estimates project costing small travel agencies at least $100 million in contracting opportunities, and possibly more. With only 78,000 jobs being created last month, can we afford to lose out on more opportunity in areas of the country that so desperately need jobs?

GSA is ignoring the President's small business agenda designed to increase contracting opportunities. They are ignoring the will of Congress. They care nothing about saving taxpayers' dollars. The amendment I am offering today will make sure they listen and stop pushing small businesses out of the Federal marketplace.

Let us not forget the important role small travel agencies have played. On September 11, when thousands of people were stranded in airports, they took as long as was necessary to figure out ways to get people home. When people stopped traveling out of fear, they got them going again. The thanks they got from the airline industry was a loss of booking fees and direct competition. The airline industry decided it could do their job.

Now the Federal Government is telling them that their services are no longer needed. This is not only shortsighted, but it fails to recognize the value that these companies add.

My amendment will balance contracting opportunities in the travel industry, much like the previous system. It would allow large providers to perform on the national contracts, but it would not prevent a Federal agency from using a local travel agent if that is what they prefer to do.

Let me make one thing clear. If this amendment is not adopted, not one single small business travel agent will be able to do business with Federal agencies, and this is outrageous. These megacontracts have clearly gone too far; and it is time that we say enough is enough.

This amendment has received the support of the Society of Government Travel Professionals, as well as the U.S. Women's Chamber of Commerce. I am urging my colleagues today to protect small business contracting by supporting this amendment.

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

The CHAIRMAN. The time of the gentlewoman from New York (Ms. VELÁZQUEZ) has expired.

Does any Member seek to claim time in opposition?

Mr. KNOLLENBERG. Mr. Chairman, I seek the time in opposition, and I yield myself such time as I may consume.

I oppose this amendment because it will shut down the GSA e-travel program.

In 1996, GAO recommended that travel management should be consolidated government-wide; and in 2001, they found that decentralized travel operations at the agency level resulted in the following: inconsistent and/or duplicative travel processes and procedures. It is costly to maintain these multiple, redundant systems on a stand-alone basis and with an inability to effectively monitor and manage the travel function at the agency level.

Further, many agencies were developing expensive in-house custom systems. These ''boutique'' systems, if you will, were not connected, causing a heavy burden on the traveler. OMB recommended that a common government-wide travel management service would significantly improve the traveler's experience and save the government money. Government-wide e-travel is projected to save approximately $450 million over the 10-year cycle. It is expected to achieve a 15 percent savings in transactional costs over status quo in the base period of the contract, and 20 percent in outlying years.

So I do not believe that this is the answer that the gentlewoman is seeking, which brings forward the shutdown, entire shutdown of the e-travel program. So I would suggest that we all unite and vote against this amendment.

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

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

Mr. Chairman, I am going to support the amendment that has been offered by the ranking member of the Committee on Small Business; and for the reason, I will just cover it simply, for the reason that in the conference report for the fiscal year 2004 omnibus appropriation covering GSA, concern was expressed about the mandatory nature of the e-travel service.

In fact, the report states, and I am quoting from the report: ''The conferees agree that GSA has been responsive to the House's concerns that e-travel initiatives should not involve mandatory participation by Federal agencies. Furthermore, the conferees agree that in its management of e-travel prime contractors, GSA should seek to preserve that portion of the Federal travel agent business that is currently served by small businesses and local entrepreneurs.''

Now, not to demand that there be a particular portion or whatever that goes to those Federal travel agent businesses that are currently served by small businesses and local entrepreneurs but, rather, to point out that the vast majority, probably over 90 percent of travel agencies have fewer than 30 employees, and are, therefore, categorized as small businesses.

While I recognize what the chairman has said, that sometimes by a very large economy-of-scale kind of contract you give everything to one, you can then wipe out the small businesses from being able to compete in that process, I think that, as I have quoted from the conference report for the 2004 appropriations act concerning GSA, there was the sense of the Congress that we did not want that to happen, that we wanted some of this business to remain with the local and small business entrepreneurs.

So I support the amendment.

Ms. VELÁZQUEZ. Mr. Chairman, will the gentleman yield?

Mr. OLVER. I yield to the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Chairman, I just would like to respond for the record to a statement made by the chairman that the e-travel will save taxpayers' money. Let me just say that an industry review of the booking fees listed on the Federal Supply Schedule, it appears that GSA's figures on travel booking fees may have been estimated too high by as much as $20 per transaction, and these are the big industries, the big travel agencies, not the small businesses.

□ 1645

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

Let me say this about the amendment. What the amendment would do, it would shut down E-travel, just shut it down. The E-travel system saves money, saves taxpayers money and is easier to navigate for travel. The answer to the question that she has does not involve shutting down E-travel.

I would simply urge a no vote on this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ).

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

Ms. VELÁZQUEZ. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. WYNN

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WYNN:

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

SEC. 948. None of the funds made available by this Act may be used to pay a Federal contractor with respect to a contract if the contractor—

(1) fails to enter into a subcontract with a small business in accordance with the contractor's subcontracting plan (under section 8(d) of the Small Business Act (15 U.S.C. 637(d)) for the contract, unless the contractor provides written justification; or

(2) was not in compliance under a previous Federal contract with the contract clause required by section 8(d)(2) of the Small Business Act (15 U.S.C 637(d)(2)) with respect to timely payment, as found by the awarding agency, and is the subject of litigation or an administrative claim relating to a late payment to a subcontractor by the contractor.

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

The CHAIRMAN. The gentleman reserves a point of order.

Pursuant to the order of the House of June 29, 2005, the gentleman from Maryland (Mr. WYNN) and a member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland (Mr. WYNN).

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

In this House, we frequently proclaim the importance of helping small businesses. Consider, in fact, that the Small Business Act states, in part, it is the policy of the United States that small business concerns shall have the maximum practical opportunity to participate in the performance of contracts let by any Federal agency, including subcontracts.

Mr. Chairman, my amendment addresses two issues that are, in fact, already part of the Small Business Act but continue to be problems for the small business community. First, under current law, proclaimed by the Small Business Act, it is required that the successful bidder shall have a subcontracting plan included in the contract, and that prior compliance of the bidder with other subcontracting plans shall be considered by the Federal agency to determine if the bidder is responsible in the award of the contract.

However, the fact is that, in far too many cases, the subcontractors that are listed on the subcontracting plan of the bidder that wins the contract are never used to perform the contract work. As a result, small businesses, women-owned businesses, African American businesses, other ethnic minority businesses who, we are told, are being included in Federal contracting are, in fact, often excluded. They are not allowed to perform the work. This practice constitutes fraud and undermines small businesses, and we need to put a stop to it.

My amendment penalizes Federal contractors that fail to subcontract with small businesses as submitted in their subcontracting plan. Should the contractor not use the subcontractor laid out in their plan, the amendment requires that the contractor provide written justification or lose the award. Small business contractors deserve adequate protection from dishonest contractors.

The second issue raised in this amendment is a problem that, in many cases, after a subcontractor successfully performs the work they are not being paid in a timely manner to allow them to meet their obligations. Again, the Small Business Act currently addresses this issue. It says that the policy of the United States is that prime contractors establish procedures to ensure the timely payment of amounts due pursuant to the terms of their contracts with small businesses.

Unfortunately, all too often this does not happen. It is hard enough to survive in business without the added burden of late payments affecting cash flow and growth potential. Small businesses cannot afford to wait long periods of time to be paid after completing a job, especially a small business contracting on a government contract.

A growing number of small businesses have complained to me about the threat to their survival as a result of having late payments or having to pursue claims through litigation or administrative procedures in order to get paid. This problem has caused me to introduce prompt payment legislation in the last few Congresses. This amendment addresses the problem by providing that when a prime contractor has been found to be out of compliance with prompt payment provisions, or are the subject of administrative claims or litigation, they should be denied the ability to be awarded Federal contracts.

My amendment addresses the problem of subcontractors not receiving payment for services to a prime contract in a timely manner. We need to stop paying lip service to the small business community and roll up our sleeves and address the specific problems they confront. They confront the problem of being listed in Federal contracts but never used, and they confront the problem of not being paid on time and having to pursue litigation remedies. This amendment will address both of these issues. I believe it is, in fact, germane to the bill that no money shall be used to pay contractors who violate these two provisions, accurate subcontracting and prompt payment.

I urge adoption of the amendment.

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

POINT OF ORDER

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

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

Mr. WYNN. Mr. Chairman, I would just add that this bill does not change existing law. If you will note, I actually read into the RECORD the status of existing law regarding the requirement to list your subcontractors and the requirement for prompt payment. This bill merely adds the provision to enforce existing law.

The CHAIRMAN. Do any other Members wish to be heard on the point of order?

If not, the Chair is prepared to rule.

The amendment offered by the gentleman from Maryland would require a new determination by the relevant executive branch official. Specifically, the amendment would require a determination of whether a contractor has a history of late payments or is the subject of litigation. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained and the amendment is not in order.

AMENDMENT OFFERED BY MR. VAN HOLLEN

Mr. VAN HOLLEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. VAN HOLLEN:

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

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

The CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentleman from Maryland (Mr. VAN HOLLEN) and the gentleman from Michigan (Mr. KNOLLENBERG) each will control 5 minutes.

The Chair recognizes the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Chairman, I yield myself 3½ minutes.

Mr. Chairman, this amendment deals with the process that we now have in place in the Federal Government for contracting out work that is performed by Federal employees around the country, in other words, what process is in place for privatizing certain Federal Government jobs. That process, which is known by the Office of Management and Budget, A–76 process, is a broken process. In fact, both Federal Government employees and private contractors have serious legitimate concerns and complaints about the existing competitive sourcing process. This amendment would, in fact, encourage OMB to go back to the drawing board and develop a competitive sourcing process that addresses everybody's concerns. And it is an amendment that is identical, word for word, to an amendment that has passed the House on this appropriations bill in the last 2 years.

And we have passed this bill for the past 2 years for a very simple reason. We recognize that the existing contracting out process is unfair and that it needs to be fixed. And that has not changed from last year to this year. In fact, already this year the Appropriations Committee and this House have recognized the fact that the existing contracting out process is broken because we have passed a number of bills to change that on an ad hoc basis. For example, the Defense appropriations bill, which has already passed this House, changed the A–76 contracting

out rules for Department of Defense Federal employees in a number of ways. It insured, first of all, that Federal employees of the Department of Defense would always have the opportunity to compete to keep their jobs through forming what is known as the most efficient organization. The Defense appropriations bill also required that when a private contractor is trying to take over work it demonstrates that it can provide some minimal level of savings to the taxpayer. After all, that is what competition should be about.

That is something the GAO has recommended, and it is something the Appropriations Committee put in the Defense appropriations bill but it is not part of the normal contracting out process. The Defense appropriation bill also prevents private contractors from gaining an advantage by providing less health benefits to their employees. We as a Federal Government should be setting an example to the public, not trying to encourage people to dump health coverage for their employees. And so the appropriations for defense did that.

There are also things we did with respect to the authorization bill for the Defense Department that changed the contracting out rules. For example, we made sure that during the appeals process, that the appeals rights of Federal employees would be the same as appeal rights for private contractors. That seems to make sense. That is only fair.

In fact, if you look at different appropriations bills that have come out, the Homeland Security appropriations bill, the Interior appropriations bill, the Agriculture appropriations bill, all of those bills had changes to this contracting out process.

So the question arises if the Appropriations Committee itself has changed the contracting out rules in all these other bills, does it not make sense to ask the Office of Management and Budget to go back and get it right, come up with a uniform policy that applies governmentwide, rather than have five different tests in different appropriations bills.

That is what this amendment is all about. It does not get rid of the competitive sourcing rules. It would say to OMB, go back to the rules that were in place before May 2003 until you fashion a new set of rules that make sense for everybody.

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

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

The Van Hollen amendment harms taxpayers, in my judgment, by preventing agencies from conducting public private competitions under OMB's revised circular A–76. By forcing agencies to return to the rules of the old circular world, the old circular world would disadvantage, Number 1, Federal employees by allowing much of their work to be directly converted to private sector performance without even considering in-house capabilities or the cost implications of outsourcing. It will also harm taxpayers by making them bear the cost of processes that are outdated, inefficient and not results oriented. The advantages of the revised circular are that they were developed with broad input, broad input from the public to ensure competition is used in a fair manner that accommodates the diverse needs of our citizens. And it focuses on achieving the best results for the taxpayer by requiring agencies to evaluate cost and permitting agencies to also consider the quality of the service provided such as technology support and security.

I would just stop there, but suggest to the gentleman from Virginia that this is not a friendly amendment in regard to the taxpayer. It truly is not. The committee opposes it and certainly I oppose it, and I would ask or urge for a no vote.

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

Mr. VAN HOLLEN. Mr. Chairman, I yield myself 1 minute.

I would just pose the question to the subcommittee chairman, I thank him for those remarks, but if the current A–76 contracting out process works so well, if that is the ideal that we want to have, why has the Appropriations Committee, on five different bills that it has reported out, changed those rules with respect to several agencies?

With the Interior appropriations bill there was a rider that came out that passed the House that limited the amount of money that may be used for privatization review by the Department of the Interior and for the Forest Service specifically.

On the Homeland Security appropriations bill, you prevented the Department of the Interior from reviewing for privatization work performed by three different categories of employees who serve on the front lines of the war against terrorism.

On the Agriculture appropriations bill, the Appropriations Committee in this House included provisions that prevented the Department of Agriculture from reviewing for privatization any employees involved in rural development or farm loan programs.

□ 1700

So I would just say to my colleagues, if the existing system works so well, why has the Committee on Appropriations in this House this year already voted to change it in so many ways? Let us have a uniform policy that applies equally across Federal agencies.

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

Mr. Chairman, let me respond to the gentleman's comments. Those appropriations bills, I believe there were five, it was different in each one of them because it was applied specifically, tailored to that particular bill and the operation of that bill.

Mr. Chairman, I yield 1½ minutes to the gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Chairman, I appreciate the gentleman yielding me time. I appreciate the gentleman from Maryland (Mr. VAN HOLLEN) coming forth and asking questions which are very important, and I believe the chairman talked about that, and that is that where we believe appropriate that the government be involved in inherently government operations, the government should be. However, we know that this government is huge and has many areas in which they are not only behind in their ability to be prepared technologically-wise but also to meet the demands and needs of taxpayers and people out in this country who need to make sure that this government works and works properly.

I would like to remind the gentleman that this is part of the President's management agenda, part of the management agenda where he has talked very clearly to the American public and to Congress about things where we need to change, to change and incorporate changes so that taxpayers and people in need are able to get better benefits and better services.

What the gentleman is doing today says, we are going to wipe out the President's management agenda. We are not going to allow competitive outsourcing and then come to the floor and say, look, you have done it five times. Is that not an indication that this is a broken system?

It is not. It is a system that will continue to be reformed. What the gentleman from Michigan (Mr. KNOLLENBERG) has done is to say very clearly where reform is necessary, we will do it; but the taxpayers and people who need the things which government or government money does to implement change within our system is very important.

Mr. Chairman, I will tell you, I oppose the Van Hollen amendment and the taxpayers would too. I hope that our colleagues all hear this debate because it is important not only for taxpayers but for government efficiency.

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

Mr. Chairman, this is not about getting rid of the competitive sourcing program. There always has been competitive sourcing in the government, and there will continue to be. The issue is what rules apply. I would suggest to my colleagues that the defense appropriations bill rider that was attached said when you have these competitions, you should at least demonstrate that the taxpayers would be saved some money. A minimum of at least 10 percent of the funds was a good idea. That was required by this House. That is not required by the current A–76 process. We should make that. That should not just apply to the Defense Department that we get a good deal for the taxpayer. That should apply.

The provision of health benefits, let us do what the House has already done

two times, which is adopt this exact language. We did it last year on this bill. We did it the year before. I urge my colleagues to do it again this year.

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

Mr. Chairman, I have no intention of taking 5 minutes. I just want to point out since my friend, the chairman, has the chance to close, I just want to point out that this amendment has been passed each of the last 2 years in the House by fairly strong bipartisan votes. And it has then gone to conference committee and never reappeared from the conference committee in either of those years.

It suggests that there is no intention on the part of the majority of adhering to the will of the House which ought to carry at least as much weight as the President's management agenda, so-called, and so I am going to just urge that we again pass this and give the conference one more chance to reject the will of the House, which seems to be its full intent year after year to do and thereby show its total contempt for the will of the House of Representatives.

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

In closing very quickly, the gentleman from Maryland (Mr. VAN HOLLEN) referenced the fact that his idea actually was passed last year, included in the bill and there was a threat of a veto then, and so it was removed from the bill. And this administration is prepared to do the very same thing this year. So I would suggest to him that it is enough of a problem or an annoyance to them that it will be something that will be subject to a veto threat and perhaps go through the same process again.

Mr. WAXMAN. Mr. Chairman, I rise in support of the Van Hollen amendment to H.R. 3058, the Transportation, Treasury and HUD Appropriations bill for FY 2006.

Representative VAN HOLLEN's amendment would prevent the Administration from using federal funds to conduct public-private competitions under the new A–76 process announced in May of 2003. The amendment stops the Administration from playing politics with the civil service system and it deserves your strong support.

The independent think tank, the Brookings Institution, and others explain that the true size of the federal government includes the "shadow workforce" of private contractors. Brookings has found that the private contractor workforce of the federal government is now 16.7 million. That is almost 10 times the size of the federal civil service.

The rush to privatize the civil service system is dangerous, because when the government turns to poorly supervised private contractors, the potential for waste, fraud, and abuse soars.

This is not my assessment. GAO has issued countless reports on contractor abuses and inadequate contract management by federal agencies. The problem is so bad that contract management at DOD, the Energy Department, and NASA—the three agencies that most heavily rely on contractors—has been on GAO's list of "high risk" federal programs for years. And to make matters worse, agencies, particularly DOD, have cut the number of acquisition personnel in a misguided attempt to save money. That means that there are not enough people to conduct adequate contract oversight.

The Van Hollen amendment prohibits public-private competitions from being conducted under revised rules that give an unfair advantage to private contractors. It's passage would provide Congress and the Administration the opportunity to address several critical matters, including: creating a reliable way to keep track of the costs of service contractors, guaranteeing federal employees the right to compete fairly for their jobs before they are privatized, and ensuring a level playing field by giving federal employees the same legal rights as contractors enjoy.

The Washington Monthly has written that, "even the federal payroll can become a source of patronage. . . . And while doing so may or may not save taxpayers much money, it will divert taxpayer money out of the public sector and into private sector firms, where the GOP has a chance to steer contracts towards politically connected firms."

We must stop the destructive and misguided effort to send federal jobs to private contractors at any cost. Vote "yes" on the Van Hollen amendment and stop this Administration's war on federal employees.

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

The Acting CHAIRMAN (Mr. TERRY). The question is on the amendment offered by the gentleman from Maryland (Mr. VAN HOLLEN).

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

Mr. VAN HOLLEN. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

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

The Acting Chairman. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

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 implement section 12(c) of the United States Housing Act of 1937 (42 U.S.C. 1437j(c)).

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order on the amendment.

The Acting CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE).

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

Mr. Chairman, I discuss this amendment to help educate my colleagues and to remind them that this amendment was passed in previous Congresses and the work of many of my colleagues, including the gentleman from New York (Mr. RANGEL), has been ongoing to try to bring fairness to this process.

I would first like to say that none of us disagree with the idea of volunteer service. But my amendment simply says that it prohibits the use of funds in this act to implement the community service requirement for public housing tenants.

This proposal has a long history, and of course the reason is because this is a difficult provision to enforce. Part of the enforcement in this time of decreasing public housing is to evict individuals from public housing, the individuals who are most vulnerable, the individuals who are most needy, and the individuals who may be least able because of their physical condition to perform community service.

I have a letter here from the National Association of Housing and Redevelopment Officials which indicates: "Dear Representative Jackson-Lee: I write on behalf of the National Association of Housing Redevelopment Officials to support your amendment to halt the implementation of the public housing community service requirement. This organization is the Nation's oldest and largest association of housing community development professionals and the leading advocate for adequate and affordable housing and strong, viable communities for all Americans, particularly those with low and moderate incomes. Our 21,000 agency and individual members help millions of families nationwide find safe and affordable housing.

"This organization has been opposed to the community service requirement since its enactment in 1998. Although a limited percentage of families nationwide meet the criteria for being subject to the community service requirement, all families must be screened and tracked for compliance. This requirement is an unfunded mandate that public housing can ill afford. In time of scarce resources, we believe that Federal funds could be better focused on maintaining safe, decent housing for 12 million low-income families."

In essence, they are committed to providing this service themselves.

In fact, they say, "many agencies partner with local service organizations to assist in case management and provide services. Other communities find it is necessary to augment local resources with programs and services that are easily accessible by public housing communities. The community is in the best position to make this decision."

This amendment is a clean-up amendment. It allows the local authorities to provide the opportunities for community service, but it does not burden those public housing entities by

using Federal funds to require the oversight and then to evict those most needy for public housing.

I would ask my colleagues to support this amendment.

NATIONAL ASSOCIATION OF HOUSING AND REDEVELOPMENT OFFICIALS,
Washington, DC, June 29, 2005.

Hon. SHEILA JACKSON-LEE,
Rayburn House Office Building,
Washington, DC.

DEAR REPRESENTATIVE JACKSON-LEE: I write on behalf of the National Association of Housing and Redevelopment Officials (NAHRO) to support your amendment to halt the implementation of the public housing community service requirement under Section 12(c) of the US Housing Act of 1937. NAHRO is the nation's oldest and largest association of housing and community development professionals and the leading advocate for adequate and affordable housing and strong, viable communities for all Americans—particularly those with low- and moderate-incomes. Our 21,000 agency and individual members help millions of families nationwide find safe, affordable housing and economic opportunities through a variety of local, state, and federal programs, such as Public Housing, Section 8 Housing Vouchers, Community Development Block Grants, HOME and the Low Income Housing Tax Credit.

NAHRO has been opposed to the community service requirement since its enactment in 1998. Although a limited percentage of families nationwide meet the criteria for being subject to the community service requirement, all families must be screened and tracked for compliance. This requirement is an unfunded mandate that public housing can ill afford. In a time of scarce resources, we believe that federal funds could be better focused on maintaining safe, decent housing for 1.2 million low-income families, 47 percent of which are headed by the elderly or persons with disabilities, and supporting self-sufficiency programs that get real results.

Total funding for public housing has declined steadily in recent years. The President's FY 2006 budget requested 20 percent less funding for public housing than Congress provided in 2001. A Harvard Operating Cost study found that public housing has traditionally been underfunded compared with all other assisted housing. At the same time, basic housing operating costs have increased exponentially due to factors beyond local agencies' control, including employee health care costs, energy and utility costs, and public facilities insurance increases following 9/11. The cumulative effect of several years of this funding crunch has been to undermine local agencies' ability to provide basic services and maintain our country's $90 billion investment in affordable public housing.

We are pleased that Subcommittee Chairman Knollenberg and Ranking Member Olver have been able to improve upon the President's requested funding levels for Public Housing Capital and Operating Funds in HR 3058. Despite their efforts in this area, however, public housing is far from fully funded. With so many stresses on our public housing, the unfunded mandate of the community service requirement is simply a drain on local agencies' ability to meet the core mission of providing housing and meaningful support for families seeking a better life.

Thank you for your efforts to remove this unfunded mandate and pennit local housing agencies to focus on our core mission of assisting families and preserving the country's investment in affordable housing.

Sincerely,

SAUL N. RAMIREZ, Jr.,
Executive Director.

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

Mr. KNOLLENBERG. Mr. Chairman, I withdraw my point of order.

The Acting CHAIRMAN. The point of order is withdrawn.

Mr. KNOLLENBERG. Mr. Chairman, I rise to claim time in opposition to the amendment.

Mr. Chairman, in 1998 the last time the Congress authorized the public housing and section 8 programs, they established this policy that tenants of public housing should undertake two responsibilities: number one, they should do some community service. The act requires that individuals in public housing do 8 hours of public service each month. There are numerous exemptions from their requirements for those that cannot do even the most minimal amount of service. The act also requires tenants to be part of the self-sufficiency program, a program designed to help tenants get jobs, keep jobs, and move off and out of public housing so other people may benefit.

My own view is that this was a sound policy then, and it is a sound policy now. Neither appears to be a huge burden and the Department of Housing and Urban Development has not indicated any large-scale problems with the provision that would need this type of action.

This is clearly an amendment that should be taken to the authorizers, and they are, by the way, right now reviewing all public housing assistance programs. So until Congress changes the policy, I believe that the policy should remain in force.

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

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

Mr. Chairman, many of these residents are not able-bodied; and as indicated by the National Association of Housing and Redevelopment Officials, it is best utilized at the local levels. They have been partnering with local organizations to try to work through service. We all believe in service.

This is an unfunded mandate. It is a burden on those who are most vulnerable in housing that cannot, either because of their physical or mental condition, perform this service and they are vulnerable to conviction.

I would suggest to my colleagues it is worthy of eliminating.

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

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, how much time remains?

The Acting CHAIRMAN. The gentlewoman from Texas (Ms. JACKSON-LEE) has 1½ minutes remaining.

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

Mr. Chairman, let me indicate that I believe it is an unfunded mandate; but more particularly I hope that we will get to a point, if this amendment is not accepted by my colleagues, that we can come together and work for what is best for those most vulnerable. That is what public housing is for.

When it was passed in 1998, there were many good intentions. It was in the climate of welfare reform. But it is an unfunded mandate. It is burdensome. And it is disrespectful to suggest that those who are poor are not desirous of public service. It is discriminatory and it is unfair, patently so.

I hope that my colleagues will work together with many of us who believe that we can ensure good citizenship by those in public housing; at the same time we can be fair by making sure that they do not get the ultimate penalty which is eviction and force unfunded mandates and public housing authorities who can least afford this in this time of declining funds.

This is a burden. And I would ask that they go in any neighborhood of homeowners and ask the homeowners association whether or not to stay in your house, other than keeping your own house in a good condition, whether you are demanded to perform public service. Public service should be voluntary, and it should be out of your heart. I can assure you that poor people believe in public service. This is high-handed, up-handed, if you will, and elitist; and we know that it is a problem. And I would hope that my colleagues would vote for my amendment.

In the option they do not, we will keep working because we believe in fairness to all who are deserving of public housing and who need public housing and are the most vulnerable.

I ask my colleagues to vote for this amendment.

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

I just reiterate what I said. I am in opposition to the amendment, and I urge everyone to oppose this amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was rejected.

□ 1715

AMENDMENT OFFERED BY MR. PICKERING

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

The Acting CHAIRMAN (Mr. TERRY). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. PICKERING:
Page 224, insert after line 8 the following:

TITLE X—LIMITATION

SEC. 1001. None of the funds contained in this Act may be used to enforce the Individuals With Disabilities Parking Reform Amendment Act of 2000 (D.C. Law 13—279).

The Acting CHAIRMAN. Pursuant to the order of the House of June 29, 2005,

the gentleman from Mississippi (Mr. PICKERING) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 5 minutes.

The Chair recognizes the gentleman from Mississippi (Mr. PICKERING).

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

I rise today with an amendment at the desk. I want to thank the chairman of the Committee on Appropriations subcommittee for his work on this. I want to thank the gentlewoman from the District of Columbia (Ms. NORTON) for her attention and help. I also want to thank the responsiveness of the Mayor's office and the city council.

I will submit into the RECORD at this point letters from the Mayor's office and from Carol Schwartz, council member on the District of Columbia council.

Quickly, let me tell my colleagues the issue that was brought to my attention by one of my constituents in the last week, and as we come to the 4th of July, when millions will come to the District, when thousands of veterans, many of whom are disabled, will be visiting our Nation's capital and going to our monuments, what was brought to my attention by Viola Cupit from Bogue Chitto, Mississippi, who called my office last week.

She had come to our Nation's capital. She happens to be disabled. She has a disabled license plate from the State of Mississippi. She parked on Constitution Avenue. The parking sign says disabled, 4 hours free parking. She thought that she was correctly parked and would not face any fine or ticket.

She returned to discover that it is free for D.C. residents, but not free for those who travel to our Nation from other States. If you are from Mississippi or from Tennessee or from California, if you were to come to the District, you are disabled and you were to park, you would either have to pay or go to the DMV, which can be a long, difficult and frustrating process in the District of Columbia to get a District disabled placard card.

Now, we know in our Nation's capital that we want equal treatment. We do not want discriminatory treatment, especially for our disabled citizens and veterans. We do not want to see them differently. I do not think it was the intent of the District of Columbia and their regulations to have this unequal, discriminatory treatment; but it nonetheless is.

I think the intent of the letters of the Mayor and the city council member indicate that they want to correct this inequity.

I also want to submit for the RECORD a letter from the Paralyzed Veterans of America who have also asked that this discriminatory practice cease, and they stand willing and ready to work with the District of Columbia to have a fair policy.

I will insert the letters that I have referred to into the RECORD at this point.

PARALYZED VETERANS OF AMERICA,
Washington, DC, June 29, 2005.

Hon. CHARLES W. PICKERING, Jr.,
Washington, DC.

DEAR REPRESENTATIVE PICKERING: Paralyzed Veterans of America (PVA) is pleased to support your efforts to correct a policy of the District of Columbia to charge people with out of state placards for accessible parking. PVA expressed our concerns to the D.C. government before this policy went into effect. We oppose paying for accessible parking when in fact the parking is provided on a discriminatory basis. While we understand the need to curb abuse, we do not believe that the city made sufficient parking truly accessible or gives adequate notice to those who need it.

The current policy is confusing and discriminatory. Disabled drivers with D.C. placards or plates are allowed four hours of free parking. Drivers with a valid placard from any other jurisdiction must pay, but the only notice of the requirement to pay is on the sidewalk side of each meter. Simply finding that notice may require the person to get out of the car, wheel through traffic to a curb cut (assuming there is one), then wheel back on the sidewalk to the meter. At that point, the visitor can only hope that the meter itself is accessible.

PVA believes the District's policy violates the ''reciprocal agreements'' under Public Law 100–641 (23 CFR 1235). The law established guidelines for states and jurisdictions to follow in designing accessible parking spaces, placards and license plates and urged reciprocity in enforcement and parking privileges granted by other jurisdictions.

Again, thank you for your leadership on this issue. PVA is ready to work with you to ensure accessible parking privileges in the District of Columbia are equally available to all disabled drivers, regardless of jurisdiction.

Sincerely,

LEE PAGE,
Associate Advocacy Director.

COUNCIL OF THE DISTRICT OF COLUMBIA,
Washington, DC, June 30, 2005.

Hon. CHIP PICKERING,
Congressman, Third District, Mississippi, Washington, DC.

DEAR CONGRESSMAN PICKERING: I appreciated the opportunity to speak with you at length this morning about the District's enforcement of the ''Individuals with Disabilities Parking Reform Amendment Act of 2000.'' I am committed to revisiting the law to ensure that all disabled persons, regardless of where they live, are treated equally. This was always our intent, but I also recognize that there may have been some unintended consequences.

As I said in our conversation, I will work with the Mayor to develop satisfactory solutions to the problems we discussed, and I appreciate the opportunity to address your concerns.

I am available at your convenience to discuss the matter further if necessary, and may be reached in my office at (202) 724–8105.

Sincerely,

CAROL SCHWARTZ,
Councilmember, At-Large, Chair, Committee on Public Works and the Environment.

GOVERNMENT OF THE DISTRICT OF COLUMBIA, EXECUTIVE OFFICE OF THE MAYOR,
June 30, 2005.

Hon. CHARLES PICKERING,
Congressman, Third Districts, Mississippi, Cannon House Office Building, Washington, DC.

DEAR CONGRESSMAN PICKERING: On behalf of the Mayor, who is traveling out of town, I want to give you our administration's assurance and commitment to review the Individuals With Disabilities Parking Reform Amendment Act of 2000 to assure that it meets our intention that disabled visitors to our city enjoy equal treatment. We were seeking to curb abuses, not to create difficulties for disabled visitors to our city. We are especially proud to be an important tourist destination receiving 20 million visitors annually. We also take pride in our policies regarding equal treatment for disabled people. I would very much appreciate your courtesy in giving me the opportunity to work with Public Works and the Environment Committee Chair Carol Schwartz and our City Council to correct the flaws you have found in this statute. I appreciate your bringing this matter to our attention. I would be pleased to discuss this matter with you, or have the appropriate staff answer any questions you or your staff may have.

Thank you again for your attention to this important issue and for respecting our right to self-government by calling the matter to our attention.

Sincerely yours,

ROBERT BOBB,
City Administrator.

What I would like to do at this point is enter into a colloquy with the gentlewoman from the District of Columbia (Ms. NORTON) as to the steps that we hope will be taken to rectify this.

Ms. NORTON. Mr. Chairman, will the gentleman yield?

Mr. PICKERING. I yield to the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Chairman, I thank the gentleman for doing so.

I rise to claim my time in opposition, but I do not intend to oppose because I believe when we are finished with this colloquy that the amendment will be withdrawn because of assurances from me and from the responsible officials in the District of Columbia.

If I may, I want to thank the gentleman for the way in which he handled this matter. First, I want everyone to know that the gentleman did not come to the floor first. The gentleman called the District of Columbia, and I want to apologize to the gentleman that the staff who handled this did not tell me that a Member of Congress had done them the courtesy of calling about a matter so that I might have become a part of this beforehand because the gentleman did exactly the right thing.

The gentleman from Mississippi went to the source of the problem to see if he was really reading correctly that disabled people who came here, for example in a wheelchair, might have to go to the DMV in order to take advantage of the same free parking that someone in a wheelchair here would have.

The staff involved simply told him the reason for the policy. The reason

for the policy is sometimes rather flagrant abuses by residents and nonresidents. Usually, the nonresidents live a whole lot closer to us, I say to the gentleman, than his own constituent from Mississippi, and as a result, this matter was not resolved, and the Member did what one might expect. This was the chance then that he had to do it. It came to my attention only last night.

At that point, I thought I ought to go upstairs and talk to not the staff who apparently had been involved but to the Mayor, the chair of the City Council and the chair of the committee that has jurisdiction.

The Mayor was getting on a plane. I did not have time to talk to him in depth, but he said something to the effect, you know, Eleanor, this is the mecca of equal opportunity; I cannot imagine how we can have unequal treatment of that kind. I told him about the DMV, and he is famous for jokes about the DMV.

The Acting CHAIRMAN. The gentleman from Mississippi's time has expired.

Mr. PICKERING. Mr. Chairman, if I could strike the last word.

Ms. NORTON. I have time.

The Acting CHAIRMAN. The gentleman is not permitted under the unanimous consent agreement to strike the last word.

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

I will in a moment yield to the gentleman from Mississippi for him to respond. I just wanted to explain myself because frankly I am embarrassed by the fact that the gentleman had to call our officials.

Needless to say, everyone has gone out of their way to assure the gentleman from Mississippi and to thank him frankly for bringing the matter to our attention. I just want to read one part of the letter on behalf of the Mayor from the city administrator, the top person under the Mayor.

''We were seeking to curb abuses, not create difficulties for disabled visitors to our city. We are especially proud to be an important tourist destination receiving 20 million visitors annually. We also take pride in our policies regarding equal treatment for disabled people. I would very much appreciate your courtesy in giving me the opportunity to work with Public Works and the Environment Committee Chair Carol Schwartz and our City Council to correct the flaws you have found in this statute.''

Ms. Schwartz, who is the committee chair, by the way the only Republican on the City Council, wrote, and she said that, ''this was always our intent, but I also recognize that there may have been some unintended consequences.'' She has spoken directly to the gentleman from Mississippi, and I am grateful that she herself spoke with him.

Again, could I invite all Members, when you see something like this, maybe we can get it done, maybe we cannot, but if you would follow the example of the gentleman from Mississippi and go directly to the source, but by the way, always tell me so I can hammer them, too; then we will try to correct such matters, to keep them from taking up the time of the House.

Mr. PICKERING. Mr. Chairman, will the gentlewoman yield?

Ms. NORTON. I yield to the gentleman from Mississippi.

Mr. PICKERING. Mr. Chairman, it is my understanding, based on our conversations, that the gentlewoman would encourage the city to do something similar to what they did when the World War II memorial was opened, and that is, to grant an emergency status to make sure that the disabled had free parking in the district. Is it the gentlewoman's intention to do so, and during the interim, until they are able to clarify the regulations, that no one would be ticketed that is disabled from out of the District who would come to visit our Nation's capital?

Ms. NORTON. Mr. Chairman, I want to assure the gentleman that they have represented to me, and I believe that they are sincere, that they meant no discrimination between the disabled out of state and the disabled here. Therefore, citing the precedent the gentleman himself has indicated, I will represent to him that there will be no disabled out-of-state tickets given during the time that this matter is being straightened out.

Let me also represent to the gentleman, because Members are accustomed to coming to me about tickets that should not have been issued, Members under certain circumstances may not get tickets in the District of Columbia. They sure know how to find me. I want my colleagues to know if they have any constituent who is ticketed during this interim period, they should find the Congresswoman from the District of Columbia so she can see that those tickets are not outstanding, and I represent that to the gentleman from Mississippi.

Mr. PICKERING. Mr. Chairman, if the gentlewoman would further yield, I want to thank the gentlewoman from the District for her very effective representation, her advocacy for her constituents. All politics is local. Nothing is more local than parking tickets; and as we go into the 4th of July, I thank the gentlewoman for her help for those who are disabled, especially our disabled veterans, to make sure that they do not face unequal or discriminatory treatment as they find their place to park on Constitution Avenue or by our monuments or wherever it may be.

Again, I thank the gentlewoman for the spirit in which we have worked together and look forward to other opportunities in the future.

Ms. NORTON. Mr. Chairman, I thank the gentleman, again, for the way in which he has handled this matter, and may I say as well that I thank him for bringing it to our attention. This is a tourist destination and is frankly embarrassing that this matter was not taken care of beforehand.

Mr. PICKERING. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

Mr. OLVER. Mr. Chairman, I hope for the last time I move to strike the last word, and I yield to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Chairman, I thank my friend from Massachusetts for yielding to me.

I want to thank the ranking member for doing that, and I rise to speak about the issue of the FAA and school soundproofing funding.

I recently heard from a school in my district, the Lexington School in Queens, that was awarded Federal funding for soundproofing from the FAA, and I thank the gentleman for the time for a colloquy between himself and the ranking member and the chairman.

They have completed all of the initial investigations and are finalizing the specs as mandated by the FAA, and they anticipate obtaining bids by the end of this year. The school is now awaiting their promised soundproofing funds, which are now mysteriously being held up by the FAA because the school does not have bids in this fiscal year.

This certainly appears to be contradictory to the intent of Vision 100 legislation and FAA's own guidance on priorities for issuing discretionary funds which recognizes that a project is considered started if bids are received in the fiscal year or within 6 months from the end of the fiscal year.

I am concerned that other schools may also be waiting for delayed funding.

These soundproofing funds are vital for schools, and this money must be forthcoming.

I ask the chairman and ranking member if they will work with me to look into this concern with respect to the FAA funding for soundproofing.

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

Mr. OLVER. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I thank the gentleman for raising his concerns on this matter. If there has been a slow-down in the release of Federal soundproofing dollars from the FAA, we do need to know. We appreciate the gentleman bringing this to the floor. I thank the gentleman for his comments and pledge to work with him on this issue.

Mr. OLVER. Mr. Chairman, I thank the gentleman from New York for raising the issue. I, too, am concerned about the reported slow-down in this release of funds for an obviously good cause, the release of soundproofing funds to eligible recipients, in this particular case, the Lexington School in Queens.

Though I do not know whether it is very close to La Guardia Airport or to Kennedy Airport, I, too, pledge to work with the gentleman from New York on this issue to ensure the early release of these funds.

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

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

Mr. CROWLEY. Mr. Chairman, I thank my friends, the gentleman from Michigan (Chairman KNOLLENBERG) and the gentleman from Massachusetts (Ranking Member OLVER), for their commitment to helping me find a solution to this FAA funding as it pertains to soundproofing.

For the record, the Lexington School is about anywhere between a quarter mile or half a mile as the crow flies from La Guardia Airport, so it is very proximate, very close; and on behalf of my constituents, I thank both gentlemen for their assistance in this.

Mr. OLVER. I did not want to put it in the flight path of La Guardia Airport, so I brought in Kennedy Airport as well.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. The Chair reminds those that cell phone use on the floor is prohibited.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

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

SEC. ____. The amounts otherwise provided by this Act are revised by reducing the amount made available for ''Department of Transportation–Surface Transportation Board–Salaries and Expenses'', and increasing the amount made available for ''Federal Aviation–Operations'' derived from the General Fund, by $5,000,000.

The Acting CHAIRMAN. Pursuant to the order of the House of June 29, 2005, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

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

The Acting CHAIRMAN. The gentleman from Michigan reserves a point of order.

The gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

□ 1730

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume to take this opportunity to discuss what I think is a very important issue.

While recognizing that this committee, the chairman and the ranking member, funded the air traffic controllers at the rate that the President asked for, at 595; and recognizing as well that there had been additional dollars placed in FAA for additional services which might be used for air traffic controllers, and I hope that will be the case, as recently acquiring Houston Intercontinental Airport in my Congressional district, and let me also say that I support the previous colloquy of the gentleman from New York (Mr. CROWLEY) on the dollars for soundproofing because all who live in the area are well aware of that need, but I wanted to quote for my colleagues the news report of the incident of yesterday: Stray Plane Sets Off Evacuation At Capitol. The last paragraph in the article in The Washington Post says ''A Federal official said radio communications between the pilot and the authorities indicated the pilot ended up in a restricted area while trying to avoid bad weather.''

I can only say, since it does not designate who the authorities were, that we know air traffic controllers are enormously busy. We are looking at increasingly congested skies and we are looking at overburdened and overworked air traffic controllers. In fact, in one airport in Texas, it was found that at this particular airport air traffic controllers and managers routinely covered up serious operational errors and deviations, including aircraft, for the last 7 years. The U.S. Office of Special Counsel said the controllers had allowed airplanes to fly too close to each other near the airport, and that supervisors either failed to investigate or did not report the incidents to the FAA headquarters as required. The independent Federal agency said the cover-up of controller mistakes have been jeopardizing air traffic safety.

We need more air traffic controllers, because 595, in my view, is certainly not enough. So my amendment was to offer $5 million that was offset by the Department of Transportation's Surface Transportation Board salaries and expenses.

This amendment is about establishing priorities. And even though the amount of monies is capped off and no more monies can be allowed in that particular account, I think that is an important issue. And I hope my colleagues, as they move into the next year and the next session in this appropriations process, they will recognize that our skies are getting busier and busier, our air traffic controllers are getting tireder and tireder, and they need increased training and they need relief.

I want to applaud our air traffic controllers. This is a very, very, very, very serious business. It requires great attention to detail. It requires nerves of steel, and we understand that. But the key is that there is a great need for more than 595.

Mr. Chairman, I will submit for the RECORD, at the appropriate time, this letter that I will read: ''I write this letter to support your amendment to H.R. 3058, to increase the amount made available for the Department of Transportation with respect to air traffic controllers. In these times of shortages of personnel and training, this amendment would provide much-needed relief to continued budgetary shortfalls. Please accept our a gratitude for your efforts.'' This is the National Association of Air Traffic Specialists.

So I am hoping we will have an opportunity to work on this. The point of order, of course, refers to the capping of this particular account, and I recognize the hard work of this committee, but I think in all seriousness, besides the danger that was proposed yesterday, we do know our skies are busy with small and large planes.

Mr. Chairman, the amendment seeks to increase the "Federal Aviation Administration Operations" account on page 6 by $5 million and would offset this amount from the "Department of Transportation-Surface Transportation Board-Salaries and Expenses" account in Title I.

This amendment is about establishing priorities. While the salaries of the staff within the Department of Transportation is of enormous concern, I would think that my colleagues would agree with me that providing funds to help navigate the ever-increasing air traffic is of a higher priority, especially given our new utilization of equipment such as we find at the Boston Terminal Radar Approach Control (TRACON)—which is America's newest FAA consolidated facility.

New technology requires adequate staffing. Therefore, my amendment would provide the necessary funds to make new employee recruitment and training possible. Problems exist within our Federal Aviation Administration, Mr. Chairman. I cite the June 24, 2005 article in the Dallas Morning News (page 1A) entitled "Agency: Air traffic errors covered up Controller at D/FW spurs inquiry into unreported close calls":

The U.S. Office of Special Counsel said the controllers had allowed airplanes to fly too close to each other near Dallas/Fort Worth International Airport and that supervisors either failed to investigate or didn't report the incidents to Federal Aviation Administration headquarters as required.

The independent federal agency said the cover-up of controller mistakes had been ''jeopardizing air traffic safety.''

''This was a substantial and specific danger to public safety,'' it said.

[Furthermore,] a number of corrective actions' were taken after a March report from the Department of Transportation's Office of Inspector General substantiated . . . allegations.

Specifically, the D/FW Terminal Radar Approach Control, or TRACON, was placed on probation for two years, the center's quality assurance manager was reassigned, and one air traffic controller was decertified.

In addition, the FAA placed the facility manager, operations managers, supervisors and other controllers on probation.

This citation alone underscores major problems in the system. In addition, it highlights the fact that the jobs should not be outsourced, an issue that my colleague Mr. SANDERS has championed.

The key national security function of Air Traffic Control Specialists was evident during and immediately after the horrific 9/11 attacks. During this national tragedy, Air Traffic Control Specialists communicated crucial instructions

to planes in the air and on the ground, and were responsible for re-starting air traffic in the days afterward. Air Traffic Control Specialists also play a vital role in keeping commercial and general aviation airplanes out of restricted airspace, including the restricted airspace around the White House. And, Air Traffic Control Specialists are critical during a natural disaster. For example, when hurricanes hit the Southeast last year, the FAA closed air traffic facilities in the region, but kept Flight Service Stations open and Air Traffic Control Specialists working to ensure the safety of airline passengers.

We should be strengthening, not weakening air traffic safety. In the 1980s we had 315 Flight Service Stations across the country. Today, we only have 61, and if the FAA gets its way there will only be 23 Flight Service Stations left in this country responsible for protecting over 600,000 general aviation pilots, as well as military and commercial pilots. This could only make our Nation's airspace less secure.

Mr. Chairman, we must support our Air Traffic Controllers by providing them with the support they need. I ask that my colleagues support this amendment.

NATIONAL ASSOCIATION OF
AIR TRAFFIC SPECIALISTS,
Wheaton, Maryland, June 30, 2005.

Hon. SHEILA JACKSON LEE,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE JACKSON LEE: I write this letter to support your amendment to H.R. 3058 to increase the amount made available for ''Department of Transportation—Surface Transportation Board Salaries and Expense Federal Aviation Operations Derived from the General Fund by $5,000,000. In these times of shortages of personnel and training this amendment would provide much needed relief to continuing budgetary shortfalls.

Please accept our gratitude for your efforts in this regard and let me know if I can be of any help in securing this amendment.

Sincerely,

KATE BREEN,
President.

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

POINT OF ORDER

Mr. KNOLLENBERG. Mr. Chairman, I insist on my point of order, and I would like to respond in this fashion.

I raise a point of order against the amendment. The amendment proposes to increase an appropriation not authorized by law and, therefore, is in violation of clause 2(a) of rule XXI.

Although the original account funding for FAA operations is unauthorized, it was permitted to remain in the bill pursuant to the provisions of the rule that provided for the consideration of this bill. When an authorized appropriation is permitted to remain in a general appropriations bill, an amendment merely changing that amount is in order; but the rules of the House apply a ''merely perfecting standard'' to the items permitted to remain and do not allow the insertion of a new paragraph, not part of the original text permitted to remain, to increase a figure permitted to remain.

The amendment cannot be construed as merely perfecting and, therefore, Mr. Chairman, I ask that the Chair rule the amendment out of order.

The Acting CHAIRMAN. Does anyone wish to speak on the point of order?

Ms. JACKSON-LEE of Texas. I do, Mr. Chairman. Let me say that I have acknowledged the point of order by the fact that the account itself is capped and, as was indicated, the issue regarding the authorization. But I raised this amendment, and I intend to withdraw this amendment, but I raised it because the discussion and the dollars are clearly needed.

I am hoping my colleagues will see that 595 air traffic controllers are not enough for the increasingly busy skies over the United States of America. I have cited in one airport the incident of air traffic controllers being cited for routinely covering up serious operational errors and deviations involving aircraft; I have cited, of course, the support by the National Association of Air Traffic Specialists.

I think that the difficulty is that we have a cap. We have $25 million for 595. I think we could use 1,000. Because of the budget shortfall, and because we do not have the money, we are faced with this dilemma. I happen to think the safety and security of Americans warrants increased dollars and an increased number of air traffic controllers.

I know that the busy airport I represent, Houston Intercontinental Airport, could stand additional well-trained air traffic controllers, the opportunity to give relief to air traffic controllers who, in fact, are working very hard. I am hoping, Mr. Chairman, that we will have an opportunity to work on this issue and recognize the dire needs and the crisis that we face if we do not continue to grow air traffic controllers, to train them and provide them the kind of support services necessary to protect the Nation's skies.

Mr. Chairman, I ask unanimous consent that I be allowed to withdraw my amendment.

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

There was no objection.

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

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

Mr. OLVER. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, did the gentleman not already do that before?

Mr. OLVER. Mr. Chairman, yes, I have done this before. In fact, I was going to apologize to the staff and the chairman of the subcommittee for destroying the good working relationship that we have had over time, and that I complimented them so broadly about earlier, by actually offering this motion to strike the last word at a point when I really was not expecting to do so.

I do know that this may have lasting implications, given the work that has been done by Dena Baron, Cheryle Tucker, Dave Gibbons, Steve Crane, Tammy, Hughes, Kristen Jones, and David Napoliello, all of whom would dearly love to get off this floor and on to the votes that we have coming before us.

This bill has been a long slog year, and I have heard some people on the other side have had low-level headaches. There have been times here, as the afternoon has worn on, that I have nearly sunk under the table when amendments came, as long as the amendments we have had here today and yesterday, and with the votes on the rule on the day before, I think, though I may have lost a day in this process, so that there comes a point where I would be surprised if the chairman or I actually were able to remember our names. And it has been just suggested that I could also thank David Pomerantz of our staff, which is probably the only person I have not previously thanked.

And with that, Mr. Chairman, I do, in fact, apologize to the chairman and all of the staff, not only the majority staff but the minority staff as well, because the ranking member has concluded that he does not wish to speak.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: Amendment offered by the gentleman from Colorado (Mr. HEFLEY), amendment offered by the gentlewoman from Michigan (Ms. KILPATRICK), amendment offered by the gentleman from Wisconsin (Mr. OBEY), amendment offered by the gentleman from Ohio (Mr. BROWN), amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ), amendment offered by the gentleman from Maryland (Mr. VAN HOLLEN).

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

AMENDMENT OFFERED BY MR. HEFLEY

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 88, noes 338, not voting 7, as follows:

[Roll No. 352]

AYES—88

Akin
Andrews
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Blackburn
Brady (TX)
Brown-Waite, Ginny
Burton (IN)
Buyer
Cannon
Chabot
Chocola
Coble
Cox
Cubin
Davis (TN)
Davis, Jo Ann
Deal (GA)
Diaz-Balart, M.
Duncan
Feeney
Flake
Fossella
Foxx
Franks (AZ)
Garrett (NJ)
Gibbons
Gohmert
Graves
Gutknecht
Harris
Hart
Hayworth
Hefley
Hensarling
Herger
Hoekstra
Hostettler
Inglis (SC)
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
King (IA)
Lewis (KY)
Linder
Lungren, Daniel E.
Mack
Manzullo
McHenry
McMorris
Mica
Miller (FL)
Musgrave
Myrick
Neugebauer
Norwood
Otter
Paul
Pence
Petri
Pitts
Poe
Price (GA)
Radanovich
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Sensenbrenner
Sessions
Shadegg
Shimkus
Stearns
Tancredo
Tanner
Taylor (MS)
Terry
Thornberry
Westmoreland
Wilson (SC)

NOES—338

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

NOT VOTING—7

Everett
Harman
Kingston
Peterson (PA)
Ross
Schiff
Waters

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. TERRY) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1805

Messrs. BECERRA, SPRATT, ISRAEL, BERMAN, and ABERCROMBIE changed their vote from ''aye'' to ''no.''

Mrs. MYRICK and Messrs. COBLE, POE, and SESSIONS changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. KILPATRICK OF MICHIGAN

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Michigan (Ms. KILPATRICK) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 333, noes 92, not voting 8, as follows:

[Roll No. 353]

AYES—333

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Baca
Baldwin
Barrett (SC)
Barrow
Bass
Bean
Becerra
Berkley
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Bonner
Boozman
Boren
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chabot
Chandler
Clay
Cleaver
Clyburn
Coble
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeGette
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doolittle
Doyle
Drake
Duncan
Edwards
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Gallegly
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Harris
Hart
Hastings (FL)
Hayworth
Hefley
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Holt
Hooley
Hostettler
Hoyer
Hunter
Hyde
Inglis (SC)
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
Kline
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larson (CT)
LaTourette
Lee
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders

Saxton
Schakowsky
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sherman
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Wamp
Wasserman Schultz
Watson
Watt
Weiner
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOES—92

Alexander
Bachus
Baird
Baker
Bartlett (MD)
Barton (TX)
Beauprez
Berman
Biggert
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boustany
Brady (TX)
Burgess
Cannon
Cantor
Carter
Chocola
Cole (OK)
Conaway
Cooper
Davis (KY)
Davis, Tom
Delahunt
Dicks
Doggett
Dreier
Ehlers
Farr
Flake
Frelinghuysen
Garrett (NJ)
Gilchrest
Granger
Graves
Hall
Hastings (WA)
Hayes
Hensarling
Hoekstra
Honda
Hulshof
Inslee
Istook
Jindal
Johnson (CT)
Johnson (IL)
King (NY)
Kirk
Knollenberg
Kolbe
Larsen (WA)
Latham
Leach
Levin
Lewis (CA)
Lofgren, Zoe
Lungren, Daniel E.
McCrery
McDermott
McMorris
Moran (VA)
Murtha
Neugebauer
Oxley
Paul
Petri
Price (GA)
Price (NC)
Pryce (OH)
Ryan (WI)
Sessions
Shadegg
Shaw
Shays
Sherwood
Smith (TX)
Smith (WA)
Snyder
Stark
Thomas
Thornberry
Upton
Walsh
Waxman
Weldon (PA)
Wilson (SC)
Young (AK)

NOT VOTING—8

Cox
Everett
Harman
Kingston
Peterson (PA)
Ross
Schiff
Waters

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1814

Mrs. JOHNSON of Connecticut and Miss MCMORRIS changed their vote from ''aye'' to ''no.''

Mr. BARRETT of South Carolina and Mr. WELLER changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. OBEY

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 208, noes 215, not voting 10, as follows:

[Roll No. 354]

AYES—208

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Simmons
Simpson
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiahrt
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—215

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Smith (NJ)
Smith (TX)
Sodrel
Stearns
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiberi
Turner
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Everett
Harman
Kingston
Peterson (PA)
Ross
Schiff
Sherwood
Shuster
Sullivan
Waters

□ 1822

Mr. WAXMAN changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BROWN OF OHIO

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 141, noes 284, not voting 8, as follows:

[Roll No. 355]

AYES—141

Ackerman
Allen
Baldwin
Barrow
Bartlett (MD)
Becerra
Berkley
Berman
Berry
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Brown (OH)
Brown, Corrine
Burton (IN)
Butterfield
Capps
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Conyers
Costello
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
Delahunt
DeLauro
Doggett
Edwards
Emanuel
Emerson
Evans
Farr
Fattah
Filner
Ford
Gibbons
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hastings (FL)
Hefley
Herseth
Higgins
Hinchey
Hinojosa
Hoekstra
Hoyer
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kennedy (RI)
Kildee
Kilpatrick (MI)
King (IA)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lowey
Lynch
Maloney
Manzullo
Matsui
McCarthy
McCollum (MN)
McDermott
McKinney
McNulty
Meehan
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moran (VA)
Nadler
Napolitano
Neal (MA)
Northup
Oberstar
Olver
Ortiz
Otter
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Pomeroy
Rangel
Reichert
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Scott (GA)
Serrano
Slaughter
Solis
Stark
Strickland
Stupak
Tancredo
Tauscher
Taylor (MS)
Tierney
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Watson
Watt
Weiner
Wexler
Woolsey
Wynn

NOES—284

Abercrombie
Aderholt
Akin
Alexander
Andrews
Baca
Bachus
Baird
Baker
Barrett (SC)
Barton (TX)
Bass
Bean
Beauprez
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capuano
Carter
Castle
Chabot
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Cox
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (AL)
Davis (CA)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Doyle
Drake
Dreier
Duncan
Ehlers
Engel
English (PA)
Eshoo
Etheridge
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Hobson
Holden
Holt
Honda
Hooley
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Issa
Istook
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kind
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Mack
Marchant
Markey
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moore (KS)
Moore (WI)
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Norwood
Nunes
Nussle
Osborne
Oxley
Pascrell
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwartz (PA)
Schwarz (MI)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stearns
Sullivan
Sweeney
Tanner
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (CO)
Upton
Walden (OR)
Walsh
Wamp
Waxman
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—8

Everett
Harman
Kingston
Obey
Peterson (PA)
Ross
Schiff
Waters

□ 1829

Messrs. WAXMAN, SMITH of Washington, MARKEY and McGOVERN changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. VELÁZQUEZ

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 233, noes 192, not voting 8, as follows:

[Roll No. 356]

AYES—233

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Coble
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fitzpatrick (PA)
Forbes
Ford
Fortenberry
Frank (MA)
Gerlach
Gibbons
Gonzalez
Goode
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Hastings (FL)
Hayworth
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pickering
Platts
Poe
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Renzi
Reyes
Ros-Lehtinen
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Shuster
Simmons
Skelton
Slaughter
Smith (NJ)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Woolsey
Wu
Wynn

NOES—192

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capuano
Carter
Castle
Chabot
Chocola
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Feeney
Ferguson
Flake

Foley
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Gohmert
Goodlatte
Granger
Green (WI)
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Otter
Oxley
Paul
Pence
Peterson (MN)
Petri
Pitts
Pombo
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Simpson
Smith (TX)
Smith (WA)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Boozman
Everett
Harman
Kingston
Peterson (PA)
Ross
Schiff
Waters

□ 1837

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. VAN HOLLEN

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 222, noes 203, not voting 8, as follows:

[Roll No. 357]

AYES—222

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Emerson
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fitzpatrick (PA)
Ford
Frank (MA)
Gerlach
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rogers (AL)
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Shimkus
Simmons
Skelton
Slaughter
Smith (NJ)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—203

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
English (PA)
Feeney
Ferguson
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson, Sam
Keller
Kennedy (MN)
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
Leach
Lewis (CA)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCrery
McHenry
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Petri
Pickering
Pitts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shuster
Simpson
Smith (TX)
Smith (WA)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Cox
Everett
Harman
Kingston
Peterson (PA)
Ross
Schiff
Waters

□ 1844

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read the last four lines of the bill.

The Clerk read as follows:

This Act may be cited as the ''Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006''.

Mr. KNOLLENBERG. Mr. Chairman, I submit the following for the RECORD:

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Salaries and expenses	86,536	87,046	84,913	-1,623	-2,133
Immediate Office of the Secretary	(2,202)	---	(2,198)	(-4)	(+2,198)
Immediate Office of the Deputy Secretary	(699)	---	(698)	(-1)	(+698)
Immediate office of the Secretary and Deputy Office of the General Counsel	(15,272)	---	(15,183)	(-89)	(+15,183)
Office of the Assistant Secretary for Aviation					
Office of the Under Secretary for Transportation Policy	(12,526)	---	(11,680)	(-846)	(+11,680)
Office of the Assistant Secretary for Budget and Programs	(8,504)	---	(7,593)	(-911)	(+7,593)
Office of the Assistant Secretary for Governmental Affairs	(2,297)	---	(2,052)	(-245)	(+2,052)
Office of the Assistant Secretary for Administration	(23,249)	---	(23,139)	(-110)	(+23,139)
Office of Public Affairs	(1,914)	---	(1,910)	(-4)	(+1,910)
Executive Secretariat	(1,444)	---	(1,442)	(-2)	(+1,442)
Board of Contract Appeals	(698)	---	(697)	(-1)	(+697)
Office of Small and Disadvantaged Business Utilization	(1,268)	---	(1,265)	(-3)	(+1,265)
Office of Intelligence and Security	(2,037)	---	(2,033)	(-4)	(+2,033)
Office of the Chief Information Officer	(11,301)	---	(11,895)	(+594)	(+11,895)
Office of emergency transportation	(3,125)	---	(3,128)	(+3)	(+3,128)
User fees	(-2,500)	(-2,500)	(-2,500)	---	---
Spending of user fees	(2,500)	(2,500)	(2,500)	---	---
Subtotal	(86,536)	(87,046)	(84,913)	(-1,623)	(-2,133)
Office of Civil Rights	8,630	8,550	8,550	-80	---
Rescission of excess compensation for air carriers	-235,000	---	---	+235,000	---
Transportation planning, research, and development	19,840	9,030	40,613	+20,773	+31,583
Working capital fund	(149,846)	---	(120,014)	(-29,832)	(+120,014)
Minority business resource center program	893	900	900	+7	---
(Limitation on guaranteed loans)	(18,367)	(18,367)	(18,367)	---	---
Minority business outreach	2,976	3,000	3,000	+24	---
New headquarters building	67,456	100,000	100,000	+32,544	---
Payments to air carriers (Airport & Airway Trust Fund)	51,584	---	54,000	+2,416	+54,000
Total, Office of the Secretary	237,915	208,526	291,976	+54,061	+83,450
Federal Aviation Administration					
Operations	7,712,800	8,051,000	8,042,920	+330,120	-8,080
Flight Service Stations A-76 transition	---	150,000	150,000	+150,000	---
Subtotal	7,712,800	8,201,000	8,192,920	+480,120	-8,080
Facilities & equipment (Airport & Airway Trust Fund)	2,519,680	2,448,000	3,053,000	+533,320	+605,000
Emergency appropriations (P.L. 108-324)	5,100	---	---	-5,100	---
Research, engineering, and development (Airport and Airway Trust Fund)	129,880	130,000	130,000	+120	---
Grants-in-aid for airports (Airport and Airway Trust Fund)(Liquidation of contract authorization)	(2,800,000)	(3,300,000)	(3,600,000)	(+800,000)	(+300,000)
(Limitation on obligations)	(3,472,000)	(3,000,000)	(3,600,000)	(+128,000)	(+600,000)
Small community air service pilot program	(19,840)	---	(20,000)	(+160)	(+20,000)
2006 F&E Pop-up contract authority	---	605,000	---	---	-605,000
Rescission of contract authority (2006 F&E Pop-up)	---	-605,000	---	---	+605,000
Rescission of contract authority (2006 AIP)	---	-600,000	---	---	+600,000
Rescission of contract authority (prior yr Pop-up)	-265,000	-469,000	-469,000	-204,000	---
Emergency assistance to airports (Airport and Airway Trust Fund) (P.L. 108-324)	25,000	---	---	-25,000	---
Subtotal	(3,232,000)	(1,931,000)	(3,131,000)	(-101,000)	(+1,200,000)

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
War risk insurance (extension)	-50,000	---	-80,000	-30,000	-80,000
Total, Federal Aviation Administration	10,342,460	11,384,000	11,295,920	+953,460	-88,080
(Limitations on obligations)	(3,472,000)	(3,000,000)	(3,600,000)	(+128,000)	(+600,000)
Rescissions of contract authority	-265,000	-1,674,000	-469,000	-204,000	+1,205,000
Total budgetary resources	(13,549,460)	(12,710,000)	(14,426,920)	(+877,460)	(+1,716,920)
Federal Highway Administration					
Limitation on administrative expenses	(343,728)	(367,638)	(359,529)	(+15,801)	(-8,109)
Federal-aid highways (Highway Trust Fund):					
(Liquidation of contract authorization)	(35,000,000)	(35,000,000)	(36,000,000)	(+1,000,000)	(+1,000,000)
(Limitation on obligations)	(34,422,400)	(34,700,000)	(36,287,100)	(+1,864,700)	(+1,587,100)
(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
(Transfer to NHTSA)	(-156,127)	---	---	(+156,127)	---
Rescission of contract authority (Highway Trust Fund)	-520,277	---	---	+520,277	---
Appalachian development highway system	79,360	---	---	-79,360	---
Emergency relief programs (Highway Trust Fund)	735,072	---	---	-735,072	---
Emergency appropriations (P.L. 108-324)	1,202,000	---	---	-1,202,000	---
Rescission of contract authority (Hwy Trust Fund)	-741,000	---	---	+741,000	---
TIFIA (rescission of contract authority)	-100,000	---	---	+100,000	---
Belleair causeway bridge	33,728	---	---	-33,728	---
Unobligated balances(rescission of contract authority)	-14,408	---	---	+14,408	---
Unobligated balances (rescission)	-2,000	---	---	+2,000	---
Total, Federal Highway Administration	2,050,160	---	---	-2,050,160	---
(Limitations on obligations)	(34,422,400)	(34,700,000)	(36,287,100)	(+1,864,700)	(+1,587,100)
(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
Rescissions	-2,000	---	---	+2,000	---
Rescissions of contract authority	-1,375,685	---	---	+1,375,685	---
Total budgetary resources	(35,833,875)	(35,439,000)	(37,026,100)	(+1,192,225)	(+1,587,100)
Federal Motor Carrier Safety Administration					
Motor carrier safety (limitation on administrative expenses)(liquidation of contract authorization)	(257,547)	---	---	(-257,547)	---
(Limitation on obligations)	(255,487)	---	---	(-255,487)	---
National motor carrier safety program (Highway Trust Fund)(Liquidation of contract authorization)	(190,000)	---	(286,000)	(+96,000)	(+286,000)
(Limitation on obligations)	(188,480)	---	(286,000)	(+97,520)	(+286,000)
Motor carrier safety grants (Highway Trust Fund) (Liquidation of contract authorization)	---	(232,000)	---	---	(-232,000)
(Limitation on obligations)	---	(232,000)	---	---	(-232,000)
Motor carrier safety operations and programs (Highway Trust Fund)(Liquidation of contract authorization)	---	(233,000)	(215,000)	(+215,000)	(-18,000)
(Limitation on obligations)	---	(233,000)	(215,000)	(+215,000)	(-18,000)
Total, Federal Motor Carrier Safety Admin	---	---	---	---	---
(Limitations on obligations)	(446,027)	(465,000)	(501,000)	(+54,973)	(+36,000)
Total budgetary resources	(446,027)	(465,000)	(501,000)	(+54,973)	(+36,000)
National Highway Traffic Safety Administration					
Operations and research	---	---	152,367	+152,367	+152,367
Operations and research (Highway trust fund) (Liquidation of contract authorization)	(72,000)	(227,367)	(75,000)	(+3,000)	(-152,367)
(Limitation on obligations)	(71,424)	(227,367)	(75,000)	(+3,576)	(-152,367)
(Transfer from FHA)	(156,127)	---	---	(-156,127)	---
National Driver Register (Highway trust fund) (Liquidation of contract authorization)	(3,600)	(4,000)	(4,000)	(+400)	---
(Limitation on obligations)	(3,571)	(4,000)	(4,000)	(+429)	---

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Highway traffic safety grants (Highway Trust Fund)					
(Liquidation of contract authorization)	(225,000)	(465,000)	(551,000)	(+326,000)	(+86,000)
(Limitation on obligations):					
Highway safety programs (Sec. 402)	(163,680)	(172,000)	(229,000)	(+65,320)	(+57,000)
Formula grants (Sec. 402(k))	---	(183,000)	---	---	(-183,000)
Formula grants (Sec. 402(l))	---	(50,000)	---	---	(-50,000)
Occupant protection incentive grants (Sec. 405)	(19,840)	---	(136,000)	(+116,160)	(+136,000)
Alcohol-impaired driving countermeasures grants (Sec. 410)	(39,680)	---	(129,000)	(+89,320)	(+129,000)
Emergency medical services grants (Sec. 407)	---	(10,000)	---	---	(-10,000)
State traffic safety information system improvement grants (Sec. 412)	---	(50,000)	(30,000)	(+30,000)	(-20,000)
High visibility enforcement	---	---	(15,000)	(+15,000)	(+15,000)
Child safety and booster seat grants	---	---	(6,000)	(+6,000)	(+6,000)
Motorcyclist safety	---	---	(6,000)	(+6,000)	(+6,000)
Subtotal	(223,200)	(465,000)	(551,000)	(+327,800)	(+86,000)
Total, National Highway Traffic Safety Admin.	---	---	152,367	+152,367	+152,367
(Limitations on obligations)	(298,195)	(696,367)	(630,000)	(+331,805)	(-66,367)
Total budgetary resources	(298,195)	(696,367)	(782,367)	(+484,172)	(+86,000)
Federal Railroad Administration					
Safety and operations	138,651	145,949	145,949	+7,298	---
Railroad research and development	35,737	46,325	26,325	-9,412	-20,000
Railroad rehabilitation and improvement program	6,000	---	---	-6,000	---
Next generation high-speed rail	19,493	---	10,165	-9,328	+10,165
Alaska Railroad rehabilitation	24,800	---	---	-24,800	---
Grants to the National Railroad Passenger Corporation	1,207,264	360,000	550,000	-657,264	+190,000
Total, Federal Railroad Administration	1,431,945	552,274	732,439	-699,506	+180,165
Federal Transit Administration					
Administrative expenses, general fund	---	83,500	---	---	-83,500
Administrative expenses	9,672	---	12,000	+2,328	+12,000
Administrative expenses (Highway Trust Fund, Mass Transit Account)(limitation on obligations)	(67,704)	---	(68,000)	(+296)	(+68,000)
Office of the Administrator	(892)	---	(989)	(+97)	(+989)
Office of Chief Counsel	(4,067)	---	(4,140)	(+73)	(+4,140)
Office of Civil Rights	(2,989)	---	(3,113)	(+124)	(+3,113)
Office of Communications and Congressional Affairs	(1,233)	---	(1,276)	(+43)	(+1,276)
Office of Budget and Policy	(6,874)	---	(7,123)	(+249)	(+7,123)
Office of Planning	(4,138)	---	(4,155)	(+17)	(+4,155)
Office of Program Management	(7,337)	---	(7,916)	(+579)	(+7,916)
Office of Demonstration and Innovation	(4,608)	---	(4,712)	(+104)	(+4,712)
Office of Administration	(6,468)	---	(7,284)	(+816)	(+7,284)
Central Account	(16,302)	---	(17,884)	(+1,582)	(+17,884)
Regional offices	(19,988)	---	(21,408)	(+1,420)	(+21,408)
National Transit database	(2,480)	---	---	(-2,480)	---
Subtotal	(77,376)	---	(80,000)	(+2,624)	(+80,000)
Formula grants	499,990	---	662,550	+162,560	+662,550
Formula grants (Highway Trust Fund, Mass Transit Account)(limitation on obligations)	(3,499,928)	---	(3,754,450)	(+254,522)	(+3,754,450)
Formula grants and research (Highway Trust Fund, Mass Transit Account)(limitation on obligations)	---	(6,135,000)	---	---	(-6,135,000)
Subtotal	(3,999,918)	(6,135,000)	(4,417,000)	(+417,082)	(-1,718,000)
University transportation research	744	---	1,200	+456	+1,200
University transportation research (Highway Trust Fund Mass Transit Account)(limitation on obligations)	(5,208)	---	(6,800)	(+1,592)	(+6,800)
Subtotal	(5,952)	---	(8,000)	(+2,048)	(+8,000)

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Transit planning and research	15,872	---	24,049	+8,177	+24,049
Transit planning and research (Highway Trust Fund, Mass Transit Account)(limitation on obligations)	(111,104)	---	(136,276)	(+25,172)	(+136,276)
Rural transportation assistance	(5,208)	---	---	(-5,208)	---
National transit institute	(3,968)	---	---	(-3,968)	---
Transit cooperative research	(8,184)	---	---	(-8,184)	---
Planning (TEA-LU)	---	---	(103,325)	(+103,325)	(+103,325)
Research (TEA-LU)	---	---	(57,000)	(+57,000)	(+57,000)
Metropolitan planning	(59,903)	---	---	(-59,903)	---
State planning	(12,513)	---	---	(-12,513)	---
National planning and research	(37,200)	---	---	(-37,200)	---
Subtotal	(126,976)	---	(160,325)	(+33,349)	(+160,325)
Trust fund share of expenses (Highway Trust Fund) (liquidation of contract authorization)	(6,744,500)	(689,700)	(7,209,700)	(+465,200)	(+6,520,000)
Capital investment grants	414,014	---	546,251	+132,237	+546,251
Capital investment grants (Highway Trust Fund, Mass Transit Account)(limitation on obligations)	(2,898,100)	---	(3,095,424)	(+197,324)	(+3,095,424)
Major capital investment grants	---	872,800	---	---	-872,800
Major capital investment grants (Highway Trust Fund, Mass Transit Account)(limitation on obligations)	---	(689,700)	---	---	(-689,700)
Subtotal	(3,312,114)	(1,562,500)	(3,641,675)	(+329,561)	(+2,079,175)
Fixed guideway modernization	(1,204,684)	(1,531,250)	(1,386,670)	(+181,986)	(-144,580)
Buses and bus-related facilities	(669,600)	---	(693,335)	(+23,735)	(+693,335)
New starts	(1,437,830)	---	(1,561,670)	(+123,840)	(+1,561,670)
Metropolitan and statewide planning activities	---	(31,250)	---	---	(-31,250)
Subtotal	(3,312,114)	(1,562,500)	(3,641,675)	(+329,561)	(+2,079,175)
Job access and reverse commute grants	15,500	---	26,250	+10,750	+26,250
Job access and reverse commute grants (Hwy Trust Fund, Mass Transit Account)(limitation on obligations)	(108,500)	---	(148,750)	(+40,250)	(+148,750)
Subtotal	(124,000)	---	(175,000)	(+51,000)	(+175,000)
Total, Federal Transit Administration	955,792	956,300	1,272,300	+316,508	+316,000
(Limitations on obligations)	(6,690,544)	(6,824,700)	(7,209,700)	(+519,156)	(+385,000)
Total budgetary resources	(7,646,336)	(7,781,000)	(8,482,000)	(+835,664)	(+701,000)
Saint Lawrence Seaway Development Corporation					
Operations and maintenance (Harbor Maintenance Trust Fund)	15,773	8,000	16,284	+511	+8,284
Spending from proposed mandatory user fee	---	8,284	---	---	-8,284
Total, Saint Lawrence Seaway Development Corp.	15,773	16,284	16,284	+511	---
Maritime Administration					
Maritime security program	97,910	156,000	156,000	+58,090	---
Operations and training	108,602	113,650	112,336	+3,734	-1,314
Ship disposal	21,443	21,000	21,000	-443	---
Maritime Guaranteed Loan (Title XI) Program Account:					
Administrative expenses	4,726	3,526	3,526	-1,200	---
National defense tank vessel construction program	74,400	---	---	-74,400	---
Rescission	---	-74,400	---	---	+74,400
Ship construction (rescission)	-1,979	---	-2,071	-92	-2,071
Total, Maritime Administration	305,102	219,776	290,791	-14,311	+71,015
Pipeline and Hazardous Materials Safety Administration					
Hazardous materials safety	---	26,324	26,183	+26,183	-141

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(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Administrative expenses	---	16,382	16,382	+16,382	---
Pipeline Safety Fund	---	645	645	+645	---
Subtotal	---	17,027	17,027	+17,027	---
Pipeline safety:					
Pipeline Safety Fund	54,331	54,165	57,860	+3,529	+3,695
Oil Spill Liability Trust Fund	14,880	19,000	15,000	+120	-4,000
Subtotal	69,211	73,165	72,860	+3,649	-305
Emergency preparedness grants:					
Emergency preparedness fund	198	200	200	+2	---
Limitation on emergency preparedness fund	(14,300)	---	(14,300)	---	(+14,300)
Total, Pipeline and Hazardous Materials Safety Administration	69,409	116,716	116,270	+46,861	-446
Research and Innovative Technology Administration					
Research and development	---	6,274	4,326	+4,326	-1,948
Research and special programs	46,738	---	---	-46,738	---
(By transfer)	(645)	---	---	(-645)	---
Total, Research and Innovative Technology Admin.	46,738	6,274	4,326	-42,412	-1,948
Office of Inspector General					
Salaries and expenses	58,528	62,499	62,499	+3,971	---
Surface Transportation Board					
Salaries and expenses	21,080	24,388	26,622	+5,542	+2,234
Offsetting collections	-1,050	-1,250	-1,250	-200	---
Total, Surface Transportation Board	20,030	23,138	25,372	+5,342	+2,234
Total, title I, Department of Transportation	13,656,167	11,871,787	13,791,544	+135,377	+1,919,757
Appropriations	(14,303,731)	(13,620,187)	(14,262,615)	(-41,116)	(+642,428)
Rescissions	(-238,979)	(-74,400)	(-2,071)	(+236,908)	(+72,329)
Rescission of contract authority	(-1,640,685)	(-1,674,000)	(-469,000)	(+1,171,685)	(+1,205,000)
Emergency appropriations	(1,232,100)	---	---	(-1,232,100)	---
Offsetting collections	---	---	---	---	---
(Limitations on obligations)	(45,329,166)	(45,686,067)	(48,227,800)	(+2,898,634)	(+2,541,733)
(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
(By transfer)	(156,772)	---	---	(-156,772)	---
(Transfer out)	(-156,127)	---	---	(+156,127)	---
Net total budgetary resources	(59,724,333)	(58,296,854)	(62,758,344)	(+3,034,011)	(+4,461,490)
Transportation discretionary total	13,656,167	11,871,787	13,791,544	+135,377	+1,919,757
TITLE II - DEPARTMENT OF THE TREASURY					
Departmental Offices					
Salaries and expenses	156,299	195,253	187,452	+31,153	-7,801
Executive direction	(7,216)	(16,656)	(7,216)	---	(-9,440)
General Counsel	(7,142)	---	(7,521)	(+379)	(+7,521)
Economic policies and and programs	(31,405)	(32,011)	(32,011)	(+606)	---
Financial policies and programs	(25,863)	(24,721)	(24,721)	(-1,142)	---
Financial crimes	(10,548)	(39,938)	(35,409)	(+24,861)	(-4,529)
Treasury wide management	(16,626)	(16,843)	(16,843)	(+217)	---
Administration	(57,499)	(65,084)	(63,731)	(+6,232)	(-1,353)
Subtotal	(156,299)	(195,253)	(187,452)	(+31,153)	(-7,801)

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Foreign Assets Control	22,113	---	---	-22,113	---
Department-wide systems and capital investments programs	32,002	24,412	21,412	-10,590	-3,000
Office of Inspector General	16,368	16,722	17,000	+632	+278
Treasury Inspector General for Tax Administration	128,093	133,286	133,286	+5,193	---
Air transportation stabilization program account	1,984	2,942	2,500	+516	-442
Community development financial institutions fund program account	55,078	7,900	55,000	-78	+47,100
Treasury building and annex repair and restoration	12,217	10,000	10,000	-2,217	---
Expanded access to financial services (rescission)	-4,000	---	---	+4,000	---
Violent crime reduction program (rescission)	-1,200	---	---	+1,200	---
Financial Crimes Enforcement Network	71,922	73,630	73,630	+1,708	---
Total, Departmental Offices	490,876	464,145	500,280	+9,404	+36,135
Financial Management Service	229,083	236,243	236,243	+7,160	---
Alcohol and Tobacco Tax and Trade Bureau:					
Salaries and expenses	82,336	62,486	91,126	+8,790	+28,640
Spending from proposed mandatory user fees	---	28,640	---	---	-28,640
Subtotal	82,336	91,126	91,126	+8,790	---
Bureau of the Public Debt	173,765	176,923	176,923	+3,158	---
Payment of government losses in shipment	1,000	1,000	1,000	---	---
Total, Dept. of Treasury, non-IRS	977,060	969,437	1,005,572	+28,512	+36,135
Internal Revenue Service					
Tax administration and operations	---	10,013,555	---	---	-10,013,555
Contingent appropriation	---	446,496	---	---	-446,496
Processing, assistance, and management	4,056,857	---	4,181,520	+124,663	+4,181,520
Tax law enforcement	4,363,539	---	4,541,466	+177,927	+4,541,466
Information systems	1,577,768	---	1,606,846	+29,078	+1,606,846
Subtotal	9,998,164	10,460,051	10,329,832	+331,668	-130,219
Business systems modernization	203,360	199,000	199,000	-4,360	---
Health Insurance Tax Credit Administration	34,562	20,210	20,210	-14,352	---
Total, Internal Revenue Service	10,236,086	10,679,261	10,549,042	+312,956	-130,219
Total, title II, Department of the Treasury	11,213,146	11,648,698	11,554,614	+341,468	-94,084
Appropriations	11,218,346	11,648,698	11,554,614	+336,268	-94,084
Rescissions	-5,200	---	---	+5,200	---

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE III - DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Public and Indian Housing					
Tenant-based Rental Assistance:					
Direct appropriation	10,599,520	11,645,194	11,331,400	+731,880	-313,794
Renewals	(13,355,285)	(14,089,756)	(14,089,756)	(+734,471)	---
Tenant protection vouchers	(161,696)	(354,081)	(165,700)	(+4,004)	(-188,381)
Family self-sufficiency coordinators	(45,632)	(55,000)	(45,000)	(-632)	(-10,000)
Administrative fees	(1,200,426)	(1,295,408)	(1,225,000)	(+24,574)	(-70,408)
Working capital fund	(2,881)	(5,949)	(5,900)	(+3,019)	(-49)
Additional rental subsidy	---	(45,000)	---	---	(-45,000)
Advance appropriations provided in previous acts	4,166,400	4,200,000	4,200,000	+33,600	---
Subtotal	14,765,920	15,845,194	15,531,400	+765,480	-313,794
Advance appropriations provided in current year	4,200,000	4,200,000	4,200,000	---	---
Total, Tenant-based rental assistance	18,965,920	20,045,194	19,731,400	+765,480	-313,794
Project-based rental assistance	5,298,272	5,072,100	5,088,300	-209,972	+16,200
Renewals	(5,195,203)	(4,923,100)	(4,940,100)	(-255,103)	(+17,000)
Contract administrators	(101,085)	(147,200)	(147,200)	(+46,115)	---
Working capital fund	(1,984)	(1,800)	(1,000)	(-984)	(-800)
Public housing:					
Capital fund	2,579,200	2,327,200	2,600,000	+20,800	+272,800
Operating fund	2,438,336	3,407,300	3,600,000	+1,161,664	+192,700
Revitalization of severely distressed public housing	142,848	---	---	-142,848	---
Native American housing block grants	621,984	582,600	600,000	-21,984	+17,400
Indian housing loan guarantee fund program account	4,960	2,645	2,645	-2,315	---
(Limitation on guaranteed loans)	(145,345)	(98,967)	(98,967)	(-46,378)	---
Native Hawaiian housing:					
Block grant	---	8,815	8,815	+8,815	---
Loan guarantee fund	992	882	882	-110	---
(Limitation on guaranteed loans)	(37,403)	(35,000)	(35,000)	(-2,403)	---
Total, Public and Indian Housing	30,052,512	31,446,736	31,632,042	+1,579,530	+185,306
Current year advance appropriations	4,200,000	4,200,000	4,200,000	---	---
Net Total (excluding current year advances)	25,852,512	27,246,736	27,432,042	+1,579,530	+185,306
Community Planning and Development					
Housing opportunities for persons with AIDS	281,728	268,000	285,000	+3,272	+17,000
Rural housing and economic development	23,808	---	10,000	-13,808	+10,000
Empowerment zones / enterprise communities	9,920	---	---	-9,920	---
Community development fund	4,671,328	---	4,151,500	-519,828	+4,151,500
Community development fund (sec. 424)	30,752	---	---	-30,752	---
Emergency appropriations (P.L.108-324)	150,000	---	---	-150,000	---
Section 108 loan guarantees:					
(Limitation on guaranteed loans)	(275,000)	---	---	(-275,000)	---
Credit subsidy	5,952	---	---	-5,952	---
Administrative expenses	992	---	---	-992	---
Brownfields redevelopment	23,808	---	---	-23,808	---
HOME investment partnerships program	1,899,680	1,941,000	1,900,000	+320	-41,000
Homeless assistance grants	1,240,511	1,440,000	1,340,000	+99,489	-100,000
Self-help homeownership opportunity program	---	30,000	60,800	+60,800	+30,800
Total, Community Planning and Development	8,338,479	3,679,000	7,747,300	-591,179	+4,068,300
Housing Programs					
Housing for the elderly	741,024	741,000	741,000	-24	---
Housing for persons with disabilities	238,080	119,900	238,100	+20	+118,200
Housing counseling assistance	---	39,700	---	---	-39,700

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Manufactured housing fees trust fund	12,896	13,000	12,896	---	-104
Offsetting collections	-12,896	-13,000	-12,896	---	+104
Rental housing assistance	---	26,400	26,400	+26,400	---
Total, Housing Programs	979,104	927,000	1,005,500	+26,396	+78,500
Federal Housing Administration					
FHA - Mutual mortgage insurance program account:					
(Limitation on guaranteed loans)	(185,000,000)	(185,000,000)	(185,000,000)	---	---
(Limitation on direct loans)	(50,000)	(50,000)	(50,000)	---	---
Administrative expenses	354,051	355,000	355,000	+949	---
Offsetting receipts	-2,234,000	-1,309,000	-1,309,000	+925,000	---
Offsetting receipts (legislative proposal)	---	18,000	---	---	-18,000
Administrative contract expenses	77,376	62,600	62,600	-14,776	---
Additional contract expenses	992	1,000	1,000	+8	---
FHA - General and special risk program account:					
(Limitation on guaranteed loans)	(35,000,000)	(35,000,000)	(35,000,000)	---	---
(Limitation on direct loans)	(50,000)	(50,000)	(50,000)	---	---
Administrative expenses	225,945	231,400	231,400	+5,455	---
Offsetting receipts	-248,000	-300,000	-339,000	-91,000	-39,000
Credit subsidy	9,920	8,800	8,800	-1,120	---
Non-overhead administrative expenses	85,312	71,900	71,900	-13,412	---
Additional contract expenses	3,968	4,000	4,000	+32	---
Total, Federal Housing Administration	-1,724,436	-856,300	-913,300	+811,136	-57,000
Government National Mortgage Association (GNMA)					
Guarantees of mortgage-backed securities loan guarantee program account:					
(Limitation on guaranteed loans)	(200,000,000)	(200,000,000)	(200,000,000)	---	---
Administrative expenses	10,609	11,360	10,700	+91	-660
Offsetting receipts	-368,000	-368,000	-368,000	---	---
Total, Gov't National Mortgage Association	-357,391	-356,640	-357,300	+91	-660
Policy Development and Research					
Research and technology	45,136	69,738	60,600	+15,464	-9,138
Fair Housing and Equal Opportunity					
Fair housing activities	46,128	38,800	38,800	-7,328	---
Office of Lead Hazard Control					
Lead hazard reduction	166,656	119,000	119,000	-47,656	---
Management and Administration					
Salaries and expenses	542,819	579,000	579,000	+36,181	---
Transfer from:					
Limitation on FHA corporate funds	(560,673)	(562,400)	(562,400)	(+1,727)	---
GNMA	(10,695)	(10,695)	(10,700)	(+5)	(+5)
Community Development Loan Guarantees Program	(1,000)	---	---	(-1,000)	---
Native American Housing Block Grants	(150)	(146)	(150)	---	(+4)
Indian Housing Loan Guarantee Fund Program	(250)	(244)	(250)	---	(+6)
Native Hawaiian Housing Loan Guarantees	(35)	(34)	(35)	---	(+1)
Subtotal	(1,115,622)	(1,152,519)	(1,152,535)	(+36,913)	(+16)
Working capital fund	267,840	265,000	165,000	-102,840	-100,000
Office of Inspector General	79,360	79,000	79,000	-360	---
(By transfer, limitation on FHA corporate funds)	(24,000)	(24,000)	(24,000)	---	---
Subtotal	(103,360)	(103,000)	(103,000)	(-360)	---

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Federal Housing Enterprise Oversight	58,735	60,000	60,000	+1,265	---
Offsetting receipts	-58,735	-60,000	-60,000	-1,265	---
Total, Management and Administration	890,019	923,000	823,000	-67,019	-100,000
Rescissions:					
Housing certificate fund	-1,557,000	-2,500,000	-2,493,600	-936,600	+6,400
Public housing elimination grants	-5,000	---	---	+5,000	---
Revitalization of severely distressed public housing	---	-142,848	---	---	+142,848
Title VI credit subsidy	-21,000	---	---	+21,000	---
Indian housing credit subsidy	-33,000	---	---	+33,000	---
Rental housing assistance	-675,000	---	---	+675,000	---
GI/SRI credit subsidy	-30,000	---	---	+30,000	---
Subtotal	-2,321,000	-2,642,848	-2,493,600	-172,600	+149,248
Total, title III, Department of Housing and Urban Development	36,115,207	33,347,486	37,662,042	+1,546,835	+4,314,556
Current year advance appropriations	4,200,000	4,200,000	4,200,000	---	---
Net total, excluding current year advance	31,915,207	29,147,486	33,462,042	+1,546,835	+4,314,556
Appropriations	(32,841,438)	(29,622,334)	(33,844,538)	(+1,003,100)	(+4,222,204)
Rescissions	(-2,321,000)	(-2,642,848)	(-2,493,600)	(-172,600)	(+149,248)
Emergency appropriations	(150,000)	---	---	(-150,000)	---
Offsetting receipts	(-2,862,896)	(-1,972,000)	(-2,028,896)	(+834,000)	(-56,896)
Offsetting collections	(-58,735)	(-60,000)	(-60,000)	(-1,265)	---
Previously enacted advances	(4,166,400)	(4,200,000)	(4,200,000)	(+33,600)	---
(Limitation on direct loans)	(100,000)	(100,000)	(100,000)	---	---
(Limitation on guaranteed loans)	(420,457,748)	(420,133,967)	(420,133,967)	(-323,781)	---
(Limitation on corporate funds)	(596,803)	(597,519)	(597,535)	(+732)	(+16)
TITLE IV - THE JUDICIARY					
Supreme Court of the United States					
Salaries and expenses:					
Salaries of justices	1,985	2,000	2,000	+15	---
Other salaries and expenses	55,387	58,730	58,730	+3,343	---
Subtotal	57,372	60,730	60,730	+3,358	---
Care of the building and grounds	9,846	5,624	5,624	-4,222	---
Total, Supreme Court of the United States	67,218	66,354	66,354	-864	---
United States Court of Appeals for the Federal Circuit					
Salaries and expenses:					
Salaries of judges	2,257	2,000	2,000	-257	---
Other salaries and expenses	19,263	24,462	22,613	+3,350	-1,849
Total, US Court of Appeals for the Fed Circuit	21,520	26,462	24,613	+3,093	-1,849
United States Court of International Trade					
Salaries and expenses:					
Salaries of judges	1,757	2,000	2,000	+243	---
Other salaries and expenses	12,956	13,480	13,480	+524	---
Total, US Court of International Trade	14,713	15,480	15,480	+767	---

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and expenses:					
Salaries of judges and bankruptcy judges	289,877	305,145	301,000	+11,123	-4,145
Judges COLA	---	5,000	---	---	-5,000
Other salaries and expenses	3,835,444	4,172,744	4,047,780	+212,336	-124,964
Subtotal, Salaries and expenses	4,125,321	4,482,889	4,348,780	+223,459	-134,109
Vaccine Injury Compensation Trust Fund	3,254	3,833	3,833	+579	---
Defender services	667,351	768,064	721,919	+54,568	-46,145
Fees of jurors and commissioners	60,713	71,318	60,053	-660	-11,265
Court security	327,565	390,316	379,461	+51,896	-10,855
Total, Courts of Appeals, District Courts, and Other Judicial Services	5,184,204	5,716,420	5,514,046	+329,842	-202,374
Administrative Office of the United States Courts					
Salaries and expenses	67,289	72,198	70,262	+2,973	-1,936
Federal Judicial Center					
Salaries and expenses	21,447	22,876	22,249	+802	-627
Judicial Retirement Funds					
Payment to judiciary trust funds	36,700	40,600	40,600	+3,900	---
United States Sentencing Commission					
Salaries and expenses	13,126	14,700	14,046	+920	-654
Total, title IV, the Judiciary	5,426,217	5,975,090	5,767,650	+341,433	-207,440
Mandatory appropriations	332,576	351,745	347,600	+15,024	-4,145
Discretionary appropriations	5,093,641	5,623,345	5,420,050	+326,409	-203,295
TITLE V - DISTRICT OF COLUMBIA					
FEDERAL FUNDS					
Federal payment for Resident Tuition Support	25,395	33,200	33,200	+7,805	---
Federal payment for Emergency Planning and Security Costs in the District of Columbia	14,880	15,000	15,000	+120	---
Federal payment to the District of Columbia Courts	189,274	221,693	221,693	+32,419	---
Defender Services in District of Columbia Courts	38,192	45,000	45,000	+6,808	---
Federal payment to the Court Services and Offender Supervision Agency for the District of Columbia	178,560	203,388	203,388	+24,828	---
Federal payment to the District of Columbia Water and Sewer Authority	4,762	---	10,000	+5,238	+10,000
Federal payment for the Anacostia Waterfront Initiative	2,976	5,000	5,000	+2,024	---
Federal payment to the Criminal Justice Coordinating Council	1,290	1,300	1,300	+10	---
Federal payment for the Unified Communications Center	5,952	---	---	-5,952	---
Federal payment for Public School Libraries	5,952	---	---	-5,952	---
Federal payment for the Family Literacy Program	992	---	---	-992	---
Federal payment for Transportation Assistance	2,480	---	---	-2,480	---
Federal payment for Foster Care Improvements in the District of Columbia	4,960	---	---	-4,960	---
Federal payment to the Office of the Chief Financial Officer of the District of Columbia	32,240	---	20,000	-12,240	+20,000
Federal payment for School Improvement	39,680	41,616	41,616	+1,936	---
Federal payment for Bioterrorism and Forensics Labs	7,936	7,200	7,200	-736	---
Total, Title V, District of Columbia	555,521	573,397	603,397	+47,876	+30,000

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE VI - EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT					
The White House					
Salaries and expenses	---	183,271	---	---	-183,271
Compensation of the President and the White House Office:					
Compensation of the President	450	---	450	---	+450
Salaries and expenses	61,504	---	53,080	-8,424	+53,080
Executive Residence at the White House:					
Operating expenses	12,658	---	12,436	-222	+12,436
White House repair and restoration	1,885	---	1,700	-185	+1,700
Council of Economic Advisers	4,008	---	4,040	+32	+4,040
Office of Policy Development	2,282	---	3,500	+1,218	+3,500
National Security Council	8,861	---	8,705	-156	+8,705
Privacy and Civil Liberties Board	---	---	750	+750	+750
Office of Administration	91,531	---	89,322	-2,209	+89,322
Total, The White House	183,179	183,271	173,983	-9,196	-9,288
Office of Management and Budget	67,864	68,411	76,930	+9,066	+8,519
Office of National Drug Control Policy:					
Salaries and expenses	26,784	24,224	26,908	+124	+2,684
Counterdrug Technology Assessment Center	41,664	30,000	30,000	-11,664	---
Total, Office of National Drug Control Policy	68,448	54,224	56,908	-11,540	+2,684
High intensity drug trafficking areas program	226,523	---	227,000	+477	+227,000
Other Federal drug control programs	211,990	213,300	213,292	+1,302	-8
Unanticipated needs	992	1,000	1,000	+8	---
Emergency appropriations (P.L. 108-324)	70,000	---	---	-70,000	---
Special Assistance to the President	4,534	4,455	4,455	-79	---
Official Residence of the Vice President: Operating expenses	330	325	325	-5	---
Total, title VI, Executive Office of the President and Funds Appropriated to the President	833,860	524,986	753,893	-79,967	+228,907
Appropriations	(763,860)	(524,986)	(753,893)	(-9,967)	(+228,907)
Emergency appropriations	(70,000)	---	---	(-70,000)	---
TITLE VII - INDEPENDENT AGENCIES					
Architectural and Transportation Barriers Compliance Board	5,641	5,941	5,941	+300	---
Consumer Product Safety Commission	62,149	62,499	62,449	+300	-50
Election Assistance Commission	13,888	17,612	15,877	+1,989	-1,735
Federal Deposit Insurance Corporation: Office of Inspector General (transfer)	(29,884)	(29,965)	(29,965)	(+81)	---
Federal Election Commission	51,742	54,600	54,700	+2,958	+100
Federal Labor Relations Authority	25,468	25,468	25,468	---	---
Rescission	-3,000	---	---	+3,000	---
Federal Maritime Commission	19,340	20,499	20,499	+1,159	---
General Services Administration					
Federal Buildings Fund:					
Limitations on availability of revenue:					
Construction and acquisition of facilities	(708,542)	(708,106)	(708,106)	(-436)	---
Repairs and alterations	(980,222)	(961,376)	(961,376)	(-18,846)	---
Installment acquisition payments	(161,442)	(168,180)	(168,180)	(+6,738)	---
Rental of space	(3,657,315)	(4,046,031)	(4,046,031)	(+388,716)	---
Building operations	(1,709,522)	(1,885,102)	(1,885,102)	(+175,580)	---
Subtotal	7,217,043	7,768,795	7,768,795	+551,752	---
Repayment of debt	(41,000)	(40,000)	(40,000)	(-1,000)	---

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Government-wide policy	61,603	52,796	52,796	-8,807	---
Operating expenses	91,438	99,890	99,890	+8,452	---
Office of Inspector General	42,012	43,410	43,410	+1,398	---
Electronic Government Fund	2,976	5,000	3,000	+24	-2,000
Allowances and Office Staff for Former Presidents	3,081	2,952	2,952	-129	---
Federal Buildings Fund (rescission)	-106,000	---	---	+106,000	---
Federal Citizen Information Center Fund	14,788	15,030	15,030	+242	---
Total, General Services Administration	109,898	219,078	217,078	+107,180	-2,000
Merit Systems Protection Board					
Salaries and expenses	34,400	34,400	35,600	+1,200	+1,200
Limitation on administrative expenses	2,605	2,605	2,605	---	---
Total, Merit Systems Protection Board	37,005	37,005	38,205	+1,200	+1,200
Morris K. Udall Foundation					
Morris K. Udall Trust Fund	1,980	---	2,000	+20	+2,000
Environmental Dispute Resolution Fund	1,299	700	1,900	+601	+1,200
Total, Morris K. Udall Foundation	3,279	700	3,900	+621	+3,200
National Archives and Records Administration					
Operating expenses	264,809	280,975	283,975	+19,166	+3,000
Electronic records archive	35,627	35,914	35,914	+287	---
Reduction of debt	-7,810	-8,488	-8,488	-678	---
Repairs and restoration	13,325	6,182	6,182	-7,143	---
National Historical Publications and Records Commission: Grants program	4,960	---	7,500	+2,540	+7,500
Total, National Archives and Records Admin	310,911	314,583	325,083	+14,172	+10,500
National Credit Union Administration:					
Central liquidity facility:					
(Limitation on direct loans)	(1,500,000)	(1,500,000)	(1,500,000)	---	---
(Limitation on admin expenses, corporate funds)	(310)	(323)	(323)	(+13)	---
Community development revolving loan fund	992	950	950	-42	---
National Transportation Safety Board:					
Salaries and expenses	76,086	76,700	76,700	+614	---
Rescission of unobligated balances	-8,000	-1,000	-1,000	+7,000	---
Neighborhood Reinvestment Corporation	114,080	118,000	118,000	+3,920	---
Office of Government Ethics	11,148	11,148	11,148	---	---
Office of Personnel Management					
Salaries and expenses	124,496	124,521	119,952	-4,544	-4,569
Limitation on administrative expenses	127,434	100,017	102,679	-24,755	+2,662
Office of Inspector General	1,614	1,614	1,614	---	---
Limitation on administrative expenses	16,329	16,329	16,786	+457	+457
Govt Payment for Annuitants, Employees Health Benefits	8,135,000	8,393,000	8,393,000	+258,000	---
Govt Payment for Annuitants, Employee Life Insurance	35,000	36,000	36,000	+1,000	---
Payment to Civil Svc Retirement and Disability Fund	9,772,000	10,072,000	10,072,000	+300,000	---
Total, Office of Personnel Management	18,211,873	18,743,481	18,742,031	+530,158	-1,450
Office of Special Counsel	15,325	15,325	15,325	---	---
Selective Service System	26,090	25,650	24,000	-2,090	-1,650
United States Interagency Council on Homelessness	1,499	1,800	1,499	---	-301
United States Postal Service					
Payment to the Postal Service Fund	28,768	---	43,350	+14,582	+43,350
Advance appropriation provided in previous acts	36,229	61,709	61,709	+25,480	---
Subtotal, FY2006 funding	64,997	61,709	105,059	+40,062	+43,350

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES, FY 2006 (H.R. 3058)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Advance appropriation provided in current year	61,709	87,350	73,000	+11,291	-14,350
Emergency preparedness	496,000	---	---	-496,000	---
Mail irradiation facility (emergency)	6,944	---	---	-6,944	---
Total, United States Postal Service	629,650	149,059	178,059	-451,591	+29,000
United States Tax Court	40,851	48,998	48,998	+8,147	---
Total, title VII, Independent Agencies	19,755,915	19,948,096	19,984,910	+228,995	+36,814
Appropriations	(19,768,033)	(19,800,037)	(19,851,201)	(+83,168)	(+51,164)
Emergency appropriations	(6,944)	---	---	(-6,944)	---
Rescissions	(-117,000)	(-1,000)	(-1,000)	(+116,000)	---
Advance appropriation provided in previous act	(36,229)	(61,709)	(61,709)	(+25,480)	---
Advance appropriation provided in current year	(61,709)	(87,350)	(73,000)	(+11,291)	(-14,350)
(By transfer)	(29,884)	(29,965)	(29,965)	(+81)	---
(Limitation on direct loans)	(1,500,000)	(1,500,000)	(1,500,000)	---	---
(Limitation on corporate funds)	(310)	(323)	(323)	(+13)	---
Title VIII - General Provisions, This Bill					
HHS info match- new hires	-125,000	---	---	+125,000	---
Total, General provisions, This Bill	-125,000	---	---	+125,000	---
Grand total (net)	87,431,033	83,889,540	90,118,050	+2,687,017	+6,228,510
Appropriations	(84,752,146)	(81,764,729)	(86,637,908)	(+1,885,762)	(+4,873,179)
Emergency appropriations	(1,459,044)	---	---	(-1,459,044)	---
Offsetting collections	(-2,862,896)	(-1,972,000)	(-2,028,896)	(+834,000)	(-56,896)
Rescissions	(-2,682,179)	(-2,718,248)	(-2,496,671)	(+185,508)	(+221,577)
Rescission of contract authority	(-1,640,685)	(-1,674,000)	(-469,000)	(+1,171,685)	(+1,205,000)
Negative subsidy receipts	-58,735	-60,000	-60,000	-1,265	---
Advance appropriation provided in previous act	(4,202,629)	(4,261,709)	(4,261,709)	(+59,080)	---
Advance appropriation provided in current year	(4,261,709)	(4,287,350)	(4,273,000)	(+11,291)	(-14,350)
(Limitation on obligations)	(45,329,166)	(45,686,067)	(48,227,800)	(+2,898,634)	(+2,541,733)
(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
(By transfer)	(186,656)	(29,965)	(29,965)	(-156,691)	---
(Transfer out)	(-156,127)	---	---	(+156,127)	---
Net total budgetary resources	(133,499,199)	(130,314,607)	(139,084,850)	(+5,585,651)	(+8,770,243)
Discretionary total	68,199,215	65,035,795	69,995,700	+1,796,485	+4,959,905

Mr. LOBIONDO. Mr. Chairman, I rise to make my colleagues aware of the failure of this bill to provide funding for a critically important economic development program. The Round II Empowerment Zone initiative provides Federal assistance to support the comprehensive revitalization of designated communities across the country. It is a 10-year program that targets Federal grants to distressed communities for social services and community redevelopment and provides tax and regulatory relief to attract and retain businesses.

In my district, the Cumberland County Empowerment Zone is a successful collaborative revitalization effort among the communities of Bridgeton, Millville, Vineland and Port Norris. Cumberland has committed nearly 100 percent of the $25 million that has been made available by HUD so far. Over 1,400 jobs have been created to date and over 166 housing units have been renovated, rehabilitated, constructed or purchased in EZ neighborhoods. Cumberland County has funded over 120 initiatives through the EZ program and has established a $4 million loan pool available to be reinvested back into the targeted communities. These projects are estimated to leverage a total of over $238 million in private, public and tax exempt bond financing. Put plainly, the Cumberland EZ has leveraged nearly $12 in private investment for every $1 of public funding, a remarkable achievement that demonstrates the success and promise of the Zone.

While I am very proud of the accomplishments of the Cumberland EZ, I recognize the reluctance of the subcommittee to provide funding for the program. As the subcommittee has noted before, the IG, and HUD itself, have found too many of the other Zones have had problems spending grant funds, accounting for expenditures and spending funds consistent with their strategic plans. I further recognize the reluctance of the subcommittee to continue to provide funds for the program when the Senate has sought to eliminate this program for the past 2 years.

While I main tremendously disappointed this bill fails to fund the Round II Empowerment Zone program, I will reluctantly vote for it. I do so with the hope that the Senate will find funding for this program, and that if that should happen, I will have the opportunity to work the subcommittee to restore funding for this critical program.

Mr. ANDREWS. Mr. Chairman, as we consider the FY06 Transportation, Treasury, HOD, Judiciary, and District of Columbia Appropriations Act today, I would like to take this opportunity to express my opposition to the proposed Runway 17–35 expansion at the Philadelphia International Airport. Over the past several months, I have strongly urged the FAA to investigate and pursue the construction of a new parallel runway, rather than continuing with its endorsement of Build Alternative 1, which is an ineffective use of taxpayer dollars.

The information presented in the final Environmental Impact Statement, EIS, indicates that there will be minimal gains in airport efficiency with the extension of Runway 17–35. The projected average delay per operation in 2007 is 15.3 minutes under the No-Action Alternative. The EIS indicated that Alternative 1 would cost the taxpayers approximately $36 million, yet would only result in an 84-second delay reduction. While this alternative purports a slightly greater reduction in the 2015 projected delays, the EIS indicated only a 6.5-minute delay reduction, which is less than the 7.5-minute delay reduction that was projected in the Draft EIS, DEIS. I think it would be a much better use of taxpayer funds to evaluate the potential installation of a new parallel runway rather than extending Runway 17–35; it makes no sense to spend $36 million with no real ensuing benefits. The FAA still has not released the underlying data used to calculate projected delay reductions.

It greatly concerns me that the FAA has indicated that it does not have data indicating what percentage of delays at the Philadelphia International Airport are a direct result of airport runway problems, as opposed to other causes. Common sense would indicate that this information is necessary in order to determine that the proposed runway extension would be effective in increasing airport efficiency, particularly when the projected delay reduction achieved by this project was decreased by more than 13 percent between the time the DEIS was issued on October 15, 2004, and the issuance of the EIS on March 11, 2005.

The Record of Decision, ROD, indicates that Alternative 1 will have no significant noise impacts on the surrounding communities, which defies logic. The proposed runway extension would allow more and larger aircraft to utilize the runway, and common sense dictates that this would result in a substantial appreciation in noise levels for the southern New Jersey communities within the flight paths and directly across the Delaware River from the Philadelphia International Airport.

Again, I strongly urge the FAA to explore a parallel runway option so that all interested parties can evaluate the relevant facts and form a judgment on the potential benefit a new parallel runway would have to the entire Philadelphia region.

Mr. BLUMENAUER. Mr. Chairman, I was heartened by the way Members from both sides of the aisle worked together to produce an appropriations bill that truly reflects the will of Congress. While initially deeply flawed, the House was able to work together and pass amendments that restore funding to essential transportation and housing programs.

I was particularly pleased by the passage of an amendment offered by Representatives LATOURETTE and OBERSTAR that restored Amtrak funding to approximately $1.2 billion. Public support of transportation modes is both necessary and desirable. Our past investments have made our country stronger and more secure.

I was also happy to see the passage of amendments that restored funding to important housing programs that aid in community and economic development and provide housing opportunities for the least well off in our society. I was particularly pleased to see the restoration of HOPE VI funding. A 2001 HOPE VI revitalization grant is enabling the Housing Authority of Portland to revitalize Columbia Villa, a dilapidated World War II era housing cluster, into a vibrant, mixed use, mixed income neighborhood, improving the livability of the surrounding region.

I am hopeful that the improvements that were adopted by the House during floor consideration of the bill will be preserved throughout the appropriations process and will not be swept under the rug during conference committee.

Mr. STARK. Mr. Chairman, I rise against H.R. 3058, the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006, because it shortchanges critical needs of the most vulnerable Americans while continuing to make room for tax breaks for millionaires and our unwinnable quagmire in Iraq.

This bill eliminates funding for the Housing and Urban Development Brownfields program and Youthbuild. It cuts funding for the successful HOPE VI public housing redevelopment program by over $80 million and for Community Development grants by $250 million.

The Brownfields program helps cities redevelop abandoned and underused industrial sites. Youthbuild allows unemployed young people aged 16 to 24 to work toward their high school diploma while building housing for low-income people and the homeless.

All of these programs could have been fully funded for $430 million more, or about the cost of 3 days of the Iraq occupation. I will not vote to deny a high school diploma to an underprivileged youth who's willing to build housing so that Halliburton can waste more than $1 billion, including charges for 10,000 meals never served, $152,000 in ''movie library costs,'' and $1.5 million for tailoring.

A Democratic colleague of mine wrote an amendment to reverse these cuts by reducing the 2006 tax break for individuals making more than $1 million by a mere $9,000. But the Republican majority would not even allow a vote on the issue. Perhaps a direct vote on their morally bankrupt priorities would have proved too uncomfortable.

Finally, this bill continues the Republican majority's pursuit of its right-wing social agenda against the citizens of the District of Columbia who have no voting representation in the Federal Government. The bill bars the District from using any Federal or local funds for needle exchange programs, which are proven effective in reducing the spread of HIV. It overturns the city's ban on handguns, blocks implementation of a medical marijuana program, prevents DC from forcing all insurers to offer full contraceptive coverage, and limits a woman's right to choose. Ironically, it also prevents the District Government from lobbying for voting representation so it can avoid suffering the social experiments of the modern day Pharisees.

While the bill could have been worse and funds some important programs, I cannot in good conscience support its misplaced priorities, and therefore I vote ''no.''

Ms. MCCOLLUM of Minnesota. Mr. Chairman, I rise today in opposition to the Republican Labor-HHS-Education appropriations bill. This legislation clearly illustrates the Republican party's values. The cuts to education, job training and health care in this bill are necessary because the majority's top priority is tax breaks for corporations and those making more than $1 million a year. This bill is the consequence of the irresponsible Republican budget resolution passed earlier this year, and the American people will pay the price.

This bill provides $1.6 billion less than the amount necessary to maintain current services and among its many mistakes, contains three major flaws: painful cuts in education, health

care, and job training. Republicans have cut No Child Left Behind and the Individuals with Disabilities Education Act, reducing funds for students and schools already struggling with Federal testing mandates. It slashes funding for health care training programs while we face a shortage of health care workers and the Preventive Health Block grant, which in Minnesota is used to address health care disparities. This bill cuts funding for job training, while we continue to have a faltering economy in which 7.6 million Americans are out of work.

The Republicans claim to have provided an increase for the National Institutes of Health, NIH. However, this paltry increase of 0.5 percent is far less than the NIH needs to keep up with current research costs. This disinvestment threatens future life-saving breakthroughs which have the possibility of improving the health of our country and saving limited health care dollars.

The Republican bill takes particular aim at the most vulnerable in our communities. Even with gas prices skyrocketing, this bill cuts funding for the Low Income Home Energy Assistance Program. It essentially freezes funding for Head Start and the Child Care Block Grant, and provides only a 1 percent increase for senior nutrition programs.

Our priority as members of Congress should be the well-being of American families. We are not prioritizing children when we decrease the ability of schools to provide a quality education for all. We Are not putting families first when we reduce the access to health care. And we are not on the side of the working men and women when we limit opportunities to provide for their families.

I support the Democratic alternative offered by Ranking Member OBEY. This amendment reflects the values of Minnesotans by investing in the American people's education, health and future. For example, the Democratic alternative would have increased funding for Pell grants to improve access to higher education, increased the Federal Government's contribution to special education, provided additional funding for reading and math for 1 million more students, funded community health centers and invested in biomedical research. My constituents know that our competitiveness, quality of life, and the health of our communities are at risk under the Republican plan. I will continue to fight to put families, and our future, first.

Ms. HERSETH. Mr. Chairman, I would like to express my extreme disappointment that the fiscal year 2006 Housing and Urban Development Appropriations bill again reduces Federal support for Native American housing. The current bill shrinks the Native American Housing Block Grant, NAHBG, from $622 million in 2005 to only $555 million in 2006. Earlier this year, I requested that funding for NAHBG be increased to $1 billion for fiscal year 2006.

Many tribal areas face severe housing shortages, leading to overcrowding and homelessness. On South Dakota's Pine Ridge Indian Reservation, it is not uncommon to find 25 individuals or more living in one housing unit. This problem is not localized to any one area and similar hardship can be found on reservations across the United States.

The historic underfunding of Native American housing programs has created a desperate need for housing in Indian Country. This year's HUD appropriations bill marks the second consecutive year of NAHBG decrease compounding the problem many tribes face in providing for the most basic housing needs of their members. Even level funding would have perpetuated the problem; but another decrease in Federal support is egregious and irresponsible.

The Federal Government has a responsibility to meet its obligations to tribal governments. It is unfortunate that when we should be responding to the serious housing needs in Indian country, the House has again cut funding for this most fundamental program.

I sincerely hope our colleagues in the Senate will be more responsive to the housing situation facing tribal leaders and members across the United States.

Mrs. TAUSCHER. Mr. Chairman, today the House debates funding important to all of our constituents who use our Nation's highways and transit systems, fly for business or pleasure, and who are concerned about the safety of our Nation's roadways.

Mr. Chairman, Americans are spending more time in traffic today than they ever have before. They're commuting hours to work, missing their children's soccer games, and losing their precious free time to traffic.

Commuters in my district in San Francisco's Bay Area are suffering in the second worst city in America for gridlock. They're losing a total of over $2 million in wasted fuel and several hours each week, away from their offices and their families.

This week, the House will have to take up an eighth temporary extension of highway transit and highway safety programs. I have said time and time again, Mr. Chairman, that we must get our work done on the highway bill if we are to ensure increased investment in our Nation's transportation infrastructure. And yet, time and time again, this Congress has delayed action on the legislation.

While I am disturbed by our inability to finish the highway bill, I am pleased that the House will today adopt an appropriations bill which will continue to ensure that, while limited, federal investment is available for our Nation's transportation infrastructure.

Mr. Chairman, this bill however, is far from perfect. Shockingly, the legislation came to the Floor of the House with a funding level which would all but assure the end of Amtrak service in this Nation as we know it. The end of Amtrak would be devastating to the continued operation of inter-city rail throughout California and especially the Capitol Corridor line along the I–80 corridor in Northern California.

In 2004, over one million commuters used the Capitol Corridor and directly benefited from the fixed-price operating agreement between Amtrak and the Capitol Corridor. Because of this agreement, the Capitol Corridor is able to stabilize operating costs and reinvest revenues above business plan projections—or any other cost savings—into service enhancements. Without Amtrak's existence, these savings which have been realized year after year, would no longer exist.

I am pleased that the House adopted an amendment to adequately fund Amtrak and I hope that this funding will ensure the continued success of the inter-city passenger rail service in my district and throughout our Nation.

Additionally, Mr. Chairman, I would like to voice my continued displeasure with the FAA's management of the Standard Terminal Automation Replacement (STARS) program.

As laid out in the latest Department of Transportation's Inspector General's report, the STARS program is 194% over-budget and delayed by seven years. A program which was first estimated to cost the FAA $940 million has ballooned to a whopping $2.7 billion. And yet, with ballooning costs, the FAA has failed to provide Congress with any analysis on the efficacy of continuing to move forward with the STARS program or how the agency plans on completing this program.

I was pleased to see that the House Report to H.R. 3058 echoes my concerns and I will continue to demand that the FAA provide Congress with a plan to address the overruns associated with the STARS program.

Mr. UDALL of Colorado. Mr. Chairman, I am disappointed in the way this bill has been considered.

Our colleague from Utah, Mr. MATHESON, wanted to offer an amendment that would have canceled the next scheduled cost-of-living increase in our salaries.

I would have voted for that amendment—but under the restrictive procedure under which the bill was considered, it could not even be offered.

In my opinion, it is a serious error for the Republican leadership to prevent the House from even debating and voting on that proposal—especially now, in wartime and a time of serious budget deficits caused by the recent recession, the costs of responding to terrorism and increasing homeland security, and the excessive and unbalanced tax cuts the Bush Administration has pushed through Congress.

That is why I voted to allow the amendment to be considered. Unfortunately, I was in the minority on that vote.

However, despite that, I think the bill itself, while far from perfect, is worth supporting.

The bill provides important resources to help support our Nation's infrastructure, community development, and courts. Examples of this include the $37.0 billion for federal highway programs and $8.5 billion for federal transit programs, which is an increase above the Fiscal Year 2005 allocation and the request made by the Bush Administration.

Further, thanks to adoption of several important amendments, the bill provides much more of the needed funding for Amtrak than the appropriations committee had originally allocated. This is important for Colorado, including many communities in my district as well as other parts of the state.

Additionally, I am pleased the legislation rejects the Bush Administration's "Strengthening America's Communities Initiative" that would consolidate a number of quality programs in Department of Housing and Urban Development (HUD) including the Community Development Block Grant (CDBG) which provide decent housing and expands economic opportunities to cities and towns throughout Colorado.

Of course, I do not agree with all its priorities included in the legislation. I supported a number of amendments to improve the legislation, and am glad that at least some were adopted, including an increase in the Section 8 Tenant-Based assistance.

I also voted against some amendments, for various reasons.

I voted against an amendment to block enforcement of part of a local law adopted by the District of Columbia City Council dealing with firearms.

I did so because I think its enactment would be an abuse of our authority as Members of Congress and would reduce the right of self-government for one group of Americans—those who reside in Washington, D.C.

It's true the Constitution gives Congress the power "to exercise exclusive legislation in all cases whatsoever" over the District of Columbia—even though the residents of the district are not fully represented in either the House of Representatives or the U.S. Senate. But Congress, through the Home Rule Act, has authorized the district's residents to elect a city council and mayor with immediate responsibility for governing the city.

I am convinced this was the right thing to do. I support home rule for Washington, D.C. because I think Americans who live in the district deserve to be able to govern themselves as much as possible consistent with the necessary functioning of the federal government. And this amendment flew in the face of that principle.

There is plenty of room to debate whether this D.C. law is good public policy, but I think that debate should not take place in Congress. The law the amendment would override was duly adopted by the elected government of the district and has not interfered with the orderly functioning of the federal government. So, in my opinion, decisions about retaining, amending, or repealing it should be made by the City Council, which is elected by and accountable to the people who are subject to it.

The effect of the amendment would be to substitute the judgment of Congress for that of the local elected government—in effect denying their constituents the right to govern themselves on this subject. We cannot—and we should not—do that to the residents of Colorado or any other state. I do not think we should do it to the people who live here in Washington, D.C. We may not think this local law is well-designed. But I think we should allow those covered by the law to decide that for themselves.

I also voted against an amendment to block funding to enforce a recent ruling of the U.S. Supreme Court dealing with the scope of a local government's authority to condemn private property.

I have serious concerns about that decision, but I voted against the amendment because I thought the amendment's approach was not an appropriate way to express those concerns.

If Members of Congress disagree with the Supreme Court's interpretation of a law or of the Constitution, that disagreement can be expressed in a resolution such as the one (H. Res. 340) dealing specifically with the eminent-domain decision. And if a Member thinks stronger action is required, he or she can seek to change the law or amend the Constitution.

But in the absence of such a change in the law or the Constitution, a court's decision—unless and until reversed—is settled law that must be respected, and Congress should not attempt to undermine it or attempt to use the power of the purse to influence the outcome of future cases.

Both those amendments were adopted, to my regret. I think the bill would have been better if they had been rejected. However, on balance, while the bill is not all that I had hoped for I think it deserves approval and I will vote for it.

Mr. KNOLLENBERG. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PUTNAM) having assumed the chair, Mr. MCHUGH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 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, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Pursuant to House Resolution 342, the previous question is ordered.

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

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

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

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

The vote was taken by electronic device, and there were—yeas 405, nays 18, not voting 10, as follows:

[Roll No. 358]

YEAS—405

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—18

Baldwin	Hefley	Otter
Carson	Jones (NC)	Paul
Conyers	Kind	Sensenbrenner
Cooper	Matheson	Stark
Flake	Miller (FL)	Tancredo
Franks (AZ)	Obey	Taylor (MS)

NOT VOTING—10

Boustany	McCrery	Schiff
Everett	Peterson (PA)	Waters
Harman	Rangel	
Kingston	Ross	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PUTNAM) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1902

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BOUSTANY. Mr. Speaker, on rollcall No. 358 I was inadvertently detained. Had I been present, I would have voted "yea."

SURFACE TRANSPORTATION EXTENSION ACT OF 2005, PART II

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure, the Committee on Science, and the Committee on Ways and Means be discharged from further consideration of the bill (H.R. 3104) to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

Mr. PETRI. Mr. Speaker, House and Senate negotiators are meeting daily and making great progress in trying to finalize a multi-year reauthorization bill. It is accurate to say that we are closer to completing a conference report than we have ever been in the past.

But these are complicated issues and as we work through all the difficult questions, we need additional time to complete policy issues and resolve the distribution of funds to the States. This is an intricate puzzle that must be put together to ensure all the moving pieces fit and work together in a coherent way.

I know Members may be impatient and I join them in that sentiment. But I can assure Members that we are meeting and working every day. We are trying to meet the overwhelming demands placed on this program and develop a conference report that can be passed by both bodies.

To that end, I urge support for H.R. 3104, which will extend our highway, transit and safety programs through July 19.

Ms. MILLENDER-McDONALD. Mr. Speaker, I rise to support the 19-day extension of the surface transportation bill. This is our ninth time extending our Nation's transportation bill. Our transportation bill is over 18 months, late.

Chairman YOUNG and Ranking Member OBERSTAR, I applaud your good faith efforts to complete negotiations on a balanced conference report by the July 4th recess. Unfortunately, it was not to be.

As Members of Congress, we will all have to answer to our constituents and businesses about the state of our transportation infrastructure when we return home tomorrow. The Fourth of July is one of the busiest travel holidays of the year and our transportation infrastructure will be put to the test, as it is everyday.

In parts of my district, Long Beach, California, as we celebrate the Fourth of July, under the colorful umbrella of our annual fireworks display when we look out over the Pacific Ocean, we will be reminded just how much we need this transportation bill.

Ships are lined up against the horizon of the California coastline because the congestion on our highways is impeding the movement of goods through our ports.

Chairman YOUNG and Ranking Member OBERSTAR, you have heard me say this before: 80 percent of the goods that come into this country from the Pacific Rim and upwards, of 45 percent of all containerized goods come through the ports of Long Beach and Los Angeles. Fifteen percent of our Nation's economy travels on the I–710 annually, which is a corridor of national significance and the lifeline of our national economy.

Our national and regional economy begins in Long Beach. We need this bill. We need to invest in our infrastructure and our economy. I look forward to completing this bill when we return from recess.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 3104

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 "Surface Transportation Extension Act of 2005, Part II".

SEC. 2. ADVANCES.

(a) IN GENERAL.—Section 2(a)(1) of the Surface Transportation Extension Act of 2004, Part V (23 U.S.C. 104 note; 118 Stat. 1144; 119 Stat. 324) is amended by striking "and the Surface Transportation Extension Act of 2005" and inserting ", the Surface Transportation Extension Act of 2005, and the Surface Transportation Extension Act of 2005, Part II".

(b) PROGRAMMATIC DISTRIBUTIONS.—

(1) SPECIAL RULES FOR MINIMUM GUARANTEE.—Section 2(b)(4) of such Act (119 Stat. 324) is amended by striking "$2,100,000,000" and inserting "$2,240,000,000".

(2) EXTENSION OF OFF-SYSTEM BRIDGE SETASIDE.—Section 144(g)(3) of title 23, United States Code, is amended by striking "June 30" inserting "July 19".

(c) AUTHORIZATION OF CONTRACT AUTHORITY.—Section 1101(l)(1) of the Transportation Equity Act for the 21st Century (118 Stat. 1145; 119 Stat. 324) is amended by striking "$25,521,678,000 for the period of October 1, 2004, through June 30, 2005" and inserting "$27,223,123,200 for the period of October 1, 2004, through July 19, 2005".

(d) LIMITATION ON OBLIGATIONS.—Section 2(e) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1146; 119 Stat. 324) is amended—

(1) in paragraph (1)—

(A) by striking "June 30" and inserting "July 19";

(B) by striking "and the Surface Transportation Extension Act of 2005" and inserting ", the Surface Transportation Extension Act of 2005, and the Surface Transportatioon Extension Act of 2005, Part II"; and

(C) by striking "9/12" and inserting "80 percent"; and

(2) in paragraph (2)—

(A) by striking "June 30, 2005, shall not exceed $26,025,000,000" and inserting "July 19, 2005, shall not exceed $27,760,000,000"; and

(B) by striking "$479,250,000" and inserting "$511,200,000"; and

(3) in paragraph (3) by striking "June 30" and inserting "July 19".

SEC. 3. ADMINISTRATIVE EXPENSES.

Section 4(a) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1147; 119 Stat. 325) is amended by striking "highway program" and all that follows through "2005" and inserting "highway program $281,619,200 for fiscal year 2005".

SEC. 4. OTHER FEDERAL-AID HIGHWAY PROGRAMS.

(a) AUTHORIZATION OF APPROPRIATIONS UNDER TITLE I OF TEA–21.—

(1) FEDERAL LANDS HIGHWAYS.—

(A) INDIAN RESERVATION ROADS.—Section 1101(a)(8)(A) of the Transportation Equity Act for the 21st Century (112 Stat. 112; 118 Stat. 1147; 119 Stat. 325) is amended—

(i) in the first sentence by striking "$206,250,000 for the period of October 1, 2004, through June 30, 2005" and inserting "$220,000,000 for the period of October 1, 2004, through July 19, 2005"; and

(ii) in the second sentence by striking "$9,750,000" and inserting "$10,400,000".

(B) PUBLIC LANDS HIGHWAYS.—Section 1101(a)(8)(B) of such Act (112 Stat. 112; 118 Stat. 1148; 119 Stat. 325) is amended by striking "$184,500,000 for the period of October 1, 2004, through June 30, 2005" and inserting "$196,800,000 for the period of October 1, 2004, through July 19, 2005".

(C) PARK ROADS AND PARKWAYS.—Section 1101(a)(8)(C) of such Act (112 Stat. 112; 118 Stat. 1148; 119 Stat. 325) is amended by striking "$123,750,000 for the period of October 1, 2004, through June 30, 2005" and inserting "$132,000,000 for the period of October 1, 2004, through July 19, 2005" .

(D) REFUGE ROADS.—Section 1101(a)(8)(D) of such Act (112 Stat. 112; 118 Stat. 1148; 119 Stat. 326) is amended by striking "$15,000,000 for the period of October 1, 2004, through June 30, 2005" and inserting "$16,000,000 for the period of October 1, 2004, through July 19, 2005".

(2) NATIONAL CORRIDOR PLANNING AND DEVELOPMENT AND COORDINATED BORDER INFRASTRUCTURE PROGRAMS.—Section 1101(a)(9) of such Act (112 Stat. 112; 118 Stat. 1148; 119 Stat. 326) is amended by striking "$105,000,000 for the period of October 1, 2004, through June 30, 2005" and inserting "$112,000,000 for the period of October 1, 2004, through July 19, 2005".

(3) CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.—

(A) IN GENERAL.—Section 1101(a)(10) of such Act (112 Stat. 113; 118 Stat. 1148; 119 Stat. 326) is amended by striking "$28,500,000 for the period of October 1, 2004, through June 30, 2005" and inserting "$30,400,000 for the period of October 1, 2004, through July 19, 2005".

(B) SET ASIDE FOR ALASKA, NEW JERSEY, AND WASHINGTON.—Section 5(a)(3)(B) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1148; 119 Stat. 326) is amended—

(i) in clause (i) by striking "$7,500,000" and inserting "$8,000,000";

(ii) in clause (ii) by striking "$3,750,000" and inserting "$4,000,000"; and

(iii) in clause (iii) by striking "$3,750,000" and inserting "$4,000,000".

(4) NATIONAL SCENIC BYWAYS PROGRAM.—Section 1101(a)(11) of the Transportation Equity Act for the 21st Century (112 Stat. 113; 118 Stat. 1148; 119 Stat. 326) is amended by striking ''$19,875,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$21,200,000 for the period of October 1, 2004, through July 19, 2005''.

(5) VALUE PRICING PILOT PROGRAM.—Section 1101(a)(12) of such Act (112 Stat. 113; 118 Stat. 1148; 119 Stat. 326) is amended by striking ''$8,250,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$8,800,000 for the period of October 1, 2004, through July 19, 2005''.

(6) HIGHWAY USE TAX EVASION PROJECTS.—Section 1101(a)(14) of such Act (112 Stat. 113; 118 Stat. 1148; 119 Stat. 326) is amended by striking ''$3,750,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$4,000,000 for the period of October 1, 2004, through July 19, 2005''.

(7) COMMONWEALTH OF PUERTO RICO HIGHWAY PROGRAM.—

(A) TECHNICAL CORRECTION.—Effective May 31, 2005, section 4(a)(7) of the Surface Transportation Extension Act of 2005 (119 Stat. 326) is amended by striking ''1101(a)(15)(A)'' and inserting ''1101(a)(15)''.

(B) INCREASED FUNDING.—Section 1101(a)(15) of the Transportation Equity Act for the 21st Century (112 Stat. 113; 118 Stat. 1149; 119 Stat. 326) is amended by striking ''$82,500,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$88,000,000 for the period of October 1, 2004, through July 19, 2005''.

(8) SAFETY GRANTS.—Section 1212(i)(1)(D) of such Act (23 U.S.C. 402 note; 112 Stat. 196; 112 Stat. 840; 118 Stat. 1149; 119 Stat. 326) is amended by striking ''$375,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$400,000 for the period of October 1, 2004, through July 19, 2005''.

(9) TRANSPORTATION AND COMMUNITY AND SYSTEM PRESERVATION PILOT PROGRAM.—Section 1221(e)(1) of such Act (23 U.S.C. 101 note; 112 Stat. 223; 118 Stat. 1149; 119 Stat. 327) is amended by striking ''$18,750,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$20,000,000 for the period of October 1, 2004, through July 19, 2005''.

(10) TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION.—Section 188 of title 23, United States Code, is amended—

(A) in subsection (a)(1) by striking subparagraph (G) and inserting the following:

''(G) $104,000,000 for the period of October 1, 2004, through July 19, 2005.'';

(B) in subsection (a)(2) by striking ''$1,500,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$1,600,000 for the period of October 1, 2004, through July 19, 2005''; and

(C) in the item relating to fiscal year 2005 in table contained in subsection (c) by striking ''$1,950,000,000'' and inserting ''$2,080,000,000''.

(11) NATIONAL SCENIC BYWAYS CLEARINGHOUSE.—Section 1215(b)(3) of the Transportation Equity Act for the 21st Century (112 Stat. 210; 118 Stat. 1149; 119 Stat. 327) is amended—

(A) by striking ''$1,125,000'' and inserting ''$1,200,000''; and

(B) by striking ''June 30'' and inserting ''July 19''.

(b) AUTHORIZATION OF APPROPRIATIONS UNDER TITLE V OF TEA–21.—

(1) SURFACE TRANSPORTATION RESEARCH.—Section 5001(a)(1) of the Transportation Equity Act for the 21st Century (112 Stat. 419; 118 Stat. 1149; 119 Stat. 327) is amended by striking ''$77,250,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$82,400,000 for the period of October 1, 2004, through July 19, 2005''.

(2) TECHNOLOGY DEPLOYMENT PROGRAM.—Section 5001(a)(2) of such Act (112 Stat. 419; 118 Stat. 1149; 119 Stat. 327) is amended by striking ''$37,500,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$40,000,000 for the period of October 1, 2004, through July 19, 2005''.

(3) TRAINING AND EDUCATION.—Section 5001(a)(3) of such Act (112 Stat. 420; 118 Stat. 1150; 119 Stat. 327) is amended by striking ''$15,000,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$16,000,000 for the period of October 1, 2004, through July 19, 2005''.

(4) BUREAU OF TRANSPORTATION STATISTICS.—Section 5001(a)(4) of such Act (112 Stat. 420; 118 Stat. 1150; 119 Stat. 327) is amended by striking ''$23,250,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$24,800,000 for the period of October 1, 2004, through July 19, 2005''.

(5) ITS STANDARDS, RESEARCH, OPERATIONAL TESTS, AND DEVELOPMENT.—Section 5001(a)(5) of such Act (112 Stat. 420; 118 Stat. 1150; 119 Stat. 327) is amended by striking ''$82,500,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$88,000,000 for the period of October 1, 2004, through July 19, 2005''.

(6) ITS DEPLOYMENT.—Section 5001(a)(6) of such Act (112 Stat. 420; 118 Stat. 1150; 119 Stat. 327) is amended by striking ''$91,500,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$97,600,000 for the period of October 1, 2004, through July 19, 2005''.

(7) UNIVERSITY TRANSPORTATION RESEARCH.—Section 5001(a)(7) of such Act (112 Stat. 420; 118 Stat. 1150; 119 Stat. 328) is amended by striking ''$19,875,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$21,200,000 for the period of October 1, 2004, through July 19, 2005''.

(c) METROPOLITAN PLANNING.—Section 5(c)(1) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1150; 119 Stat. 328) is amended by striking ''$163,125,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$174,000,000 for the period of October 1, 2004, through July 19, 2005''.

(d) TERRITORIES.—Section 1101(d)(1) of the Transportation Equity Act for the 21st Century (112 Stat. 111; 118 Stat. 1150; 119 Stat. 328) is amended by striking ''$27,300,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$29,120,000 for the period of October 1, 2004, through July 19, 2005''.

(e) ALASKA HIGHWAY.—Section 1101(e)(1) of such Act (118 Stat. 1150; 119 Stat. 328) is amended by striking ''$14,100,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$15,040,000 for the period of October 1, 2004, through July 19, 2005''.

(f) OPERATION LIFESAVER.—Section 1101(f)(1) of such Act (118 Stat. 1151; 119 Stat. 328) is amended by striking ''$375,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$400,000 for the period of October 1, 2004, through July 19, 2005''.

(g) BRIDGE DISCRETIONARY.—Section 1101(g)(1) of such Act (118 Stat. 1151; 119 Stat. 328) is amended—

(1) by striking ''$75,000,000'' and inserting ''$80,000,000''; and

(2) by striking ''June 30'' and inserting ''July 19''.

(h) INTERSTATE MAINTENANCE.—Section 1101(h)(1) of such Act (118 Stat. 1151; 119 Stat. 328) is amended—

(1) by striking ''$75,000,000'' and inserting ''$80,000,000''; and

(2) by striking ''June 30'' and inserting ''July 19''.

(i) RECREATIONAL TRAILS ADMINISTRATIVE COSTS.—Section 1101(i)(1) of such Act (118 Stat. 1151; 119 Stat. 328) is amended by striking ''$562,500 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$600,000 for the period of October 1, 2004, through July 19, 2005''.

(j) RAILWAY-HIGHWAY CROSSING HAZARD ELIMINATION IN HIGH SPEED RAIL CORRIDORS.—Section 1101(j)(1) of such Act (118 Stat. 1151; 119 Stat. 328) is amended—

(1) by striking ''$3,937,500'' and inserting ''$4,200,000'';

(2) by striking ''$187,500'' and inserting ''$200,000''; and

(3) by striking ''June 30'' each place it appears and inserting ''July 19''.

(k) NONDISCRIMINATION.—Section 1101(k) of such Act (118 Stat. 1151; 119 Stat. 328) is amended—

(1) in paragraph (1) by striking ''$7,500,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$8,000,000 for the period of October 1, 2004, through July 19, 2005''; and

(2) in paragraph (2) by striking ''$7,500,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$8,000,000 for the period of October 1, 2004, through July 19, 2005''.

(l) ADMINISTRATION OF FUNDS.—Section 5(l) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1151; 119 Stat. 329) is amended—

(1) by striking ''and section 4 of the Surface Transportation Extension Act of 2005'' and inserting '', section 4 of the Surface Transportation Extension Act of 2005, and section 4 of the Surface Transportation Extension Act of 2005, Part II''; and

(2) by striking ''the amendment made by subsection (a)(1) of this section or the amendment made by section 4(a)(1) of such Act'' and inserting ''the amendments made by subsection (a) of this section, section 4(a) of the Surface Transportation Extension Act of 2005, and section 4(a) of the Surface Transportation Extension Act of 2005, Part II''.

(m) REDUCTION OF ALLOCATED PROGRAMS.—Section 5(m) of such Act (118 Stat. 1151; 119 Stat. 329) is amended—

(1) by striking ''and section 4 of the Surface Transportation Extension Act of 2005'' and inserting '', section 4 of the Surface Transportation Extension Act of 2005, and section 4 of the Surface Transportation Extension Act of 2005, Part II'';

(2) by striking ''and by section 4 of such Act'' the first place it appears and inserting '', section 4 of the Surface Transportation Extension Act of 2005, and section 4 of the Surface Transportation Extension Act, Part II''; and

(3) by striking ''and by section 4 of such Act'' the second place it appears and inserting '', section 4 of the Surface Transportation Extension Act of 2005, and section 4 of the Surface Transportation Extension Act, Part II''.

(n) PROGRAM CATEGORY RECONCILIATION.—Section 5(n) of such Act (118 Stat. 1151; 119 Stat. 329) is amended by striking ''and section 4 of the Surface Transportation Extension Act of 2005'' and inserting '', section 4 of the Surface Transportation Extension Act of 2005, and section 4 of the Surface Transportation Extension Act, Part II''.

SEC. 5. EXTENSION OF HIGHWAY SAFETY PROGRAMS.

(a) CHAPTER 1 HIGHWAY SAFETY PROGRAMS.—

(1) SEAT BELT SAFETY INCENTIVE GRANTS.—Section 157(g)(1) of title 23, United States Code, is amended by striking ''$84,000,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$89,600,000 for the period of October 1, 2004, through July 19, 2005''.

(2) PREVENTION OF INTOXICATED DRIVER INCENTIVE GRANTS.—Section 163(e)(1) of such title is amended by striking ''$82,500,000 for

the period of October 1, 2004, through June 30, 2005'' and inserting ''$88,000,000 for the period of October 1, 2004, through July 19, 2005''.

(b) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Section 2009(a)(1) of the Transportation Equity Act for the 21st Century (112 Stat. 337; 118 Stat. 1152; 119 Stat. 329) is amended by striking ''$123,750,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$132,000,000 for the period of October 1, 2004, through July 19, 2005''.

(c) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 2009(a)(2) of such Act (112 Stat. 337; 118 Stat. 1152; 119 Stat. 329) is amended by striking ''$54,000,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$57,600,000 for the period of October 1, 2004, through July 19, 2005''.

(d) OCCUPANT PROTECTION INCENTIVE GRANTS.—Section 2009(a)(3) of such Act (112 Stat. 337; 118 Stat. 1152; 119 Stat. 329) is amended by striking ''$15,000,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$16,000,000 for the period of October 1, 2004, through July 19, 2005''.

(e) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES INCENTIVE GRANTS.—Section 2009(a)(4) of such Act (112 Stat. 337; 118 Stat. 1153; 119 Stat. 329) is amended by striking ''$30,000,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$32,000,000 for the period of October 1, 2004, through July 19, 2005''.

(f) NATIONAL DRIVER REGISTER.—

(1) FUNDING.—Section 2009(a)(6) of such Act (112 Stat. 338; 118 Stat. 1153; 119 Stat. 330) is amended by striking ''$2,700,000 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$2,880,000 for the period of October 1, 2004, through July 19, 2005''.

(2) CONTRACT AUTHORITY.—Funds made available by the amendments made by paragraph (1) and by section 5(f) of the Surface Transportation Extension Act of 2005 (119 Stat. 330) shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

SEC. 6. FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAM.

(a) ADMINISTRATIVE EXPENSES.—Section 7(a)(1) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1153; 119 Stat. 330) is amended by striking ''$192,631,044 for the period of October 1, 2004, through June 30, 2005'' and inserting ''$206,037,600 for the period of October 1, 2004, through July 19, 2005''.

(b) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Section 31104(a)(8) of title 49, United States Code, is amended to read as follows:

''(8) Not more than $135,200,000 for the period of October 1, 2004, through July 19, 2005.''.

(c) INFORMATION SYSTEMS AND COMMERCIAL DRIVER'S LICENSE GRANTS.—

(1) AUTHORIZATION OF APPROPRIATION.—Section 31107(a) of such title is amended by striking ''(5) $14,958,904 for the period of October 1, 2004, through June 30, 2005.'' and inserting the following:

''(6) $16,000,000 for the period of October 1, 2004, through July 19, 2005.''.

(2) EMERGENCY CDL GRANTS.—Section 7(c)(2) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1153; 119 Stat. 330) is amended—

(A) by striking ''June 30'' and inserting ''July 19''; and

(B) by striking ''$747,945'' and inserting ''$800,000''.

(d) CRASH CAUSATION STUDY.—Section 7(d) of such Act (118 Stat. 1154; 119 Stat. 330) is amended—

(1) by striking ''$747,945'' and inserting ''$800,000''; and

(2) by striking ''June 30'' and inserting ''July 19''.

SEC. 7. EXTENSION OF FEDERAL TRANSIT PROGRAMS.

(a) ALLOCATING AMOUNTS.—Section 5309(m) of title 49, United States Code, is amended—

(1) in the matter preceding subparagraph (A) of paragraph (1) by striking ''June 30, 2005'' and inserting ''July 19, 2005'';

(2) in paragraph (2)(B)(iii)—

(A) in the heading by striking ''JUNE 30, 2005'' and inserting ''JULY 19, 2005'';

(B) by striking ''$7,800,000'' and inserting ''$8,320,000''; and

(C) by striking ''June 30, 2005'' and inserting ''July 19, 2005'';

(3) in paragraph (3)(B)—

(A) by striking ''$2,250,000'' and inserting ''$2,400,000''; and

(B) by striking ''June 30, 2005'' and inserting ''July 19, 2005''; and

(4) in paragraph (3)(C)—

(A) by striking ''$37,500,000'' and inserting ''$40,000,000''; and

(B) by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(b) FORMULA GRANTS AUTHORIZATIONS.—Section 5338(a) of title 49, United States Code, is amended—

(1) in the heading to paragraph (2) by striking ''JUNE 30, 2005'' and inserting ''JULY 19, 2005'';

(2) in paragraph (2)(A)(vii)—

(A) by striking ''$2,545,785,000'' and inserting ''$2,675,300,000''; and

(B) by striking ''June 30, 2005'' and inserting ''July 19, 2005'';

(3) in paragraph (2)(B)(vii) by striking ''June 30, 2005'' and inserting ''July 19, 2005''; and

(4) in paragraph (2)(C) by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(c) FORMULA GRANT FUNDS.—Section 8(d) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1155; 119 Stat. 331) is amended—

(1) in the heading by striking ''JUNE 30, 2005'' and inserting ''JULY 19, 2005'';

(2) in the matter preceding paragraph (1) by striking ''June 30, 2005'' and inserting ''July 19, 2005'';

(3) in paragraph (1) by striking ''$3,637,462'' and inserting ''$3,879,960'';

(4) in paragraph (2) by striking ''$37,500,000'' and inserting ''$40,000,000'';

(5) in paragraph (3) by striking ''$73,197,001'' and inserting ''$76,231,201'';

(6) in paragraph (4) by striking ''$194,277,040'' and inserting ''$202,330,313'';

(7) in paragraph (5) by striking ''$5,212,500'' and inserting ''$5,560,000''; and

(8) in paragraph (6) by striking ''$2,782,400,997'' and inserting ''$2,897,738,526''.

(d) CAPITAL PROGRAM AUTHORIZATIONS.—Section 5338(b)(2) of title 49, United States Code, is amended—

(1) in the heading by striking ''JUNE 30, 2005'' and inserting ''JULY 19, 2005'';

(2) in subparagraph (A)(vii)—

(A) by striking ''$2,012,985,000'' and inserting ''$2,235,820,000''; and

(B) by striking ''June 30, 2005'' and inserting ''July 19, 2005''; and

(3) in subparagraph (B)(vii) by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(e) PLANNING AUTHORIZATIONS AND ALLOCATIONS.—Section 5338(c)(2) of title 49, United States Code, is amended—

(1) in the heading by striking ''JUNE 30, 2005'' and inserting ''JULY 19, 2005'';

(2) in subparagraph (A)(vii)—

(A) by striking ''$48,346,668'' and inserting ''$47,946,667''; and

(B) by striking ''June 30, 2005'' and inserting ''July 19, 2005''; and

(3) in subparagraph (B)(vii) by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(f) RESEARCH AUTHORIZATIONS.—Section 5338(d)(2) of title 49, United States Code, is amended—

(1) in the heading by striking ''JUNE 30, 2005'' and inserting ''JULY 19, 2005'' ;

(2) in subparagraph (A)(vii)—

(A) by striking ''$32,683,333'' and inserting ''$36,933,334''; and

(B) by striking ''June 30, 2005'' and inserting ''July 19, 2005'';

(3) in subparagraph (B)(vii) by striking ''June 30, 2005'' and inserting ''July 19, 2005''; and

(4) in subparagraph (C) by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(g) ALLOCATION OF RESEARCH FUNDS.—Section 8(h) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1156; 119 Stat. 332) is amended—

(1) in the heading by striking ''JUNE 30, 2005'' and inserting ''JULY 19, 2005'';

(2) in the matter preceding paragraph (1) by striking ''June 30, 2005'' and inserting ''July 19, 2005'';

(3) in paragraph (1) by striking ''$3,937,500'' and inserting ''$4,200,000'';

(4) in paragraph (2) by striking ''$6,187,500'' and inserting ''$6,600,000''; and

(5) in paragraph (3)—

(A) by striking ''$3,000,000'' and inserting ''$3,200,000''; and

(B) by striking ''$750,000'' and inserting ''$800,000''.

(h) UNIVERSITY TRANSPORTATION RESEARCH AUTHORIZATIONS.—Section 5338(e)(2) of title 49, United States Code, is amended—

(1) in the heading by striking ''JUNE 30, 2005'' and inserting ''JULY 19, 2005'';

(2) in subparagraph (A)—

(A) by striking ''$3,700,000'' and inserting ''$4,000,000''; and

(B) by striking ''June 30, 2005'' and inserting ''July 19, 2005'';

(3) in subparagraph (B) by striking ''June 30, 2005'' and inserting ''July 19, 2005''; and

(4) in subparagraphs (C)(i) and (C)(iii) by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(i) ALLOCATION OF UNIVERSITY TRANSPORTATION RESEARCH FUNDS.—

(1) IN GENERAL.—Section 8(j) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1157; 119 Stat. 332) is amended—

(A) in the matter preceding subparagraph (A) of paragraph (1) by striking ''June 30, 2005'' and inserting ''July 19, 2005'';

(B) in paragraph (1)(A) by striking ''$1,500,000'' and inserting ''$1,600,000'';

(C) in paragraph (1)(B) by striking ''$1,500,000'' and inserting ''$1,600,000''; and

(D) in paragraph (2) by striking ''June 30, 2005'' and inserting ''July 19, 2005'' .

(2) CONFORMING AMENDMENT.—Section 3015(d)(2) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5338 note; 112 Stat. 857; 118 Stat. 1157; 119 Stat. 332) is amended by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(j) ADMINISTRATION AUTHORIZATIONS.—Section 5338(f)(2) of title 49, United States Code, is amended—

(1) in the heading by striking ''JUNE 30, 2005'' and inserting ''JULY 19, 2005'' ;

(2) in subparagraph (A)(vii)—

(A) by striking ''$48,100,000'' and inserting ''$52,000,000''; and

(B) by striking ''June 30, 2005'' and inserting ''July 19, 2005''; and

(3) in subparagraph (B)(vii) by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(k) JOB ACCESS AND REVERSE COMMUTE PROGRAM.—Section 3037(1) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5309 note; 112 Stat. 391; 118 Stat. 1157; 119 Stat. 333) is amended—

(1) in paragraph (1)(A)(vii)—

(A) by striking ''$92,500,000'' and inserting ''$80,000,000''; and

(B) by striking ''June 30, 2005'' and inserting ''July 19, 2005'';

(2) in paragraph (1)(B)(vii) by striking ''June 30, 2005'' and inserting ''July 19, 2005''; and

(3) in paragraph (2) by striking ''June 30, 2005, not more than $7,500,000'' and inserting ''July 19, 2005, not more than $8,000,000''.

(l) RURAL TRANSPORTATION ACCESSIBILITY INCENTIVE PROGRAM.—Section 3038(g) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5310 note; 112 Stat. 393; 118 Stat. 1158; 119 Stat. 333) is amended—

(1) by striking paragraph (1)(G) and inserting after paragraph (1)(F) the following:

''(G) $4,200,000 for the period of October 1, 2004, through July 19, 2005.''; and

(2) in paragraph (2)—

(A) by striking ''$1,275,000'' and inserting ''$1,360,000''; and

(B) by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(m) URBANIZED AREA FORMULA GRANTS.—Section 5307(b)(2) of title 49, United States Code, is amended—

(1) in the heading by striking ''JUNE 30, 2005'' and inserting ''JULY 19, 2005''; and

(2) in subparagraph (A) by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(n) OBLIGATION CEILING.—Section 3040(7) of the Transportation Equity Act for the 21st Century (112 Stat. 394; 118 Stat. 1158; 119 Stat. 333) is amended—

(1) by striking ''$5,818,500,000'' and inserting ''$6,166,400,000''; and

(2) by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(o) FUEL CELL BUS AND BUS FACILITIES PROGRAM.—Section 3015(b) of the Transportation Equity Act for the 21st Century (112 Stat. 361; 118 Stat. 1158; 119 Stat. 333) is amended—

(1) by striking ''June 30, 2005'' and inserting ''July 19, 2005''; and

(2) by striking ''$3,637,500'' and inserting ''$3,880,000''.

(p) ADVANCED TECHNOLOGY PILOT PROJECT.—Section 3015(c)(2) of the Transportation Equity Act for the 21st Century (49 U.S.C. 322 note; 112 Stat. 361; 118 Stat. 1158; 119 Stat. 334) is amended—

(1) by striking ''June 30, 2005,'' and inserting ''July 19, 2005''; and

(2) by striking ''$3,750,000'' and inserting ''$4,000,000''.

(q) PROJECTS FOR NEW FIXED GUIDEWAY SYSTEMS AND EXTENSIONS TO EXISTING SYSTEMS.—Subsections (a), (b), and (c)(1) of section 3030 of the Transportation Equity Act for the 21st Century (112 Stat. 373; 118 Stat. 1158; 119 Stat. 334) are amended by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(r) NEW JERSEY URBAN CORE PROJECT.—Subparagraphs (A), (B), and (C) of section 3031(a)(3) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2122; 118 Stat. 1158; 119 Stat. 334) are amended by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

(s) LOCAL SHARE.—Section 3011(a) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5307 note; 118 Stat. 1158; 119 Stat. 334) is amended by striking ''June 30, 2005'' and inserting ''July 19, 2005''.

SEC. 8. SPORT FISHING AND BOATING SAFETY.

(a) FUNDING FOR NATIONAL OUTREACH AND COMMUNICATIONS PROGRAM.—Section 4(c) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(c)) is amended by striking ''(6) $7,499,997 for the period of October 1, 2004, through June 30, 2005;'' and inserting the following:

''(7) $8,000,000 for the period of October 1, 2004, through July 19, 2005;''.

(b) CLEAN VESSEL ACT FUNDING.—Section 4(b)(4) of such Act (16 U.S.C. 777c(b)(4)) is amended to read as follows:

''(4) FIRST 292 DAYS OF FISCAL YEAR 2005.—For the period of October 1, 2004, through July 19, 2005, of the balance of each annual appropriation remaining after making the distribution under subsection (a), an amount equal to $65,600,000, reduced by 82 percent of the amount appropriated for that fiscal year from the Boat Safety Account of the Aquatic Resources Trust Fund established by section 9504 of the Internal Revenue Code of 1986 to carry out the purposes of section 13106(a) of title 46, United States Code, shall be used as follows:

''(A) $8,000,000 shall be available to the Secretary of the Interior for 3 fiscal years for obligation for qualified projects under section 5604(c) of the Clean Vessel Act of 1992 (33 U.S.C. 1322 note).

''(B) $6,400,000 shall be available to the Secretary of the Interior for 3 fiscal years for obligation for qualified projects under section 7404(d) of the Sportfishing and Boating Safety Act of 1998 (16 U.S.C. 777g–1(d)).

''(C) The balance remaining after the application of subparagraphs (A) and (B) shall be transferred to the Secretary of Transportation and shall be expended for State recreational boating safety programs under section 13106 of title 46, United States Code.''.

(c) BOAT SAFETY FUNDS.—Section 13106(c) of title 46, United States Code, is amended—

(1) by striking ''$3,750,003'' and inserting ''$4,000,000''; and

(2) by striking ''$1,500,003'' and inserting ''$1,600,000''.

SEC. 9. EXTENSION OF AUTHORIZATION FOR USE OF TRUST FUNDS FOR OBLIGATIONS UNDER TEA–21.

(a) HIGHWAY TRUST FUND.—

(1) IN GENERAL.—Paragraph (1) of section 9503(c) of the Internal Revenue Code of 1986 is amended—

(A) in the matter before subparagraph (A), by striking ''July 1, 2005'' and inserting ''July 20, 2005'',

(B) by striking ''or'' at the end of subparagraph (K),

(C) by striking the period at the end of subparagraph (L) and inserting '', or'',

(D) by inserting after subparagraph (L) the following new subparagraph:

''(M) authorized to be paid out of the Highway Trust Fund under the Surface Transportation Extension Act of 2005, Part II.'', and

(E) in the matter after subparagraph (M), as added by this paragraph, by striking ''Surface Transportation Extension Act of 2005'' and inserting ''Surface Transportation Extension Act of 2005, Part II''.

(2) MASS TRANSIT ACCOUNT.—Paragraph (3) of section 9503(e) of such Code is amended—

(A) in the matter before subparagraph (A), by striking ''July 1, 2005'' and inserting ''July 20, 2005'',

(B) in subparagraph (I), by striking ''or'' at the end of such subparagraph,

(C) in subparagraph (J), by inserting ''or'' at the end of such subparagraph,

(D) by inserting after subparagraph (J) the following new subparagraph:

''(K) the Surface Transportation Extension Act of 2005, Part II,'', and

(E) in the matter after subparagraph (K), as added by this paragraph, by striking ''Surface Transportation Extension Act of 2005'' and inserting ''Surface Transportation Extension Act of 2005, Part II''.

(3) EXCEPTION TO LIMITATION ON TRANSFERS.—Subparagraph (B) of section 9503(b)(6) of such Code is amended by striking ''July 1, 2005'' and inserting ''July 20, 2005''.

(b) AQUATIC RESOURCES TRUST FUND.—

(1) SPORT FISH RESTORATION ACCOUNT.—Paragraph (2) of section 9504(b) of the Internal Revenue Code of 1986 is amended by striking ''Surface Transportation Extension Act of 2005'' each place it appears and inserting ''Surface Transportation Extension Act of 2005, Part II''.

(2) BOAT SAFETY ACCOUNT.—Subsection (c) of section 9504 of such Code is amended—

(A) by striking ''July 1, 2005'' and inserting ''July 20, 2005'', and

(B) by striking ''Surface Transportation Extension Act of 2005'' and inserting ''Surface Transportation Extension Act of 2005, Part II''.

(3) EXCEPTION TO LIMITATION ON TRANSFERS.—Paragraph (2) of section 9504(d) of such Code is amended by striking ''July 1, 2005'' and inserting ''July 20, 2005''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

(d) TEMPORARY RULE REGARDING ADJUSTMENTS.—During the period beginning on the date of the enactment of the Surface Transportation Extension Act of 2003 and ending on July 19, 2005, for purposes of making any estimate under section 9503(d) of the Internal Revenue Code of 1986 of receipts of the Highway Trust Fund, the Secretary of the Treasury shall treat—

(1) each expiring provision of paragraphs (1) through (4) of section 9503(b) of such Code which is related to appropriations or transfers to such Fund to have been extended through the end of the 24-month period referred to in section 9503(d)(1)(B) of such Code, and

(2) with respect to each tax imposed under the sections referred to in section 9503(b)(1) of such Code, the rate of such tax during the 24-month period referred to in section 9503(d)(1)(B) of such Code to be the same as the rate of such tax as in effect on the date of the enactment of the Surface Transportation Extension Act of 2003.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMITTING INDIVIDUALS CURRENTLY SERVING IN OFFICE OF COMPLIANCE TO SERVE ADDITIONAL TERM

Mr. NEY. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the bill (H.R. 3071) 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, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

Ms. MILLENDER-McDONALD. Mr. Speaker, I reserve the right to object, and I yield to the gentleman from Ohio (Mr. NEY) for an explanation of his request.

Mr. NEY. Mr. Speaker, I want to thank the gentlewoman, our ranking member from California, for yielding to me.

Mr. Speaker, I rise today in support of H.R. 3071, a resolution permitting the individuals currently serving as Executive Director, Deputy Executive Directors, and General Counsel of the Office of Compliance to serve one additional term. I support this initiative as

it was a recommendation contained in the February 2004 Government Accountability Office report on the Office of Compliance, which stated that allowing these individuals to serve for more time will increase the institutional continuity and therefore potentially the effectiveness of the organization.

I believe that this is a better serving of our institution and that the current executive staff who have the opportunity to serve an additional term so the Congress that way can evaluate and decide how best to move forward with the GAO's recommendation.

I appreciate the gentlewoman's work and her staff on this issue. Again, I think this will better serve us and the Office of Compliance and our constituents and the staff of the House.

Mr. Speaker, I rise today in support of H.R. 3071, a resolution permitting the individuals currently serving as Executive Director, Deputy Executive Directors, and General Counsel of the Office of Compliance to serve one additional term. A February 2004 Government Accountability Office report on the Office of Compliance, concluded that allowing these individuals to serve for longer than one term could increase the institutional continuity and potentially the effectiveness of the organization.

Though the statute originally limited staff to one term, the flexibility to have the executive staff serve for an additional term, may better serve the institution and we must have some way of evaluating the GAO's recommendation. Therefore the current executive staff will have the opportunity to serve one additional term. When their terms have expired the Congress can re-evaluate whether term limits serve the interests of the Office of Compliance and this institution.

Ms. MILLENDER-McDONALD. Mr. Speaker, I further reserve my right to object and thank the chairman for his explanation.

I do now join the chairman in support of his request to permit the incumbent Executive Director, the two Deputy Executive Directors, and the General Counsel of the Office of Compliance to serve second 5-year terms.

The Congress passed the Congressional Accountability Act of 1995 and created the Office of Compliance as a reform design to ensure that Congress must live under the same laws as everybody else. The Act limited the service of the office board of directors and of its senior staff to single 5-year terms. Last year, Congress unanimously passed legislation allowing the members of board to serve second 5-year terms.

This bill will allow the four incumbent senior staffers who must otherwise leave their posts later this year also for an additional 5 years. In a recent report requested by the House Committee on Appropriations, the Government Accountability Office concluded that this change would enhance the Compliance Office's business continuity. In recent testimony before the Senate appropriations legislative branch subcommittee, the board of directors requested such a change for that reason.

Mr. Speaker, I believe the changes make sense. I urge the House to support the bill.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 3071

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

SECTION 1. PERMITTING CURRENT EXECUTIVE DIRECTOR, DEPUTY EXECUTIVE DIRECTORS, AND GENERAL COUNSEL OF OFFICE OF COMPLIANCE TO SERVE ONE ADDITIONAL TERM.

(a) EXECUTIVE DIRECTOR.—Notwithstanding section 302(a)(3) of the Congressional Accountability Act of 1995 (2 U.S.C. 1382(a)(3)), the individual serving as Executive Director of the Office of Compliance as of the date of the enactment of this Act may serve one additional term.

(b) DEPUTY EXECUTIVE DIRECTORS.—Notwithstanding section 302(b)(2) of such Act (2 U.S.C. 1382(b)(2)), any individual serving as a Deputy Executive Director of the Office of Compliance as of the date of the enactment of this Act may serve one additional term.

(c) GENERAL COUNSEL.—Notwithstanding section 302(c)(5) of such Act (2 U.S.C. 1382(c)(5)), the individual serving as General Counsel of the Office of Compliance as of the date of the enactment of this Act may serve one additional term.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and 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 within which to revise and extend their remarks and include extraneous material on H.R. 3071.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. PUTNAM. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 345 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 345

Resolved, That it shall be in order at any time on the legislative day of Thursday, June 30, 2005, for the Speaker to entertain motions that the House suspend the rules. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this resolution.

SEC. 2. Upon the adoption of this resolution it shall be in order, any rule of the House to the contrary notwithstanding, to consider concurrent resolutions providing for adjournment of the House and Senate during the month of July.

The SPEAKER pro tempore. The gentleman from Florida (Mr. PUTNAM) is recognized for 1 hour.

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

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

Mr. PUTNAM. Mr. Speaker, House Resolution 345 provides that suspensions will be in order at any time on this legislative day. The resolution also provides that the Speaker or his designee shall consult with the minority leader, or her designee, on any suspension considered under the rule. Additionally, the rule provides that it shall be in order, any rule of the House to the contrary notwithstanding, to consider concurrent resolutions providing for adjournment of the House and Senate during the month of July.

Mr. Speaker, the leadership of this House set out a positive and aggressive legislative plan for this week on behalf of the American people. The goal of this plan has been to pass a number of bills that will allow for USAID to foreign nations, transportation and infrastructure improvements for our Nation, improved housing for those in need, and important funding for executive agencies and our judiciary along with the District of Columbia.

I want to particularly commend the gentleman from California (Mr. LEWIS) and his Committee on Appropriations and the staff for sticking to the time table that they laid out at the start of this session. As of today, the House has passed all 11 appropriations bills prior to the July 4 district work period. And I note that the ranking member of the Committee on Appropriations is also on the floor and we certainly appreciate the work that he and his committee members and staff have also put into that. It is a tremendous accomplishment that the House has completed its appropriations work prior to the July 4 work period.

We now await action from the Senate so that we may finish the appropriations process and avoid a cumbersome omnibus funding bill at the end of the year.

This week we have spirited debate, particularly on the previous two appropriations bills, the Foreign Operations appropriations bill and Transportation, Treasury, Housing and Urban Development appropriations bill.

I understand that Members on both sides of the aisle have differing viewpoints on how to address these issues, and we have had the opportunity to hear that spirited debate from both sides of the aisle on all of these issues. But some of this legislation that also needs to be considered this week has broad support among Members of both the majority and minority. In an attempt to make sure that this important work is completed by the end of this legislative week, we are here today

to pass a rule to provide a process for consideration of these bills under rules that would require them to pass by a two-thirds majority. This will allow us to consider items in a timely manner and ensure that last minute issues are resolved prior to adjournment for the Fourth of July work period.

This balanced rule provides the minority with the ability to consult with the Speaker on any suspension bill offered, ensuring that input and views are duly considered before any legislation considered under the rule is brought to the floor.

I am proud of the accomplishments of this House over the last weeks and months. I now ask my colleagues to support this rule so that we may continue the work of the American people in a timely fashion this evening. Completing consideration of these suspensions ensures that Congress may accomplish as much as possible before we return to work in our home States and districts and observe our Nation's birthday.

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Mr. Speaker, I encourage my colleagues on both sides of the aisle to support this balanced rule.

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

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

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

Ms. SLAUGHTER. Mr. Speaker, I thank my colleague, the gentleman the Florida (Mr. PUTNAM), for yielding me the customary 30 minutes.

Mr. Speaker, as the gentleman from Florida has explained, this rule would do two things. It would allow the House to consider legislation under suspension of the rules, and it would waive a provision in the Congressional Budget Act that prohibits the House from adjourning for more than 3 days unless it has completed consideration on reconciliation.

Mr. Speaker, in general, I think far too much of the legislation passed around here is done by suspension, a process that waives all House rules and prohibits all amendments, and even precludes a motion to recommit. Having that said, however, I must add that tonight is somewhat different.

I would ordinarily have more concern about allowing yet another day for considering legislation in this manner, but I do realize that in limited instances, it may be necessary to waive this rule in order to expedite legislation that is truly emergency in nature. It is evident today that two of the four items which are to be considered under suspension are indeed particularly urgent.

One is the temporary extension of the highway bill. Without this legislation, the highway programs will be shut down and significant layoffs will occur. I am hopeful, as I am sure many of my colleagues are as well, that this will be the last time that we will have to pass a short-term extension of this bill. The conferees must finish their work on the highway authorization bill quickly so we can begin building and repairing our Nation's decaying highways and infrastructure.

The other critical bill before us today is the emergency supplemental bill for veterans medical care. We Democrats attempted to address this emerging veterans crisis earlier this week when we advocated for the Edwards amendment and also in March when the gentlewoman from Oregon (Ms. HOOLEY) and the gentleman from Washington (Mr. BAIRD) brought in a resolution asking for an amendment to be approved by the Committee on Rules to include $1.3 billion more. They were turned down.

The Department of Veterans Affairs is being flooded with veterans from the wars in Iraq and Afghanistan, four times as many as had originally been budgeted for. Trying to help 103,000 of our brave men and women with a budget designed to assist just over 25,000 has produced a shortfall in the Veterans Department funds of more than $1 billion this year, a staggering sum.

The gentleman from Texas' (Mr. EDWARDS) amendment would have filled in a shameful gap between our Nation's professed support for its veterans and its actual action on their behalf; but, Mr. Speaker, the Republican majority in our House was not concerned with this chasm separating rhetoric from reality.

As I said, the Edwards amendment was voted down on a party-line vote. Not a single Republican voted for the necessary health care for our wounded veterans; and on the emergency supplemental bill, as I mentioned before, the Baird-Hooley amendment to provide $1.3 billion that was in March was not allowed by the Committee on Rules on a party-line vote.

This issue is not about Republicans or Democrats. It is about our soldiers. We have a patriotic duty to uphold our end of the bargain and properly care for the fighting men and women of this country.

This is a sacred bond of trust, a contract that the majority has violated; but my fellow Americans believe that refusing to care for our veterans after having voted to send them to war is the height of hypocrisy, and the public is outraged.

As a result, House Republicans have reversed course. They received the wake-up call. They have come back to the table so we can hammer out the funding we need to care for our troops, as we should have earlier this week and in March.

This is a pattern that has become all too familiar. The majority does something unpopular, the public gets incensed, and the majority backs off. It has happened over and over with the ethics crisis in the House. It happened with the recent Republican attempt to kill public broadcasting in America; and now less than 7 days later, they are at it again, having to fess up to the fact that their priorities are out of step with the American people, their values are out of the mainstream.

Have they had a change of heart regarding the issue before us? Perhaps, or perhaps they just do not want to go home to July 4th parades in their districts before they have dealt with the tangible and pressing need of the veterans they will be saluting.

Let me say I find it absolutely scandalous that the Veterans Administration failed to tell us of this shortfall.

Now, Mr. Speaker, while I give my friends on the right credit for admitting their error and working to fix it, I regret to report that their proposed solution is just not good enough.

They have proposed increasing veterans spending by $975 million, which is still $25 million short of what the Veterans Affairs Department says it needs just this year, and more than half a billion dollars short of what the Senate pledged yesterday. Their bill does nothing to address the issue of veterans funding in 2006, where we are told there will be another more than $1 billion deficit.

I hope and pray we do not have to have this embarrassing debate again next year and can instead solve this problem now. We should always remember, Mr. Speaker, that it is easy to make the right decision when the whole world is watching, but what defines our character is what we do when no one is watching.

The Members of the majority have repeatedly been coerced by popular pressure into doing what is right when all eyes are on them. Now, both I and my colleagues on the Democratic side implore them to do something more: to summon the courage and the wisdom to do what is right when the only eyes on them are their own.

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

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

I appreciate the gentlewoman's comments and certainly understand the importance that she has placed on us rectifying the situation with regard to veterans funding and as it relates to highway spending.

I am glad that the House by unanimous consent, before we took this rule up, adopted the extension of the existing highway authorization. So I am glad we have taken that off the table. It is precisely the type of immediate action that we need to take before we go home for the district work period.

Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. OSBORNE).

Mr. OSBORNE. Mr. Speaker, I thank the gentleman for the time.

We have actually done some good things for veterans over the last 4 years. I would like to point those out.

We have passed concurrent receipt legislation which we have been trying

to get done for a period of time. Death and survivor benefits have certainly been very helpful to servicemembers over the past 4 years. The VA budget has been increased from $48 billion to $68 billion, a 42 percent increase; and nearly 5 million veterans receive health care benefit services this year, which is about 1 million more than 4 years ago. So many good things have happened.

I realize that the current shortfall is really unacceptable and would like to comment that even though this was due to an actuarial miscalculation, certainly was unintentional and certainly is fixable, we do find that some of our rural veterans are really struggling for health care.

Many of these people have to travel long distances; and the older they get and the sicker they get, the more difficult it is to get them health care. They often have to have a friend, a child, drive them down one day. The next day they come back, and it may be for very routine issues such as blood pressure, adjustment of medications and so on.

What I am saying here at this particular time is that this seems to be a neglected group, and ofttimes our rural veterans are the people who really serve our country in the highest number, highest percentages.

What we would like to propose is that legislation that I have introduced, H.R. 1741, the Rural Veterans Access to Care Act, would establish a pilot program to assist highly rural or geographically remote veterans who are enrolled in the VA and are obtaining primary health care at a medical facility closer to home, in other words, their local hospital. If they need to adjust their medications, they can go and check there, and VA reimburses them for that. This would, I think, in some cases save money. It certainly would provide a lot more services for those who badly need the health care.

I would just like to make that comment, and I thank the gentleman for his time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Speaker, I would like to point out two things: first of all, in response to my dear friend from Nebraska, when he mentioned that the majority, or that this body, had passed or fixed concurrent receipt, he neglected to mention that was following a Democratic discharge petition that essentially shamed the majority into doing something that the administration had opposed, the Republican majority had opposed. They finally did it in the late term of the last Congress, just in time for an election; but they still did not put in a permanent fix for it.

When the gentleman talked about the other things that the majority party has supposedly done for veterans, he neglected that just a couple of weeks ago, right here on this floor, the majority party rejected the gentleman from Mississippi's (Mr. TAYLOR) passionate request that we provide additional TRIO health care access to Guardsmen and Reservists. They rejected that.

So to come here and say look at what all we have done for veterans is mighty hypocritical when you know the full record.

Let me talk about what happened this past March. I have worked in VA hospitals as a clinical psychologist with returning veterans. We had Task Force Olympia coming back to my region, and I said we have got thousands of soldiers coming back and it is a logical, reasonable question to say do we have the resources in place to treat those soldiers and their families when they come back.

I worked with the gentlewoman from Oregon (Ms. HOOLEY), and we held a whole series of meetings with veterans and their families, and the veterans said, we are not getting the care already that we need. We talked to staff within the veterans hospital, and they told us, we are not meeting the demands of the people already back home, let alone do we have the capacity to meet the demands of thousands coming back.

Based on that information and other information we had gleaned from prior hearings within this Congress, the gentlewoman from Oregon (Ms. HOOLEY) and I offered an amendment to the supplemental appropriations bill to provide $1.3 billion to make sure that those veterans came back and got the care they needed.

The distinguished gentleman from Florida was part of the Committee on Rules that voted unanimously to not allow that amendment to be brought to the floor. Had we brought that amendment to the floor and passed it as part of the emergency supplemental, we would not be having this debate, veterans would not be waiting in lines, their families would be receiving the services they need, and we would be honoring our commitments to the men and women who served.

Instead, what we are doing now months later is trying to jerryrig something that we could have solved. You have let the veterans and their families down. It is a historical fact. It is a current reality, and it is shameful.

The President in his speech the other night said let us all wave flags on July 4th. We are all for the flag and we are all for our soldiers; but when the rubber meets the road, when the time comes to armor the Humvees, to equip our soldiers, to adequately provide for their health care before they deploy, to take care of them when they come back, you folks are AWOL.

We could do the right thing tonight. We could do the right thing tonight, pass a bill through the House that would immediately be taken up by the Senate and immediately pass and get the money into the system that it needs. We are not going to do that; and, yet again, we are not going to do the right thing because of the opposition of the majority party which will then somehow claim that they stood up for veterans, and I think that is a disgrace, and it is inaccurate compared to the historical record.

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

The gentleman attempted to give his version of the history. The history speaks for itself.

Concurrent receipts is an issue that was never brought to the floor under the Democratic majority. The gentleman from Florida (Mr. BILIRAKIS), a champion for veterans, filed that bill year after year after year for over a decade. It did not get a hearing until the Republicans took over. It was the Republican majority that passed it. It is under Republican leadership that funding per veteran has nearly doubled.

Where the rubber meets the road, as the gentleman put it, has been in funding and support for America's soldiers, sailors, airmen and Marines and our veterans; and it is unfortunate that we had this actuarial model problem, but the fact of the matter is this rule allows us to fix it tonight. I hope my colleagues will support that rule. Because of that fact, it is freeing up those funds for our veterans to correct this problem. It is also allowing us to move forward on other issues before we go home for the 4th of July work period.

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

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

(Mr. BAIRD asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. BAIRD. Mr. Speaker, I include for the RECORD the report from the Committee on the Budget hearing in which the majority denied our efforts to add the $1.3 billion back in March.

The rule waives all points of order against consideration of the bill. The Committee anticipates that the waiver includes: Rule XIII, clause 4 of House rules (requiring a three-day layover of the committee report and requiring the three-day availability of printed hearings on a general appropriation bill); Section 306 of the Congressional Budget Act (prohibiting consideration of legislation within the jurisdiction of the Committee on the Budget unless reported by the Budget Committee); and Section 401 of the Congressional Budget Act (prohibiting consideration of budget-related legislation, as reported, that is not subject to annual appropriations).

COMMITTEE VOTES

Pursuant to clause 3(b) of House rule XIII the results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee Record Vote No. 10

Date: March 14, 2005.

Measure: H.R. 1268, Making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes.

Motion by: Mrs. Slaughter.

Summary of motion: To make in order and provide the appropriate waivers to the amendment offered by Rep. Hooley to add $1.3 billion in funding to the FY06 Supplemental Appropriations bill to provide health care and readjustment assistance to the veterans of Iraq and the War on Terror. Specifically, the amendment would provide $1.2 billion for the Veterans Health Administration and $100 million for the reintegration of Army National Guard members being released from active duty.

Results: Defeated 3 to 9.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Sessions—Nay; Putnam—Nay; Capito—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

Rules Committee Record Vote No. 11

Date: March 14, 2005.

Measure: H.R. 1268, Making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes.

Motion by: Mr. McGovern

Summary of motion: To make in order and provide the appropriate waivers to the amendment offered by Rep. Tierney to establish a select committee to study, among other things, the bidding, contracting, and auditing standards in the issuance of government contracts; the oversight procedures and forms of payment and safeguards against money laundering; the accountability of contractors and government officials involved in procurement; and the allocation of contracts to foreign companies and small businesses.

Results: Defeated 3 to 9.

Vote by Members: Diaz-Balart—Nay; Hastings (WA)—Nay; Sessions—Nay; Putnam—Nay; Capito—Nay; Cole—Nay; Bishop—Nay; Gingrey—Nay; Slaughter—Yea; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, all I can say to our Republican friends on the other side of the aisle is: ''Welcome Aboard,'' even if you are a little short and even if you are a little late.

The fact is that for the last 3 years we have had a history of resistance by the majority party in this House to efforts by the gentleman from Texas (Mr. EDWARDS) and me to add funding for veterans health care above the amounts that the Republican majority saw fit to provide.

Example: fiscal 2005, the budget resolution. We asked that $1.3 billion more be made available for veterans health care. We were turned down. In a continuing resolution for fiscal 2005, we tried to add $2.5 billion for veterans health care. We were turned down.

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As recently as a month ago, the gentleman from Texas (Mr. EDWARDS) was called a demagogue by a member of the majority party because he was insisting that the VA estimates were too low and that we needed more money.

Now the VA belatedly admits that they have found a problem. The only problem is even under their story they found it in April and they did not reveal it until now. I would suggest that the VA also has a history of trying to chisel on veterans' benefits. Three years ago, they sent out instructions to veterans' service officers not to engage in outreach in order to inform veterans what they were entitled to, and we had to scold them day by day on this House floor to try to get them to back off, and they are still being penurious about it.

The sad fact is that tonight what we ought to do is to take what the Senate did. We ought to take the $1.5 billion that the Senate Appropriations Committee reported out unanimously, every Republican, every Democrat, $1.5 billion, and they suggested that if we passed that, we could pass it immediately, no need for a conference, and we would be in great shape.

We were told yesterday we should not bother with bringing funding up on the Treasury Transport bill because we wanted to rush bills through that could be signed faster. Well, the best way to get a bill through this place immediately is to take the same number the Senate is taking and pass it.

Let me also simply say that I find amusing this scramble by the majority party leadership to finally get on board in a recognition that veterans need more funding. It was just 6 months ago that the majority party dumped the gentleman from New Jersey (Mr. SMITH) from his chairmanship of the Committee on Veterans' Affairs because he had been too insistent on adding money for veterans' health care. So when he got out of line, you dumped him and you substituted someone you thought would be more compliant with party leadership.

The gentlewoman from Oregon (Ms. HOOLEY) pointed out to me that this message was on a billboard in a veterans hospital in her district. It reads: ''Important: We regret to inform you that, due to budget issues, we can no longer supply meals to patients. Please bring a meal from home if you are going to be in the short-stay unit. We apologize for any inconvenience.''

Well, I think this Congress ought to apologize for the inconvenience that they have caused veterans for the past 3 years by refusing to recognize that these budgets are inadequate. We are oh so good at praising the soldiers when the bands are playing and they are going off to war. We have an obligation to be just as enthusiastic in meeting their needs when they come home.

I thank the gentlewoman for yielding me this time, and I hope we would vote against the previous question so we can adopt the $1.5 billion solution which the Senate, on a unanimous basis in the Senate Appropriations Committee, indicated was necessary.

Mr. PUTNAM. Mr. Speaker, I yield myself such time as I may consume to comment, as the gentleman is aware, that this rule allows us to move that funding as expeditiously as possible. It requires a two-thirds vote from the House to move forward. I am hopeful that he and the rest of his side will support us on this rule so that we can get that fix through. We can then restore the full funding to the veterans that they require.

Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from New York (Mr. WALSH), the distinguished chairman of the Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies of the Committee on Appropriations.

Mr. WALSH. Mr. Speaker, I thank the gentleman from Florida for his leadership in bringing this rule to the floor that provides for consideration of several suspension bills, including a very important one.

I have heard a lot of bellyaching tonight about what happened before and why we should have done something else, and why did we not do something this way and why did we not do it that way. I suspect that when all the bellyaching is over, that we will have a near unanimous, if not unanimous, vote, at least I hope we do, to provide these resources.

We have a very logical process that we follow. It is according to our rules and according to our traditions. In the Committee on Appropriations we hold hearings in the spring, we take testimony, we provide oversight, we then receive our allocation, and provide the resources every year to meet the needs of our Nation. Again this year, as we did last year, and the year before, and the year before, and the year before, and the year before, the Veterans Administration receives the highest increase of any budget within the entire Federal budget. Year after year after year.

The House has the power of the purse. We set our priorities with the money that we have. Clearly, year after year this budget, the Veterans Administration budget, has been our highest priority. Whether you are a Republican or you are a Democrat, that is the way most Members believe. I feel that. I hear that from my colleagues, both sides of the aisle, members of my subcommittee and members of the full committee. And that is the way we have proceeded. It is not a partisan issue, and I hope we will not make it one tonight. Because at the end of the day, literally, that will be your last vote, and I hope we are all together on it.

What has happened since we had these hearings is that we move rapidly. I think everybody noticed that tonight. The appropriation bills for 2006 are complete. We moved rapidly. But the Veterans Administration has a midyear annual review, which they had just recently. Ensuing hearings by the Committee on Veterans' Affairs, providing oversight, determined that there was a shortfall. The Veterans Administration brought that forward, about $1 billion, or $975 million. They also explained that they had a work-around solution, $600 million out of capital and $375 million in anticipated reserve that they would utilize to fill that void.

We then held additional hearings, the subcommittee and the Senate authorization committee and the House authorization committee, and what we

have found is that we have an accurate picture now of what that shortfall is. We also have an accurate sense of the Congress that we do not want to workaround solution. We want to provide those resources so that the Veterans Administration does not have to set aside repair and maintenance and acquisition of equipment, MRIs or computers or research equipment or laboratory equipment. We do not want them to have to do that.

So we are going through our normal procedure. And parts of that procedure, when you have to go back and take a look-back at a budget, is a supplemental budget request. This supplemental budget request will be presented for the consideration of the House tonight. The request is to provide that shortfall, $975 million, to the Veterans Administration to meet the needs to complete 3 more months of this year.

Now, people say, well, $1 billion, how could they be off $1 billion? My colleagues, this is a $30 billion-plus budget. This $1 billion means they were off by 3 percent, 3 percent, in their estimation. Now, is that unforgivable? Of course not. Is it a mistake? It sure is. And we have a way to resolve that mistake, to fix it, to correct it, and again to show our commitment to our Nation's veterans, especially in a time of war.

We are sending a signal not only to our current veterans, but we are sending a signal to those heroes that are out there in the field today, in Iraq and Afghanistan and around the globe. We want them to know that the commitments we have made to them we will keep, even if it has to be in an extraordinary measure like this.

So I would welcome additional comment. I would welcome the opportunity of those individuals who looked ahead and offered additional resources. But I would ask you to look at the logic of what we are doing. Look at the thread of logic through this whole process. We want to do this right, and I think we have done it right. So let us have the debates tonight. If you feel compelled to say ''I told you so,'' go ahead. But stick with us and vote for this bill and support our veterans in a process that is reliable and is predictable and has a thread of logic all the way through it.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from California (Ms. PELOSI), the minority leader.

Ms. PELOSI. Mr. Speaker, I thank the gentlewoman for yielding me this time and for her leadership on this important issue. I also want to acknowledge the gentleman from Wisconsin (Mr. OBEY). He and the gentleman from Texas (Mr. EDWARDS) have been such champions for America's veterans.

Mr. Speaker, as we approach this 4th of July, we remember the sacrifice, the vision of our Founding Fathers, the courage, the imagination, and the intellect and values they presented in the Declaration of Independence. Since then, our country has always been about shared sacrifice in time of war and in time of peace. That is, up until now.

As Americans, we make a simple yet sacred promise to our veterans: You take care of us and we will take care of you. How we repay the service of our veterans speaks volumes about the character of our country. Unfortunately, under Republican leadership, the Congress is failing to keep faith with the veterans who have defended our freedom with their very lives.

Veterans of this country deserve some answers. Why does the Republican leadership in Congress find billions of dollars of tax cuts for the wealthiest Americans but does not find enough money for the veterans who risk their lives for our Nation? Why are veterans' affairs initiatives consistently underfunded and shortchanged, forcing thousands of veterans to wait months for health care? Why did the Bush administration suddenly discover a shortfall when we had been talking about this for months? Democrats and veterans organizations have been saying that the VA has been underfunded for more than 2 years now.

The answer is simple: The shortfall is the direct result of the failed budget policies and misplaced priorities of the Bush administration and the Republican Congress. Republicans here have either been in denial about the plight of our veterans or it simply has not been a priority for them.

This did not have to happen. Veterans across our country did not have to hear that the government had underfunded their health care. Our veterans did not have to give up only part of their patriotism and bravery in defending our Nation. Let today be the day when we begin to enact a GI Bill of Rights, and we can begin by responding to the call from the Senate.

The reason that we are here this evening, and the effect of the motion that is made to the Committee on Rules on the previous question, would say that if we defeat the previous question, the resolution offered by the gentleman from Texas (Mr. EDWARDS) would come to the floor and would fund by $1.5 billion the needs for veterans' health care.

Senator CRAIG said in a unanimous vote that the appropriators in the Senate voted to authorize the Senate to quickly take up the $1.5 billion emergency supplemental if the House approves such a measure. So a vote ''no'' on the previous question says ''yes'' to bringing up the Edwards resolution, which would immediately send it to the Senate, where they would take it up immediately, pass it, and send it to the President's desk.

Instead, the Republicans are advocating a different position, which is to once again shortchange America's veterans. On a battlefield, Mr. Speaker, the military pledges to leave no soldier behind. As a Nation, let our pledge be that when they return home, we leave no veteran behind. We can support our veterans with a ''no'' vote on the previous question, and a 'yes' on the Edwards resolution, and a ''yes'' for our veterans. That would be the appropriate observation of the 4th of July.

Mr. Speaker, I support the President's call for flying the flag on the 4th of July. Let us fly the flag and fund veterans' benefits.

Mr. Speaker, as we approach this Fourth of July, we remember the sacrifice of our Founding Fathers—the courage, the imagination, the intellect, and the values they presented in the Declaration of Independence. And since then, our country has always been about shared sacrifice—when it came to war, and when it came to peace. That is, up until now.

As Americans, we make a simple yet sacred promise to our veterans: ''You have taken care of us, so we will take care of you.'' How we repay the service of our veterans speaks volumes about our national character. Unfortunately under Republican leadership, the Congress is failing to keep faith with the veterans who have defended our freedom with their very lives.

Veterans in this country deserve some answers. Why does the Republican leadership in Congress find billions in tax cuts for the wealthiest Americans, but does not find enough money for the veterans who risked their lives for our Nation? Why are Veterans Affairs initiatives consistently underfunded, forcing thousands of veterans to wait months for health care? Why did the Bush Administration suddenly discover a shortfall, when Democrats and veterans have been saying that the VA was underfunded for more than 2 years now?

The answer is simple: this shortfall is the direct result of the failed budget policies and misplaced priorities of the Bush Administration and the Republican Congress.

This did not have to happen. Veterans across our Nation did not have to hear that their government had under funded their health care; our veterans did not give only part of their patriotism and bravery in defending our Nation.

For more than two years, Democrats and veterans' organizations have stood together, calling for adequate funding.

We have sent letters, we have offered amendments, and we have launched a discharge petition to try to force a vote on additional funding for veterans' health care. We have tried time and time again, only to be rebuffed by the Republicans in Congress every step of the way. Vote after vote failed on the party line.

For our latest attempt, we sent a letter, signed by every single Democrat, to President Bush calling for an emergency supplemental to fund VA health care.

It seems that our voices were finally heard. Democrats have made this too hot for the Republicans to handle.

The truth has come out. The Bush Administration and the Republicans in Congress are finally admitting to what we've been saying for 2 years.

And today we have a chance in taking the first step in righting a wrong. The problem is that once again, the Republicans are a day late and dollar short.

The Senate Appropriations Committee has authorized the Senate to quickly take up a

$1.5 billion emergency supplemental if the House passes the same.

The Chairman of the Senate Veteran's Committee has stated, and I quote, "Clearly there is a disagreement here on the number, but it's clear that we all want to do the right thing for our veterans. We do not want to leave the Department of Veterans Affairs short of funds. Working with our colleagues in the House, I'm sure we can achieve that objective."

The VA desperately needs this funding. And to get it done today the House must pass $1.5 billion for our veterans.

The ultimate fix would be what veterans and the Ranking Democrat on the Veterans Affairs Committee, LANE EVANS, have been calling for. They are correct, the only way to assure funding for VA health care: make it mandatory.

But let us start today by voting no on the previous question, so we can offer an amendment that would increase the amount for veterans to $1.5 billion to match the Senate amount.

Caring for our veterans shouldn't be a partisan issue. It should be our number one priority. Our veterans deserve better.

We must fulfill our sacred obligations to those who have worn this Nation's uniform.

My wish is that today's vote will lead to a renewed bipartisan commitment for our veterans.

Let today be the beginning of a new chapter, let today be the day when this government no longer ignores the promises we've made, and provide the support our veterans have earned and deserve.

Let today be the day when we begin ending the Disabled Veterans' Tax for every single veteran.

Let today be the day when we begin fully ending the Military Families Tax.

Let today be the day when we begin to enact a new GI Bill of Rights for the 21st Century.

On the battlefield, the military pledges to leave no soldier behind. As a Nation, let it be our pledge that when they return home, we leave no veteran behind.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, my friend from New York called this frustration belly-aching. It is not. In my office last month was a wounded veteran from Iraqi Freedom. His leg had been nearly blown off by an IED. He had been repeatedly and routinely denied care just as a default to say "you are not service-connected here." I saw the leg. It was damn near blown off.

Because of shortfalls in funding, the people who have served this country and nearly gave their lives, but did give their limbs, are not getting the care they need. It is more than belly-aching to stand up for them. I would invite the gentleman from New York to do something we do not do very often here. Let us step out of the box and stop the partisan fighting.

Here is the situation here today. If we pass the $975 million that the majority is putting forward, there is no way the Senate can conference that before the July 4th recess. The other body has said that if we pass $1.5 billion in the House, the same bill as theirs, it will be on the President's desk and can be signed and we can do something substantive rather than symbolic before July 4th. What is wrong with doing that for our veterans?

Mr. WALSH. Mr. Speaker, will the gentleman yield?

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

Mr. WALSH. Mr. Speaker, the Senate attached this 2005 funding to an 2006 bill, which will not take effect within the 2005 year. If they take up this bill on a stand-alone basis, the President can sign it tomorrow.

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Mr. BAIRD. Mr. Speaker, my understanding is different. The gentleman may be right.

My point is we have tried repeatedly on our side of the aisle to get additional funding for the veterans. We had hearings before the Committee on the Budget. The $1.3 billion figure that the gentlewoman from Oregon (Ms. HOOLEY) and I tried to add and were defeated by the majority, we did not draw out of thin air. It came from hearings before the Committee on the Budget. Veterans groups, as the gentlemen know, roundly criticized the majority budget as woefully underfunding veterans' needs. This did not come as a surprise. We saw it coming. We tried to tell you it was coming. You denied it repeatedly; and the sad part is for all of our bickering and complaining here, the people who suffered were the soldiers, and they are suffering today. We need to solve this problem.

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

I thank the gentleman from New York for pointing out the flaws in the argument. If we pass the $975 million tonight, the Senate can take it up tomorrow. The relief is there immediately. It is not a game of political one-upsmanship or the Polk County fair where we have this bidding contest going on.

The $975 million is out there before the July 4 break. It will be on the Senate's desk for them to take up. That is the responsible approach for this House to adopt at this point in the week as we continue to work through all of our avenues of support to get all of this assistance and help and rehabilitation to the veterans in need.

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

Mr. Speaker, I want to point out that if we pass $1.5 billion, we can do the same thing, take the Senate bill and get it finished tomorrow.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. CORRINE BROWN).

(Ms. CORRINE BROWN of Florida asked and was given permission to revise and extend her remarks.)

Ms. CORRINE BROWN of Florida. Mr. Speaker, I have been on the Committee on Veterans' Affairs for 13 years, and let me say one thing: we do not have a shortage of money here in this Congress. We pass whatever we want whenever we want. The problem is, and I rise on behalf of all of the veterans, the problem is that there is not the will. The veterans are not the priority.

What I said in committee I say on this floor today. We can send $1.5 billion over to the Senate. They can pick it up, pass it, and tomorrow morning the President will be taking pictures, taking credit for it; but who wins will be the veterans.

I am reminded of the words of the first President of the United States, George Washington, whose words are worth repeating at this time: "The willingness with which our young people are likely to serve in any war, no matter how justifiable," and we are going to question that, "will be directly proportionate as to how they perceive the veterans of earlier wars were treated and appreciated."

Now let us not sham them. Everybody knows that the veterans need $3 billion; not $1 billion, $3 billion. That is what the independent budget says. The other side of the aisle is not surprised. They know what they need.

Why is it we cannot come together and give them something more than this lip service? You all talk a great talk. Let us all come together and walk the walk for the veterans tonight.

Mr. Speaker, I rise in support of veterans everywhere. What has been introduced here today is a sham. The emergency supplemental sent over by the President and accepted by the Republican leadership is wholly inadequate. This $975 million breaks down with money for many needed accounts; however, why should we believe their numbers now?

They lied to us when submitting their budget in February, they lied to us when they came to our committees in April, they did not discuss any issues with the minority members of the Veterans Committee. What do we know that the Senate does not? Why is there more than $500 million less for veterans in this bill? Why are we still trying to balance the budget on the backs of the veterans?

The 3 surgical operating rooms at the White River Junction VA Medical Center in Vermont had to be closed on June 27 because the heating, ventilation, and air conditioning system was broken and had not been repaired due to the siphoning of maintenance funds to cover the budget shortfall.

The Community Based Outpatient Clinics needed to meet veterans' increased demand for care in the North Florida/South Georgia VA Healthcare System have been delayed due to fiscal constraints. As of April, the Gainesville facility has nearly 700 service-connected veterans waiting for more than 30 days for an appointment. As a result of cost cutting measures to make up for the shortfall in FY 2005, the Portland, Oregon, VA Medical Center is delaying all non-emergent surgery by at least six months. Veterans in need of knee replacement surgery won't be treated because of the budget shortfall.

The goal of the Republicans and President Bush is to delay funding to veterans health. By passing this level of funding, we are guaranteed a conference. That will delay funding. Our veterans cannot wait! Support our Veterans! Defeat the Previous Question and fully fund veterans health care! I am reminded of the words of the first President of the United States, George Washington, whose words are worth repeating at this time:

The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional as to how they perceive the veterans of earlier wars were treated and appreciated by their country.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, we are asking young Americans, men and women alike, to fight a war in Iraq, a war in Afghanistan. As we debate funding for veterans tonight, if the Congress is going to err, should we not err a little bit on the side of veterans rather than erring on the side of shortchanging them?

I must say I appreciate the gentleman from New York (Mr. WALSH) and his effort in this process to fix a hole in veterans funding that I believe was created by repeated denials of the Republican House leadership at a real cost of providing quality health care for our veterans. It has been going on for 2 years, not 1 or 2 weeks, but 2 years.

I thank the gentleman from New York (Mr. WALSH) for his efforts this week. This bill would move it a step forward. But why in the world would the House Republican leadership refuse to even consider the $1.5 billion funding level that I think is needed to adequately fund VA health care during a time of war?

Let me put this debate in perspective. Over a year ago, the Republican chairman of the VA committee, the gentleman from New Jersey (Mr. SMITH), stood up and said in a bipartisan letter to the House Committee on the Budget that if you do not add $2.5 billion in 2005 to the VA health care budget, we are going to have to cut veterans services during a time of war, and the gentleman from New Jersey (Mr. SMITH) said that was wrong, and he was right to say it would be wrong.

How did the House Republican leadership honor the gentleman from New Jersey (Mr. SMITH) for standing up for veterans? Did they salute him? No, they fired him. They not only fired him from his position as chairman of the House Committee on Veterans' Affairs, took him off the Committee on Veterans Affairs' altogether.

Now the same leadership that punished a Member of the House for standing up for veterans during a time of war is asking us on a few minutes' notice to support the funding level for the VA health care crisis that is nearly $600 million less than that approved on a bipartisan basis by the United States Senate.

If we are going to err, why not err on the side of veterans? The same people who provided the numbers that put together this bill, it was put together on a partisan basis. I was not approached as ranking member of the Subcommittee on Military Quality of Life and Veterans Affairs to help determine what the number should be.

If this had been done on a bipartisan basis today, perhaps we could have all come up with a number that we all could have agreed upon.

If the gentleman from New York (Mr. WALSH) had his way, I think it would have been done in a bipartisan way. But the decision to make this a partisan bill tonight was made by the same House Republican leadership that chose a year ago to turn its back on veterans when it fired the gentleman from New Jersey (Mr. SMITH) for saying we should adequately fund veterans health care.

Let us err on the side of honoring our veterans tonight, not shortchanging them. And the Senate, the other body, has made it perfectly clear that it would take up immediately the bill that we would like to have voted on the House tonight to add $1.5 billion to VA health care spending for the year 2005.

It is a sad day when Members of this House are punished for standing up for veterans. Let no one on the Republican side of the aisle say these are just Democrats making partisan fights. We have been accused of that for the last 2 years by some who now want to say you were right, our numbers were wrong.

We should come together tonight. I would plead on a bipartisan basis to support the $1.5 billion funding level for veterans health care that the Senate has already adopted on a bipartisan basis. I would urge the House Republican leadership to stop punishing and intimidating Members of this House who will put their loyalty to veterans above their loyalty to partisanship. Let us do the right thing.

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

The gentleman continues to say this is a partisan issue. I would venture to agree with the gentleman from New York (Mr. WALSH): the vote on this will be anything but partisan. I would venture to say that the support for restoring the $975 million mistake that the VA made will be a very broad, bipartisan, nonpartisan vote because I cannot imagine that anybody would stand in the way of that money finding its way into the veterans' hands, and the medical clinics and hospitals that so desperately need it.

The gentleman from Texas (Mr. EDWARDS) has identified the need as being $1.5 billion. The gentlewoman from Florida (Ms. CORRINE BROWN) has identified the need as being $3 billion. The VA and the administration has said it is $975 million. If we as a House pass that $975 million, get it into the hands of the people who need it, if we find between now and the end of the fiscal year, because that is the number that has been stated that is needed for the remainder of the fiscal year, but we will be back here in a week, and if we find that more is needed, without question it would be given again on a broad bipartisan vote.

But we believe that the correct number based on the new actuarial study, based on the request of the Secretary, based on the request of the administration is $975 million. The gentlewoman from Florida (Ms. CORRINE BROWN) believes it is $3 billion, but she is only willing to put half of that up by asking for $1.5 billion. We are willing to fund all that we believe the VA has requested to get them through the remainder of this fiscal year. This is not a partisan issue. This is an issue of huge importance to all of our veterans. I think that all of us on a broad bipartisan basis should pass this rule which allows us to get this money to them.

I want to correct another issue that continues to be repeated by the other side of the aisle. The Senate has not passed a penny for the veterans. It has been reported out of their committee. What we are doing here tonight allows the entire House to act on this appropriations request and get it over there to the Senate as quickly as possible.

As usual, we are ahead of the Senate on this issue, and we are acting as quickly as possible to get them the request the administration has made for the remainder of the fiscal year. It has not been taken up by the Senate. It has not passed out of the Senate, it has only come out of committee. We have put this thing on the fast track to get veterans the help they need.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. SALAZAR).

Mr. SALAZAR. Mr. Speaker, I echo the sentiments of the gentleman from Texas (Mr. EDWARDS), who has been a tireless advocate of veterans benefits. I am a veteran and a son of a veteran who has a son who just became a veteran, so I echo the gentleman's sentiments.

Mr. Speaker, I rise today in support of our veterans, our troops, and H.R. 3130. Since I was elected, we have buried five soldiers in the Third Congressional District. As we drape our Nation's flag over their coffins, are we supposed to tell their families that our budget prevents them from getting promised benefits? As we celebrate July 4 and march in parades alongside the heroes of World War II, Vietnam, Korea, and the Persian Gulf, are we supposed to tell these veterans that last week's accounting error will prevent them from being seen by a doctor? And that not only will they have to travel 5 hours to see a doctor, but once they get there, they will be turned away?

They did not turn away when we called upon them to serve our country.

They did not turn away from putting their lives on the line for our freedoms. We cannot turn away from them now.

It should not take an emergency or bad press coverage for this administration to care about the health of our Nation's veterans. In a time of war, bringing our troops home safely and taking care of our veterans is our number one priority.

This administration has let our Nation's heroes suffer because of a mismanaged budget. This is absolutely shameful and unacceptable. No one should ever let the troops and veterans be an afterthought. We need to provide this money now. We need to guarantee all future funding for the Veterans Administration so our Nation's heroes never have to suffer from a mismanaged budget again.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 30 seconds to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, I would just like to say in response to the comments of the gentleman from Florida (Mr. PUTNAM), he cannot name one Democrat in this House that was approached in putting together this bill dealing with veterans health care. If that is not partisan, I do not know what is.

What were the Republicans afraid of in working with Democrats to come up with a bill to fix the problem that the Republican leadership created? By the way, the same leadership passed a budget resolution this year cutting veterans health care benefits by $14 billion over the next 5 years. Forgive me if I do not trust that same leadership coming forward with this bill tonight.

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

Mr. Speaker, the gentleman from Texas is a champion for veterans and has been for years, and I do not take anything away from him on that. But the fact of the matter is that for the last 10 years, veterans funding per veteran has doubled under Republican leadership. The funding overall has continued to grow. It has grown, as the gentleman from New York (Mr. WALSH) pointed out, at the highest rate of any agency in the government. As I said earlier, the vote on this issue will not be a partisan one. Every Member is committed to move this funding to the veterans as quickly as possible.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. SPRATT).

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Mr. SPRATT. Mr. Speaker, let me quickly point out that this should come as no surprise. The President's budget for 2005 cut veterans appropriated funding $248 million below the Congressional Budget Office estimate of what was needed to keep pace for inflation in 2005 and $13.4 billion below current services over 5 years. For 2006, the President's budget called the even deeper cuts. Excluding the proposal to impose new and unrealistic fees, it cut funding for veterans appropriated programs $759 million below current services necessary to keep pace with inflation, $18 billion below inflation over 5 years.

Democrats have offered alternatives every year on this floor that would have covered the shortfalls the V.A. has identified. In 2005, we offered a budget resolution with $2.5 billion more than the President requested. In 2006, we offered a budget resolution with $2.3 billion over the President's request. And every year the outyear funding that we proposed was also substantially more than they proposed, and that is a problem we are not even discussing tonight because consistently what has happened here is there has been a little plus-up in the near term and a flattening out in the long term, and we inherit the consequences and episodes like this.

If we had passed the resolutions that Democrats supported and brought to this floor, we would not be here tonight discussing this bill.

Mr. PUTNAM. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, I thank the gentleman from Florida for yielding me this time.

I always take a keen interest in these debates on veterans' health care issues. I actually work in a veterans' health care facility. I volunteer once a month; I see patients. And I have been doing it for years, and we have seen for years a tremendous explosion in demand for access to our veterans' health care system. And some of it has been generated by this Congress. We relaxed some of the access requirements. Some of it has been generated by the high cost of prescription drugs. A lot of the new patients coming into the system are people who do not have a prescription drug benefit. And, of course, now we have increased demand with the consequence of the war.

And I want to commend the gentleman from Florida (Mr. PUTNAM) on this rule. I think it is a good rule, and I want to commend the gentleman from New York (Mr. WALSH). He has worked very hard to address this shortfall. And, personally, I think we, as a Congress and as a Committee on Appropriations, need to take a very close look at the bill that we have already passed to address the 2006 needs, and this situation that we are dealing with today, I think, is the right thing for us to do. It is the best thing for our veterans. I know in the State of Florida, where I work and where I live, it has more than doubled, the number of veterans that have come into the system in the last 6 years, and it is truly breathtaking the number of people who are coming into the veterans system on a regular basis.

So I commend the author of this supplemental, and I believe it is the right thing for us to do for our veterans. We are in a state of war, and we need to send a signal to young people who want to enlist, to people who are serving and the people who have served that the Congress is going to stand with them and we are going to address these needs properly.

Ms. SLAUGHTER. Mr. Speaker, I yield 15 seconds to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Speaker, the gentleman from Florida and the gentleman from New York have repeatedly said that this will be a nearly unanimous passage. That may be true because the only thing we can unanimously agree on is the lower number. The Republicans will not agree on the higher number, which is what the veterans need. The Democrats will agree on the lower number because it is all they are really willing to give us. But if they truly cared for the veterans, they would agree with us and we would have unanimous vote on the $1.5 billion.

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

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

Before I start, I will insert in the RECORD the news release from Senator CRAIG, Committee on Veterans' Affairs chairman, and the New York Times editorial today called ''The True Cost of War.''

SENATE TO QUICKLY TAKE UP $1.5 BILLION MEASURE FOR VETERANS IF SENT FROM THE HOUSE

WASHINGTON, DC—The U.S. Senate Appropriations Committee retreated its position today that the Department of Veterans Affairs need $1.5 billion to fill a spending gap for the Department of Veterans Affairs. In a unanimous vote, the appropriators voted to authorize the Senate to quickly take up a $1.5 billion emergency supplemental if the House approves such a measure.

That action came after the Bush Administration indicated earlier today that the agency needs $975 million.

''Clearly there is disagreement here on the number, but it's clear that we all want to do the right thing for veterans. We do not want to leave the Department of Veterans Affairs short of funds,'' said Sen. Larry Craig who serves on the Appropriations Committee and is Chairman of the Senate Committee on Veterans' Affairs. ''Working with our colleagues in the House, I'm sure we can achieve that objective.''

[From the New York Times, Jun. 30, 2005]

THE TRUE COST OF WAR

In anger and embarrassment, Congressional Republicans are scrambling to repair a budget shortfall in veterans' medical care now that the Bush administration has admitted it vastly underestimated the number of returning Iraq and Afghanistan personnel needing treatment. The $1 billion-plus gaffe is considerable, with the original budget estimate of 23,553 returned veterans needing care this year now ballooning to 103,000. American taxpayers should be even more furious than Congress.

The Capitol's Republican majorities have shown no hesitation in signing the president's serial blank-check supplemental budgets for waging the war, yet they repeatedly ignored months of warnings from Democrats

that returning veterans were being shortchanged. One Republican who warned of the problem—Representative Christopher Smith of New Jersey—lost his chairmanship of the Veterans' Affairs Committee after pressing his plea too boldly before the House leadership.

But partisan resistance melted in a flood of political chagrin once the administration admitted the budget error, which was first discovered in April but only now disclosed. The explanation offered—the gaffe was due to using dated formulas based on prewar calculations—left Republicans sputtering all the more.

All wars necessarily involve mismanagement, even successful ones. But there is no excuse for treating the needs of wounded and damaged warriors as a budgetary afterthought. Congressional Republicans were far from innocent victims of administrative ineptitude or deception. After years of approving record tax cuts and budget deficits, they stuck to this year's pre-election script of fictitious ''budget tightening'' that underestimated inevitable expenses and shortchanged returning veterans with higher health care enrollment fees and drug co-payments. The only comfort for the American public is that unlike many of the war's problems, this one can be repaired, providing partisan combat is suspended in the Capitol.

Ms. SLAUGHTER. Mr. Speaker, I am going to be asking Members to vote ''no'' on the previous question. If the previous question is defeated, I will offer an amendment to the rule that will allow the House to immediately consider H.R. 3136, legislation introduced by the gentleman from Texas (Mr. EDWARDS) and the gentleman from Wisconsin (Mr. OBEY) that provides an immediately desperately needed $1.5 billion in funding for veterans medical service. This amount is the same level that was approved by the Senate last night and is what is needed to fully care for our Nation's veterans.

Mr. Speaker, it is too bad that the White House and the VA were not honest about this shortfall in the first place because if they had been, as the gentleman from South Carolina (Mr. SPRATT) said, we would not need to be here tonight. But I think now even the most skeptical of my colleagues in the House realize that our veterans' health care system is in a serious crisis. And while it is encouraging that after feeling the pressure brought to bear by the American people that the Republican leadership has reversed course and agreed to take some action, it is unclear to me why they are providing only $975 million instead of the full amount needed. How can we believe the same people who told us there was no problem?

Senator CRAIG is asking the leadership of this body to pass a bill and let him have that $1.5 billion out of here so they can finish work on this in the morning. Clearly, clearly, we must do that for our veterans. Remember, we have a contract with them. When we sent them off to war, we guaranteed that we will meet their needs.

So please vote ''no'' on the previous question, and we can vote today for full funding of our veterans.

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

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentlewoman from New York?

There was no objection.

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

Mr. PUTNAM. Mr. Speaker, for the purpose of closing, I yield the balance of my time to the gentleman from New York (Mr. WALSH), distinguished chairman of the Military Quality of Life and Veterans Affairs, and Related Agencies Subcommittee of the Committee on Appropriations; who has been a champion for veterans funding, who has been there year in and year out. He shepherded, along with the gentleman from Florida (Mr. BILIRAKIS) and other Members of this House, the first concurrent receipt bill in the history of this country, double-digit funding increases for veterans, a doubling of funding for veterans over the last decade, a real champion for the veterans.

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

After all the speeches and the rhetoric, really the big difference here is the dollar amount. We all realize there is a shortfall. We all support closing the gap. So the issue is $1.5 billion that the Senate acted on. One Member said it was 3, but I think most people, at least on the opposite side of the aisle, agree that it is $1.5 billion. We believe it is $975 million. So everything else really at this point is rhetoric. We just need to try to address that. And I tried for the life of me to figure out where this $1.5 billion figure came from. I know the Senate is working with that figure, because everything we have heard from the Veterans Administration was that they had a work-around solution to come up with $600 million out of their capital fund and $375 million out of their reserve fund to close this gap in different lines of health care within the hospital system, and that would add up to that $975 million.

The $1.5 million is still a big question mark, and the only thing I can come up with is that, in a conversation I had with OMB Director Bolten, he mentioned that there may be, they do not know but they are working on it, a shortfall in 2006, in 2006, of somewhere between $1.1 and $1.6 billion. And that is 2006. No one, no one, has ever mentioned the fact that there is a shortfall in 2005 of $1.5 billion. So we have what I think is a number that is provided through a logical process, through testimony in the hearings presented by the head of the health administration and the Department of Veterans Affairs Secretary.

This, I believe, is as close to what we can get as what the gap is. Let us support it on a bipartisan basis. Let us support the rule and consider the bill.

The material previously referred to by Ms. SLAUGHTER is as follows:

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

''SEC. 3. Immediately upon the adoption of this resolution it shall be in order without intertention of any point of order to consider in the House the bill (H.R. 3136) making emergency supplemental appropriations for the Department of Veterans Affairs for fiscal year 2005 for veterans medical services. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) 60 minutes of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit with or without instructions.

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

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

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

Mr. PUTNAM. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 216, nays 191, not voting 26, as follows:

[Roll No. 359]

YEAS—216

Aderholt	Conaway	Goodlatte
Akin	Cox	Granger
Alexander	Crenshaw	Graves
Bachus	Cubin	Green (WI)
Baker	Culberson	Gutknecht
Barrett (SC)	Cunningham	Hall
Bartlett (MD)	Davis (KY)	Harris
Barton (TX)	Davis, Jo Ann	Hart
Bass	Davis, Tom	Hastings (WA)
Beauprez	Deal (GA)	Hayes
Biggert	DeLay	Hayworth
Bilirakis	Dent	Hefley
Bishop (UT)	Diaz-Balart, L.	Hensarling
Blackburn	Diaz-Balart, M.	Herger
Blunt	Doolittle	Hobson
Boehlert	Drake	Hoekstra
Bonilla	Dreier	Hostettler
Bonner	Duncan	Hulshof
Bono	Ehlers	Hunter
Boozman	Emerson	Hyde
Boustany	Feeney	Inglis (SC)
Bradley (NH)	Ferguson	Issa
Brady (TX)	Fitzpatrick (PA)	Istook
Brown (SC)	Flake	Jenkins
Brown-Waite, Ginny	Foley	Jindal
Burgess	Forbes	Johnson (CT)
Burton (IN)	Fortenberry	Johnson (IL)
Buyer	Fossella	Johnson, Sam
Calvert	Foxx	Jones (NC)
Camp	Franks (AZ)	Kelly
Cannon	Frelinghuysen	Kennedy (MN)
Cantor	Gallegly	King (IA)
Capito	Garrett (NJ)	King (NY)
Carter	Gerlach	Kirk
Castle	Gibbons	Kline
Chabot	Gilchrest	Knollenberg
Chocola	Gillmor	Kolbe
Coble	Gingrey	Kuhl (NY)
Cole (OK)	Gohmert	LaHood
	Goode	Latham

LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Myrick
Neugebauer
Ney
Northup
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—191

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hastings (FL)
Herseth
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rangel
Reyes
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—26

Berman
Boehner
Butterfield
Cardin
Cramer
English (PA)
Everett
Harman
Higgins
Keller
Kingston
Musgrave
Norwood
Oberstar
Paul
Peterson (PA)
Radanovich
Rahall
Rogers (KY)
Rogers (MI)
Ross
Schiff
Smith (NJ)
Solis
Waters
Wicker

□ 2030

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 359 on H. Res. 345 concerning the previous question, I was unavoidably detained. Had I been present, I would have voted "nay".

Mr. RAHALL. Mr. Speaker, on rollcall No. 359, had I been present, I would have voted "nay."

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

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 later today.

EXPRESSING THE SENSE OF THE HOUSE THAT A CHINESE STATE-OWNED ENERGY COMPANY COULD TAKE ACTION THAT WOULD THREATEN THE UNITED STATES

Mr. NEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 344) expressing the sense of the House of Representatives that a Chinese state-owned energy company exercising control of critical United States energy infrastructure and energy production capacity could take action that would threaten to impair the national security of the United States.

The Clerk read as follows:

H. RES. 344

Whereas oil and natural gas resources are strategic assets critical to national security and the Nation's economic prosperity;

Whereas the global demand for oil and natural gas is at the highest levels in history;

Whereas the global excess capacity of oil production, at between 1,500,000 and 2,000,000 barrels per day, is at its lowest level in the past several decades, contributing to world oil prices reaching historic highs of above $60 per barrel;

Whereas natural gas globally is the fastest growing component of primary energy consumption, projected to increase by nearly 70 percent by 2025;

Whereas the National Security Strategy of the United States approved by President George W. Bush on September 17, 2002, concludes that the People's Republic of China remains strongly committed to national one-party rule by the Communist Party;

Whereas China's daily consumption of crude oil grew by nearly 850,000 barrels in 2004, accounting for more than one-third of the increase in world demand for oil in 2004;

Whereas China's consumption of crude oil is expected to grow by an additional 7.5 percent in 2005, and world oil prices are projected to rise significantly as a result of increasing demand from China for oil;

Whereas notwithstanding the increasing demand from China for oil, domestic Chinese output of oil has remained relatively stagnant;

Whereas on June 23, 2005, the China National Offshore Oil Corporation (CNOOC) announced its intent to acquire Unocal Corporation, in the face of a competing bid for Unocal Corporation from Chevron Corporation;

Whereas the People's Republic of China owns approximately 70 percent of CNOOC;

Whereas a significant portion of the CNOOC acquisition is to be financed and heavily subsidized by banks owned by the People's Republic of China;

Whereas Unocal Corporation is based in the United States, and has approximately 1,750,000,000 barrels of oil equivalent, with its core operating areas in Southeast Asia, Alaska, Canada, and the lower 48 States;

Whereas CNOOC has made various representations about its intention to sell oil developed in the Gulf of Mexico to the United States, but has not made any commitment to sell other natural gas and oil it develops into global energy markets instead of shipping it directly to China;

Whereas a CNOOC acquisition of Unocal Corporation would result in the strategic assets of Unocal Corporation being preferentially allocated to China by the Chinese Government;

Whereas a Chinese Government acquisition of Unocal Corporation would weaken the ability of the United States to influence the oil and gas supplies of the Nation through companies that must adhere to United States laws;

Whereas Unocal Corporation was responsible for the production of energy equivalent to approximately 411,000 barrels of oil per day in 2004, which is approximately one-third of all global excess oil production capacity;

Whereas CNOOC's control of Unocal Corporation's productive capacity would mean control of approximately one-third of all global excess oil production capacity;

Whereas the petroleum sector uses a range of sensitive technologies for exploration (such as seismic analysis and processing, downhole logging sensors, and modeling software), production, and refining (such as processing technologies and equipment), including technologies that have "dual-use" commercial and military applications;

Whereas several of the technologies used in oil and energy production require export licensing for export from the United States to China;

Whereas the CNOOC acquisition of Unocal Corporation could provide access to Unocal Corporation's sensitive dual-use technologies that the United States would otherwise restrict for export to China;

Whereas oil companies owned by the People's Republic of China are active in parts of the world, such as Sudan and Iran, that are subject to United States sanctions laws, and the national security of the United States is threatened by the export of sensitive, export controlled, and dual-use technologies to such countries;

Whereas barriers to the ability of the United States Government to enforce export controls and sanctions could pose a direct threat to the national security of the United States; and

Whereas section 721 of the Defense Production Act of 1950 (50 App. U.S.C. 2170) authorizes the President to suspend or prohibit any foreign acquisition, merger, or takeover of a United States corporation that threatens the national security of the United States, if the President finds that ''there is credible evidence that leads the President to believe that the foreign interest exercising control might take action that threatens to impair the national security'' and other provisions of law ''do not in the President's judgment provide adequate and appropriate authority for the President to protect the national security'': Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the Chinese state-owned China National Offshore Oil Corporation, through control of Unocal Corporation obtained by the proposed acquisition, merger, or takeover of Unocal Corporation, could take action that would threaten to impair the national security of the United States; and

(2) if Unocal Corporation enters into an agreement of acquisition, merger, or takeover of Unocal Corporation by the China National Offshore Oil Corporation, the President should initiate immediately a thorough review of the proposed acquisition, merger, or takeover.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. NEY) and the gentlewoman from Michigan (Ms. KILPATRICK) each will control 20 minutes.

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

Mr. NEY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I rise today in support of House Resolution 344, introduced by the gentleman from California (Mr. POMBO), and urge its immediate adoption.

Briefly, this resolution asks that the President initiate a thorough review of any potential takeover of Unocal Corporation by the Chinese National Offshore Oil Company as soon as any agreement of such a takeover is announced, on the grounds that such a purchase could threaten the national security of the United States.

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

Just as importantly, Mr. Speaker, I and many Members are extremely skeptical of assurances that the Chinese oil company executives have sought to offer that they would dedicate any oil production from this region to consumption in the United States.

Mr. Speaker, we know from a number of past experiences that the Chinese do not look at trade the same way we do, that agreements made or treaties signed are more of a starting point for negotiation than documents that must be adhered to. Especially in this purchase, the Chinese company and the Chinese government are not playing fair. This company is 70 percent owned by the Chinese government, is said to be receiving more than a quarter of the funding of its bid for Unocal at zero percent or at highly subsidized interest rates.

Mr. Speaker, American companies who are interested in buying Unocal cannot get funding deals like that. They borrow on the open, non-subsidized credit market, or they would be able to offer a few billion dollars more in an instance like this. I call that an unfair trade practice, and a good enough reason for the deal to be waved off all by itself.

But, Mr. Speaker, there is a much more serious reason to be skeptical of this proposed purchase, and it is for that reason I support this resolution.

In my view, a purchase of Unocal by a company that the Communist government of China controls, a government that is one of our major trading partners but also one of our major trade competitors, threatens the national security of this country by holding out the prospect that every drop of oil, every unit of natural gas produced by that company could end up being shipped to China.

We are all reminded every time we go to the gas pump what has happened to the price of oil recently, and if the Chinese shut off the Unocal tap, the United States supply of oil would be that more scarce and a gallon of gas or heating oil that much more expensive.

You only need 2 numbers to understand how serious this problem potentially could become: the global excess capacity of oil production right now is estimated to be just 1.5 to 2 million barrels of oil a day, the lowest in the past several decades. Compare that to this: last year, China's increase in demand for crude oil is said to have been 850,000 barrels a day, with the demand expected to grow another 7.5 percent this year alone.

Mr. Speaker, the Chinese economy is inhaling oil, and a lot of other commodities, at a staggering rate. How can we imagine that a government-owned oil company will not send its fuel to feed that government's economy, and not our own?

Mr. Speaker, I urge support of this resolution that is so needed.

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

Ms. KILPATRICK of Michigan. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of the resolution. The House went on record earlier today in a strong, bipartisan way, to support that we would, first of all, make sure that CFIUS, which is the Committee on Investments in the United States chaired by the Secretary of the Treasury Snow, that we go on record making sure that we not spend money at this time for a Chinese company that is Communist-owned by the Communist government to take over our ninth largest oil company. The Congress has spoken, and we are happy that we did so in a loud, strong voice.

The sense of the Congress resolution before us is one that we also support. General Motors is losing technology to China, and it is costing the company $12 billion a year. Intellectual property rights are not being protected, and China has been abusing those rights.

We must protect American business, and we must do what is necessary. So, I am proud of the Congress and the gentleman from California (Mr. POMBO) for introducing this resolution that we also further state our strong support for not allowing the sale to go through.

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

Mr. NEY. Mr. Speaker, I yield 2 minutes to the Chairman of the Committee on Energy and Commerce, the gentleman from Texas (Mr. BARTON).

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in strong support of this resolution, and I am proud to be one of the original cosponsors. I would like to point out a couple of problems with the proposed transaction.

Number one, if Unocal was trying to buy the Chinese National Offshore Oil Company, they could not do it, because Chinese law does not allow a foreign company to have a controlling interest in a company in China. That is one problem.

Number two, CNOOC is a front company for the Communist Chinese government. Seventy percent of the equity in the company is owned by the Communist Chinese government. The money that is going to be used to buy Unocal comes from the Communist government in the form of a loan. This loan almost doubles the total amount of debt; in fact, it over-doubles the total amount of debt that the company currently has.

Number three, if we wanted to sell our products in China, under current law, that probably would not be allowed. So I am in strong support of this resolution.

I chair the committee that has jurisdiction over the Committee on Foreign Investment of the United States, CFIUS, and I plan to hold a hearing on this when we get back sometime in the very near future, after the July Fourth recess. There is no reason that we cannot find a buyer for Unocal that meets all of the tests that a company in the United States would have to meet.

So I am in strong support of this resolution, and I hope all Members of the House of Representatives will support it.

Ms. KILPATRICK of Michigan. Mr. Speaker, at this time, I yield 3 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I thank the gentlewoman for yielding me this time.

I do not have any objection to a review of this contract, and I certainly understand the domestic politics, but I think we need to be fully aware of two things about this: how China is able to purchase UNOCAL, and why they need to.

The how is all about what we have done to ourselves. With $9 trillion of public debt outstanding, somebody has to buy it, and 44 percent of our Treasury debt, I say to my colleagues, is foreign-owned. The fastest-growing component of that foreign ownership is in China, and it is a darn good thing for us that they are buying it, because if they were not, our interest rates would be much higher than they are today. They are keeping our interest rates low, but it does not come for free.

The fact is, if we say that they cannot use that money legally to purchase assets, to give 16+ billion to American shareholders in return for a corporate asset, what are they likely to do? They are going to say this currency is not as valuable to us as it is to other people in other countries, so we are going to have to dump this, and imagine what that would mean. They are holding a financial guillotine over the neck of our economy, and they will let it drop if we do things like this that are not well-considered.

Now, the why. They desperately need energy to keep their economy sustained, but if we do not let them invest in western firms, what are they going to do? They are going to invest more capital in Iran, in Sudan; they are going to make those governments even stronger than they are today and a much greater threat to us. So think seriously about this.

Now, the reality is that UNOCAL only produces about 1 percent of our oil and gas production, and they intend to market that and continue providing that to the United States. Also bear in mind, though, that American oil companies have a whole lot of drilling rights and oil reserves off the coast of China. We have an investment all over the world, and when we start with these kinds of resolutions, start deciding, well, we are not going to let the market work, we are not going to let free enterprise control this, this is not truly a globally free economy if it is not completely to out liking. We are going to treat China differently.

I cannot stand State-controlled economies. But when we start doing things like this, there are ramifications that we have not thoroughly thought out, and I think we need to be very careful about passing resolutions like this.

Again, I understand the domestic politics, I understand why we do not want State-owned companies controlling American oil companies, but I also understand why China is doing this. Their CEO was educated in the United States. They will keep all of UNOCAL's employees. Chevron plans to save millions by firing most of them. This is one of the better-run Chinese companies. Ultimately what they are proposing is much more in our interests than the alternatives also available to them. So let us fully consider this before we pass this resolution. I'm voting no.

Mr. NEY. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. HUNTER), the chairman of the Committee on Armed Services.

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

I support the attempt to block this sale. This sale involves a strategic asset and, more importantly, a strategic lever for Communist China. Our policy for the last many years has been to deter the Chinese government in Beijing from ever coming into the position where they thought they had enough leverage over the U.S. to cross the Straits of Taiwan. This would be a major lever that would accumulate to the Chinese Communist government on top of the Sovereign class missile cruisers that they have acquired, on top of the MiG fighter production that they have acquired, on top of the other acquisitions of major U.S. economic interests.

□ 2045

I hope everyone votes against this, votes to block this important transfer of a strategic asset to, and make no mistake about it, the communist government, not a private entity, but the communist government of China.

Ms. KILPATRICK of Michigan. Mr. Speaker, I yield 1½ minutes to the gentleman from Massachusetts (Mr. CAPUANO), a member of the committee.

Mr. CAPUANO. Mr. Speaker, this is a good resolution, and I support it, and the issue is important. However, I just wanted to stand tonight to point out the fact that we are really just talking about the tail. This is not the dog; it is simply the tail. It is important. I do not want to minimize it. But the truth is we are talking a $16 billion sale most of which will go to American shareholders.

However, what we are not talking about is the elephant in the room where right now as of today, after 4½ years of this administration, we currently owe China $277 billion. That is what we owe them right now. That is a 257 percent increase over 4½ years ago. We are going to have a 40-minute debate tonight on this particular issue. In that 40 minutes, on average, over the last 4½ years, America will have borrowed $3 million from China. By the time we are finished talking, we will owe them another $3 million. I do not want to pick on China. China is only one of the issues. It is not the only country.

In the last 4½ years, 84 percent of all debt sold, all private debt sold by the United States Government has been sold to foreign governments and foreign corporations of which China is only the second largest.

To me this is an important issue. I support it. I am glad we are taking action. But more importantly, we had better wake up. We are sending too many jobs, too much money, too much economic power overseas. China is only one of them. But they are a large one. I just wanted to use this opportunity to make sure that we know this is only the beginning. It is not the end.

Mr. NEY. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Speaker, I rise in strong support of the resolution. This legislation is going to send a much needed strong signal to China. We do not support government-sponsored acquisitions of American corporations that clearly threaten our national security. I am extremely concerned at CNOOC's proposal to buy Unocal, one of our Nation's leading independent natural gas and crude oil exploration companies. The Chinese Government owns over 70 percent of the China National Offshore Oil Corporation.

This is frightening. China is the second largest consumer of energy in the world behind the U.S. China's only desire to purchase this energy company is to meet the demands of their ever-growing population and economy. We cannot let this purchase move forward. What type of precedent would it set? What would the Chinese take next? They have already taken the textile industry jobs, thousands of jobs from other business, whether it is currency manipulation, the intellectual property rights or even government subsidies. China does not play by the rules. Why in the world would we expect them to do so now?

Folks, this is a no-brainer. It is time for America to take a stand and say no. We have suffered too much. We cannot allow the Chinese to lock into one of our most precious resources and leave our Nation vulnerable.

Support the resolution. I commend the gentleman from California (Mr. POMBO). Stop this move now.

Ms. KILPATRICK of Michigan. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentlewoman's courtesy in permitting me to speak on this bill. There are a number of things in here that I have no objection to, that I think we should do in terms of preserving our national security.

But what is striking about H. Res. 344 is that it basically misses the point. It is inadequate. It talks about only a little bit of the equation.

The problem that we have now is first, we have a reckless fiscal policy in this country aided and abetted by this Congress. We are as addicted to the Chinese loans, to their credit to us, as we are to Saudi oil. Nothing in this resolution talks about getting our fiscal house in order. What would happen if instead of using their money that we have given them to purchase this oil company, what if they purchased something in another area or if they start

dumping our bonds. What would happen to interest rates and the problems in this country?

It is also interesting that the resolution talks about the Chinese oil supply being stagnant in terms of their domestic production. Our supply in the U.S. is not just stagnant; it is going down. Even if you suck the entire oil supply out of the Arctic wildlife refuge and threaten our offshore areas with drilling, we are still in decline.

This resolution does not talk about energy independence for the United States. In fact, the Republican majority's energy bill, according to the Department of Energy, is going to increase our dependence on foreign imported oil by 75 percent. Interesting. We have gone from a one-third in the 70s, 56 percent imported today, it will be 68 percent in 2025; yet the best that my friends in the majority can do is bash China a little bit and not do anything about our oil addiction, not do anything about diversifying our sources of energy, not do anything about the reckless fiscal policy that puts us at their mercy.

As my colleague from Virginia pointed out, 44 percent of our debt is foreign owned, an increasing percentage from China. Our addiction to things from Wal-Mart means that it is going to be more the case in the future.

What are the Chinese doing? They are diversifying their supply. They are taking some of the money we have given them to invest. They are increasing the energy efficiency of their cars, something that, sadly, the Republican energy bill does not allow in any meaningful way.

I would suggest, ladies and gentlemen, that you can examine the national security implications of dual-use technology. That is fine. But what really has us at risk is that we are addicted to imported oil, wasting energy and a reckless fiscal policy. This resolution is completely beside the point on these critcial factors.

Mr. NEY. Mr. Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. HAYWORTH).

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

Mr. HAYWORTH. Mr. Speaker, I had hoped to come to the well to speak on a bipartisan resolution. Given the preceding remarks from the well, it may be difficult for international observers to detect the bipartisanship. Rather than succumb to the temptation of snappy rejoinders in the field of domestic political debate, rather than use this time as a pretext for a campaign screed that would criticize the opposing party instead of deal with the resolution at hand, rather than rephrase history about troubling campaign donations that emanated from the People's Republic of China, perhaps it is best, Mr. Speaker, to deal with the resolution at hand, and find some common agreement, apart from the grandstanding and campaigning that is so easily enjoined.

Fact number one: just as Dwight Eisenhower warned America about the growing influence of a military industrial complex, the fact is, there is a political business military complex in the martial markets of communist China. What do I mean by that? The communist Chinese do not enjoy free markets. They, instead, have a program of martial markets. American investment is kept in minority status; and every application, from the most innocuous widget to the fried chicken drumstick, eventually brings proceeds to the Chinese Red Army. And now we have the most graphic example, where the Chinese-owned energy company, with government, Communist government investment, seeks to buy an American oil company.

It has been said that information is power. Energy literally is power. Early in the 21st century, though we may look to new technological advantages, the fact is this: a nation that surrenders its energy concerns, its energy technology is a nation inviting vulnerability. And so I would enjoin Members of this House, Mr. Speaker, as tempting as political debate and one-upsmanship might be, not to succumb to the temptation, not to stand as Republicans or Democrats or Independent or Libertarians or vegetarians, but to stand as Americans. Support this resolution because we dare not yield our energy future to the Communist Chinese.

Ms. KILPATRICK of Michigan. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I thank the gentlewoman from Michigan (Ms. KILPATRICK) for yielding 3 minutes to me and wish to rise in support of the resolution, but also to compliment the gentlewoman from Michigan for successfully passing an amendment this afternoon that stopped this merger by claim with Unocal from going through. That is in the base bill that we were debating for the entire day.

This resolution is helpful. It gives us a sense of the Congress that the U.S. does not want to lose her strategic energy edge. But this July 4th weekend, it is important for America to think about our independence, indeed, our diminishing independence due to imported petroleum. It is the largest share of our trade deficit with the world; 63 percent of what fuels this economy has to be imported.

Yes, America has lost her independence, and under this President, it is 7 percent worse than it was before he took office now, with the cost of a barrel of oil over $60 and gas at the pump $2.50 and rising all over this Nation.

So what are the Chinese trying to do? They are trying to trump our strategic edge over in Afghanistan now, because the Unocal pipeline running through Afghanistan has all that natural gas just ready to flow, but it is right on the border of China. So China has been very smart with the money she has earned off this market. She is buying pieces of us or what some claim to be ''U.S. companies,'' but in actuality they have their assets spread all over the world. It's no secret we have pumped ourselves dry except for what is left up in Alaska.

And so we ask ourselves what is going on here? What is going on here is America is losing her independence, starting with petroleum. The Chinese need petroleum too. What America needs is energy independence here at home and the sooner we realize that, the fewer resolutions we would need to try to interfere with the free market. But you know what? We do not have any more choice, because we expect we will be 75 percent dependent on petroleum if this Congress does not trump this President of the United States and produce a real energy bill that will put us on the road to true energy independence. We need new biofuels, new energy from fuel cells, from hydrogen, from solar, from renewables, from all kinds of new energy sources that should be tapped and built in this country.

Meanwhile, we sort of have to limp our way across the finish line on this July 4th celebration and admit America is losing her energy edge around the world. We should not be dependent. We should not have to kneel down in front of the Chinese, the Communist Chinese, vegetarians as Mr. Watt referenced, or anyone else. We should become energy independent here at home. This resolution points us in the only direction open to us now. The gentlewoman from Michigan's amendment earlier in the day hit a real home run in blocking the merger. We compliment her for her excellent work.

Mr. NEY. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Speaker, both The Wall Street Journal and the New York Times agree, a rare event, that we should not interfere with free markets in this way. America stands for freedom, and that means not just voting for who we want, speaking the way we want, but also the right to buy and sell from whoever we wish.

I remember when Japanese investors moved to buy Rockefeller Center, at inflated prices, and many in this body wanted to stop that deal. We did not. And only a few years later the Japanese sold it back to the United States for pennies on the dollar. Bottom line, we made a killing. And Americans are better off for letting the market work.

If we take this action, China could rightfully cancel American investments in China now totaling $25 billion. Wal-Mart, Conoco, Motorola, United Air Lines all bought companies in China and should be allowed to do so.

□ 2100

We should recover the conviction of our own convictions, especially in our Republican party, to make sure we let the market work and let efficiency and fair play rule the day.

Ms. KILPATRICK of Michigan. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. JEFFERSON).

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

Mr. JEFFERSON. Mr. Speaker, I will enter into the RECORD a letter that a number of us in this House wrote to the Secretary of the Treasury with respect to this transaction.

I am one who has supported free trade since I have been in the Congress and I support it today. If it were true that this were a market-based transaction, as the preceding speaker has said, I would not be standing here talking about this issue whatsoever. The fact of this is this is not a free market transaction. This is a transaction by a government-owned company, financed by the government of China, financed with subsidies with the government of China and it puts every other competitor for the assets that they are seeking to acquire at a disadvantage.

There are substantial questions here about the motives of the Chinese as well. I have been dealing with oil and gas issues for a very long time as a representative from Louisiana, and ordinarily one thinks of the oil and gas market as one where free commodities move and oil is a very fungible commodity. But what we have here is a Chinese government with an accelerating demand for oil and gas trying to find a way to corner a market here and to put it to their exclusive use. This is unheard of in the oil and gas commodities market.

No one ever thinks that one explores for oil and then uses the oil only in the place where they have their own demand and not make it available to the rest of the world. That is the scary part of what is happening here.

As China seeks more and more assets that they themselves control and they themselves corner, it makes it much more difficult for us to argue that this is a free economy, a market-based economy. That is the real reason I have come to this microphone tonight.

I think it is important to support this resolution, and I think the actions we are taking today by the Congress were appropriate to be taken. I think the warning signs that are going up from this House about the Chinese government's interest in cornering the market on a strategic asset such as petroleum today, is a dire warning indeed and one we should take heed of.

So I urge the Members of the House and all who are within the sound of our voice to take heed of this warning and to support this important resolution.

CONGRESS OF THE UNITED STATES,
Washington, DC, June 24, 2005.

Hon. JOHN W. SNOW,
Secretary of the Treasury, Department of the Treasury, Washington, DC.

DEAR MR. SECRETARY, Energy security is a matter of significant and ever increasing importance for the United States. In particular, we are very concerned about China's ongoing and proposed acquisition of energy assets around the world, including assets of U.S.-based energy and oil companies.

China is now the second largest consumer of energy in the world, right behind the United States. In order to fulfill the energy consumption requirements of its growing population, China has developed an aggressive strategy to acquire offshore assets to supplement its limited domestice supply of resources. It will become increasingly difficult for U.S.-based companies to compete for scarce energy resoures on the world market against China's state-owned and/or controlled energy companies.

To that end, we are very concerned to read reports that the China National Offshore Oil Corporation (CNOOC)—whose majority owner is the Chinese government—is planning to make an offer to acquire one of America's leading independent natural gas and crude oil exploration and production companies. Moreover, it is our understanding that two influential Chinise government agencies have reportedly given tentative approval to this acquisition by CNOOC.

As you are aware, the Committee on Foreign Investment in the United States (CFIUS) was established to monitor the impact of foreign investment in the United States and to coordinate the implementation of U.S. policy on foreign investment. In 1988, CFIUS was given additional authority under Section 721 of the Defense Production Act of 1950 (the Exon-Florio Amendment) to authorize the President to conduct investigations to determine the impact of foreign acquisitions of U.S. companies on national security.

Given what we know about CNOOC to date, we think this potential transaction should be reviewed immediately by CFIUS to investigate the implications of the acquisition of U.S. energy companies and assets by CNOOC and other government controlled Chinese energy companies. As the official chair of CIFUS, we would request that the Treasury Department look into this proposed acquisition to determine whether an official CFISUS investigation should be undertaken should an official offer come from CNOOC. Specifically, the CFIUS should review the following issues, among others:

Whether and to what extent the Chinese government is involved in financing any potential acquisitions by CNOOC;

Whether such investments by CNOOC are market-based and free of subsidies;

Whether there are technology transfer implications of these investments that present national security concerns; and

How CNOOC investments in the U.S. energy sector and acquisitions of U.S.-based energy and oil companies advance China's energy agenda to the detriment of U.S. national security objectives.

Mr. Secretary, we know that you understand well the critical importance of ensuring U.S. energy security and the critical need to secure the future availability of energy resources for American consumers. We ask that you treat this matter with the utmost urgency and report back to us with yout findings.

Sincerely,

William J. Jefferson, Al Green, Dana Rohrabacher, Edolphus Towns, Sheila Jackson-Lee, Roger Wicker, Bobby Jindal, Kevin Brady, Michael Rogers of Michigan, Joseph Crowley, Devin Nunes, Ginny Brown-Waite, Richard Baker, George Radanovich, Ellen Tauscher, Gary Miller.

Gregory Meeks, Gene Green, Darrell Issa, Frank Wolf, Barbara Cubin, Charlie Melancon, Ted Strickland, Geoff Davis, Gene Taylor, Ralph Hall, Bill Jenkins, Wally Herger, Charles Boustany, Walter Jones, John Tanner, Bart Gordon.

John Shimkus, Michael Burgess, Paul Gillmor, Lincoln Davis, Ted Poe, J.D. Hayworth, Jim Walsh, Bob Goodlatte, Donald Manzullo, Roy Blunt, John Sullivan, Bernard Sanders, Collin C. Peterson, Roscoe G. Bartlett, John Doolittle, Peter T. King.

John J. Duncan, Jr., Bart Stupak, Dennis Cardoza, Thomas Reynolds, Eric Cantor, Carolyn Kilpatrick, Darlene Hooley, Mary Bono, Mark Foley, Robin Hayes, Tom Tancredo, Ken Calvert, Melissa Hart, Mark Souder, Jo Ann Davis, Michael Rogers of Alabama.

Mr. NEY. Mr. Speaker, I yield 6 minutes to the gentleman from California (Mr. POMBO), the chairman of the Committee on Resources.

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

First of all, I want to thank the gentleman from Louisiana (Mr. JEFFERSON) for the work he has put in to this issue and for the tone that he used in this debate. This is an important issue and it never ceases to amaze me to see that Members come to the floor and try to make it a partisan issue and try to complicate what is already a very complicated issue.

This is not about free trade or free markets. If it was it would be a very different debate. If we were talking about Exxon and Chevron or BP competing to buy Unocal, that would be a completely different debate.

What we are talking about is a company that is 70 percent owned by the Communist government of China, competing against a U.S. company to purchase a U.S.-based energy company. That is not free market. And no matter how you twist or turn or try to make this sound good, that is not free market. That is free market competing against the Communist-financed company. That raises concerns just because of that.

But let us look at it a little bit more and look at the assets of the company they are trying to buy. They are trying to buy a major U.S. energy provider. That is a major concern. In the world today, in the world market today we are near an energy crisis. We are almost equal in terms of supply and demand, and that is why the price of oil has gone up dramatically. The U.S. economy is growing. The Chinese economy is growing. The Indian economy is growing. The Brazilian economy is growing. All of these different economies are growing and they are competing for the same source of energy. And that has caused energy prices to go up worldwide.

Now, I tell my colleagues, you have got to wake up here. This is a wake-up call to all of us, to America and to us here, the Chinese have figured out that in order for their economy to grow, they need a safe, dependable supply of energy, primarily oil, coming into their market, in order for their economy to continue to grow. That is how you grow your economy. It is based on energy.

What are we doing to increase our domestic energy supplies? What are we

doing to provide a greater amounts of a safe, dependable supply of energy into this country? We have been trying to pass an energy bill for 5 years. Wake up. It is time for us to get together and figure out what our energy future is. We cannot, in my opinion, we cannot afford to have a major U.S. energy supplier controlled by the Communist Chinese. But what we are asking for in this resolution is for the President, for the administration to convene the Commission on Foreign Investment into the United States and investigate this possible sale, to look at it and determine whether or not this is in the best economic and national security interests of the United States. That is the purpose of the Commission on Foreign Investment. That is what we are asking them to do.

We are asking them to step forward and look at this and report whether or not this is in our best interest. It is my opinion it is not. It is my opinion that it is a huge risk that we run to allow a foreign government to own one of our major U.S. energy producers. That is a huge risk that we are running. At a time like this when we are looking at international shortages on energy, skyrocketing prices, we need to do what we can to increase domestic supplies and to hold on to what we have got. And at the same time I would encourage my colleagues to begin to put enough pressure so that we finally get an energy bill passed.

I heard one of the previous speakers talk about alternatives and solar and wind and fuel cells. I would just suggest read the energy bill. That is in it. But it also has the realistic view that in the short term, we are dependent on fossil fuels which are oil, gas and coal. That is the reality. That is what fuels the U.S. economy today.

We need to do both. Part of it is increasing domestic production of our fossil fuels and making that competitive in this market. The other part of it is looking at the future and how are we going to replace our dependence on current technology. That is the direction we are going. If we allow this sale to go forward, we are taking a huge risk. And I would encourage my colleagues to support this resolution. It is the right policy, the right thing for this country, and the right thing for Congress to do.

Ms. KILPATRICK of Michigan. Mr. Speaker, how much time remains on each side?

The SPEAKER pro tempore (Mr. SIMPSON). The gentlewoman from Michigan (Ms. KILPATRICK) has 6 minutes remaining. The gentleman from Ohio (Mr. NEY) has 3½ minutes remaining.

Ms. KILPATRICK of Michigan. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentlewoman from Michigan (Ms. KILPATRICK) for yielding me time. I want to thank her, first of all, for focusing the House on this very important issue, and as has been said before, giving us an opportunity to affirmatively stand against an idea whose time has not come.

If there is ever a time to speak about investing in America I think the time is now. On the shadow of celebrating the freedom day, July 4, our day of independence, it is a time now to stand up for investing in America. And I guess in discussing this purchase of Unocal by China, I think we should make the point that China has been and hopefully will continue to be our friend. We engage in cultural exchange and educational exchange. It is a great opportunity to learn from each other to do research with each other.

But in this instance, I think any purchase of Unocal by China at this time would be a disservice and a detriment to our homeland security. For example, one of the reasons why Unocal is such an attractive purchase is because it has deep reserves. And one of the reasons it has deep reserves is because it is one of the few companies that has developed the kind of technology that has allowed it to project into the future and be able to keep and find the amount of reserves that keep it with a sizable amount of reserves in place.

Then, of course, China is dropping cool cash, $18 billion, which puts at a disadvantage a number of American companies in particular who are interested in purchasing Unocal.

Now, of course, this is a private purchase and shareholders rights have to be taken into consideration, but I think this Congress, although we are a capitalist society, should look at the government money that Communist China is going up to buy not only in America but in South and Central America, in the Caribbean, in Africa, more and more in the Middle East and elsewhere. We need to begin to put together a package that suggests that we will be able to help some of our companies who are trying to invest in America companies and purchasing them.

Well, an unusual idea but one whose time may have come. We cannot compete. We need to be able to support our companies such as General Motors. Why does General Motors owe China $2 billion. Why do we owe China almost $300 billion? Because we have not kept our eye on the prize and we have not reminded not only our individuals, but our large corporate sector of investing in America.

I rise to support this amendment. There should be bipartisan support. I thank the distinguished gentlewoman from Michigan (Ms. KILPATRICK) for her very affirmative amendment that keeps the money away from this deal. But I believe the sense of Congress should acknowledge that this is a protracted deal. We need oversight, and it should not go forward unless we pass the litmus test of national security, homeland security, investing in America and allowing American companies to purchase Unocal. Because I remind my friends, the technology that you lose today is the technology that you will regret tomorrow.

This purchase should not go forward. I ask for the support of the amendment.

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

Ms. KILPATRICK of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, thank you for allowing us to have this debate. I believe it has been a good debate and we do support the amendment, many of us on this side of the aisle, although a couple who spoke do not support it.

It is important as we talked about it earlier today that we remembered that 53 percent of America's private debt is held by foreign countries, 53 percent. That means many of our debt and the two owners of those debts are Japan first, and China second. 53 percent of our private debt is owned by foreign countries. I think that is not good for our country, for our grandchildren. We have got to strengthen America, calling those debts when we are able to pay them off, and give America back to Americans.

Should we have work with China? And I said this earlier, yes, we should, and other foreign markets. This is an international, global community that we live in. But we should always put America first, and I think the debate that we have had today, and I thank the gentleman from California (Mr. POMBO) for some of his remarks and for the resolution, the sense of the Congress, again, will reinforce what we have done earlier today.

We have got to make sure that American companies stay strong so that Americans can continue to work, so they can take care of their families, pay taxes, help cities, towns and villages maintain themselves with the revenue that it gets from them.

So trade, yes, and this is free trade. Somebody said free trade. This is not that deal. This is something less than that. As the gentleman from Louisiana (Mr. JEFFERSON) spoke, it is getting the corner of the market because you can pay $18.5 billion in cash at a time when our country has $160 billion trade deficit and then you turn some of that money back and want to buy our company. It is not a good deal.

We call on CFIUS, the Committee on Foreign Investment in the United States, Secretary Snowe and his 12-member committee to look closely at what is before them, to do the proper investigation and then not to recommend to the President that we go forward with this sale.

It is not the right time for America. It will weaken our economy. And our national security interests as well as our economic interests, as well as our energy interests are at stake.

□ 2115

So, Mr. Speaker, let us not do this sale. Let us continue to build America and keep America strong.

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

Mr. NEY. Mr. Speaker, I yield myself the time remaining.

Mr. Speaker, I want to thank the gentlewoman from Michigan for standing up tonight for this resolution, standing up for the American people.

I want to thank the gentleman from California (Chairman POMBO) for this resolution and also the gentleman from Ohio (Chairman OXLEY) for expediting this, also being a cosponsor, but expediting this to the floor.

Mr. Speaker, national security has to include economic security. This is an important resolution. Never in a million years would China let us do this type of deal over there, and do not fool yourselves about that.

This deal is not good for America. It is not good for American workers. As we near our birthday of this country, let us not give a gift to the Chinese Government. Let us give a gift to the American people and support this important resolution.

Mr. PAUL. Mr. Speaker I rise with great reservations over this legislation. Why is the federal government involving itself in the sale of a private American company? Do we really believe we have this kind of authority?

I would remind my colleagues that Unocal is a private company with shareholders and a board of directors. That is the governance of the company—not the U.S. Congress. Do we really believe that we should be the real board of governors of Unocal?

If in the United States a private company does not have the right to be sold on the free market, should we really be criticizing the lack of freedom in China? Many conservatives who have decried the recent Supreme Court decision that severely undermines the principle of private property in the United States are now on the other side, cheering this blatant Congressional attempt to do something that may be even worse than Kelo vs. New London.

I voted recently against allowing the EximBank to use U.S. taxpayer money to underwrite Chinese construction of nuclear power plants. I do not support subsidizing the Chinese government's economic activities. But I also do not support the U.S. Congress involving itself in the private economic transactions of U.S. companies.

Some have raised concerns that the purchase of Unocal by a company tied to the Chinese government will create security problems for the United States. I would argue the opposite. International trade and economic activity tends to diminish, not increase tensions between countries. Increased economic relationships between the United States and China make military conflict much less likely, as it becomes in neither country's interest to allow tensions to get out of hand.

Mr. Speaker, we should not criticize a lack of economic freedom in China when Congress, as evidenced in this legislation, attempts to restrict the economic freedom of American citizens.

Mr. STARK. Mr. Speaker, I rise in opposition to H. Res. 344, which blames China for our dependence on foreign oil.

The Republican Majority has already sold the entire farm to foreign central banks and multinational corporations, and now they're trying to tell the American people that they're standing up for them by stopping China from buying a leftover chicken.

Mr. Speaker, where were these patriotic Republicans when the House passed an energy bill and couldn't even muster the votes to raise fuel economy standards on automobiles? Where were they when we passed trade deals and tax laws to make it easier for their corporate friends to ship jobs to China? Why has President Bush refused to stand up for American workers who wither against illegal dumping practices and an undervalued Chinese currency?

The American people need to know: as long as the Republican Majority and their corporate friends get their tax breaks and boondoggle defense contracts, they don't care who pays the bill. China, in turn, is happy to prop up the dollar and finance the debt because it gives them great leverage over the U.S. for years to come. No empty resolution like this or indignant politician can change that.

So why are we talking about China now when they have been stocking oil supplies and U.S. currency for years with no change in course from this administration? It's very simple: cheap Chinese imports and labor enrich the pockets of the people who really matter in the Republican party, but a Chinese company owning Unocal does nothing for the base. This non-binding resolution is a talking point for July 4th barbecues, just the way the Republicans will tell their constituents that they're making them safer by throwing billions more into the quagmire in Iraq.

Mr. Speaker, I have proudly voted for renewable energy, against trade deals that sell out American workers, and against tax breaks for millionaires financed by foreign governments. I support real economic security, and I will not support this sham resolution to give cover to my greedy colleagues and their corporate contributors.

Mr. GARY G. MILLER of California. Mr. Speaker, I rise today in support of H. Res. 344, which expresses the sense of the House of Representatives that a Chinese government acquisition of a critical United States energy company could impair our national security and therefore justifies a comprehensive review.

As a member of the Congressional China Caucus, I would like to commend Chairman POMBO for his hard work to ensure our country and its resources are protected.

The bid by the China National Offshore Oil Corporation (CNOOC), whose majority owner is the Chinese government, to acquire Unocal Corporation is China's first attempt to secure energy resources in the United States and must be thoroughly evaluated.

Unocal is one of America's leading independent natural gas and crude oil exploration and production companies. It is the country's ninth largest oil company, producing 159,000 barrels of oil and more than 1.5 billion cubic feet of natural gas per day.

The Chinese oil company's plan to buy California-based Unocal poses serious questions about national security. In addition, this acquisition could mean less energy for the United States.

In a free market economy, mergers and acquisitions are a common way to enter foreign markets. However, China does not yet comprehend laissez faire economic principles. While our economy promotes competition for the sake of consumers, China's economy is easily influenced by political forces. As a state-owned corporation with ties to Chinese government leaders, I am worried that CNOOC's motivation is aligned to political and nationalistic goals. Specifically, I am troubled that CNOOC may use Unocal's technology to advance China's military.

As is evidenced by passage of the Energy Policy Act in the House and the Senate, I know that all Members of Congress understand the critical need to secure the future availability of energy resources for American consumers. I fear China is attempting to buy Unocal not as an investment, but to use the company's vast reserves, especially its natural gas fields, for its own benefit at the cost of the U.S. economy. For these reasons, Congress must ensure the Chinese company's bid is carefully reviewed by all of the relevant agencies.

I urge my colleagues to support this resolution to demonstrate that we will not let China damage our economy or compromise our national security through hostile acquisitions of oil and natural gas resources.

Mr. OXLEY. Mr. Speaker, I rise in strong support of the resolution authored by the gentleman from California concerning the bid by CNOOC Ltd. to purchase Unocal Corp.

Mr. Speaker, I remain fully committed to free and fair trade. However, I don't believe that this offer constitutes free and fair trade. The offer also could threaten our national security. This resolution would encourage immediate review of a merger agreement, which is authorized by the statute already, rather than waiting for bureaucratic processes to kick in. Acting quickly is important because national security reviews of proposed merger transactions often take months and can last over a year.

Mr. Speaker, a review of any Unocal merger agreement with CNOOC would be done by the Committee on Foreign Investment in the United States, known as CFIUS, which was created pursuant to language inserted into the Defense Production Act (DPA) nearly two decades ago. It is chaired by the Department of the Treasury and includes Commerce, Homeland Security, Defense, State, the U.S. Trade Representative and other parts of the government.

The DPA is solely in the jurisdiction of the Committee on Financial Services because it seeks to identify, stop or mitigate negative effects on the economy from our efforts to protect the Nation's security. As Chairman of the Committee of jurisdiction, I believe it is critically important that the Administration act quickly to review any merger agreement so that shareholders who would need to review potentially competing bids would have all relevant information at their disposal.

Mr. Speaker, the national security implications of a proposed merger between CNOOC and Unocal are unmistakable. China's appetite for energy is enormous. I agree with the gentleman from Ohio, Mr. NEY, that national security includes economic security here. It is important for CFIUS to review the possibility that the Chinese might divert from the United States all of Unocal's energy production to China to feed its energy appetites if a merger with Unocal were to be completed. I think we

can all agree that this would be a blow to the U.S. economy.

Please consider the following facts:

China's consumption of crude oil is expected to double within the next two decades.

World production of oil exceeds capacity by the smallest margin in decades.

China's need for energy is so great that electricity has been rationed to some factories, and the Chinese are reported to be investing in technology to ''cook'' low-quality coal into gasoline. This is costly, inefficient and has environmental problems.

China is the world's largest economy without a meaningful strategic petroleum reserve.

The U.S.-China Commission's 2004 Report to Congress indicated that China's strategy for securing oil supplies ''is still focused on owning the import oil at the production point . . . The Chinese policy is to own the barrel that they import . . . to gain control of the oil at the source. Geopolitically, this could soon bring the United States and Chinese energy interests into conflict.' '' The United States, in contrast, has a free market strategy ''based on global market supply and pricing.''

The same report indicates that China ''plans to expand its strategic reserve to fifty to fifty-five days worth of oil imports by 2005 and sixty-eight to seventy days by 2010.''

So, as today's Washington Post points out, it makes perfect sense that a majority-owned Chinese oil company seeks to acquire control of oil and gas production and reserves.

Make no mistake about it, Mr. Speaker, this offer comes from the Chinese government. CNOOC is 70 percent owned by the Chinese government. One quarter of the funding for its cash offer comes at no or minimal interest rates. If that is not a subsidy, Mr. Chairman, I do not know what a subsidy is. News reports indicate that more than $5 billion of the Unocal offer is available at no interest—more than $2 billion of the bid—or at 3.5 percent interest. These are not market rates.

I absolutely agree with a spokesman for China's Foreign Ministry, who is quoted in the Post article as saying: ''We think that these commercial activities should not be interfered in or disturbed by political elements.'' By that I mean: without a Chinese government subsidy.

Mr. Speaker, I would like to add that I doubt whether the CNOOC proposal will result in a deal which would trigger CFIUS review. The Chevron offer will go to Unocal shareholders August 10. The Chevron offer now has all of the appropriate regulatory approval. The CNOOC offer comes late in the process and has not received any regulatory approvals to date. It is far from clear, even with the Chinese government subsidies, that the CNOOC bid would be competitive with the Chevron bid . . . but that is a decision for Unocal shareholders to make, not us.

Mr. Speaker, I urge immediate approval of this resolution and immediate review of any accepted CNOOC offer for Unocal.

As well, Mr. Speaker, I urge swift convening of a conference committee on a comprehensive energy bill for the United States, an adoption of the President's comprehensive energy program for the U.S. and swift adoption of the conference report.

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

The SPEAKER pro tempore (Mr. SIMPSON). 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. 344.

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. NEY. 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. NEY. 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. 344.

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

There was no objection.

EXPRESSING THE GRAVE DISAPPROVAL OF THE HOUSE REGARDING MAJORITY OPINION OF SUPREME COURT IN KELO V. CITY OF NEW LONDON

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 340) expressing the grave disapproval of the House of Representatives regarding the majority opinion of the Supreme Court in the case of Kelo et al. v. City of New London et al. that nullifies the protections afforded private property owners in the Takings Clause of the Fifth Amendment.

The Clerk read as follows:

H. RES. 340

Whereas the takings clause of the fifth amendment states ''nor shall private property be taken for public use, without just compensation'';

Whereas upon adoption, the 14th amendment extended the application of the fifth amendment to each and every State and local government;

Whereas the takings clause of the 5th amendment has historically been interpreted and applied by the Supreme Court to be conditioned upon the necessity that Government assumption of private property through eminent domain must be for the public use and requires just compensation;

Whereas the opinion of the majority in Kelo et al. v. City of New London et al. renders the public use provision in the Takings Clause of the fifth amendment without meaning;

Whereas the opinion of the majority in Kelo et al. v. City of New London et al. justifies the forfeiture of a person's private property through eminent domain for the sole benefit of another private person;

Whereas the dissenting opinion upholds the historical interpretation of the takings clause and affirms that ''the public use requirement imposes a more basic limitation upon government, circumscribing the very scope of the eminent domain power: Government may compel an individual to forfeit her property for the public's use, but not for the benefit of another private person'';

Whereas the dissenting opinion in Kelo et al. v. City of New London et al. holds that the ''standard this Court has adopted for the Public Use Clause is therefore deeply perverse'' and the beneficiaries of this decision are ''likely to be those citizens with disproportionate influence and power in the political process, including large corporations and development firms'' and ''the government now has license to transfer property from those with fewer resources to those with more''; and

Whereas all levels of government have a Constitutional responsibility and a moral obligation to always defend the property rights of individuals and to only execute its power of eminent domain for the good of public use and contingent upon the just compensation to the individual property owner: Now, therefore, be it

Resolved, That—

(1) the House of Representatives—

(A) disagrees with the majority opinion in Kelo et al. v. City of New London et al. and its holdings that effectively negate the public use requirement of the takings clause; and

(B) agrees with the dissenting opinion in Kelo et al. v. City of New London et al. in its upholding of the historical interpretation of the takings clause and its deference to the rights of individuals and their property; and

(2) it is the sense of the House of Representatives that—

(A) State and local governments should only execute the power of eminent domain for those purposes that serve the public good in accordance with the fifth amendment;

(B) State and local governments must always justly compensate those individuals whose property is assumed through eminent domain in accordance with the fifth amendment;

(C) any execution of eminent domain by State and local government that does not comply with subparagraphs (A) and (B) constitutes an abuse of government power and an usurpation of the individual property rights as defined in the fifth amendment;

(D) eminent domain should never be used to advantage one private party over another;

(E) no State nor local government should construe the holdings of Kelo et al. v. City of New London et al. as justification to abuse the power of eminent domain; and

(F) Congress maintains the prerogative and reserves the right to address through legislation any abuses of eminent domain by State and local government in light of the ruling in Kelo et al. v. City of New London et al.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. 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. 340.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H. Res. 340, a resolution introduced by the gentleman from Georgia (Mr. GINGREY) strongly condemning the Supreme Court's 5–4 decision in Kelo v. City of New London. In this case, handed down on June 23, the Supreme Court transformed the public use doctrine under the fifth amendment's takings clause to allow the government to take property for economic development.

The fifth amendment of the U.S. Constitution specifically provides that private property shall not be taken for public use without just compensation. This decision insults the constitutional rights of all Americans and unsettles decades of judicial precedent.

As the dissent in this case pointed out, under the majority's opinion, ''Any property may now be taken for the benefit of another private party. 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.''

To give legislative force to this resolution, today I introduced H.R. 3135, the Private Property Rights Protection Act of 2005. This bipartisan bill will help restore the property rights of all Americans that the Supreme Court took away last week. I am pleased that the gentleman from Michigan (Mr. CONYERS), the ranking member of the Committee on the Judiciary, is the lead Democratic cosponsor and that 64 additional Members have already agreed to support this measure.

This legislation would prevent the Federal Government from using economic development as a justification for taking privately owned property. It would also prohibit any State or municipality from doing so whenever Federal funds are involved with the project for which eminent domain authority is exercised. American taxpayers should not be forced to contribute in any way to the abuse of government power.

The impact of this decision cuts across social, economic and demographic lines. In their joint amicus brief, the NAACP and the AARP stated, ''The takings that result from the Court's decision will disproportionately affect and harm the economically disadvantaged and, in particular, the racial and ethnic minorities and the elderly.''

In its brief, the American Farm Bureau Federation stated, ''Each of our members is threatened by the decision with the loss of productive farm and ranch land, solely to allow someone else to put it to a different private use.''

The representatives of religious organizations have stated that the Supreme Court's decision will ''grant municipalities a special license to invade the autonomy of and take the property of religious institutions.''

Mr. Speaker, I commend the gentleman from Georgia (Mr. GINGREY) for introducing this important resolution and encourage my colleagues to support it. I also ask Members to join me in cosponsoring H.R. 3135 to assure the American people that we will not allow our churches, our homes, our farms and other private property to be bulldozed in abusive land grabs that solely benefit private individuals whose only claim to that land is that their greater wealth will increase tax revenues.

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

Mr. CONYERS. Mr. Chairman, I yield myself such time as I may consume, and I rise in opposition to this sense of Congress resolution.

This is a great evening in the House of Representatives. We had the gentleman from Wisconsin, the chairman, joining me and the great civil rights organizations of America that he has named, all working in common cause to right a decision that has come out of the Supreme Court about eminent domain that will require the attention of all of the Members of this body.

In a way, I am reluctantly in opposition to the sense of Congress resolution because if I had had a little part in drafting it, I can tell my colleagues we would have taken out some of the over-the-top criticism of the Court itself, and I would probably be arguing for this sense of Congress resolution.

I have serious concerns regarding the misuse and overuse of eminent domain procedures in this country and oppose the elevation of corporate profits and corporate uses of land over individual rights. So like the chairman of the Committee on the Judiciary, I joined NAACP, the Southern Christian Leadership Council, Operation Push, and the Leadership Conference on Civil Rights because I think this Court opinion makes it too easy for private property to be taken and transferred to another private owner. This is a particular problem. Eminent domain has been used historically to target the poor, people of color, and the elderly.

Since I am a cosponsor of the bipartisan legislation that the chairman of the committee has called for, then what is my problem with the resolution? Well, it gratuitously overtargets the judicial branch. There are terms in here that are not helpful as we engage in a debate with a co-equal branch of government.

The resolution insists that Congress, and Congress alone, can address abuses of eminent domain. I am not so sure about that. That ignores and demeans the historic role the courts have played in protecting individual rights and property rights.

The other problem that leads me not to be supportive of the sense of Congress resolution is that it inaccurately misstates the scope of the Supreme Court's ruling. For example, the resolution states that the majority opinion justifies the forfeiture of a person's private property through eminent domain for the sole benefit of another private person. As a matter of fact, Justice Stevens stated at the outset of his opinion that the sovereign may not take property for the sole purpose of transferring it to another party.

The resolution states that the majority opinion renders the public use provision in the takings clause meaningless, but it is more accurate to say that the public purpose requirement is still applicable, although somewhat diminished.

In reality, the majority opinion held that the eminent domain may be used where the plan serves a public purpose. The issue of eminent domain in takings are complex, fact-specific issues. They warrant more than the short discussion that we will be limited to today. The issue deserves full legislative hearings, which our legislation will, of course, provide for in the Committee on the Judiciary.

We want to all work on this constitutional issue. It is sensitive. We cannot go over the top on this. We have got to keep it down.

I am tired of corporations wiping out communities because they need a plant or casinos developed and taken under eminent domain. We need to rein this in, and this case gives us an opportunity to do so.

I am shocked that I am standing in the well here reciting the members that signed the dissent: Scalia, Rehnquist, Thomas and O'Connor. What an evening this has been for those of us here in the House.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. GINGREY), the author of the resolution.

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

Mr. GINGREY. Mr. Speaker, I rise today as the author of H. Res. 340, a resolution expressing the grave disapproval of the House of Representatives regarding the majority opinion of the Supreme Court in the case of Kelo et al. v. City of New London, Connecticut. I encourage all of my colleagues on both sides of the aisle to support this bipartisan resolution.

Mr. Speaker, I first would like to take this opportunity to thank the leadership of this House and the gentleman from Wisconsin (Chairman SENSENBRENNER) for so expeditiously scheduling and shepherding this resolution to the floor for a vote. I would also like to thank the over 75 Members who have contacted my office to become cosponsors of the resolution and those who are speaking in support of it tonight.

H. Res. 340 demonstrates the commitment of this House to not stand idly by, but rather to act now in addressing this atrocious and negligent decision. By a margin of only one vote, the Supreme Court has struck down 2 centuries' worth of precedents and constitutional protections for property owners.

It is the responsibility of this House to ensure that the American people,

the owners of this great country, are never run over by a handful of judges who refuse to enforce the written laws of this land and to uphold the guarantees of the Constitution.

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Mr. Speaker, despite the failings of the majority in the New London decision, at least there were four justices who got it right. I applaud them in their steadfast determination and commitment to uphold the Constitution and express their own dismay at the majority's rulings.

As Justice O'Connor writes in the dissenting opinion: ''Any property may now be taken for the benefit of another private property, and the beneficiaries are likely to be those citizens with disproportionate influence and power in the political process.''

No home, no business, no property, no person is safe from the destructive consequences of this decision. Imagine a local city council using its power of eminent domain to condemn and demolish the local church or synagogue and put up a Starbucks because God is not making them any money.

As Americans across this country prepare to celebrate the 229th anniversary of our independence, I can think of no greater tribute to our fine and Founding Fathers and no greater gift to the American people than declaring that this land is their land and not the government's.

Mr. Speaker, I again want to thank the leadership of this House and the gentleman from Wisconsin (Mr. SENSENBRENNER), and I would encourage all of my colleagues to pass this resolution and speak united in one voice declaring liberty and justice for all.

Mr. Speaker, I rise today as the author of H. Res. 340, a resolution expressing the grave disapproval of the House of Representatives regarding the majority opinion of the Supreme Court in the case of Kelo et al. v. the City of New London Connecticut. I encourage all of my colleagues on both sides of the aisle to support this bipartisan Resolution.

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Mr. Speaker, despite the failings of the majority in the New London decision, at least there were four justices who got it right. I applaud them in their steadfast determination and commitment to uphold the Constitution and express their own dismay at the majority's ruling. As Justice O'Connor writes in the dissenting opinion: ''any property may now be taken for the benefit of another private party . . . and the beneficiaries are likely to be those citizens with disproportionate influence and power in the political process.''

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Mr. Speaker, I again want to thank the Leadership of this House and Chairman SENSENBRENNER, and I would encourage all of my colleagues to pass this Resolution and speak united in one voice declaring liberty and justice for all.

Mr. CONYERS. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. NADLER), the ranking member on the Subcommittee on the Constitution.

Mr. NADLER. Mr. Speaker, I thank the gentleman for yielding me this time, and I am pleased that my colleagues have focused on the importance of the Supreme Court's Kelo decision. The power of eminent domain is an extraordinary power that must be used rarely and with great care. Even where the constitution might permit the exercise of this extraordinary power, government must take great care to respect the rights of families, of small businesses and of communities. This is not a power that should be used for the benefit of private parties who might be well connected, as Justice O'Connor said. It is a power that can be abused, and that has been abused.

I want to point out that the Supreme Court, in this decision, is essentially saying that power that communities have exercised, they can continue to exercise, where some thought that we ought to pull it back. For example, when President Bush was one of the owners of the Texas Rangers baseball team, they were able to get the town of Arlington, Texas, to condemn private property to give them land to build a baseball stadium. Ask the Mathes family about the abuse of power. The city condemned 13 acres of their land for George Bush's baseball team, and the Mathes family had to go to court to compensate them for the actual value of the land.

Now, I think we would agree that was not right, and the Supreme Court now says that that is okay. We cannot allow private individuals to be enriched at the expense of their neighbors by hijacking and abusing the power of government.

The Kelo decision raises a great many questions, and I want to commend my colleagues, the chairman, the gentleman from Wisconsin (Mr. SENSENBRENNER), and the ranking member, the gentleman from Michigan (Mr. CONYERS), for introducing legislation and allowing the Committee on the Judiciary to consider the full impact of the court's decision and draw the proper line between the public interest and private enrichments. We need to protect families like the Mathes family, victimized by the Texas Rangers and the town government in Texas, and we need to protect our communities from the abuse of government power to benefit private interest.

Now, I am going to reluctantly vote against the resolution because, as the gentleman from Michigan (Mr. CONYERS) said, it says things about the decision that probably are not accurate. I do not think the decision said that you can use the power of eminent domain for the sole benefit of another private person. It might be the incidental benefit of a private person if you could concoct a theory of public benefit. I do not think it completely negates the public use requirements of the takings clause.

Having said that, the basic purpose of the resolution is a good one, and the basic purpose of the legislation that the chairman has introduced is a good purpose. But I hope we will hold a series of hearings on the Committee on the Judiciary. We should hold one hearing to determine from experts exactly what the Supreme Court said; how far it went and how far it did not go. When the dissent says it went this far, it does not mean that is what the majority meant. Dissents often overemphasize the implications of the majority decision.

So I think we should have one hearing on what the Supreme Court actually said and what we are faced with, and I think we should have another hearing on where we think we should draw the line. Communities need to be able to use eminent domain for legitimate economic development, but they should not be able to use it for private enrichment. How do you draw that line?

These are serious questions that we should consider adequately. I think we should hold a few hearings and craft careful legislation to limit the effect of the Supreme Court's decision, and I would hope that we could craft legislation carefully that we could all support in this House.

So, again, I commend Chairman SENSENBRENNER, and I am glad to be able to have the opportunity to do that after recent history. I commend Ranking Member CONYERS. But I will reluctantly vote against this resolution because, although I approve of its main thrust, I believe it says things about the court decision that are not quite accurate, and I look forward to working with my colleagues to fashion legislation that we can all support and that gets us what the Greeks called the proper mien to protect the rights of

communities for proper economic development, but protect the rights of individuals. But I do, once again, thank the gentleman for bringing this subject to our attention.

Mr. SENSENBRENNER. Mr. Speaker, I yield 10 seconds to the gentleman from Texas (Mr. DELAY), the distinguished majority leader.

Mr. DELAY. Mr. Speaker, I thank the gentleman for his generosity in yielding me this time.

Mr. Speaker, the Constitution of the United States was written as much for any other reason as to protect the private property rights of the American people. The Supreme Court last week, in the already infamous Kelo case, essentially rejected the very idea of private property rights at all.

I know some believe that the Supreme Court is some Citadel with all knowledge and all wisdom and that every decision they make is the right decision. But by this narrow 5–4 decision, our high court essentially set aside the most basic fundamental tenet of the social contract that underlies self-government, the inviolability of private property rights; the unchangeable principle of politics, morality, and common sense; that what is mine is mine, and what is yours is yours.

What the court decided last week was that what is mine is not really mine and what is yours is not really yours; that, in fact, private property only exists as a political expedient, a psychological contrivance wholly subject to the government's whim. The court ruled that private property, your home or your small business, may be taken by the government and given to someone else who, in the government's judgment, will put that property to better use.

This is not the taking of someone's property without compensation for specific public use, like a highway or a military base. Congress and States are explicitly granted such power in the Constitution. This is, instead, the government taking your home and giving it to some business because they will generate more tax revenue. Indeed, given the risible logic employed by the court's majority last week, there is no reason your city council cannot kick you out of your house and give it to a wealthier family who will add on to the home and, therefore, pay higher property taxes down the road.

Mr. Speaker, I am not a lawyer, so do not just take my word for it. Justice O'Connor, writing in dissent of this awful decision said: ''If predicted, or even guaranteed, positive side effects are enough to render transfer from one private party to another constitutional, then the words ''for public use'' in the Constitution do not realistically exclude any takings.'' Justice Thomas adds, ''If such economic development takings are for public use, any taking is, and the court has erased the Public Use Clause for our constitution.''

Both Justices O'Connor and Thomas went on to warn the result of this foolhardy decision would be that people most vulnerable to the government preying on their property would be the poor, the elderly, and racial minorities. No kidding. Those people with the least economic and political power, with the least means to fight back, and the most need for government protection of their God-given rights have been told by the Supreme Court that while property rights are sacred, some people's property rights are more sacred than others.

This is madness, Mr. Speaker, and it must not stand. The court's Kelo decision will go down in history as a travesty. It is not a debatable ideological overreach but a universally deplorable assault of the rights of man. The only bright lining to it is that this time the court may have finally gone too far and the American people will reassert their constitutional authority.

We can only hope, Mr. Speaker, that this resolution will be the first step in a long overdue process of constitutional renewal. Begin that process and vote ''yes'' on this resolution.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume to thank the Supreme Court for bringing us all together here in the House tonight. It is very unusual.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. FRANK), an active member for many years on the Committee on the Judiciary who is now on leave.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the distinguished ranking member for yielding me this time, and, like him and the ranking member of the subcommittee, I have some differences with the wording here. I was particularly struck by the second whereas. ''Whereas upon adoption, the 14th amendment extended the application of the fifth amendment to each and every State and local government.'' In fact, it did not. Not at adoption.

When the 14th amendment was adopted, it was not considered to extend it. And, in fact, it was what some would have called a liberal Supreme Court that decided to apply the Bill of Rights to the States through the 14th amendment. Now, I am glad they did, and I welcome the support in this resolution for that concept. I know not everybody on that side agrees with it.

Having said that, I am going to vote for the resolution, even though I disagree with some of the wording. I long ago had to come to the reluctant conclusion that voting for resolutions and literary criticism were two very different activities, and too high an aesthetic standard applied to resolutions would make me always vote no. So I tend to not pay too much attention to the whereases. I look at the resolves, and I agree with these resolves.

But let me rephrase the question, because this is the question the majority is asking. Remember, the Supreme Court, the five-member majority, made what I think is a wrong decision, but they did not take the property. You know who took the property? The elected government of the City of New London, people who were elected, and they did it pursuant to laws adopted by the elected legislature and governor of Connecticut. So what you are accusing the Supreme Court of, and I am agreeing with, is very simple: They were insufficiently activists.

Here is this Supreme Court majority letting elected officials do what they want. And the majority is asking an often-asked question: Where is judicial activism when we need it? Because people are not opposed to judicial activism, they are only opposed to judicial activism when they do not want the result. This is judicial activism you are calling for.

Let me read your resolves. ''State and local governments should only execute the power of eminent domain for those purposes.'' ''State and local governments must always justly compensate.'' It is State and local governments in the resolution that we are telling what to do. And your problem with the Supreme Court is that it is letting those pesky elected local and State governments do what they want.

My colleagues are saying, wait a minute, we cannot have elected officials just doing whatever they want. We cannot let elected officials deciding to do these things. If they violate constitutional rights, we want a Supreme Court that stops them. Well, so do I. But sometimes you call that activism. Because that is what you are asking for.

The Supreme Court has never taken a piece of property. Go right across the street. You can look. It has not gotten any bigger. I have been here 25 years, and they have not expanded one tree. What they did was allow locally elected and State elected officials to do it. So let me say that I agree with your complaint about insufficient judicial activism in this case. Let us just not think that that is a faucet you turn on and off.

The second issue is let us get consistent application of it. The gentleman from New York correctly mentioned a case where they took land in Texas for a baseball stadium. A number of Members here have been enjoying the new baseball team in Washington. We have seen a couple of outrageous assaults on the notion that Mr. Soros should be allowed to buy the team. Whoever believes in free enterprise ever thought they had the right to dictate who is the owner of a private team. That is an argument that you will lament for lack of judicial activism. But what they are doing here, the government of Washington, D.C., is doing exactly what you are saying is wrong here.

So I guess Members here are going to boycott that stadium. They are taking property down there on O Street. May not be property everybody here wants to go to, it may not be your farms and

your beaches, but it is private property, and the District of Columbia Government is going to take that private property over the objection of the owners to build that baseball stadium. So instead of trying to drive out some owner that you do not like, why not look into that situation?

But then there is finally an even more important aspect to this. In my earlier years on the then-Committee on Banking, we dealt with something called UDAG, Urban Development Action Grants, and I and some others, including a former Republican Member of this House, who went on to become the Mayor of Dallas, Mr. Bartlett, joined together to object to displacement.

□ 2145

We have had Federal programs that have given money to local governments for urban renewal, it was originally called, for various forms of advancement. So I would assume, and I have been upset with displacement of poor people with no replacement housing. It is considered a good thing if you remove blight. Do Members know what blight is? Blight is poor people with houses with peeling paint, and we have too often in the past funded the destruction of that housing and not funded its replacement.

Let me serve notice now, I will be, as we deal with legislation in the Committee on Financial Services, and hope others will do it as well, every piece of legislation that comes through here where we use public money in a way that would diminish the housing opportunities for low-income people, let us provide alternative opportunities, because here is the problem. The problem is this, they do not own. I think these are important principles.

But the resolution says it right: you do not let those with more resources benefit at the expense of those with fewer resources. The people with the fewest resources are poor people who rent.

So even though it is not the exact constitutional principle, I hope Members will join us when we say you are not going to use public money and public powers to destroy housing that low-income renters live in, because that will be in that spirit. And then we will go to a nice activist Supreme Court and ask them to enforce it.

Mr. NADLER. Mr. Speaker, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from New York.

Mr. NADLER. Mr. Speaker, I must say the gentleman's logic is impeccable, and I think the gentleman has convinced me to vote for the resolution despite what I said before.

My question is this: According to principles of this resolution and of the draft legislation introduced by the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS), if that were to pass, do you think that would prevent or would have prevented the seizure of land for the Texas Rangers baseball stadium and it would prevent the seizure of land for the Washington National baseball stadium?

Mr. FRANK of Massachusetts. Mr. Speaker, if Federal money is involved, and Federal money is involved in a lot of ways.

By the way, I am a great believer in autonomy for Washington, D.C. I belive they should be able to do what they want to do; but the money does pass through here, so people better be very careful how they draft it, or they may knock out that stadium. But certainly that would be the case.

I never ever voted for funding for a public stadium. I am glad to see this because the biggest abuse of this is low- and middle-income taxpayers who are taxed to build public stadiums so people can make tens of millions of dollars having a good time playing ball. And, yes, I do believe if there were any Federal funds involved in either the Texas stadium, and that could include State funds depending upon their fungibility, but certainly it is the case, as I understand what is going on in Washington, D.C., it violates the principles here and it would be stricken by the minority and it would perhaps be stricken by the bill if Federal funds were involved.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. CANNON), the Chair of the Western Caucus.

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

Mr. CANNON. Mr. Speaker, I find myself in the anomalous position of associating myself with the comments of the gentleman from Massachusetts (Mr. FRANK), and I hear some chuckles on the other side, and I think that is appropriate, as to, in particular, the constitutional history cited, the effect on the poor, and the problem with the aesthetics of this resolution, which I strongly support.

We have already heard the Supreme Court decision in Kelo v. City of New London represents a clear blow to private property rights. The Supreme Court has now established that local governments can seize private land if government and business interests think they have an idea for more profitable use for the property. If commercial development now meets the definition of ''public use,'' no private property is safe from government hands.

Worst of all, the groups most affected by the decision are the poorest and least likely to be able to defend themselves. The frightening prospect of the wealthy and connected preying on the poor does not escape the public.

The Daily Herald, my local newspaper, stated, ''The true beneficiaries of this deal are the private developers who are getting the land they want without the hassle of protracted real estate negotiations. Rather than trying to find a price at which the residents would sell or finding a willing seller somewhere else, the developers just got the city to do their dirty work. Eminent domain leaves little room for quibbling or sentimentality. One of the residents who challenged New London was an 87-year-old woman who was born in the house she lived in and planned to spend the rest of her life there.''

Historically, the fifth amendment has restrained government's ability to take away people's homes through eminent domain. Despite the holdings of the Court in this decision, State and local governments should not use the New London decision as cover to abuse eminent domain powers and trample cherished individual property rights.

But, unfortunately, this process has already begun. This mistaken ruling has already emboldened governments and developers seeking to take property from home and small business owners and local communities in Texas, Missouri, New Jersey, Wisconsin, and Tennessee; and other States are likely to follow.

I would encourage them to do a better job of protecting their citizens, their residents, and their voters rather than following the license now allowed them by the Supreme Court.

I believe it is incumbent upon Congress as a coequal branch of government to protect these local communities as well as countless others around the country. Thankfully, the gentleman from Wisconsin (Mr. SENSENBRENNER) has prepared a timely piece of legislation that will prevent any State or municipality from using economic development as a justification for exercising its power of eminent domain wherever Federal funds are involved in any way.

Mr. Speaker, I encourage the support of this resolution and the bill that will be introduced by the gentleman from Wisconsin (Mr. SENSENBRENNER) in the near future.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. BLUNT), the distinguished Republican whip.

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

Mr. BLUNT. Mr. Speaker, I rise today in support of the resolution. I also think I rise in support of four of the Supreme Court Justices who agreed with the spirit of the resolution, four of those Justices disagreeing with the other five in a principle of long-term property rights.

This ruling effectively rewrote the fifth amendment to the Constitution which says that private property cannot be taken for public use without just compensation. Private property cannot be taken for public use without just compensation.

The Bill of Rights clearly intended that the government's power to take someone's property was limited by two conditions: first, that just compensation be provided; and, second, that the property be taken and used for public

use. Five of the Supreme Court Justices have decided that that second condition would no longer apply. That second condition applied for 218 years without a problem, and suddenly it is gone.

I think Justice O'Connor in her dissent said it better than I might when she said: ''The 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.''

When the Supreme Court decides that the public good benefits only by the best taxpayer, the highest tax use benefits the public, that is a hugely wrong step. I look forward to not only supporting this resolution, but I understand that the chairman and the ranking member of the Committee on the Judiciary intend to move legislation that will do what we can do in the Congress of the United States to see that the four members of the Court who upheld a long constitutional provision ultimately prevail.

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that we add 6 additional minutes to the time of each side.

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

There was no objection.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, just a few hours ago I voted for the amendment to the appropriations bill that addressed this question. But I rise this evening to further emphasize as a former member of a local city council that sometimes it is appropriate for property owners to have the hand of the Federal Government to protect their constitutional rights.

Although I might quarrel with the language of the resolution as it relates to the description of the Court's decision, there is no doubt that I quarrel with an understanding of being able to take private property for private use.

So I rise simply to support the idea of a remedy for those who have been harmed. I always believe that the Federal Government, using the Constitution, using the issue of due process, even though this falls under the question of taking, the taking clause, but simply giving those homeowners who were facing up against a large obstacle of government and corporate interest the right to protect their property.

In this instance, this was not a depressed area, the facts will determine. These are homeowners who have been providing or keeping their homes and all of a sudden because they are on choice property, they now become vulnerable to a heavy hand.

I believe this is a right direction, and I have joined the chairman and the ranking member of the Committee on the Judiciary in legislation that not only remedies or corrects the unlawful taking of the property in New London, Connecticut, but will protect Americans around the Nation, rural and urban areas, from overaggressive taking of eminent domain when taking for private purpose, and a government is taking your property for private purpose.

I ask that my colleagues do continue on this bipartisan ground because I believe that the first step we made was the appropriation announcement of our opposition to this particular decision; but clearly, clearly, I believe the Supreme Court made a misdirected decision in taking the property away from homeowners and due owners of their property for truly private purpose.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. POMBO), the chairman of the Committee on Resources.

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

Mr. Speaker, I have been waiting for this day for 13 years, and that is to have all of my colleagues down on the floor talking about protecting private property rights.

The Supreme Court did do us all a favor because this is a battle that has been going on across rural America for decades, where they have misused and abused Federal and State law to take private property away from property owners.

What this particular case does is it takes it right into urban and suburban America. It goes right into every homeowner in this country; and they say you are not safe in your home, we can take it away from you if we want to. That is exactly what they have been telling every farmer and rancher in this country for the last 30 years, that is, if we think your property is better used as critical habitat to recover species or to protect a wetland, we are going to take it, and there is nothing you can do about it.

Now Mr. and Mrs. America realize what the farmers and ranchers and property owners of this country have been going through for the last 30 years. The Supreme Court has now told you we do not care that it is your private property. We do not care. The Constitution does not count because if the city, the county, the State or the Federal Government decides that your property is a better use for something else, we are going to take it.

Yes, we have taken the debate, we have taken the battle right into suburban America. And you know who is really going to get hurt in all of this, the same kind of people who are hurt in rural America. It is not the big guys. It is not the big landowners that get it; it is the little guys who end up getting it because what this law, what this decision allows is it allows the city to decide who gets your property.

If they decide that someone else can make a better and higher use of your property, they will take it by eminent domain and give it to them. That is what it allows. It is not the big developer; it is not the rich corporation. It is the guy who does not even know who their city councilman is that is going to get it. It is the guy who cannot afford to hire a lobbyist, a lawyer, an attorney, a biologist, to go in and defend them.

Thank you for coming down here and defending property rights.

□ 2200

And I am thrilled that this House is going to finally pass legislation hopefully unanimously to protect Mr. and Mrs. America and their single family home. But I ask Members, when we bring a bill to the floor to protect the farmers and ranchers in this committee, to join me in passing that unanimously as well.

Mr. CONYERS. Mr. Speaker, I yield the balance of my time to the gentleman from Maryland (Mr. HOYER), the distinguished whip, to close the debate on our side.

Mr. HOYER. Mr. Speaker, I thank the gentleman from Michigan (Mr. CONYERS), my friend, the ranking member of the Committee on the Judiciary, very much for yielding me this time.

And I rise in recognition that there is a pretty broad consensus on this floor, which I share. As I sat here and listened to the debate of the gentleman from Massachusetts, I lamented that I am neither as smart nor as articulate nor as incisive nor as humorous as the gentleman from Massachusetts (Mr. FRANK). But then again, I thought that I fell in the category of 434 others of us on this floor as well. And I adopt the remarks of the gentleman from Massachusetts (Mr. FRANK) almost in their entirety, for I have reservations about some of the whereas clauses but recognize the whereas clauses are not the gravamen, as we lawyers would say, of this resolution.

The central portion of this resolution is to address whether or not government can decide that there is a public purpose for a taking of private property and thereby make it so. My own belief is that that ought not to be the case, that there ought to be better protection for individuals and particularly, as the previous gentleman said, usually smaller individuals in terms of their power and influence; individuals who may want to retain that home that their mom or dad bought, left to them and they live in and want their kids to live there as well and see a government who says, oh, no, we think this property can be used for a better purpose. The constitutional framers were careful in addressing that issue, careful in the sense they wanted to make sure that the king could not come in and say, ''I am going to take your property.'' That was not what they thought America ought to be. They thought it ought to be a country where only under law for public use could property be taken.

I seldom find myself in agreement with the legal opinions of the Supreme Court Justices Thomas or Scalia. Neither of them will be surprised of that,

I am sure, nor will some of my colleagues here. Nor, for that matter, do I often find myself in agreement with a number of the sponsors of this resolution. But I do tonight.

I believe, however, and I want to make this comment, as I have adopted the remarks of the gentleman from Massachusetts (Mr. FRANK), that when dealing with the court at any level, we frankly should be more temperate than we have been. I think this resolution, which I am going to support, is, nevertheless, premature. We have not had the opportunity to digest it, to analyze it, to determine how better we might state the resolution. But having said that, the resolution is here.

Tonight I do agree with the proponents of this legislation in disagreeing with the Supreme Court five-to-four decision. Since our Nation's founding, the protection of private property has been a bedrock principle of our society. It ought to remain so. The fifth amendment provides in relevant part, as has been quoted, ''nor shall private property be taken for public use without just compensation.'' That amendment, of course, does not prohibit all takings, nor should it. Instead, it permits the government to take private property so long as it has a good public use for the land and so long as it provides just compensation. However, in this decision, the Court's majority greatly weakened, in my opinion, this basic constitutional principle. It held that a public use could be defined more broadly as a ''public purpose.'' I agree with the gentleman from Massachusetts's (Mr. FRANK) finding irony in the positions with reference to activism on the courts, for after all in this case, the Court deferred to the legislature. But, in fact, the Constitutional Framers said not even the legislature, not even the people's representatives, could take property unless it was for a public use. I agree with that proposition and therefore disagree with this decision.

As Justice O'Connor wrote in dissent: ''Under the banner of economic development, all private property is now vulnerable to being taken and transferred to another private owner, so long as it might be upgraded.''

We do not want to leave our citizens vulnerable in that position. As a result, I will join my colleagues in voting for this resolution.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Wisconsin (Mr. SENSENBRENNER) has 10¾ minutes remaining, and the gentleman from Michigan (Mr. CONYERS) has 1 minute remaining.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Speaker, I thank the gentleman from Wisconsin for yielding me this time and for bringing this resolution to the floor tonight.

This 5-to-4 decision by the Supreme Court in the Kelo case is one that will ultimately be very harmful to our freedom and our prosperity. Even a brief study of economics and world history shows that the most prosperous nations in world are those that have given the most freedom to their people and the greatest protection to private property. Some have said we do not need to worry about this decision because this new power will be used sparingly by local governments. Those who say that either do not believe very strongly in the right of private property or they do not realize how government at all levels can rationalize or justify almost anything, especially almost any taking of property.

People do not really get upset unless or until it is their property being taken. Yet we can never satisfy governments' appetite for money or land. They always want more.

Will your property be next?

The City of New London wanted more tax revenue than these small homes could provide. As I said, we can never satisfy governments' appetite for money or land.

Justice O'Connor wrote that there is now no realistic constraint on the taking of private property. Her words have already been quoted at length, but I will insert them in my statement.

In my home region of East Tennessee, government has taken huge amounts of land. Almost all has been taken from poor or lower-income families who would be wealthy today if they still had their beautiful land.

Justice Thomas said in his dissent, ''Something has gone seriously awry with this Court's interpretation of the Constitution. Though citizens are safe from the government in their homes, the homes themselves are not.'' He went on to say, ''The consequences of today's decision are not difficult to predict and promise to be harmful . . . Extending the concept of public purpose to encompass any economically beneficial goal guarantees that these losses will fall disproportionately on poor communities. Those communities are not only systematically less likely to put their lands to the highest and best social use, but are also the least politically powerful.''

Mr. Speaker, this decision by the U.S. Supreme Court is a very dangerous one and will end up being especially harmful to the poor and lower-income and working people of the country.

Thomas Jefferson once said, ''A government big enough to give you everything you want is a government big enough to take away everything you have.''

Justice O'Connor wrote that there is now no realistic constraint on the taking of private property.

She said: 'any property may now be taken for the benefit of another private party, but 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 . . . 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.'

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. KING), a member of the Committee on the Judiciary.

(Mr. KING of Iowa asked and was given permission to revise and extend his remarks.)

Mr. KING of Iowa. Mr. Speaker, I thank the chairman for yielding me this time, and I thank also the gentleman from Georgia for bringing this resolution before this Congress this evening and for acting as quickly as we all have.

It is a good feeling to be here with my colleagues on both sides of the aisle with the Committee on the Judiciary talking about defending the Constitution in concert instead of conflict. I appreciate this opportunity to do so.

And I found myself standing on the floor last night quoting Justice O'Connor and agreeing with Justice O'Connor, and it has been a little while. But she nailed it exactly right. What happened, though, in this case, in the Kelo case, was five of nine Justices amended our Constitution. That is exactly what they did. They amended our Constitution with their sliver thin majority opinion. Fifth amendment: ''nor shall private property be taken for public use without just compensation.'' They drew a line through the words ''for public use,'' and now the fifth amendment reads: nor shall private property be taken without just compensation; and, by the way, government will decide what just compensation is, who shall be compensated, and for what purpose, be it public or be it private.

The economic strength of the United States of America has been rooted in our property rights. We look across our history, and we see this Nation that we have and the wonderful economy that has grown. It has grown because we had collateral called ''real property.'' Real property that could be collateralized by bankers and financial institutions so investors and entrepreneurs could pledge that collateral and borrow the capital and build the businesses. That is what put the transcontinental railroad across this country. That is what has built the businesses on Wall Street and in Washington, D.C., in Iowa, and all across this land has been the guarantee of property rights. We look at a Third World country where there are no guarantees like that, and it is easy to see these people cannot borrow money against their collateral, they cannot ensure their property as collateral; so when they get a paycheck, they buy two or three bricks and they go home and they mix a little mortar and they lay two or three bricks up alongside that house, and over 30 years, they build a house two or three bricks at a time as opposed to paying for that mortgage payment one payment at a time. That is how much difference it makes to have property rights.

The victims of this, I happen to have brought along some pictures of these individuals. Here are three entities that are affected by this decision: Here

is Susette Kelo. She received notice of condemnation from the New London Development Corporation, which, by the way, is an entity that was empowered by the City of New London, a private corporation. This was the day before Thanksgiving in 2000, and ''we are going to take your home.''

And this: Bill Von Winkle's, one of the 15 properties condemned because of this decision. And Susanne and Matt Dery, both may lose their home. They have had that home for 20 years.

The difference of what happens between small towns and large towns too, in an incorporated community of 50 people with five council members representing 10 percent of that city, three of them, a majority of that, can decide that they do not like a particular blighted region like a single house and condemn that house and put up a convenience store. They can do so also in a large city by wiping out whole sections of communities, whether they be business interests or not.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. BEAUPREZ).

Mr. BEAUPREZ. Mr. Speaker, I thank the distinguished chairman for yielding me this time.

I especially want to commend the gentleman from Georgia (Mr. GINGREY) for bringing this resolution to the floor tonight, and I rise in strong support of it.

As has been cited repeatedly in this debate, the fifth amendment of the Constitution of the United States states clearly that private property cannot be ''taken for public use without just compensation.'' The recent egregious ruling by the Supreme Court in the Kelo versus the City of New London case ignores the word ''public'' and opens the doors for the government to deprive any individual of his or her private property for any reason, including to directly benefit a private individual or private corporation. Under the guise of economic development, State and local officials can now arbitrarily kick families out of their homes, farmers and ranchers off their land, and close small businesses that do not provide enough tax revenue for the city or the State. Mr. Speaker, that is unbelievable in the United States of America.

I believe in the same thing that our Founding Fathers addressed when drafting the Declaration of Independence and our Constitution. Government is morally obliged to serve the people, namely by protecting life, liberty, and, yes, private property. The Supreme Court should honor these values, and I applaud the gentleman from Georgia (Mr. GINGREY) and those other Members who are actively taking the initiative tonight to protect the fundamental private property rights of all Americans.

I urge every Member to support this resolution expressing the grave disapproval of the House of Representatives regarding the majority opinion of the Supreme Court in the Kelo versus the City of New London case.

□ 2215

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

Mr. Speaker, we have had a great debate on this resolution. I would like to close with a quote from the amicus brief filed by the National Association for the Advancement of Colored People in the Kelo case:

''In this case, public use has been defined so broadly that eminent domain authority has no practical limits. Allowing a taking simply because the party to whom the State wishes to transfer the property has a greater ability to maximize the value of the property fails to account for the rights of the individual property owners and would systematically sanction transfers from those with less resources at their disposal to those with more. Moreover, expanding the scope of public use to include the potential for economic development that may ultimately benefit the public would arguably include virtually any case, and thus render meaningless the judicial review of taking cases.''

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

Mr. Speaker, I believe that the debate that has gone on in this House for the better part of the last hour has very clearly shown the dangerous consequences of the majority opinion in the Kelo case. It is a decision that will have profound impact in terms of the relationship of the owners of private property with their government in this country for years to come, unless we take immediate action to limit or even reverse those consequences.

I would point out that the property that is probably the most at risk under the Kelo case is that which belongs to our religious institutions and other organizations that have been granted tax exempt status pursuant to State law.

The Kelo case holding essentially says that if a municipality can get more tax revenue out of a condemnation and sale to another private party, then the public purpose clause of the fifth amendment to the United States Constitution no longer applies. And what property is most vulnerable to that erroneous interpretation, but property which is tax exempt, belonging to our churches, our synagogues, our mosques, our private schools, our fraternal societies, and any other organization that has gotten a tax exemption because the legislature has determined that the public policy of the State is advanced by the granting of that exemption.

I believe that this decision may have the same effect in the long term as the Dred Scott decision, which started a civil war in our country because the Supreme Court made a serious mistake in the 1850s.

This resolution is the first step to express the outrage of Congress and the fact that Congress is standing up to protect the private property rights of the citizens who vote to send us to this Congress to act in their name.

The gentleman from Michigan (Mr. CONYERS) and I have introduced H.R. 3135, which takes away the Federal funding of municipalities that wish to use taxpayer dollars for this perverse purpose. There is a cosponsor sheet that I will have on the desk for those that wish to be a part of the crusade to legislate taking away Federal funding to municipalities and States that wish to do this.

We are on a crusade here. I would urge an ''aye'' vote on the resolution, but the Committee on the Judiciary will be very active in making sure that the door to the Federal Treasury is locked shut and locked shut tight so that no municipality will be coming to Washington to ask for money to finance goofy condemnations like the Supreme Court upheld in the Kelo case.

Mr. UDALL of Colorado. Mr. Speaker, I rise in support of this resolution expressing disapproval of the majority opinion of the U.S. Supreme Court in the case of Kelo et al v. New London et al.

That case involved the question of the scope of a local government's authority to use the power of eminent domain, and in particular whether local governments may condemn private houses in order to use the land for uses that are primarily commercial.

The question before the court was whether such use of eminent domain is consistent with the U.S. Constitution's Fifth Amendment—made applicable to the States by the 14th Amendment—which says ''nor shall private property be taken for 'public use without just compensation.'' Answering that question required the court to decide what qualifies as a ''public use.''

The case involved actions aimed at redevelopment of a particular neighborhood in New London, Connecticut to encourage new economic activities. Toward that end, a development corporation—technically a private entity although evidently under the city's control—prepared a development plan.

The city approved the plan and authorized the corporation to acquire land in the neighborhood. However, nine people who owned property there did not wish to sell to the corporation. The city of New London chose to exercise its right of eminent domain and ordered the development corporation, acting as the city's legally appointed agent, to condemn the holdout owners' lots. These owners were the petitioners in this case, with the lead plaintiff being Susette Kelo, who owned a small home in the development area.

The owners sued the city in Connecticut courts, arguing that the city had misused its eminent domain power, but lost. They then asked the U.S. Supreme Court to review the Connecticut Supreme Court's decision in favor of the city, arguing that it was not constitutional for the government to take private property from one individual or corporation and give it to another, simply because the other might put the property to a use that would generate higher tax revenue.

The Supreme Court agreed with the City of New London in a 5–4 decision. The majority decision, written by Justice John Paul Stevens, said that local governments should be afforded wide latitude in seizing property for land-use decisions of a local nature. The primary dissent, written by Justice Sandra Day

O'Connor, suggested that the use of this power in a reverse Robin Hood fashion—take from the poor, give to the rich—would become the norm, not the exception: "Any property may now be taken for the benefit of another private party, but 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." A separate dissent was written by Justice Clarence Thomas, while Justice Anthony M. Kennedy wrote a separate concurrence with the majority's ruling.

The court's decision in this case has attracted considerable comment and criticism. For example, the Rocky Mountain News said "The 5-to-4 decision expands the already expansive definition of 'public use' to mean anything that might conceivably benefit the public through economic development. As Justice Sandra Day O'Connor said in her stinging dissent, the effect is to 'wash out any distinction between private and public use of property.' Other editorials and opinion columns were even harsher.

I am not a lawyer, and certainly no expert on this aspect of Constitutional law. But I find Justice O'Connor's analysis of the likely fallout of the decision persuasive and I share the concerns of many of those who have been critical of the decision, especially those related to the possible abuse of the power of eminent domain in situations such as the one involved in this case.

That is why I am voting for this resolution.

I do not fully agree with every word of it—especially the statement that the majority's decision in the "Kelo" case "renders the public use provision in . . . the fifth amendment without meaning."

But I definitely agree that, as the resolution states, "State and local governments should only execute the power of eminent domain for those purposes that serve the public good . . . must justly compensate those individuals whose property is assumed through eminent domain . . . [and] any execution of eminent domain by State and local government that does not comply [with the conditions stated] constitutes an abuse of government power and an usurpation of the individual property rights as defined in the fifth amendment."

I also am in sympathy with the parts of the resolution that state that "eminent domain should never be used to advantage one private party over another," and that state and local governments should not "construe the holdings" in the Kelo case "as a justification to abuse the power of eminent domain."

And I certainly agree that "Congress maintains the prerogative and reserve the right to address through legislation any abuses of eminent domain by State and local government."

However, of course Congress can only take such action in ways that are themselves consistent with the Constitution, and in any event I think we should be reluctant to take actions to curb what some—perhaps even a temporary majority—in Congress might consider improper actions by a State or local government.

The States, through their legislatures or in some cases by direct popular vote, can put limits on the use of eminent domain by their agencies or governments. I think this would be the best way to address potential abuses, and I think we in Congress should consider taking action to impose our ideas of proper limits only as a last resort.

Mr. TIAHRT. Mr. Speaker, the U.S. Supreme Court this week effectively changed our Constitution by removing the protection of a fundamental right of a free people—the right to private possession of land and property. Our Founding Fathers knew how vital private land ownership is to a democratic society. Article V of the U.S. Constitution states, "nor shall private property be taken for public use without just compensation." For centuries Americans have relied upon this article for protection against abusive land transfers from one person to another.

Yet last week, five Supreme Court justices ruled that private property can be taken by a government and then transferred to another private owner if such a taking will supposedly result in greater economic benefit to the community.

With a weak majority ruling, a massive blow has been dealt to Americans' basic right to own and manage private property, without fear of the government taking that property. History reminds us that nations that disregard the rights associated with private property ownership disregard other fundamental rights of the citizenry. In fact, our own Supreme Court at its inception in 1789 called eminent domain a "despotic power."

We have recognized there are times when governments need to purchase private land to build a road or construct a school for use by the general public, sometimes against a landowner's wishes. Our Founders believed that only under these extreme reasons should land be taken from a private property owner for the greater public good. However, the idea that a government would use this eminent domain power to take land from one private owner and transfer it to another private owner for economic reasons smells of Robin Hood gone corrupt.

Local governments and States will now be able to use this case to seize any land believed to make a higher profit if it were owned by a more entrepreneurial owner. Houses of worship, charitable organizations and other non-profits are extremely vulnerable to land grabs by greedy governments seeking more tax revenue.

Even the icon of the American spirit, the family farm, could effectively be forced to sell to another private owner who has grand plans for an economic development project. Farmers and ranchers whose families have worked the land for generations could have to unwillingly forfeit their heritage so a shopping mall can be constructed.

A mom-and-pop business could be forced to sell its property to a corporate competitor, or simply an entrepreneur who wants the land for other revenue-generating purposes. First-time home owners in poorer neighborhoods could easily be targeted for development projects against the will of the community. These are not over-hyped scenarios. The very case the Supreme Court ruled on this week forcefully removes longtime Connecticut homeowners out of their homes so a developer can build a hotel and office buildings.

This distorted "public use" definition is nothing short of public abuse. Under the Supreme Court's new definition, everyone's property is suddenly for sale, and the auctioneer is any government that wants more tax revenue.

If we do nothing and the Court's ruling goes unchallenged, the public good submits to the whim of the wealthy abetted by government's insatiable appetite for more money.

I urge my colleagues to join me today in supporting Mr. GINGREY's resolution that appropriately expresses outrage at this misguided decision by the Nation's highest court.

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and agree to the resolution, H. Res. 340.

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. SENSENBRENNER. 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.

MAKING SUPPLEMENTAL APPROPRIATIONS FOR VETERANS MEDICAL SERVICES

Mr. WALSH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3130) making supplemental appropriations for fiscal year 2005 for veterans medical services.

The Clerk read as follows:

H.R. 3130

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

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For an additional amount for "Medical Services", $975,000,000, to remain available until September 30, 2006.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. WALSH) and the gentleman from Texas (Mr. EDWARDS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. WALSH).

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

Mr. Speaker, this evening I bring to the floor a bill to provide urgently needed funding for the Department of Veterans Affairs. During the last week, it has become known to most of us that the Department is in dire straits with regard to funding for medical services. It has been pointed out to us in hearings that funding originally allocated for capital expenditures is being diverted to pay for medical services, and reserves which were intended to cover future requirements were instead needed this year.

Based upon information provided by the Secretary of Veterans Affairs in a hearing today before the Committee on

Veterans' Affairs, as well as information provided on Tuesday when he appeared before the Committee on Appropriations, I am asking the House to pass this supplemental appropriations bill today in the amount of $975 million. This amount is within the 302(a) allocation for 2005 available to the committee and therefore does not need to be offset.

In the coming weeks, the committee will work with the Department to determine the implications for fiscal year 2006 of their recent changes in workload and utilization. This will allow us to use the most accurate information available to ensure that sufficient funding is also provided when we complete the 2006 bill later this year.

To make it clear, this funding we are talking about tonight in this supplemental is just for 2005. I expect full cooperation and disclosure by the Department as we develop the final number for fiscal year 2006. I do not expect, nor will I accept, partial or vague information or misinformation. This process can only work well if we all work together. That is what I expect of everyone involved in solving this problem.

For today, the bill I bring to the floor provides the necessary resources to ensure that all veterans receive the medical care promised. This funding will also allow the Department to restore funding to its capital accounts to ensure that maintenance and repairs are completed and necessary equipment procured so that future care will not be placed in jeopardy nor held in abeyance.

I regret that the Congress and the committee was not informed of the very real problems at the Department earlier in the process. Having said that, I look forward to working together with my friend and colleague, the ranking member, the gentleman from Texas (Mr. EDWARDS); the Department of Veterans Affairs; the Office of Management and Budget; and the Members of the other body to be sure that we do not run into this situation again.

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

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

Mr. Speaker, I will vote for this emergency funding bill for veterans health care for two reasons: first, the VA desperately needs the $975 million right now to address a very serious shortfall in VA health care funding, a shortfall that I wish had never occurred; second, unfortunately, the House Republican leadership decided earlier this evening that the House, Republicans and Democrats alike, would not even be allowed to vote on the $1.5 billion emergency funding bill for VA health care that the Senate has already passed on a unanimous basis 96 to zero earlier this week.

For the record, I want to say that I believe the $975 million probably will not cover all of the hole that has been dug for veterans health care for this year. I hope I am wrong; but I was not wrong earlier this year, and I was not wrong last year when I said that the present VA budget would provide cuts in real health care services to veterans during a time of war.

Also I want to say for the record that I appreciate very much the leadership of the gentleman from New York (Mr. WALSH), whose commitment to America's veterans is genuine, deep, and consistent. Had he not called hearings this week and brought the VA leadership before the House in his Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies of the Committee on Appropriations, I do not think we would be here on this floor tonight debating additional emergency money for VA health care spending.

I want to commend my friend and colleague, the gentleman from Indiana (Mr. BUYER), who worked very hard to bring to light this immediate crisis that we are facing. His leadership on the House Committee on Veterans' Affairs was instrumental in us being here today.

Having said that, I believe the American people and America's veterans, Mr. Speaker, have a right to know how we got into this $1 billion hole for veterans health care during a time of war, and, most importantly, need to help us understand how not to get into this hole again.

This issue did not just come up. This problem did not just pop up overnight or this week or last week. For 2 years, respected national veterans organizations have been pleading with the administration and Congress to provide adequate funding for the VA health care system. Unfortunately, their pleas were often ignored by the Republican leadership in the House.

As far back as February of 2004, the Republican chairman of the House Committee on Veterans' Affairs, then the gentleman from New Jersey (Mr. SMITH), signed a bipartisan letter saying that unless we funded $2.5 billion more than the administration budget request for VA health care, real services for real veterans would have to be cut this year during a time of war. Did the House leadership salute the gentleman from New Jersey (Mr. SMITH) for standing up for veterans? No. In fact, they fired him. They did not just take away his chairmanship of the VA committee; they took him off the committee itself.

What was the crime of the gentleman from New Jersey (Mr. SMITH)? He refused to support an inadequate budget resolution for VA health care for 2005 which the Republican leadership had endorsed. He put his loyalty to America's veterans above blind partisan loyalty to the House leadership, and he was right to do so.

While America's veterans were honoring the gentleman from New Jersey (Mr. SMITH), the House Republican leadership was punishing him.

In the spring of 2004, House Republicans passed a fiscal year 2005 budget on a partisan basis, a budget that veterans groups, Democrats, and the gentleman from New Jersey (Mr. SMITH) had said would require more than $1 billion in cuts to veterans health care services this year. The insight of time has proven that Democrats, veterans groups, including the DAV, American Legion and VFW, were right. The House Republican leadership was wrong: wrong on veterans health care budget resolutions and wrong to put partisanship above loyalty to veterans and veterans health care.

Repeatedly over the past 2 years, House Democrats, myself included, have asked the Republican leadership to join on a bipartisan basis to stop real cuts in veterans health care services during a time of war. Over a year ago, we tried genuinely to increase the veterans health care budget for 2005. The leadership said no.

This year, veterans groups and Democrats pleaded with the Republican leadership to provide more adequate funding for veterans health care. On the 2006 budget resolution, they said no.

Then in May of this year, Democrats and veterans groups pleaded with the Republican leadership one more time to add additional VA health care spending to the Iraqi war supplemental appropriations bill. Once again, the leadership said no.

That was not the last time they said no. The gentleman from Wisconsin (Mr. OBEY) tried to add an amendment in the Committee on Appropriations increasing funding for VA health care so we would not get into this hole, cutting services for veterans during a time of war. Again, the answer was no.

That is not even the worst of it. The House leadership on a partisan basis pressured Republican colleagues of mine this year to vote for a House budget resolution, and, listen to this, vote for a House budget resolution that would cut present services for veterans by $14 billion over the next 5 years.

□ 2230

Let me repeat that in case anybody did not hear it or believe it, because it is a fact: the House leadership passed a budget resolution in this very room earlier this year that would require a $14 billion cut in present health care services to veterans. And, by the way, that includes over 100,000 veterans of the Iraqi and Afghanistan wars who have needed VA health care. I must wonder which Members of the House leadership will include in their Fourth of July speeches the fact that they pushed through this House a budget resolution this year to cut veterans' health care services by $14 billion over the next 5 years. I hope to join with my colleagues on a bipartisan basis in the years ahead to undo what would be a terribly harmful cut to our veterans and send a destructive message to our active duty servicemen and women serving in Iraq and Afghanistan.

Having said all of that, we come today to face a shortfall that the gentleman from New Jersey (Mr. SMITH),

the Republican chairman of the House Committee on Veterans Affairs predicted a year ago, and the VA, American Legion, VFW, and Democrats predicted a year ago. I wish we were voting for a $1.5 billion increase in emergency funding. I think our veterans deserve it. Certainly, the Senate, on a unanimous vote, 96 to 0, endorsed that level of funding.

But, thanks to the goodwill and the genuine leadership of people such as my colleague and friend, the gentleman from New York (Mr. WALSH), we have a chance to take a step forward today, an important step forward, in funding, more adequately funding veterans' health care, and for that I am grateful. I hope we can work together, as the gentleman mentioned a few minutes ago, on a bipartisan basis to see that we never, ever again dig this kind of a hole for veterans' health care in time of war or peace, but certainly we should never do it in time of war.

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

Mr. WALSH. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I certainly thank the chairman for yielding me this time.

I rise today in very strong support of the Veterans' Health Care Supplemental Appropriations Act. We are here tonight because the VA needs $975 million for the remaining 3 months of fiscal year 2005. Earlier today, Secretary Nicholson made it clear that the shortfall resulted from faulty, outdated and, quite honestly, unrealistic forecasting models.

I represent the highest number of veterans of any Member of this body. I have very often taken on my own party to fight for increased veterans' funding. And do you know what? They responded. We have consistently provided more than what the VA has requested over the 3 brief years that I have been here. This side of the aisle has recognized the problem, and we are acting swiftly to resolve it by passing the supplemental today. I commend the Republican leadership for their speedy response to a real need.

Mr. Speaker, I urge the other side of the aisle to stop the petty bickering and mud-slinging and ask everyone to support this very important bill. Republicans have increased veterans' funding over 43 percent since 2001. We will continue to fight to meet the needs of veterans' health care and other veterans' needs, because we provide solutions and action, not useless fingerpointing.

Mr. Speaker, earlier today, another Member from Florida engaged in some political diatribe in committee and said she could not understand why veterans vote for Republicans. Clearly, they vote for Republicans because we are very quick to respond to a need and that we produce solutions, not just useless rhetoric.

Mr. EDWARDS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. EVANS), the ranking member of the Committee on Veterans' Affairs.

Mr. EVANS. Mr. Speaker, I support this measure, but I believe that it does not go far enough. Already, the VA has acknowledged a $2.7 billion problem next fiscal year.

Health care for veterans today is being affected by budgetary shortfalls. Although the VA insists that $975 million is sufficient, there also argued as recently as just only 2 days ago that any additional funding was unnecessary.

I do not know what we tell the homeless people in this country who would get no assistance if the committee bill would be dropped. We want to know how much money we could have saved by closing down State nursing homes and all the other innovative programs that the VA has been in favor of. If we cannot run a first-class hospital system, then shame on us for not fighting for the defending people of our Nation as much as we fight for other wars for people from foreign lands.

I thank my colleagues and urge quick passage supplemental funding.

Mr. WALSH. Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. BROWN), a member of the Committee on Veterans' Affairs.

Mr. BROWN of South Carolina. Mr. Speaker, I thank the gentleman from New York for yielding me this time.

No one wants to be told that the Department needs nearly $1 billion more than anticipated, but the Secretary of Veterans Affairs has frankly come forward and acknowledged that their budget model has been simply overpowered by a host of factors, including an unexpected surge in demand this year.

The numbers that we discuss is important, because they have a real impact in all of our districts and for our constituents who have served this great Nation. The consequences of chronologically underestimating the funding requirements, in my mind, are simply unacceptable.

As chairman of the Subcommittee on Health of the Committee on Veterans Affairs, my job now and our collective job tonight is to fix this problem. I want to commend my chairman, my good friend from Indiana (Mr. BUYER) for his leadership and having the courage to dig deep into this issue and address this in a head-on way. I also want to commend the gentleman from New York (Mr. WALSH) for his efforts in moving quickly to get this measure to the floor tonight. Together, with our Senate colleagues, I hope we can move forward in a bipartisan manner to get these much-needed funds into the hands of those who provide the quality care to our veterans every day across this great Nation.

I think it is critical that we continue the dialogue with the VA that we have started so that we can ensure that the health care needs of our veterans continue to be met in a reliable and timely fashion. Equally important, I want to continue to work with the Secretary and the administration to refine the budget process for coming years, making sure that we avoid similar shortfalls in the future.

As the chairman of the Subcommittee on Health, I want to assure all of the veterans that are out there tonight that we are going to be absolutely sure that their health care needs are met in a timely manner.

With that in mind, Mr. Speaker, I would urge my colleagues here in the House to support this resolution.

Mr. EDWARDS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. REYES), a member of the Committee on Veterans' Affairs.

Mr. REYES. Mr. Speaker, I rise in support of H.R. 3130, the day-late-and-dollar-short legislation.

Where were we last year when Secretary Principi said that he was underfunded by $1.3 billion? Where were we in March when I sat here in this very same seat and asked to fund $1.3 billion out of the supplemental fund? Earlier tonight, we could have funded our veterans at the same level as the Senate did last night, at $1.5 billion, but no, we could not do it the right way, we could not do the right thing.

So tonight as an American, I am angry; as a veteran, I am outraged; and as a Member of Congress, I am ashamed. Angry, outraged, and ashamed that our only option is a supplemental of $975 million when we need $1.5 billion. I am angry because in this House, if you need an emergency supplemental, no problem. If you need another one, no problem. Need yet another emergency supplemental? Again, no problem. But do not even think about an emergency amendment of $1.3 billion for veterans' health care. No, all $300 billion has been spoken for, and no veteran need apply.

Mr. Speaker, I am outraged as a veteran because, like emergency supplementals, if you need a tax cut, no problem. Need another one? No problem. Want a third? No problem again. What a deal. The richest 1 percent in this country get a gold mine; our veterans get the shaft.

As a Member of Congress, Mr. Speaker, I am ashamed and frustrated. Why? Because we have consistently failed to stand up for our veterans and have failed to stand up to an administration that continues to mislead and deceive, an administration that adopted Pinocchio as their mascot and has trampled on the rights and the needs of our veterans. Just once, I wish we would do the right thing for our veterans: fund them at $1.5 billion.

I do support this legislation, a day late and a dollar short.

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

I just am thunderstruck by the rhetoric that I just heard. Stomping and trampling on the rights of our veterans? That is really beneath the dignity of this institution. Everyone I

know, and I know most Members in this body, has the greatest respect for our veterans, the greatest respect. The gentleman asked the rhetorical question, I believe it was a rhetorical question, where were we last year when Secretary Principi asked for an additional $1.3 billion? Mr. Speaker, we were there. When we completed our budget, our appropriation for 2005, we put an additional $1.3 billion in, based on that request.

So let us try to dampen the rhetoric and stick to the facts.

Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. GILCHREST), one of our Nation's veterans.

Mr. GILCHREST. Mr. Speaker, I thank the chairman of the subcommittee for yielding me this time, and I thank him for bringing this supplemental to the floor this evening. I am also encouraged that I am sure all of my colleagues will vote for this today.

I want to make sure that another voice is heard. I am a veteran, as there are many veterans on this floor. I have been in Navy hospitals, I have been in veterans' hospitals, and I have gone through the veterans' health care system.

I also want to say that in the last 10 years, in my district, there have been three health care clinics for veterans built just in those 10 years that provide excellent care. We have a veterans' hospital for the psychiatric problems that veterans often experience that go from Alzheimer's to posttraumatic stress syndrome from Vietnam and other conflicts, to people with schizophrenia. Nothing is perfect. There are no utopias on the planet. We need to provide this supplement until the end of this fiscal year, and make sure we do not make the same mistake in the next fiscal year. But we have done a great deal, and we will continue to work hard for the veterans of this country, and we have.

Mr. EDWARDS. Mr. Speaker, I yield 2½ minutes to the gentleman from Maine (Mr. MICHAUD), a member of the House Committee on Veterans' Affairs.

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

Mr. Speaker, I strongly support addressing the funding crisis that is hurting veterans, so I will vote for this measure this evening, but I am deeply disappointed that we are not providing the VA with an additional $1.5 billion. Because this amount is less than the $1.5 billion offered by the Senate, veterans will be in limbo, forced to wait for the care that they have earned. I will vote ''yes'' because I want veterans to get a measure of relief as soon as possible, but we can do better in this House, and we all know it.

Mr. Speaker, we should not even be here. We would not be here if the VA, the administration, and the leadership had listened to the veterans groups and the members of the Committee on Veterans Affairs who warned about this problem in recent years. Let us make no mistake: this shortfall is definitely hurting our veterans.

At Togus VA Medical Center, they ran out of money for medical care, so they had to divert their maintenance fund. Now, when their own brick building is crumbling, they cannot fix the problem. Instead, workers had to put up scaffolding to keep bricks from falling on the heads of sick veterans and their medical staff. This is a disgrace. This is what this shortfall is doing for our veterans.

We also know that even the funding that will be approved this evening still leaves a major gap. For example, I am concerned that this supplemental may not address the shortfall funding for mental health services. Today, I asked Secretary Nicholson whether the $975 million would cover the gap in service for mental health care, including substance abuse.

□ 2245

He would not give me a clear yes or no answer. So we are left wondering again if this supplemental will solve the full shortfall in veterans health care. I am also concerned that the supplemental offered does not deal with the half a million veterans who are barred from seeking care from the VA. Since January of 2003, this administration has instituted a policy of banning a group of veterans referred to as Priority 8 veterans from enrolling in health care. This is wrong.

So in closing, I will vote to support this measure because it is the first step in correcting the outrageous problem, but it should never have been in the first place.

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

I would just like to respond to a couple of the points made by the gentleman who just spoke. The first is that we have provided in the 2005 bill $2.11 billion for mental health for our veterans. That is a very substantial amount of money. And in the 2006 budget, we have proposed $2.2 billion, and we fenced it so that that money cannot be used for any other purpose. That has never been done before in a veterans appropriations bill. And I am very proud that our subcommittee took that action, and it was a bipartisan action.

The second point is that we have before us a straightforward stand-alone supplemental bill that provides just under $1 billion for the Veterans Administration health administration for this year, for 2005, only for 2005. And so it is very simple. If we pass it, and send it to the Senate they can act on it tonight or tomorrow as a stand-alone bill, identical bill, and the President could sign it tomorrow before the Fourth of July, and that is what I hope happens because I believe we will get broad support. I cannot imagine anyone voting against this bill.

But the Senate bill, and the Senate has not passed a bill that includes this funding. They have not. Out of committee they have passed an interior appropriations bill for the 2006 fiscal year that has a $1.5 billion attachment to it for veterans affairs. That bill is a 2006 bill. It will not even take effect in law until 2006, which will not help the 2005 budget at all. This is the vehicle to use. And I am very hopeful that once we pass it and send it to the Senate with a strong unanimous or bipartisan voice from the House that it will become law.

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

Mr. EDWARDS. Mr. Speaker, I yield 1 minute to the gentlewoman from Oregon (Ms. HOOLEY), also a member of the House Veterans Affairs' Committee.

Ms. HOOLEY. Mr. Speaker, I thank the gentleman for yielding who has been such a champion of veterans.

Mr. Speaker, veterans care is in a state of crisis. As the gentleman from Wisconsin (Mr. OBEY) pointed out earlier in the evening, veterans at the Portland VA Medical Center in Oregon have arrived at the short-stay unit only to see this sign which says, ''We regret to inform you that due to budget issues, we can no longer supply meals to patients. Please bring a meal from home if you are going to be in the short-stay unit. We apologize for any inconvenience.''

Well, this is not about the food. But it is about our health care for veterans. We have had to close beds because we are 150 people short at the VA hospital. This is no way to treat our heroes. The Portland VA does a wonderful job. It is not their fault. This is our responsibility.

I have been working on this issue for years calling for more funding for VA health care. If the leadership had allowed a vote on an amendment I tried to offer with the gentleman from Washington (Mr. BAIRD) to add $1.3 billion to the supplemental for VA health care, we would have dealt with this issue months ago. This did not have to happen. Not one soldier who puts his or her life on the line should have to worry about health care.

While I am glad that we are finally acknowledging the financial needs of the VA, I cannot help but be disappointed that even now, when we know they are desperate for additional funding, we are still not giving them all of the money they need to serve our veterans.

As a result of this budget shortfall, the Portland VA Medical Center is delaying all nonemergency surgery by at least six months. For example, veterans in need of knee replacement surgery won't be treated because of the budget shortfall. Recent visitors to the short care stay unit were surprised to see a handwritten sign declaring that "due to budget issues, we can no longer supply meals to patients," and asking patients to bring a meal from home.

The facility is reducing staff as a cost-cutting measure and is now short at least 150 hospital staff, including nurses, physicians, and social workers. As a result of budget cuts for staffing, the VA has cut the number of medical

beds available to care for veterans. And for fiscal year 2005, the facility needed $13 million for medical and clinical equipment but only received $2 million.

But this should not come as a surprise to us. All you have to do is visit the VA health care facilities to see the overcrowded waiting rooms, the worn equipment, to know that they need additional funding. And we've been saying this for years.

Just this March, the Republican leadership of the House refused to allow us to debate and vote on an amendment that I tried to offer that would have added $1.3 billion to the Supplemental Appropriations bill specifically for Veterans Health Care. Had we been allowed to debate whether the VA needed supplemental funding in March, or any of the numerous other times that House Democrats have tried to raise the issue, we could have dealt with this problem long before it became a crisis.

Not one soldier who puts his or her life on the line should have to worry about getting health care when he or she returns from battle. But how are we supposed to provide adequate health care to these new veterans when we can't even meet the needs of our current veterans? Our veterans deserve better.

Mr. EDWARDS. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, tonight we are scrambling around to make up for a shortfall in veterans funding that was caused by the poor planning of this administration. The VA medical system cares for the brave men and women who have risked life and limb to serve this country without questioning why. Let us not forget that the VA's medical system serves as a back up to the Defense Department during national emergencies and as a Federal support organization during major disasters.

Please consider my district, the city of San Diego. Our VA Medical Center is well managed, but is being forced to divert millions of its maintenance funds to partially cover its operating expenses while our communities' veterans sit on waiting lists of over 750 patients.

Mr. Speaker, we are the keepers of the promise to America's veterans. We are obligated to address this funding crisis quickly and prevent it from happening again. The lives of countless men and women who defend it, or our own lives, may very well depend on it.

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

Mr. Speaker, we should not be in this hole. We did not have to be in this hole. I am glad we are taking a partial step to get out of this hole, a hole that we put veterans in, veterans who have served our country in combat, veterans who have been unfortunately denied care this year that they had a right to receive because of inadequate funding in the past. I am glad we are moving forward.

I wish we were moving forward with a $1.5 billion emergency funding bill passed unanimously by the United States Senate. I do not know why the House leadership felt 96 Members of the Senate, including the Senate Republican leadership, were being too generous to veterans. I do not think they were being too generous to veterans. But I am glad we are taking a step forward. And I do genuinely appreciate the gentleman from New York (Mr. WALSH) and the gentleman from Indiana's (Mr. BUYER) work on this effort.

The most important thing we need to do tonight is learn the lesson of how we got in this hole and how not to get into it again. I have heard some say, well, we have increased veterans funding over the last few years so we should be happy with that and veterans should not complain about it, in effect. But the fact is that there has been an increase of 250,000 veterans a year each year for the last 4 or 5 years into the VA health care system.

You add that to VA health care inflation, drug cost inflation, and the fact is that we have not kept up with even current services for veterans in the budgets we have passed in the last 2 years. For some, not so much in tonight's debate, but in other debates this week, who have suggested, well, these are Democrats being partisan, well, some of those charges were leveled when we said a year ago and 5 months ago and 2 months ago that this budget was going to provide a shortfall for funding.

But let us take it out of the debate of Republicans versus Democrats. Let us go to the respected Disabled American Veterans. Alan Bowers, the national commander of the DAV said, not last week or last month, he said on March 23 of 2004 about the 2005 budget resolution, ''The VA will be required to delay medical care for some veterans and deny it all together for other sick and disabled veterans just to enable it to meet inflationary costs.''

To the veterans of this Nation it is incomprehensible that our government cannot afford to fund their medical care and benefit programs at a time it can afford generous tax cuts costing hundreds of billions of dollars more.

Let us go beyond the Disabled American Veterans. Let us look at the legislative directors of Paralyzed Veterans of America, the AMVETS, the Veterans of Foreign Wars. This is what they said about the 2005 budget resolution passed on a partisan basis in this House over the objection of Democrats. They said passage of the budget resolution as presented ''would be a disservice to those men and women who serve this country and who are currently serving in Iraq, Afghanistan and around the world in our fight against terrorism.''

No Member of this House questions any other Member's respect for veterans. But we are not talking about good feelings tonight. Good feelings and good intentions do not fund veterans health care. We are talking about budget priorities. And we on the Democratic side of this House believe that adequate funding for veterans health care should trump tax cuts for billionaires. It seems to me that the leadership of America's major veterans organizations agree with us.

I hope, perhaps, from this day forward we can go together on a bipartisan basis to see that we do not ever, ever, ever again cut real services for America's veterans during a time of war.

I encourage my colleagues to vote for this resolution, despite my deep disappointment that the House Republican leadership would deny us even the right to vote on the $1.5 billion emergency funding for veterans hospitals that 96 Senators in a unanimous vote said was needed by our Nation's former service men and women.

Mr. WALSH. Mr. Speaker, I yield the balance of my time to the gentleman from Indiana (Mr. BUYER), the distinguished chairman of the Veterans Affairs' Committee and himself a veteran of the Gulf War.

Mr. BUYER. Mr. Speaker, I thank the gentleman from New York (Mr. WALSH) for his leadership in bringing this supplemental, being responsive to the administration's requests. I would also like to thank the gentleman from Texas (Mr. EDWARDS), the ranking member, for working cooperatively with the gentleman from New York as he has done since he assumed this position. The gentleman's leadership is important and it is valuable.

Yesterday, the gentleman from Texas (Mr. EDWARDS) and I kind of joked with each other when I came up to the gentleman and I said, what is the powerball? And the gentleman looked at me and said, what? And I said what is the powerball, because if the gentleman could actually guess what the number should be for the veterans budget, the gentleman should also know what the powerball is. We kind of had fun, we had some laughter amongst each other because what we are dealing with is hard. It is difficult. There are people that are a lot smarter than me and that have Ph.D.s in how to do the actuarial studies.

And it is rather interesting that the VA, for the longest time, I want to share with my colleagues what had been done was that the VA would formulate the health care portion of their budgets using historical trend analysis, inflation, and then they would also take into consideration new initiatives. Then the VA said, well, we ought to change that. Let us improve workload projection capabilities, and let us do some better forecasting.

And so they go out and they hire Milliman Incorporated, which is an outside actuarial firm that provides expertise and guidance to the top private health companies in America. Well, that sounded like a pretty good idea to do. Then what we learned on June 23 in the Full Committee on Veterans' Affairs as we get into the issue on health care modeling, I know you say, my gosh, why are you talking about this? This is pretty important. What we learn about the modeling is, is that

model wrong that the VA is using to protect the budgets? How come we get into these positions? What we learned is it is not necessarily that the model is in error. The model that is used in the private sector and that is used to guide the VA is adjusted for these private firms on an annual basis.

The VA uses this model and stresses it. They stress the model to project between 2.5 and 3.5 years out. Now, that is not right. So what we are going to do, and the gentlemen from New York (Mr. WALSH) and the gentleman from Texas (Mr. EDWARDS) and myself and the gentleman from South Carolina (Mr. BROWN) and the gentleman from Maine (Mr. MICHAUD), we are going to work together here because we are going to stop this stuff going on. If they recognize that the data is old and stale and that their assumptions are not right and they are not doing annual risk adjustments, then we are going to have to do it for them. Right?

So it is important for us to continue our oversight. So when this was brought out in the hearing last week, the administration, the testimony of Dr. Perlin was we have some work around solutions. Well, we listened to it. And then we began to talk among ourselves, Republicans and Democrats alike, listening to evidence and stories from our own districts and said, you know, this does not feel right and we should take some action.

□ 2300

The administration responded. What we said to the administration was, and I share with my colleagues in the Senate because their immediate response, we were not even done with our hearing in the House and the Senate calls a press conference and says we are going to fund it at 1.5 or 1.6.

They are making up numbers over in the Senate. We are not going to make up numbers here in the House. I have heard some of my dear friends on the Democrat side say, I am really disappointed it is not $1.5 billion. Where do you get $1.5 billion? We cannot make it up.

If our responsibility to the taxpayer is to get the number right, then let us get the number right. So when we asked the Secretary to come over and testify and he did this morning, we said we want an exact number and that is exactly what he delivered to us.

So of the $975 million supplemental, this morning he said I need $273 million to fund health care for returning Operation Iraqi Freedom, Operation Enduring Freedom veterans, including members of the Guard and Reserve. They also needed $226 million to continue funding of the shared Federal and State VA long-term care nursing home program. They need another $200 million to fund unanticipated increases in the health care for priorities 1 through 6 veterans. He needed $95 million to fund unanticipated energy, fuel, and utility costs. He needed $84 million to buy emergency medical equipment and $39 million to pay for the increase in health care benefits for dependents of 100 percent service connected veterans as the need has increased at a rate greater than expect.

And there is another number that no one has talked about. You know what it is? Accounts receivables. So I asked the VA, you came and told us you need $975 million. What is your accounts receivables? What in the final quarter of 2005 do you anticipate that you are going to collect? $325 million.

So basically what we have, if you are in business we have a cashflow problem. We also have a shortfall. So they have accounts receivables out there and they have a bogey, a deficit. So when we say okay, we are going to do an infusion. So we do an infusion of $975 million, you know what? The number is higher than that. Because it is $975 million plus the $325 million of accounts receivables. It is $1.3 billion is the infusion. That is the monies available for the VA in the final quarter. That is the exact number.

So I am hopeful that when we pass this bill, and I agree with the gentleman from New York (Chairman Walsh). I do not think there is going to be one vote against this because we will all speak together in a unified voice. We will send this to the other body and say this bill comes to a total of $1.3 billion in available resources that the VA can use in the final quarter and those monies that you cannot use we will move over into 2006. We will continue to work on the 2006 number. We will work on that budget amendment.

The next thing we will do is the VA is working on the 2007 budget because they have responsibilities to get that transferred soon to OMB. We will get all this worked out because this Secretary owns that 2007 budget and he owns the 2006 budget and he owns this mistake and he understands that.

I urge all of my colleagues in a bipartisan fashion and in a big voice, let us wake up the other body. We pass it tonight. They can pass exactly what we have here, and we can make a tremendous impact on the veterans community. Let us pass this bill.

I congratulate the gentleman from New York (Mr. WALSH).

Ms. SCHAKOWSKY. Mr. Speaker, I rise to express my great disappointment about the fact that the Republican majority has refused to allow Representative EDWARDS the opportunity to offer his bill to provide $1.5 billion in emergency funding for veterans health care. Instead, we are being asked tonight to vote up or down on a bill that will provide only part of the funds that are desperately needed to provide essential care to those who served our country so well. Full funding is critically needed by the Veterans' Administration to overcome its massive budget shortfall caused by the Bush Administration's war in Iraq and the Republicans' shameful budget.

Last Friday, the Washington Post reported that the Bush Administration finally acknowledged that it is short $1 billion for covering current needs at the Department of Veterans Affairs, despite repeated efforts by House Democrats to adequately fund VA healthcare. Even that admission is likely to be short of the mark. Earlier today, the Chairman of the Senate Veterans' Affairs Committee reiterated that the Senate would quickly pass a $1.5 billion emergency supplemental if the House would first approve the measure. Unfortunately, the Republican majority has offered a bill that provides only $975 million, and then denied us the opportunity to offer an amendment to increase that level. To shortchange our veterans during a time of war is not only shocking, it is greatly disrespectful to the brave men and women who have volunteered their service to defend our country.

The shortfall that the VA is experiencing has resulted in some VA medical facilities no longer scheduling appointments for veterans, others not filling vacancies of medical and nursing staff, and others having to close operating rooms or not replace basic medical equipment, such as hospital beds.

Because of the Republicans' refusal to provide sufficient funding, many of the 50,000 veterans who are currently waiting in line for medical appointments will be forced to continue their wait. It is shameful that the Republicans in Congress have once again failed our veterans. It is apparent that the Republicans do not represent the priorities of the American people. At a time of war, Americans want the Congress to offer bipartisan support and services for our veterans and their families. They do not want us to shortchange military families and they certainly believe that taking care of our Nation's veterans should be a higher priority than providing tax breaks for millionaires. The Republicans should have done the right thing and worked with the Democrats on this nonpartisan issue.

Mr. HOLT. Mr. Speaker, I rise today in support of this supplemental, but not of the process that brought it to the floor.

Last Friday, the Washington Post reported that the Bush Administration acknowledged that it is short $1 billion for covering current needs at the Department of Veterans Affairs this year, despite repeated efforts by House Democrats to fund VA healthcare. In response, the Senate voted unanimously on Wednesday to give the VA an extra $1.5 billion this year to cover the health care shortfall. But House Republicans today offered just $975 million, meaning additional work will have to be done to correct this serious problem.

But the problem we face is larger than dollars and cents. There is an emerging credibility gap, one that Secretary of Veterans Affairs Nicholson would do well to address and quickly. It simply strains credulity to suggest, as some in the House have this week, that neither the Secretary nor his staff could have foreseen this problem. Mr. Nicholson's predecessor, former VA Secretary Anthony Principi, who is currently chairing the Base Realignment and Closure Commission, certainly had no difficulty giving the Congress honest assessments on the VA's needs. Indeed, Secretary Principi was too forthright for White House officials, who were undoubtedly both embarrassed and angered by his candor during the last Congress.

You remember the story, I'm sure. At the annual VA budget hearing on February 4, 2004, in response to a question by my friend and colleague from Illinois, Mr. Evans, then-

Secretary Principi acknowledged that he needed at least $1.2 billion more to meet the medical needs of America's veterans than President Bush had requested in his Fiscal Year 2005 budget submission to Congress. My friend from Illinois showed his usual courage and tenacity, and fought to get Secretary Principi the money they both knew—the money we all knew—was needed to properly care for our veterans. And even if this supplemental funding is provided, there will still be at least a $600 million shortfall in VA funding this fiscal year.

What does this shortfall mean in human terms? It means not enough psychiatric nurses to care for veterans with post-traumatic stress disorder (PTSD) and other psychiatric disorders. It means some veterans will not get prosthetic devices they need to function in the real world. It means that hospital administrators will have to raid medical care accounts in order to pay for equipment repairs to keep air conditioners functioning and electrical systems working. It means longer clinic waiting times for veterans seeking appointments. All of these shortages are both unacceptable and avoidable.

If we can find the money to buy the hardware to send our men and women into battle, there's no excuse for us not to find the money to pay for their wounds of war after they come home. Shortchanging America's veterans on America's birthday is truly a manifestation of Tom Paine's sunshine patriotism. I urge my colleagues to not only support this supplemental, but to demand that the President and the House leadership provide the full funds the VA needs to care for our wounded warriors.

Ms. SOLIS. Mr. Speaker, I rise in strong support of the supplemental appropriations for veterans' medical care. This measure corrects the $1 billion shortfall in veterans' health care funding, which was belatedly acknowledged by the Bush Administration last week. House Democrats have been standing with America's veterans fighting to increase support for veterans' health care. Republicans have consistently chosen other priorities and voted against veterans' healthcare, leading to a shortfall that did not have to happen.

This measure is a first step to correcting this gross underfunding of our veterans' health care system. However, additional steps need to be taken to comprehensively address this serious problem. I am troubled that many of our Nation's veterans are unable to receive the health care they need in a timely fashion. Without adequate funding, veterans will continue to stand in line, waiting for the services they have earned. Let us keep our promises to our veterans and servicemembers who have fought for our country. I will continue to fight for funding that meets our active and retired military personnel's health care needs.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of the supplemental appropriation of $975,000,000 that will fill the huge gap that was left by the Administration's FY 2005 request for the Veteran's Administration health care system. While my veteran constituents such as a 23-year old male who now suffers from kidney and liver failure due in part to administrative failings in the Veterans Healthcare Administration. The paltry funding levels set by the Administration and codified by the Republican Congressional Leadership have caused young soldiers like my constituent to suffer unnecessarily and cause their parents to shed tears. I just visited this young man at the Walter Reed Medical Center last week, and his condition reminded me of the very irresponsible work of this Administration.

Hundreds of thousands of veterans just like my young constituent are being told that they cannot enroll in VA health care. When the current Administration decided to ban new Priority 8 veterans from enrolling in January 2003, it estimated that by 2005 the number of affected veterans would be 522,000. Some veterans' hospitals are reporting shortages of medical supplies. Furthermore, the number of Operation Iraqi Freedom veterans lined up for treatment is expected to rise dramatically as the poorly managed war effort causes physical and mental ailments to increase exponentially.

In the 18th Congressional district of Texas alone there are more than 38,000 veterans and they make up almost ten percent of this district's civilian population over the age of 18. Yet, despite these large numbers we often forget about our veterans. We do this in part because our men and women of the armed services come home from war and lead normal productive lives; often our veterans go unnoticed in the general population. However, our veterans are not normal people; they are truly extraordinary individuals who have changed the course of our lives in ways that we may not even realize. I hope we will always keep this thought in mind; we cannot forget to celebrate our veterans, for if we forget to honor them, we forget all that makes this nation truly great.

There are over 26,550,000 veterans in the United States, the great majority of whom rely upon these services to maintain a healthy standard of living. In the 18th Congressional District alone there are there are more than 38,000 veterans and they make up almost ten percent of the district's civilian population over the age of 18. These veterans rely upon the great services offered at the Michael E. DeBakey VA Medical Center in Houston. Of course any great medical facility is only as good as its health care personnel.

Mr. Speaker, today's vote is the first step to correcting an enormous underfunding of our veterans. However, this amount does not match that offered by the other body—therefore, the problem has not been solved, and soldiers like my young constituent at Walter Reed will continue to suffer the dire and potentially fatal consequences.

This body must increase funding to $1.5 billion so that our debt to those who have sacrificed for us is paid. Even if my colleagues pass this measure, these men and women will not receive the benefits before July 4! The amount offered by the House Republicans did not match the figure that passed in the other body. It is truly shameful that we must watch our Republican colleagues give piecemeal care to our veterans when the needs are so urgent.

For the reasons above stated, I support this measure, but I ask that my colleagues continue to press for full funding at the level passed in the other body

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from New York (Mr. WALSH) that the House suspend the rules and pass the bill, H.R. 3130.

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. WALSH. 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.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. DELAY. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 198) and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the concurrent resolution.

The Clerk read as follows:

H. CON. RES. 198

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, June 30, 2005, or Friday, July 1, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, July 11, 2005, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on Thursday, June 30, 2005, Friday, July 1, 2005, or Saturday, July 2, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, July 11, 2005, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

CONDITIONAL ADJOURNMENT TO TUESDAY, JULY 5, 2005

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns on this legislative day, it adjourn to meet at 6 p.m. on the third constitutional day thereafter, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 198, in which case the House shall stand adjourned pursuant to that concurrent resolution.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, JULY 13, 2005

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, July 13, 2005.

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

There was no objection.

PERMISSION FOR COMMITTEE ON INTERNATIONAL RELATIONS TO HAVE UNTIL MIDNIGHT, FRIDAY, JULY 8, 2005, TO FILE REPORT ON H.R. 2601, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2006 AND 2007

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the Committee on International Relations have until midnight July 8, 2005, to file the report on H.R. 2601, the State Department Authorization bill.

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

There was no objection.

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:

House Resolution 344, by the yeas and nays;

House Resolution 340, by the yeas and nays;

H.R. 3130, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

EXPRESSING THE SENSE OF THE HOUSE THAT A CHINESE STATE-OWNED ENERGY COMPANY COULD TAKE ACTION THAT WOULD THREATEN THE UNITED STATES

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 344.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. 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. 344, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 398, nays 15, not voting 20, as follows:

[Roll No. 360]

YEAS—398

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Cleaver
Clyburn
Coble
Conaway
Conyers
Cooper
Costa
Costello
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Sodrel
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—15

Baird
Blumenauer
Davis, Tom
Dicks
Inslee
Kirk
Larsen (WA)
Lungren, Daniel E.
McDermott
Moran (VA)
Paul
Shays
Smith (WA)
Stark
Thomas

NOT VOTING—20

Berman
Clay
Cole (OK)
Cox
Cramer
Everett
Fattah
Gerlach
Harman
Higgins
Johnson, Sam
Kingston
McCaul (TX)
Murtha
Pelosi
Peterson (PA)
Ross
Schiff
Solis
Waters

□ 2327

Mr. BLUMENAUER and Mr. BAIRD changed their vote from ''yea'' to ''nay.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Mr. Speaker during rollcall vote No. 360 on H. Res. 344, I was unavoidably detained.

Had I been present, I would have voted "yea."

EXPRESSING THE GRAVE DISAPPROVAL OF THE HOUSE REGARDING MAJORITY OPINION OF SUPREME COURT IN KELO V. CITY OF NEW LONDON

The SPEAKER pro tempore (Mr. SIMPSON). The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 340.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr.

SENSENBRENNER) that the House suspend the rules and agree to the resolution, H. Res. 340, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 365, nays 33, answered ''present'' 18, not voting 17, as follows:

[Roll No. 361]

YEAS—365

Abercrombie
Aderholt
Akin
Alexander
Andrews
Baca
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Castle
Chabot
Chandler
Chocola
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cox
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green (WI)
Green, Gene
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Honda
Hooley
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Israel
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larson (CT)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
McCarthy
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy
Musgrave
Myrick
Napolitano
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Sánchez, Linda T.
Sanders
Saxton
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Young (AK)
Young (FL)

NAYS—33

Allen
Baird
Case
DeGette
Dicks
Dingell
Fattah
Green, Al
Grijalva
Hastings (FL)
Hostettler
Inslee
Jackson (IL)
Jones (OH)
Kilpatrick (MI)
Larsen (WA)
Lee
Levin
Lowey
Matsui
McDermott
Miller (NC)
Moran (VA)
Nadler
Oberstar
Pastor
Payne
Rothman
Sherman
Stark
Watson
Waxman
Wynn

ANSWERED ''PRESENT''—18

Ackerman
Blumenauer
Capuano
Granger
Holt
Kaptur
McCollum (MN)
Neal (MA)
Olver
Paul
Sabo
Sanchez, Loretta
Schakowsky
Snyder
Tierney
Turner
Watt
Wu

NOT VOTING—17

Berman
Clay
Cramer
Everett
Harman
Higgins
Johnson, Sam
Kingston
McCaul (TX)
Murtha
Pelosi
Peterson (PA)
Reynolds
Ross
Schiff
Solis
Waters

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 2335

Mr. ROTHMAN changed his vote from ''yea'' to ''nay.''

Mr. FARR changed his vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. REYNOLDS. Mr. Speaker, on rollcall No. 361, I was unavoidably detained. Had I been present, I would have voted "yea."

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 361 on H. Res. 340, I was unavoidably detained. Had I been present, I would have voted "yea."

MAKING SUPPLEMENTAL APPROPRIATIONS FOR VETERANS MEDICAL SERVICES

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3130.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. WALSH) that the House suspend the rules and pass the bill, H.R. 3130, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 419, nays 0, not voting 14, as follows:

[Roll No. 362]

YEAS—419

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cox
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller

Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
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
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—14

Berman
Clay
Cramer
Everett
Harman
Higgins
Kingston
Murtha
Pelosi
Peterson (PA)
Ross
Schiff
Solis
Waters

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 2344

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 362 on H.R. 3130 I was unavoidably detained. Had I been present, I would have voted "yea."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2355

Mr. TOWNS. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2355.

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

There was no objection.

CONGRATULATING SAN ANTONIO SPURS FOR WINNING 2005 NATIONAL BASKETBALL ASSOCIATION CHAMPIONSHIP

Ms. FOXX. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be discharged from further consideration of the resolution (H. Res. 339) congratulating the San Antonio Spurs for winning the 2005 National Basketball Association Championship, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 339

Whereas on June 23, 2005, the San Antonio Spurs won the National Basketball Association's (NBA) Championship with an 81–74 victory over the Detroit Pistons;

Whereas the Spurs' win resulted in their third NBA championship title in franchise history;

Whereas the Spurs competed against the Pistons to win the series 4–3;

Whereas the Detroit Pistons and their coach, Larry Brown, put up a battle worthy of a championship series;

Whereas under the guidance of Coach Gregg Popovich, the Spurs' Tim Duncan, Manu Ginobili, Tony Parker, Robert Horry, Bruce Bowen, Nazr Mohammed, Brent Barry, Beno Udrih, Rasho Nesterovic, Glenn Robinson, Devin Brown, and Tony Massenburg played valiantly to bring the NBA trophy back home to San Antonio;

Whereas congratulations are due as well to the Spurs' owners, Peter and Julianna Holt, and all of the other people in the Spurs' organization.

Whereas Tim Duncan was for the third time named the finals' Most Valuable Player following the Spurs' victory;

Whereas Coach Gregg Popovich is only one of two active coaches to win three championship titles and only the fifth in league history; and

Whereas San Antonio has the best hometown crowd in the league and the Alamo City is the perfect setting for a championship celebration: Now, therefore, be it

Resolved, That the House of Representatives congratulates the San Antonio Spurs and Coach Gregg Popovich for another exciting basketball season and for winning the 2005 National Basketball Association Championship.

Ms. FOXX. Mr. Speaker, this resolution congratulates the San Antonio Spurs—and especially, 3-time NBA Finals Most Valuable Player Tim Duncan, the pride of Wake Forest University, which is located in my district—for winning the 2005 NBA championship.

Mr. CUELLAR. Mr. Speaker, I rise today to congratulate the San Antonio Spurs for winning their third National Basketball Association Championship in seven years. The 2005 World Champion Spurs deserve recognition for this achievement, and the class and sportsmanship they displayed in victory.

The Spurs won their third championship against a most worthy opponent, the tough and determined defending champion Detroit Pistons. In this seven-game series, both the Spurs and the Pistons blew each other out for two games apiece, but in the last three games each team showed the championship-caliber mettle that made this series a classic.

The Spurs displayed the skills, determination, and courage to overcome an opponent displaying the same qualities and playing with the same philosophy. This provided for scintillating games five, six, and seven, in which each team would give no ground, and the winner deserved the victory.

This final, championship round featured two juggernauts of team defense, and the results showcased the simple beauty of the game the focus not strictly on the hype of individual scoring and acrobatic plays. The pride and joy of the Spurs and Coach Gregg Popovich is cohesive and tenacious defense that takes victory for its own.

The San Antonio Spurs are champions not only on the court, but off. The Spurs are the paragon of professionalism and teamwork, and while this may not sell for the casual fan, it sells very well for the fans in San Antonio and South Texas who admire these values. The San Antonio Spurs are both a vital member of the community and a community concept viewed with pride by all San Antonians.

Mr. Speaker, I am proud to enter the names of these champions into the RECORD: Tim Duncan; Manu Ginobili; Tony Parker; Bruce Bowen; Nazr Mohammed; Robert Horry; Brent Barry; Devin Brown; Rasho Nesterovic; Beno Udrih; Tony Massenburg; Glenn Robinson; Head Coach Gregg Popovich, and Chairman Peter Holt.

I congratulate them on this momentous victory, and thank them for the pride and happiness they bring to all San Antonio.

Mr. GONZALEZ. Mr. Speaker, I rise in support of House Resolution 339, which honors the newly crowned champions of the NBA, the San Antonio Spurs. The Spurs have just won their third title in seven years. In a hard fought victory, the Spurs eventually triumphed over the defending NBA champions the Detroit Pistons in a back and forth series that culminated in a decisive seventh game. I must also honor the spirit of the Detroit Pistons who did not quit after the Spurs routed them in the first two games nor when the Spurs won the crucial game five. Even though the Pistons very reluctantly surrendered the title, they pushed the series to the full seven games, the first NBA finals to go the distance in 11 years.

Every significant structure must have a sound and strong foundation, and the Spurs are the model of stability in professional sports as the principal owners, Peter and Julianna Holt, allow the people they hire to run the team without interference. Coach Greg Popovich and General Manager R.C. Buford have created an atmosphere that fosters the

spirit of winning basketball and epitomizes the ideals of teamwork, cooperation, and the axiom that the whole is more than the sum of the parts. It is a style that demands sharing the ball, team defense, relentless effort and, above all, selfless play.

Moreover, the international composition of the team reflects the increasingly diversified, more tightly knit world in which we live. General Manager, R.C. Buford, spends a great deal of his time in gyms all over the world looking for the next Manu Ginobili, the Argentine swingman whose acrobatic drives into the lane electrified fans and dazzled the opposition. Given the range of languages and cultures of the Spurs, Coach Popovich has done an amazing job of integrating his players into a formidable and cohesive whole.

Mr. Speaker, I agree with San Antonio native Dean Aguillen, a die-hard Spurs fan and one of my constituents, when he says that "The greatness of the Spurs players who hail from Argentina, the Virgin Islands, France, Slovenia, New Zealand, and from across the U.S. have made San Antonio the capital of the international basketball world."

Naturally, the city of San Antonio has longed embraced the Spurs and considers them family. Spurs basketball suits the Alamo City as a place where substance matters much more than style and people hold others to their words. When the Spurs say they will give their all, they do. So, it is never a surprise when the colors of silver and black sweep the city come springtime as the Spurs work deeper and deeper into the playoffs.

So, I would like to honor Tim Duncan, Tony Parker, Manu Ginobili, Bruce Bowen, Nazr Mohammed, Rasho Nesterovic, Robert Horry, Devin Brown, Beno Udrih, Brent Barry, and Tony Massenburg. I would also like to recognize Greg Popovich who has now moved into elite coaching company with his third title.

The Spurs truly embody our national motto, e pluribus unum, which of course means out of the many come one. All of San Antonio is very proud of the Spurs and of this momentous accomplishment.

Mr. BONILLA. Mr. Speaker, I rise today to recognize the outstanding achievement of the San Antonio Spurs and congratulate them for winning the 2005 National Basketball Association Championship on June 23. This is the third time in the past five years that National Championship trophy has come home to San Antonio. This was a dramatic seven game series against the Detroit Pistons, and hard fought at every step along the way. Under the guidance of Coach Greg Popovich, the Spurs' Tim Duncan, Manu Ginobili, Tony Parker, Robert Horry, Bruce Bowen, Nazr Mohammed, Brent Barry, Beno Udrih, Rasho Nesterovic, Glenn Robinson, Devin Brown, and Tony Massenburg played valiantly to bring the NBA trophy back home to the fans of San Antonio. In fact, Tim Duncan earned recognition as the final's most valuable player for the third time due to his performance, leadership and character. In life it's not just whether you win, it's how you play the game. America has seen how the Spurs are a true team of character, no ball hogs, no billboard tattoos, no nose rings. It is a team that worked like a well oiled machine. No longer can anyone in the NBA say "nice guys finish last".

The resolution was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2985. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2985) ''An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, and for other purposes.'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ALLARD, Mr. DEWINE, Mr. COCHRAN, Mr. STEVENS, Mr. DURBIN, Mr. JOHNSON and Mr. BYRD, to be the conferees on the part of the Senate.

The message announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 3104. An act to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

H.R. 3021. An act to reauthorize the Temporary Assistance for Needy Families block grant program through September 30, 2005, and for other purposes.

THE ACCOMPLISHMENTS OF THE 109TH CONGRESS

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

Mr. HASTERT. Mr. Speaker, this week marks a significant time in the history of the House of Representatives, and in the future of the American people.

Just 6 months into the 109th Congress, we have made some great strides. And this week we mark a milestone.

You see, by the end of today, for the first time in nearly 20 years, the House of Representatives will have completed all of its appropriations bills before the July 4th holiday. It is an unprecedented success, and I want to thank and congratulate the gentleman from California (Mr. LEWIS), chairman; the gentleman from Wisconsin (Mr. OBEY); and the Committee on Appropriations for all their hard work and long hours.

I am especially proud of Members under the House Republican leadership for their input and support for our overall agenda.

Just like families must live within their budgets, the Federal Government must live within its means. We have passed appropriations bills that have been fiscally responsible while recognizing our national priorities.

We set out important goals in our budget: to provide overall increases only to defend America at home and abroad. We have kept that promise.

Earlier this spring, we passed a wartime supplemental that gives our troops the tools they need to fight the war on terror. That same legislation, which is now law, includes provisions to protect our borders from terrorists by establishing Federal driver's license guidelines and beefing up our deportation laws.

We passed a budget that continues to cut the deficit. It also requires us to slow the growth of entitlement programs for the first time since 1997. For the first time, we are going to reform these programs and we are going to save our taxpayers more money by eliminating waste and fraud and abuse.

By restraining spending and by cutting the deficit, Republican policies are helping to keep our economy strong.

Currently, our Nation's unemployment stands at 5.1 percent. That is the lowest it has been since before the September 11 attacks. More Americans, especially minorities, own homes now than ever before. Federal revenues are coming in well above estimates, which means the deficit will be lower than expected.

And just yesterday we learned that overall economic growth was 3.8 percent for the first quarter of 2005, higher than expected.

□ 2350

America's economy has now had 14 straight quarters of growth.

On the domestic front, we passed legislation that will maintain our status as the world leader. We have passed legislation which the President signed into law which would curb class action lawsuits. This is a problem that has been devastating to our small businesses across this country. Many of them spend on average $150,000 per year on litigation expenses. Our legislation will bring relief to those mom and pop small businesses.

We passed a bankruptcy bill that will help curb the number of abusive and frivolous bankruptcy filings. That bill is now law. While the bill allows relief to those who truly need it, it is going to rein in those fraudulent bankruptcies that drive up the cost of credit to hard-working Americans who pay their bills.

We have moved to ease America's energy crisis. I am sure you have all heard from constituents upset about raising gas prices. In the long term, the comprehensive energy bill passed in this House will ease our dependence on foreign oil and curb high gas prices. It would also create nearly half a million jobs. I am pleased that the Senate this week passed their version of the bill, and I urge the Senate to quickly appoint conferees so that House and Senate negotiators can develop a compromise and send it to the President for his signature.

We have passed and are now awaiting Senate action on legislation that permanently ends the death tax. Many of our small businesses are wrapped up in a loved one's estate. Figures show that

70 percent of family businesses do not survive a second generation. Ending the death tax penalty will do much to keep our economy moving.

House and Senate negotiators have been working on a compromise for a transportation bill that would make much-needed improvements to Federal highways. Tonight they came to an agreement, both on a bipartisan and bicameral agreement, to move that bill forward. Economists estimate that for every $1 billion spent to improve our highways, 40,000 jobs will be created.

On all of these accomplishments, I want to thank those Members on the other side of the aisle who chose to work together to get good things done for the American people.

Our work is far from done. Next month we should complete work on conference reports, on job creation bills like the highway bill and the energy bill, as well as legislation dealing with CAFTA. We also plan to take up the PATRIOT Act, reauthorization of the Voting Rights Act and the taking of people's private property by the government. And soon we will begin the steps of reforming Social Security for coming generations.

I am proud that this House under Republican leadership has stayed focused on a real agenda. We are doing what we can to improve conditions for America's families and to foster job creation, economic growth and innovation. We are getting the work done.

One of my heroes, Ronald Reagan, once said, ''Government can and must provide opportunity, not smother it; foster productivity, not stifle it.'' That has been the goal of our Republican Conference each time the American people have sent us back into leadership.

In the end, I really do believe that we will be judged by our work and our accomplishments for the American people. The partisan sniping that has become the mainstay of Washington does nothing for the farmer back home in the cornfields of Illinois, the housewife in Philadelphia, Pennsylvania or the struggling family in Greenville, Mississippi. We help the American people most by showing leadership, by taking action, by keeping our promises.

This 109th Congress is off to an unprecedented start, and I thank our Members for their perseverance, their dedication and their commitment to the people of the United States of America. God bless you all.

TRIBUTE TO STEVEN FRANCIS GAUGHAN

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

Mr. HOYER. Mr. Speaker, too often today we call people ''heroes'' when in fact their actions do not rise to the level of the heroic. Tonight, however, I want to say a few words to honor the memory of a true hero, Prince George's County, Maryland, police officer Steven Francis Gaughan, who was killed in the line of duty on June 21 trying to protect the community that he loved.

Officer Gaughan was a 15-year veteran of the police force, and was a member of a special unit that tracks and arrests drug dealers and violent criminals. According to all who knew him, Steven was devoted to his work, his church, sports teams and family; his wife, Donna, his son, Daniel, and his daughter, Rachel. To Donna, his children and all his family and friends, I extend on behalf of all of us our deepest sympathies.

Let me close, Mr. Speaker, by quoting the Washington Post, which stated: ''Steven's exemplary courage, and his profound sacrifice, stand as painful reminders of how little is truly routine about police work, and of the debt of gratitude that officers are owed by society. His death is a blow to the community, but by his bravery he set an example and left a legacy that will not be soon forgotten.''

Mr. Speaker, Steven Gaughan was a hero, and he will be deeply missed. May God bless his soul and comfort his family.

NEED TO FIX SOCIAL SECURITY NOW

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

Ms. FOXX. Mr. Speaker, Social Security is an issue that needs our attention now. We are dedicated to a solution. We are dedicated to securing the funds we have promised to today's seniors and securing funds for future generations.

Allowing workers to place part of their Social Security money in a personal account with their name on it ensures that Congress will have to find the money elsewhere.

It is time to stop the raid on Social Security. We are reaching out across the aisle in an attempt to address this issue in a bipartisan manner, Mr. Speaker. However, members of the minority have chosen to mislead and obstruct, rather than work together to help the American people.

Congress has been spending Social Security money on programs other than Social Security. A philosopher once said, ''The ultimate test of a moral society is the kind of world it leaves to its children.'' How can we call ourselves moral and effective legislators if we simply deny the problem and leave the mess for future generations to clean up? But how can we do this if Congress keeps raiding the Social Security cookie jar.

On March 6, the minority leader stated on Fox News Sunday, ''We must stop raiding the Social Security trust fund of its money to pay for other things.'' The minority leader has since changed her tune. This week she stated that ''there is nothing wrong with Social Security lending money with the prospect of returning it.''

The minority should join the effort to strengthen Social Security, and help secure the retirement security of future generations.

PROVIDING FULL FUNDING FOR VETERANS HEALTH CARE

(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, for a long time I have shared the neighborhood with the Houston Veterans Hospital.

Today, Mr. Speaker, just a few minutes ago, we rose to the floor of the House to cure the unpardonable, and that is, of course, the mistaken numbers and the failure to provide the right kind of information to be able to provide the right dollars to serve America's veterans. $1.5 billion is what the Senate passed.

Frankly, the need is $1 billion and more, with the number of returning Iraqi veterans and Afghanistan veterans, those who have been maimed and injured on the fields of battle.

It certainly is a shame that we came to the last hours and finally were able to provide for those veterans who were willing to give the ultimate sacrifice. Right now in the Nation's hospitals, veterans are languishing all over America. Families of enlisted personnel are suffering because of the lack of funds for TRICARE. I even know today a young man who is a veteran who is suffering in one of our Nation's military hospitals because of insufficiencies in our local hospital in Houston.

Mr. Speaker, they need more resources, they need more staff, they need our commitment. I hope the majority will not have us end up in the same predicament by allowing this to happen again. I hope we will work through and provide full funding for veterans and veterans health care in America.

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SOCIAL SECURITY

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

Mr. PRICE of Georgia. Mr. Speaker, the money set aside for Social Security should be spent on Social Security. Americans know this only makes sense. The money set aside for Social Security should be spent on Social Security.

Others, however, do not believe in this principle. In March of this year, the minority leader was against robbing the Social Security trust fund. On Fox News she stated it crystal-clear. She said, ''We must stop robbing the Social Security trust fund of its money to pay for other things.''

Today, the minority leader finds nothing wrong with sticking her hand in the Social Security cookie jar. In a recent interview she said, ''There is nothing wrong with Social Security lending money with the prospect of returning it.'' Prospect of returning it? That is not good enough. It is that kind of thinking that has gotten us into our current trouble.

Mr. Speaker, this is exactly why Americans should be able to put part of their Social Security money in a personal account with their name on it.

Raiding the Social Security trust fund is not a solution. It is irresponsible, and it pushes the consequences to our children and grandchildren, consequences that we should fix now.

NO PLACE LIKE THE UNITED STATES OF AMERICA

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

Mr. POE. Mr. Speaker, ''We hold these truths to be self-evident, that all men are created equal. They are endowed by their Creator with certain unalienable rights. That among these are life, liberty, and the pursuit of happiness.'' Words of Thomas Jefferson in our Declaration of Independence.

As we end this evening tonight, Mr. Speaker, at midnight, and we go into the July Fourth weekend, we must remember these words of the Declaration of Independence and know that liberty has always cost, as we should remember the words of President Kennedy when he said, ''Let every Nation know, whether it wishes us well or ill, that we will pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and success of liberty.''

We are involved in a war against terrorism. We have lost over 1,700 Americans in this war; but we must remember, Mr. Speaker, that we must be vigilant. We must remember the words of Ronald Reagan, that ''those people who cry peace, peace, do not understand that there can be no peace as long as there is one American somewhere dying for the rest of us.''

So this July Fourth weekend, we must fly the flag, wear the red, white and blue, and thank the good Lord that there is no place like the United States of America.

TREATMENT OF ENEMY COMBATANTS AT GUANTANAMO BAY

(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, in recent weeks, there have continued to be reckless, anti-American comments made by some who even work in this very Capitol building.

The truth has been emerging more recently of our soldiers' incredibly hospitable treatment of our enemies. Though there is still some rhetoric denouncing our amazingly humane treatment of combatants, others have begun to change their comments, congratulating our servicemembers on their progress since they were called Nazis and cruel.

The fact is, our treatment has not had to progress. Our servicemembers were never Nazis, were not cruel. Their humane treatment of evil combatants who throw urine and fecal matter or semen and spit on them has been unparalleled in combatant history. The constant demonizing of our servicemembers has been played and replayed by our enemies abroad and has done more damage to us, our servicemembers, and our reputation than any isolated members themselves may have done.

Some liberals have worried about what might happen in the future to American POWs because of our treatment at Guantanamo. Let me give a quick reminder. They killed thousands of people on 9/11, innocent people. They took people they captured and took hostage, put them on their knees with blindfolds, and sawed and cut off their heads. These are not nice people. They have not been nice before anybody ever heard of Guantanamo. Quit beating yourselves up. We have got to learn that we are in a battle for our lives against evil men who do not admire weakness among their enemies.

APPOINTMENT OF HON. FRANK R. WOLF TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH JULY 11, 2005

The SPEAKER pro tempore (Mr. MCHENRY) laid before the House the following communication from the Speaker:

WASHINGTON, DC, JUNE 30, 2005.

I hereby appoint the Honorable FRANK R. WOLF or, if he is not available to perform this duty, the Honorable TOM DAVIS to act as Speaker pro tempore to sign enrolled bills and joint resolutions through July 11, 2005.

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

The SPEAKER pro tempore. Without objection, the appointment is approved.

There was no objection.

COMMUNICATION FROM THE HONORABLE RANDY ''DUKE'' CUNNINGHAM, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable RANDY ''DUKE'' CUNNINGHAM, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 28, 2005.

Hon. J. DENNIS HASTERT,
Speaker,
House of Representatives,
Washington, DC

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VII of the Rules of the House of Representatives, that I have been served with a subpoena, issued by a Federal Grand Jury for the Southern District of California, for documents.

After consulting with counsel, I have determined that compliance with the Subpoena is consistent with the precedents and privileges of the House.

Sincerely,

RANDY ''DUKE'' CUNNINGHAM,
Member of Congress.

VACATING FILING OF REPORT ON H.R. 1158

The SPEAKER pro tempore. Without objection, the filing of the report by the Committee on Science to accompany H.R. 1158, and the referral thereof to the Committee of the Whole House on the State of the Union, are vacated.

There was no objection.

HOUSE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the following titles:

January 7, 2005:

H.R. 241. An act to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the Indian Ocean tsunami.

March 25, 2005.

H.R. 1160. An act to reauthorize the Temporary Assistance for Needy Families block grant program through June 30, 2005, and for other purposes.

March 31, 2005.

H.R. 1270. An act to amend the Internal Revenue Code of 1986 to extend the Leaking Underground Storage Tank Trust Fund financing rate.

April 15, 2005.

H.R. 1134. An act to amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of certain disaster mitigation payments.

April 29, 2005.

H.R. 787. An act to designate the United States courthouse located at 501 I Street in Sacramento, California, as the ''Robert T. Matsui United States Courthouse''.

May 5, 2005.

H.J. Res. 19. An act providing for the appointment of Shirley Ann Jackson as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 20. An act providing for the appointment of Robert P. Kogod as a citizen regent of the Board of Regents of the Smithsonian Institution.

May 11, 2005.

H.R. 1268. An act making Emergency Supplemental Appropriations for Defense, the Global War on Terror, and Tsunami Relief for the fiscal year ending September 30, 2005, and for other purposes.

May 31, 2005.

H.R. 2566. An act to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

June 17, 2005.

H.R. 1760. An act to designate the facility of the United States Postal Service located at 215 Martin Luther King, Jr. Boulevard in Madison, Wisconsin, as the ''Robert M. La Follette, Sr. Post Office Building''.

SENATE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following date, he had approved and signed bills of the Senate of the following titles:

February 28, 2005.

S. 5. An act to amend the procedures that apply to consideration of interstate class action to assure fairer outcomes for class members and defendants, and for other purposes.

March 21, 2005.

S. 686. An act to provide for the relief of the parents of Theresa Marie Schiavo.

March 25, 2005.

S. 384. An act to extend the existence of the Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group for 2 years.

April 20, 2005.

S. 256. An act to amend title 11 of the United States Code, and for other purposes.

April 27, 2005.

S. 167. An act to provide for the protection of intellectual property rights, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. COOPER (at the request of Ms. PELOSI) for June 29 after 8:30 p.m. through 6:00 p.m. today on account of official business regarding a BRAC hearing in Atlanta, Georgia.

Mr. HIGGINS (at the request of Ms. PELOSI) for today after 8:00 p.m. on account of a death in the family.

Mr. BACHUS (at the request of Mr. DELAY) for today until 5:00 p.m. on account of attending a BRAC hearing.

Mr. EVERETT (at the request of Mr. DELAY) for today on account of attending a BRAC regional hearing and meeting with the Governor of Alabama.

Mr. KINGSTON (at the request of Mr. DELAY) for today on account of attending a BRAC hearing and attending to his father's illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. ENGEL, for 5 minutes, today.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles,which were thereupon signed by the Speaker:

H.R. 120. An act to designate the facility of the United States Postal Service located at 30777 Rancho California Road in Temecula, California, as the ''Dalip Singh Saund Post Office Building''.

H.R. 324. An act to designate the facility of the United States Postal Service located at 321 Montgomery Road in Altamonte Springs. Florida, as the ''Arthur Stacey Mastrapa Post Office Building''.

H.R. 1001. An act to designate the facility of the United States Postal Service located at 301 South Heatherwilde Boulevard in Pflugerville, Texas, as the ''Sergeant Byron W. Norwood Post Office Building''.

H.R. 2326. An act to designate the facility of the United States Postal Service located at 614 West Old County Road in Belhaven, North Carolina, as the ''Floyd Lupton Post Office''.

H.R. 3104. An act to provide an extension of highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

H.R. 3021 An act to reauthorize the Temporary Assistance for Needy Families block grant program through September 30, 2005, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1282. An act to amend the communications Satellite Act of 1962 to strike the privatization criteria for INTELSAT separated entities, remove certain restrictions on separated and successor entities to INTELSAT, and for other purposes.

ADJOURNMENT

Mr. POE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. Pursuant to the previous order of the House of today, the House stands adjourned until 6 p.m. on Tuesday, July 5, 2005, unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 198, in which case the House shall stand adjourned pursuant to that concurrent resolution.

Thereupon, (at 12 o'clock and 7 minutes a.m. Friday, July 1, 2005, legislative day of June 30, 2005), pursuant to the previous order of the House of today, the House adjourned until 6 p.m. on Tuesday, July 5, 2005, unless it sooner has received a message transmitting its adoption of House Concurrent Resolution 198, in which case the House shall stand adjourned pursuant to that concurrent resolution.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2480. A communication from the President of the United States, transmitting a request for FY 2005 supplemental appropriations for the Department of Veterans Affairs; (H. Doc. No. 109–39); to the Committee on Appropriations and ordered to be printed.

2481. A letter from the Attorney, Office of Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule — Small Business Programs — received June 16, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2482. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Hazardous Waste Management System; Modification of the Hazardous Waste Manifest System; Correction [FRL-7925-1] (RIN: 2050-AE21) received June 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2483. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Dyes and/or Pigments Production Wastes; Land Disposal Restrictions for Newly Identified Wastes; CERLA Hazardous Substance Designation and Reportable Quantities; Designation of Five Chemicals as Appendix VIII Constituents; Addition of Four Chemicals to the Treatment Standards of F039 and the Universal Treatment Standards; Correction. [RCRA-2003-0001; FRL-7924-9] (RIN: 2050-AD80) received June 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2484. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio; Redesignation of Cincinnati to Attainment of the 1-Hour Ozone Standard and Approval of Ozone Maintenance Plan; Approval of Volatile Organic Compound Emissions Control Regulations; and Approval of Motor Vehicle Emissions Budgets [R05-OAR-2005-OH-0004; FRL-7925-3] received June 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2485. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Determination of Attainment for Atlanta 1-Hour Severe Ozone Nonattainment Area and Severe Area Vehicle Miles Traveled [R04-OAR-2005-GA-0002; R04-OAR-2005-GA-0003; R04-OAR-2004-GA-0003-200517; FRL-7924-2] received June 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2486. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Georgia, Redesignation of Atlanta Severe 1-Hour Ozone Nonattainment Area to Attainment for Ozone; Maintenance Plan; Motor Vehicle Emission Budgets; Revisions to Rules for Air Quality [R04-OAR-2005-GA-0002; R04-OAR-2005-GA-0003; R04-OAR-2004-GA-0003-200517; FRL-7924-7] received June 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2487. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Cannelton and Tell City, Indiana) [MB Docket No. 04-436; RM-11112] received May 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2488. A letter from the Special Assistant to Chief Financial Officer, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Sections 0.11, 0.231, and 1.8002 of the Commission's Rules [MB Docket No. 04-251] received

May 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2489. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Refugio, Sinton, and Taft, Texas) [MB Docket No. 04-299; RM-10958] received May 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2490. A letter from the Acting Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — List of Approved Spent Fuel Storage Casks; Standardized NUHOMS -24P, -52B, -61BT, -32PT, -24PHB, and -24PTH Revision (RIN: 3150-AH72) received June 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

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. BOEHNER: Committee on Education and the Workforce. H.R. 940. A bill to amend the Longshore and Harbor Workers' Compensation Act to clarify the exemption for recreational vessel support employees, and for other purposes; with an amendment (Rept. 109–161). 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. HYDE (for himself, Mr. PAYNE, Mr. SMITH of New Jersey, Mr. LANTOS, Mr. ROYCE, Mr. TANCREDO, Mr. WOLF, Ms. JACKSON-LEE of Texas, Mr. RANGEL, and Mr. CAPUANO):

H.R. 3127. A bill to impose sanctions against individuals responsible for genocide, war crimes, and crimes against humanity, to support measures for the protection of civilians and humanitarian operations, and to support peace efforts in the Darfur region of Sudan, and for other purposes; to the Committee on International Relations.

By Mr. WAXMAN (for himself, Mr. SHAYS, Mr. DAVIS of Illinois, Mr. FOLEY, Mr. FRANK of Massachusetts, Mr. KOLBE, Mr. HOYER, Mr. ENGEL, Ms. BALDWIN, Mr. VAN HOLLEN, and Ms. NORTON):

H.R. 3128. A bill to affirm that Federal employees are protected from discrimination on the basis of sexual orientation and to repudiate any assertion to the contrary; to the Committee on Government Reform.

By Mr. DELAY:

H.R. 3129. A bill to protect foster children and provide appropriate sentencing for child sex predators, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALSH:

H.R. 3130. A bill making supplemental appropriations for fiscal year 2005 for veterans medical services; to the Committee on Appropriations. considered and passed.

By Mr. UPTON (for himself and Mr. TOWNS):

H.R. 3131. A bill to amend the Public Health Service Act with respect to the Healthy Start Initiative; to the Committee on Energy and Commerce.

By Mr. SENSENBRENNER (for himself, Mr. GREEN of Wisconsin, Mr. DELAY, Mr. FOLEY, Mr. CHABOT, Mr. POE, Ms. GINNY BROWN-WAITE of Florida, Mr. GILLMOR, Mr. POMEROY, Mr. CRAMER, and Mr. GRAVES):

H.R. 3132. A bill to make improvements to the national sex offender registration program, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOLEY (for himself and Mr. CRAMER):

H.R. 3133. A bill to provide for the registration of sex offenders and for appropriate notification of their whereabouts, and for other purposes; to the Committee on the Judiciary.

By Mr. TOM DAVIS of Virginia (for himself and Mr. NUSSLE):

H.R. 3134. A bill to amend title 40, United States Code, to require the Federal Real Property Council to carry out a pilot program for the expeditious disposal of underutilized Federal real property, and to improve the economy and efficiency of Federal real property; to the Committee on Government Reform.

By Mr. SENSENBRENNER (for himself, Mr. CONYERS, Mr. DELAY, Mr. BLUNT, Ms. WATERS, Mr. COBLE, Mr. SMITH of Texas, Mr. GALLEGLY, Mr. GOODLATTE, Mr. CHABOT, Mr. DANIEL E. LUNGREN of California, Mr. JENKINS, Mr. CANNON, Mr. BACHUS, Mr. HOSTETTLER, Mr. FLAKE, Mr. PENCE, Mr. FORBES, Mr. KING of Iowa, Mr. FEENEY, Mr. ISSA, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. ADERHOLT, Mr. ALEXANDER, Mrs. BIGGERT, Mr. BOEHNER, Mr. BONILLA, Mrs. BONO, Mr. BRADLEY of New Hampshire, Mr. BUYER, Mr. DAVIS of Tennessee, Mr. DEFAZIO, Mr. DOOLITTLE, Mrs. DRAKE, Mrs. EMERSON, Mr. FOSSELLA, Ms. FOXX, Mr. GIBBONS, Mr. GRAVES, Ms. HARRIS, Mr. HAYWORTH, Mr. HERGER, Ms. HERSETH, Mrs. JOHNSON of Connecticut, Mr. JONES of North Carolina, Mr. KIRK, Mr. KLINE, Mr. MACK, Mr. MCCAUL of Texas, Mr. MCCOTTER, Miss MCMORRIS, Mrs. MYRICK, Mr. NEUGEBAUER, Mr. NORWOOD, Mr. OTTER, Mr. PETERSON of Pennsylvania, Mr. POMBO, Mr. RAMSTAD, Mr. RYUN of Kansas, Mr. SIMPSON, Mr. TAYLOR of North Carolina, Mr. TIAHRT, Mr. WALDEN of Oregon, Mr. CRENSHAW, Mr. BURGESS, Mr. BONNER, Mr. POE, Mr. HEFLEY, Mr. KENNEDY of Minnesota, Mr. RADANOVICH, Mrs. MILLER of Michigan, Mr. SHIMKUS, Mr. FILNER, Mr. GINGREY, Mr. DUNCAN, Mr. REICHERT, Ms. JACKSON-LEE of Texas, Mr. BROWN of South Carolina, Mr. WESTMORELAND, Mr. SODREL, Ms. GINNY BROWN-WAITE of Florida, Mr. GILLMOR, Mr. CUNNINGHAM, Mr. WILSON of South Carolina, Mr. MILLER of Florida, Mr. OSBORNE, Mr. PEARCE, Mrs. JO ANN DAVIS of Virginia, Mrs. BLACKBURN, and Mr. PRICE of Georgia):

H.R. 3135. A bill to protect private property rights; to the Committee on the Judiciary.

By Mr. EDWARDS (for himself and Mr. OBEY):

H.R. 3136. A bill making emergency supplemental appropriations for the Department of Veterans Affairs for fiscal year 2005 for veterans medical services; to the Committee on Appropriations.

By Mr. NORWOOD (for himself, Mr. BOYD, Mr. HYDE, Mr. COBLE, Mr. SMITH of Texas, Mr. JENKINS, Mr. BACHUS, Mr. MCINTYRE, Mr. GALLEGLY, Mr. HOSTETTLER, Mr. ISSA, Mr. FORBES, Mr. KING of Iowa, Mr. FRANKS of Arizona, Mr. WESTMORELAND, Mr. GINGREY, Mr. PRICE of Georgia, Mr. KINGSTON, Mr. DEAL of Georgia, Mr. LINDER, Mr. SULLIVAN, Mr. GARRETT of New Jersey, Mr. HAYWORTH, Mr. ROYCE, Mr. BASS, Ms. HART, Mr. DUNCAN, Mr. JONES of North Carolina, Mr. MCCAUL of Texas, Mr. GARY G. MILLER of California, Mr. CULBERSON, Mr. SIMPSON, Mrs. MUSGRAVE, Mr. BURTON of Indiana, Mr. OTTER, Mr. HOEKSTRA, Mrs. MYRICK, Mr. LEWIS of Kentucky, Mrs. KELLY, Mr. PITTS, Mr. FORD, Mr. KELLER, Mr. WELDON of Florida, Mr. GRAVES, and Mr. GOODE):

H.R. 3137. A bill to provide for enhanced Federal, State, and local assistance in the enforcement of the immigration laws, to amend the Immigration and Nationality Act, to authorize appropriations to carry out the State Criminal Alien Assistance Program, and for other purposes; to the Committee on the Judiciary.

By Mr. MICA (for himself, Mr. PASCRELL, Mr. FOSSELLA, Mr. BILIRAKIS, Mr. ISRAEL, Ms. NORTON, Mr. PAYNE, Mr. MCCOTTER, Ms. CORRINE BROWN of Florida, Mr. TANCREDO, and Ms. DELAURO):

H.R. 3138. A bill to award posthumously a Congressional gold medal to Constantino Brumidi; to the Committee on Financial Services.

By Mr. LIPINSKI (for himself and Mr. INGLIS of South Carolina):

H.R. 3139. A bill to amend the Public Health Service Act to provide for the public disclosure of charges for certain hospital and ambulatory surgical center services and drugs; to the Committee on Energy and Commerce.

By Ms. BEAN (for herself, Mr. DAVIS of Alabama, Mr. FRANK of Massachusetts, Mrs. MALONEY, Mr. GUTIERREZ, Mr. WATT, Mr. ACKERMAN, Mr. FORD, Mr. CROWLEY, Mr. CLAY, Mrs. MCCARTHY, Mr. LYNCH, Ms. WASSERMAN SCHULTZ, and Ms. MOORE of Wisconsin):

H.R. 3140. A bill to expand the protections for sensitive personal information in Federal law to cover the information collection and sharing practices of unregulated information brokers, to enhance information security requirements for consumer reporting agencies and information brokers, and to require consumer reporting agencies, financial institutions, and other entities to notify consumers of data security breaches involving sensitive consumer information, and for other purposes; to the Committee on Financial Services.

By Mr. KIRK:

H.R. 3141. A bill to direct the President to terminate the designation of Brazil as a beneficiary developing country for purposes of title V of the Trade Act of 1974; to the Committee on Ways and Means.

By Mr. ALLEN (for himself, Mr. DUNCAN, Mr. THOMPSON of California, Mr. INSLEE, Mr. MCNULTY, Mr. PALLONE, and Mr. MCDERMOTT):

H.R. 3142. A bill to declare that it is the policy of the United States not to maintain a long-term or permanent military presence in Iraq; to the Committee on International Relations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each

case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARRETT of South Carolina (for himself, Mr. GINGREY, Mrs. MUSGRAVE, Mr. HOSTETTLER, Mr. BRADY of Texas, Mr. GARRETT of New Jersey, Mr. AKIN, Mr. WICKER, Mr. GOODE, Mr. KUHL of New York, Mr. MILLER of Florida, Mr. ISTOOK, Mr. CHOCOLA, Mr. WILSON of South Carolina, Mrs. CUBIN, Mr. FLAKE, Mr. BROWN of South Carolina, Mr. WELDON of Florida, Mr. PENCE, Mr. WAMP, Mr. GUTKNECHT, Mr. FEENEY, Mr. ROYCE, Mr. TERRY, Ms. HART, Mr. JONES of North Carolina, Mr. CHABOT, Mrs. MYRICK, Mr. CANTOR, Mr. ROHRABACHER, Mr. TANCREDO, Mr. BISHOP of Utah, Mr. MCHENRY, and Mr. SOUDER):

H.R. 3143. A bill to require agencies to review all major rules within 10 years after issuance, including a cost-benefit analysis using a standard government-wide methodology, and for other purposes; to the Committee on Government Reform.

By Mr. BARTLETT of Maryland (for himself, Mr. GINGREY, Mr. BLUNT, Ms. PRYCE of Ohio, Mr. BEAUPREZ, Mr. GUTKNECHT, Mr. NORWOOD, Mr. OSBORNE, Mr. MARSHALL, Mr. CULBERSON, Mr. WELLER, Mr. ROHRABACHER, Mr. PRICE of Georgia, Mr. HEFLEY, Mr. BILIRAKIS, Mr. ENGLISH of Pennsylvania, Mr. CANNON, Mr. GILCHREST, and Mr. DEAL of Georgia):

H.R. 3144. A bill to amend the Public Health Service Act to provide for a program at the National Institutes of Health to conduct and support research in the derivation and use of human pluripotent stem cells by means that do not harm human embryos, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BASS (for himself, Mr. FERGUSON, Mr. SIMMONS, Mr. VAN HOLLEN, Mr. RAMSTAD, Mr. BRADLEY of New Hampshire, and Mr. MORAN of Kansas):

H.R. 3145. A bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part; to the Committee on Education and the Workforce.

By Mrs. BLACKBURN (for herself and Mr. WYNN):

H.R. 3146. A bill to promote deployment of competitive video services and eliminate redundant and unnecessary regulation; to the Committee on Energy and Commerce.

By Ms. GINNY BROWN-WAITE of Florida (for herself, Mr. GREEN of Wisconsin, Mr. OWENS, Mr. FOLEY, Ms. HARRIS, Mr. FITZPATRICK of Pennsylvania, and Mr. JONES of North Carolina):

H.R. 3147. A bill to amend title 38, United States Code, to improve the Veterans Beneficiary Travel Program of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. GINNY BROWN-WAITE of Florida (for herself, Mr. GREEN of Wisconsin, Mr. MARIO DIAZ-BALART of Florida, Mr. MCHENRY, Mr. FEENEY, Mr. KIRK, and Mr. FOLEY):

H.R. 3148. A bill to amend chapter 8 of title 5, United States Code, to establish the Joint Administrative Procedures Committee; to the Committee on Rules, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself and Mr. FARR):

H.R. 3149. A bill to withdraw the Los Padres National Forest in California from location, entry, and patent under mining laws, and for other purposes; to the Committee on Resources.

By Mr. ISSA (for himself, Mr. SMITH of Texas, and Mr. DREIER):

H.R. 3150. A bill to amend section 276 of the Immigration and Nationality Act to impose mandatory sentencing ranges with respect to aliens who reenter the United States after having been removed, and for other purposes; to the Committee on the Judiciary.

By Mr. CARDIN (for himself and Mr. RAMSTAD):

H.R. 3151. A bill to amend part D of title XVIII of the Social Security Act to remove the exclusion of benzodiazepines from required coverage under the Medicare prescription drug program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARNAHAN:

H.R. 3152. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of qualified hybrid motor vehicles; to the Committee on Ways and Means.

By Mrs. CUBIN (for herself, Mrs. WILSON of New Mexico, Mr. BEAUPREZ, Mr. MATHESON, Mr. UDALL of New Mexico, Mr. UDALL of Colorado, Mr. SALAZAR, Mr. CANNON, Mr. BISHOP of Utah, Ms. DEGETTE, Mrs. MUSGRAVE, Mr. PEARCE, and Mr. TANCREDO):

H.R. 3153. A bill to reauthorize the Upper Colorado and San Juan River Basin endangered fish recovery implementation programs; to the Committee on Resources.

By Mrs. CUBIN (for herself, Mr. BAIRD, Mr. MATHESON, Mr. BAKER, Mr. LAHOOD, Mr. BONNER, Mr. DAVIS of Alabama, Mr. GINGREY, and Mr. WELDON of Florida):

H.R. 3154. A bill to provide incentives for pharmaceutical companies, biotechnology companies, and medical device companies to invest in research and development with respect to antibiotic drugs, antivirals, diagnostic tests, and vaccines that may be used to identify, treat, or prevent an infectious disease, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. DAVIS of California:

H.R. 3155. A bill to establish a pilot program to encourage certification of teachers in low-income, low-performing public elementary and secondary schools by the National Board for Professional Teaching Standards, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. DAVIS of California (for herself, Mr. WAXMAN, and Mr. DINGELL):

H.R. 3156. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to dietary supplements; to the Committee on Energy and Commerce.

By Mr. DINGELL:

H.R. 3157. A bill to require certain actions to be taken against countries that manipulate their currencies, and for other purposes; to the Committee on Ways and Means.

By Mr. DUNCAN (for himself and Mr. WAMP):

H.R. 3158. A bill to designate the Cherokee Overhill Territory in Polk, McMinn, Monroe, and Meigs Counties in Tennessee as a National Heritage Area; to the Committee on Resources.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. JEFFERSON, Mr. MCCRERY, Mr. TURNER, Mrs. JONES of Ohio, Mrs. JOHNSON of Connecticut, Mr. CARNAHAN, Mr. MCGOVERN, Mr. UDALL of Colorado, Mr. JENKINS, Mr. MILLER of North Carolina, Mr. MILLER of Florida, Mr. ANDREWS, Mr. MENENDEZ, Mr. NEAL of Massachusetts, Mr. WOLF, Mr. LEWIS of Georgia, Mr. ROSS, Mr. BAKER, Mr. PAUL, Mr. DAVIS of Alabama, Ms. HERSETH, and Mr. BOEHLERT):

H.R. 3159. A bill to amend the Internal Revenue Code of 1986 to modify the rehabilitation credit and the low-income housing credit; to the Committee on Ways and Means.

By Ms. ESHOO (for herself, Mr. ENGLISH of Pennsylvania, Ms. BALDWIN, Ms. DELAURO, Mr. BROWN of Ohio, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Ms. HART, Mr. HONDA, Ms. JACKSON-LEE of Texas, Mr. KILDEE, Mr. KIND, Mr. LANTOS, Ms. LEE, Mr. LEWIS of Georgia, Mrs. LOWEY, Ms. MCCOLLUM of Minnesota, Mr. MCNULTY, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Ms. SCHAKOWSKY, Ms. SLAUGHTER, and Mr. WAXMAN):

H.R. 3160. A bill to protect public health by clarifying the authority of the Secretary of Agriculture to prescribe performance standards for the reduction of pathogens in meat, meat products, poultry, and poultry products processed by establishments receiving inspection services and to enforce the Hazard Analysis and Critical Control Point (HACCP) System requirements, sanitation requirements, and the performance standards; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FERGUSON (for himself, Mr. HOYER, Mr. ANDREWS, Mr. SMITH of New Jersey, Mr. RANGEL, Mr. CARDIN, Mr. MCNULTY, Mr. BOUCHER, Mrs. MILLER of Michigan, and Mr. STARK):

H.R. 3161. A bill to amend title XVIII of the Social Security Act to provide for coverage under part B for medically necessary dental procedures; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOLEY (for himself, Mr. FARR, Mr. ENGLISH of Pennsylvania, Mr. GARRETT of New Jersey, and Mr. CANNON):

H.R. 3162. A bill to amend the Internal Revenue Code of 1986 to restore the 80-percent deduction for meal and entertainment expenses; to the Committee on Ways and Means.

By Mr. GOODE:

H.R. 3163. A bill to amend the Help America Vote Act of 2002 to delay for 48 months the deadlines by which States must comply with the election administration requirements of title III of such Act, and for other purposes; to the Committee on House Administration.

By Mr. GORDON (for himself and Mr. COOPER):

H.R. 3164. A bill to amend the Internal Revenue Code of 1986 to make geothermal heat pump systems eligible for the energy credit; to the Committee on Ways and Means.

By Mr. AL GREEN of Texas (for himself, Mr. OWENS, Ms. JACKSON-LEE of Texas, Mr. GENE GREEN of Texas, and Mr. WAXMAN):

H.R. 3165. A bill to amend the Occupational Safety and Health Act to provide for criminal liability for willful safety standard violations resulting in the death of contract employees; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA (for himself, Ms. WOOLSEY, Mr. MORAN of Virginia, Mr. MCDERMOTT, Mr. KILDEE, Ms. LEE, Mrs. DAVIS of California, and Mr. BLUMENAUER):

H.R. 3166. A bill to provide compensation to livestock operators who voluntarily relinquish a grazing permit or lease on Federal lands where conflicts with other multiple uses render livestock grazing impractical, and for other purposes; to the Committee on Resources, and in addition to the Committees on Agriculture, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOEKSTRA:

H.R. 3167. A bill to amend the Internal Revenue Code of 1986 to require that each employer show on the W-2 form of each employee the employer's share of taxes for old-age, survivors, and disability insurance and for hospital insurance for the employee as well as the total amount of such taxes for such employee; to the Committee on Ways and Means.

By Mr. JONES of North Carolina:

H.R. 3168. A bill to amend the Public Health Service Act to provide for Centers for Clinical Discovery through grants from the Director of the Agency for Healthcare Research and Quality; to the Committee on Energy and Commerce.

By Mr. KELLER:

H.R. 3169. A bill to provide the Secretary of Education with waiver authority for students who are eligible for Pell Grants who are adversely affected by a natural disaster; to the Committee on Education and the Workforce.

By Mr. KING of Iowa:

H.R. 3170. A bill to establish a Livestock Identification Board to create and implement a mandatory national livestock identification system; to the Committee on Agriculture.

By Ms. ZOE LOFGREN of California (for herself, Ms. PELOSI, Ms. SOLIS, Mrs. CAPPS, Ms. SCHAKOWSKY, Ms. ROYBAL-ALLARD, Ms. SLAUGHTER, Mrs. MALONEY, Ms. JACKSON-LEE of Texas, Ms. MOORE of Wisconsin, Mr. CONYERS, Mr. RANGEL, Mr. FRANK of Massachusetts, Mr. GEORGE MILLER of California, Mr. DINGELL, Mr. BERMAN, Mr. BOUCHER, Mr. NADLER, Mr. SCOTT of Virginia, Mr. WATT, Ms. WATERS, Mr. MEEHAN, Mr. DELAHUNT, Mr. WEXLER, Mr. WEINER, Mr. SCHIFF, Ms. LINDA T. SÁNCHEZ of California, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Mr. WAXMAN, Mr. GRIJALVA, Mr. HINOJOSA, Ms. MATSUI, Mr. PALLONE, Mr. FILNER, Mr. BUTTERFIELD, Mr. PASTOR, Mr. BISHOP of Georgia, Mr. MCDERMOTT, Ms. MILLENDER-MCDONALD, Mrs. LOWEY, Mr. HONDA, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Mr. BOSWELL, Mrs. JONES of Ohio, Ms. LEE, Mr. CASE, Mr. DICKS, Ms. NORTON, Ms. KILPATRICK of Michigan, Mr. COSTA, Mr. KENNEDY of Rhode Island, Mr. GUTIERREZ, Mr. OLVER, Mr. OWENS, Mr. PAYNE, Mr. BRADY of Pennsylvania, Mr. MEEKS of New York, Ms. WOOLSEY, Mr. SANDERS, Mr. HINCHEY, Mrs. MCCARTHY, Mr. STARK, Mr. MCNULTY, Ms. WATSON, Ms. MCCOLLUM of Minnesota, Ms. BALDWIN, Mr. MORAN of Virginia, Mr. HIGGINS, Mr. INSLEE, Mr. HOLT, Ms. CARSON, Mrs. TAUSCHER, Mr. MARKEY, Ms. DELAURO, Mr. WYNN, Mr. ACKERMAN, Mr. KILDEE, Mr. LARSON of Connecticut, Mr. CUELLAR, Mr. MCGOVERN, Ms. HERSETH, Mr. PETERSON of Minnesota, Mr. EVANS, Mr. CUMMINGS, Mr. OBERSTAR, Mr. CLAY, Ms. LORETTA SANCHEZ of California, Ms. ESHOO, Ms. CORRINE BROWN of Florida, Mrs. CHRISTENSEN, Mr. LIPINSKI, Mr. MOORE of Kansas, Ms. BERKLEY, Ms. BORDALLO, Mr. GENE GREEN of Texas, Ms. DEGETTE, Ms. MCKINNEY, Mr. EMANUEL, Ms. HARMAN, Mr. ABERCROMBIE, Mr. CROWLEY, Mr. LEWIS of Georgia, Ms. VELÁZQUEZ, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. DAVIS of California, Ms. KAPTUR, Ms. SCHWARTZ of Pennsylvania, Ms. BEAN, Ms. HOOLEY, Mr. LANTOS, Mr. BLUMENAUER, Mr. PRICE of North Carolina, and Mr. DAVIS of Illinois):

H.R. 3171. A bill to reauthorize the Violence Against Women Act of 1994; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Education and the Workforce, Ways and Means, Financial Services, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY (for herself and Mr. MCDERMOTT):

H.R. 3172. A bill to amend title 49, United States Code, to repeal the security screening opt-out program for airport operators; to the Committee on Homeland Security.

By Mrs. MCCARTHY (for herself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BOSWELL, Mr. MCNULTY, Ms. HERSETH, Mr. GRIJALVA, Mr. OWENS, Mrs. JONES of Ohio, Ms. JACKSON-LEE of Texas, Mr. FRANK of Massachusetts, Mr. ALLEN, Ms. MATSUI, Mr. PASCRELL, Mr. MOORE of Kansas, Mr. LEACH, Mr. MCGOVERN, Mr. WEXLER, Mr. MORAN of Virginia, and Mrs. CAPPS):

H.R. 3173. A bill to create a pilot program to increase the number of graduate educated nurse faculty to meet the future need for qualified nurses, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MCDERMOTT (for himself, Mr. DICKS, Mr. OWENS, Mr. CUMMINGS, Mr. SMITH of Washington, Mr. CLAY, Mr. MEEK of Florida, Mr. INSLEE, Ms. KILPATRICK of Michigan, Ms. CARSON, Mr. JEFFERSON, Ms. WATSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Mr. WATT, Mr. RANGEL, Mr. SCOTT of Virginia, Mr. TAYLOR of Mississippi, Ms. SOLIS, Mr. JACKSON of Illinois, Mr. CONYERS, Mr. BAIRD, Mr. LARSEN of Washington, Mr. HONDA, and Mr. GRIJALVA):

H.R. 3174. A bill to direct the Secretary of the Army to carry out without delay a thorough review of the cases of all 28 individuals convicted in the court-martial arising from a disturbance at Fort Lawton, Seattle, Washington, on August 14, 1944, and to require the Secretary to correct the military records (including the record of the court-martial in such case) of any individual as necessary to rectify error or injustice; to the Committee on Armed Services.

By Mr. MCDERMOTT (for himself, Mr. RANGEL, Mr. PAYNE, Ms. MCCOLLUM of Minnesota, Mr. LEWIS of Georgia, Mr. CONYERS, Mr. MCNULTY, Mrs. CHRISTENSEN, Mr. MEEKS of New York, and Ms. MILLENDER-MCDONALD):

H.R. 3175. A bill to implement measures to help alleviate the poor living conditions in Africa; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MENENDEZ:

H.R. 3176. A bill to amend the Caribbean Basin Economic Recovery Act to provide preferential treatment for certain apparel articles that are both cut (or knit to shape) and sewn or otherwise assembled in one or more beneficiary countries under that Act from fabrics or yarn not widely available in commercial quantities; to the Committee on Ways and Means.

By Mr. GEORGE MILLER of California:

H.R. 3177. A bill to prohibit registered lobbyists from making gifts to Members of Congress and to congressional employees, and for other purposes; 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 Ms. NORTON (for herself and Mr. WAXMAN):

H.R. 3178. A bill to amend the Safe Drinking Water Act to ensure that the District of Columbia and States are provided a safe, lead-free supply of drinking water; to the Committee on Energy and Commerce.

By Mr. ORTIZ:

H.R. 3179. A bill to reauthorize and amend the Junior Duck Stamp Conservation and Design Program Act of 1994; to the Committee on Resources.

By Mr. PAUL:

H.R. 3180. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for qualified attorney fees in computing minimum tax; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 3181. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income qualified attorney fees; to the Committee on Ways and Means.

By Mr. POMBO (for himself and Mrs. TAUSCHER):

H.R. 3182. A bill to reauthorize the Water Desalination Act of 1996, and for other purposes; to the Committee on Resources, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself, Mr. DAVIS of Florida, Mrs. MALONEY, Mr. MARIO DIAZ-BALART of Florida, Mr. BISHOP of Georgia, Mr. GONZALEZ, Mr. HASTINGS of Florida, Mr. PLATTS, Mr. GORDON, Mr. WEINER, Mr. LANTOS, Mr. CASE, Mr. MEEK of Florida, Ms. LEE, Mr. TIERNEY, Mr. MCDERMOTT, Mr. LINCOLN DIAZ-BALART of Florida, Mr. SCHIFF, Mr. SANDERS, Mr. CANNON, Mr. REYES, Mrs. MCCARTHY, Mr. JEFFERSON, Mr. BROWN of Ohio, Mr. FOLEY, Ms. WOOLSEY, Ms. NORTON, Mr. MENENDEZ, Mr. FRANK of Massachusetts, Mr. UDALL of Colorado, Mr. LAHOOD, Mr. MCGOVERN, Mr. SHAYS, and Mr. ISRAEL):

H.R. 3183. A bill to amend title 5, United States Code, to provide to assistant United

States attorneys the same retirement benefits as are afforded to Federal law enforcement officers; to the Committee on Government Reform.

By Ms. ROS-LEHTINEN (for herself and Mr. LANTOS):

H.R. 3184. A bill to ensure that countries that have signed a Small Quantities Protocol also sign, ratify, and implement the Additional Protocol and provide access by IAEA inspectors to their nuclear-related facilities and to direct the United States Permanent Representative to the IAEA to make every effort to rescind and eliminate the Small Quantities Protocol and ensure compliance by all Member States of the IAEA with IAEA obligations and the purposes and principles of the Charter of the United Nations; to the Committee on International Relations.

By Ms. ROYBAL-ALLARD (for herself, Mrs. MALONEY, Ms. SOLIS, Mr. MORAN of Virginia, Mr. GEORGE MILLER of California, Mr. VAN HOLLEN, Ms. WATSON, Mr. HONDA, Mr. KILDEE, Mr. MOORE of Kansas, Mr. UDALL of New Mexico, Ms. WOOLSEY, Mrs. CAPPS, Ms. LORETTA SANCHEZ of California, Mrs. TAUSCHER, Ms. MATSUI, Ms. LINDA T. SÁNCHEZ of California, Mrs. NAPOLITANO, Ms. LEE, Ms. BALDWIN, Ms. MILLENDER-MCDONALD, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. CORRINE BROWN of Florida, Ms. JACKSON-LEE of Texas, Ms. DELAURO, Ms. VELÁZQUEZ, Ms. KAPTUR, Mr. HINCHEY, Mr. SERRANO, and Ms. BERKLEY):

H.R. 3185. A bill to promote the economic security and safety of victims of domestic and sexual violence, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Ways and Means, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYUN of Kansas (for himself, Mr. AL GREEN of Texas, Mr. NEY, Mr. JONES of North Carolina, Mr. NEUGEBAUER, Mr. REYES, Mr. ORTIZ, and Mr. TIBERI):

H.R. 3186. A bill to amend the Department of Housing and Urban Development Act to exclude amounts received as a military basic housing allowance from consideration as income for purposes of eligibility for federally assisted low-income housing programs; to the Committee on Financial Services.

By Mr. SAXTON:

H.R. 3187. A bill to authorize the acquisition of land and interests in land to improve the conservation of, and to enhance the ecological values and functions of, coastal watersheds and estuarine areas to benefit both the environment and the economies of coastal communities, and for other purposes; to the Committee on Resources.

By Ms. SCHAKOWSKY (for herself, Mr. CONYERS, Ms. JACKSON-LEE of Texas, Ms. ZOE LOFGREN of California, Mrs. NAPOLITANO, Mr. GUTIERREZ, Ms. SOLIS, Mrs. CAPPS, Mr. FILNER, Mr. HONDA, Mr. HINOJOSA, Mr. LANTOS, Mr. KIND, Mr. MOORE of Kansas, Ms. ROYBAL-ALLARD, Ms. SLAUGHTER, Mrs. MALONEY, Ms. MOORE of Wisconsin, Mr. WAXMAN, Mr. BERMAN, Ms. DELAURO, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MCCOLLUM of Minnesota, Ms. LEE, Ms. WATSON, Ms. LINDA T. SÁNCHEZ of California, Ms. BORDALLO, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. BACA, Ms. BALDWIN, Ms. BERKLEY, Mr. BLUMENAUER, Mr. BROWN of Ohio, Mr. DAVIS of Illinois, Ms. CARSON, Mrs. CHRISTENSEN, Mr. CROWLEY, Ms. DEGETTE, Mr. DOGGETT, Ms. ESHOO, Mr. FARR, Mr. FRANK of Massachusetts, Mr. GONZALEZ, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. HINCHEY, Mr. JACKSON of Illinois, Mr. JEFFERSON, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Mr. KUCINICH, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MATSUI, Mr. MEEK of Florida, Mr. MEEKS of New York, Mr. MORAN of Virginia, Mr. NADLER, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OBERSTAR, Mr. OWENS, Mr. PALLONE, Mr. PAYNE, Mr. RUSH, Ms. LORETTA SANCHEZ of California, Mr. SERRANO, Mr. STARK, Mr. STUPAK, Mr. TOWNS, Ms. WASSERMAN SCHULTZ, Mr. WEINER, Mr. WEXLER, Ms. WOOLSEY, and Mr. WU):

H.R. 3188. A bill to amend the Immigration and Nationality Act to provide protection for immigrant victims of violence; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, Agriculture, Financial Services, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey:

H.R. 3189. A bill to promote the development of democratic institutions and full respect for human rights in the countries of Central Asia; to the Committee on International Relations.

By Mr. SMITH of New Jersey (for himself, Mr. ROYCE, Ms. ZOE LOFGREN of California, Mr. SAM JOHNSON of Texas, Mr. TOM DAVIS of Virginia, Mr. WOLF, Mr. ROHRABACHER, Mr. PAYNE, Mr. PENCE, Mr. GREEN of Wisconsin, Ms. ROS-LEHTINEN, Mr. CROWLEY, and Ms. LORETTA SANCHEZ of California):

H.R. 3190. A bill to promote freedom and democracy in Viet Nam; to the Committee on International Relations.

By Mr. SMITH of New Jersey (for himself and Mr. PAYNE):

H.R. 3191. A bill to provide multilateral debt cancellation for Heavily Indebted Poor Countries, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK (for himself, Mr. GEORGE MILLER of California, Mr. OWENS, Ms. WOOLSEY, and Mr. LANTOS):

H.R. 3192. A bill to provide for a paid family and medical leave insurance program, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of Colorado:

H.R. 3193. A bill to designate as wilderness certain lands within the Rocky Mountain National Park in the State of Colorado; to the Committee on Resources.

By Ms. VELÁZQUEZ:

H.R. 3194. A bill to amend the Internal Revenue Code of 1986 to provide incentives for employer-provided employee housing assistance, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VISCLOSKY (for himself, Mr. KILDEE, Mr. BERRY, Mr. RANGEL, Mr. RUPPERSBERGER, Ms. SOLIS, Mr. GRIJALVA, Mr. MCDERMOTT, Mr. TOWNS, Mr. LYNCH, Mr. MCGOVERN, and Mr. TANNER):

H.R. 3195. A bill to amend title 38, United States Code, and title 10, United States Code, to provide for an opportunity for active duty personnel to withdraw an election not to participate in the program of educational assistance under the Montgomery GI Bill; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WAXMAN (for himself, Mr. MARKEY, Mr. BROWN of Ohio, Ms. SCHAKOWSKY, Mr. GENE GREEN of Texas, Mr. ALLEN, Mr. GEORGE MILLER of California, Mr. PALLONE, Mr. BERRY, Ms. SLAUGHTER, Mr. STUPAK, Mr. MCDERMOTT, Mr. HINCHEY, Mr. FRANK of Massachusetts, Mr. OBERSTAR, Mr. ANDREWS, Mr. MEEKS of New York, Mr. DELAHUNT, Mr. MCNULTY, Mr. BERMAN, Mr. WEXLER, Ms. WOOLSEY, Ms. HERSETH, Mr. MCGOVERN, Mr. GRIJALVA, Mr. SANDERS, Mr. WEINER, Mr. CONYERS, Mr. KUCINICH, Mr. KENNEDY of Rhode Island, Mr. OLVER, and Mr. ABERCROMBIE):

H.R. 3196. A bill to amend the Public Health Service Act to expand the scope of information required for the data bank on clinical trials of drugs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WELDON of Pennsylvania (for himself, Mr. THOMPSON of Mississippi, Mr. ETHERIDGE, Mr. BROWN of Ohio, Mrs. CHRISTENSEN, and Mr. KING of New York):

H.R. 3197. A bill to authorize the Secretary of Homeland Security to regulate the production, storage, sale, and distribution of ammonium nitrate on account of the prior use of ammonium nitrate to create explosives used in acts of terrorism and to prevent terrorists from acquiring ammonium nitrate to create explosives; to the Committee on Homeland Security.

By Mr. WEXLER (for himself, Mr. HONDA, Mr. GRIJALVA, and Mrs. MALONEY):

H.R. 3198. A bill to establish commissions to review the facts and circumstances surrounding injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II; to the Committee on the Judiciary.

By Mr. ISTOOK (for himself, Mr. BISHOP of Georgia, Mr. ADERHOLT, Mr. AKIN, Mr. ALEXANDER, Mr. BACHUS, Mr. BAKER, Mr. BARRETT of South Carolina, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mr. BEAUPREZ, Mr. BISHOP of Utah, Mr. BONILLA, Mr. BONNER, Mr. BOOZMAN, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. BROWN of South Carolina, Ms. GINNY BROWN-WAITE of Florida, Mr. BURGESS, Mr. BURTON of Indiana, Mr. CALVERT, Mr. CARTER, Mr. CHABOT, Mr. CHOCOLA, Mr. COBLE, Mr. COLE of Oklahoma, Mr. CONAWAY, Mrs. CUBIN, Mr. CULBERSON, Mr. DAVIS of Kentucky, Mrs. JO ANN DAVIS of Virginia, Mr. DEAL of Georgia, Mr. DELAY, Mr. DOOLITTLE, Mr. DUNCAN, Mrs. EMERSON, Mr. ENGLISH of Pennsylvania, Mr. EVERETT, Mr. FEENEY, Mr. FLAKE, Mr. FORBES, Ms. FOXX, Mr. FRANKS of Arizona, Mr. GARRETT of New Jersey, Mr. GIBBONS, Mr. GINGREY, Mr. GOODE, Mr. HALL, Ms.

HARRIS, Mr. HAYWORTH, Mr. HEFLEY, Mr. HENSARLING, Mr. HERGER, Mr. HOEKSTRA, Mr. HUNTER, Mr. ISSA, Mr. SAM JOHNSON of Texas, Mr. JONES of North Carolina, Mr. KING of Iowa, Mr. KINGSTON, Mr. KUHL of New York, Mr. LAHOOD, Mr. LEWIS of Kentucky, Mr. LINDER, Mr. LUCAS, Mr. MARCHANT, Mr. MCCAUL of Texas, Mr. MCCRERY, Mr. MCHENRY, Mr. MCINTYRE, Mr. MILLER of Florida, Mrs. MUSGRAVE, Mrs. MYRICK, Mr. NEUGEBAUER, Mr. NORWOOD, Mr. OTTER, Mr. PEARCE, Mr. PENCE, Mr. PETERSON of Pennsylvania, Mr. PITTS, Mr. PLATTS, Mr. PRICE of Georgia, Mr. RADANOVICH, Mr. RAHALL, Mr. RENZI, Mr. ROGERS of Kentucky, Mr. ROGERS of Michigan, Mr. ROGERS of Alabama, Mr. RYUN of Kansas, Mr. SESSIONS, Mr. SHIMKUS, Mr. SHUSTER, Mr. SMITH of New Jersey, Mr. SOUDER, Mr. STEARNS, Mr. SULLIVAN, Mr. TANCREDO, Mr. TAYLOR of North Carolina, Mr. TAYLOR of Mississippi, Mr. TERRY, Mr. TIAHRT, Mr. WAMP, Mr. WELDON of Florida, Mr. WESTMORELAND, Mr. WHITFIELD, Mr. WICKER, Mr. WILSON of South Carolina, Mr. JINDAL, Mr. DAVIS of Tennessee, and Mr. HAYES):

H.J. Res. 57. A joint resolution proposing an amendment to the Constitution of the United States protecting religious freedom; to the Committee on the Judiciary.

By Mr. MICA (for himself, Mr. YOUNG of Alaska, Mr. DANIEL E. LUNGREN of California, Mr. COSTELLO, and Mr. DEFAZIO):

H. Con. Res. 196. Concurrent resolution honoring the pilots of United States commercial air carriers who volunteer to participate in the Federal flight deck officer program; to the Committee on Homeland Security.

By Ms. LEE (for herself, Mr. BLUMENAUER, Mr. CONYERS, Mr. DEFAZIO, Mr. GRIJALVA, Mr. HINCHEY, Ms. KILPATRICK of Michigan, Mr. KUCINICH, Mr. MCDERMOTT, Mr. GEORGE MILLER of California, Mr. OLVER, Mr. SANDERS, Mr. SERRANO, Mr. SHERMAN, Ms. SOLIS, Mr. STARK, Ms. WOOLSEY, Ms. MCKINNEY, Mr. RUSH, Mr. DELAHUNT, Mr. LEWIS of Georgia, Mr. CUMMINGS, Ms. WATERS, Mr. HONDA, Mr. JACKSON of Illinois, Mr. PAYNE, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Mr. TOWNS, Mr. DAVIS of Illinois, Ms. JACKSON-LEE of Texas, Mr. WATT, Mr. AL GREEN of Texas, Mr. MORAN of Virginia, and Ms. SCHAKOWSKY):

H. Con. Res. 197. Concurrent resolution declaring that it is the policy of the United States not to enter into any base agreement with the Government of Iraq that would lead to a permanent United States military presence in Iraq; to the Committee on International Relations.

By Mr. DELAY:

H. Con. Res. 198. Concurrent resolution providing for an adjournment or recess of the two Houses; considered and agreed to.

By Mr. HASTINGS of Florida:

H. Con. Res. 199. Concurrent resolution supporting the goals and ideals of the International Polar Year; to the Committee on Science.

By Ms. ZOE LOFGREN of California:

H. Con. Res. 200. Concurrent resolution expressing the sense of Congress that secondary schools should consider starting school after 9:00 in the morning; to the Committee on Education and the Workforce.

By Mr. ORTIZ (for himself and Mr. WELDON of Pennsylvania):

H. Con. Res. 201. Concurrent resolution welcoming the Prime Minister of Singapore, His Excellency Lee Hsien Loong, on the occasion of his visit to the United States, expressing gratitude to the Government of Singapore for its support in the reconstruction of Iraq and its strong cooperation with the United States in the campaign against terrorism, and reaffirming the commitment of Congress to the continued expansion of friendship and cooperation between the United States and Singapore; to the Committee on International Relations.

By Mr. PASCRELL (for himself, Mr. BILIRAKIS, Mrs. MALONEY, and Mr. MICA):

H. Con. Res. 202. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony to honor Constantino Brumidi on the 200th anniversary of his birth; to the Committee on House Administration.

By Mr. RANGEL (for himself and Mrs. JOHNSON of Connecticut):

H. Con. Res. 203. Concurrent resolution expressing the sense of the Congress that the United States should work expand membership in the Agreement on Government Procurement of the World Trade Organization and should urge the People's Republic of China to enter into immediate negotiations to join that agreement, and for other purposes; to the Committee on Ways and Means.

By Mr. CLEAVER (for himself, Mr. BUTTERFIELD, Mr. CLAY, Mr. AL GREEN of Texas, Ms. CARSON, Mr. MEEKS of New York, Ms. LEE, Ms. WASSERMAN SCHULTZ, and Mr. CROWLEY):

H. Res. 347. A resolution condemning the Government of Mexico for printing and distributing blatantly racist postage stamps and urging Mexican President Vincente Fox to immediately cease printing and distributing the postage stamps and recall from circulation those postage stamps currently on the market; to the Committee on International Relations.

By Mr. ISSA (for himself, Mr. RAHALL, Mr. LAHOOD, Mr. DINGELL, and Mr. BOUSTANY):

H. Res. 348. A resolution congratulating the people of Lebanon on successfully conducting democratic parliamentary elections in May and June 2005; to the Committee on International Relations.

By Mr. FATTAH:

H. Res. 349. A resolution recognizing the importance of addressing extreme poverty in Africa, recognizing the devastating impact that HIV/AIDS has had on the African economy, recognizing the need for the development of a safe blood supply in Africa, and congratulating the city of Philadelphia, Pennsylvania for hosting the ''Live 8 2005'' concert; to the Committee on International Relations.

By Mr. STUPAK (for himself, Mr. SWEENEY, Mr. BASS, Mr. MCNULTY, Mr. SMITH of Washington, Mr. DINGELL, Mr. ALLEN, Mr. MCDERMOTT, Mr. MICHAUD, Mr. PETERSON of Minnesota, and Mr. KILDEE):

H. Res. 350. A resolution expressing appreciation to the people and Government of Canada for their long history of friendship and cooperation with the people and Government of the United States and congratulating Canada as it celebrates ''Canada Day''; 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. 49: Mr. WAXMAN and Mr. LOBIONDO.

H.R. 97: Mr. ALEXANDER and Mr. NORWOOD.

H.R. 111: Mr. GUTKNECHT.

H.R. 127: Mr. FATTAH.

H.R. 147: Mr. SANDERS, Ms. CORRINE BROWN of Florida, and Mr. POMBO.

H.R. 188: Mrs. MCCARTHY, Mr. PETERSON of Minnesota, and Mr. HOLT.

H.R. 229: Mr. KINGSTON, Ms. HART, Mr. GENE GREEN of Texas, Mr. CUMMINGS, Ms. WATSON, Mr. LEWIS of Georgia, Mr. KUCINICH, and Mr. WEXLER.

H.R. 282: Mr. BROWN of Ohio, Mr. GALLEGLY, Mr. AKIN, Mr. ENGLISH of Pennsylvania, Mr. TAYLOR of North Carolina, and Mr. LAHOOD.

H.R. 292: Mr. PEARCE.

H.R. 303: Mr. GILLMOR, Mr. GERLACH, Mr. JEFFERSON, and Mr. GIBBONS.

H.R. 558: Mr. EDWARDS and Mr. GERLACH.

H.R. 602: Mr. GERLACH.

H.R. 615: Mr. JENKINS, Mr. BOREN, and Mr. WESTMORELAND.

H.R. 653: Ms. WATSON and Mr. WEXLER.

H.R. 698: Mr. ALEXANDER.

H.R. 713: Mr. FOLEY.

H.R. 759: Ms. MOORE of Wisconsin.

H.R. 772: Mr. MICHAUD, Mr. KANJORSKI, Mr. VAN HOLLEN, Mr. CRAMER, Mr. KUHL of New York, Mr. ABERCROMBIE, Ms. HART, Mr. REYES, Mr. BAIRD, Mr. TANNER, and Mr. DELAHUNT.

H.R. 783: Mr. STUPAK, Mr. JEFFERSON, and Mr. LANGEVIN.

H.R. 817: Mr. EHLERS, Mr. HASTINGS of Florida, Ms. SOLIS, Mr. CUMMINGS, Ms. NORTON, Mr. TERRY, Mr. BROWN of Ohio, Ms. BALDWIN, Mr. BISHOP of New York, Mr. LARSEN of Washington, Mr. DOYLE, Mr. LARSON of Connecticut, Mr. KUCINICH, Mr. CLYBURN, Mr. BILIRAKIS, and Mr. LANGEVIN.

H.R. 818: Mr. ROHRABACHER.

H.R. 822: Mr. SCOTT of Virginia.

H.R. 827: Mrs. BONO, Mr. BASS, Mr. BILIRAKIS, and Mr. PICKERING.

H.R. 864: Mr. MCDERMOTT and Mr. STARK.

H.R. 896: Ms. SOLIS and Mr. CARDOZA.

H.R. 898: Mr. NUSSLE.

H.R. 916: Mr. HALL, Mr. ALLEN, Mr. FILNER, Mr. CRAMER, Mrs. MUSGRAVE, Mr. BROWN of Ohio, and Mr. ABERCROMBIE.

H.R. 920: Mr. TIAHRT.

H.R. 923: Mr. FOLEY.

H.R. 930: Mr. LINDER and Mr. CHOCOLA.

H.R. 939: Mr. WEXLER.

H.R. 945: Mr. FATTAH.

H.R. 947: Mrs. EMERSON.

H.R. 949: Mr. PAYNE, Mr. WEXLER, Ms. KAPTUR, Ms. WOOLSEY, Ms. BERKLEY, Mr. MEEKS of New York, Ms. ROYBAL-ALLARD, Mr. BERMAN, Mrs. CAPPS, Mr. HONDA,Mr. GRIJALVA, Mrs. CHRISTENSEN, Mr. SCHIFF, Mr. HINCHEY, and Mr. GENE GREEN of Texas.

H.R. 968: Mr. JINDAL, Mr. ABERCROMBIE, Mr. MATHESON, and Mr. RUSH.

H.R. 988: Mr. SAXTON, Mrs. CUBIN, Mr. LIPINSKI, and Mr. SABO.

H.R. 1020: Mr. NADLER.

H.R. 1070: Mrs. MYRICK.

H.R. 1079: Mr. MCHENRY.

H.R. 1088: Mr. ALEXANDER.

H.R. 1100: Mr. PICKERING, Mr. DEAL of Georgia, and Mr. KLINE.

H.R. 1106: Mr. OLVER.

H.R. 1130: Mr. ANDREWS.

H.R. 1156: Mr. OXLEY.

H.R. 1159: Ms. DEGETTE.

H.R. 1172: Mr. GONZALEZ, Mr. GRIJALVA, Mr. AL GREEN OF TEXAS, AND MS. WOOLSEY.

H.R. 1175: Mr. PICKERING.

H.R. 1176: Mr. BURTON of Indiana and Mr. GREEN of Wisconsin.

H.R. 1191: Mr. ISRAEL.

H.R. 1200: Mr. JACKSON of Illinois.

H.R. 1216: Mr. ANDREWS and Mr. TANCREDO.

H.R. 1222: Mr. MEEK of Florida.

H.R. 1245: Mr. DAVIS of Florida.

H.R. 1259: Mr. MEEK of Florida, Ms. MILLENDER-MCDONALD, Mr. WATT, and Ms. LEE.

H.R. 1264: Ms. BALDWIN.
H.R. 1288: Mr. CUNNINGHAM, Mr. ISSA, Mr. RADANOVICH, Mr. FRANKS of Arizona, Mr. MURPHY, Mr. RYAN of Wisconsin, and Mrs. EMERSON.
H.R. 1298: Ms. ZOE LOFGREN of California, and Mr. ENGLISH of Pennsylvania.
H.R. 1306: Mr. CLAY, Mr. GILLMOR, Mr. LINDER, Mr. OXLEY, Mr. HINOJOSA, Mr. SHUSTER, Mr. GIBBONS, Mr. ISSA, Mr. ROHRABACHER, Mr. HOSTETTLER, Mr. BURTON of Indiana, Mr. STUPAK, Mrs. MYRICK, Mr. CRAMER, and Mr. LOBIONDO.
H.R. 1312: Mr. EMANUEL.
H.R. 1323: Mr. OWENS and Mr. HOLT.
H.R. 1350: Mr. WAMP.
H.R. 1372: Ms. SCHWARTZ of Pennsylvania, Mr. SALAZAR, and Mrs. MCCARTHY.
H.R. 1390: Mr. FILNER, Mr. GUTIERREZ, Ms. ZOE LOFGREN of California, Mr. SANDERS, and Mr. WAXMAN.
H.R. 1402: Mr. DOGGETT.
H.R. 1409: Mr. SABO and Mr. CLYBURN.
H.R. 1426: Mr. KING of New York.
H.R. 1435: Mr. EVANS and Mr. LEVIN.
H.R. 1494: Mr. PETERSON of Minnesota.
H.R. 1498: Mr. PAYNE and Ms. KILPATRICK of Michigan.
H.R. 1504: Mr. SNYDER, Mr. HONDA, and Mr. GORDON.
H.R. 1510: Mr. DENT.
H.R. 1523: Mr. GEORGE MILLER of California and Mr. KILDEE.
H.R. 1549: Ms. WOOLSEY, Mr. RYUN of Kansas, Mr. ABERCROMBIE, Mr. MCCOTTER, Mr. BEAUPREZ, Mr. GRAVES, Mr. CARNAHAN, Mr. ISSA, Mrs. DRAKE, Mr. WYNN, Mr. WAXMAN, Mr. MARSHALL, Mr. GREEN of Wisconsin, Mr. BOYD, and Mrs. JONES of Ohio.
H.R. 1591: Mr. ALLEN, Mr. FARR, and Mr. NEAL of Massachusetts.
H.R. 1592: Mr. ALLEN and Mr. FARR.
H.R. 1615: Mr. MILLER of North Carolina, Mr. TIERNEY, Mr. MEEKS of New York and Mr. MORAN of Virginia.
H.R. 1632: Mr. ROSS.
H.R. 1645: Mr. DOYLE.
H.R. 1648: Ms. EDDIE BERNICE JOHNSON of Texas and Ms. KAPTUR.
H.R. 1663: Mr. BLUMENAUER.
H.R. 1668: Ms. ROYBAL-ALLARD, Mr. OWENS, and Mr. CUMMINGS.
H.R. 1671: Mr. MOORE of Kansas.
H.R. 1689: Mrs. NORTHUP.
H.R. 1704: Mr. ISRAEL, Mr. SHAW, Ms. LORETTA SANCHEZ of California, and Mr. PITTS.
H.R. 1707: Mr. KUCINICH.
H.R. 1708: Mr. CLEAVER.
H.R. 1736: Mr. CARDOZA and Mr. REHBERG.
H.R. 1745: Ms. MATSUI.
H.R. 1748: Mr. WELDON of Florida.
H.R. 1749: Mr. MELANCON and Mr. GIBBONS.
H.R. 1790: Mrs. JO ANN DAVIS of Virginia.
H.R. 1850: Mr. CAPUANO.
H.R. 1861: Mr. DEFAZIO.
H.R. 1898: Mr. TIAHRT, Mr. NUSSLE, Mr. MEEK of Florida, and Mr. GONZALEZ.
H.R. 1946: Mr. LEVIN and Mr. PRICE of North Carolina.
H.R. 1951: Mrs. DRAKE, Mr. PASTOR, and Mrs. JO ANN DAVIS of Virginia.
H.R. 1957: Mr. MCCAUL of Texas and Mr. POMBO.
H.R. 1981: Mr. BRADY of Pennsylvania and Mr. HOLT.
H.R. 1986: Mr. BARTLETT of Maryland.
H.R. 1994: Mr. THOMPSON of Mississippi, Mr. WYNN, and Mr. MEEK of Florida.
H.R. 1996: Mr. BROWN of Ohio, Mr. BRADY of Pennsylvania, Ms. WOOLSEY, Mr. LIPINSKI, Mr. FARR, and Mr. CASTLE.
H.R. 1998: Mrs. MUSGRAVE.
H.R. 2048: Mrs. JONES of Ohio, Mr. FOLEY, and Mr. GIBBONS.
H.R. 2061: Mr. EVERETT, Mr. BONNER, Mr. DEAL of Georgia, and Ms. HERSETH.
H.R. 2076: Mr. FARR.
H.R. 2121: Mr. WELLER, Mr. BACHUS, Mr. RUPPERSBERGER, Mr. BAKER, Mr. MEEK of Florida, and Mr. MOORE of Kansas.
H.R. 2207: Mr. MORAN of Virginia.
H.R. 2209: Mr. RAHALL and Mr. SABO.
H.R. 2218: Mr. PASTOR, Mr. HINCHEY, and Mr. GONZALEZ.
H.R. 2229: Mr. SOUDER.
H.R. 2238: Mr. STRICKLAND and Mr. MCCOTTER.
H.R. 2290: Mr. MARCHANT, Mr. MCCAUL of Texas, and Mr. BOEHNER.
H.R. 2317: Mr. RADANOVICH and Ms. HERSETH.
H.R. 2320: Mr. UPTON.
H.R. 2322: Mr. GUTIERREZ.
H.R. 2327: Mr. ISSA and Mr. ORTIZ.
H.R. 2343: Mr. ENGEL.
H.R. 2355: Mr. TOM DAVIS of Virginia.
H.R. 2356: Mrs. EMERSON, Mr. GINGREY, Mr. RAHALL, Mr. AKIN, Mr. ROGERS of Alabama, Mr. GONZALEZ, Mr. ABERCROMBIE, Mr. BRADY of Pennsylvania, Mr. MORAN of Virginia, Mr. EDWARDS, Mr. FRANK of Massachusetts, Mr. FARR, Mr. MCCOTTER, and Mr. YOUNG of Florida.
H.R. 2358: Mr. LIPINSKI and Mr. COSTA.
H.R. 2363: Mr. TERRY, Mr. PUTNAM, and Mr. ROGERS of Kentucky.
H.R. 2386: Mr. MCCAUL of Texas, Mr. DEAL of Georgia, Mr. BLUMENAUER, Mr. BLUNT, Mr. BASS, Mr. PRICE of North Carolina, and Ms. ROS-LEHTINEN.
H.R. 2412: Mr. RANGEL.
H.R. 2423: Ms. HART and Mr. TANNER.
H.R. 2458: Mr. WESTMORELAND.
H.R. 2470: Mr. OTTER, Mr. HENSARLING, Mr. RYUN of Kansas, Mr. PENCE, Mr. MACK, Mr. INGLIS of South Carolina, Mr. KINGSTON, Mr. DOOLITTLE, Mr. SAM JOHNSON of Texas, Mr. CASE, Mr. ROGERS of Michigan, Mr. GREEN of Wisconsin, Mr. AKIN, Mr. PITTS, Ms. HARRIS, Mr. CULBERSON, Mr. ISTOOK, Mrs. MUSGRAVE, and Mr. BARTLETT of Maryland.
H.R. 2498: Mr. GILLMOR.
H.R. 2510: Mr. SHERMAN.
H.R. 2526: Mr. LARSON of Connecticut, Mr. MORAN of Virginia, Mr. BERMAN, Mr. RYAN of Ohio, and Mr. WAXMAN.
H.R. 2533: Mr. MARSHALL and Mr. OTTER.
H.R. 2564: Mr. POMEROY and Mr. RUPPERSBERGER.
H.R. 2567: Mr. LARSEN of Washington.
H.R. 2588: Mr. SHERWOOD.
H.R. 2642: Mr. TAYLOR of Mississippi, Mr. CRAMER, Mr. BERRY, Mr. THOMPSON of California, Ms. HARMAN, Mr. BOREN, Mr. PETERSON of Minnesota, Mr. DAVIS of Tennessee, and Mr. SALAZAR.
H.R. 2658: Mr. DOOLITTLE.
H.R. 2669: Mr. FITZPATRICK of Pennsylvania.
H.R. 2671: Mr. MCINTYRE.
H.R. 2679: Mr. GINGREY.
H.R. 2680: Mr. WEXLER, Mr. SANDERS, Mr. BRADY of Pennsylvania, and Mr. HINCHEY.
H.R. 2682: Mr. GONZALEZ, Mr. GERLACH, and Mr. WOLF.
H.R. 2683: Mr. WYNN, Mr. MEEK of Florida, and Mr. CASE.
H.R. 2684: Mr. PRICE of Georgia.
H.R. 2686: Mr. BROWN of South Carolina, Mr. ENGLISH of Pennsylvania, and Mr. EHLERS.
H.R. 2687: Mr. BERMAN.
H.R. 2717: Mr. OLVER and Mr. ROTHMAN.
H.R. 2727: Mr. DICKS.
H.R. 2730: Mr. ROTHMAN, Mr. GENE GREEN of Texas, Mr. SKELTON, Mr. BERMAN, Mr. CASE, Mr. BISHOP of New York, Mr. RANGEL, Mr. DENT, and Mr. NORWOOD.
H.R. 2735: Mr. BRADLEY of New Hampshire.
H.R. 2787: Mr. ROGERS of Kentucky.
H.R. 2793: Mr. SCHIFF, Mr. HAYES, Mrs. CHRISTENSEN, and Mr. STARK.
H.R. 2794: Mr. BROWN of South Carolina, Mr. DEFAZIO, and Ms. BALDWIN.
H.R. 2807: Mr. TANNER, Ms. JACKSON-LEE of Texas, and Mr. LEWIS of Kentucky.
H.R. 2876: Mr. FORBES, Mr. JINDAL, Mr. SPRATT, Ms. HERSETH, Mr. RAHALL, and Mr. LANGEVIN.
H.R. 2930: Mr. OBEY, Mr. GREEN of Wisconsin, and Mr. LIPINSKI.
H.R. 2945: Ms. SCHAKOWSKY, Mr. MCGOVERN, Mr. BURTON of Indiana, Mr. MCCAUL of Texas, Mr. FITZPATRICK of Pennsylvania, Mr. PAYNE, and Mr. CUMMINGS.
H.R. 2946: Ms. JACKSON-LEE of Texas, Mr. WEXLER, and Mr. OWENS.
H.R. 2947: Mr. MEEKS of New York and Mr. JEFFERSON.
H.R. 2960: Mr. BERMAN.
H.R. 2965: Mr. GONZALEZ, Mrs. NORTHUP, Mr. FRANKS of Arizona, Mr. OXLEY, Mr. NUNES, Mrs. CUBIN, Ms. PRYCE of Ohio, Mr. TIAHRT, Mr. BRADY of Texas, Mr. GOHMERT, Mr. WATT, Mr. ENGLISH of Pennsylvania, and Mr. GOODE.
H.R. 2966: Mr. SOUDER, Mrs. CHRISTENSEN, and Mr. GRIJALVA.
H.R. 2989: Mr. LAHOOD, Mr. MARSHALL, Mr. WALSH, Ms. SCHAKOWSKY, Mr. KOLBE, Mr. FERGUSON, Mr. SENSENBRENNER, Mr. SIMMONS, Mr. ETHERIDGE, Mr. SAXTON, Mr. HUNTER, Mr. BAKER, Mr. SHAYS, Mr. HYDE, and Mr. PAUL.
H.R. 3000: Mr. MEEKS of New York.
H.R. 3004: Ms. HART and Mr. TURNER.
H.R. 3011: Mr. ROGERS of Kentucky and Mr. ALEXANDER.
H.R. 3038: Mr. PAYNE.
H.R. 3041: Mrs. MALONEY.
H.R. 3046: Mr. SANDERS.
H.R. 3050: Mr. JEFFERSON, Mr. OWENS, Mr. BERMAN, and Mr. MCNULTY.
H.R. 3055: Mr. GENE GREEN of Texas.
H.R. 3065: Mr. GRAVES.
H.R. 3073: Mr. POE.
H.R. 3086: Ms. SOLIS.
H.R. 3095: Mr. NUSSLE.
H.R. 3096: Mr. MORAN of Virginia.
H.R. 3100: Mr. POE.
H.J. Res. 55: Mr. FRANK of Massachusetts, Mr. FATTAH, and Ms. BALDWIN.
H. Con. Res. 43: Mr. TIBERI.
H. Con. Res. 90: Ms. WATSON, Mr. SHERMAN, and Mr. WHITFIELD.
H. Con. Res. 125: Mr. BILIRAKIS, Mr. KINGSTON, Mr. BOUSTANY, and Mr. MANZULLO.
H. Con. Res. 128: Mrs. NAPOLITANO.
H. Con. Res. 151: Mr. ACKERMAN, Mr. BISHOP of New York, and Mrs. MCCARTHY.
H. Con. Res. 175: Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. SCOTT of Virginia and Mr. RUPPERSBERGER.
H. Con. Res. 178: Mr. LYNCH, Mr. SHADEGG, Mr. DAVIS of Illinois, Mrs. MYRICK, Mr. CALVERT, Mr. WEXLER, Mr. BRADY of Pennsylvania, Mr. BOOZMAN, Mr. WELDON of Florida, and Mr. BARTLETT of Maryland.
H. Con. Res. 186: Mr. PAUL.
H. Con. Res. 194: Mr. ALEXANDER.
H. Res. 97: Mrs. MYRICK.
H. Res. 103: Mr. FATTAH.
H. Res. 123: Mr. WELLER and Mr. MANZULLO.
H. Res. 158: Mr. FATTAH.
H. Res. 259: Ms. WATERS.
H. Res. 286: Mr. BRADY of Pennsylvania, Mr. BERMAN, and Ms. CARSON.
H. Res. 289: Mr. PUTNAM, Mr. ROSS, Mrs. CHRISTENSEN, Mr. DOGGETT, Mr. MARKEY, and Mr. MCDERMOTT.
H. Res. 295: Mr. FATTAH.
H. Res. 308: Mr. WAMP and Mr. ROGERS of Kentucky.
H. Res. 311: Ms. WOOLSEY and Mr. KUCINICH.
H. Res. 325: Mrs. MCCARTHY.
H. Res. 326: Mr. WOLF and Mr. WHITFIELD.
H. Res. 332: Mr. BISHOP of New York.
H. Res. 336: Mr. HOLDEN, Mr. BISHOP of Georgia, Ms. JACKSON-LEE of Texas, Mr. TERRY, Mr. ETHERIDGE, Mr. CARDOZA, Mr. SMITH of New Jersey, Ms. ZOE LOFGREN of California, Mr. LEVIN, Mr. OXLEY, Mr. GREEN of Wisconsin, and Mr. RAMSTAD.
H. Res. 340: Mr. FRANKS of Arizona, Mr. REHBERG, Mr. DENT, Mr. BACHUS, Mr. YOUNG of Florida, Mr. TAYLOR of North Carolina, Mr. LAHOOD, Mr. MARCHANT, Mr. ALEXANDER, Mr. ROGERS of Alabama, and Mrs. BIGGERT.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2355: Mr. TOWNS.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 3058

OFFERED BY: MR. RANGEL

AMENDMENT NO. 22: At the end of the bill (before the short title) insert the following:

SEC. ____. None of the funds made available in this Act may be used to implement, administer, or enforce the economic embargo of Cuba, as defined in section 4(7) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (Public Law 104–114), except that the foregoing limitation does not apply to the administration of a tax or tariff.

H.R. 3058

OFFERED BY: MR. VAN HOLLEN

AMENDMENT NO. 23: At the end of the bill (before the short title), insert the following:

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

H.R. 3058

OFFERED BY: MR. BROWN OF OHIO

AMENDMENT NO. 24: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used by the Council of Economic Advisers to produce an Economic Report of the President regarding the average cost of developing and introducing a new prescription drug to the market at $800 million or more.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

Vol. 151 WASHINGTON, THURSDAY, JUNE 30, 2005 No. 90

Senate

The Senate met at 9 a.m. and was called to order by the Honorable LINDSEY O. GRAHAM, a Senator from the State of South Carolina.

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Dr. Beryl G. Rosenberger, Healing Ministries for the Church, Anderson, SC.

PRAYER

The guest Chaplain offered the following prayer:

Let us pray.

O God, two centuries and 29 years ago this week, You called our Founding Fathers to set in writing the Declaration of Independence. Fondly do we hope, fervently do we pray, that this document stand as a beacon before all peoples.

And now, Lord God, You remind us to call unto You and that You will answer and tell us great and mighty things, which we do not know. You truly are our refuge and strength and ever-present help in trouble. These Senators assembled in this Chamber want wisdom and help in preparing for the next generation to continue this freedom of our generation. Any prayer that we pray begins with You and floods into our being, providing courage to come into Your presence with the assurance that You will answer.

So come, Eternal God, and ignite us once again with the brand plucked from the fire to speak, to lead, and to give vision to those to come.

Thank You for holding us accountable in decisions we make here today that grant liberty and justice for all, and thank You for giving us wills of iron and hearts of tenderness, determination and compassion, stubbornness and forgiveness as Your truth marches on. Amen.

PLEDGE OF ALLEGIANCE

The Honorable LINDSEY O. GRAHAM 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.

DOMINICAN REPUBLIC-CENTRAL AMERICA-UNITED STATES FREE TRADE AGREEMENT IMPLEMENTATION ACT

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1307, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1307) to implement the Dominican Republic-Central America-United States Free Trade Agreement.

The PRESIDENT pro tempore. Under the previous order, there are 16 hours for debate equally divided. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning we will resume consideration of the pending CAFTA legislation. Last night we began debate under the 20-hour time limitation. We now have 16 hours remaining and we do not expect to use the entire debate time allocated. Chairman GRASSLEY has indicated that he would not require all of the 8 hours remaining under his control. Thus, I hope we would be able to yield back some time, which would allow us to vote on this bill at a reasonable time today.

As mentioned yesterday on a number of occasions, we have two additional appropriations measures to complete this week, one of which is the Legislative Branch appropriations bill. It is ready for floor consideration. That bill will require only a short debate and could be finished without a rollcall vote.

Also, we expect to consider and complete the Energy and Water appropriations bill. It is possible we could finish both of those late tonight. It depends on how much debate time is used on the CAFTA bill and also how much time Energy and Water will require.

We have a number of other items to be completed before our recess, including the highway extension, as well as some nominations. It will take a lot of cooperation and a lot of hard work to be able to complete all of this. Again, there is a possibility we could finish late tonight but, if not, we are going to complete all this business, including the two appropriations bills, by Friday, and we could have votes into Friday as well.

We have our jobs and our tasks laid out for us. We need to stay here until we complete them before we leave for our recess.

CENTRAL AMERICAN FREE TRADE AGREEMENT

Mr. President, I want to comment on the CAFTA legislation which we turned to last night, the Central American Free Trade Agreement. We will vote on final passage of that agreement later today. CAFTA is a good bill. It is a fair bill and an evenhanded bill that Members from both sides of the aisle should be able to support in that this legislation expands the market for America's goods and thereby grows jobs here at home.

The agreement which President Bush signed in May of 2004 promises to eliminate trade barriers between the United States, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and the Dominican Republic. By doing so, it will level the playing field and by leveling the playing field will stimulate economic growth which, in turn, will stimulate job creation. America's market is already open. Nearly 80 percent of exports from the CAFTA region to the United States come into America duty free. Those barriers are already down.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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Under CAFTA, the six CAFTA countries would reciprocate and immediately allow 80 percent of our exports to enter their countries duty free, lowering that barrier. As a result, CAFTA will create our second largest export market in Latin America, behind only Mexico. From Washington State apples all the way across the country to Florida oranges, America's producers will thrive.

This represents a tremendous opportunity both for sellers and buyers and for all the people who make transactions happen—again, economic growth, creation of jobs.

If I look back—and become a little bit provincial—to my home State of Tennessee, we are the third largest agricultural exporter to the CAFTA countries. Last year Tennessee businesses sold $271 million worth of goods and services to the CAFTA region. Tennessee farmers and factory workers rely on exports for their jobs and their livelihoods. One plant, the Levi Straus plant in Powell, TN, for example, exported $34.8 million in apparel last year to these countries. The Memphis-based company, Drexel Chemical, has been exporting to Guatemala for the last 30 years, since the early 1970s. Its chairman tells the Memphis Commercial Appeal newspaper that CAFTA would have a tremendous impact on her business.

She has good cause to be optimistic. Since America signed NAFTA, the North American Free Trade Agreement, in 1993, Tennessee's combined exports to Canada and Mexico have grown a whopping 190 percent.

Free trade grows America's businesses and puts more money in the pockets of America's families. It is estimated that NAFTA and the Uruguay Round generate $1,300 to $2,000 a year for the average American family of four.

CAFTA will open the doors to 44 million new consumers of American goods. More sales to Central America means more jobs right here at home. Strengthening our mutual economic interest also will strengthen our national security. Twenty years ago, only two of the CAFTA nations, Costa Rica and the United States, were established democracies. Today, all seven can be counted among the free nations of the world.

Unfortunately, however, the forces of totalitarianism and oppression still hover on the edges of these young democracies. Fidel Castro still oppresses the Cuban people and denies them precious human freedoms. Hugo Chavez moves Venezuela closer and closer to Castro every day. These regimes tend to work to spread their brutal methods and totalitarian philosophies, trying to infect the rest of Latin America and we simply cannot let them succeed.

The free nations of Latin America need our support. They deserve our support. That support can be reflected through CAFTA. By linking their economies with democratic capitalism, CAFTA will help gird these nations against the threats at their door. It will strengthen their democracies and provide a model for freedom, a model for freedom seekers—indeed, freedom seekers around the world.

The Washington Post agrees that:

> CAFTA and similar alliances provide hard evidence of America's lasting commit to strengthening alliances, fighting global poverty, and creating the building blocks of democracy.

In 1823, James Monroe warned that continued European efforts to colonize the New World would endanger American peace and safety. He understood that advancing liberty throughout the world required that we begin in our own backyard.

Since then, the United States has worked to protect the freedom and independence of our hemisphere. I urge my colleagues to support growth and prosperity. The United States has always stood for freedom and liberty around the world. Under CAFTA we will help keep the Americas moving forward.

I yield the floor.

The PRESIDENT pro tempore. Under the previous order the time on the Democratic side shall be divided with 5 hours under the control of the Senator from North Dakota, Mr. DORGAN, and 3 hours under the control of the Senator from Montana, Mr. BAUCUS.

Who yields time? The Senator from Montana.

Mr. BAUCUS. Mr. President, parliamentary inquiry: Does the other side of the aisle control any time?

The PRESIDENT pro tempore. It was previously announced that there is 16 hours for debate equally divided. The majority side is under the control of Senator GRASSLEY.

Mr. BAUCUS. How much time does he have?

The PRESIDENT pro tempore. He has 7 hours 54 minutes.

Mr. BAUCUS. Mr. President, I suggest the absence of a quorum, and I ask the time be equally divided between both sides.

The PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SUNUNU). Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, last night we started debate on the Central American Free Trade Agreement. Last night, in addition to the economic factors involved in the approving of this bill, I spoke about the national security importance of this Central American Free Trade Agreement. I also talked—as, obviously, we do on most trade legislation—about the benefits of the agreement to the U.S. economy in general. This morning, I will focus on the benefits of this agreement for U.S. agriculture.

As a Senator from Iowa and as a person who lives on and has an interest in a family farm my son operates, I have major interest in the U.S. agricultural policies that benefit American farmers. Moreover, as chairman of the Finance Committee, I pay particularly close attention to trade issues as they affect agriculture.

I consulted frequently with the U.S. Trade Representative during negotiations on this agreement, the Central American Free Trade Agreement. I do that because that is the responsibility my committee has under trade promotion authority, which is a process by which Congress delegates the process of our carrying out our constitutional responsibility of control over international trade to the President to negotiate because it is quite impractical for 535 Members of Congress to negotiate with foreign countries.

U.S. negotiators went to great lengths to see that the Central American Free Trade Agreement would be a good agreement for American farmers. Their efforts were successful. The negotiations resulted in an agreement that is particularly strong for U.S. agriculture and the agribusiness community that affects so many nonfarm jobs throughout the United States.

I am fully convinced that implementation of this Central American Free Trade Agreement by the United States is in the best interests of U.S. agricultural producers. That is why I go to great lengths urging my colleagues to support it.

U.S. farmers and ranchers are well aware of the fact that the international playing field for agricultural exports is presently far from level. Average tariffs of other countries on imports of U.S. agricultural products in the case of most commodities is significantly higher than those imposed by the United States. That worldwide average would be 60-some percent of tariffs of U.S. agricultural products going into another country, whereas those same countries throughout the world bringing products into the United States face an average of only an 11-percent tariff.

It is common sense to negotiate other countries' tariffs against our agricultural products down some or a lot and hopefully down to a point where we are in a win-win situation for American agriculture and the nonfarm jobs involved in the processing and handling of agricultural products. That is our long-term goal. In fact, that is the goal we have right now in the Doha round World Trade Organization negotiations going on this year. That is for the entire 150 countries that are members of the World Trade Organization. We hope that Doha round is a major breakthrough for the reduction of high worldwide tariffs against agricultural products.

Now, as this unequal situation I just described has clearly demonstrated, and specifically in this trade relationship we have between the United

States and these five countries of Central America, over 99 percent of agricultural products from Central American countries coming to the United States currently come in here not with an 11-percent average tariff I talked about worldwide, they come in with hardly any duty—except for an occasional product—and are duty free right now. That is unfair to American farmers.

When we send products down there, the average bound tariff of these five Central American countries is over 44 percent. The current trading relationship between the United States and the CAFTA countries is not only an unlevel playing field but also a one-way street. CAFTA farm products do not pay tolls to enter the U.S. market today. Yet U.S. agricultural products are charged hefty tolls to enter the markets of these five countries. This is all going to be changed by the Central American Free Trade Agreement. A downhill one-way street will become a level two-lane road.

Under the agreement, the CAFTA countries will eliminate tariffs on virtually all products. U.S. tariffs will remain largely unchanged. After all, the vast majority of agricultural products of the CAFTA countries already enters the United States duty free. For example, the treatment under the agreement of the four major U.S. commodities—pork, beef, corn, and soybeans—demonstrates how the Central American Free Trade Agreement will remove disadvantages faced by U.S. agricultural producers. These commodities are of importance not only to my State of Iowa but to most agricultural States in our country.

The Central American Free Trade Agreement countries currently apply tariffs of up to 47 percent on imports of U.S. pork. Their bound rates reach as high as 60 percent. Under the agreement, these tariffs of the Central American countries will be reduced to zero.

With beef, they apply tariffs of up to 30 percent on imports of U.S. beef. Their bound rates reach as high as 79 percent. Under CAFTA, these tariffs of the Central American countries will be reduced for our U.S. farmers to zero.

The CAFTA countries currently apply tariffs of up to 45 percent on imports of U.S. corn. Their bound rates reach as high as 75 percent. Under the agreement, tariffs of CAFTA countries on corn, the predominant product we export, will be reduced to zero, with the exception of the Dominican Republic, in which case duty-free access will be locked in.

Soybeans is another example. CAFTA countries currently apply tariffs up to 5 percent on imports of our soybeans and up to 20 percent on U.S. soybean oil. Their bound rates reach as high as 91 percent for soybeans, 60 percent for bean meal, and 232 percent for the soybean oil. Under the agreement, tariffs of the CAFTA countries on U.S. soybeans, bean meal, and soybean oil will be reduced to zero.

The leveling of the playing field with regard to CAFTA countries will result in real gains for U.S. agriculture. According to the Farm Bureau Federation, CAFTA would increase U.S. agricultural exports to those countries by $1.5 billion at the end of the full implementation. CAFTA will result in dollars in the pockets of U.S. farmers and ranchers.

Recognizing that CAFTA will profit their members, numerous agriculture and food organizations have expressed their support for this agreement. I have a letter from 73 such groups that back the agreement. These organizations represent diverse commodities produced in the area regions including among the 73 the Farm Bureau Federation, Soybean Association, Chicken Council, Corn Growers, Milk Producers, Pork Producers, Potato Council, Turkey Federation, Rice Federation.

Moreover, six former U.S. Secretaries of Agriculture, both Republican and Democrat, have announced their support for the Central American Free Trade Agreement. Let me read those: Ann Veneman, Republican; Dan Glickman, a Democrat; Mike Espy, Democrat; Clayton Yeutter, Republican; John Block, Republican; Bob Bergland, Democrat. They all noted in a recent letter to Congress that they back CAFTA ''because the benefits are very significant and the costs are minimal.''

I ask unanimous consent to have that letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LETTER FROM FORMER SECRETARIES OF AGRICULTURE TO MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES AND THE U.S. SENATE

DEAR MEMBER OF CONGRESS: As former secretaries of agriculture, we understand the importance of negotiating trade deals that minimize the costs and maximize the benefits to U.S. farmers, ranchers, and food and agriculture organizations. We support the Free Trade Agreement with Central America and the Dominican Republic (CAFTA–DR) because the benefits are very significant and the costs are minimal. We urge you to pass CAFTA–DR quickly and without amendment.

A vote for CAFTA–DR is a vote for fairness and for reciprocal market access. Under CAFTA–DR all of our food and farm products will receive duty free treatment when the agreement is fully implemented.

A vote against CAFTA–DR is a vote for one-way trade. Virtually all of what we import from the six CAFTA countries now enters the U.S. duty free as a result of the Generalized System of Preferences (GSP) and the Caribbean Basin Initiative (CBI). Yet, our food and agricultural exports to these six nations are restricted significantly because of high tariffs. As a result of the current one-way trade deal, we are running an agricultural trade deficit with these six countries.

In addition, a formal trade agreement with the United States will help ensure the economic stability and growth that the region needs to avoid a return to the civil wars, insurgencies, and dictatorships of the recent past. As economic freedom and democracy take deeper root, incomes will increase and demand for our food and agriculture products will expand.

Failure to approve CAFTA–DR will have a devastating effect on U.S. efforts to negotiate trade agreements on behalf of U.S. agriculture. The World Trade Organization Doha Development Round would be dealt a serious blow. Other countries would be less willing to negotiate with the United States knowing that CAFTA–DR, a trade agreement so clearly beneficial to U.S. interests, could be rejected by the U.S. Congress.

The future of American agriculture continues to lay in expanding opportunities for our exports in the global marketplace, where 96 percent of the world's population lives. We must not forego these opportunities, especially when the benefits to our nation are so unmistakable.

ANN M. VENEMAN.
DAN GLICKMAN.
MIKE ESPY.
CLAYTON YEUTTER.
JOHN BLOCK.
BOB BERGLAND.

Mr. GRASSLEY. Most sectors of U.S. agriculture support the CAFTA. I realize one—sugar—is a commodity we did not have their support. I respect the sugar industry. They are very important. Outside of that group, we have agriculture represented behind this group.

An economic study by the American Farm Bureau Federation confirms that CAFTA will not harm the U.S. sugar program or other agricultural commodities.

While CAFTA is important in itself for U.S. agriculture, the implementation of this agreement would boost U.S. efforts to liberalize agricultural trade around the world. The implementation of CAFTA would give further momentum toward the completion of agricultural negotiations in the Doha Round of the World Trade Organization, negotiations in which the United States is seeking to cut tariffs, harmonize levels of domestic support, and eliminate export subsidies.

Mr. President, CAFTA is a straightforward win for the bulk of U.S. agricultural producers. A current one-way trading relationship will end. The CAFTA countries will dismantle their tariffs to U.S. agricultural products while the United States will provide little additional access for CAFTA commodities. This will result in increased sales for U.S. agricultural exporters, sales of up to $1.5 billion a year by the end of the agreement's full implementation. Not surprisingly, CAFTA is widely supported in the U.S. agricultural community.

The CAFTA is good agricultural policy and good trade policy. I urge my colleagues to support it.

Mr. President, I yield to the Senator whatever time he needs.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. DEMINT. Mr. President, I rise to speak in favor of S. 1307, the CAFTA Implementation Act, because it advances America's economic and security interests. As someone who spent over 20 years in business before entering public service, I continue to be amazed by those in Washington who support outdated policies that make it

harder and harder for American businesses to compete. Excessive taxation, regulation and litigation are driving American employers out of their minds and American jobs overseas. Yet too many politicians continue to support higher taxes, junk lawsuits, and trade barriers that effectively put signs on our beaches that say: Go do business somewhere else.

If we are going to have the best jobs in the world, we must make America the best place in the world to do business. This starts by reforming our complicated Tax Code, reducing mindless Government regulations, and eliminating frivolous lawsuits that, together, add mountains of needless costs on our businesses. Creating a pro-business environment in the United States also means we must open international markets to American exports so our workers can compete on a level playing field. CAFTA, for example, would expand the market for U.S. goods with 44 million consumers in Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and the Dominican Republic.

Nearly 80 percent of goods from the six CAFTA countries currently enter the United States duty-free. Yet American exports are taxed virtually across the board when they enter CAFTA markets.

On U.S. motor vehicles and parts, CAFTA countries levy an average tariff of 11 percent, while the U.S. rate is zero. On vegetables, fruits, and nuts, the CAFTA region's average is 16.7 percent, again compared with zero in the United States. On grains, it is 10.6 percent to zero; and on meat products, it is 14.7 percent, while the U.S. rate is just 3 percent. CAFTA would eliminate these disparities.

The agreement would level the playing field by eliminating 80 percent of the tariffs on American exports immediately, with the remaining tariffs phased out over 10 years. This would help exporters in my home State of South Carolina like BMW, Caterpillar and General Electric, as well as farmers and ranchers raising soybeans, peaches, pork, and poultry. The American Farm Bureau Federation estimates CAFTA could expand U.S. farm exports by $1.5 billion a year. Manufacturers would also benefit, especially in sectors like information technology products, agricultural and construction equipment, paper products, pharmaceuticals, and medical and scientific equipment.

According to a recent economic impact study conducted by the U.S. Chamber of Commerce, in the first year alone CAFTA would increase output in South Carolina by $167 million and create over 900 new jobs. In 9 years, the study shows a potential increase in output across all industries of $701 million and the creation of over 6,000 jobs. The South Carolina State Ports Authority has told me CAFTA will contribute to greater economic development in South Carolina by stimulating commerce and the shipment of freight through the Port of Charleston. In 2004, Central America represented $359 million of the total value of the Port's business. In fact, Charleston's exports to Central America have grown faster than the average export growth. Most exporters agree: CAFTA is a great deal for South Carolina business.

Yet there is a small group in the textile industry whose opposition poses a threat to this step forward. They say CAFTA will allow China to exploit a ''loophole'' in the agreement. But they fail to recognize that without CAFTA there will be no loop at all—just one giant hole that China will use to destroy our industry. The truth is that a vote against CAFTA is a vote for China. Garment factories in Central America purchase large amounts of American fabric and yarn. In fact, the region is the second-largest world market for U.S. textile fabrics and yarns. Under CAFTA, these garments made in the region will be duty-free and quota-free only if they use U.S. fabric and yarn. In fact, more than 90 percent of all apparel made in the region will be sewn from fabric and yarn made in the United States, thereby supporting U.S. textile exports and U.S. textile jobs. This is especially important for South Carolina workers. In 2004, South Carolina's exports of fabric mill products to the CAFTA region were valued at $180 million, more than half of the State's total exports to the region.

If we going to continue to have these exports and not lose the business to Asia, we must pass CAFTA. The American Apparel and Footwear Association made this point in a recent letter to President Bush where it said, if CAFTA ''is not enacted soon, U.S. apparel and footwear companies will place more of their business outside this hemisphere.'' And the National Council of Textile Organizations recently endorsed CAFTA, saying, Central America ''is a very important part of the domestic industry's supply chain and we need (CAFTA) to ensure that the U.S. textile industry can remain competitive against China.''

The elimination of quotas on Chinese textiles has eroded the partnership the U.S. has with the Central American region. Our existing partnership is also weakened by burdensome documentation requirements and by the fact that it will expire soon. All of these factors reduce the incentive to make cloth ing in the region using U.S. inputs. CAFTA, however, will solidify and stabilize this partnership by making the current program broader, easier to use, more flexible, permanent, and reciprocal. The agreement will create new sales opportunities for U.S. textile and apparel products by providing permanent incentives for the use of U.S. yarns and fabrics in textile articles made in the region. And it will also give us new advantages over our competitors by promoting duty-free access for U.S. textile and apparel exports to local markets in the region.

I also thank the President and his administration for their efforts to make the agreement even stronger. Specifically, I have worked closely with U.S. Trade Ambassador Rob Portman to strengthen provisions dealing with textile pocketing. On May 9 of this year, Ambassador Portman wrote me about his desire to use the agreement's amendment mechanism to include pocketing in the rule of origin. He wrote:

> I assure you that USTR will utilize this mechanism, working closely with our textile industry, to seek an amendment to the CAFTA so that pocketing would have to originate in one of the signatory Parties.

This is very important to textile manufacturers in South Carolina who make pockets and want to have a strong partnership with the CAFTA region.

It is time to stop saying ''no'' to every trade agreement, regardless of the benefits. We must stop acting like we are operating in the business environment of 50 years ago. We must stand up and fight for a better deal today. We can't build a wall around our country and expect to remain competitive. And we can't keep sticking our heads in the sand. Instead, we must fight back with new agreements that knock down barriers and create new markets. We must fight back and win because that is what Americans do. We have the best workers in the world and we can compete with anyone in the world.

CAFTA also provides a unique opportunity to promote democracy, security, and prosperity in a part of the world that was once characterized by oppression and military dictatorship. This agreement is critical to the economic and political stability of these young democracies, and it is a signal of our Nation's commitment to democracy and prosperity in this hemisphere. As we continue to fight the war on terrorism, America has a vested interest in making sure these countries do not turn their backs on freedom.

I had the opportunity to personally meet with the Presidents from the CAFTA countries earlier this year, and many of them are taking significant political risks to promote economic freedom. We need to stand with them. We must stand with them and pass this agreement. The benefits of CAFTA are clear. The agreement will strengthen our economic ties with our democratic neighbors, it will promote opportunity and prosperity in the United States and the region, and it will strengthen our security at home by promoting democracy and prosperity in our hemisphere. This agreement is a forward strategy for freedom, and I encourage my colleagues to support it.

Mr. President, again, I thank you for this time this morning. I do stand to speak on behalf of CAFTA, and I appreciate the Senator on the other side of the aisle yielding this morning.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I yield myself such time as I use.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DORGAN. Mr. President, if ever there was a triumph of hope over experience, it is bringing this bill to the floor of this Senate: a new trade agreement with the background of failed trade agreement after failed trade agreement, lost jobs after lost jobs, higher deficits every year, believing this new chapter of the same failed book of trade strategy will produce a different result. It is unbelievable to me.

But before I begin, let me ask a question. There is a substantial lack of opportunity to ask questions on the floor because very few will attend this debate. But I was wondering whether in this trade agreement there is anything that has to do with exotic dancers or strip clubs. I wonder if anyone could respond to that.

Let me tell you the reason I ask the question——

The PRESIDING OFFICER. The Senator should be aware that Senators are not permitted to ask other Senators questions unless they have been yielded time on the floor.

Mr. DORGAN. Let me say to the Presiding Officer, it is a fair point. I have not directed questions to other Members of the Senate. I ask a rhetorical question, and perhaps the Presiding Officer, in his capacity as a Senator from New Hampshire, would respond. But I ask the question, is there anything in this trade agreement that deals with exotic dancers or strip clubs? And if any of my colleagues would like to come to the floor to respond to that today, I would be glad to hear it.

Let me tell you why I ask the question. We debated something called NAFTA on the floor of the Senate some years ago. It did not turn out very well—huge trade deficits, American jobs rushing off to Mexico. It did not turn out well at all. But now I discovered, going to the computer last night, using a Google search, that NAFTA had something in it about ''special skills.'' Let me read this to you. This is from my Google search last evening on the computer: ''Claiming a shortage of homegrown talent, strip clubs in Canada have used NAFTA to find new recruits in Mexico.''

I thought, well, that is interesting. NAFTA had something that allows strip clubs in Canada to search for dancers from Mexico? Well, I found out what that was with a little further Google search: Employment authorizations based on NAFTA agreements were available for professionals, company transferees, traders, investors, and people with special knowledge: exotic dancers, et cetera—apparently, under this ''special skills'' category. Quite remarkable, isn't it?

Did anybody know that existed in NAFTA before it was voted on? Does anybody want to claim credit, I ask rhetorically? Does anybody want to claim credit for a provision in NAFTA that allows Canadian strip clubs to recruit exotic dancers from Mexico? Oh, probably not. Probably no one wants to claim credit for that today. But, apparently, that opportunity existed in NAFTA. It sure did.

Is there anything in this trade agreement we ought to know about? Is there anything in this trade agreement that will probably persuade me to come to the floor of the Senate 5 years from now, 2 years from now, and say: Did you know about this? We probably will not learn that today, either. Let me tell you what we should learn today. Here, as shown on this chart, are our trade deficits. These are our trade deficits—year after year after year. I have always wondered what ''reeducation'' means as a term—''reeducation.'' It is quite clear to me there is no reeducation anywhere near this 50 or 60 square miles of ground because we are about, today, in the Senate to pass another trade agreement which is exactly the same kind of trade agreement that has caused a massive trade deficit year after year after year, a gathering trade debt that is dangerous to this country.

On these red lines on this chart there are no names. But I can give you some names. And I will today. These are the people who lost their jobs, the people who came home one night after work and said: ''Honey, I have been fired. I worked at my plant for 19 years. I was a good worker. I loved my job. But I got fired today. Do you know why? Oh, they are going to still make the products I made, but they are going to make them in China. They shipped my job to China because they found somebody who can do it for 30 cents an hour.''

Every one of these lines has tens of thousands—hundreds of thousands—of names of American workers who have lost their jobs.

And so in the first 4 months of this year, our trade debt is up another 20 percent. Last year it was a record. It is up another 20, 22 percent. We are headed in exactly the wrong direction.

What is the response of this Congress? What is the response of the President? Well, let's do some more of what we have been doing. This is the law of holes: Create a hole and just keep digging, according to these people.

Let me make a couple of other opening observations. This bill should not be on the floor of the Senate. It does not comport with the Constitution of the United States. I think everyone in this Chamber knows that. This is a tariff bill. My colleague from Iowa described in great detail the tariff provisions in the bill. This is a tariff bill. A tariff bill, by the U.S. Constitution, cannot originate here. It cannot. It must originate in the House of Representatives.

This bill is improperly on the floor of the Senate and I may today make a constitutional point of order. Every Senator knows it is not here in accordance with the Constitution, and yet we all put on our dark suits and come to the Chamber and vent for hours, acting as if nothing has changed, nothing is wrong, we have not read the Constitution. Tariff bills must originate in the House, not in the Senate.

So we will pass this today, I am told. I am told the votes exist to pass this failed trade agreement. And then what will happen is the House will take it up, take up their version of it, and at some point it will be sent over here to be exchanged for the version we have already completed in the Senate. The problem is, I would say to the leaders, then there will be another 20 hours under fast track, 20 hours of debate to which we are entitled. Perhaps this will not work out so well after all.

I find it interesting. I must say to the majority leader, I apologize for being irritated last night, but that irritation hasn't abated this morning. I knew what was going to happen with CAFTA. It was negotiated over a year ago. It was signed over a year ago and has never been brought to this Chamber. Why? Because they don't know if they have the votes in the House. So over a year it languished. I knew at some point they were going to try to fold it up into a tight, little package and sort of stick it through the keyhole before some kind of congressional recess. Sure enough, that is exactly what they have done. Lord knows, you don't want to have a long debate on the floor of the Senate about trade strategy.

Having, for example, a debate of 3, 4, 5 days on one of the most significant problems we face is not something the majority party wants, not something the President wants. Do an agreement. Sign it up. Wait for a year. Buy off the votes with roads, bridges and dams and perhaps some refrigerators. I don't mean ''buy up'' votes; I mean persuade people by saying we will support your project—that was not a sensitive thing to say—persuade people who would have voted against you to decide they will vote for you, if you can get 3 or 4 miles of road somewhere near the hometown. You get enough votes, and then, a year later, fit this into this little crevice before the July recess. Then all the dust settles over the Fourth of July recess, and we come back and act as if there are no trade issues.

So here we are. Some of my colleagues will speak about an issue that I care a lot about as well—sugar. This is the first step in the direction of deciding to take the sugar program apart and to devastate, particularly in our region of the country, the beet growers—beet growers in the Red River Valley of North Dakota—because they can't compete with this kind of dump-price sugar that comes from these regions. This agreement, in itself, will not ruin the sugar industry, but it is going to hurt it. It is the first step in a direction, a strategy, that will ruin the industry in which a lot of beet growers out there, working on the farm, who got up this morning hoping they could continue to make a living,

are going to be mighty concerned about where this heads. The next agreement that will come after this is the Free Trade Area of the Americas with Brazil and others. It is an ominous direction and is a disservice to the one farm program that does work in this country.

I would like to read a couple things. Most of you probably know Puff Daddy. Actually, Sean Combs is his name. He changed his name to P. Diddy. I never understood why somebody named Puff Daddy would change their name to P. Diddy. He is an artist, a musician. He also makes clothing, or at least he has someone make clothing with his name in the label.

So I held a hearing one day. We had workers, from Honduras, working in a plant in Honduras. Their job was to sew the sleeves on the shirts that were the Sean John label rather than Puff Daddy or P. Diddy. It seems to me—I am not in the shirt business—that Puff Daddy or P. Diddy might have been a better label, but they chose Sean John. So they contracted out for shirts to be produced in a plant in Honduras.

I have been there. I have watched. I have been to Honduras. I have watched people make cigars and various things. We had three employees of the plant in Honduras that makes these shirts come and testify. I invited Sean Combs to come and testify. He chose not to. Let me describe what was said at this hearing. It is directly related to signing up to a trade agreement with these kind of economies and the allegation that will be made by my colleagues that there are no labor standards that are enforceable or are enforced in these countries.

Let me read this. This was from Lydda Eli Gonzalez. In her report to us, she talks about her job. She says:

> I get up at 5 a.m.—

She is a young woman—

> to go to work at 6:45. I take two buses. When I get to the factory, I have a tortilla with beans. I buy the cheapest lunch I can, just a small piece of chicken, rice, beans and water.

And she describes the cost of that. And then she describes her day at the factory:

> My job is attaching sleeves to the shirt. There are different styles of Sean Jean shirts, but for long-sleeved shirts, a production line of 20 workers has to sew 190 dozens shirts a day—that's 2,280 shirts. Management demands we reach this goal, but it is impossible.

And she goes on:

> They call us filthy names—you can't answer—like ''bitch,'' ''Maldito,'' ''donkey.'' You can't answer the supervisors or they will fire you. It is very hot in the factory. You are sweating all day. There is a lot of dust in the air. I breathe it in. You go into the factory with black hair. You come out with hair that is white or red or whatever the color of the shirts we are working on. It is forbidden to talk. You have to ask permission to use the bathroom. We have to get a pass from the supervisor and give it to the guard in front of the bathroom who also searches us before we go in. You can go once in the morning and once in the afternoon. Also they watch the time, and if you are gone more than three or four minutes, they call you on the loudspeaker. Another thing, the bathrooms are very dirty. There is almost never any toilet paper or soap. They don't permit us to get up to get water. If the worker next to you goes, you try to take some advantage and see if they can bring just a bit of water to you. You have to focus, work as fast as you can, to complete the production goals, always under pressure.

She talks about being fired. She was one of 20 workers who were fired. All the new employees are required to take a pregnancy test. If it comes out positive, they are fired. ''Older workers suffer harassment and discrimination because the management prefers workers between 17 and 25 years old. When a woman gets to be 30, she can't work in these factories. And if she can get to work and if she is working, often she is harassed and sent to worse positions to try to make her quit.''

She says:

> They search us physically when we enter the plant. If one of us has candy, gum or lipstick, they take it away because they think it could stain the clothing. They search them in the bathroom.

The point is this, this young woman, with 20 others, decided they really needed to try to organize to see if they could improve their lot. And 15 of them began to organize, and they were fired. You can't organize. Workers can't get together to try to organize to negotiate with management. They are fired—out of luck, out of a job.

These countries say to us: We have labor standards. Sure they do. They have labor standards on the books, totally unenforced. This is what we are signing up to.

This was Sean Combs. You remember the stories about Kathy Gifford and others. Sean Combs, I believe, to his credit, said he did not know this contracted labor was occurring, and I believe that he quickly took action to deal with that and moved this kind of production away from that plant.

But let me ask the question: Does anybody think this is the competition for American workers that we ought to sign up for? Shouldn't we be doing trade agreements with countries that have labor standards? Shouldn't we decide, on behalf of American workers, that we care first and foremost about American workers and, second, we also care about the workers in the country with whom we are going to do a trade agreement? What does it say about us, about our value system, to suggest it doesn't matter?

This is about money. This isn't about workers. It is about companies being able to access cheap labor, working under any labor conditions, in order to boost and fatten profits.

I am well aware that there are those who take a look at those of us who don't support these trade agreements and they say: You are just a bunch of xenophobic isolationist stooges. You don't understand it. You probably don't have the capacity to understand it. We are describing a new world order. It is a global economy. Don't you get it?

I wonder when things changed in this country to decide that we should not stand up for our economic interests. When did that happen? When did it happen that it was OK to decide those who stood up for America's economic interests—that is, for the demand that when we have a trade agreement, there would be fair labor standards, fair standards with respect to the environment, that we want to keep jobs in America—when did it become fashionable to say: You're a protectionist. You don't get it. You are sort of an economic nationalist. You are one of these America-first types. Shame on you.

It seems to me the first goal of every trade agreement should be to recognize, from our standpoint, that we are interested in standing up for our economic interests, for our jobs. But that is not the case.

I would like anybody to explain to me these dramatic and deepening trade deficits—which Warren Buffett, not necessarily a shrinking violet, says is heading us toward becoming sharecroppers, and that is exactly the case—I would like anybody to explain to me how, with this background, the decision is made that we ought to do more of it. We are told over and over and over again what we are doing with this next trade agreement is we are opening foreign markets for American products. That is absolutely nonsense. Give us a break. We have been through this.

Later today, I will talk specifically about China because we did a bilateral on China. We have had a lot of trade relationships with China. The fact is, what we are doing with these trade agreements is not opening foreign markets, to any great degree, to American goods. I would love to take my time—and I have 5 hours allotted to me—to go through a debate. Others probably have different views. They believe it is fine, for example, for the country of Korea to ship us 680,000 cars a year on boats that land on the shores of the United States so American consumers can buy Korean cars. And then we only get 3,800 cars from the United States into Korea. That is fine, some people might think. I would love to debate that. Perhaps we have somebody who wants to stand up later today during my time and have a real discussion about that. I would be happy to do that. I don't need three people. I would just like one person to say: ''Boy, I like the way this is going. This sure looks good for America. And I sure like what is going to happen with China and bilateral automobile trade, and I sure like what happened in the bilateral with China by which we are allowed to charge a tariff that is one-tenth the tariff charged by the Chinese in bilateral automobile trade or I sure like the notion of what happened post-NAFTA.''

Let me do this for a moment. I think it is important for people to understand. We passed NAFTA, the North American Free Trade Agreement. When we did, we had a very slight trade surplus with Mexico and a modest deficit

with Canada. We very quickly turned a slight trade surplus with Mexico into a very large deficit, and we turned a modest deficit with Canada into a very large deficit.

The promises for NAFTA were grand promises about massive new numbers of American jobs and so on. None of that was accurate. There were those who stood on this floor and said, with respect to NAFTA: What that means is, we are going to get the product of unskilled labor coming in from Mexico. That is what that means. And so what are the three biggest imports from Mexico now? Automobiles, automobile parts, and electronics—all the product of high-skilled labor. They were all wrong. No one, of course, will stand on the floor and say: I admit that. But they have all been wrong. All we have seen is an exodus of American jobs. This chart is a certification to the U.S. Government of companies laying off U.S. workers due to NAFTA. We know that because they are required to certify to the Department of Labor in order for their workers to be available for trade adjustment assistance. Trade adjustment assistance is a melodic, soft-tone that says: When you fire your workers because of a trade agreement, you are able to get the Federal Government to pay your workers a little something. It is like extra unemployment.

So we know these companies have said: Because of NAFTA, we are laying off workers. We want them to be eligible for trade adjustment assistance.

Let's go down the list a bit. Fruit of the Loom. I can see the title on the book: ''When America Lost its Shorts.'' I remember the day that Fruit of the Loom announced that it was going to move its production out of this country. It was headline news, going to get rid of all the workers. Doesn't mean they are not going to make shirts and shorts any more. They are going to make them elsewhere, Mexico and China.

Levis, 15,676 workers making Levis. There is not much more all-American than Levis.

What a great American brand, Levi. Everybody likes them. I wear Levis. Levis are gone. There is not one pair made in the United States—not one. And, furthermore, the company that made Levis has certified to the Federal Government that due to NAFTA, 15,676 employees should be eligible for trade adjustment assistance. I will say that in English. It means that because we passed the NAFTA trade agreement, this company decided to get rid of 15,676 workers, and they want, under trade adjustment assistance, to be eligible to get extra money from the Federal Government.

Is there anybody in the Senate who knows the name of a worker that made Levis and lost their job? I am guessing not. I am guessing that almost every one of these 15,676 people were like every other worker in this country—proud to get up in the morning, put on some clothes, go to work, and feel as though they had a sense of self worth to provide for their family and to do a job. Some probably worked 25, 30 years for that company and did the best they could. And they had to come home and say to their spouse: ''Honey, I have lost my job. It doesn't mean they are not going to make Levis anymore. They are just going to make them in Mexico or China or Indonesia or Sri Lanka or Bangladesh—you name it. They say I make too much money.''

I have told this story repeatedly, and I will do it again even if it bores people. Huffy bicycles is the classic one. It is the easiest to understand. I believe Huffy has about 20 percent of the American marketplace. You buy them at Wal-Mart, Sears, and K-Mart. Huffy bicycles used to be made in Ohio in this country by workers who, by one account, made $11 an hour plus benefits. Huffy wrote to me and said it was more than that. So whatever it is—it could have been $15 or $18 an hour plus benefits—they made a good bicycle. They had a decal of the American flag on the front of them. They fired the workers who made Huffy bicycles. Those workers are gone. In fact, the last job they performed was to take the American flag decal from the bicycle and replace it with a decal of the globe. All Huffys are now made in China by people who work for 30 cents an hour, 7 days a week, 12 to 14 hours a day. The folks in Ohio are told they cannot compete with that. I can understand why. Should you be expected to compete with people who make 30 cents an hour?

So American workers lose their jobs. Do you think some people from Huffy Bicycle, who were proud to make them for many years, and came home to tell their families: ''I lost my job because they found somebody in another part of the world—halfway around the world—who will work 7 days a week, 12 hours a day, and they can pay them 30 cents an hour—and they can hire kids, by the way.'' Does anybody in this Chamber know the names of these people who worked for Levi's or Huffy Bicycle or Fig Newton Cookies? Does anybody know the names of the people who worked for the company called Radio Flyer, which makes little red wagons? They are gone from America.

I can stand here for an hour and talk about those kinds of issues. On this chart are the 100 largest companies certifying to the Department of Labor jobs lost due to these trade agreements. Let me tell you something else. You cannot get these numbers anymore. They are not available. Do you know why? The Department of Labor won't make them available. This chart says ''The Labor Department withheld trade reports.'' Let me quote from this article: ''The Labor Department has kept secret for more than a year, studies that supported Democratic opponents of the Bush administration's new Central American trade deal.''

There was a report paid for by public funds that documented the working conditions in CAFTA and the Central American countries of the type I just described, and, of course, that document was covered up, kept secret. The official Government document from the Department of Labor that would have provided numbers of how many jobs were lost, as a result of certifications by companies that were going to get rid of their workers—this information doesn't exist anymore either.

I have called the Secretary of Labor and said: You are collecting this data and you are choosing now not to make it public. Why? She says: I will look into it.

I placed a second call yesterday, but I have not heard back. In fact, you cannot get this information anymore. If there is bad news, cover it up, I guess. Don't let bad news out.

Madam President, let me just read for a moment from something written by someone I deeply admire. I like Warren Buffet a lot. I don't know him well, but I consider him a friend. I have met him a good number of times. He is the second richest man in our country, or probably in the world. He is remarkably successful. He doesn't walk the talk or sound like somebody with billions and billions of dollars. He is just a wonderful, remarkable guy with a great spirit. He wrote a piece to the shareholders of his company, Berkshire-Hathaway, that was very interesting to me. I called Warren about his speech. He said this about the trade deficit, the current account deficit:

> Large and persistent current account deficits produce an entirely different result. As time passes and as claims against us grow, we own less and less of what we produce.

He means that we have a trade deficit of almost $2 billion every day, 7 days a week, and it means foreign governments or foreigners have assets in the form of American dollars, American stock, and are buying American real estate. That is why you saw that China wants to buy a big oil company. They have the money to do it.

With respect to the trade deficit we have with China or the trade surplus they have with us, he says:

> Should we continue to run current account deficits comparable to those now prevailing, the net ownership of the United States by other countries and their citizens a decade from now will amount to roughly $11 trillion. And if foreign investors were to earn only 5 percent on that net holding, we would need to send a net of one-half billion dollars in goods and services abroad every year just to service the U.S. investments then held by foreigners.
>
> A country that is now aspiring to be an ownership society will not find happiness in a sharecropper society. Yet, that is precisely where our trade policies, supported by Democrats and Republicans alike, are taking us.

Perhaps there are some in this Chamber who think this is not the case, that these trade policies are just wonderful, that this red ink is just another innocent color, that these trade agreements have really worked well for America. That is probably because nobody in this Chamber has ever lost their job to

a bad trade agreement. No journalist has either, for that matter.

We have an interesting situation in this country. We have now, for about the last 30 years, seen a dramatic change in the economies of our country and others. It is described as a global economy. It has galloped forward in a very aggressive way, but the rules have not kept pace. So the largest international corporations—many of them American—have defined the new economy in their own image. They want to produce where it is cheap and sell into our marketplace. They want to be able to produce, for example, in China and Indonesia and Bangladesh and Sri Lanka and be able to sell that product to Des Moines, IA; Fargo, ND; Denver; Chicago; or Los Angeles. That is quite a strategy about fattening profits: Produce where it is cheap, where you can hire kids, where you can build a factory and not worry about having a safe workplace, where you can dump chemicals into the air and water, and especially where you can decide if your workers want to form a union, you can fire them just like that. If you produce there, you can produce for pennies, take that product and sell it into the established marketplace in the United States, and you can fatten your profits. Pretty good deal—if you are one of the companies who wants to do it.

But the rules for this globalized economy have not kept pace at all. There have been virtually no rules. Everyone in this Chamber knows that we have signed up to trade agreements with countries that say to companies: You can fire your workers if they try to unionize. Now, that is not a comparative advantage—going back to Ricardo. Ricardo described the doctrine of comparative advantage, which says it is easier to raise sheep and produce wool in England and easier to grow grapes and produce wine in Portugal; so each should do what is in its own best interest and what it does best and then trade. So you raise sheep, you share the sheep, get the wool in England, grow the grapes and stomp the grapes and produce wine in Portugal, and the English trade their wool to Portugal, and the Portuguese send wine to the English. That is the doctrine of comparative advantage—doing what is most beneficial and efficient for each. There is no doctrine of comparative advantage when you have a country deciding they are going to have 30-cent labor because we will fire people who try to unionize because we will not enforce restrictions with respect to the requirement that you have safe workplaces. We will have cheap labor because we will let you hire 12-year-old kids, work them 12 hours a day, and pay 12 cents an hour, and we will turn the other way. That is a political advantage. That is a decision by a government to continue to repress its workers.

Our trade agreements, historically, rather than lifting others up, which we ought to do in trade agreements, have had the effect of pushing American workers down. That can work for a while, but it cannot work for a long while because, ultimately, the question is going to be this: Who is going to buy those products made with 30-cent labor in China? Will it be the people who lost their jobs in the United States? Will it perhaps be one of these hundreds of thousands of people, each just a number, but each represented by a family? Will they buy those products when they are out of a job? You may say unemployment is not so high here and many of these people have been rehired. Yes, many have—at lower wages. That is the way this global economy has been working.

In my judgment, this does not work for our country. It is just not working. My colleague from Iowa made the point—a fair point—should we not want to lower tariffs in other countries? Absolutely. Can I remind my colleagues, and others, that we are so ham-handed and fundamentally incompetent in negotiating trade agreements, using beef as an example—let's go back for a moment prior to the discovery of a Canadian cow that had mad cow disease in the United States. Prior to that time, we were 15 years away from a beef agreement we made with Japan in the late 1980s. Fifteen years later, after a beef agreement with Japan, a country with whom we have had a very large deficit always—and still do—there was a 50-percent tariff on every pound of American beef going into Japan. What a miserable failure that is. It happens to us in virtually every circumstance.

I will mention one additional thing. Our trade negotiators do such a terrible job on behalf of this country. I assume they do it on behalf of whoever sends them out with instructions. Let me ask, if during the discussion today—and we will be here for some hours—I would like one Senator—if we can find somebody who knows the answer to this—to tell me, in the bilateral trade agreement with China, a country with whom we have a giant trade deficit, an alarming and dangerous trade deficit, how it is justified that China shall impose a 25-percent tariff on any U.S. automobiles we sell in China, and we will impose a 2.5-percent tariff on Chinese automobiles sold in the United States?

How is it that we have a bilateral agreement that imposes a tariff 10 times higher on U.S. cars that we sell in China than Chinese cars sold in the United States? I want one person—I have asked this question for years—I want one person to tell me how that happened because the Chinese are now gearing up an automobile export industry. In fact, General Motors has gone to court to sue the Chinese because they say the Chinese have stolen the entire production line blueprints for a car called the QQ. General Motors said they stole the production line blueprints of a General Motors car. This company is called Chery, C-H-E-R-Y, which is interesting; it is one letter away from Chevy, C-H-E-V-Y. This Chinese company called Chery is producing a QQ car that General Motors says is the stolen production line blueprints of a car they have. They are doing that, and all the press says they are gearing up for a substantial Chinese automobile export market.

Guess what. When they do that, they will find a very friendly tariff in our country that is one-tenth the tariff that now exists in China by virtue of acceptance of a trade agreement we have with China. It is unbelievable to me, the incompetence of having that sort of thing happen.

I will not go on at length. We do not make any automobiles in North Dakota, so I am not representing the automobile manufacturers. I am just telling my colleagues that it does not matter whether it is automobiles or textiles or farm products.

My colleague from Iowa cares a lot, I am sure, about agricultural products. We work together on a lot of agricultural issues. I know he cares a lot about family farmers. Interestingly enough, when we did the bilateral agreement with China, we had a provision in that agreement about the number of million metric tons of wheat that China would be expected to allow in duty free. Right after that was done, of course, the Chinese Agriculture Minister went down to the southern part of China and said to the South Asia Post: ''That doesn't mean anything; that doesn't mean we are actually going to import that wheat from America. That is just something in writing.'' Indeed, they have not. When will we understand that promises not kept are not promises at all?

I suppose you can make a case to hook up in a trade agreement with almost any region in the world. Somebody said to me: How on Earth can you suggest these small countries would threaten our country? I am not suggesting that. I am just saying when you are doing something wrong, stop doing it, change it, and do it right. That is not rocket science.

This trade agreement, with its pathetic provisions dealing with labor and its pathetic provisions protecting the environment, is exactly the same as all the other trade agreements. You can say the environmental provisions do not matter. Don't they really? We inhabit this Earth. There are 6 billion of us. We have 6 billion neighbors on this little planet called Earth. We circle the Sun. Somehow we end up here in the United States—just in this place—and there is no place like it on the face of the Earth. We are living in a fishbowl. We can clean up our part of the fishbowl, but if somebody on the other side is pumping in sludge, we are all breathing it. So environmental standards and labor standards matter a lot.

This trade agreement is exactly like the others. It hooks up the countries—and I already read the description—

that do not enforce their standards at all. Second, it decides we will have another loophole by which you can transship goods through these countries into the United States.

One of my colleagues said to me: So what, it is coming in anyway from China. So what? The fact is, if anybody in this Chamber were one of these statistics—and there are about 200,000 of them on this sheet—if anyone in this Chamber were one of these statistics, nobody would say ''so what.''

''So what'' is we are losing jobs in this country. There is no social program we work on in this Chamber that is as important as a good job that pays well and allows people to take care of their families. There is no social program as good as that. I am telling you, in case after case, we are seeing good jobs leaving our country because others will do them for less under conditions we would never accept in this country.

I have said many times that we had people die in the streets of this country fighting to organize as workers. People were literally killed in the streets of America for that purpose. We had people who went to the streets for America demanding the opportunity to work in a safe workplace. We have been through this for a century, describing the conditions of production in this country that were fair. And in a moment, some companies can pole-vault over all those impediments and say: I don't like them, never liked them; they represent regulations, they represent things we don't support, and we are going to move our jobs to China; and by the way, when we get there, we don't have to worry about unions, we can fire them if they try to unionize, and if we don't fire them, the Chinese Government will take care of them.

What is happening is wrong. I am not saying we should build walls around our country. I am not saying we should retreat from the global economy. I am saying we ought to recognize there has to be a set of fair rules to represent this country's economic interest. If we do not have that set of fair rules, then we cannot possibly succeed.

Some say the Americans can compete anywhere, we can win anywhere. We can compete if the rules are fair. But post-Second World War, in the last 50 years, some very shrewd economic competitors have developed in this world.

These trade deficits I have shown describe a circumstance in which we cannot compete with one arm tied behind our back. We cannot compete if it is unfair. We cannot ask American families to decide if $10- or $15-an-hour wages is something of which they should be ashamed because it is so much more than would be paid to workers hired in Bangladesh or China. We cannot do that to American workers without in the longer term dramatically changing the standard of living in this country.

Others will say: You are talking about manufacturing. You should understand that we are going to create new jobs; we are creating new jobs. Take a look at what is happening with software engineers, with white-collar jobs. Pick up the New York Times from last week on IBM and then go to India and go to China and find out what kind of jobs are coming in addition to factory jobs. It is not just factory workers. It is white-collar jobs. It is engineers.

Every young person in this country who is in earshot of this debate should understand their future is going to be affected by what we are doing. Their opportunity for good jobs will be affected by what we are doing.

I, obviously, have additional comments and additional time in which to do it later today. We have colleagues who have been waiting. I apologize for taking as much time as I did. This is a very important issue. I regret very much that we are doing it this way, just sticking it in a little keyhole crack between now and when we get out of here for the July Fourth week. I knew this was going to happen. One year ago, this bill got done. We did not hear about it for a year. I knew one day we would find it stuck in a little keyhole, hoping we would not have a real debate about trade on the floor of the Senate.

I guess now we are on autopilot. They are going to finish this maybe late tonight, and they have accomplished their purpose, but they have done America no service. It is no service to America to avoid facing straight in the eye a serious problem facing this country.

Once again, to all those listening who call this protectionism, you are just wrong. This is not about protecting in the sense of being a protectionist and wanting to build walls around our country. It is about standing up for American interests. It is about trade agreements that should be mutually beneficial, not one-way trade agreements, and it is about finally suggesting that we be hardheaded and make trade agreements economic policies, not softheaded foreign policy down at the State Department.

I could talk later about, for example, it is recommended we take action against China on this and that for trade, but the State Department says: You can't do that; that is all foreign policy. So our country walks around half hunched over worried about lost jobs and not willing to talk about it. And what do we do? We negotiate another trade agreement of the same type. Is anybody thinking? Let's hope through this debate perhaps we can begin to think through some of these issues and turn a corner.

Let me also say it was probably impolitic of me at the start of this discussion to ask about exotic dancers in strip clubs. I will ask again just because it probably is impolitic if there is anything in this trade agreement about exotic dancers in strip clubs. The reason I ask is because in the NAFTA agreement that passed the Congress, according to what I have found doing a Google search, Canadian strip clubs have used NAFTA to find dancers from Mexico under the extended visas and employment applications in NAFTA—exotic dancers were part of the provision dealing with special skills. I am just guessing that there is no one in the Chamber of the Senate who voted on NAFTA who would have guessed it would have application to exotic dancers having special skills. Maybe I am wrong.

I ask the question: Is there anything in this trade agreement that we should know about that perhaps I will come to the floor of the Senate and talk about several years from now, such as this?

The point I am making is, most people do not understand what is in these trade agreements. They do not understand the circumstances and the consequences of the trade agreements. All we hear is just more tired-sounding platitudes about reducing tariffs.

By the way, when we passed NAFTA, as my colleagues know, NAFTA reevaluated the peso, meaning it obliterated everything under NAFTA with respect to tariffs almost immediately.

I will cover additional material at a later point today. I yield the floor.

The PRESIDING OFFICER (Ms. MURKOWSKI). Who yields time? The Senator from Iowa.

Mr. GRASSLEY. Madam president, I yield such time as the Senator from Colorado may use.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Madam President, I thank the chairman of the Finance Committee for yielding. I compliment him on his tremendous leadership in the Finance Committee, particularly on the issue of trade.

I rise today in strong support of the U.S. Central America and Dominican Republic Free Trade Agreement, known as CAFTA, and our administration's current trade policies.

We sometimes forget what history has taught us. If we look back to the early part of the 20th century, the early 1900s, our country was struggling economically. One of the reasons, it was decided after a while, is because we were too restrictive on our trade policies. We had high tariffs on a lot of different products coming into this country. All of a sudden, the economists began to wake up: If we liberalize our trade policies, we begin to open trade to the entire world, and we benefit. Lo and behold, we found our country began to do better economically.

We forget what history taught us. We do not want to go back to some of the old tried-and-failed solutions some of my colleagues on the other side are talking about. They do not work. It destroys your economy.

If we look with other countries to liberalize our trade agreements, we raise the entire tide. Sure, other countries benefit, but we benefit even more. We will see that as we move forward with this debate.

NAFTA has not hurt this country, it has helped it. It has created more jobs, not less. So many figures we will hear presented here are focused on one particular group, it is one side of the ledger. Nobody talks about what has happened on the other side of the ledger when we created more jobs, particularly on the service side of our economy.

Another point I would make is look at the poor countries in the world today. They have more trade restrictions than those more modern countries that are doing well economically. Doesn't that tell us something? Doesn't that tell us that if we can get them to relax their tariffs, they can begin to benefit with us and what is happening in the growth of our economies? Not only do we help them, but we help ourselves. So it is a mutual win-win agreement on these international trade agreements.

We can look at all these trade agreements and see how they have helped us economically. They have helped our friends and trading allies. They have helped us to export the idea of democracy and what free markets are all about. It is what makes a difference between our success and many other countries that do not have a democracy, that do not talk about how important it is to have free markets.

I rise today in strong support of this trade agreement. Prior to the Bush administration, momentum of trade liberalization had clearly slowed. Thankfully, Congress reapproved executive authority for trade agreements, and with the leadership of President Bush, the administration has made international trade a high priority for the health and well-being of the American economy. That is good.

We have acted to strengthen the President's ability to eliminate trade barriers with other countries. The first steps have been taken toward a new era of trade liberalization.

At the end of 2002, the Bush administration completed free-trade negotiations with Chile and Singapore which were first begun by the Clinton administration in 2000. This is not a partisan issue, it is a bipartisan issue. These free-trade agreements with Chile and Singapore entered into force on January 1, 2004.

In 2004, the agreements with Australia and Morocco were signed and approved by Congress, and this Australian trade agreement recently came into force this January.

These agreements make a strong statement about the commitment of the United States to international trade, and CAFTA continues the trend of reaching bilateral trade agreements in our own hemisphere and abroad.

The countries entering into CAFTA are among the developing countries that already enjoy duty-free access to U.S. markets for the majority of their exports. That is their goods coming into our country. While these developing countries have high tariff and nontariff barriers on U.S. exports and impose restrictions on U.S. businesses, the agreement will liberalize trade in goods, services, government procurement, intellectual property investment, and address important labor and environmental issues. We are going to let them join with us in our economic prosperity. That is not going to hurt the United States. It is going to benefit our economy.

Trade between the United States and CAFTA countries totaled over $33 billion alone last year. The United States exported almost $16 billion in goods to five Central American countries and the Dominican Republic in 2004—more than all exports to Russia, India, and Saudi Arabia combined.

This agreement will create the second largest U.S. export market in Latin America—$16 billion—behind only Mexico, and the 14th largest U.S. export market in the world. The market access and trade discipline provided by CAFTA offer an opportunity to expand U.S. exports to a region that is already seeing high export growth rates. In fact, from 2000 through 2004 export shipments to CAFTA designations grew by almost 16 percent compared to 5 percent for U.S. overall exports.

CAFTA also helps to move the current trading relationship from one-way preferences to a more reciprocal partnership. Currently, about 80 percent of the region's exports enter the United States duty free, while U.S. goods exported to CAFTA countries face significant tariffs. However, with this agreement in place CAFTA will boost opportunities for exporters throughout the country, providing new market access for these producers.

Specific to my home State's interests, the State of Colorado, CAFTA immediately eliminates tariffs on 80 percent of U.S. exports and eliminates all tariffs within 10 years, including up to 15 percent tariffs on Colorado's exports of machinery, manufactured products, and transportation equipment. The information technology producers will also gain with the elimination of distribution barriers and elimination of information technology tariffs, as well as the opening of key information technology services, including telecommunications, and will also protect intellectual property rights.

For Colorado's farmers and ranchers CAFTA will eliminate tariffs on 50 percent of U.S. exports immediately and most remaining duties within 15 years, benefiting beef and pork producers with the immediate elimination of tariffs over 15 years; dairy products with duty-free tariff rate quotas that will expand from over 10,000 tons in year 1 and out of quota tariffs eliminated over 20 years; and finally corn, wheat, and grain products with the immediate binding at zero of tariffs on wheat, barley, oats, and rye as well as for corn in Costa Rica and sorghum in the Dominican Republic and Guatemala. All remaining tariffs on feedgrains will be eliminated over 15 years.

Clearly, this agreement greatly benefits my State of Colorado and the Nation as a whole. I am pleased to stand behind the agreement reached by former U.S. Trade Representative Robert Zoellick and our current USTR, Rob Portman.

On noneconomic impact, I have already said that even if we were to set aside all the economic benefits for continuing liberalization of international trade like CAFTA, there are still many other reasons, most notably humanitarian reasons. History has shown it is the isolated closed societies that are the most brutal and repressed. International contact brought about by increased trade with businessmen, foreign goods exchanges, corporate presence, and marketing serves to increase access to a higher standard of living and a better quality of life.

International trade also requires important reforms of the domestic, legal, and business environment that are key to encouraging business development and investment. Such reforms include providing greater transparency for Government to strengthen the rule of law and improving protection and enforcement of intellectual property rights. We must always remember that America's No. 1 export is democracy, and overreaction to our trade deficit, increasing tariffs, or other false barriers to trade will damage not only our bottom line but also our national security interests. We cannot allow that to happen.

Madam President, we have heard a lot of doomsday predictions from opponents of this fair trade agreement that CAFTA will lead to all kinds of job loss both here and in Central America. A lot of these people said the same thing about NAFTA. Remember the great sucking sound of jobs that were supposed to go to Mexico? Well, it just did not happen.

Let's take a look at this chart. This is the chart on U.S. jobs from 1993 to 2004. Remember that we adopted NAFTA in 1993, I guess 1994. What this chart shows is the number of jobs in the United States from 1993 out to 2004, that if the trade critics were right, you would expect to see a fall in the number of jobs in the United States. Following the passage of NAFTA, look at it. It just did not happen. The blue line is manufacturing jobs—basically, a straight line, a little bit of reduction on the end. And look at what has happened, though, to nonmanufacturing jobs. This is the purple line or the light pink line, what is happening in the growth. We simply have not lost any jobs since the start of NAFTA. In fact, the United States had almost 17 million manufacturing jobs in 1994. That number rose to 17.26 million by 2000. Now it is falling only after the recession hit us in the year 2000. That was about the time we had 9/11. In fact, after NAFTA passed, the U.S. unemployment rate dropped.

Take a look at the U.S. unemployment rate from 1993 to 1994. In 1993, the

U.S. unemployment rate was about 6.9 percent as reflected here, and in 1994, the year NAFTA passed—right in here reflected by this chart—it fell to 6.1 percent, and then it continued to fall reaching only 4 percent in 2000. Then at its peak postrecession point, the unemployment rate was 5.5, still lower than it was in 1994, I might add. So NAFTA clearly did not cause massive unemployment in the United States as predicted by trade critics.

Well, then the critics will say that maybe they were wrong with the numbers. Maybe there was no massive loss of jobs, but NAFTA caused us to substitute good-paying jobs for bad-paying jobs. Again, the facts show that they were wrong. Let's take a look at real hourly wages from 1983 to 2004. What we see happening here is a drop in real hourly wages until we get down to 1994 when we then adopted NAFTA.

Lo and behold, look what happens to wages, both the real average manufacturing wages, which is reflected by this top line, and then what has happened with the real hourly wages in the private sector. Look at the climb that we have seen in real hourly wages. Real hourly wages have risen since NAFTA for all workers. In fact, wages that were in decline in the decade prior to NAFTA have increased steadily since the NAFTA agreement was reached.

We also heard that NAFTA would result in the flood of cheap imports from Mexico. Again, the critics were simply wrong. I point to this next chart which reflects U.S. imports from Mexico prior to NAFTA, and under NAFTA, as a share of total U.S. imports. U.S. imports from Mexico have held fairly steady at 7 percent, as we can look across here, as a percent of total U.S. imports, not much higher than they were in the 5 years prior to NAFTA.

We also heard that U.S. companies would start investing all their money in Mexico because U.S. workers can't compete with Mexico's wage rates. Again, the doom and gloom crowd was simply wrong. Look at the chart. What we see, talking about U.S. direct investments, is that U.S. investments didn't migrate to low-wage countries as predicted. In fact, after NAFTA went into effect, U.S. investment in Europe increased by 48.5 percent of total U.S. investment abroad to 53.8 percent in 2003.

Here is what happened with the investment in Mexico. If we look at the larger peaks that we have over here, this reflects what has happened with Europe. These are modern countries that we are dealing with, and we have the poorer countries down here. We did not see our investments being soaked up by low-wage countries. We still continue to maintain our trade with modern countries. So our challenge is to get poorer countries up into our modern sphere.

In contrast, U.S. direct investment in Mexico accounted for 2.8 percent in 1994 and just 3.4 percent 10 years later. Put another way, Europe's share of investment increased by 5.3 percentage points, and Mexico's by .6 percentage points.

We also heard that Mexico was just too poor to buy our product so we should not trade with them. Wrong again. Mexican consumers increased their purchases of U.S. consumer goods since NAFTA went into effect. In fact, U.S. exports of consumer goods are 66 percent higher in 2004 than they were in 1993.

U.S. exports of home entertainment equipment grew from $984 million to $1.293 billion. Exports of household goods have grown from $1.4 billion to $2.1 billion. And U.S. agriculture has benefitted. Since the implementation of the agreement, U.S. agricultural exports to Mexico have nearly doubled. Mexico now imports nearly $6.5 billion of U.S. agricultural products, making them our third largest market.

It is important for all of us to realize that we can take some of these figures, if we just talk about certain individual commodities or certain individual industries, and we can talk about just that particular—we can single out industries that for one reason or another have problems. The overall figures shown on these charts indicate what is happening with trade and what is happening with the economy as a result of liberalizing our trade and opening it up. I don't think anybody can deny that we have not benefitted. And I don't think that anybody can deny those countries that have traded with us have not benefitted. So we all benefit from this rising tide. That is why I feel so strongly that we need to move forward. I think the doomsday scenarios predicted by the critics did not happen. They were wrong about the North American Free Trade Agreement then and they are wrong about the Central American Free Trade Agreement now.

Madam President, we need to move forward. I applaud the leadership for moving this issue forward quickly. I particularly applaud the chairman of the Finance Committee for his superb leadership on this particular issue. I know it is difficult and demanding, but it is important, important to the welfare of everyone in America, not just a few. It is important to the welfare of our trading partners, not just a few. This is an overall policy where many people benefit, and we should not forget that the whole economy of the United States will be better because we have liberalized our trade. What we saw in the early 1900s is a lesson we should not forget because we had high tariffs and trade restrictions that did not work. Now we are in a different era. We don't want to forget the lessons history taught us.

Madam President, I want to yield the floor and thank the leadership and particularly Chairman GRASSLEY on this issue.

I ask unanimous consent to have two editorials printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the (Denver) Rocky Mountain News, May 14, 2005]

CAFTA STILL CRITICAL

Six Latin American presidents made an unprecedented joint trek to the Capitol this week in a last-ditch effort to drum up support for the Central American Free Trade Agreement. But the protectionist mood sweeping much of the nation appears to have infected all too many of Washington's political elites.

At risk is America's global economic leadership, which some lawmakers seem all too willing to trade away for support from Big Labor, environmental groups and especially the sugar lobby. Because it is having trouble mustering the votes for passage, the White House has in recent days taken to reminding Congress that CAFTA is also necessary to help secure democracy and development in a region wracked by civil war, drugs, human trafficking and economic stagnation over the past two decades.

Interestingly enough, this same argument—that CAFTA is good for our own national security—is being made by a conga line of diplomats from both political parties, including former Secretary of State Warren Christopher, former defense secretaries William Cohen and William Perry, Bill Clinton's special envoy to the Americas, Thomas McLarty, and Jimmy Carter's trade representative Robert Strauss, to name but a few.

CAFTA would end duties on 80 percent of the $15 billion in U.S. exports to the 44 million consumers of Costa Rica, Honduras, El Salvador, Guatemala, Nicaragua, and the Dominican Republic in the Caribbean. Currently, those countries levy average tariffs ranging from 10 percent to 20 percent on a host of U.S. goods such as motor vehicles, grain and meat, while the U.S. rate is zero. The U.S. Chamber of Commerce predicts U.S. sales to the region could expand by more than $3 billion in the first year once CAFTA tariff limits take effect. The American Farm Bureau estimates agriculture exports—about $1.6 billion in 2003—would grow $1.5 billion a year. Winners would include Colorado's feed, potato, grain, pork and cattle industries.

If CAFTA fails, it will be in part because the powerful U.S. sugar lobby has plied Capitol Hill with a fictional doomsday scenario in which the trade pact destroys the domestic industry. The truth is American sugar import quotas would rise by a scant 1 percent of the total U.S. market in the first year, and ascend over the next 15 years to a whopping 1.7 percent. What's really at stake for the sugar industry is prices that are two to three times the world market.

Democrats are leading the assault on CAFTA, claiming the pact's requirement that the countries enforce their own labor and environmental standards is too weak. But this objection ignores the fact that wherever U.S. companies plant themselves in the world, labor and environmental standards invariably rise over time. Voting CAFTA down would surely deal a blow to Central America's reform-minded political leaders. But defeat would also mean the loss of new markets for U.S. workers and farmers, a failure that could cripple America's ability to forge more far-reaching trade liberalization in the coming years.

[From the Denver Post, Mar. 26, 2005]

CAFTA WORTH OUR SUPPORT

In two weeks, Congress starts debating a treaty that will shape America's future role in our hemisphere. Since lawmakers previously gave President Bush ''fast track'' authority to negotiate the pact, lawmakers

can't change any provisions in the Dominican Republic-Central American Free Trade Agreement (CAFTA)—they can only vote yes or no. We think that vote should be yes.

CAFTA is modeled on free trade deals Congress OK'd a decade ago with Mexico and Canada, in 2000 with Jordan and in 2004 with Morocco. CAFTA would eliminate trade barriers on most goods and services and encourage commerce among the United States, the Dominican Republic, Costa Rica, Honduras, El Salvador, Guatemala and Nicaragua.

The issue splits Colorado's congressional delegation. Leaning in favor of it are Republican Reps. Bob Beauprez of metro suburbs and Marilyn Musgrave of the Eastern Plains. Leaning against it are Democratic Reps. Mark Udall of Boulder and John Salazar of the Western Slope. Undecided are Democrats Sen. Ken Salazar and Rep. Diana DeGette of Denver, and Republican Reps. Joel Hefley of Colorado Springs and Tom Tancredo of the metro suburbs. Sen. Wayne Allard, a Republican, declined comment.

Colorado's sugar beet farmers oppose CAFTA because they say it will let cheap, subsidized sugar flood U.S. markets. While concerns may be understandable, Congress shouldn't let one industry decide U.S. hemispheric policy.

The real arguments in favor of CAFTA involve global issues and the future of our hemisphere's small democracies. Central America will never rival U.S. economic clout—but China is trying. CAFTA could help the Western Hemisphere better position itself to compete with China's burgeoning industries, Central American leaders say.

As a tool that can help rebuild Central America's struggling economies, CAFTA also has a political dimension. Although Costa Rica has been a stable democracy for more than a half century, its neighbors endured dictatorships, civil wars and insurgencies through the 1990s.

Central America's democracies are still fragile, and its governments need to show their impoverished people there's a hope for a brighter future. CAFTA is one tool to nurture that hope.

U.S. foreign policy interests would be well-served by helping to build prosperity and freedom among all the nations in our hemisphere.

The PRESIDING OFFICER. Who yields time? The Senator from Montana.

Mr. BAUCUS. Madam President, I yield 20 minutes to the Senator from Massachusetts, and ask it be taken off the time allocated to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, because we have a number of Senators on the floor—I am happy to defer to my senior colleagues, but if we could establish a kind of queue? I know Senator LEAHY has a statement. I am interested in speaking on CAFTA. I ask the distinguished Senator from Montana, could we see if we could get an order among the Senators who are on the floor?

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. I modify the request: 20 minutes to the Senator from Massachusetts taken from the time of the Senator from North Dakota; when he has finished, 5 minutes to the Senator from Vermont, that time to be taken off the time allocated to the Senator from Iowa. Then, following that, I yield 15 minutes to the Senator from Oregon, that time to be taken off the time allocated to me.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Massachusetts.

Mr. KENNEDY. Madam President, I wish my friend from Colorado were on the floor. I listened very carefully to his description of the state of our economy from 1993 on. As we remember, President Clinton was elected in 1992. I think modern economists would say we had the longest period of economic growth and price stability in this century—certainly in this century, and for at least 100 years during that period of time. That is what is reflected in these numbers.

To tie those into questions about lost manufacturing jobs in terms of NAFTA, it is better to look at the various analyses, the business analyses that have been done. The EPI studies show that more than 900,000 manufacturing jobs have actually been lost due to NAFTA.

I am proud of the record of President Clinton. I was proud to vote in support of his economic policies, to put that into play. As a matter of fact, it did not have a single vote here by a Republican in the Senate. It does reflect in the strong economic indicators that the Senator from Colorado showed, but relating that to what were the manufacturing jobs that were lost, in terms of NAFTA, I did not hear explained very closely.

I support free trade. I have long voted for trade agreements that truly leveled the playing field for our country and for our workers.

Will the Chair let me know when I have 3 minutes left?

The PRESIDING OFFICER. The Chair will do so.

Mr. KENNEDY. Free trade removes unfair barriers to American goods and world markets and creates a fair playing field for competition between American workers and workers abroad. Free and fair trade creates jobs and strengthens our economy. But this Central American agreement is not free trade. I urge the Senate to reject this unfair agreement.

Especially at this time when American workers are deeply concerned about their jobs being outsourced overseas, the Bush administration is wrong to negotiate an agreement that refuses to protect them. I am coming back to that in a moment. It allows participating countries to use labor practices that fail to meet international standards. It means that American workers, the best in the world, will be forced to compete with countries whose workers are abused and exploited. That is not fair trade.

I am for progress and economic development in Central America, dating back to President Kennedy's Alliance for Progress. But this agreement does nothing to improve labor rights for the workers in the CAFTA nations. All it asks is that they enforce their existing laws. It does nothing to create a community of nations that respects the basic rights and dignity of workers.

Most CAFTA nations give their workers no real rights such as an 8-hour day, overtime pay, or protection against discrimination. Laws in some CAFTA nations are even hostile to organized labor. Workers in El Salvador, Nicaragua, and Honduras can be fired for joining a union or even intending to organize a union. In Nicaragua, strikes are prohibited without government permission. Even where laws do exist, violations often cannot lead to fines or sanctions.

Those working conditions are not just what I have to say. There is an excellent study that was commissioned by the Department of Labor to review the working conditions among these countries that would be affected by this agreement. When the results came in, what did the administration do? They tried to hide the report. They went out and pulled all the paper that the study had been written on. What the study showed very clearly—and I will read the excerpts. The Government-paid study concludes:

Countries proposed for free trade status have poor working environments and fail to protect workers' rights. The department instructed its contractors to remove the reports from its web, ordered it to retrieve paper copies before they could be made public, banned the release of the new information from the reports, and even told the contractor it could not discuss the studies with outsiders. The working countries are so bad in those countries that the administration's own independent report stated so. Do we have anything in this particular agreement that will do anything about it? Absolutely not.

Have we at other times tried to do something about the conditions in these other countries? We certainly have. The agreement which stands out is the Jordanian agreement. In the Jordanian agreement they have very clear understanding about what the Jordanians were going to do to try to realize the international labor standards. No. 1, they were going to eliminate slave trade; No. 2, they were going to make advances moving ahead on child labor; No. 3, they were going to permit the organizing of various labor organizations with real enforcement going in there, and penalties and sanctions if there were a violation. In other words, under the labor provisions in the Jordanian agreement that was passed by this body, we were moving forward, upward, to meet the international labor conditions. That is what ought to be in this agreement.

But is it in this agreement? Absolutely not. Were there any provisions in this agreement that, as a result of this agreement, American workers would get some kind of compensation for loss of their jobs as we have done at other times? Absolutely not. That proposal was defeated in the Finance Committee.

In other words, we are leaving American workers out there, high and dry,

and are asked to go ahead and pass this without any serious effort to provide at least some protection for workers in those countries where there are going to be profits that will certainly not trickle down to the workers in that country and where real American workers will pay with the loss of their jobs because of this agreement.

CAFTA does not just ignore international standards for Central American workers; it also fails to include the aid for American workers likely to be displaced. When the Senate Finance Committee debated this agreement, it recommended that CAFTA include aid for displaced American workers, but the White House ignored the bipartisan recommendation. The President effectively abused his power and presented Congress and the American people with a take-it-or-leave-it plan. We know it can be better and we should reject this defective agreement, send it to the White House and go back to the drawing board.

Although CAFTA is the administration's top trade priority, it actually does very little to reduce the Nation's growing overall trade deficit. Trade in the region accounts for less than 1.5 percent of total U.S. trade. It will barely lead to any improvement in GDP, an increase of only one-tenth of 1 percent. Instead of a policy to reduce our trade imbalance with China and deal with its currency manipulations and WTO violations, the administration has spent more than a year on this trade agreement that will do embarrassingly little to improve jobs and the economy. It is out of touch with sensible trade priorities for this country and ignores the needs of American families.

I want to take a few moments to show the pressure American families are under and why they are wondering why we are considering this legislation that provides no protection even for the workers in those countries and why it will accelerate additional pressures on American workers. Look what is happening in this country. More than 37 million Americans, 28 percent of the workforce, work more than 40 hours a week. Nearly 1 in 5 workers work more than 50 hours a week. More than 7.4 million Americans are working at 2 or more jobs, and 300,000 have 2 full-time jobs. Americans' work hours have increased more than in any other industrialized nation. American workers are working longer, are doing better, are increasing their productivity. Is there any recognition and respect for this extraordinary achievement? I certainly do not see it.

What do we have here? Workers are not benefiting from their work. This chart shows there is an increase in productivity from 2001 to 2004. Productivity is growing 43 times faster than wages.

Generally, in our country, when we have seen the expansion in productivity, we have also seen a growth in American workers' wages. That is the way it has been since we have been an industrial nation, with the exception of the present, current time. Currently, workers have been increasing their productivity—they are working longer, they are working harder, and they are increasing their productivity—but effectively their wages are stagnant.

What kind of life do these American workers face? They face an increase in their health insurance. Their wages are stagnant, their health insurance costs increase 59 percent; college tuition for their children is up 35 percent; housing is up 36 percent; and gas 38 percent. We just passed an energy bill. You would have thought in an energy bill we would try to do something about the cost of gas that working families and middle-income families are paying every single day. Right? Wrong. Wrong. We did nothing. We did nothing about the increased cost of gas.

We took care of the major companies that are producing it, but effectively we have done nothing that has helped the workers in that particular program.

Look at what has happened. This President is the first President since Herbert Hoover to lose private sector jobs. These are the figures: 2001, 111,622,000 were working in the private sector. Now we are 111,598,000 in May of 2005. We have seen the reduction of jobs that are available in the private sector. There has been some growth, but it has all been in the public sector, not the private sector.

I saw the earlier presentation of the Senator from Colorado. He talked about the recoveries we have had. We have seen in this recovery of this administration, it is the lowest one we have had in recent years. What we find now is, as a result, we have 7.6 million Americans who are out of work; 1.6 million more unemployed than in 2001. These are the numbers of Americans who are out of work. The ones who are working are working longer and working harder.

This is a quote from Kevin Hassed, director of Economic Policy Studies, the American Enterprise Institute, which is a conservative institute:

> Usually at this point in a recovery job creation is skyrocketing, but so far that hasn't happened: It's not a partisan issue, it's a fact. The labor market is worse than in a typical recovery.

These are the economic conditions. Now we have of those 7.6 million Americans, they are trying to compete for job openings. There are 3.6 million job openings in this country. These are hard-working Americans, trying to compete for a limited number of jobs.

Another very important point to know about the condition of American workers is the number of those who are long-term unemployed. We have seen that grow from 680,000 in 2001 to this in May of 2005, up 1.5 million. These are the workers who have been unemployed for 26 weeks or longer. This is an indication of the stagnation of our economy. Here we have seen 2.8 million manufacturing jobs lost over the period since 2001. There it is, 2.8 million jobs lost, manufacturing jobs lost. They have been lost in virtually every one of the States; 47 States have lost manufacturing jobs. Now we are being asked to pass another piece of legislation that is going to accelerate that? That is what this legislation will do.

We know what is happening to the American workforce. They are working longer, harder. They have a greater increase in productivity. Their wages are flat. The things they pay for are going through the roof. And we know those workers are going to lose their jobs. What jobs are out there for them? This is the growth in the next decade, low-paying occupations. Seven of the ten fastest growing occupations pay $27,000 a year: Retail, food prep, cashiers, janitors, waiters, customer reps, and nursing reps.

We should be in the Senate debating and arguing how we can ensure our workforce is employed in the country that has the greatest economy, certainly the greatest national security, and the greatest military. We want to keep it that way. The way to keep strong is with a manufacturing base. The way to do that is invest, invest, invest; invest in those workers to make sure they have good training, upgrade their training, invest in innovative and creative ways to expand our ability to manufacture and expand.

Are we debating those issues? No, we are trying to pass legislation that is going to put workers that do have jobs at greater risk. That is what this does.

It is against this background I mention the latest UNICEF study from 2004 revealed Costa Rica has 127,000 children working in their plants. Guatemala, virtually the same. Those countries are virtually the same. Will this legislation get those children out of those plants and factories? No. Absolutely, no.

The interesting aspect, there is one limited program sponsored by the Labor Department that permits the Labor Department to inspect plants and factories across the country regarding employment of child labor. What did this administration do? It cut the guts out of it, 80 percent of the appropriation. They cut the guts out of it. Does this add up or make sense; an 80-percent reduction in appropriations of the program that provides the inspection for child labor in these countries? The children are going to be in those sweat houses. Our workers will be losing jobs. The American workers are going to be losing jobs. There is virtually no penalty. Actually, yes, there is a penalty that could be imposed against the country but not against the specific industry. The industries really do not care. Those countries will be negotiating those penalties.

It does not have to be this way. We ought to be able to have a program that is going to be fair to American workers, uplift the working conditions of those countries around the world,

and also be something that all members of this Senate would be proud to support. That is not this legislation. It is heavily flawed. As a result, there will be not only enormous numbers of people in that region that are going to be exploited, but we will pay for it with the price of American workers.

I yield back my remaining time.

The PRESIDING OFFICER (Mr. BURR). The Senator from Vermont, under a previous order, is recognized for 5 minutes.

(The remarks of Mr. LEAHY are printed in today's RECORD under ''Morning Business.'')

The PRESIDING OFFICER. Under the previous order, the Senator from Oregon is recognized for 15 minutes.

Mr. WYDEN. Mr. President, I have decided to support CAFTA. Because I know I will have a lot of welts on my back for it, I want to take a few minutes to describe how I arrived at my decision.

A special concern to me is that if CAFTA is rejected, China will have yet another opportunity to grow its economy and strengthen its economic base at America's expense. Why Americans would want to do that defies logic.

China is already an economic juggernaut. But as of now, they are not going to get duty-free exports to Central America. Only the United States has that prospect, and only with CAFTA–DR. If America walks away from this agreement, does anyone really think the Chinese will sit on the sidelines? As the kids say, ''hello!''

The Chinese would love the opportunity to get an economic toehold in our backyard. I, for one, don't think we ought to give them that opportunity. Personally, I believe we ought to be more vigilant in terms of watchdogging trade with China than we have been. That is why last week I pushed the Bush administration to immediately move to do a review of the proposed purchase of Unocal by China's state-run oil company under the Exon-Floria law, to examine the national security and economic implications of a deal that is essentially unprecedented.

If you are a free trader—and I am willing to be called that—you ought to protect your interests. That is why I favor, for example, doing a vigorous review of that proposed purchase of Unocal, and I also propose standing up for our interests in Central America rather than walking away from the region and handing the Chinese yet another golden economic opportunity to strengthen their economic base. In my view, it will be an opportunity we have given up, and gratuitously so.

My view is that with respect to international trade, we ought to make things and grow things in the United States of America and then sell them around the world. Particularly, I want to sell more value-added products made in the United States of America. There is an opportunity in Central America to sell those value-added products made in the United States such as health care equipment, energy production and conservation goods, computer chips, communications gear—a whole host of products. The reason I say that is that the Presidents of various countries in Central America have written me indicating they are prepared to now make those purchases. They are interested in U.S. suppliers.

Some have asked, how is someone in Central America going to have the money to purchase these health care products and chips, computers, and communications gear? The reality is, the first purchases will be made by governments in Central America. The governments have indicated to me they are the ones that want to spend on our value-added products: computers and chips and energy-production devices.

For example, Honduras is starting a ''Telephony for All'' program. They intend to increase dramatically the number of telephones, wireless devices, and the various technologies that will allow them to be part of the information age. We ought to make sure those products are made in our country and sold there. We will have an opportunity to do more of that under this agreement, which will allow us to send American exports into Central America duty free.

Now, I would be the first to say this is not the agreement I would have written. For example, I feel very strongly about using the Jordan Free Trade Agreement as the model for labor and environmental standards. I think it is a major mistake that was not done. I also think our inability to get a strong trade adjustment package into this legislation is something the Senate will greatly regret.

I see my good friend from Montana on the floor, Senator BAUCUS. He has championed Trade Adjustment Assistance, along with myself and Senator ROCKEFELLER and Senator COLEMAN. We got 54 votes in the Senate not long ago for our bipartisan legislation to try to assist workers who are adversely affected by trade.

It seems incomprehensible that we cannot modernize this program. It is decades old. It ought to be extended to service workers. There is bipartisan support for it in the Senate. It would be yet another message to the workers of this country, who are out on the shop floors, that we are concerned first and foremost for their well-being.

So I am going to continue to come back and prosecute this cause with the Senator from Montana. The chairman of our committee, Senator GRASSLEY, knows full well how strongly Senator COLEMAN and I feel about it, because it is unacceptable to me there is not a trampoline for workers who are adversely affected by trade to get other family-wage jobs. We ought to have that opportunity for them to bounce back when they are adversely affected by trade. We have it in other areas. The failure to extend it to service workers, who could be affected by this and other trade agreements, I think is a major mistake.

There are other changes I would have wanted, particularly in the pharmaceutical area. I think this legislation is not well conceived in that it clearly favors brand names over generic ingredients. But I will say to colleagues that even with these concerns—the inability to have a modernization of the trade adjustment program and some of the labor issues addressed in the way I would—it is a bigger mistake to reject this agreement. If you reject this agreement, you send a message to China: You ought to head for Central America as fast as you can because you have an opportunity to get a toehold in America's backyard.

You are denying the opportunity to a lot of American exporters, people in Oregon and other states who make those value-added products, the high-skill, high-wage products and technologies to sell those goods in Central America.

I want colleagues to know I have met with a lot of those companies and the governments in Central America. I would like to see us bring them together. There is no reason why energy production and conservation products made in our country, and computers and chips and health care technologies, should not be sold in Central America, when the governments in that part of the world are prepared to make major purchases.

Let's do more to try to make sure those purchases come from American exporters rather then Chinese exporters. I urge colleagues to support the agreement.

The PRESIDING OFFICER. Who yields time?

The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the following Senators be recognized in this order: Senator ROBERTS, 15 minutes, with the time to be taken out of the time allocated to the Senator from Iowa, Mr. GRASSLEY; Senator HARKIN, 20 minutes, with the time to be taken out of the time allocated to the Senator from North Dakota; and Senator GRAHAM, 15 minutes, with the time to be taken out of the time allocated to Senator GRASSLEY.

The PRESIDING OFFICER. Is there objection?

The Senator from North Dakota.

Mr. DORGAN. Mr. President, might we at this point find out what time remains of the three allocations of time on this bill? You can proceed with the unanimous consent and then perhaps give us the time remaining.

The PRESIDING OFFICER. The Senator from Iowa has 7 hours 7 minutes remaining. The Senator from Montana has 2 hours 50 minutes remaining.

Mr. BAUCUS. Two hours 50 minutes?

The PRESIDING OFFICER. Two hours 50 minutes.

Mr. BAUCUS. Thank you.

The PRESIDING OFFICER. The Senator from North Dakota has 3 hours 52 minutes remaining.

Mr. DORGAN. I thank the Presiding Officer.

The PRESIDING OFFICER. Is there objection to the unanimous consent request for ROBERTS, 15 minutes; HARKIN, 20 minutes; and GRAHAM, 15 minutes?

Without objection, it is so ordered.

The Senator from Kansas is recognized for 15 minutes under the previous order.

Mr. ROBERTS. I thank the Presiding Officer.

Mr. President, today I rise in support of the Central American and Dominican Republic Free Trade Agreement called CAFTA. I also want to state a word of caution in regards to an issue that is commensurate with this vote; and that is the waning support for free trade in this country, more especially in farm country.

It was not long ago when the prospect of expanding our trading opportunities with our neighbors across the ocean—the 96 percent of the rest of the world in terms of trade—was met with great optimism and urgency. I do not know of anybody who made a farm speech who did not say: OK, point No. 2, point No. 3—in the laundry list of things they were trying to get done in Washington—without involving trade and expanding exports. Times have changed.

Today I think we are suffering from what I call ''trade fatigue.'' That is to say, many times we oversell and we overestimate what is going to happen in regard to the expectations of a particular trade agreement. We oversell it. I know that many more times we overcriticize them. As a result, in farm country, I think our producers of food and fiber are a little weary and a little wary of this animal we let out of the chute called free trade.

There have to be better examples, specific examples, in regard to how our producers basically benefit from free trade during very challenging times in farm country—a time when we see a lot of industry concentration going on and consolidation, not only in farm country but throughout our entire economy.

Well, I am privileged to represent the State of Kansas where farm exports support over 47,000 jobs, both on the farm and in food processing and transportation. Farm exports from the State of Kansas are estimated at $3 billion, compromising one-third of all farm income. Our State is the Nation's top exporter of wheat and the second largest beef exporter, both of which rely heavily on increased market access. In short, an opportunity such as CAFTA is going to be essential for Kansas.

But in my hometown of Dodge City, and in the rest of farm country, you hear the discussion of trade and exports, and there is some reservation, not expectation. I do not think it is isolationism. I do not think it is protectionism. Too many times farm organizations and commodity groups are looking out for their own commodity interest instead of the big picture, which involves opportunity for all American farmers and businesses.

Perhaps more importantly, this is an issue of national security and stability, just south of our border as well. Let me touch on that.

Our country has benefitted from trade agreements with Chile, Australia, Canada, and Mexico. Since NAFTA was signed—you do not get the specific instances of this in the press; you always get the instances of somebody who has suffered economically or seen their job outsourced or whatever—but basically, these Kansas exports to Canada and Mexico combined have increased by more than 120 percent. In the first year of the Chilean Free Trade Agreement, our Kansas exports to Chile actually grew by more than 9 percent.

CAFTA will build on this trend by securing 44 million new consumers. Under the agreement, half of the current U.S. farm exports to CAFTA countries will become duty free immediately. This includes high-quality cuts of beef and cotton and wheat and soybeans—major commodities.

Under the existing World Trade Organization commitments and tariff preferences, most exports under CAFTA countries already enter the U.S. duty free. However, U.S. exports could face potential tariffs of up to 250 percent in the case of beef. Despite these tariffs, why, our producers in Kansas exported to CAFTA countries a total of $23 million last year.

Earlier this month, the U.S. Census Bureau reported that our Nation's international trade deficit measured $57 billion. That was a $4 billion increase from previous reporting. As we face the growing competition in global agriculture, it is more important than ever to secure duty-free rates in these countries.

Now I want to touch on this business of security just south of our country. As chairman of the Intelligence Committee, and as a member of the Armed Services Committee, I must stress this agreement is not only about expanding market access. We are talking about stability, stability within these countries, and our own national security. Specifically, I am talking about the big issues of immigration, drug trafficking, and energy.

If you put in Mexico and Venezuela, for instance, albeit they are adjacent to the CAFTA countries, we are talking about 23 percent of our energy supply. I do not think it is an exaggeration to say that without this trade agreement we run the risk of these countries falling prey to others who have far less interest in democracy and stability than in manipulation and power within these countries. I do not want to go back to the days of the 1980s. I do not want to go back to the Nicaraguan situation and Danny Ortega. That is not in the best interests of these countries in the region, and it certainly is not in the best interests of our national security.

So given this reality, it is difficult to understand how the interests of one commodity—one commodity; and I am talking about sugar—has largely outweighed the potential for regional stability in CAFTA countries. In the past, whether in trade agreements or trade disputes, whether it be in farm bills or budget reconciliations, our commodity and producer groups sank or swam together. We either hung separately or we basically tried to hang together.

But today that is not the case. And, I am not trying to pick on the sugar industry or the sugar representatives or the hard-pressed sugar producers in the United States. It is just that I am terribly concerned that instead of ''one for all and all for one,'' we have ''all for one and one for one.'' And that is not right in regards to how we approach this from the standpoint of the agriculture interests in this country.

Sugar is already under one of the most protected U.S. agricultural programs. In fact, when compared to the rest of the world, our producers enjoy the highest world price for their product. I know about their cost inputs. I know about the difficulty, but my previous statement is correct. In recent years, we have journeyed down a dangerous road in our negotiations with the Australian Free Trade Agreement and now with CAFTA, by allowing the singular interests of one commodity to dictate the livelihood of a comprehensive and well-intended agreement. I do not think it is right for one commodity to dictate in regard to their self-interests to the detriment of other interests in agriculture.

I remember the whole-herd dairy buyout, which pretty well ruined the entire beef industry. I do not want to go down that road again. I think this is an example of that case.

Under CAFTA, during the first year of the agreement, allowable sugar imports will amount to only a little more than one day's U.S. production—one day. The Secretary of Agriculture pulls out of his pocket two sugar packets and says that is what every consumer will have in extra supply in regard to the CAFTA agreement. Despite the nominal projected effect on the U.S. sugar prices and production, our domestic sugar industry has demanded that they go unharmed by this and, plausibly, by any other trade agreement.

Despite efforts by the administration and others to try to reach some accommodation, many in this Congress support the sugar industry—and I have as well. As chairman of the House Agriculture Committee during 1996 and through six farm bills, I tried to be helpful to the sugar industry. Every time we have a reconciliation bill, every time we have an appropriations bill, every time we have any votes on a farm bill, we have tried to be of help to the sugar industry. Usually those votes are very close, by two votes, four votes, five votes in the House of Representatives, and the same happens in the Senate. So you stand up and say: OK, let's really try to stay together in regard to

the agricultural lobby and be fair to our producers nationwide, nobody singled out. I am saying to the sugar industry, you may win this battle, but you may also lose the war.

Sugar's insistence upon receiving special treatment makes it very likely that the rest of agriculture, which overwhelmingly supports CAFTA, may opt not to participate in sugar's defense the next time that program faces a WTO challenge, budget reconciliation measure, and the endless amendments to end sugar's support program during the next farm bill. Let that warning be heard.

Some of my colleagues have expressed their concern—we just heard Senator WYDEN, the distinguished Senator from Oregon—in regard to labor and human rights standards in the CAFTA countries, arguing the agreement does not set strict enough standards in these areas. I am concerned about the environmental concerns in these countries and the labor concerns in regard to these countries and the human rights standards, but trade agreements are not the appropriate forum for addressing these issues. Basically the country will say: Thank you very much. We are a sovereign country. We are not going to trade with the United States. We will trade with somebody else. We will address these problems on our own. It is a little bit impervious in regard to that concern.

I don't think we can expect these countries to establish and value the same high labor standards we have overnight. Rather, we should encourage and facilitate the emergence of such standards.

Today the most important question is not what happens if we approve CAFTA but, rather, what would happen if we don't pass this agreement. Only an ocean away, China is aggressively pursuing opportunities to compete in both the high tech and production agricultural sectors. We have only gotten a glimpse of the economic capability and resources of this country. Furthermore, we face additional and continued threats and allegations from the WTO in regards to our international food aid and export programs. I am talking about our food aid and export programs. The recent cotton case brought by Brazil is one of the most serious agriculture trade disputes we have ever faced. And farm country has not awakened to this challenge. The Senate has not awakened to it. The ramifications of this decision in this case are far-reaching and could potentially affect every section of our farm export programs.

If we fail to approve CAFTA, we stand to lose credibility in these negotiations and, in turn, the ability to aptly protect the food aid programs and the development assistance that are essential in our war against terror and our efforts to prevent children in the Sudan from going hungry.

We have not come this far to take one step forward in the WTO and, with our other bilateral trade negotiations, to take two steps backward by failing to approve CAFTA. If we do not approve CAFTA, I don't know what we do with the Free Trade in Americas Act. I don't know what we do as we go into the WTO negotiations facing the Brazil challenge. I don't know what we do in the next farm bill in regard to how we structure the farm bill if we do not rely on trade and exports, at least to the realistic degree that we should. What do you do? Do you write the farm bill and say: Go back to your domestic production and then pay a higher subsidy for which we do not have the budget dollars? I don't think so.

I urge my colleagues to support this agreement. It is in the best interest of the United States, not only on behalf of agriculture and all the other business activities that will benefit from the agreement, but also from a security standpoint as well.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Iowa is recognized for 20 minutes.

Mr. HARKIN. Mr. President, as the Senate debates the Central American Free Trade Agreement implementing legislation today, we know that it has been more than 13 months since the United States and its six partner countries in Central American and the Dominican Republic formally signed the agreement. So what has taken so long? The reason I think for the long delay, obviously, is that supporters have had a hard time selling this agreement to the American people. The supposed benefits are murky, in the distance, while the flaws are all too obvious. This is a shame because we could have a much better agreement that would have won broad bipartisan support.

I have evaluated CAFTA with a genuinely open mind, having supported most major trade agreements during my three decades in Congress. I have no philosophical or ideological bias for or against trade. Far from it. I take a strictly pragmatic approach, and generally I am in favor of trade. But that same pragmatism tells me that it is folly to load all of our economic and diplomatic hopes on the slender back of inadequate trade agreements.

As has been my practice with past trade agreements, I have carefully weighed the prospective advantages and disadvantages of CAFTA. Under the fast-track procedure, our only option is to vote up or down. And late last evening, after thoroughly looking at this, I finally had to come to the conclusion that the problems with CAFTA, as we have it before us, clearly outweigh the very small benefits. On balance, the facts and reasons against CAFTA are significantly stronger than the arguments for it. Therefore, I must vote no on this implementing legislation today.

As one would expect, proponents of CAFTA have presented a glowing picture of the agreement's benefits, but there has been an awful lot of overselling, in some cases outright exaggeration about how important this agreement really is. Let's take agriculture, for example. On paper, CAFTA appears to offer opportunities for some U.S. farmers and negatives for others, and the magnitude of these pluses and minuses is part of the debate. But while in theory agriculture should benefit overall, the projected benefits are strikingly modest, and they come many years in the future.

Economists at the American Farm Bureau Federation estimate that U.S. agricultural exports would increase by about $1.5 billion a year when the agreement is fully effective. That is 15 to 18 years from now. So if we assume an average annual inflation rate of about 2.3 percent, that $1.5 billion increase by 2024 would be only about $930 million in today's dollars. That is about 1.5 percent of our total agricultural exports. So the benefits 15 to 18 years from now, calculated in today's dollars, are relatively small.

There is one other aspect to this. The International Trade Commission of the U.S. Government also had a study. It showed that they predicted a $100 million decline in net annual exports from the United States to the six partner countries as a result of CAFTA. So we get a small 1.5-percent increase in agriculture in 2024. But the International Trade Commission says we are going to have a $100 million decline in net annual exports from the United States.

Whether CAFTA's modest predicted benefits actually materialize is in dispute. Average per capita income in CAFTA countries is about $1,800 a year. Are they going to become good customers? About a third of the population there lives on $2 a day or less. How are they going to buy a New York strip steak or one of our delicious Iowa pork chops that some are so optimistic that we are going to export to those countries?

Potential for big gains is further limited by the fact that we already dominate trade in those countries. In 2003, we accounted for about 45 percent of all merchandise exports to the region. The benefits that CAFTA backers optimistically predict are based on the assumption that CAFTA will spur economic growth in these generally poor and small countries. Right now, under existing trade preference programs, these six countries already face zero tariffs on 80 percent of the goods they ship to the United States, meaning that additional tariff reductions will not spur significant economic growth in those countries. Many are skeptical of these claims about CAFTA and the economic growth in Central American countries.

One of the reasons that has moved me to the ''no'' column on this is, I recently had a meeting in my office with a Catholic bishop, Bishop Alvaro Ramazzini, a senior Catholic prelate in Guatemala, who came to my office to lobby against CAFTA. I spent time with him. I quizzed him about it. I

wanted to know why he felt so strongly that CAFTA would not be in the best interest of his parishioners. He said that he and other advocates for the poor in Central America opposed CAFTA because its benefits would go mostly to the economic elites and it would deepen the disparity between rich and poor. So if, as the bishop says, CAFTA would not raise incomes broadly for Central America's people, it won't help them and it won't help us.

The previous speaker mentioned something about Daniel Ortega. Talk about a ghost out of the past. I am talking about the Catholic bishop of Guatemala who came to this country a few months ago to tell us that this would not be in the best interest of his small farmers, his campesinos, and their families. He said it would drive them off their farms and push them more into cities where there is no work for them.

CAFTA will make it harder for U.S. workers, farmers, and businesses to succeed in the increasingly competitive global economy. We can compete on a truly level playing field. It is not fair competition if other countries allow their manufacturers or farms to disregard internationally recognized labor rights and child labor protections or if those countries have lax or nonexistent environmental rules. This CAFTA does virtually nothing to deal effectively with the competitive issues relating to labor and environmental standards. For labor, the internationally recognized rights are pretty basic, such as the right of association and bargaining, prohibition of forced or prison labor, and protection of children from working at young ages or in hazardous or exploitative jobs. I have worked for many years in the effort to eliminate abusive child labor around the world. It is morally wrong, and it leads to all kinds of other injustices and inequalities.

Reports from our own Department of State and the International Labor Organization have documented labor rights and child labor problems throughout the six countries of CAFTA. Just yesterday morning, we learned that our U.S. Department of Labor had been hiding from us a report it commissioned that found serious labor violations in the countries that signed CAFTA. Right now—this is what is important—under current U.S. law, if one of those CAFTA countries condones abusive child labor or other violations of internationally recognized labor rights, we can keep that country from shipping goods to us at low tariff rates. In other words, our U.S. trade law right now allows us to enforce international labor rights. This came about because in 2000, I worked with then-Senator Jesse Helms to modify our Generalized System of Preferences Program, the GSP Program, so that countries that allow abusive child labor are ineligible to ship products to the United States at low GSP tariffs.

The other provision is in the Caribbean Basin Initiative. It allows our Government to deny the benefit of lower CBI tariffs to enforce the broader set of internationally recognized labor rights; that is, if a country is tolerating violations of international labor rights, we can take action so that goods from that country coming into the United States are subject to a higher tariff than is applicable to goods from other CBI countries. In fact, we have taken action under that CBI provision against violations of international labor rights.

So right now, as pertains to these CAFTA countries, we have strong provisions in law to protect against child labor and internationally recognized labor rights. Guess what. CAFTA would supersede and abolish both of these labor rights enforcement features of our current U.S. law with respect to the six other CAFTA countries. Talk about a giant step backward. Five years ago, this Congress added—and the President signed it into law—provisions that protect children, protect people who want to organize and bargain collectively, protect against forced or prison labor in these countries. Guess what. CAFTA does away with it.

What is happening? I thought we were supposed to be progressing in the world, in terms of recognizing basic, fundamental human rights. What could be more fundamental than the human right of children not to be exploited and find themselves in abusive types of labor situations and forced to work? Yet, CAFTA removes these countries from being covered by those laws. It says: Fine, if one of these countries were to use kids working in places where it would be in violation of internationally recognized human rights labor standards, we cannot do a thing about it—nothing. Today we could. When CAFTA passes and goes into effect, we won't. Not too many people know that. I guess that is the major reason why I am opposing this CAFTA—the giant step it takes backward in protecting against abusive child labor.

Under this bill, we have no ability to hold a CAFTA country to internationally recognized labor rights and child labor protections if its own laws are weaker than the international standard. So we are faced with a contradiction. One of the big reasons that I keep hearing to support CAFTA is to boost economic and social progress in these countries. Yet, we are taking a giant step backward in our ability to press our CAFTA trading partners to combat abusive child labor practices and other violations of internationally recognized labor rights.

Elsewhere, this administration insists on social and political reform as a condition for allocating aid to developing countries. For example, eligibility standards for the Millennium Challenge Accounts require progress on social and political fronts. Why should we jettison such requirements under CAFTA? Should free trade come at the cost of progress in combating abusive child labor practices? Of course not. It is not acceptable for me, and it should not be for any of us. That is the problem with the bill before us.

Again, if the President would have worked with us and consulted with us in good faith and said we are going to keep these provisions that we put into law in 2000 and the provisions we put in the Caribbean Basin Initiative to protect child labor, well, you've got my vote. But they didn't do that. In discussions with U.S. negotiators before the text was completed on CAFTA, Members and staff made clear our concerns about all these issues. Unfortunately, little or no effort was made to address those concerns until after the agreement was completed and the White House recognized it might fall short of the necessary votes. At that point, it was too late; the final agreement had been negotiated.

Mr. President, from a broader view, the modest benefits that we are theoretically promised 15 years from now under CAFTA simply do not offset the harm it will do to kids and poor people and small farmers in those countries. The modest benefits do not compensate for what is going to happen if our small manufacturers in this country rush down there for cheaper labor, lower environmental standards, make products down there, pay people low wages, don't give them decent benefits, don't recognize appropriate labor standards, use children as workers, dump the refuse out in the environment, and then ship the products back to the United States. That is what we are voting on here.

Mr. President, I don't consider this agreement worthy of passage. Modest benefits, 15 years from now, may or may not be realized. But we are taking a giant step backward in terms of protecting labor rights and child labor and the environment. For that reason, I believe this CAFTA bill, as it is written, is a big mistake. I do not oppose all free-trade agreements with Central America. But for these reasons, I oppose this one. We can, and we should, do better for our people, our farmers, our small manufacturers but also for the poor people of Central America and the campesinos there who need to have their standard of living raised, not have their children working and not going to school, not have refuse dumped into the environment which threatens their health in the future. That is why this is unfair. That is why it ought to be defeated. We ought to have a better trade agreement than this one.

With that, I yield the floor.

The PRESIDING OFFICER. Under the previous order, Senator GRAHAM was to be recognized.

The Senator from Montana is recognized. Who yields time?

Mr. BAUCUS. Mr. President, I do not see Senator GRAHAM here. I ask unanimous consent that the order be vitiated, and I will yield to him when he arrives.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, in a narrow sense, the Senate today is considering the free-trade agreement with five Central American countries and the Dominican Republic, but in a larger sense, the Senate is debating how the United States can remain competitive. In a larger sense, the Senate is debating how America can continue to earn $37,000 per person, or more, when there are hundreds of millions of people in China who earn $1,100 per person a year.

Little agreements like that before us today cannot be the answer. It may be a partial answer but, frankly, in the larger scheme of things, it is really much less important than the central question facing America today with respect to economic competitiveness. The agreement before us today will not open enough markets for American exports to make that much of a difference. That is clear.

No, we need a much more aggressive strategy. On trade policy, we need to try to negotiate bigger agreements—not these small ones, but bigger ones that have much greater commercial value. We need to open negotiations with trading partners who represent a larger share of American trade. There are many examples. We are not doing that, but we should and we must. Time is ticking by. We need to give renewed emphasis to multilateral agreements like the Doha Round. And we need to do a better job enforcing the trade agreements we have already entered into.

Each Senator can list many agreements the United States has entered into with other countries, but the other countries, by and large, have not lived up to the agreements. The most glaring example is intellectual property. We know who the countries are that have not lived up to their obligations to honor intellectual property rights and, as a result, American companies are losing billions of dollars a year. The United States must be much more aggressive in enforcing those agreements.

We need to improve America's education. We need to ensure that we can remain more productive than workers in other countries. That too is clear. We need to give teachers the recognition and compensation they need to ensure that they can help to educate the most productive workers in the world. We need to increase the incentives for students to study the basics—math, science, engineering. Why? So that American students can remain the source of tomorrow's new ideas. We pride ourselves—we have in the last several decades—in being the country that is the most innovative and creative, and that has been true. We also know that others are catching up. There is no reason why people in other countries cannot be as creative and as innovative as Americans. There is no reason—none. They are people, and we are people. They are human beings, as we are. Their brains are the same as our brains. It really comes down to who is the most educated, the most aggressive, who works the hardest, and who works better together. And people in other countries are becoming very well educated, very aggressive. They are hungry. They are working closely together, and they are investing in areas to increase their productivity. They are catching up very quickly.

We also need to increase our national savings. America has an abysmal national savings history. It will not be much longer, if that trend continues, when we are going to face very dire economic consequences. We have to do something about that; we are not. Our private savings rates are zero. Americans do not save. They spend. We spend. We like to buy refrigerators, cars, boats, clothes. We consume; we do not save. With housing prices so high these days, what do we do? We borrow against the equity in that house. What do we do with the borrowing? We spend. To make matters worse, the Federal Government not only has a savings rate of zero, it has a dissavings rate, huge deficits and debts.

We cannot continue like this. That is one part of the agenda that we must work on if we are going to address American competitiveness. This agreement before us is an important debate, but it is not the real debate. It is an important issue, but it is not the real issue. It is only a small part of the central issue we should be facing. We need to expand incentives for employees to save through work, for example. There is no glamor or rocket science in this. It doesn't make the evening news. That is one reason we don't do it because we are people with such a short attention span. It is the instant view—what is now—and not what can be 10, 15 years from now. We need to expand incentives for employees to save through work, which is a small step in the right direction to increase savings. We need to stop running massive Federal budget deficits because they are reductions in national savings.

We need to address our outsized and very expensive health care system. We spend twice as much on health care per capita than the next highest country. I ask, are we twice as healthy? Of course not. We are not twice as healthy. Why do we spend twice as much? A lot of reasons. It is very complex, but we do. What is the consequence of that? One consequence, clearly, is that our companies are having a very difficult time competing—particularly our larger, older companies. They have extremely high health care costs, legacy costs to employees and retirees. Their competitors don't have them nearly that high.

I have talked to CEOs of large companies who say they are thinking of locating their plants in other countries largely because the health care costs for those employees in those countries is much lower and so they can compete.

I remind my colleagues, this is an incredibly competitive world. It is incredibly competitive, and just the slightest margins make a difference. We have to, therefore, be incredibly competitive ourselves. It is teamwork. It is Americans working together. We are not working together.

Look at this debate. This debate is pretty sterile. One side exaggerates; the other side exaggerates. We are not talking with each other. We are not focusing on the real problem. I hope in future days, weeks, and months we start to wake up and not get so involved with the periphery. CAFTA is not really the periphery, but it is not far from the periphery. We should, rather, focus on the central questions.

We also need to foster much greater use of information technologies in health care. Did you know, Mr. President, that the equivalent of two 747s crashing every day is the number of Americans who die on account of medical errors? Between 58,000 and 98,000 people a year in America die because of medical errors. It is not true in other countries. It is in America. Much better information technology in the health care industry will reap immense benefits.

What is one of the reasons we do not invest in IT in America in health care? It is pretty simple. It is reimbursement. Hospitals will spend thousands of dollars on CAT scans and on PET scans, the latest technologies. Why? Because the Medicare program reimburses them for those machines. It is also competition, keeping up with the Joneses. What is the Medicare DRG for IT? There isn't one. We have a system that reimburses and sets up incentives that discourages development of IT in health care, which we have to have, which will reduce medical errors. It will have all kinds of positive consequences if we get a much better IT system. We have to get going in this country. We are behind the eight ball.

In sum, to be competitive, we need to have a plan. This is a bit simplistic, but I think it somewhat makes the point. I mentioned earlier how competitive this world is. We all know that. If we put two teams on the playing field—by the way, I am an American. I am for the American team. I do not want to denigrate other people or hurt other people. The ideal is that everybody around the world is doing extremely well. I am an American. I am on the American team. I want America to do well.

If we put two teams out on the playing field—let's take football. One team has a quarterback, blocking backs, the linemen, they have a coach, a play, a plan. That is one team. The other team has 11 players on the field. One person wants to do one thing; he wants to carry the ball. Someone else says: I want to carry the ball. No, I want to kick. No plan, no coach. They are out doing their own thing. They are entrepreneurial. It is free competition,

going in their own directions, doing what they want to do.

Which team wins? I grant you, that is simplistic. That is very simplistic, but I think it does make a point.

Other countries have plans. I can name them: China. China has a plan. Japan has a plan. I think some European countries do; I am not sure. I do not know how much better organized they are, but the main point is we do not have a plan. I am not asking for a centralized plan where somebody decides what everybody does, but I am asking for much greater cooperation, much more working together so that Americans can compete.

I go back to what I said earlier. So much of this is education. It is value added. We need to add value up here at all levels—K through 12, continuing education, vo-tech, and so forth. Ultimately, that is where it is at—education. There is nothing else but education—math, science, and other areas.

I see the Presiding Officer taking notes. I can see he is listening to me. I can tell I am making some points that maybe make sense and he is going to do something about it. I appreciate that. I wish others would, too.

Mr. President, I ask unanimous consent that the following Senators be the next recognized for debate: I see Senator GRAHAM is in the Chamber. He will have 15 minutes, and that time will be taken out of the time allocated to Senator GRASSLEY. Senator CONRAD of North Dakota wants 15 minutes, and his time will be taken out of the time allocated to Senator DORGAN. Senator THOMAS will be recognized for 15 minutes, and his time will be taken out of the time allocated to Senator GRASSLEY.

The PRESIDING OFFICER. Is there objection?

Mr. GRAHAM. Mr. President, I believe my time should come from Senator DORGAN because I oppose the bill.

Mr. BAUCUS. I do not know that it matters, Mr. President. For the sake of moving along, we will stick with what we have.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the order, the Senator from South Carolina is recognized for 15 minutes.

Mr. GRAHAM. Mr. President, I thank Senator BAUCUS. Senator BAUCUS made some very telling points that I think we should all listen to in trying to get a game plan.

I rise today as a ''no'' vote to CAFTA. I do not think that surprises many people. The point I am trying to make with my vote is many of the things being said about the benefits of CAFTA are very true. I think it will help the Central American countries, the CAFTA nations that are trying to emerge as democracies in some regard. There will be some benefit to the economy. There is no doubt there is some benefit in any trade agreement. But my concern is of a geopolitical concern dealing with China.

The trade agreement we negotiated with Central America, the CAFTA agreement, has many loopholes that China will exploit, just as they have exploited every other trade agreement we have done. The cumulative effect of China on our trading situation throughout the world and our relationship is becoming devastating.

In April, the U.S. trade deficit was $62.2 billion. With China it grows $7.83 billion per month. Since we gave PNTR status to China in 2001, the trade deficit with China has gone from $100 billion to $162 billion. It is 47 percent greater this year than it was last year.

It has been devastating to the textile and other industries. During the first quarter of 2005, imports from China have grown 1,250 percent for cotton knit shirts and blouses, 1,500 percent for cotton trousers, and 300 percent for cotton and manmade underwear.

The bottom line is products coming in from China are not conforming with international trade regimes. They are not conforming with the standards we would like to see throughout the world.

The bottom line is they are cheap. They take advantage of trade agreements negotiated—NAFTA and eventually CAFTA—through transshipments. What is going to happen very clearly, to me, is Chinese companies will move into the CAFTA. They will take material made in China with slave-wage conditions, horrible conditions, throw a label on it as if it were made in CAFTA, and get it into our country in a way they could not do directly from China. It is called transshipment.

Particularly, this agreement is poorly drafted. It does not realize exactly with whom we are dealing. The combined effect of the CAFTA nations, in terms of a market for us, is the size of San Diego. So those who sell this agreement as a major way to create export opportunities for America I think are not realistic. If you took all the combined countries' economic buying power, it is the size of San Diego, and that is not going to fuel the American economy.

We are going to see goods from the CAFTA nations cheaper than we can produce here. It is going to have an effect on manufacturing in my State and other States that will be part of an overall trend that is getting to be more than we can bear.

China will take advantage of this. It has many loopholes for China. The rule of origin provisions requiring a yarn for arrangement is only for the essential fabric of the garment. What that means in English is we are trying to lock down the fabric and the yarn to be tied to our country, to give a benefit to our textile manufacturers, and that is a good thing. That helps us get into that market.

It does not deal with pockets, collars, and nonvisible jacket liners. They are exempt from that yarn for arrangement. There is a side deal having to do with pockets to address what will happen in my State. I have about 500 to 600 workers who make pockets for garments. The Chinese companies are going to put them out of business because the pockets to be made in a CAFTA nation are not going to come from South Carolina or other places in the United States. They are eventually going to come from China because the pocket agreement, trying to protect the pocket part of a garment, requires all six CAFTA countries to ratify it. That is just not realistic. It is not going to happen. So there are going to be people in my State, unfortunately, if this gets passed, who are going to be put out of a job because China is going to come into the CAFTA region and they are going to put American manufacturing, when it comes to textile goods with regard to pockets, out of business.

There are other loopholes. The single transformation provision allows for pajamas, boxer shorts, and bras to be imported into the U.S. duty free regardless of origin so long as they are assembled in a CAFTA country. In other words, you can have all the material made in China for these products and do the sewing in CAFTA, and they come into our country, and that is going to be devastating to Fruit of the Loom and other people who have come by to talk about it.

This agreement, like all other agreements I have voted for, except Australia, which I thought was a pretty good deal for America, has major loopholes within it to allow China to take advantage of it even though they are not party to it.

The problem we have with China and the way they manipulate their currency, the way they have no regard for intellectual property, the way they transship by cheating, sending goods from China into other regions of the world where we have existing trade agreements, is having a cumulative effect.

We have lost 21.6 percent of the manufacturing jobs in South Carolina in the last 5 years. Some of it is due to modernization. Some of it is due to factors beyond international trade. But a lot of it has to do with international trade that is not being fairly policed.

We have a 6.5-percent unemployment rate in South Carolina. We are fifth in the Nation. Our State has a manufacturing-based economy. The side deals that are being touted for people in this agreement are going to be like most other side deals when it comes to agreements in the last 15 years. Eighty-three percent of these agreements, according to a report by Public Citizen, a watchdog group, were not kept, reversed, or became meaningless.

So my concern about CAFTA is my concern about trade in general. Until we regulate and get buy-in by the Chinese to live within the family of nations when it comes to trading and doing business, every time we expand an area of trade, it becomes another portal for China to enter into our marketplace and to do things they could

not do in a direct relationship with the United States.

They will be able to do things in the area of textiles in the CAFTA countries they could not do directly with the United States. It is just not going to be textiles. Eventually it is going to be other products.

The buying power of these nations, again, combined is the size of San Diego, but what will happen is the ability of China to exploit this agreement is going to be much larger than the buying power of San Diego.

I do believe that trade can help emerging democracies and that there is a logic to the idea the President is proposing for these emerging democracies for which we could create economic opportunity.

However, unfortunately, I believe the way this deal has been negotiated, the way it will be implemented, and the way it will be exploited is not going to improve the democracies in Central America because they are going to lose jobs to China eventually. It is going to hurt the manufacturing base of this country, which is already in jeopardy. That is why I will choose to vote no.

I yield the floor and 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. THOMAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THOMAS. Mr. President, I will take a few minutes to talk about the topic that is on our agenda today, the CAFTA trade agreement. Certainly, it is something in which all of us are interested. Trade agreements are very important, of course, and whether they fit or not they are always there and we have to deal with them.

Frankly, I have been very involved in this, partly because sugar is one of the products from my State and it is one of the things that has been a very controversial portion of this trade agreement.

Trade agreements are not easy. Whether we like it or not, trade moves around the world and so what we need to do is to find a way to make that trade work as well as we can for ourselves and for others. Sometimes I am a little disappointed. When we passed the free-trade agreement, I think we should have called it the fair-trade agreement. Free trade is not always the way things are.

There is a book called ''The World Is Flat,'' talking about how there is equality throughout the world, but it is changing. Well, it is changing, but it has not all changed. There is a great deal of difference between one country and another in terms of their economy, in terms of the way it works and whether one is getting paid $2 a day or $20 a day or $20 an hour.

So when one talks about free trade, one has to make sure that they recognize the differences that are there. All I am saying is it is difficult. Of course, we want to work with other countries. Part of the reason for having CAFTA before us is we are looking for relationships with the Central American countries. That is a good idea.

We are looking at countries that are fairly undeveloped or newly developed, certainly a different economy than we have here. Yet we want to strengthen those. I think over time, in terms of thinking about trade, it is going to be important that this hemisphere be together and be strong as we see things develop in Asia and other places around the world. So it is important that we do this.

We are the largest Nation of purchases in the world. So we have some strength to bargain and even though we need to be fair about it, we need to exercise that muscle a little bit because we are in a position to do that. So it is a matter of coming up, hopefully, with fair trade and equality as much for everyone as we possibly can. It is not just a matter of helping others.

There are other ways to help others. It is not just a matter of strengthening other countries but having a relationship that is fair.

I mentioned sugar. Sugar is not the biggest industry in the world, but it is an industry that is important to this country. It is an integral part of our economy. It is a little unique. Agriculture is a big thing in Wyoming, of course; mostly livestock, as one might imagine, in the open space and so on. In our agricultural economy, livestock produces the most by a great deal. The second actually is hay and feed for livestock, but third in crops is sugar. So it is a relatively large one for us.

Sugar is unique as a commodity. If one raises oats and something happens to the price, they can raise barley or some other kind of grain. That is not the case with sugar. With sugar, there is a high investment in particular equipment such as thinning equipment. They used to use Mexican workers mostly to go out with a hoe and thin sugar beets. Well, they do not do that so much anymore. They use expensive equipment to do it. So it is a little different.

The second thing that is different about it is that the producers now also are owners of the processing equipment. So in our State where we have relatively little manufacturing, we have some sugar processing plants which are unique. It is about the only agricultural product in our State that is processed to the extent it is ready for the grocery store shelf when it leaves our State. So even though, as the New York Times, I think, erroneously reported that it was not very important, there are lots of people hired in that industry who are not farmers, but they are producers. So it is unique and it has been treated uniquely over time in the farm bill and other places.

So as one bargains into a trade agreement it is one of the things that one really does not have much flexibility to work on.

Now, in regards to CAFTA, it is important that we deal with our neighbors in that part of the world. We need to work to have a relationship there. They need to strengthen their economy. There is no question about that. That is a good thing. But it is a relatively small market, about half of what some of the larger cities would be in the United States. So we do need to work at it, but we need to understand that it is not going to change the world in terms of what we are doing.

We have made some efforts to make it work, and I am willing to say to my friends and others that several of us who are particularly interested in this have worked with the sugar beet and sugar cane growers over the country and have had a number of meetings with them, have listened to their issues and have worked with them before. We have also worked very closely with the Secretary of Agriculture, and I want to commend him for his efforts to try to find some arrangements that could make it better. We did, finally.

However, one of the strange things about this is that this trade agreement was signed about a year ago and was not brought up to the floor until last week. So when we heard it was coming, I think, a week ago today, we had the very first meeting with the Secretary, with some congressional members who were interested, and the sugar people. There was a great deal of discussion, as there should be, but no one was prepared to make decisions in that short time. So we tried to get back together again, work some over the weekend and be back again on Monday. Lo and behold, here comes the bill to the Finance Committee, of which I am a member, before we even had our second meeting.

I tried to suggest we need a little more time and maybe we could work something out. Nevertheless, that is where it was. Part of our problem was we have not had much time. I do again want to say the Secretary came in with some ideas. He still has some ideas and they are good ones. Our new trade ambassador, Rob Portman, is doing a great job. He has done everything he could possibly do to make this workable. Of course, he had nothing to do with negotiating it in the first place, but nevertheless both of those gentlemen have worked at it very hard. There has not been time to do something.

The problem basically is that this sugar program has been one over time that has been kind of measured in trying to hold its production to the demand in the country. Currently, for example, there is lots of sugar being stored in Wyoming because production is over demand and our own sugar is not being put on the market because there is not enough capacity for it now.

So the Secretary did agree that he could do some things until the next

farm bill comes up, which is 2 years from now, and I think he can. He may have to use some CCC activities, exchange of one goods for another, to handle a relatively small amount of sugar that could come under this pact. The problem is, with the sugar people and others, that it is simply about a 2-year remedy. They need to look at something much further than that down the road.

I say to my colleagues, it is not just exactly the CAFTA agreement that is of concern to us. It is also the fact that the NAFTA deal with Mexico will expire in 2 years, presumably opening up the market there not only for sugar but fructose and other things that could come here and could have a real impact on this fairly difficult to manage sugar industry in our country. So we have to keep in mind we are not just talking about CAFTA, we are talking about the impact that can come from the changes that take place in NAFTA as well.

In addition, if we do something with CAFTA—and we are—then the next thing we are going to be looking at is other countries in Central America, Ecuador, and Brazil—finally, Brazil, which is a big sugar producer. So the precedent that is set with respect to sugar is one that is very concerning to the sugar industry.

What are we going to do in the next immediate trade agreements? So these things all go into it, and that is why a 2-year solution—even though I really respect the fact that they tried to do something, we still will work at it. We are not through trying to find a remedy, but it apparently cannot fit into this. So I do, again, want to respectfully thank them for what they have done.

In any event, those are some of the problems that we have. Finally, one other point, and that is that there seems to be, to me at least, a little lesson in this in terms of negotiating trade contracts. The authority to do that comes from the Congress, asked for by the Executive. As this is done, it seems to me we ought to have a little more input into it before it is resolved.

What really happens in this case, at least practically, is that the negotiators go on, and when their negotiation is finished they come to us with a package over which in this case, because some of the countries had already agreed to it, there really was not any opportunity for changes in it when it came here. So I think we ought to have more input. We could deal with this.

Two more points. One is how important this is. I got calls from the Secretary of Defense, from the Secretary of State, the President, and the Vice President talking about not only is the trade aspect important but also the relationships. I do not disagree with that, but I also have to say that I met with the six Presidents on this and they said the same thing, that this is more than just trade. I say to them and to myself, Why do we let this relatively little thing hold it up? Why did we not fix that knowing it was going to be a problem before we got there?

I think we can do a better job in the future. I think we are going to be faced with some more of these kinds of issues. We ought to be able to deal with them.

I am sorry we didn't have more time to perhaps come up with a remedy before we have to vote. I voted against it the second time in the committee. Unfortunately, I cannot support it this time. But I do hope we can make some changes and deal with it in the future.

I yield the floor.

Mr. BAUCUS. Mr. President, I ask unanimous consent that subsequent to the remarks of the Senator from North Dakota, Mr. CONRAD, pursuant to the existing agreement, Senator MCCAIN be recognized to speak for 10 minutes and that time be taken from the time allocated to Senator GRASSLEY; following Senator MCCAIN, that Senator DAYTON be recognized for 15 minutes and that time to be taken from the time allocated to myself.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from North Dakota.

Mr. CONRAD. Mr. President, I thank the ranking member of the Finance Committee, Senator BAUCUS of Montana, for his leadership on this issue and for the outstanding work he does on the Finance Committee. I sometimes wonder if Senator BAUCUS ever gets any sleep at night, given the number of things on his plate.

I thank my colleague from Wyoming, Senator THOMAS, who has been a great ally in an attempt to protect an American industry from unfair provisions that will decimate an industry that employs 146,000 people in this country. Senator THOMAS has truly been a great advocate for the people he represents on this issue. I very much appreciate working with him.

I support free trade that opens markets and benefits American farmers, businesses, and workers. I supported the Uruguay Round WTO agreement. I supported PNTR for China. I supported the Chile agreement, the Singapore agreement, and the Morocco agreement. I did so because I believed those deals would benefit America and the people I represent in North Dakota. But I have come to the conclusion that our trade policy is not working. It is not a free trade policy. It is not a fair trade policy. Increasingly, it is a failed trade policy. This trade policy is clearly off track.

I am beginning to wonder what are we thinking about in this town when we look at the results of the trade policy followed by Republican and Democratic administrations for an extended period of time. Here are the results of this trade policy that is supposed to be such a great success.

This chart shows the trade deficit year by year, going back to 1992. Up, up, and away it goes. The trade deficit now totals $617 billion in 2004. For a very long time we never had a trade deficit above $100 billion in a year. Now we are over $600 billion, and the latest numbers show we are headed for $700 billion.

Colleagues, how can anybody call this a success? If this is a success, what would be a failure?

We keep signing these agreements that are supposed to benefit the country and our position keeps getting worse. In the 10 years since the North American Free Trade Agreement took effect, a period in which we adopted the WTO agreement, China PNTR, free-trade agreements with Chile, Singapore, Morocco, and Australia, our trade deficits have exploded.

Up until 10 years ago, our annual trade deficit had never exceeded $100 billion. When we look at these individual agreements, we see the same story. Our trade agreement with Canada is one I opposed because I thought it would be injurious to my State, and indeed it has been. When we passed the Canadian agreement, we had a $9 billion deficit with Canada in trade. After the great success of the Canadian Free Trade Agreement, is the deficit less or is it more? Those who say more are right—not just a little bit more but a lot more. The trade deficit with Canada now is not the $9 billion we had when we entered into the agreement. Now it is $66 billion.

The same is true with Mexico. On Mexico, remember we were told what a great opportunity this was going to be. If we just signed up to it, our trade relationship would flourish. At the time we entered into the agreement, we had a $2 billion trade surplus with Mexico. Let's go back and check the records. What is it now? Do we still have a trade surplus with Mexico? No. Instead, we have a massive and growing deficit. We went from a $2 billion trade surplus with Mexico to a $45 billion trade deficit. And the very people who negotiated that agreement are now going all over town telling us that this next one is another great success.

I told them it reminds me a little of the German general in World War II who said that he knew things were going bad for Germany when the victories kept getting reported closer to Berlin. They had one great victory after another, but the victories were all getting closer to Berlin, as our forces approached.

You know, I look at these great successes. My question is: How many more of these great successes can we afford? What are we doing with these rapidly growing trade deficits that mean we are borrowing hundreds of billions of dollars all over the world—over $600 billion from Japan, over $200 billion from China? We have even borrowed tens of billions of dollars from South Korea. Does anybody think that makes our country stronger? I don't. I think it makes us weaker, more vulnerable.

What are we doing about it? We are not taking action to get China to stop

manipulating its currency or stealing our intellectual property. That is not being done. We are not making progress to reopen the Japanese and Korean beef markets. That is not being done. We have not put a stop to Airbus's unfair subsidies. That is not being done. We have not put a stop to Mexico's unfair tax on beverages sweetened with corn. That is not being done. We have not put a stop to Canada's unfair softwood lumber subsidies. That is not being done.

We have lost focus in these WTO talks, allowing them to drift in the wrong direction. Instead, the focus is on CAFTA. I love these CAFTA countries. They are wonderful people. But the combined economic impact of these countries is equivalent to Columbus, OH. This is our priority when we have a trade deficit of this magnitude? What earthly sense does this make?

When I look at this agreement—I am on the Finance Committee. I have listened, at length, to our ambassadors and our negotiators, for whom I have high regard. They are wonderful people. But they have come back with a lousy agreement. They have gone all over America telling people this is a great opportunity for the United States. They say 80 percent of Central American goods come tariff free into the United States, yet we face tariff barriers when we export to their countries.

OK, I understand that. It sounds logical and reasonable that this might be a good opportunity for us, if 80 percent of their goods come into our country tariff free, but our goods face tariff barriers going into their countries that would look like an opportunity. So when you analyze it, I assumed this would mean great progress with respect to trade deficits. Here is the report from our own International Trade Commission. This is not the U.N.'s trade commission. This isn't the CAFTA countries' trade commission. This is our own trade commission.

On this chart is the conclusion they come to. That is what happens to imports, to our imports from the CAFTA countries. This is what happens to our exports. The import number is bigger than the export number. In other words, our trade deficit with the region is getting bigger—and they call this a success, when we already have record trade deficits? This negotiating team goes down there, spends years and comes back and says: Boy, have we done a great job. We have gotten an agreement that increases the trade deficit with the region.

Hello. Is anybody paying attention? Not only does it make the trade deficit with the region worse, here is what the International Trade Commission says it will do for our economy.

After listening to these speeches, listening to this testimony about how this is a great opportunity for America, I assumed that when they did the analysis of what it would mean for our economy, there would be a big plus. Guess what. Here is what the International Trade Commission found in their report. This is not my report. This is our own International Trade Commission report. They are the body that is responsible for scorekeeping on these agreements. Here is what they concluded. Here is what it would add to the gross domestic product of the United States. I don't know if they can see that on television—that is a zero. Any gain is so modest it doesn't even show up: Zero.

Zero is a very low number. That is what this agreement would do for the U.S. economy, according to our own International Trade Commission—zero.

But you know what, it also poses a very big risk, at least to one industry in this country. The industry that it puts at risk is the domestic sugar industry. The domestic sugar industry employs 146,000 people in this country. Apparently, our negotiators decided to just negotiate that industry away. It is a $7 billion industry in the United States; a $2 billion industry in the Red River Valley of North Dakota and Minnesota. These trade negotiators who brought back a plan that worsens the trade deficit with the region—that according to our own scorekeepers adds nothing to the economy of the United States, adds zero percent to the GDP—puts at risk an entire industry. It is no wonder that our country is in trouble. It is no wonder that we are running record trade deficits. It is no wonder that those record trade deficits are getting even worse with a trade policy like this one.

For months, the USTR has been telling us: Don't worry. This is going to be a little trickle of sugar that is going to come in here. You don't have to worry. It will be equivalent to a teaspoon. I wish it were true. It is a glib description and characterization of what it will do. The fact is, this would threaten an entire industry. Why? Because, under this agreement, it would permit 109,000 metric tons of additional sugar to come in. But that is not the only agreement that is being negotiated. If that same precedent would apply to the agreements with South Africa, Thailand, and the Andean countries that are being negotiated, you can see that would put us at over 500,000 tons of sugar coming into this country, over and above what comes in now.

Every economist has said another 500,000 tons of sugar coming into this country would collapse the price of sugar below the redemption price, would unravel the sugar program and destroy the domestic sugar industry.

That does not end the story. It is not just the agreements with South Africa, Thailand, and the Andean countries that are a problem, it is the previous agreement already entered into with Mexico under NAFTA.

For months, USDA has been saying we can absorb the CAFTA amount of sugar because there is a cushion between our WTO import obligations and the farm bill trigger in the sugar program. But that cushion assumed Mexico would not export significant amounts of sugar to the United States. Guess what. That assumption was wrong. It is just not true. USDA just revised its Mexican sugar projections, and Mexico now is projected to have net surplus production of over 440,000 tons. That means under the NAFTA agreement, Mexico can send us another 250,000 tons of sugar duty free, completely eliminating the so-called cushion.

But it gets worse, much worse. Mexico's total exportable surplus this year is now projected to be more than 900,000 metric tons. So they can send us 250,000 duty free. But the story does not stop there. On top of that, they can bring sugar in under what is called Tier 2, where they pay a modest tariff, a tariff that makes it completely in their interest to pay the small tariff on that second tier and bring in the sugar. That means another 650,000 metric tons of sugar above and beyond the 250,000 tons of duty free sugar. Put it all together, and over 1.151 metric tons of sugar comes into this country.

The point is this: When we put together the treaties being negotiated and we put together what USDA has just said will be the capability of Mexico to send sugar into this country, we are way above the amount of sugar that would collapse the sugar industry in this country.

There has been a side deal offered to the sugar industry. I will talk for just a minute about that deal. I have three words for those who think the deal might solve the problems I just described: Don't be fooled. That is not a deal, it is a figleaf. Here is why. The Secretary of Agriculture has suggested to certain Members of Congress that he intends to limit sugar import to 1.53 million tons. He says that will ensure the farm bill provision that turns off marketing allotments will not be triggered.

Unfortunately, it does not work. Why not? First, the deal is only good for 2 years. Second, it does not address the next farm bill or other trade agreements that are under negotiation or what happens in 2008 when the NAFTA sugar protections are gone. In fact, the way this is structured, it almost guarantees that any additional access in future agreements will be backloaded into 2008.

My colleagues, that creates the potential for a perfect storm that will leave the market badly oversupplied going into the next farm bill. Despite highly unpopular payments to foreigners to keep them from sending us sugar—what an idea that is. Want to start paying countries not to send us stuff? Are we really going to do that? How long will that last? How long will it last, that we pay countries not to send us stuff? It will make it virtually impossible to retain the program in its current form and threaten the existence of an entire industry in this country that employs 146,000 people.

I would be remiss if I did not make brief mention of the process that has gotten us to this point—fast track. Fast track prevents Senators from having the right to amend. Instead, we conduct what is called a mock markup in the Finance Committee and in the Ways and Means Committee in the House. We are supposed to be able to offer amendments there that would change the contour and the direction of an implementing bill as part of the Congress's constitutional responsibility for foreign commerce. But it turns out amendments in the Finance Committee mean nothing.

Last year, when we considered the agreement with Australia, the Finance Committee set the precedent that if an amendment was adopted in the so-called mock markup and a majority of the committee rejected the proposed implementing bill, the committee action could be ignored. I got an amendment passed in the committee. It meant nothing.

This year, with the Wyden amendment, the committee has set the precedent that when an amendment is adopted by the committee and the underlying proposed implementing bill is then approved by the committee, that amendment, too, can be ignored. So now we have a situation where this mock markup is a total mockery. It means nothing.

What has happened is Senators have given up their right to amend, and they are left with nothing except the opportunity for a straight up-or-down vote on the whole agreement. There is no opportunity to change the bill in committee or in the Senate. There is no other legislation that moves through this Senate that can be dealt with in that way. That is not how the process is supposed to work.

In conclusion, CAFTA is the wrong agreement at the wrong time. It has been pushed through a process that in itself is wrong. It adds $100 million to our trade deficit with the region, it puts a $7 billion industry at risk, creates the likelihood of increased illegal immigration, and it provides immeasurably small benefits for the economy as a whole. It does not make much sense to me.

Here we have record trade deficits, the biggest they have ever been—and growing—and our negotiators go out and reach an agreement that makes the trade deficit with the region in question worse and threatens an entire industry. They call it a success. Colleagues, I don't know how many more of these successes we can afford.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Arizona is recognized for 10 minutes.

Mr. MCCAIN. Mr. President, I will respond.

Mr. BAUCUS. Does the Senator want more time? We can certainly find it.

Mr. MCCAIN. I may ask for an additional 5.

Mr. BAUCUS. I make that request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. I thank my friend from Montana.

The Senator from North Dakota just stated, Who pays? I wonder, who pays when my wife goes to the supermarket and pays 13 cents more for a pound of sugar than she does and would if we had sugar from these countries able to come into this country?

I am not in the business of producing or selling sugar, nor are many American families. But there are a whole lot of American families who are in the business of buying products that have sugar in them. They pay an exorbitantly higher price because of the protectionism that is practiced for the sugar industry. Since when can't the United States compete on a level playing field?

The opposition to this is clearly one that is protectionist in nature—for an industry that, in my view, should be able to compete with foreign producers. That is not what this debate really should be all about.

The stakes could hardly be higher—whether we import or export sugar, whether the Central American Free Trade Agreement passes has implications, whether the American farm exports will enter the Dominican Republic duty free, or whether Guatemala will be able to increase its textile protection.

By the way, I say to the Presiding Officer, if Guatemala is unable to export its textiles into the United States, I don't believe it will be the United States that would be producing textiles; I believe it will be the Chinese and others.

I don't want to be hyperbolic, but I believe the vote we will soon take on CAFTA is one of the most important that will be cast in the Senate this year. It is important because at stake is the future of Central America in its economic and political dimensions and, hence, its security dimensions. It is important because it will determine whether the free-trade agenda as laid out by President Bush proceeds toward a successful Doha round of global trade talks or whether the effort will be stopped in its tracks. It is important because it will help determine whether the invigorating effects of free trade are experienced in our country anew or whether the protectionists are able to erect their walls around us. It is important because it will show whether a trade policy in America is determined by sugar growers, unions, and other special interests or whether it is determined by leaders who place at the forefront the interests of our Nation as a whole.

A few years ago, we concluded a free-trade agreement with Chile. There are certain facts that are available already. There were the usual arguments against it from the protectionists. In 2004, the first year the agreement was effective, two-way trade increased by 33 percent. In the first 4 months of this year, it grew even faster—45 percent. Exports from the United States to Chile have risen at still higher rates—nearly 35 percent in 2004 and almost 63 percent in the first quarter of this year. Preliminary numbers suggest that in 2005, U.S. exports to Chile may nearly double those recorded in 2003. That is what free trade is all about. That is based on the firm conviction that most of us have that American products can compete with any in the world.

Now, some can't. And that is terrible, and that is why we have trade adjustment assistance. When industries in the United States are directly affected by importation of products from other countries as a result of trade agreements, we have trade adjustment assistance to provide workers retraining to upgrade their ability to find other employment. We need to do more in that area. But to somehow reject the benefits of free trade because of the damage it may do—and I emphasize ''may''—to certain industries is very shortsighted.

We see in Latin America today a growing skepticism about democracy—equated in the minds of many with austerity programs and lack of improvement in the standard of living. Disturbing polls suggest that discontent with democracy is on the rise and that large percentages would prefer a strong man who could improve living standards to a democratically elected leader who could not. CAFTA has the potential to illustrate the tangible benefits that come from democracy—free market economics and partnership with the United States.

Let me give one concrete example. The apparel industry is critical in the regional economy, accounting for $9 billion in exports each year. CAFTA will lift duty on most apparel and non-apparel goods, immediately bolstering an economic sector that represents tens of thousands of jobs in the region. The overall effect of this and other benefits would be to help lock in Central America's political and economic gains.

Let's consider what happens if CAFTA fails. Rejecting the pact would be seen by our Central American partners as American disengagement from a region important to our security. Thousands of apparel production jobs would likely be lost as they move production facilities from Central America to China, further exacerbating illegal immigration to the United States. It would signal to the people of Central America that the support of the United States for their freedom and prosperity is more rhetorical than real—even in a win-win situation for both sides. It would have a devastating effect on our effort to lower trade barriers with other partners around the world and to push forward the Doha round of multilateral talks and put another notch in the post of the special interests as they despoil the public good for their private gain.

We need CAFTA. It is important to our economy. But it is also vital to our political security and humanitarian interests in Central America.

The former President of Costa Rica, a Nobel Peace Prize winner, Oscar Arias, speaking of CAFTA, said it represents ''an unparalleled opportunity to transform Central America into a dynamic economy, deeply integrated with worldwide flows of trade and technology. We ask not for charity, but enlightened self-interest from our northern neighbor.''

I am concerned about the state of democracy in Central America. I am disturbed that in Nicaragua there is every likelihood we may see Daniel Ortega as the next President of that country. I am disturbed about the failing economy and corruption that exists in El Salvador. I am concerned about the continuing stagnation of the economies of Guatemala and Honduras.

Mr. President, if the countries of Central America continue to fail economically, it will give rise to a situation that I do not want to revisit. When I first came to the Senate, one of the overriding and compelling challenges we faced was the rise of communism in Central America, the influence of Castro in countries such as Nicaragua, the Sandinistas in power, the effect it had on neighboring countries such as Honduras and El Salvador where there was an ongoing revolution. Billions of dollars of American taxpayers' dollars were poured into the region in aiding El Salvador in combating others in the region.

One of the most emotional and unpleasant debates I have ever engaged in on the floor of this Senate had to do with aid to the Contras. I do not want to revisit those days of the 1980s. I do not want to go back to a region that may be beset by corruption, anarchy, and possible insurgencies.

We have another individual on the rise in our hemisphere, and his name is Chavez from Venezuela. He espouses policies and programs that I believe are not in the best interests of the people of Venezuela. And he also, I believe, is having an influence in the region. If there is anything we need today, it is strong, viable economies in Central America, so they can progress, so they can be strong, and they can again be allies of the United States of America, not in a military fashion but in their advocacy for free and open societies, democracies, and places where people can raise their families in a situation of security and peace.

I would like to mention again, if there is one lesson we have learned in the challenge of illegal immigration in this country, it is that if people cannot feed themselves and their families where they are, they will go to places where they think they can. If that means risking their lives crossing the Arizona-Sonora border, they will do so.

Mr. President, I strongly urge—I strongly urge—my colleagues to not only understand the trade implications of this agreement but the political, social, as well as economic reasons for us to consider favorably this agreement. The stakes are very high. I believe, with the leadership of this President and the bipartisan support of this body, we will prevail.

I thank my colleague from Montana for allowing me this time. I yield back the remaining time.

The PRESIDING OFFICER (Mr. BURR). The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the following Senators be recognized next to speak after Senator DAYTON: Senator KERRY for 15 minutes, with the time taken from the time allocated to me; and then a Republican Senator not yet named, for 10 minutes, with the time taken from the time allocated to Senator GRASSLEY.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the Senator from Minnesota is recognized for 15 minutes.

Mr. DAYTON. Mr. President, I thank my distinguished colleague, the leader of our representation on the Senate Finance Committee, the Senator from Montana, who has been outstanding in his guidance to all of us in our caucus and in standing up for the interests not only of his own State but for the farmers and the workers and the people of Minnesota and America, as well as Montana. I thank him and I thank my colleagues from North Dakota who also have been in the forefront of this issue because they, like myself, represent people who are seriously at risk with this agreement.

TRIBUTE TO THE U.S. CAPITOL POLICE

Mr. President, before I address DR–CAFTA, I would like to take a moment to pay tribute to the courageous men and women of the U.S. Capitol Police, who risked their lives yesterday, once again, to help evacuate the rest of us safely from the Capitol Complex.

This is, unfortunately, my fifth evacuation from the Capitol Complex, beginning with September 11, 2001. This has been the best of them, if such a word can be applied to that race against time and the possible horror that is involved.

But as my staff and I walked out of the Russell Senate Office Building's nearest door yesterday afternoon, which is directly across the street from the Capitol, and hurried down the street away from the Capitol and the buildings, I saw several Capitol Police officers who stood directly exposed while they were calmly directing everyone else to safety. Other officers, I am told, remained once again at their posts inside or right outside the Capitol Building itself, helping everyone else to exit as quickly and safely as possible.

Had the plane yesterday been a hijacked jetliner, as it was on 9/11, it would—if it had not been shot down—have struck its target within 2 minutes of that evacuation alarm. It is questionable whether the evacuation of everyone in this complex would have been completed by then. But it is almost certain that the Capitol Police officers—who were doing their jobs heroically—would have still been at those posts, or very close to them, at that time. They kept themselves exposed to mortal danger to help their fellow citizens escape it. To all of them and to the other Senate staff who were involved, I say a heartfelt thank you.

It is unfortunate, Mr. President, that exceptional virtue—to place the best interests of other Americans ahead of one's own—does not apply to this trade agreement called DR–CAFTA. It is a wolf in sheep's clothing. It pretends to help American workers and American farmers, to provide net gains to our domestic economic and employment growth, and also to benefit the people in six neighboring countries, when, in fact, its driving motivations are higher corporate profits and capital gains by shifting American jobs and their production to those nearby countries to exploit their low wages, scarce benefits, nonexistent protections for workers, environments, local economies, and lower transportation distances and costs than in China, India, Vietnam, and other places, to increase corporate profits and personal wealth at the expense of other Americans and our national economic health.

This is the era of un-American capitalism, with great riches and no taxes for the richest Americans and lost jobs, lower incomes, and less financial security for the rest of Americans.

Those are the facts from a decade of NAFTA, the unfortunate, unpleasant but actual real-world economic, employment, and trade facts resulting from 10 years of the North American Free Trade Agreement.

As with DR–CAFTA now, NAFTA's proponents prior to its enactment peddled lots of wonderful promises and projections: that NAFTA would create big economic gains for every country and almost everyone in them; there would be increases in U.S. exports to NAFTA countries that would exceed the increased imports from them; and that net gain would increase domestic employment, domestic production, and domestic prosperity.

They turned out to be, unfortunately, domestic dilutions. The real net effects from NAFTA have been exactly the opposite of those promotional fantasies. Over the last 10 years, U.S. imports from Mexico and Canada have increased by 10 times more than our exports to them, resulting in huge net losses, estimated to have cost over 900,000 American jobs.

Many of them have been good-paying jobs, benefit-providing, company-pension-offering and previously secure, reliable, lifetime jobs, the kind of jobs that create stable, secure, healthy, and prosperous communities all across America, throughout all of our 50 States—the jobs that were the economic engines and the social foundations for the hard-working, productive,

and successful people who had those jobs for their families, who were—and still are—themselves the greatness of America.

But those ingredients of America's greatness—those jobs that support families, provide security, provide health benefits, provide pensions, allow Americans to earn the American dream—they are being dissipated, outsourced, traded away for immediate profits and financial gains for a few, at the expense of many more dislocated workers, destructed families, damaged communities, destitute seniors, and deficit-plagued local, State, and Federal governments, with serious trade imbalances that are increasing private and public debt, and having a weaker national economy with even more serious consequences ahead.

The proponents of these free-trade agreements—and they are on both sides of the aisle, and they come from the preceding administrations as well as this one—remind me of the story of the crew that was blazing a road in the jungle. After quite a bit of work, the foreman sent somebody up to survey their progress. He climbed up to the top of the highest available tree and looked out and said: Stop, stop. We are going in the wrong direction. The foreman called back: But we can't stop now, we are making so much progress.

These trade agreements have made progress but in the wrong direction. The proponents' solution to that predicament is more of the same—yet another trade agreement with the same bad effects for much of America. In fact, DR–CAFTA is the worst of NAFTA. It involves countries that have even lower standards of living than our own. The per capita income, the average citizen's income, in those six countries range from one-tenth of the U.S. per capita income to one one-hundredth of our per capita income.

We are told, by those who want to pass this agreement, that it is going to create these great export opportunities for our own industries. But exports require people in those countries who can afford to buy what Americans produce. There will be a marginal increase, to be sure, if there is increased employment in those countries. That is positive. I hope—and we should hope—that any trade agreement we make will be good for our fellow world citizens.

However, we should make our trade agreements for our own citizens first and foremost, and not for anyone else's, because every other country in the world, every government in the world, whether capitalist, Socialist, or even Communist—if it is rational in its economic policies—makes trade agreements in its own national self-interest. And then they try to maximize the benefits to their country from those agreements. Unfortunately, we have seen other countries' governments far more effective, even within the scope of these previous trade agreements, at maximizing to their advantage, and often to our detriment, what they can gain from the exploitation of those agreements.

Our trade policy should not be based on free trade or fair trade or any other kind of policy ideology or economic idolatry, as it has almost become, but on what is the best policy with the best economic results for the most Americans. By that measure, what is the broad public interest—after you take the winners and the losers, which in an enormous, complex, diverse economy such as our own, almost any trade agreement is going to have gains and losses—you have to look at the net effects, what is in the broad public interest, to decide what is best for America.

The U.S. International Trade Commission—independent of all of us; tasked by law with developing the expertise to carry out these agreements and to analyze them and to analyze each of these proposed agreements in advance of our voting—has already concluded by its independent, expert analysis that under the DR–CAFTA agreement, as proposed, the U.S. trade deficit with those six nations will increase by an estimated $110 million per year.

That is because the increases in their imports into the United States will be greater than the increases of our exports into those countries. That is the net balance. That is the bottom line. That is not, as some people say, one group's interests or another group's interests. That is America's best combined interest, and it is exactly the opposite of what proponents have been saying is going to be one of the benefits. Once again, the facts, based on the International Trade Commission's projections, but also consistent with the facts as we have seen from 10 years' experience with NAFTA, do not support the Bush administration's false assurances and the claims of others who will benefit and are promoting this agreement.

The response, one would hope, from the administration, in light of that projection by the International Trade Commission that came out about 6 months ago, would be to negotiate changes in the agreement so that we would come out as a net winner rather than a loser. But that has not been their response. It is to increase the advertising, increase the paid promotions for this proposed agreement by those who will benefit from it and by, reportedly—and I have heard this directly from some of those involved in the sugar industry who have been in direct negotiations with the administration—to threaten those who oppose the agreement because they perceive, correctly, that it will have serious negative consequences for their own livelihoods, for their own families, their friends, their neighbors, threaten them with reprisals in the future if they persist in their opposition, or to try to, as we are seeing now, buy them off with some special side deal.

I don't hear anybody on either side of the argument, for or against CAFTA–DR, who disputes the projections by the experts and the industry itself that the American sugar industry—sugar beets in northwestern Minnesota and central Minnesota and neighboring States, sugar cane in other States—would be seriously and negatively affected.

The extent is perhaps debatable, but the negative effects are indisputable, if CAFTA–DR is approved. So to tell them that they should sign off on their own economic death warrant, or they are going to suffer future reprisals for not doing so is wrong. It is unfair.

The latest approach has been, well, we are going to offer you this special side deal for a couple years to buy you off. I don't know all the details. It has just been disclosed. I don't fault my colleague in the Senate from Minnesota who is purportedly instrumental in that negotiation. I don't agree. I strongly disagree with the arrangement, as I understand it. But I fault the administration for insisting that he or others try to work out such a deal. It is like being handed a huge lemon and being told to make lemonade. Unfortunately, with this trade agreement, there is not enough sugar in all of America to sweeten what is wrong with CAFTA, even for the sugar industry.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DAYTON. I ask unanimous consent for 5 more minutes to complete my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DAYTON. I thank the Chair.

The proponents want this agreement so much that they are going to use—one way or another, directly or indirectly—U.S. taxpayer dollars to subsidize domestic sugar production or to buy off some of the otherwise imported sugar from these CAFTA countries at taxpayer expense in order to promote a free-trade agreement. It has the added irony, bitter irony of using tax dollars from working Americans in some cases to subsidize an agreement that is going to cost them their jobs. It underscores how the policy is bad economics, how it is bad trade policy. But the proponents of it want it so badly, because of its benefits for those companies that can outsource their jobs, based now in the United States, and that production to nearby countries, taking advantage of low wages there, costing American jobs, costing American communities their businesses and their employment and their social stability for the benefit of the wealthy few corporate interests who are bankrolling this effort, and now, in the ultimate bitter conclusion, taking taxpayer dollars to pay for the political grease to get this agreement through.

If I really wanted to be Machiavellian in my thinking, I would say also—as a big proponent of the domestic ethanol industry, which is now just reaching, because of the world oil price, competitive parity, even without

the public tax subsidy for ethanol, of price competitiveness, even a price advantage in my State of Minnesota with regular gasoline—that by taking this, as some reports have said, excess sugar production and providing what will be an effective subsidy of an additional dollar for a gallon of the ethanol produced from it, distorting the economics, the competitiveness of ethanol, distorting the supply in the competitively growing, successful domestic ethanol industry and trying to show how—in this case, with sugar beets or sugar cane in this country—price uncompetitive making ethanol is from those products is poisoning the well, the public support, is going to reinforce those opponents of ethanol who will then say: Look at how uncompetitive it is and how outrageous this additional taxpayer subsidy is for the production of ethanol from it. And in this case they will be right. And they will use that, I believe, unfortunately, to try to poison the political and public well of support for ethanol, which is a very important, promising part of our energy independence and economic future.

This is a bad agreement for America. It is bad for the sugar industry, and I oppose it for that reason. But even taking sugar aside, it is bad for the rest of America. It is bad for American workers, American industry. It is bad, as the International Trade Commission has concluded, on the basis of the bottom line—the trade imbalance increased, trade deficit with those countries increased, imports that will exceed the increase in our exports. That means, net result, it is bad policy, bad trade for America.

I oppose it. I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I ask unanimous consent that I be allowed to speak in place of Senator KERRY for 15 minutes, and that the next speaker after me be a Republican Senator under the time Senator GRASSLEY was previously granted.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I come to the floor today to announce my opposition to CAFTA. Some expect Democratic Senators to by and large oppose trade agreements and Republican Senators to support them. I come to this debate as a Democratic Senator who has supported trade agreements in the past. I supported NAFTA, permanent normal trade relations for China, trade agreements for Chile, Singapore, Morocco, and Australia. I think globalization is as inevitable as gravity. We have to accept the fact that America cannot be a rich and prosperous country by selling to ourselves. Merely doing one another's laundry will not create wealth and will not improve our standard of living. We need markets. That is why I have supported trade agreements in the past.

I also understand that as you expand trade, there is pain and there is gain. We have seen it happen throughout the history of the world that as trade expands, some industries expand with it and others decline. When we Americans look at the course of history, we find strong evidence that joining together democracy and free markets is a winning combination. Expanding trade goes hand in hand with pushing the concepts of freedom, ingenuity, innovation, efficiency—all sorts of respect for people at every level. That is one of the reasons I have supported some trade agreements in the past. That is the very reason I oppose CAFTA.

I am disappointed. If there is one casualty in CAFTA, that casualty would be the worker—not just the American worker but the workers in Central America. We know what is happening. We have seen over the past 4 years that America has lost one out of every six manufacturing jobs in the last 4 years and few months. It hit my State pretty hard. Several hundred thousand manufacturing jobs in Illinois are gone, never to return. It is happening across America. The trade policy we have today is exporting jobs. How long can this continue?

We would like to believe that we are going to educate and train a new group of American workers for the 21st century economy. We have to. But in the meantime, should we be entering into trade agreements that encourage the export of good-paying manufacturing jobs from the United States? Should we, instead, be saying that we are going to have trade agreements that make certain we aren't playing to the lowest level? If we have to compete with the countries that pay the lowest wages in the world, we will always lose.

What are we going to say to American workers? Compete at a wage level the same as another country? If you do that, you know what is going to happen to the standard of living. How can you provide for your family? How can you expect to have health insurance? How can you put any money away for your retirement, when you play to that level? That is what this trade agreement does.

Let me tell you two specifics. Senator RON WYDEN of the State of Oregon offered an amendment to this CAFTA agreement which said: If American workers in the service industries lose their jobs because of our decision to enact this trade agreement, we will help retrain them, give them new skills and education so they can go back to work. Displaced workers from service industries would have a fighting chance to get back on their feet and be able to compete. The amendment was rejected by the Bush administration, leaving these workers, who are the victims of CAFTA, high and dry. But there are other workers at stake here, too. I don't think it is unreasonable for us to ask, when a country says they want to trade with us, How do you treat your workers? Do you treat them with dignity? Do you give them a chance to bargain collectively for their future? Do you allow child labor? Do you allow slave labor? Why in the world would we want to get into a trade agreement with a country that is exporting goods to the United States because they exploit the very people who live in their country?

The language in CAFTA is the weakest language I have ever seen in a trade agreement. It basically says to the Central American countries: Just play by your own rules, whatever they happen to be.

That is not enough. It isn't as if we don't know what is coming. Our U.S. Department of Labor, under the Bush administration, ordered a study of the labor laws in the Central American countries that we are entering into this agreement with. That study came out and made the following report:

> In practice, labor laws on the books in Central America are not sufficient to deter employers from violations, as actual sanctions for violations of the law are weak or nonexistent.

What does that mean? It means that if you hire children to make textile goods or whatever it happens to be, if you exploit these little kids in one of these countries, if you work people enormous hours without adequate compensation, if you stop them from organizing and bargaining collectively, the laws in Central America are not going to be there to protect those workers. Ordinarily we say: Life is different in other parts of the world. We shouldn't worry about it. These are the very workers who will make the products who will compete with America. That is what it comes down to. Are we going to continue to play to the lowest common denominator, that as long as businesses are profitable in their trade agreements, we don't want to know the details? That is what this trade agreement does.

Under this administration, workers are expendable. They are expendable in the United States, and they are expendable in the countries that we are entering into agreements with.

That is a sad reality.

I know that there are going to be changes, and we have to accept economic change. But wouldn't we want to stand by American workers first and their families? We have done it in some other agreements—the Caribbean Basin Initiative and the Generalized System of Preferences. This agreement is one of the weakest I have ever seen when it comes to the rights of working people. In those countries in Central America, it is not uncommon to face blacklisting, violence, even assassination of union organizers. It goes largely unpunished. This agreement would not move us one step toward more civilized treatment of workers in those countries.

If we truly care about the basic protections that are supposed to be behind a free-market economy and democracy, we ought to protect American workers

first, not rush to the bottom when it comes to labor standards. We ought to enter into trade agreements where parties are not free to ignore labor standards and basic human rights. That is what is at stake.

Since this President took office, we have lost 2.8 million manufacturing jobs—1 out of 6—and 140,000 in my home State in the last 4½ years. It is a tragic, dismal, and shameful record of American workers losing their opportunities. And this trade agreement, sadly, will only make it worse.

Let me tell you about the group that, frankly, will prosper the most from this agreement. It will come as no surprise to you if you understand the political dynamics of Capitol Hill.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 7½ minutes remaining.

Mr. DURBIN. Please advise me when I have 2 minutes.

One of the special interest groups with more power in Washington than any others is the pharmaceutical industry. We have seen it time and time again. When we go into a bill for Medicare prescription drug benefits, we say: Would you not want Medicare to bargain with the drug companies so seniors across America would pay lower prices? No way. It was kept out of the bill so that the pharmaceutical and drug companies can charge exorbitantly high prices to American citizens. That is why people are going to Canada, Mexico, and Europe trying to find cheaper drugs. It is because their Governments care, they force competition, they keep prices down. Not our Government. Along comes a trade agreement. What could that have to do with the pharmaceutical companies and drug companies? There are roughly 165,000 people in the Central American nations living with HIV/AIDS. These are low-income countries where the people are struggling to survive and medicine is barely affordable.

Doctors Without Borders—you may have heard of this fabulous organization based out of France, doing wonderful work all around the world. They provide drugs to HIV patients, and 1,600 in Guatemala alone. They rely on generic drugs because they cannot afford the most expensive drugs. They cost less than brand-named drugs. They can keep a person alive with HIV/AIDS in Guatemala for $216 a year. If they had to pay for the brand name, it would be $4,818. That is the difference—more than 20 times the cost.

I know these patents to drug companies are important. They help to spur innovation by rewarding companies for investing. We need a careful balance where we allow generic drugs in these Central American countries and not abuse the patents of the drug companies unnecessarily. At the global level, there has been an active debate about this very issue. We have had agreements that have been entered into. These agreements try to strike a careful balance between allowing more inexpensive drugs in the poor countries and still protect the patents.

Sadly, this CAFTA agreement destroys the balance that has been entered into in previous agreements. This CAFTA trade agreement requires CAFTA countries to adopt provisions, such as keeping testing data for drugs secret for longer periods of time than even required in the United States of America. And without access to testing data, it becomes nearly impossible for new generic companies to break into the market and provide the drugs for these people in Central America, and some, of course, in our region.

CAFTA will require countries to extend the lives of patents, under certain circumstances, for even longer periods of time than is permitted under U.S. law. This is a bonanza for pharmaceutical companies. They will make more money out of this agreement because we put their special interest provisions into this trade understanding. These provisions will apply to new drugs as they are developed, not existing generics.

The long delays that CAFTA will impose means patients will have to wait even longer to get access to lifesaving treatment. I think when you look at this and you understand workers are losing, you have to understand as well that a lot of sick people with HIV/AIDS are going to lose, too. People are struggling to survive, and they will fall victim to the profit margins of American pharmaceutical companies. Those are the priorities—the priorities of CAFTA.

Why aren't the American workers the priority of CAFTA? Why aren't the workers of Central America the priorities of CAFTA? Why is America's record of humanitarian care when it comes to using these drugs all around the world—why isn't that the priority?

Let me speak about agriculture. I come from a strong agricultural State. I have promoted or stood behind many trade agreements in the past because it helped create agricultural markets. But CAFTA countries, Central American countries, have a combined population of about 31 million people who generally have limited incomes with which to purchase agricultural products. The market is worth about $1.6 billion in annual agricultural exports. That is a large sum, but in the perspective of all of the exports we have, it is not overwhelming. Many key U.S. commodities already have open access to the Central American market. About 94 percent of all grains imported into the six CAFTA countries comes from the United States. This domination means there is little room for further upward growth when it comes to agriculture. So I think when we look at this, we have to ask a more important question: Think about the Central American country for a moment. Think about a subsistence farmer living in the countryside of one of these Central American countries who is growing grain.

Assume it is corn for the moment. Think about the possibility that this trade agreement means that more and cheaper corn will come in from the United States to this Central American country. Think what happens to that poor farmer and his family if he can no longer eke out a living for himself and his family and sell enough to continue on, and he has to leave his farm—and it happens all the time—because of this agreement. Where does that peasant farmer go? His first stop is likely to be a large city in Central America, San Jose in Costa Rica, or some other city. Failing to find a job in that city, where is his next stop? El Norte, the United States.

So as we assault the economies of Central America, without respect for their workers, without respect for their farmers, we create economic instability which moves families into cities first, and finally, in desperation, to anyplace they can go to find any job to survive. Now, there may be large companies that will make great profits out of CAFTA. But, sadly, they are not taking into consideration what it is going to mean to workers and to a lot of smaller companies in the United States that will not survive this trade agreement.

If there was ever a time in our history when we should step back, as we face the largest trade deficit in the United States, as we see countries such as China around the world exploiting us because they are buying our debt—the largest national deficit in the history of the United States under the Bush administration—and understand that China and these countries will continue to exploit us on the trade side—China manipulates its currency, and we don't do anything about it. We don't even talk about it. Because of that manipulation, they take away American jobs.

This Senator has voted for trade agreements in the past. I will not vote for this one. If we are going to have trade agreements, there should be laws enforced on both sides, exporters and importers. Sadly, that has not been the case. This CAFTA agreement will hurt American workers, hurt the workers of Central America, be a bonanza for American pharmaceutical companies, and create instability in the United States.

It could not come at a worse time. I look forward to voting against it.

Mr. HATCH. Mr. President, I ask unanimous consent that the next Senator to be recognized be Senator CORNYN for 10 minutes from our time, and then Senator KERRY for 15 minutes from Senator BAUCUS's time, and then Senator VITTER for 10 minutes from Senator GRASSLEY's time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Texas is recognized.

Mr. CORNYN. Mr. President, I rise today to lend my voice and my support

for the Dominican Republic-Central America-United States Free Trade Agreement. CAFTA would be a great benefit to the United States and all countries involved. Momentum continues to build for this important accord which will, notwithstanding what some have said on the floor today, actually grow jobs in the United States and grow jobs in Central America. It will boost opportunities for exporters in the United States and provide additional market access for our products in Central America. Congress should pass this important agreement for the good of both our economy and our national security, as well as those of our neighbors.

Economic growth brought about by free trade and free markets creates new jobs and raises income. This growth lifts people out of poverty, even as it spurs positive economic development. Free trade supports sustainable development and strengthens private property rights while encouraging competition, transparency, regional integration, and the open flow of technology. And a strong world economy based upon free trade and transparency advances not only the prosperity of nations but the cause of peace and liberty around the world.

A vibrant, free market that values innovation and competition is one of the vital components of American success. For consumers here in the United States and the DR–CAFTA countries—Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua—free-trade will provide real and tangible benefits. It will demonstrate our commitment to the economic prosperity of that region, and it will also encourage the spread of democracy, transparency, and respect for the rule of law.

DR–CAFTA countries are our 12th largest export market, with nearly 44 million consumers. Currently, nearly 80 percent of products from these countries enter the U.S. duty-free, but the average tariff on our goods is between 7 and 9 percent. DR–CAFTA would eliminate this imbalance and provide instead for reciprocal trade between all parties to the agreement—this means the playing field would be leveled for American exporters.

The benefits of this agreement are clear: When CAFTA is implemented, 80 percent of U.S. products will enter DR–CAFTA countries duty-free, with the remaining 20 percent being phased in over 10 years. Currently, the average tariff imposed on U.S. exports to Central America is between 7 and 9 percent—and some farm products being taxed as much as 16 percent.

Key U.S. export sectors stand to significantly benefit from the agreement, including medical and scientific equipment, information technology products, construction equipment, and paper products.

As well, agriculture exports will be allowed to expand: More than half of current U.S. farm exports to Central America will become duty free immediately, including cotton, wheat, soybeans, fruits and vegetables, high-quality cuts of beef, processed food products, and wine. It is estimated that U.S. agriculture producers will increase their exports by $900 million as a result of the DR–CAFTA agreement. Finally, after tariff liberalization has been fully implemented, and all economic adjustments have occurred, overall U.S. welfare is likely to increase in the range of $135.31 million to $248.17 million. As well, the U.S. International Trade Commission has found that the effect of the agreement would be to reduce the overall U.S. trade deficit by $756 million.

Furthermore, over half of current U.S. farm exports to Central America will become duty-free immediately, and other U.S. exports, such as information technology products, agricultural and construction equipment, paper products, chemicals, and medical and scientific equipment will immediately gain duty-free access.

Workers in Central America and the Dominican Republic support the agreement. They recognize that it will help create more and better paying jobs. This in turn will help fight poverty, lifting these workers out of circumstances where they currently survive on only a few dollars a day. Enhanced opportunities for economic growth will provide these governments with additional resources for much-needed health care, education, and basic infrastructure.

By working to alleviate poverty in Central America, we increase the likelihood that would-be immigrants would instead choose to stay and work in their own countries. We have seen the flow of immigrants who flock across our borders—they come here to work hard so they can send money home to support their families and relatives. They may be well-intentioned, but these hard workers are doing little to help the economy of Central Amerixa.

The young democracies of Central America still face resistance from those opposed to the spread of democracy and economic freedom. In supporting DR–CAFTA, the United States will stand alongside those who support these ideals—those who believe in the rule of law, and will demonstrate that America does not merely view Central America as a trading partner, but that we intend to support the continued democratic development of our neighbors.

Congress should promptly pass DR–CAFTA, as agreements that remove unnecessary barriers to free markets are good for America, and it is in our economic and national security interests to support a prosperous Central America. DR–CAFTA will encourage economic prosperity, stability, transparency, and respect for the rule of law throughout the region. I ask that my colleagues join me in supporting this important agreement.

Mr. President, let me focus, in the time I have remaining, on immigration. I heard the Senator from Illinois claim that if we pass CAFTA, it will somehow displace Central American workers and they will be caused to immigrate—illegally, perhaps—to the United States. I could not disagree with him more.

About a year ago, I traveled to Central America to five of the countries involved in this agreement, and in each and every one of those Central American countries we were told that their new democracies' future depends on ratification of these free-trade agreements. To a man, the leaders of those countries asked us to do everything we can to see that this free-trade agreement passes.

While certainly we want to be a friendly neighbor if we can, I would not support this agreement if it weren't in the best interests of the United States on a number of bases. There is one conversation I remember in particular that relates to the comments we just heard from the Senator from Illinois about immigration. In Guatemala, at the Ambassador's residence, a gentleman told me, ''We want to export goods and services, not people.''

Mr. President, that stuck with me because what he was saying is that by our ratifying CAFTA, we create jobs and opportunities for the people of Central America where they live, so they don't have to come to the United States—illegally or otherwise—to be able to support their families. That is one of the reasons I am so strongly for this agreement.

I am also for this agreement because these new democracies, many of which were engaged in civil war not that many years ago—and countries such as Nicaragua, where Daniel Ortega is hoping and praying that we will somehow turn our back on that country and these other new democracies—there are literally people waiting to take advantage of America if we turn our back on these countries, and to claim that instead we should align our interests with people like Fidel Castro, Daniel Ortega, and others.

It is in our best interest to make sure that these new and fragile democracies flourish, that people who live there can also find work there and support their families. The irony is that we hear people argue that unless we have stronger labor provisions or environmental provisions for these agreements—this agreement in Central America—that we somehow should not pass it. The fact is, there are strong labor provisions and environmental provisions in this agreement. But do you know what. The best guarantee for a good environment is democracy. The best guarantee for good labor laws and the rule of law in these countries is democracy.

If we turn our backs on Central America and these countries in this free-trade agreement, critics and enemies of this country will point to us and our actions and our rejection of this agreement and claim victory and say that America was not serious about

helping; America does not care about anyone but itself, when in fact the opposite is true.

We know, further, that the avenues used for illegal immigration up from South America, Central America, through Mexico's southern border, through seaports, and in the air are being used by organized criminals who smuggle human beings, who traffic in persons, who smuggle weapons, and who smuggle illegal narcotics. In other words, they are organized criminals who care only about making money, and they don't care one whit about the human suffering that they cause.

It is simply in America's self-interest that we enter into this agreement which provides new markets for our producers in this country. It opens our markets further to those fragile democracies and market economies in Central America. It gives democracy a root in a way that cements our interest and reinforces our national interest, not only in this country, but in this hemisphere in Central and South America, an area that could sorely use the attention after what has been called a period of benign neglect.

I urge my colleagues to vote with me in promptly passing CAFTA as agreements that remove unnecessary barriers to free markets which is in the economic and national security interest of the United States and a prosperous Central America.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that Mr. VITTER be recognized for his 10 minutes, and then we will go immediately to the distinguished Senator from Massachusetts, Mr. KERRY.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Louisiana is recognized for 10 minutes.

Mr. VITTER. Mr. President, I rise today in opposition to S. 1307, the bill to implement the Dominican Republic-Central America Free Trade Agreement. I do it for one very clear and specific reason. CAFTA will greatly harm Louisiana's sugarcane industry. It is, quite frankly, a raw deal for Louisiana sugar.

Because of the great disruption in our domestic sugar market that this agreement would cause, I have been actively opposing this agreement since it was signed. This agreement would allow an additional 122,000 tons of imported sugar into the United States in its first year alone, with annual increases following. These steady increases in imports threaten to flood the U.S. market and truly devastate the Louisiana sugarcane industry, as domestic sugar is displaced by highly subsidized foreign imports.

Our current sugar program is designed to limit imports to help counter unfair trade actions, and these limits help mitigate the ill effects of dumping by other nations. Unlike programs for many other foreign commodities, it should be noted that this U.S. sugar program provides no cash payments and operates at no cost to the U.S. taxpayers through cash payments as mandated by the farm bill.

Even with that existing program in import controls, the U.S. still stands as the fourth largest net sugar importer in the world, importing 15 percent of our sugar consumption every year. Allowing more imports from select CAFTA trading partners truly brings a potential flood to the market, displacing even more domestic sugar. CAFTA really could set the stage for future bilateral agreements focused on the largest sugar-producing nations, and these impacts are compounded with other pending changes, such as the NAFTA-mandated change that will allow Mexican sugar complete unfettered access to U.S. markets after 2008.

When the Jesuit priests introduced sugarcane to Louisiana in the 1750s, I guess they could not have imagined that sugar would essentially be a $2 billion industry and, much more importantly, even a vital part of Louisiana's history and way of life for over 250 years. It is this economic and even cultural impact and the thousands of families who rely on sugarcane for their livelihood and their way of life which lies behind my decision to oppose CAFTA.

The Louisiana Farm Bureau estimates CAFTA would have caused an $8.5 million reduction in Louisiana's agricultural sector, and sugarcane constitutes one of the foundations of this important sector of Louisiana's overall economy.

Louisiana is home to 27,000 sugar industry jobs, 15 sugar mills, 2 sugar refineries, and more than 580,000 acres of sugarcane throughout 24 parishes. All told, Louisiana alone produces 20 percent of all of our domestic sugar.

As I said, this represents an enormous economic impact. But even more importantly, it truly represents a culture and a valued way of life.

The administration made a last-ditch, three-part proposal to the sugar industry to mitigate CAFTA's impact, but I truly believe that it is untenable.

First, they committed to hold harmless the sugar program but only through the reauthorization of the 2002 farm bill. This is something modest, something I could and will support, but it is my understanding that it is already the responsibility of the Secretary of Agriculture, under this farm bill, to operate the program at no net cost and its import trigger.

I know that sugarcane farmers in my State appreciate the Secretary's commitment to provide this short-term relief from a flood of sugar import commitments, but this temporary protection will not help them avoid the flood in the medium and long term. We, in Louisiana, know a lot about hurricanes and floods, and I fear that in the past 2 years, our sugar industries have drowned in this flood of foreign imports.

The second component of the proposed deal from the administration is perhaps the most problematic. If imports threaten to exceed the 1.523-million-ton trigger in the farm bill, the Agriculture Department would commit to compensating foreign producers for not selling their sugar within our market. U.S. tax dollars are going to compensate foreign producers. USDA would also establish a pilot program to divert imported sugar into ethanol use up to the amount coming in under CAFTA.

The prospect of paying foreign producers is very troublesome, perhaps politically untenable. Regardless of the Secretary's statement that he has the authority to implement such a program, there are so many unanswered questions on how it would work and if it would be politically supportable. Do we really want to make cash payments to foreign governments or private foreign corporations in exchange for a commitment not to export sugar to our market? I don't think so. This proposal is expected to cost $200 million a year.

Sending our tax dollars to our foreign competition I think is an untenable position for a variety of budgetary, policy, and political reasons, making this long-term proposed solution untenable.

The ethanol diversion program has its own uncertainties on how it will work, and it seems to signal a desire to purchase foreign sugar for possible ethanol use instead of assisting the domestic industry in developing new markets for our own production and likely spend significant more of the taxpayers' dollars on those foreign sources in the process.

Third, there has been a proposal for a feasibility study on converting sugar into ethanol to be submitted to Congress no later than July 1, 2006. We already know sugar can be turned into ethanol because they are doing just that in other countries.

Worldwide, more ethanol is produced from sucrose than from corn, and we now need to jump start our own efforts and truly implement a program to provide sugar access to the national renewable fuels program.

The Energy bill we passed this week provides for 8 billion gallons per year of renewable fuels, most of which will be ethanol. The new renewable fuels program would amount to more than quadruple the ethanol currently being consumed in the U.S. So there is plenty of room to accommodate diverse sources of ethanol, including a modest room for sugar.

Access to ethanol was the crux of the sugar industry's proposal to deal with CAFTA—not a study, but real access to that established program moving forward in the Energy bill. They asked for a short-term increase in the tax credit during the developmental phase of this program, something that I understand was done for the beginning of the program for corn.

With so much uncertainty facing the industry because of NAFTA, CAFTA,

and other trade negotiations already in progress, I think this was a fair ask from the industry, from an efficient domestic industry that has been a robust engine for jobs in our economy for over 2 centuries. I wish the administration could have accepted that full and robust proposal in terms of ethanol.

Our sugar farmers and processors work hard and deserve a level playing field. What I have been asking, what others have been asking is not simply protectionism for our domestic industry as far as the eye can see, but a level playing field dealing with this sugar issue on a global WTO basis so it can be dealt with fairly so our domestic sugar industry has at least a chance. That is exactly what I will continue to fight for. That is precisely why I will continue to fight against CAFTA and urge its defeat in this body and in the House.

In closing, I wish to take this opportunity to thank Chairman CHAMBLISS and Senator COLEMAN for their efforts to find a solution to the sugar issue within CAFTA. They have been leading a bicameral effort, working diligently. It did not yield the results I hoped, but I salute them for their efforts.

Unfortunately, as I said, those efforts did not prevail. That is why I strongly oppose CAFTA and why I ask my colleagues to do so, and specifically my colleagues in the House as this measure most probably moves there.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that I be able to speak instead of Senator KERRY under the previous order, to be followed by Senator LAUTENBERG for 10 minutes under the time controlled by Senator DORGAN, to be followed by a Republican Senator to speak under the time of Senator GRASSLEY.

The PRESIDING OFFICER. Is there objection?

Mr. VOINOVICH. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that I be able to speak instead of Senator KERRY under the previous order for up to 20 minutes.

The PRESIDING OFFICER. Is there objection to the second unanimous consent request that the Senator from Wisconsin be able to fill the time of Senator KERRY for 20 minutes instead of 15 minutes? The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that the distinguished Senator from Wisconsin on the Democratic side be the next speaker for 20 minutes, that he be followed by Senator LAUTENBERG for 10 minutes, and then Senator VOINOVICH will immediately follow Senator LAUTENBERG for at least 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I rise to oppose the Central American Free Trade Agreement, known as CAFTA, the latest expression of the disastrous trade policies of this administration which are, unfortunately, a continuation of the disastrous trade policies of previous administrations.

I hold listening sessions in each of Wisconsin's 72 counties every year. I have held those listening sessions for over 12 years now, listening to tens of thousands of people from all over Wisconsin. I recently completed my 900th of those sessions, and I can say that there is nearly universal frustration and anger with the trade policies we have pursued since the late 1980s. Even among those who would have called themselves traditional free-traders, it is increasingly obvious that the so-called NAFTA model of trade has been a tragic failure.

I voted against NAFTA, GATT, and permanent most-favored-nation status for China, in great part because I felt they were bad deals for Wisconsin businesses and Wisconsin workers. At the time I voted against those agreements, I thought they would result in lost jobs for my State.

Even as an opponent of those trade agreements, I had no idea just how bad things would be.

And things could hardly be worse. One can see the results of those policies in hundreds of communities around my State. As one might expect, our largest communities—places like Milwaukee, Madison, and Green Bay—lost thousands of jobs as a result of those trade policies, most notably NAFTA and permanent most-favored-nation status for China. But less obvious to some may be the devastation experienced by smaller towns and cities across my State. In those communities, the legacy of our trade policy has been especially cruel.

Even if we only use the extremely conservative statistics collected by the Department of Labor, statistics which many argue grossly understate actual job loss, smaller communities all over Wisconsin have been the victim of the trade policies of the past decade.

NAFTA's legacy of lost jobs includes places such as: Baraboo, with 190 lost jobs; DeForest, with 40 lost jobs; Elkhorn, with 354 lost jobs; Hawkins, with 443 lost jobs; Marinette, with 54 lost jobs; Mauston, with 48 lost jobs; Merrill, with 263 lost jobs; Montello, with 70 lost jobs; Oconto Falls, with 100 lost jobs; Peshtigo, with 95 lost jobs; Platteville, with 588 lost jobs; Spencer, with 23 lost jobs; and Waupaca, with 130 lost jobs.

Some might suggest that 23 lost jobs in Spencer, WI are not all that many but when a small town loses a business, and the dozens or possibly hundreds of jobs that business provides, the impact surges throughout the entire community. Families are left without a breadwinner, or sometimes even two breadwinners. Stores are left without customers. New homes are not built. Families may be forced to move away. Schools lose children. The tax base drops, putting an increased burden on those who remain.

When a bad trade deal results in lost jobs, it is not only those who lost a job who suffer.

And the suffering in Wisconsin has been considerable. Altogether, Wisconsin has a net loss of more than 23,000 jobs because of NAFTA, and thousands more because of the other trade agreements into which we have entered in recent years.

Now we have CAFTA, which is based on that same failed model of trade.

I should note at this point that in too many instances, these trade agreements have been lose-lose trade agreements. They have been bad deals for our workers as well as the workers of our trading partners.

This is a vital point, because many who are advocating CAFTA argue that the agreement is critical for promoting economic growth and reducing poverty in these Central American nations. In fact, the experience of the flawed trade model has been just the opposite.

Eleven years of NAFTA have lowered living standards in Mexico, both for urban workers and in rural areas. Professor Riordan Roett of Johns Hopkins wrote on this very issue in a recent column, and this is what he had to say:

> Mexican workers under NAFTA lost precipitously through the 1990s, despite the extravagant promises made by proponents of the model on which CAFTA is based.
>
> At least 1.5 million Mexican farmers have lost their livelihoods under NAFTA. According to a 2004 report by the Carnegie Endowment for International Peace, ''Agricultural trade liberalization linked to NAFTA is the single most significant factor in the loss of agricultural jobs in Mexico. '' Thus far, limited employment growth in Mexico's manufacturing sector has failed to absorb displaced rural workers.
>
> This does not bode well for the CAFTA countries. A 2004 U.S. International Trade Commission study on the potential impacts of CAFTA leads one to conclude that the agreement will displace many in the rural sector in Central America. Following a recent visit to Guatemala, United Nations Special Raporteur for Food Jean Ziegler determined that CAFTA will increase hunger and poverty once the agreement fully kicks in. . . . one is left to wonder where the displaced rural population of Central America will find employment.

If the arguments made by the proponents of CAFTA sound familiar, it is because they are. CAFTA's advocates are making exactly the same arguments today that the proponents of NAFTA made a little over 10 years ago. Because our markets are already largely open, they argue, it will be American businesses and American workers who will benefit from this trade agreement.

It is an argument that sounds neat and simple, but let's compare the rhetoric to the record. In 1993, before NAFTA was implemented, our trade deficit with Canada and Mexico was $9 billion. In 2004, 10 years after NAFTA was implemented, our trade deficit with those two countries has ballooned 1,200 percent—1,200 percent—to $111 billion. By one estimate, the massive

growth of imports into this country from Canada and Mexico relative to exports to those two countries has displaced almost one million jobs.

Giving China permanent most-favored-nation trading status and ratifying the creation of the World Trade Organization have only made matters worse. Our trade deficit is now more than $600 billion.

Far from improving our trade balance, NAFTA and these other trade agreements have only made matters worse.

Our trade policy is fundamentally flawed. This is not a new problem, nor is it the fault of only one political party. The leadership of both parties have pushed these deeply flawed agreements, and too many Members from both parties were ready to support them without scrutiny.

When questions were raised about the actual provisions of these flawed agreements, supporters were quick to play the free trade card and label those who questioned these policies as ''protectionist.''

It is somewhat encouraging that some who blindly accepted these agreements are now beginning to read the fine print.

One might think it obvious, but apparently it needs to be reiterated, these are not your father's trade agreements, and the elegant theories of Adam Smith and others do not apply to the agreements we are asked to approve. As Thea Lee wrote in a recent column in the Wall Street Journal:

> We should all understand by now that modern (post-NAFTA) free-trade agreements are not just about lowering tariffs. They are about changing the conditions attached to trade liberalization, in ways that benefit some players and hurt others. These are not your textbook free-trade deals. These are finely orchestrated special-interest deals that boost the profits and power of multinational corporations, leaving workers, family farmers, many small businesses, and the environment more vulnerable than ever.

Millions of working families across Wisconsin know this.

I sometimes think that if instead of exporting manufacturing goods China exported editorial writers, the opinion pages of our newspapers might reflect an understanding of this as well.

The argument we hear is that trade deals like CAFTA may cause some short-term pain but they are ultimately good for all countries concerned. Maybe we lose a few jobs to Mexico or China, the argument goes, but we would also gain jobs. Each country would engage in the economic activity for which it has a so-called ''comparative advantage'' and everyone wins.

But this nice, neat academic theory bears little relation to what is actually happening in the real world. And one of the reasons for this disconnect is that in an arena that has been fundamentally changed by technical advances, such as the Internet and the rapid flow of capital, we are not playing by the same rules as our trading partners.

The trade agreements into which our country has entered in recent years too often lack even the most reasonable of standards to prevent a race to the bottom, and ensure that our businesses and workers can compete on a level playing field.

This is certainly the case with CAFTA, which fails to include meaningful labor standards, and the weak standards that it does include are effectively unenforceable.

CAFTA states that member countries cannot, for their own benefit, fail to enforce their labor laws. But the agreement also states that nothing in the agreement ''shall be construed to empower a Party's authorities to undertake labor law enforcement activities in the territory of another Party.'' Thus, any protections that might be afforded by the requirement to enforce current labor laws are left to each government to self-enforce. This really does nothing.

Unlike the commercial provisions in CAFTA, the labor provisions cannot be enforced through binding dispute settlement, or trade sanctions. If a country violates its commercial obligations, sanctions can be imposed quickly, but a violation of workers' rights is only subject to a possible fine.

In the unlikely event that a country is forced to pay a fine, it pays that fine to itself. While the fine is supposed to be used to fund domestic labor initiatives, we all know that such revenues are fungible, and there is no way to prevent a violating country from also transferring money out of its labor budget, so the fine adds no new net resources for enforcement. This is not an academic concern. Studies have documented serious labor violations in Central American countries.

American businesses and American workers should not have to compete with countries with such flawed labor records.

CAFTA also fails to include adequate environmental safeguards. What environmental provisions there are in CAFTA are largely cosmetic in nature.

As with worker standards, the environmental standards that are in the agreement lack the kind of enforcement teeth provided to commercial provisions in the agreement.

For example, while the agreement includes the establishment of a process under which citizens can identify failures to enforce environmental laws effectively, advocates note that the proposed citizen process has no clear enforcement mechanism to ensure action on public complaints. By contrast, the enforcement mechanisms for investment related provisions are real. Investors can demand monetary compensation of governments under CAFTA's investment rules.

In fact, any hope that CAFTA countries might, on their own, strengthen environmental standards to make the playing field a bit more level is undermined by the investment rules included in the trade agreement.

Those rules allow foreign investors to challenge environmental laws and regulations in front of international trade panels, circumventing local courts. Moreover, the threat of having to pay investor interests heavy monetary damages if a challenge is successful is certain to have a chilling effect on the willingness of CAFTA government, both federal and local, to establish the kinds of environmental protections that might help that region and provide better balance for American firms that must live under our own strong environmental laws.

Among the rosiest of predictions made by the proponents of CAFTA are the positive impacts they claim for U.S. agricultural sectors. But our experience with NAFTA again leaves me deeply skeptical of such claims. The promises made to farmers that we heard over the early 1990s, have largely failed to materialize.

But even setting aside for the moment the failure of NAFTA to deliver on those promises, even if we accept the most optimistic of projections by CAFTA's proponents, there is no scenario under which this helps small family farmers in Wisconsin or the Nation. The American market dwarfs the CAFTA market, so any benefits will be miniscule and concentrated in the middlemen and large agribusinesses.

I am afraid to say that is the up side. The down side is that CAFTA sets up an unfair playing field that could put our farmers at a long-term competitive disadvantage.

As my visits with Wisconsin farmers have shown me, American farmers are not afraid of competition and I would not hesitate to put them up against any other farmers across the world on an equal footing. The problem is that CAFTA does not provide this fairness. Instead, Wisconsin and the rest of America's farmers are required to meet environmental and labor standards to both keep the water, air and land clean and at the same time pay their employees a living wage.

As I have noted, CAFTA does not require the same standards in other countries.

Our farmers can attest that our environmental and labor standards are very real and enforced. CAFTA does nothing to level the field on which our farmers will be asked to compete, and that tilted playing field apparently extends even beyond CAFTA countries.

For example, ethanol production has long been considered an opportunity for American farmers to reap greater and consistent income from their crops, while helping to reduce our dependence on foreign fuel. But under CAFTA, Central American countries could become a conduit for cheap ethanol exports to the United States, importing unlimited amounts of ethanol tariff free even if they were blended with 50 percent ethanol from non-CAFTA countries like Brazil.

Perhaps most concerning to me is that while CAFTA would put American

farmers at a competitive disadvantage with the relatively small CAFTA market, its impact could be far greater. CAFTA will likely be used. as the blueprint for the much larger Free Trade Agreement of the Americas. If this retreat from the principle of fair trade is repeated there, the negative effects could be dramatic and felt throughout U.S. agriculture.

Wisconsin has paid a heavy price for CAFTA's predecessors. Since 2000, Wisconsin has lost nearly 92,000 manufacturing jobs. NAFTA, the GATT, and most-favored-nation treatment for China have devastated local businesses and punished working families, taking away family-supporting jobs, and offering lower-paying jobs, if any, in return.

When the impact of these agreements comes crashing down on people's lives, it is clear that we have already traded away too much in a series of bad deals.

CAFTA promises more of the same devastation brought by the agreements that have come before it, putting our businesses, workers and farmers at a competitive disadvantage, while also undermining the economic development that might benefit workers, farmers and small businesses in Central America.

This trade agreement fails on every count. I urge my colleagues to scrap it and tell the administration to come back with a deal that is fair to American businesses, workers and farmers, as well as the small businesses, workers and farmers of our trading partners.

I yield the floor.

Mr. BAUCUS. Mr. President, under the order the Senator from New Jersey is recognized next for 10 minutes. I ask unanimous consent he be given an additional 5 minutes, total of 15, and the time to be taken out of the time allocated to Senator DORGAN.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from New Jersey is recognized.

IRAQ

Mr. LAUTENBERG. Mr. President, I thank the Senator from Montana. Today I want to discuss the speech made by the President Tuesday night about Iraq. I think it is encouraging that the President is reaching out to the country and attempting to explain his policy in Iraq. But I think, to be more effective, the President has to be candid and upfront with the American people.

Frankly, in my view, the credible speech on this subject should have come from the Oval Office, not from a stage with uniformed service people all around. Apparently, a patriotic backdrop behind the President, and rows of soldiers in dress uniforms, was necessary to speak to the American people about the crisis our country faces in Iraq. It was, I thought, good theater, but not a very informative speech. Maybe that is why the soldiers didn't applaud until the White House staff urged them on.

Tuesday night's staged show reminded me of another Hollywood-type event, when President Bush declared ''mission accomplished.'' We all remember this picture very clearly. It was on an aircraft carrier, with signs up—their authorship was denied by lots of people. The Navy personnel were standing there directly behind the President. The speech took place on May 1, 2003, just slightly over 2 years ago, when the President said to the country at large that major combat was over in Iraq.

How wrong he was. Before the ''mission accomplished'' speech on May 1, we had lost 139 people and had about 500 of our troops wounded. Since President Bush's ''mission accomplished'' declaration, we have lost 1,594 Americans in Iraq—versus that 139, 2 years ago. Almost 1,600 versus 139; and 12,000 seriously wounded versus 500 at the time, in that 2 years.

It has been a terrible 2 years. Despite the gigantic banner and the theatrical presentation on the aircraft carrier 2 years ago, the mission was not accomplished then and it is not accomplished now. In fact, the mission isn't even close to being accomplished, as all of us in America, and I am sure the President is included, would like to see.

We are not going to solve our problems in Iraq through spin and photo ops. We will solve these problems only with a tangible plan that gets our troops home and then we will all truly celebrate mission accomplished. Not only are we not seeing a plan, but high level administration officials seem to be in serious disagreement about the status of the insurgency. One day we saw Vice President CHENEY say that the insurgency is in its ''last throes.'' Then a few days later we see Secretary Rumsfeld say that the insurgency could last ''12 years.''

This war has turned into a quagmire and Americans want to hear what changes we are making to address our growing difficulties in Iraq, and unfortunately a lot of what we heard from the President Tuesday night was rhetoric. Unfortunately, much of the President's rhetoric focused on September 11. But simply referencing September 11 over and over again does not explain how we are going to move forward in Iraq. In fact, it only serves to remind the American people that our most dangerous enemy, Osama bin Laden, is still on the loose, and we are all perplexed by the statement made by Mr. Goss, the head of intelligence, that we know where Osama bin Laden is. I don't know why we don't go get him if we know where he is.

Nearly 4 years after the 9/11 attacks, Osama bin Laden, the leader of the terrorist group that killed almost 3,000 Americans, including 700 of our neighbors and friends from my State of New Jersey, continues to inflame his terrorist network. Al-Qaida cannot be effectively dismantled unless we capture bin Laden, and getting him should be our No. 1 priority, but it seems it has moved its way down on the President's priority list.

I urge President Bush not to use September 11 again as a way to support our failures in Iraq. The American people would rather you simply address the problems and fix them.

Poor planning for the war in Iraq is causing serious long-term problems for our military. Mainly we are failing to meet our recruiting goals. Yes, I know we had a blip up in the present month, but in May the Army fell about 25 percent short of its recruiting target. That is after they lowered their target. The Army also missed its monthly targets in April and March and February of 2005, each month worse than the one before. In February it fell 27 percent short. In March the gap was 31 percent short. In April it was 42 percent. Things are so bad that the Army is contemplating $40,000 signing bonuses for new recruits. It reminds me of some of the bonuses offered athletes who sign contracts. That may rival what professional ballplayers get. And the Army is perhaps going into a new deal that allows for very short enlistment periods, as low as 15 months of active duty.

The National Guard and Reserves are even farther behind in recruiting this year. The Army Reserve met only 82 percent of its May recruitment goal and the Marine Corps Reserve met only 88 percent of its recruiting goal. This raises questions. Even if the President agrees to send more troops to Iraq, where are they going to get them? I don't think it is simply the casualty numbers that are hurting recruiting. It is a sense that this administration does not have a plan for Iraq—and maybe they never did. After all, in March of 2003 Vice President CHENEY predicted that the conflict would last ''weeks rather than months.'' Now it is years and, according to Secretary Rumsfeld, it could be over a decade before the country is stabilized.

What about those Army service men and women who return to our country and become veterans? Look at how they are being treated by this administration. My Democratic colleagues Senator MURRAY and Senator BYRD tried three times to increase funding for the VA this year because they understood that veterans returning from Iraq are going to need more help. What happened? Republicans voted those amendments down each time. Why? Because the administration kept saying ''we don't need the money.''

But just this week the VA Secretary, Jim Nicholson, suddenly realized he is facing a $1 billion budget shortfall. Nicholson said it was ''unexpected.'' Unexpected? How could they not expect increased needs from the troops coming back from Iraq? We know people are being severely wounded there, and returning and needing a lot of attention. What kind of message does this send to our troops? We forgot to fund your veterans health care needs? I think it is shameful and shows a lack of respect.

Only now, because of embarrassment, did we see the other side of the aisle

vote for Senator MURRAY's amendment to increase VA funding. All of a sudden a prominent member of the Republican leadership, the junior Senator from Pennsylvania, after repeatedly opposing increases to VA funding, has become an enthusiastic cheerleader. It is interesting how elections motivate people.

Our service men and women and their families are getting a raw deal. Because of the administration's lack of planning, military families are stuck with extended tours of duty leading to family problems and serious financial difficulties. A real eye opener is to talk to some of the Reserve and Guard people who have returned from Iraq and find themselves in desperate situations with family problems, upset relationships, financial disaster. It is terrible.

The bottom line is we need plain, straight talk coming out of the White House and not staged events such as ''mission accomplished'' in Tuesday night's speech.

One of my distinguished Republican colleagues, a combat veteran of the Vietnam war, recently said:

> The White House is completely disconnected from reality.

And it is tragically true.

If the President wants to earn back the American people's trust on his Iraqi planning, he needs to start by being truthful and admitting some mistakes. So far that hasn't happened and I plead with the President and this administration: Level with the American people. It is a very discouraging picture out there when we see the casualties mount and the morass thicken.

Mr. President, I yield the floor with this plea: Say it like it is.

The PRESIDING OFFICER (Mr. ALEXANDER). The Senator from Ohio is recognized for 20 minutes.

Mr. VOINOVICH. Mr. President, I rise today to discuss the Central American Free Trade Agreement—CAFTA. I have been a long-time supporter of expanding United States trading relationships. I believe trade is vital to the long-term health of the U.S. economy and to raising living standards around the globe. Since my days as Governor, I have worked to open markets around the world for Ohio's exports. Exports are extremely important to the Ohio economy. When I was Governor, exports were one of my four economic development priorities.

During my tenure in the Senate I have supported the vast majority of trade agreements that have been brought before the Senate. However, in the last year and a half or so, I have been troubled by several aspects of our trade policies that I believe severely, and understandably, undermine the American people's support, as well as my own support, for new trade agreements.

In particular, I believe the failure of the United States to properly enforce its existing trade agreements has contributed to growing skepticism of the American people about the benefits of trade. In particular, the failure to enforce the intellectual property right protections in our trade agreements has contributed to a proliferation of counterfeiting and pirating of American products across the globe.

I have met with numerous Ohio business leaders whose support for trade has been severely tested when their company's products were counterfeited by firms operating in countries whose governments simply refuse to live up to their commitments to protect intellectual property rights.

I believe in free trade, but the cornerstone of free trade is the protection of property rights. It is unreasonable to expect American companies to compete against companies from countries that do not abide by this basic principle.

Last year I was so troubled by the lack of enforcement of our trade agreements I decided the United States should hold off entering into any new trade agreements until our enforcement efforts dramatically improved. Accordingly, I voted against the Australian and Moroccan Free Trade Agreements. Those were not popular votes, but they were necessary to draw attention to the need to enforce our trade agreements.

Although I have been critical of the way our trade agreements have been enforced, I remain committed to seeing the United States continue its leadership in promoting lower trade barriers and global trade. My criticism is that of a friend of trade and one who wants to see the U.S. trade policy succeed.

Accordingly, I have been very pleased with the administration's new efforts to improve the enforcement of our trade agreements. Earlier this year, I held a hearing by the Homeland Security and Governmental Affairs Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia, to examine the administration's new Strategy Targeting Organized Piracy or STOP! Program which aimed to combat intellectual property theft abroad and help small and medium size businesses protect their intellectual property. Although much more needs to be done, STOP! is off to a very good start.

I hope my colleagues in the Senate will familiarize themselves with the STOP! program because it will be of great assistance to small businesses in States that have had their intellectual property rights infringed upon.

Mr. VOINOVICH. I am very pleased with the efforts of Secretary of Commerce Thomas Gutierrez and my good friend Ambassador Rob Portman at USTR to help several Ohio companies, victims of intellectual property theft abroad. They have shown the importance of enforcing our trade agreements and are committed to improving our enforcement record, especially in the area of property rights. I am very impressed by how much progress they have made during their short tenures in raising the issue of intellectual property rights abroad, and I am confident they will continue to work closely with Congress to address trade issues.

Our trade policies are only as good as the people who execute them. I am pleased to say we have excellent leadership right now in Secretary Gutierrez and Ambassador Portman. They both have a good background on trade. Secretary Gutierrez has firsthand experience with trade issues due to his work as CEO of Kellogg. Ambassador Portman has unique knowledge of trade legislation as a result of his work as a member of the Ways and Means Committee while he was a Member of Congress.

Recently, I sent a letter to the President asking him to appoint a coordinator for all of the agencies that deal with commerce—Commerce, the Patent Office, USTR, Homeland Security, Customs, Border Patrol, and the Justice Department. They need someone to coordinate them so they get the job done.

I was also pleased to hear Treasury Secretary Snow's comments earlier this week that he is prepared to cite China if it does not address the yuan's overvalued exchange rate against the dollar.

In light of the administration's new effort to improve enforcement of our trade agreements and in consideration of the merits of the agreement, I have decided to support the Dominican Republic-Central America-United States Free Trade Agreement. Passage of CAFTA will lay the foundation for a growing and valuable trade relationship with CAFTA countries as well as strengthen the U.S. leadership position in promoting global trade.

I believe CAFTA embodies precisely the type of long-term economic planning that we too often fail to integrate into our policies. CAFTA will not only facilitate the expansion of trade between the United States and other CAFTA countries by eliminating most trade barriers but will also help American companies get on the ground floor in those developing countries, ahead of our competitors in Europe and in China.

Right now, the CAFTA countries have relatively small economies, but they have made great progress over the last decade. Over the past 5 years alone, U.S. exports to Central America have increased by 35 percent. As these countries continue to grow, we will see growing demands for our exports. Presently, about 44 percent of the region's imports come from the United States, so as their economies expand, so will purchases of American products.

Moreover, the United States has already accorded duty-free treatment to more than 80 percent of Central American imports to the United States under the Caribbean Basin Trade Partnership Act and other trade agreements. As a result, CAFTA is largely a one-way lowering of trade barriers by the CAFTA countries and will measurably improve our opportunity to export to those countries.

Presently, the CAFTA countries impose high tariffs on agricultural products, especially on several of Ohio's top agricultural exports such as soybeans, corn, dairy products, beef, and pork. Under CAFTA, these tariffs will be eliminated, making Ohio's agricultural exports much more competitive in the CAFTA country. Since most agricultural products from CAFTA countries already enter the United States duty free, CAFTA levels the playing field and gives American farmers the same access to the markets in the CAFTA countries. For Ohio farmers, CAFTA is a good deal. Not surprisingly, CAFTA has received support from the Farm Bureau, the Ohio Cattlemen Association, Soybean Association, Poultry Association, and, of course, the Ohio Corn Growers Association.

CAFTA is also very important to the survival of the U.S. apparel industry. Only with open access to CAFTA can American apparel compete with China. Unless CAFTA is passed, we will see the entire American apparel industry move to China.

CAFTA also improves the protection of intellectual property in the CAFTA countries. Under CAFTA's intellectual property provisions, they are obligated to ratify numerous international agreements on intellectual property rights to which the United States is already a signatory and will be obligated to enforce intellectual property rights. The ratification of these agreements is a very important step to protecting American companies from intellectual property theft abroad. While some may argue that more needs to be done, the fact is, if CAFTA does not pass, American companies will not have the protection of even those basic agreements.

We often forget that trade agreements are about more than just trade. They are key components of American foreign policy. They are one of the best ways this country can develop better relationships around the globe. At a time when I believe the United States badly needs to improve its relationship with other countries, trade agreements offer us an excellent opportunity to reach out to the other countries and foster economic ties.

The CAFTA countries are exactly the types of countries with which we should build better relationships. After decades of civil wars, the CAFTA countries have made dramatic progress toward establishing democracy and market-based economies. Because the United States is their largest trading partner and foreign investor, the CAFTA countries need a good trade relationship with the United States to fuel their development and help them to continue their reforms. By passing CAFTA, we can help ensure that our southern neighbors succeed in their reforms and in the process greatly expand our influence in the region. I note that President Jimmy Carter supports CAFTA for precisely this reason.

It is in the best strategic interest of the United States to see that CAFTA countries become successful republics and do not once again fall victim to economic crises and civil wars. The existence of stable and prosperous countries in our southern border will not only be good for American commerce but also good for American security.

Approval of CAFTA will also send an important signal to the countries in the region as well as other developing countries that the United States is committed to assisting them in building their economies. If the United States does not develop closer relationships with these countries, they will undoubtedly look elsewhere for help, such as the European Union or, more troubling, to Cuba, Venezuela, or China. Rejection of CAFTA will only clear the way for our competitors to enter our backyard. In my opinion, a defeat of CAFTA is a victory for China and Cuba.

In addition to rejecting CAFTA, it would greatly damage Ambassador Portman's ability to open markets for U.S. exports at the Doha round of WTO negotiations and with respect to the planned trade agreement with the Andean nations and for the free trade area of the Americas. The U.S. trading partners would have a reduced incentive to agree to open their markets to U.S. goods because they would claim, sincerely or tactically, that the U.S. commerce will not be willing to approve a final agreement. To get other countries to agree to politically unpopular reductions in trade barriers, the United States needs to have credibility that it will do the same.

Since the end of World War II, the United States has been the driving force in promoting trade liberalization. Because of U.S. leadership, global trade barriers have steadily fallen for nearly 60 years, greatly expanding world trade and helping to improve living standards around the world.

I believe it would be unfair to Ambassador Portman to reject CAFTA and undermine his ability to continue the U.S. leadership on trade, especially given that he only recently assumed his post. Members who have worked with Ambassador Portman know he is very talented and a skilled legislator and negotiator who understands the importance of close consultations with Congress during the negotiation of any trade agreement. Hence, I think we have a great opportunity to improve Congress's involvement in the negotiation of trade agreements which would build support for future trade agreements by having Congress's concerns addressed early in the process. Too often, it comes in too late.

We have somebody there as our new U.S. Trade Representative—and I have spoken to him about it—who understands because of his legislative experience that he needs to get over here and spend some time with Congress before the final touch is put on those trade agreements. By voting down CAFTA, however, we would undermine Ambassador Portman's ability to respond to our concerns in the future and negotiate better agreements.

CAFTA is a good agreement which will further integrate the United States in the world economy and help ensure the United States remains the world's leader in global trading.

I urge my colleagues to vote in favor of this agreement.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I have a rough understanding that Senator DORGAN will speak next. He is not here.

I suggest the absence of a quorum and ask consent that it be charged equally against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. 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. GRASSLEY. Mr. President, I yield myself such time as I may consume.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I will respond to some of the speakers through the course of debate on this bill who pointed to a report of the International Trade Commission on CAFTA as evidence that this trade agreement is not meaningful to the United States.

Let me explain that the International Trade Commission is an agency of the Federal Government, but it is an agency that is very independent, with 9-year terms for members to serve. They do a great deal of research in international trade and are very well respected for the reports they put out.

This report that was referred to as evidence of this trade agreement not being helpful to the United States misrepresents the scope of the International Trade Commission estimates as well as the scale of the CAFTA agreement itself. Critics point to one part of the International Trade Commission report which estimates the tariff and quota liberalizations under the agreement will result in zero percent change in welfare for the United States.

Now, those critics ignore the Commission's conclusion that if CAFTA is fully implemented, overall U.S. welfare will increase in a range of $135 million to $248 million, with minimal impact on U.S. employment and output.

In fact, the Commission estimates that no sector of the U.S. economy is likely to experience a decline in output, revenue, or employment greater than 2.5 percent once CAFTA is fully implemented.

So critics fail to acknowledge that the Commission's estimates are based only on the tariff and quota liberalization provided under this agreement. The Commission's estimates do not

quantify the other very important elements of this agreement—which the people using this report to justify a vote against CAFTA take into consideration—such as the benefits from an improved regulatory environment, improved protection of intellectual property rights, efforts at trade facilitation, and liberalization of regulations governing investment and the provision of services we will sell to those countries of CAFTA.

The Commission report does not attempt to quantify any broader geopolitical benefit to the United States of improved economic well-being and political stability in the CAFTA countries as a result of the agreement. But the fact remains that those benefits—not referred to by the opponents of this agreement, who find it convenient to quote one part of a trade commission study but not the whole study—the fact remains, then, that if you look at the whole report of the International Trade Commission, those benefits are a part of this agreement, as well, and will materialize and are obviously good reasons for voting for this bill.

After some critics are done arguing that CAFTA is meaningless to the United States, they do, however, point to another part of the Commission's report and offer another doom-and-gloom scenario. They point to the Trade Commission's estimates that suggest that once CAFTA is implemented we will increase our bilateral trade deficit with these countries by as much as $110 million. Those critics ignore the Commission's conclusion that if you take into account likely changes in our global pattern of trade, once CAFTA is fully implemented, then our overall trade deficit is likely to decline by $750 million.

Now, how does the figure of $750 million get ignored, but a $110-million figure gets taken into consideration? Well, it is quite obvious that the people who are quoting from this report quote what benefits their position for voting against CAFTA and do not look at the overall beneficial impact of CAFTA on the United States.

That $750 million is a very important number. Our bilateral trade balance with individual countries or regions may be interesting to consider, but the one number that is of significance to our economic health is our overall trade deficit. According to the ITC, the International Trade Commission, CAFTA will help reduce that trade deficit by $750 million.

Now, all the people crying about our trade deficit, are they going to take into consideration $750 million? Why on Earth would we walk away from that benefit, as the opponents of this agreement will have the United States do with their ''no'' vote?

I hope this dispels the critics' misinformation about CAFTA. The fact is, when you read the ITC report in its entirety, it becomes clear that implementing CAFTA offers meaningful benefits to the United States, both in terms of improving the economic welfare of the United States and in terms of reducing our overall trade deficit.

Again, CAFTA offers us those benefits with minimal impact on U.S. employment and output. That is not what Senator GRASSLEY says, that is what the International Trade Commission says. And if you add all the other economic and geopolitical benefits that are not readily quantified, I believe the tremendous benefit of this agreement to the United States is then seen in its proper light.

So I urge my colleagues not to be misled by the critics. The ITC report corroborates that CAFTA will be beneficial to the United States.

Also, let me suggest that during this debate, I have heard much talk about the lack of Government policies concerning the trade deficit. I am not here to justify any trade deficit. I am not here to say those people who say it is too big are wrong. But I think I have heard left out of this entire debate a policy that we have had under Republican and Democrat administrations for a long period of time, and that is, the freedom of the American consumer to have access to any product made anywhere in the world that they want to buy. Because we believe in freedom, we believe in choice for our consumers. We believe the consumer ought to have the benefit of choice, of quality, and price. And we happen to have the consumers of America buying much and saving little.

Now, is that right? I do not know. But people who are concerned about our trade deficit, do they want to shut off the faucet that allows our consumers to have the choice of anything? I may be speaking too sweepingly when I say this next sentence but I believe we let anything into our country that consumers want to buy, except for pharmaceutical drugs. Senator DORGAN and I have been working together to make sure the consumer has that choice as well, to drive down prices, and give them the best product they can get.

Now, I do not think anybody wants to take freedom of choice away from American consumers. If we are spending too much on consumer products, importing too much, maybe we ought to have more incentives for savings, maybe we ought to be, without a doubt, enforcing our antitrust laws, antisurging laws, countervailing duties to be applied, and all those things that need to be done about the problem that exists. But our deficit is overwhelming because of consumer products coming into the United States.

Wal-Mart brings in $18 billion from China—$18 billion of our imports; just one company. Now, when you go to Wal-Mart—I don't care. I happen to go to a Wal-Mart some. I don't go there as much as I go to our small businesses in Iowa to buy things but occasionally go there. Are you going to take that choice away from the American consumer by not having Wal-Mart import? I don't know. I don't see anybody suggesting that.

Somehow we are led to believe that China is like a Japan with these big surpluses. China has a trade deficit as well. China has 3 percent of our national debt in bonds. Japan has 8 percent. Yet you would think that somehow that 3 percent is a major problem.

I would suggest that what we ought to be doing here is encouraging our consumers to buy American, buy American, or don't buy so much consumer goods yourself, and invest that money that we send to Japan through Wal-Mart directly in U.S. bonds. Buy American products. Do as we did in World War I and World War II, be patriotic and buy U.S. bonds to help our economy.

Consumers in America are king. And when consumers in America decide to cut down on our trade deficit, it will be cut down. I think consumers ought to continue to be king in America because that is economic freedom, that is individualism, that is America.

Mr. DORGAN. As to the question is all this a good thing, has it strengthened our country, or is this just gloom and doom by those who oppose the current trade strategy, my colleague is quite right, this is not a strategy that is just the George W. Bush strategy. This strategy has developed over about 25 years, although I must say that this administration is the most helpful to corporate interests that I have seen. But it is not just a strategy of the last year or two.

But it is hard—very hard—to take a look at these devastatingly dangerous trade deficits that get worse and worse and worse, and then hear some people say it is getting better and better and better for us. It is, of course, not getting better for us.

Ronald Reagan used to tell that old story about the young boy who would look at the pile of manure and insist there must be a Shetland pony someplace. The fact is, there is no Shetland pony here. This is bad news. And the quicker we decide to confront it, look it square in the eye and decide as a country to do something about it, the better for our country.

The question is about freedom. I agree with that. It is about freedom, freedom for the American consumer, also freedom for American workers to be able to reasonably expect in this great country they will be able to find a decent job that pays well with benefits. That is freedom that is important as well.

When American workers are told on a Monday or a Friday—most characteristically a Friday—by Maytag or by Levi's or by Fruit of the Loom or by Fig Newton cookies or by Huffy bicycles or by Schwinn—and I could go on—that their job no longer exists because their employer has the freedom to get rid of them and hire somebody for 30 cents an hour—that is freedom. Yes, that is freedom.

What does it do to the country we built? This country was built on a debate in this Chamber about a wide range of critically important issues: Should you have the right to organize as workers? Should you have the right to expect to be able to work in a safe workplace? Should you have child labor laws? Should you prevent dumping pollution into the skies and the streams of this country and this world? We fought that battle for 100 years.

Now those who want to avoid those onerous restrictions pole vault over all of them and say: My jobs are going to China. And you American workers? Sayonara. See you later. Goodbye. So long. It doesn't matter. You were just tools. You were like a wrench or a pair of pliers, ready to be thrown away when we were done with you.

I have a lot to talk about this afternoon and a fair amount of time in which to do it. I yield to my colleague from Colorado, Senator SALAZAR, 15 minutes.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, I rise today to speak on the Dominican Republic-Central America-Free Trade Agreement. At the outset, let me say I appreciate the efforts of Commerce Secretary Gutierrez and his heartfelt advocacy for this agreement. I look forward to working with him to create jobs in Colorado and on trade and commerce issues, including future revisions to this trade agreement. I have spent the last several months learning more about the CAFTA agreement, listening to individual farmers and ranchers throughout Colorado on their concerns about being left behind. Based on extensive deliberation, I regret that I must oppose this agreement because it continues a policy in Washington that forgets huge parts of our country. Let me summarize my opposition to this agreement.

First, there are huge parts of our country, including the eastern plains of Colorado, which have been forgotten by administration after administration, and they continue to wither on the vine. Those rural communities that continue to decline in population are going to be impacted in a very negative way by the implementation of the CAFTA agreement.

Secondly, I am troubled by the fact that we have not had a policy to deal with the real geopolitical challenges that we face with Central and South America. When one thinks back to the days of John Fitzgerald Kennedy and his announcement of an Alliance for Progress for the Americas, he had a strategy with respect to how we are going to make friends both to the north and to the south, that we are going to help to rebuild the democracies of Central and South America.

We have not seen that kind of a comprehensive policy from this administration. Instead, what we have seen is an episodic approach to dealing with the issues of Latin America. It is for those reasons that I have decided to oppose this agreement.

In my State of Colorado, I have seen firsthand the forgotten America. Surveys done by the Colorado Department of Agriculture have cited steady declines in the number of cattle across my State. The inventory of cattle is reported the lowest in Colorado since 1962. Furthermore, in 2002, 60 percent of farms and ranches in Colorado had annual sales of less than $10,000. Specifically, the eastern plains of Colorado, which would be the place most impacted by the CAFTA agreement, is truly the place where you see the forgotten America in its most difficult of times. It is home to farmers and ranchers and small communities that are vanishing, left behind by a Washington, DC, that has lost touch with what is important to the people and to the communities of the heartland. The eastern plains of Colorado is also home to the sugar beet farmers of my State who, in 2002, in order to save their farms, banded together with over 1,000 other sugar beet growers in Nebraska, Montana, and Wyoming to form the Western Sugar Cooperative, a sugar processing facility which continues to successfully operate today across Colorado and the other States. In order for them to do that, they mortgaged their homes, their farms, their ranches, their tractors in order to be able to build this facility for the good of the rural communities and the operations they represent.

The sugar beet growers believe that DR–CAFTA will set a precedent. It is a precedent that will send a message to our trade representatives that Congress will continue to allow haphazard negotiations of free-trade agreements like CAFTA that will chip away at important industries and programs here in the United States. I will do all I can not to let these families and these communities continue to wither on the vine.

At the same time, the International Trade Commission has stated that the U.S. trade deficit with CAFTA countries is projected to grow by more than $100 million. As my good friend from North Dakota said, speaking about the trade imbalance we are facing, this agreement will add to the trade imbalance of our country. Therefore, other Colorado organizations and many farmers and ranchers from throughout my State have joined together in opposition to CAFTA. It is uncommon in my State, frankly, to find the Colorado Farm Bureau and the Rocky Mountain Farmers Union coming together and speaking with one voice, saying this agreement is bad for agriculture. Yet it has happened with respect to this agreement. They both say this agreement is bad for agriculture.

I also recognize that trade agreements are fundamentally geopolitical documents with important impacts on our foreign policy. It pains me personally to have to vote against this agreement. I do so because I recognize that many of our friends in these six countries see it as an important symbol of America's commitment to them. It pains me that I am not able to vote for this agreement. I do so, looking back at the history of our relationship between the United States and the Central American countries. During the 1980s, this country spent $5 billion on Central America in an effort to ensure that democracy and freedom markets triumphed in that part of our troubled world. Because of the courage and strength of our Central American friends, like Archbishop Oscar Romero, we see a region today that is defined by democracy and freedom, a region about which we could only have dreamed a short 20 years ago.

It is in that context that I have come to conclude that this agreement is a missed opportunity. Twenty years ago, you could not pick up a newspaper anywhere in the United States without a headline on the front page talking about some event or some episode in Central America. Today those countries barely merit a mention in an occasional newspaper. Presidents in the last 100 years have pursued the good policy, the Alliance for Progress, and the Summit of the Americas, and so forth. These policies have been pursued through administrations in differing parties, Democrats and Republicans, but they all shared a sense of commitment and focus on Latin America. I am sad to conclude that the last several years have seen a policy that has been, at best, disinterested in the issues of South America and Central America.

Consider this: The President's flagship foreign assistance program, the Millennium Challenge, has yet to distribute a single dime to Central America. Next, in the President's budget request for this year, Government investments in each of the countries subject to this agreement were cut, not increased. And finally, Latin America rarely appears in the administration's public remarks, despite the challenges of extreme poverty in Central America and democratic instability throughout the Andean region of South America. Supporters of this agreement are now telling us that to vote against CAFTA is to vote against Latin America. That could only be true if you believe that our policy toward this important region should be based only on a single trade agreement. It is not. It should not be. I have personally urged the President to work with members of both parties to reinvigorate our policy toward this important region of our world.

Such a policy would do a number of things. For example, it would consolidate the democratic gains the region has made throughout the last two decades by investing in democratic parties. Instead of deepening democracy, the United States seems paralyzed as we watch democracy take hits in countries such as Venezuela and Bolivia. Next, we must battle underdevelopment in the region by investing in its

people and microenterprise, health care, and education. Instead, Latin America is the only region that has not seen increases in U.S. Government investment in the last several years. Finally, we should fight corruption and deepen law enforcement cooperation to fight the scourge of illegal narcotics that passes through Central America on its way to our streets, affecting our kids and increasing criminality within our own communities.

Such a policy should be, and must be, based on a vision larger than a single agreement. I regret that the tremendous energy the administration is now expending on this agreement has not laid out a vision and plan for the larger challenges, such as illegal immigration, drug trafficking, poverty, and the other issues that affect this important region of our hemisphere. That is why, in my view, this agreement represents a lost opportunity of action for our Nation.

Lastly, let me say that I support trade for the Americas. I support trade for our Nation. I recognize that increased trade is good for our economy, for our businesses, farmers, workers, and families. But again, I wish we were here today talking about how we are opening new markets for our producers. Even under the most optimistic scenario, when this agreement is fully implemented, U.S. world exports are expected to increase by only a minuscule amount, if at all, to this small region. We simply need to do better at opening new markets, not just spend our time fighting to keep those we already have. If we spend all of our time fighting yesterday's battles on market access, we will miss the opportunity to leverage the major market opportunities that we have. That is why I have spent much of my first 6 months in the Senate working with the Department of Commerce and State to promote new markets, particularly for Colorado's agricultural products. That is why I asked Secretary Gutierrez to come to Denver last weekend to speak with Colorado's business, labor, and agricultural leaders. I am grateful for the Secretary having made this trip. I appreciated his candid discussion with my constituents in Colorado. That is why I have met with the Ambassador of China to urge him to send a trade delegation to Colorado on trade opportunities. And that is why I met with the director of the Taiwan Economic and Cultural Office to urge Taiwan to send a delegation to Colorado for the same reason.

At the end of the day, I am hopeful there will be a CAFTA I can support. But just as importantly, I hope even more that we, as a Federal Government, will redouble our efforts to promote American exports into new markets around the world, including our own backyard.

As I have deliberated on how to vote on this important agreement, I have thought a lot about Archbishop Romero, a courageous voice for dignity, change, and opportunity in Central America, and the lessons that we learned from his martyrdom in El Salvador. Shortly before he was assassinated, he said in Spanish:

El Reino está ya misteriosamente presente en nuestra tierra; cuando venga el Señor, se consumará Ésta es la esperanza que nos alienta a los cristianos. Sabemos que todo esfuerzo por majorar una sociedad, sobre todo cuando está tan metida esa injusticia y el pecado, es un esfuerzo que Dios bendice, que Dios quiere, que Dios nos exige.

(English translation of the above statement is as follows:)

God's reign is already present on our Earth in mystery. When the Lord comes, it will be brought to perfection. That is the hope that inspires Christians. We hope that every effort to better society, especially when injustice and sin are so ingrained, is an effort that God blesses, that God wants, that God demands of us.

This agreement is not our best work as a nation. As we try to improve our society and the societies of Central America and the Dominican Republic, we can do better.

I hope we get the chance to do better. I look forward to working with the administration to craft a better agreement with CAFTA.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I compliment my colleague from Colorado. These have not been easy issues for him. I appreciate his position and understand it fully. I think he has represented that position well in the comments he offered today. We share—perhaps in some cases for different reasons—a feeling that this trade agreement is not a good one for our country.

I yield 10 minutes to my colleague from Michigan, Senator STABENOW.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Ms. STABENOW. Mr. President, I thank my friend and eloquent leader on this issue, the Senator from North Dakota.

Mr. President, I rise today, also, to share my great concern about this agreement and to oppose what I view as an unfair trade agreement. We can do much better than this. This country has been in an economic slump since 2001, and since then we have lost more than 2.7 million manufacturing jobs. Certainly, in my State, it has never been more clear as we see the headlines every day regarding job loss, jobs going to Mexico, China, and India—every day, headline after headline.

At the same time, we have grown record budget deficits and a record trade deficit. Workers are losing their health care and higher education is becoming even more expensive. What is the response? Well, the administration decides to push through a CAFTA trade agreement that will dig the job holes even deeper. This makes absolutely no sense to me.

This agreement will cost us jobs. It will increase our trade deficit. It will hurt our country's middle class, the backbone of our economy, our way of life. What makes us different from other countries is that rather than just having a few very wealthy people and a lot of poor people, we have a vibrant middle class, people who work hard, save, put their kids through college, and they know they can count on having—up until this point—a pension when they retire or they receive health care through their jobs. All of that is at risk right now for the people in Michigan and others around the country.

This fight that we are having, this debate, is critically important. I think there is not a more critical debate to have on whether we are going to continue to support American businesses and American jobs and the American middle class. That is really what is at stake. We should pass legislation that will be creating jobs. We should be passing legislation that will lower the trade deficit and will create more access to health care, lowering the cost of care and for college. There is a lot we should be doing.

Unfortunately, I have concluded that this trade pact really moves us backward. It will lead us to more offshoring of American jobs. It would be better titled ''NAFTA part II.''

However, so that I am not misunderstood, I do support trade. Obviously, the debate about trade or not to trade is not the right debate anymore. You could not put a wall up around this country if you wanted to. The Internet reaches anywhere. The question is, Are we going to be smart so that we can compete up rather than down, compete in a way that increases the middle class in other countries that will buy our products rather than losing our middle class and exporting our jobs? What is at stake here is really fundamental.

I have supported trade agreements in the past. In fact, I voted in favor of six trade agreements in the last 4 years. I will give you an example of one of them. I supported the United States-Australia trade agreement because our economies are similar. Our workers get paid roughly the same amount of money. Our companies can sell their products in Australia because it has a high minimum wage, sound environmental laws, and good labor standards. We can sell and trade back and forth.

Unfortunately, the CAFTA agreement does exactly the opposite. This packet will ship jobs overseas and provide fewer export markets for American companies, and it is because in these countries the minimum wage is very low. In Guatemala, the minimum wage is 25 cents an hour. I don't want our workers having to compete with 25 cents an hour. You cannot live on that. Mr. President, how can we expect to export to a market and compete with an economy where workers make 25 cents an hour, and there are no basic

environmental laws and labor standards? I want to compete with a country where you can drink their water, where they can live on their wage, where we are competing up, not down.

I believe we should try to support agreements that actually lift up workers in other countries as well as our own, as I said, so they can purchase our products. That is not what this does. Tragically, the countries involved in the CAFTA agreement are poor countries. For example, the median GDP in Nicaragua is only $2,300 a year. And 40 percent of all workers covered under the agreement survive on less than $2 per day. It would make sense if we were putting in place an agreement that would raise those wages so they can buy our products. But I fear, from what I have seen in the past, that will not be the case. The entire purchasing power of all six of the CAFTA countries combined is less than the purchasing power of half of the city of Detroit.

We are not competing on an equal playing field in this CAFTA agreement. I ask, how many Nicaraguans are going to be able to buy a $20,000 automobile made in Michigan? We want them to buy cars made in Michigan, by the way, Mr. President. We all know those who don't understand history are forced to repeat it. I am afraid that is what is happening.

When we look at NAFTA, after Congress passed NAFTA, hundreds of thousands of American jobs were lost to Mexico. It is still happening. Last year, Electrolux, a plant in Greenville, MI, that makes refrigerators, announced they were going to move to Mexico, with 2,700 good-paying jobs gone. Why? So they can pay $1.50 an hour in Mexico, with no health benefits. This is having a devastating effect on a small town community in the middle of Michigan. That is not the only story. There are hundreds of those.

Right now, if we use NAFTA as a comparison, we see that over the past 11 years U.S. workers have lost nearly a million jobs due to the growing trade deficits with our NAFTA partners. During the same time period, real wages in Mexico went down. Now, it would be different if it were true that wages went up, as we often hear, because that would make sense economically. But instead, in Mexico, wages have fallen, while the number of people living in poverty in Mexico has actually grown. It makes no sense to follow that line out again with another trade agreement. Since NAFTA took effect in 1994, the U.S. trade deficit with Canada and Mexico has ballooned to 12 times its pre-NAFTA size, reaching $111 billion in 2004.

I believe we can expect more of the same from CAFTA, unfortunately. We can do better than this for American farmers, we can do better for American businesses, we can do better for American workers, and for American families. I hope we will reject this proposal and send them back to the drawing board. There are other models, other prototypes that have gotten it right. There are other agreements we have voted for on this floor that do a better job of creating and protecting our middle class and our jobs and businesses in America than this agreement. We can do better than this. We need to do better than this. I urge my colleagues to reject this agreement.

We are once again rushing into a trade agreement that doesn't help, and in fact, has the potential to hurt American workers and their families.

This country has been in an economic slump since 2001. Since that time, we have lost more than 2.7 million manufacturing jobs.

At the same time, we have grown record budget deficits and record trade deficits. Workers are losing their health care and higher education is becoming ever more expensive. And, in Michigan we suffer from the nation's highest state unemployment rate.

What is this administration's response? It has decided to push the CAFTA trade treaty that will dig the jobs hole even deeper. And, the administration has stripped out a trade adjustment assistance provision that would have helped workers displaced by CAFTA.

This trade pact moves this Nation backwards. It will lead to more offshoring of American jobs.

It will cost us jobs, increase our trade deficit and hurt our country's middle class. It will turn the haves into the have-mores and the have-nots into have-nothings.

We should be negotiating trade agreements that involve exporting products, not jobs and we should pass legislation that will help create jobs, lower our trade deficit, and help working families get access to health care and college.

However, so that I am not misunderstood I support free trade on a level playing field. I have voted in favor of six free-trade agreements over the past 4 years.

For example, I voted for the U.S. Australia Free Trade Agreement because when we trade with Australia we trade on a level playing field.

That agreement works because our economies are similar and our workers get paid roughly the same wage. Our companies can sell their products in Australia because it has a high minimum wage, sound environmental laws and good labor standards.

Unfortunately, the CAFTA agreement goes in exactly the opposite direction.

This agreement will ship jobs overseas and provide few export markets for American companies.

My State of Michigan certainly will not benefit because this agreement does not provide a meaningful export market for Michigan manufacturers.

That is because in order to have an export market you need to be selling to people who can afford your goods. But the typical wage in the CAFTA countries is very low.

Tragically, these countries are poor. For example, the median GDP in Nicaragua is only $2,300 per year.

And 40 percent of all workers covered under this agreement survive on less than $2 per day.

The entire purchasing power of all six of the CAFTA countries combined is half that of the city of Detroit alone.

In Guatemala, the minimum wage is approximately 25 cents an hour.

How can we expect to export to a market where workers make 25 cents an hour and lack basic environmental laws and labor standards?

We should try to lift up the impoverished workers in these countries so they can purchase American made products. But this agreement will not do that.

As we all know, those who do not understand history are forced to repeat it. Let's take a look at what has happened in recent history.

After Congress passed NAFTA, hundreds of thousands of American jobs were lost to Mexico. And it is still happening. Just last year, Electrolux closed a plant in Greenville, MI, and put 2,700 high paid workers on the street.

Despite the fact that the company was making a profit and its workers were productive, the management closed the plant in Greenville and will soon open a new one in Mexico.

If we use NAFTA as a comparison we see that over the past 11 years U.S. workers have lost nearly 1 million jobs due to growing trade deficits with our NAFTA partners.

During the same time, real wages in Mexico have fallen while the number of people living in poverty there has grown, according to the Carnegie Endowment for International Peace.

Since NAFTA took effect in 1994, the U.S. trade deficit with Canada and Mexico has ballooned to 12 times its pre-NAFTA size, reaching $111 billion in 2004. Imports from our NAFTA partners outpaced exports to them by more than $100 billion, displacing workers in industries as diverse as autos, aircraft, apparel and consumer electronics.

I believe we can expect more of the same under CAFTA.

American farmers have also felt the impacts of NAFTA. We quickly discovered that this trade deal was no deal because it accelerated the agricultural products trade deficit.

Consider that in the three years before NAFTA our trade surplus with Mexico and Canada increased by $203 million.

After NAFTA, our surplus fell by $1.5 billion.

The result is that some American crops, like tomatoes, have been pushed to the brink of extinction.

Also, in 1994, Congress passed the General Agreement on Tariffs and Trade more commonly known as GATT.

After we signed that agreement, we began to lose jobs to India, Indonesia and other East Asian countries.

Now, workers in India are doing thousands of jobs that Americans used to do.

They now staff call centers, provide technical support for our computer networks, and even process our tax forms and read our medical x-rays.

To make matters worse, we passed so called most favored trade status for China in 1998. And since then, hundreds of thousands of Americans jobs are now done in China.

Mr. President, you would think that after what has happened after previous trade agreements that we would know better than to pass another free trade agreement with countries that don't share our wage structure, labor standards, or environmental standards.

Before we pass another free-trade agreement, why don't we first enforce our existing trade agreements.

Currently, two of our major trading partners, China and Japan, are violating world trade rules by manipulating their currencies, which has the effect of making their products cheaper here and our products more expensive over there.

Additionally, China refuses to seriously combat the rampant counterfeiting of auto parts.

This hurts Michigan companies and costs American workers their jobs. This is unacceptable.

That is why I, along with Senators GRAHAM and BAYH, have introduced a bill that would create a trade prosecutor. This ambassador-level position within the office of the U.S. Trade Representative would be appointed by the President and confirmed by the Senate, with the authority to ensure compliance with trade agreements to protect our manufacturers against unfair trade practices.

In practical terms, this prosecutor will have the authority to investigate and recommend prosecuting cases before the World Trade Organization and under trade agreements to which the United States is a party.

Senator GRASSLEY has assured me that this approach would be seriously debated while we continue to move forward on trade reauthorization and I look forward to working with him on this important piece of legislation.

In addition to enforcing our current trade laws, we should pass other legislation that would help protect our jobs.

First, we should close loopholes in the tax code that actually reward companies for shipping jobs overseas. Senator DORGAN has introduced such legislation to do so. Why aren't we passing that in the Senate?

Second, why don't we help our companies deal with the runaway cost of health care so they can be more competitive overseas and keep our jobs here?

Third, why aren't we more aggressively moving comprehensive pension reform to help our workers and companies through this very difficult economic time?

Fourth, while we are building infrastructure over in Iraq, why can't we do the same here at home? Our roads, bridges, transit systems, and sewer systems are in dire need of repair. Why aren't we setting aside the resources now to repair them? Doing so would create hundreds of thousands of new jobs.

Finally, why aren't we doing more to invest in new science and technology so our companies can better compete in the future? With very little federal funding, we are on the verge of producing a commercially viable hydrogen car and being the leader in the world on stem cell research.

So, Mr. President, I ask my colleagues, why aren't we using our time to pass job producing legislation? How can we ask our workers to compete against economies that don't allow for collective bargaining, that don't maintain reasonable environmental standards, and don't maintain workplace safety requirements on par with the U.S.?

It is not fair to their workers and it is certainly not fair to our workers.

Why don't we work with these countries to help lift up their workers? Let's work with them to raise wages, provide health care, protect their environment and then we can enter into a free-trade agreement.

This agreement represents a race to the bottom.

A race to the bottom makes the world a poorer place—not a richer one.

There are many things we can do to increase our trade with the world in a commonsense way. CAFTA is not one of them.

The PRESIDING OFFICER. Who yields time?

The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I rise to speak in favor of this agreement. Twelve years ago, I rose in this Chamber to speak about NAFTA to express a vision that free trade will one day encompass all of North, Central, and South America. Today, we have an opportunity to further that vision by entering into an agreement that will strengthen U.S. trade relations and promote democratic reform in Central America.

CAFTA will provide the U.S. exports with market access to Central America, similar to the duty-free access we have given Central American exports. Although nearly 80 percent of Central American and the Dominican Republic exports enter the U.S. duty free, America continues to pay high tariffs on over $1.5 billion of annual exports to Central America, our tenth largest export market globally.

CAFTA rectifies this inconsistency by providing open market access to U.S. goods, services, and farm product exports. Specifically, over 80 percent of U.S. consumer and industrial product exports to Central America and the Dominican Republic will be duty free immediately upon implementation of CAFTA. The remaining tariffs are phased out over 10 years.

Almost 20 years ago, Central American countries were ruled by dictators and communist insurgencies creating chaos and fostering corruption. With American support and encouragement, Central America has evolved into a region of fragile democracies. Elected leaders are welcoming freedom and encouraging economic diversity, while looking to the United States for a means to develop a mutually beneficial relationship. CAFTA allows the United States to strengthen the economic ties we currently have with Central America and the Dominican Republic, while supporting political stability.

History shows us that bilateral and regional free-trade agreements promote economic growth by significantly increasing U.S. exports. In my home State of Texas, exports to Chile have doubled since the Chile free-trade agreement was implemented in 2004. The success of NAFTA in the last 10 years yields similar results. Since NAFTA was implemented, combined exports from America to Mexico and Canada have increased by more than 150 percent in Texas, and 113 percent nationally.

CAFTA shows the same promise and encourages U.S. growth as well. One out of ten jobs in the United States depends on exports. Similarly, foreign companies which invest in the United States create jobs. In fact, since 1990, foreign companies have invested more than $1.5 trillion and employed more than 6 million U.S. workers. Free-trade agreements encourage export growth and help create jobs.

I think it is important, also, to look at this from a hemispheric point of view. I do believe that it is important that we have free trade from the very north, Canada, all the way through the tip of South America. Strengthening our hemisphere will be good for America, and it will be good for every country in this hemisphere. It will also help us with many of the problems that we face with disparate economies. Many of our immigration issues come from people wanting to come to the United States because they cannot earn a living for their own families where they live. It is not that they want to leave their countries, it is that they are trying to provide for their families. If we have more free trade in our hemisphere, people will be able to support their families where they live, and we will have healthy economic relations with those countries rather than dealing with that on the basis of an immigration problem.

So I do think that as we are looking at the places where we can strengthen economies, and where it is in our best interests to strengthen economies, we should look in our own backyard. We are having trade issues with China and with the European Union. Why not look to our own hemisphere, our own backyard, for strengthened relationships? That is what CAFTA will continue us on the right track to do. We have NAFTA and now we have Canada,

the United States and Mexico; we have Chile and we have other countries in South America. I think the Central American agreement will add another component to that.

I want free trade with every country in South America with which we can get an agreement. This is a very important part of our long-term stability and the strength of our economy and the economy of our whole hemisphere.

I hope we will look at the big picture. I know that many Senators are concerned about jobs in their States and the impact this might have. Many people in Texas were very concerned about NAFTA because of the labor being less expensive just across the border, but NAFTA has been an overall plus for Texas, as it has been for America. We want to continue to strengthen our relationships with Mexico, Central America, and all the way through the tip of South America.

Mr. President, I urge my colleagues to support this agreement.

I ask unanimous consent that the time I consumed be charged to Senator GRASSLEY.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I yield such time as I may consume from my allocation.

There has been some discussion today about the U.S. International Trade Commission report on the CAFTA agreement. One of the complaints although not stated directly, is that this is an independent agency. Funny thing, independent agencies seem to be the most reliable agencies, at least, they are around this town. We do not get material from them that is colored one way or the other. It is an independent analysis.

This probably is the most devastating critique of CAFTA. We have all of these people who load up their saddlebags and rush to the floor of the Senate telling us how wonderful this is going to be. They pull out all the goodies and say how terrific this trade agreement is for America. The problem is it is at odds with the independent analysis from the U.S. International Trade Commission.

They say effects of tariff removal under this agreement are likely to result in virtually no benefit to our country. They say there will be little or no benefit to U.S. consumers. It says little or no change in U.S. production in distinct industry sectors, with one exception; the largest decrease in production is for manufactured sugar and sugar crops, of which the output of both will decrease.

Then it says this will increase our trade deficit by $100 million. I don't know, maybe it is confusing to throw facts into this discussion about theology and economics and trade and all the things that are going on here. But here is a set of facts that is pretty hard for people to refute. They say, I have heard: ''You have to read the entire ITC report.'' I don't know, maybe so. I have looked at this report. I am reading the summary and the sector results, and it says if we sign on to this trade agreement, there is really no benefit to American consumers, virtually no benefit to American consumers, but a detriment to sugar producers and an increase in the trade deficit by $100 million.

I went to a really small school, but I learned in a small school that this would add up to a net deficit for our country. I do not understand how someone looks at this and says: ''All right, I have looked at this. It says this is bad for our country, but I think it is good for our country. And the problem is this is an independent agency.''

That is a problem having an independent analysis on issues such as this that take off the rosy glasses and say: Look, here is what you are dealing with.

Let me put a few charts up to show a few of the facts. I have said many times that everyone is entitled to their own opinion on this floor, but not everybody is entitled to their own set of facts. Facts are stubborn things. Let's talk about them.

Since NAFTA began in 1994—that is the North American Free Trade Agreement—that is when we hooked Mexico and Canada with our trade. At that point, we had a slight trade surplus with Mexico. We have been able to ratchet that up to a huge deficit through this trade agreement. We had a modest trade deficit with Canada, and that has now become a huge trade deficit through this agreement.

We have lost about 71,000 family farms. We have had a drop in agricultural trade surplus with Mexico and Canada by 71 percent. There have been 900,000 manufacturing jobs lost. There has been a drop in net farm income of 22 percent.

I have told my colleagues, and I will tell them again, one day I drove to the Canadian border with a farmer named Earl Jensen. We got up to that border with a 12-year-old orange truck. This little old orange truck had about 150 bushels of durum wheat on it. So in an old orange truck, we pull up to the Canadian border. All the way to the United States-Canadian border, we had been meeting trucks hauling Canadian wheat into our country at secret prices which had been set by the Canadian Wheat Board, a sanctioned state monopoly in Canada that would be illegal in our country. All the way to our border we met these 18 wheelers hauling Canadian grain into our country.

Earl Jensen and I, with our little orange truck, get to the border, and they would not let us through. You cannot take American durum into Canada. It was not just us with the orange truck. There was a woman from Bowman, ND, who married a Canadian. She went to Canada for Thanksgiving. She got some wheat, put it in a paper sack and put it in the car because she wanted to use that to grind up and produce whole wheat bread. ''You cannot do that,'' they said, when she got to the border. ''You have to dump out that sack of wheat.'' At the same time, we were flooded with Canadian durum coming into our country.

Fair trade? Of course not. It is absurdly unfair. Nobody is willing to do a thing about it. It all came about because of NAFTA. We had a written agreement from Clayton Yeutter, who said representations of good faith in NAFTA are there will not be a substantial increase of grain trade across the border. In fact, that happened immediately by the Canadian Wheat Board—as I said, a sanctioned monopoly that would be illegal in this country—shipping into this country at secret prices a massive quantity of grain, taking money right out of the pockets of American farmers.

Earl Jensen can probably be excused, at the Canadian border stop that afternoon, wondering how on Earth our Government policy allows Canadian grain to flood into our marketplace, and he and I cannot drive a 12-year-old orange truck into Canada with just a small amount of U.S. wheat.

The answer is quite simple. These trade agreements are incompetently negotiated, No. 1, and, No. 2, they are not enforced. That is where we are. That is what has happened since NAFTA. All bad news: A drop in the trade surplus in agricultural goods with Mexico and Canada; massive lost jobs in agriculture; 71,000 family farms lost.

But it is not all bad news. It is bad news for the little guy. Corporate agribusiness profits are up 175 percent. Pretty good for them. The trade deficit with Mexico and Canada increased 266 percent. There is $4.3 billion in agricultural trade deficits with these two countries.

The point is not everybody lost. You see, the corporate agribusiness profits went up when we lost farms and jobs. The little bee sucks the blossom, the big bee gets the honey; the little guy picks the cotton, the big guy gets the money. Bob Wills & His Texas Playboys sang that 70 years ago and it still applies today and it applies in these trade agreements.

The U.S. Government estimates that CAFTA will increase the trade deficit by $100 million. That is the ITC report I just described.

I don't know how anyone can come to the floor of the Senate and say: I have my own set of glasses. I haven't cleaned them for a long time, but when I look through these glasses, I see nothing but nirvana, nothing but good news, when, in fact, no matter what glasses you wear around here, here is the ITC report which says this trade agreement we are about to sign onto will increase this country's deficit.

This trade agreement, of course, is one more bit of the circular economic winds. This chart shows CAFTA will

allow transshipment of foreign textiles through Central American markets from China, from Canada, down through the CAFTA countries into the United States.

Somebody said today to me: ''So what. It happens anyway.'' Are we all giving up on helping American jobs remain viable? I don't understand that.

Let me talk for a moment about sugar. There has been a lot of discussion about sugar. Sugar is an interesting commodity. I happen to like sugar. We produce sugar beets in the Red River Valley. All of us can be excused for liking something quite as wonderful as sugar. It, in fact, is organic. You plant a beet in the ground, watch that green stuff come up, and then see the growth and then pull that beet out of the ground during the beet harvest, run it through a plant, slice it, dice it, squash it, and get the juice out of it. It doesn't smell so hot in that plant when they are processing it, but pretty soon you have sugar, and most sugar in this world is traded country to country on long-term contracts. That is the way most sugar is traded in the world, country to country, in long-term contracts.

The sugar that is outside of that, the sugar that is left over or in surplus is what is called dump sugar. It moves around the world at very low prices, just pennies a pound, very low prices. That is what our colleagues who know nothing about sugar, except the taste, come to the floor and lecture us about: ''Well, the world price of sugar is a nickel or 6 cents.'' Sorry, that is not the world price, that is the dump price for sugar. You cannot raise sugar for that. You cannot grow sugar beets for that. Most of the sugar is traded at higher prices than that on long-term contracts.

We have a sugar industry in this country, and we have a sugar program in this country. Some do not like it, especially those who produce candy bars do not like it. The last time we had a debate on the floor of the Senate about sugar, I held up a Baby Ruth candy bar and read the ingredients. Oh, man, it is a long bunch of ingredients. Most of the things in candy bars you cannot pronounce. But there is a lot of sugar in candy bars, and that is what the debate has been about regarding the sugar program.

Those who use sugar for their confections and candy bars do not want a sugar program; they want to buy dump sugar. The sugar program has been a good program to help stabilize prices in the country, yes, for producers and consumers. We have had times when sugar spiked way up, and then sugar prices came back down. Did you see a change in the cost of a can of pop or soda, a can of Coca-Cola, Pepsi, or Sprite? Did you ever see their prices come down when the price of sugar came down from a high spike? No, it didn't happen.

This sugar debate has always been about those who use a lot of sugar in candy, soft drinks, and so on. They want to buy dump sugar at dump prices, and they would like to get rid of the sugar program.

This sugar program is one part of the farm program that has worked consistently to provide consistent stability of income for American farmers. Yet a relentless urge in this Chamber is to take apart the one part of the farm program that has worked.

Let me talk about sugar and this trade agreement. This trade agreement provides an opportunity for the movement of additional foreign sugar from the CAFTA countries into our country. We know they can produce sugar dirt cheap in some of these CAFTA countries. We know when we turn to the next trade agreement under the Free Trade Area of the Americas, they can probably produce it less expensively in Brazil and massive quantities of it. If we are going to be the recipients of dump sugar and be like a cork on the waves of the price of sugar, we will be subjected to the price spikes up high and then sometimes cheaper sugar.

The fact is we will also destroy the current sugar producers in this country. In the Red River Valley of North Dakota and Minnesota, we have sugar beet growers. They go out in the morning and plow the fields, tend the crops, plant these beets. They are good people. They have a farm program that works called the sugar program. This is the first step in the direction of taking that sugar program apart, much to the glee of some because they never liked it. This is the first step of several steps because the next step in the Free Trade Area of the Americas will be the giant step.

It is very interesting when you listen to these discussions about sugar. The Agriculture Secretary says this will increase sugar imports by about 1½ teaspoons of sugar a week for every one of our nearly 300 million citizens. That is an interesting way to look at it. Another way to look at it would be that CAFTA will let in enough sugar to fill 5,389 semi-trucks. This is just the first step in the wrong direction.

This is just the first step in the wrong direction for trade. Through trade initiatives, we have done a lot of damage to our economy—good jobs leaving, jobs that pay well leaving, huge increased deficits. That means that it is the Chinese, it is the Japanese, the Europeans, the Mexicans, the Canadians who hold American dollars, American stock, American real estate in exchange for the trade deficit we have which grows by $2 billion-a-day—every day, 7 days a week.

I said this morning that Warren Buffett describes this as heading toward share cropper days because others in other parts of the world will own an increasing part of America. Piece by piece, day by day, they are buying part of our country.

I finish with the sugar program to say this: I am not bashful at all about supporting our economic interests in this country. I am just a little sick and tired of people who are so quick to negotiate away our economic interests. Every trade agreement we have seen in recent years has negotiated away the economic interests of our country. I believe trade agreements are beneficial if they become trade agreements that bestow mutual benefits on the trading partners, but that has not been the case.

Can anyone in this Chamber honestly look at the United States, Canada, and Mexico, the three countries combined, united in a trade agreement called NAFTA, and describe a manner in which this country won? Can anyone describe that honestly? They cannot. In each case, we ended up with a much larger trade deficit, and that trade deficit is a measurement of substantially greater imports into this country than exports from this country.

It also means, then, that we lost jobs, lots and lots of jobs. No one wearing their Senate blue suit ever lost his or her job as a result of this trade agreement. It is just other folks who lost their jobs, people who loved their jobs, worked hard at their jobs, cared about their jobs, often worked for 20, 25, 30 years, only to find out one Friday their job was over because we negotiated trade agreements that moved American jobs elsewhere.

When do we stop that? How much evidence does one need to decide it ought to stop, especially with respect to the issue of the sugar program and the sugar trade with Central America? Let us just instantly understand they can produce sugar much less expensively than we can, and I am going to go through some things and talk about the circumstances of labor in Central America and describe why they can produce sugar less expensively than we can. But they cannot produce a living wage for their workers in Central America. So let me go through some of those and connect it to the sugar program among other things.

Under the labor laws in El Salvador and Nicaragua, it is legal to fire workers who belong to a union. In Honduras, it is legal to fire workers who say they intend to organize. In Nicaragua, it is legal to prohibit strikes without government permission. Our country wants to sign up to a trade partnership in which our workers should compete with countries with those labor standards? Are we thinking clearly here? Who wants to do that? Does that not by its very definition denigrate standards in this country? I believe it does.

This is a chart that shows something about El Salvador. This was published some while ago:

> Jesus Franco, 14, has scars crisscrossing his legs from his ankles to his thighs and more on his small hands. For more than half of his young life, he's spent long days cutting sugarcane. He has the machete scars to prove it and so do his four brothers and sisters, age 9 to 19, all of whom work in the sweltering cane fields of El Salvador.
>
> Jesus' story is repeated countless times across Latin America where children even

younger than he is are found working in cane fields at subsistence wages. More than 17 million children between the ages of 5 and 14 are working in that region.

Sugarcane workers, including children, use machetes to cut the hard, sharp stalks of thickly planted fields where there is little room to maneuver. Children and family members said cuts requiring stitches are common in the fields and many more children suffer burns from the caustic fertilizer they spread by hand.

Thirty-three percent of the sugarcane workers in the fields of El Salvador are under the age of 18. Many children in El Salvador start working in sugarcane fields between the ages of 10 and 13, and the number of children between the ages of 5 and 14 working in Central America is 17 million.

This is a young boy working in a sugarcane field in Central America. This is a picture of the living conditions for sugarcane workers in Guatemala. This is a picture of the type of injuries which children and adult workers sustain while cutting sugarcane. This photo is from Human Rights Watch.

I do not know how much more evidence is necessary to understand what we are trying to do. The majority who believe in this trade agreement are trying to hook this country into a competition with other countries that have decided they can fire workers who want to unionize, that have decided even if they have labor rules they do not need to enforce them, that have decided it is okay to have 9-, 10-, and 12-year-olds in the cane fields hacking away with machetes, and those are the conditions under which we compete. That is what the majority, many in this Chamber, will say when they vote for this trade agreement. They have said it before repeatedly with trade agreements, and they are going to say it again today. In the face of all evidence to the contrary, they are going to say it again today. It is unbelievable to me.

So last evening, when I got a little cranky and objected to unanimous consent requests and was walking around a little upset, I was upset because of this. This trade agreement, the Central American Free Trade Agreement, was negotiated over 1 year ago. It was not brought to the Senate floor, not brought to the floor of the House, not brought to the Congress at all. Do my colleagues know why? Because they did not think they had the votes in the House of Representatives. But I knew some day the President and the majority would say, ''We are going to vote on CAFTA,'' and they would wedge it in right in that little corner, right in that crevasse before we go home for a break.

Next week, we are not in session. There is a Fourth of July break. Sure enough, last night, that is exactly what the majority leader did. I am sure White House instructions were to get this done.

It has been over a year. We think we now have purchased enough votes, we have given up roads and bridges and dams, and we have enough people who are willing now to vote for this. So we are going to have this discussion, we are going to have it now, and it is going to be done before we go home for the Fourth of July recess, and we are not going to have a 2-day or 3-day discussion about real things that matter a lot.

We are going to have a discussion about flag burning, I guess, I am told probably in the month of July. The flag is very important in this country. It is a symbol of America's patriotism and freedom. I would not ever make light of that, but I would say this: As disgusting as it is, and it is disgusting to see anybody desecrate an American flag, one might well be hard-pressed to find someone who has burned an American flag. Look at the label. It might well be made in China because much of our textiles come from China these days. The people who used to make those textiles—shirts and trousers and, yes, flags—used to be American workers, but now they are foreign. They are gone because we have a trade strategy that says we want American workers to compete with workers in China, Sri Lanka, Bangladesh, and Indonesia. Those workers will work pretty inexpensively. Those are workers who can work 7 days a week, and we can ask them to work 12 hours a day. We can pay them 30 cents an hour and that will be just fine, and American workers cannot compete with that—that is tough luck.

I happen to think that what we have built on this little planet called Earth, the only spot on Earth that is the United States of America, is extraordinary. One of the reasons it is extraordinary is we had the guts as a country, all of us did, both parties and people marching in the streets, to do what was right. We said there is a right way to do things and a wrong way to do things. One has capital, labor, and all of these things that come together to produce. Both have rights, both ought to be protected, and so people chained themselves to the White House fence, people died in the streets of Detroit, people manifested a belief and a passion that workers have the right to organize, they have a right to work in a safe work plant, they ought to have child labor laws, and companies ought not be able to dump their sewage and chemicals into the streams and into the air. We made a lot of progress doing that, so we have a better country because of it. We use much more energy now than we did 25 years ago, and we have a cleaner country.

All of those things we have done to make this a better place in which to live, to allow jobs to be available that allow workers to provide for their families, are now being considered largely irrelevant because one does not have to bother with those things in production here at home. They can just produce elsewhere, and workers can be treated like a pair of pliers or a wrench: When you are done with it, just throw it away, just get rid of it, just leave it somewhere else. Do not worry about it because you can find another one 8,000 miles away. You can transfer the capital immediately, you can transfer the technology immediately and combine the capital and the technology with somebody who will work for 30 cents an hour. Do not worry about the consequences for the American workforce because if one is an international corporation interested in shareholder profits, they do not have to say the Pledge of Allegiance. So do not worry about that.

Those are the values we ought to be talking about when we talk about these trade agreements, values long forgotten, in my judgment, during these debates, values that no one wants to discuss much. That is why we are here for 1 day on the Senate floor on an issue this important, just wedging it right in between now and the Fourth of July recess.

As I close, I ask my colleagues to look at this one more time. This is a trade deficit chart that tracks the loss of American jobs and tracks the selling of America to foreign interests. Every single day, $2 billion of American cash, American assets, American real estate, ends up in the hands of foreign interests. It is what Warren Buffett means when he says that we as a country are headed toward a share cropper future. I defy anyone in the Senate to come to the floor and tell me this is moving in the right direction, tell me this is good news.

This is a disaster. This is dangerous for our country. This is evidence of a Congress that refuses to stand up, that does not have the backbone, the will, and the strength to stand up for this country's interests and is not willing to stand up and say: ''I want to protect America's interests.'' Why will they not say that? Because they are worried that somebody is going to call them protectionists. Well, sign me up, for God's sake. My interest in putting on a suit in the morning and coming to work is to protect the economic interests of this country. Yes, I think we have a global economy and, yes, I think trade can be beneficial, but if trade agreements are not mutually beneficial, then this country has no business signing up to trade agreements that cost this country jobs and economic strength and cost us an opportunity for a better future.

I will have more to say about a range of these issues later this afternoon, but I hope we will continue to hear from colleagues about the underlying premise of this set of failures and how we can turn it around. How do we turn it around? Every kid in this country who is now in school is going to have a future that is injured by this strategy unless we turn it around. Only we can do that. There is no one better able to do it than us, but we have to have the will to do it. I hope that perhaps at the end of the day, when we finally vote, we will find a will to quit moving in this direction and stand up for the economic interests of this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, I spent the last few minutes listening to my colleague from North Dakota discuss a very important issue for our country. While he and I have come to the same conclusion as to how we are going to vote on this issue, we have come from different points of view to arrive at I believe a similar conclusion.

Mr. DORGAN. Might I inquire of the Senator from Idaho, my intention was to yield 10 minutes to the Senator from Idaho off our time. Is that the Senator's intention as well?

Mr. CRAIG. I would ask that be done, if that is necessary. Ten minutes is clearly adequate. I need no longer than that.

Mr. DORGAN. I yield 10 minutes to the Senator from Idaho.

Mr. CRAIG. Since Congress gave the President fast-track trade negotiating authority in August of 2002, we have had to face the reality that comes with it. I supported giving the President that authority because clearly the executive branch is the branch that negotiates trade agreements.

But while giving him that authority, I said that I would look at each trade agreement and study it thoroughly to determine whether I believed it was in the best interests of our country to approve it, and, as important, in the best interests of my State of Idaho. Three agreements have been reached and Congress has dealt with all three of them. I have voted for two of those three.

The administration has been actively pursuing a vigorous bilateral and free-trade agenda around the world, and I believe it is in the best interests of our country, both economically and socially, to trade where we can, when we can, as long as it is fair and balanced and it recognizes all of the tradeoffs involved.

Trade with foreign nations is a valuable component to promoting economic opportunities at home. This is not a one-sided economic playing field. If we were to produce only that which America consumed, then, working America, half of you go home. It is clearly in our best interests to trade and we know that.

At the same time, we should not be trading off one segment of our economy against another. Trade agreements ought to be there to promote general economic growth in our country. Certainly it ought to be able to promote economic growth around the world. But in the end, when that trade agreement is struck and implemented, we ought to be able to say it serves all of America well.

Congress is now debating, as we speak, the Central American Free Trade Agreement, otherwise known as CAFTA. I became involved with our trade negotiators as the President and our then-Trade Representative, Bob Zoellick, began negotiating with CAFTA nations. As an agricultural State, Idaho has a large stake in these agreements, and agriculture right now is currently learning how to restructure itself in our global markets to remain highly competitive, to supply not only food and fiber to America but to consumers around the world.

As many know, a major agricultural crop in my State is sugar. Idaho is the second largest producer of sugar beets, behind Minnesota, in the United States. Idaho's sugar industry employs somewhere in the neighborhood of 7,000 to 8,000 people and generates nearly $800 million in economic activities in my State. The sugar industry of Idaho and in most other sugar-producing States has had to restructure itself in the last several years because of the unprofitability of it. Farmers have pooled their money, they have created cooperative processing plants to market their sugar, and so inherently have developed large personal investments in all levels of the production of sugar.

It is well known that the world sugar market is one of the most distorted agricultural markets in the world and that most world sugar supplies are simply dumped on the markets at prices well below the cost of production. As the Senator from North Dakota was showing a few moments ago, some of that production is done at the lowest of costs and at a tremendous cost to human capital. U.S. producers already face an oversupply situation, with significant quantities in storage at the expense of the producer. Prices have slowly declined. Yet production costs in the United States have skyrocketed.

Although the United States is the fourth largest importer of sugar in the world—no, we have not shut the world out, we are a very large importer of sugar—CAFTA seeks to significantly compound an already ugly situation and set a ''precedent of no return'' for further negotiations already underway with major sugar-exporting countries such as Thailand and Panama. In other words, this is not the last bilateral agreement this Senate will see before it that deals with the issue of sugar.

CAFTA nations already enjoy duty-free quota access for sugar with the United States. I am not prepared to trade away an industry so vital to my State to the overall well-being of some other country's sugar industry.

Other Idaho agricultural groups understand that those farmers who are sugar producers also are potato producers and bean producers and grain producers. We are not just talking about impacting one commodity. We are talking about impacting a lot of commodities. If Idaho were to lose the acreage that it now commits to sugar, it would have to grow something else. It would put pressure on other commodities.

We have sought and have obtained a relatively well balanced economy in agriculture. In my opinion, CAFTA will distort that. Our U.S. negotiators are willing to open our markets to increased sugar imports while other competitors maintain unfair economic advantages in domestic subsidies and minimal market access commitments.

Myself, along with my colleagues from sugar-producing States, took our concern with CAFTA to the administration. With the help of my good friend and chairman of the Senate Agriculture Committee, Senator CHAMBLISS, we met late into the night with our trade ambassador, Rob Portman, and with the Secretary of Agriculture, Secretary Johanns. I must say in all fairness to them they not only listened but finally, after well over a year and a half of me saying ''don't go there'' and then when they did, saying ''come work with us,'' they finally fully began to engage.

They brought forth a proposal that, in my opinion, was not all bad. At the same time, it modified the 2002 farm bill, in large part, and it committed U.S. money to a program to save, if you will, or maintain, if you will, that we had told our Senators on the floor was going to have no net cost to the American taxpayer.

As a result, while I thought it was a significantly improved proposal, the sugar industry of this country looked at it and looked at what they felt was a very weakened position because of CAFTA and because of NAFTA and because of what was happening in Mexico now and because of a position they would be placed in the 2007 farm bill negotiations, and they simply had to say no.

Trade agreements ought not to be trading one industry off against another. These trade agreements ought not to have to come to Idaho and any other State and say: We have weakened the capacity of your State, or the agricultural industry of your State in this instance, to be competitive and to produce and to sustain ourself and your livelihood.

It is for all of these reasons that I will be voting against CAFTA. However, I applaud this administration for their diligent and willing work with us on this issue. In the final hours, they tried. The problem is, they didn't try a year ago, or 2 years ago, when this issue was being negotiated. More than once I sat down with Ambassador Zoellick and said: Don't touch sugar. It has a very static market today. It is in a highly competitive market. And it will be most difficult for that industry to sustain itself, let alone sustain itself in a diminishing market environment.

They didn't listen. We have CAFTA. Anybody can waive two little packets of sugar around and say that is all it is about.

But what about the Colombian agreement? What about the Thailand agreement? What about the Panamanian agreement? What about the South African agreement? All are sugar-producing nations. All are ready to sit down and negotiate and ask for a piece of the U.S. sugar market. That is why the producers in Idaho and around the Nation, when provided this last moment agreement, simply had to say no.

They are placed, by this agreement, in a most difficult situation. As a result, in my support of them, I will oppose.

Again, trade agreements ought not be about trading one segment of our economy off against another, trading winners and losers, and therefore creating an environment that pits one head to head with another. That is unfair. Our Government ought not be doing that.

While there are many benefits to be gained by CAFTA, there are winners and losers. I believe the sugar producers of this Nation become losers. I have to vote no.

The PRESIDING OFFICER (Mr. CHAFEE). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I rise to make a unanimous consent request on the order of speakers to be recognized: Senator KERRY for 20 minutes, and that is from the time of Senator BAUCUS; Senator INHOFE, for 15 minutes from my time; Senator BINGAMAN, 8 minutes from the time of Senator BAUCUS; and Senator BROWNBACK for 10 minutes from my time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, it is interesting, listening to the Senator from Idaho, who, as he said, came to this decision from a different place than the Senator from North Dakota, and listening to the Senator from North Dakota; both of them have raised issues they tried to get the administration to respond to. I am very sympathetic with the sense they have that the administration just didn't respond to them and really was unwilling to try to accommodate what I think are very reasonable concepts.

In May of 2003 I sent a letter to Ambassador Zoellick, asking the administration to delay tabling CAFTA's labor chapter until Congress had an opportunity to consult. I wrote again in October 2003, raising similar concerns.

All we got was a very sort of abrupt and short letter that basically never engaged in the kind of discussion that could have benefited all of us so we would not have the kind of divide we have in the Senate and in the country today.

During the debate of TPA in 2002, I offered an amendment to allow communities to be able to preserve their health and safety laws which were being challenged under NAFTA. Even now, with a lawsuit pending against the State of California for attempting to protect their drinking water—imagine that. The State of California wants to protect its drinking water and the interests of its citizens. But nevertheless they included the very same provisions that have led to that kind of challenge in CAFTA.

In the summer of 2003, I suggested to the administration, in the context of the Chile and Singapore agreements, that the labor standards achieved in those agreements would not be adequate for CAFTA. The reason for that is in Chile, in Singapore, and in Australia—all three agreements which I supported last year—you have capacity for enforcement. You have specificity with respect to the laws on the books that can be enforced. And you have a record of that enforcement. All three of those ingredients—capacity, specificity of law, and record of enforcement—are absent in too many of the countries that are involved in this agreement.

We tried to get the Trade Representative to understand that there is an evenhanded way to open a fair agreement to trade but to address those kinds of concerns. Regrettably the labor standards in the Chile and Singapore agreements may be good for those countries, but they should not be applied to CAFTA because of the lack of those three critical ingredients.

Even in this last month, as CAFTA was considered in the Senate Finance Committee, I offered an amendment that specifically laid out what the administration could do to fix this agreement. That amendment lost on a tie vote—10 to 10 was the division in the Finance Committee, in no small part a division that was that close because the administration opposed it.

So I regret enormously that we are where we are with respect to this agreement at this point in time. I have been in the Senate now for 21 years, and I was one of those who was on the cutting edge and leading the effort in our party to try to make it clear that we ought to trade and that it is important to the United States. I still believe that. I voted for NAFTA, the Uruguay Round, China PNTR, and the many bilateral agreements negotiated by both the Clinton and Bush administrations.

Last year, while I was not here to vote, I supported the Chile, Singapore, and Australia agreements precisely for the reason that they had a strong ability and a strong record of enforcement, that they had very specific laws, and that they had the capacity to be able to enforce those laws.

There are some colleagues who have always opposed each and every one of these trade agreements; and there are some who have been for everything no matter what the balance is. For a number of years now I have been trying to suggest not as a matter of ideology, not as a matter of party label, because I don't think this should have a party label, but as a matter of common sense, I have been trying to suggest that the consensus we have built globally for trade, a consensus built around the notion that, yes, there are some winners and losers, but you do your best to mitigate the impact on losers, that you have sufficient trade adjustment assistance, that you do enough education and training, that you do enough with health care and COBRA payments so people can cover themselves with health care during a transition, that you ease the pain, so to speak.

At the same time, as you attempt to maximize the rising of all boats in the tide that we proverbially think about, the rising tide lifts all boats, the fact is, in many countries, it is not lifting all boats. The standard of living does not move at the rate it ought to. The standards for health, safety, labor organizations, or environment do not change in the way they ought to. All of these are quality-of-life issues and value issues, fundamental value issues that ought to be part of our agreements.

This is not just basic economics. Particularly when you look at the chart showing the deficits in trade that are growing, it is hard to make a new economic argument about it. The fact is there are larger issues at stake in a trade agreement.

For rigid ideological reasons, over the years, we have had tension in the Senate and a fight over whether you embrace some of these other considerations in a trade agreement. Part of the reason we have had such intense reactions to trade meetings around the world, with riots in Seattle and with other demonstrations around the globe, is because of the raging pace of globalization and the discomfort it brings to a whole bunch of people who feel powerless to be able to do something about it. If we, the people who have the power to do something about it, do not choose to do so, we leave people out in the cold and hurting even more.

The fact is, the consensus—which has been global, that has helped us to be able to build the trade structure—is fraying. It is fraying not just in the United States but it is fraying in other countries as well. The administration had a unique opportunity in this agreement to try to address some of those concerns. We all understand that opening markets sets in motion economic transition that everyone here knows creates winners and losers at the same time.

While you may want to mask some of that impact, the personal impact to people's lives with an unemotional language of economics in the Senate, the fact is if you go to Ohio, Wisconsin, Minnesota, Idaho, North Dakota, or other parts of the country, it is having a profound impact on communities. It is having a profound impact on the fabric of life in America and on our ability to be able to have a long-term strategy for success.

We all know the numbers. Since 2001 we have shed nearly 3 million manufacturing jobs. We have endured 42 consecutive months of economic decline in the manufacturing sector. Fifteen years ago, 20 years ago, 30 percent of America's economic pace was services and 70 percent was manufacturing. Today, it is 30 percent manufacturing and 70 percent services. Many of those services are not the kind of high value-added paying jobs Americans have come to expect.

We have long understood if we want a broad consensus for free trade in America, we have to make these trade agreements work for all Americans, not just for the winners, but for the people who temporarily are in the losing position.

In the 1990s we began to respond to that. First we looked at the trade agreements themselves and we decided we must protect American workers from unfair competition. American workers should compete on the basis of pay and skill and effort. But it is unfair, fundamentally unfair, to ask Americans to compete against child labor or against habitually depressed wages or habitually unfair working conditions.

In the Jordan agreement of 2001, President Clinton had come to understand that in the later part of the 1990s. His administration moved specifically to include these other values within the four corners of a trade agreement. We gave basic labor protections the same standing we give in the protections we provide to corporate America. In other words, we made a new bargain with the American worker in order to hold on to the consensus. The bargain was very simple: We will protect your economic interests, your job from unconscionable competition such as child labor, just as we protect a corporation's economic interests, which are its product, from dishonest competition such as copyright theft. It seemed like a very fair bargain, a very fair form of protection.

In CAFTA, we go backwards from that standard. We go backwards from that standard for no explicable reason. Once again, our corporations get the protections they need with an elaborate system of rules, complaints, appeals, compensation, and strict enforcement. But all our workers get is some flowery language with no teeth behind it.

We are going to hear that CAFTA has the strongest labor provision of any trade agreement. That is what some folks have been trying to say. Look at this agreement, read the language, and you realize that is once again spin. It comes down to this: There is only one labor provision in CAFTA that is enforceable. It is a nation's commitment to ''enforce its own laws.'' Now, that sounds good, or it sounds like something, but in reality this provision does nothing to protect workers because, No. 1, there is no stipulation whatever as to what those laws are; No. 2, some of those laws are completely inadequate; No. 3, there is no enforcement capacity in some of those countries to enforce even the inadequate laws, if you can understand what they are. There could have been a stipulation as to what they are. There could have been an understanding in the four corners of this agreement as to what standard we would try to reach.

Moreover, if the provision does lead to an attempt at enforcement, guess what. The maximum so-called penalty is $15 million. There is a cap. There is no cap on the corporate penalty. But there is a maximum cap. Guess what. It is a so-called penalty because the fine is then returned to the offending country, ostensibly, to be used to fix the problem, but without any real enforcement mechanism to do so.

Senator BINGAMAN will say to the Senate that he has secured an agreement from Trade Administrator Portman that they will put $40 million a year into the enforcement efforts. Again, if you do not have adequate laws and you do not have adequate specificity and you are enforcing in a structure that has a cap on the payment and the payment goes to the country that offended, you are not enforcing the standards of workers.

There is another labor provision in CAFTA. It asks a nation to strive to eliminate ''the worst forms of child labor.'' We do not even define what the gradations of the forms of child labor are. Just the worst forms of child labor. There shouldn't be any form of child labor. But we are only going to seek to strive to get rid of the worst forms, sweatshop conditions and other problems.

But if a nation fails to do that, we can only consult. In other words, we can talk about ending child labor in a CAFTA country, but we cannot take any action to end child labor in a CAFTA country. That is wrong. That is contrary to the values of our country and to the fundamental values of American workers. Words alone are not going to do anything for kids who are suffering in work sweatshops. They will not do anything for the American workers who lose their jobs as a consequence of being undercut by that level of competition.

I ask my colleagues to answer a simple question: Why is there a double standard that we are going back to when we passed an agreement that set a higher standard, and there is no showing as to why that standard hasn't worked, shouldn't work, and shouldn't be part of this agreement? Why do Americans not have the same standing as a corporation? Why don't they have the same standing to end child labor or sweatshop conditions that corporations have to go out and protect copyright or patent theft? Why the double standard that punishes American workers?

I share with many of my colleagues a longstanding commitment to the development of the well-being of Central America, but I am concerned that CAFTA is insufficient to provide for steady and balanced economic growth in the region. The administration claims supporting CAFTA is a security issue. I agree, it is a security issue. It is about the economic security of some of the more vulnerable economies in our hemisphere. We have to ensure that a trade agreement with Central American countries grows their economies, protects their workers, helps them preserve their sensitive ecosystems, and, most importantly, encourages balanced and widespread economic growth and opportunity for all of the people in the region.

The most troubling aspect of CAFTA is that its shortcomings, particularly the administration's indifference to our own workers, are part of a larger problem. I will speak about that for a minute. What CAFTA underscores is the need for a national policy to make sure America is competitive, the leader in the global economy of today and of tomorrow. The reality is, there is no comprehensive strategy to meet the needs of a fast-changing playing field.

What am I talking about? Certainly when we negotiate trade deals with nations that have an insufficient or lackluster labor record, you have to give citizens the same standing to be able to end child labor that corporations have to end copyright and patent theft. It seem to me it is a pro-trade, free-trade policy that builds consensus and which considers all Americans. But it was refused in this agreement.

After you have the agreement in place, we need to defend America's interests. This is true of all of our agreements. The administration has to stop giving in to competitors. The Clinton administration brought an average of 11 trade cases to the World Trade Organization per year. This administration has brought a total of 12 cases in the first 4½ years.

The administration also needs—and many colleagues have spoken about this—to take action against China's currency manipulation. We keep hearing about it. People talk about it. And they talk about it. And they talk about it. And they talk about it some more. The Senate has actually voted and gone on record that the administration needs to do something other than talk. But nothing has happened.

In the administration's recent dealings with China, according to our trade representative, counterfeiting and piracy in China are at epidemic levels. That piracy costs U.S. companies $20 to $25 billion annually. We are told the problem is getting worse, not better. According to press reports in May, the United States presented the Chinese with a list of modest proposals to curtail intellectual property violations. Modest proposals. We gave them a list. The Chinese rejected the proposal outright.

What did the administration do? They did not respond by pressing the Chinese. They did not respond by taking any particular action. Guess what they did. They told United States companies to go file lawsuits in Chinese courts to defend their rights. It is insulting and it is ridiculous. It is not just putting the agreements in place, it is also enforcing them that the American worker is asking for.

In addition to that, we have all heard about the Chinese firm recently seeking to purchase Unocal, an American energy company. What many people do not know is that Chinese company borrowed money from the Chinese Government in order to make the bid. It

should not come as a surprise since it is 80 percent Government owned. That has upset a lot of people and generated a lot of press. But it ought to concern us even more that we are doing the same thing in the United States in the following way. Since the start of the Bush administration, the Federal Government has borrowed billions of dollars to fund our national debt and cover questionable and, some think, even reckless tax choices in fiscal policy. Billions of dollars have been borrowed from—guess where—none other than the Chinese Government.

Mr. President, I yield myself an additional 5 minutes off their time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. Mr. President, we ought to be concerned about the missed opportunities that are related to trade adjustment assistance. The Senate has supported trade adjustment assistance. If people lose their jobs, they have the right to expect that we are going to try to help transition. We have done that because we have understood the movement to open markets means this economic transition.

Guess what. Once again, the administration has ignored the will of the entire Finance Committee on this issue, which voted to include TAA for service workers in the CAFTA agreement. In the Commerce Committee, Senator ENSIGN held an excellent hearing on America's competitiveness. Our witness was the administration's point person on manufacturing, Al Frink. He told us he believes there is a shortage of skilled workers in America. And that shortage of skilled workers is hurting our economy.

What the Under Secretary did not say, or maybe he did not know, is that the Bush administration has resisted congressional efforts to fund worker retraining and vocational education, which would, in fact, address the skilled worker shortage.

The administration's indifference to competitiveness goes deeper. We have a tax policy that rewards American and multinational companies for housing operations abroad instead of housing them here in the United States. It is hard to imagine a more backward tax policy. We should end it. But for this administration, it is not only not a priority, it is not even an afterthought.

We also do not adequately fund the basic science and research that will produce the revolutionary technologies and products of tomorrow. Not surprisingly, fewer and fewer American students are choosing to study science and engineering. The Bush administration has proposed cutting Federal research and development spending for the first time in 10 years. The story is much the same in our public schools. Bill Gates has called our high schools obsolete because they fail to prepare our kids to compete. Alan Greenspan said much the same thing before the Finance Committee last week. Yet every year the administration refuses to fully fund No Child Left Behind, seeming perfectly content to see those kids not study science and engineering, or perhaps not study at all. And all of this time, the administration negotiates trade deals that remain indifferent to American workers and fail to defend our legitimate interests at home, all the while refusing to adequately invest in science, research, training, and ignoring the problems that drain our businesses, such as health care.

The competition is hard at work at every single one of these. China and India will probably turn out 300,000 engineers each over the next year—way ahead of the United States. While our shortsighted policies stunt our competitive advantage, China, India, and all of Asia and Europe have developed long-term investment plans, long-term infrastructure investment plans, long-term trade, and long-term educational plans, all aimed at one thing: eliminating America's economic dominance. They have national programs aimed at educating workers, reducing capital costs, and attracting businesses. And we are falling dangerously behind.

I was visited just the other day by the new president of MIT. Every Senator here, I know, respects that institution. She was deeply concerned. She expressed this enormous concern about what is happening to the competitive advantage of our great science and technology institutes across the country and our commitment to science as a whole as a Government.

In the Commerce Committee, we heard how Japan and the European Union are implementing large-scale, long-range R&D projects aimed at developing leading-edge commercial technologies. For example, from 1995 through 2001, the emerging economies of China, South Korea, and Taiwan increased their investments in research and development by approximately 140 percent.

It is urgent we consider real measures to advance America's competitiveness and forge a new global consensus on trade in our country. That global consensus begins with a set of rules that makes sense to the American worker, rules that work for the American worker, even as we open new markets, which we must do.

We can do better than this trade agreement. We need to.

Mr. President, the bottom line is that CAFTA is not a good deal for America. It is a good deal for some companies. It is a good deal for some investors and shareholders. It is a good deal even for some of the countries that are a party to it. But it is not a good deal for the American worker. So I hope colleagues will help America stay at the top, while making trade fair for Americans. And I hope colleagues will join in saying no to this agreement in its current shape.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I think under the UC I have been allocated around 15 minutes. I ask unanimous consent to be granted such time as I shall consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Thank you, Mr. President. I think I will be able to do it within that time, anyway.

Let me make a couple comments. I think almost none of these items have been covered before. It is approaching this whole CAFTA idea from a different perspective.

Let me first of all say that when this first came up, I just heard ''CAFTA,'' and I said: I am against it. I led the opposition against NAFTA 11 years ago. I thought this was more of the same, and so I was opposed to it. Then someone showed me how my Oklahoma farmers might be affected.

I am not sure you can see this chart, but it shows the various grains, cattle, meat products, dairy products, vegetables, and so forth. The blue bars are the tariffs that are charged to our farmers, and the others are what are charged to imports coming in. I have found that in every case, when this is fully implemented—if it is—my Oklahoma farmers will benefit, and benefit materially.

So I actually went and talked to some of the farmer groups that were leaning against the agreement for a number of reasons—a number of reasons that have been posed on this floor—only to find out they have changed their minds and they are very much supportive.

That is not really why I am here today. I think that is something very specific we can look at. We know it is true. I would like to look at this in a little different way. I was distressed a little bit because some of my very good friends in the conservative communities were opposing CAFTA. I have gone to any lengths to try to determine specifically what their opposition was.

There are five organizations that are conservative organizations—they are great organizations. I agree with them almost 100 percent of the time. Their argument was: We are against this as we are against all treaties because anything that is this kind of a multinational thing will infringe upon our Nation's sovereignty.

Well, I have to tell my good friends in these five conservative organizations, there is no one who is stronger in this position than I am. I am the guy who stopped the Law of the Sea Treaty. Quite frankly, I think it was going to pass. It actually had passed out of the Senate Foreign Relations Committee with a unanimous vote. I found out what was in it. I found out we were ceding our jurisdiction—our sovereignty, if you will—over some very important parts of the water-covered part of the planet. I felt it was wrong. And we have not—I am not saying it is all dead in the water right now, to use a phrase, but I think it is. Certainly it

has been stalled. I led the opposition. I was opposed to it. I was not for it.

The Kyoto treaty, you all know how I feel about that. We debated climate change on the Senate floor 2 weeks ago. I spent 2 whole days talking about that. I think we know that under that treaty, according to the Wharton Econometrics Survey from the Wharton School of Economics, if we had to comply with the Kyoto treaty, it would have cost our average family of four $2,700 a year. It would have doubled the price of energy and gasoline and all that. We know that is true. I led the opposition to that and was very proud to do that.

Eleven years ago, we had NAFTA. I was in the other body, in the House of Representatives, 11 years ago. I was elected in a special election to come over to this body. So the year they had NAFTA, I was able to lead the opposition to the ratification of NAFTA in both the House and the Senate. I was the only one who could do that. So I came over here to the Senate.

I say to my good friend from North Dakota, who posed some excellent arguments against NAFTA just a few minutes ago, this CAFTA is not NAFTA. On the NAFTA part, I agree. I remember standing on the floor of both the House and the Senate saying: If we pass NAFTA, that is going to allow a Mexican trucker to pick up a load in Brownsville, TX, take it to Tulsa, OK, and not have to comply with any of our health standards, our environmental standards, our wage and hour standards. Sure enough, these things turned out to be true. I do not think it was a success. I think it was a failure.

So getting back to the ones who are for this agreement and against it, I would have to say to the very small number of conservative organizations that are opposing this, the vast majority of the organizations in the conservative column are supporting it.

Listen to this. Those organizations that are supporting CAFTA include Americans for Tax Reform, Center for Security Policy, National Tax Payers Union, The Heritage Foundation, David Keene of the American Conservative Union, Citizens Against Government Waste, Competitive Enterprise Institute, Oklahoma Council of Public Affairs, The Club for Growth, the National Tax-Limitation Committee—that is Lew Uhler and his group—Citizens for a Sound Economy, Empower America, and the James Madison Institute. That is just to name a few. They are the 40 most prominent—except for 5—organizations that are supporting it.

I am very sensitive to this. Maybe I should not be that sensitive, but I am because, according to the American Conservative Union, in their rating, I am not No. 2 or No. 3 or No. 4 but the No. 1 most conservative Member of the Senate. Now, I am qualifying myself for this because I keep hearing that conservatives are somehow opposed to this agreement, as they were NAFTA. Of course, I agreed with them back at the NAFTA time.

Now, what kind of liberal groups are opposing CAFTA? We have already talked about the conservative groups that are supporting CAFTA. Those who are opposing it are Earthjustice, National Environmental Trust, Friends of the Earth, EnviroCitizen, Freedom Socialist Party—there is another great group—the Berkeley Fellowship of Unitarian Universalists' Social Justice Committee, Nonviolence International, Progressive Democrats of America, Safe Earth Alliance, Public Citizen, Social Welfare Action Alliance, Community Alliance for Global Justice, Gray Panthers of Austin, San Francisco Neighbor-to-Neighbor, New York State Green Party, and the Holland Peacemakers. I could go on and on. And we will insert more of them in the RECORD.

But by and large, what I am trying to get across is that virtually every far-left, extremist, liberal group in America is opposing CAFTA. And somebody has to say it. I was sent an e-mail from my State of Oklahoma saying that they understood I was still undecided. The responses are about 9 to 1 in opposition to CAFTA, and, therefore, you cannot dare go ahead and support CAFTA.

Let me just say, on many occasions, when the people at home do not have available to them the information that we do because that is what we are paid to do for a living and we find out the information is wrong, I do not mind doing that. I can explain this to the people in my home State of Oklahoma. They do not want to identify themselves with that group, that liberal group I just read off. And when they find out about it, they will be very supportive.

But I only bring that up to say that if anyone is out there with the thought that this is a conservative versus liberal issue, it is, but it is on the other side. The liberals are opposed to it. The conservatives are supporting it.

But I have another concern that is far greater, that far outweighs even the benefits it might give to my farmers in my State of Oklahoma, even the benefits that would be achieved by passing this to the very conservative groups in America; that is, I happen to be old enough to remember what happened in the 1980s. I remember Ronald Reagan, a great President. I remember at that time we had Communist regimes in Grenada, El Salvador, Nicaragua, and Costa Rica, and that they were infiltrating—at that time, it was still the Soviet Union—they were trying to take over America by doing it through Cuba, and then all these organizations, all of these countries where they had taken over the government.

By failing to pass this treaty, we could undo all of those successful democratizations of the Reagan and the first Bush administrations. I remember the Contras, the freedom fighters, who were down in Nicaragua at that time, and the fight that was almost impossible; they were fighting for their freedom. I remember those five countries that are part of this treaty: the Dominican Republic, El Salvador, Honduras, Nicaragua, and Costa Rica. They have all committed troops in support to the Iraqi coalition forces and have demonstrated their support for the global war on terrorism. They are fighting side by side with our troops over in Iraq and Afghanistan. These are the people we want to reward. These are not people we want to somehow punish, as though they have done something wrong. They are fighting for freedom.

CAFTA approval for these countries and their economies should aid security there and counter the influence by Cuban and Venezuelan Governments under Castro, Chavez, Ortega, and others opposed to the United States influence in the region.

I mentioned Chavez, Ortega, and Castro. They are among the anti-U.S. forces in the region, and they are all against CAFTA. These Communists, these enemies of the United States, Chavez, Ortega, and Castro, are all in opposition to CAFTA. If you want to be on their side, you would vote against CAFTA. They fear its passage would show support for and facilitate the efforts of the pro-American countries and parties in the region. Also, Daniel Ortega, former Nicaraguan president and Sandinista leader, is making attempts to elevate his obsolete ideology based on Marxist-Leninist theory. Further, upon his capture, Ortega expressed solidarity with Saddam Hussein against what he called the Yankee occupiers of Iraq. In other words, here is a guy who has been ousted as President of Nicaragua, one we defeated back in the 1980s, one who was trying to spread communism against freedom and democracy in Latin America. He was on the side of Saddam Hussein and called us the Yankee occupiers of Iraq.

A couple weeks ago I had a pretty bitter competition with one of my friends here in the Senate from Arizona, Senator MCCAIN. I disagreed with him on an issue, and we spent 2 days debating that issue and fighting with each other. I have to say that I wholeheartedly agree. I happened to hear some of his remarks a few minutes ago. I share his concern about the state of democracy in Central America. Failing economies will create an environment in which regimes such as those of Fidel Castro and Hugo Chavez may once again poison the future of these nations. The historical threat of communism in Central America, the influence of Castro in countries such as Nicaragua, and the Sandinistas in power also affected neighboring countries such as Honduras and El Salvador. CAFTA can protect these emerging democracies.

For example, Nicaragua, the second poorest country in the Western Hemisphere, second only to Haiti, has a President Enrique Bolanos. He is a pro-American President. He is facing a tough 2006 election, and the candidate

he is facing is none other than Daniel Ortega. Bolanos knows that CAFTA is the keystone to his plans to boost economic growth and blunt the political attacks of the Sandinistas. Who would have ever thought in the last 10 years that they would reemerge, but they have. So now we have Daniel Ortega back there trying to do some things. To quote Senator MCCAIN:

If there's anything that we need today, it is strong, viable economies in Central America so that they can progress, so that they can be strong and they can again be allies of the United States of America, not in a military fashion but in their advocacy for free and open societies, democracies, and places where people can raise their families in a situation of security and peace.

That is what Ronald Reagan did back in the 1980s.

I heard the junior Senator from Massachusetts speaking in opposition to the agreement. I don't know whether it is because of his past relationship with what was going on down in Nicaragua some 12 or 14 years ago, but I would like to quote from an April 26, 1985 edition of the Washington Post. Keep in mind, this was back when we had Daniel Ortega down there being promoted by Castro and by the Soviet Union to try to spread communism in Central America.

The lengths to which some Democrats were willing to go in pursuit of nonintervention were extraordinary. Sens. Tom Harkin and John Kerry returned home from an 11th-hour trip to Managua [Nicaragua] clutching a piece of paper signed by President Daniel Ortega which they announced was a ''new, bold and innovative approach'' and ''a wonderful opening.'' At their arrival home, only the umbrella was missing.

We have a difference of opinion. We don't agree. We didn't agree back in the middle 1980s about Daniel Ortega and what the Communists were trying to do in Central America and we don't agree today.

For those who weren't around at that time, it was a very emotional time. The contras were the freedom fighters. They were supposed to win. I used to go down there. There was a hospital tent that was right across the border in Honduras. That is where they would take the freedom fighters from Nicaragua. They would take them over there to treat them. This tent was about the size of this Senate Chamber. It had beds all around the periphery. In the middle, not even screened, was the operating table. The only operations they performed there were amputations because of all the mines that were there. And so these freedom fighters would come in there and be mended and go back and fight for their freedom across the border in Nicaragua. There must have been 40 beds all the way around, people who had had these amputations.

At that time I did a pretty good job of speaking Spanish. I thought, you kids—the average age was 16 years old because the older ones had already been killed—you kids are fighting for your freedom, you are fighting against this force, the Communists, supplied by Castro and the Soviet Union. It is impossible. Why are you doing this? And I went around and talked to each one of them. I remember coming up to a little girl who was 15 years old. Her name was Elena Gonzales. I asked her that question. And she looked up to me. It was her third trip back to that hospital tent, and they had amputated her right leg a few hours before. The blood was coming from the bandages. She looked up at me with teary brown eyes and she said:

Es porqué han tomado nuestros campos . . . han tomado todo de lo que tenémos. Pero de veras, ustedes en los Estados Unidos entienden. Porque ustedes tuvieron luchar para su libertàd lo mismo que estamas luchando ahora

(English translation of the above statement is as follows:)

Yes, it is almost impossible, but we are fighting. We are fighting because they have taken our farms and ranches. Why would you in the United States question why we are doing this? You had to fight against the same odds for your freedoms as we are fighting now.

That little girl didn't know whether the Revolutionary War was 200 years ago or 20 years ago. But she knew we were that beacon of freedom and that the beacon was about to go out in their country. They were willing to fight. And they died and they won. So now we have the rest of the story.

This is an opportunity for us to do something that is good down there. Yes, I think it is good for my Oklahoma farmers. And yes, the conservatives support it, and the extreme liberals oppose the CAFTA treaty. But I think the strongest argument is that this is an opportunity for us to keep the Ortega and Chavez and Castro forces from undoing all the progress that was made throughout the 1980s and the early 1990s.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I yield myself 8 minutes off the time on this side.

I want to speak briefly about the CAFTA agreement. I start from the proposition that increased trade with the international community can advantage us, and it also can advantage those with whom we trade. Most of the trade of these countries that are covered by this CAFTA-DR agreement, most of their trade, over 70 percent of their trade, is, in fact, with the United States. It is very much in our interest that that circumstance remain the case. It can benefit us, and it can benefit these countries to see that trade increase. And it is very much in our interest, not only to strengthen our own country's economy but to see the economies of this region strengthened.

This trade agreement comes at a time when our trade imbalance with the world is enormous. It is the largest in the history of our country. It is the largest in the history of any country in the world. Unfortunately, it is continuing to grow. As far as I can tell, our own Government has no strategy to deal with that problem. We have no strategy to promote investment in the United States. We have no strategy to promote the building of productive capacity or to keep this country competitive in the global economy.

I hope very much that the Finance Committee, which I am privileged to serve on, can play a role in developing such a strategy over the next few months. When we had the markup of this legislation yesterday, I discussed that with Senator GRASSLEY and Senator BAUCUS. It is my hope they will be able to schedule some hearings to begin understanding this issue better and helping us to craft a set of proposals to help deal with the very real problem we have in global trade.

That being said, when I look at the provisions of this DR–CAFTA agreement, I do not see them contributing significantly to that trade imbalance. These are countries that have exported over 85 percent of what they send to the United States duty free. They have done that since the implementation of the Caribbean Basin Trade Partnership Act in 2000, and before that they were shipping most of their product into the United States duty free under the Caribbean Basin Initiative. The main effect of this agreement we are now debating will be to phase out and eliminate tariffs that they currently impose upon our products that we are exporting to them.

I don't see the basis for the claim, which I have heard on the Senate floor and from others around the country that this agreement will result in the further export of jobs from the United States to Central America. The reality is that U.S. companies have many options about where to build their next plant, where to manufacture the products that they sell. Central America has been one of those options for a very long time. There is nothing I know of pending here in the Congress that would change that circumstance. In my view, this agreement would not change that circumstance as well.

I would hope and expect that if this agreement is implemented, as I expect it will be, we will see the encouragement of more investment in productive capacity in Central America, but at the same time, as our exports to that region increase, we will see more investment in productive capacity here in the United States.

There are clearly some problems with this agreement. Many of those have been pointed out. I don't suggest I have answers for all of those, by any means. Two of the problems that have particularly concerned me are, No. 1, the serious lack of attention to the enforcement of worker rights in these countries and, secondly, the inadequate provision of assistance with regard to the negative impacts that U.S. exports of agricultural product into that region may cause.

Let me talk first about enforcement of worker rights. I have urged the administration to commit resources to this as a priority. It is not reasonable to require U.S. producers and workers to compete with foreign producers who do not afford their workers certain basic rights. To begin addressing this issue, Ambassador Portman, our trade representative, has assured me the administration will propose and will support funding for worker rights enforcement to the extent of $40 million per year for fiscal years 2006 through 2009. Second, on monitoring of compliance with the various requirements on worker rights, there is a need for an independent and transparent monitoring of the treatment of workers in these countries. I have urged the administration to fund the International Labor Organization, or ILO, headquartered in Geneva, to conduct ongoing monitoring on worker rights in Central America. This would include reports that they would publish every 6 months beginning when the agreement goes into effect and continuing to the end of the 2009 fiscal year.

The administration has agreed to commit $3 million per year to accomplish that task. That $3 million would come out of the $40 million per year in funding that they are otherwise committing for enforcement of worker and environmental rights.

I believe both of these commitments—to worker rights enforcement and the commitment to ILO monitoring—should be a part of all trade agreements that we have with developing countries. In addition, of course, I hope that the actual commitment to workers' rights standards in the language of the treaties, in any future treaties we sign, will be stronger than we find in this agreement. I believe it is also incumbent upon us to urge the next administration, after President Bush leaves office, to continue with these same commitments in the future.

The other issue I mentioned is agricultural assistance—adjustment assistance for those working in the agricultural sector. I have also urged the administration to commit resources to allow subsistence-level farmers to make a transition without undue dislocation problems. This should help reduce the problem of dislocation of workers in these countries and the additional illegal immigration to the United States that likely would result if that dislocation occurs.

Again, the administration is committed to provide increased support to address this issue. The level of funding is not what I would like it to be, but if these countries do receive funding under the Millennium Challenge Corporation grants, those funding levels should increase substantially.

Mr. President, each of these commitments that I have referred to are set out in a letter that Ambassador Portman has provided to me.

I ask unanimous consent that that letter be printed in the RECORD following my comments.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1)

Mr. BINGAMAN. Mr. President, with these additional commitments, I have concluded that I can support the implementation of this trade agreement. I will do so when the roll is called later today.

I yield the floor.

EXHIBIT 1

EXECUTIVE OFFICE OF THE PRESIDENT, THE UNITED STATES TRADE REPRESENTATIVE,

Washington, DC, June 28, 2005.

Hon. JEFF BINGAMAN,
U.S. Senate,
Washington, DC.

DEAR JEFF, as the Congress considers the Central America-Dominican Republic Free Trade Agreement (CAFTA–DR), you have raised concerns about ongoing efforts to improve enforcement of labor laws and to monitor progress in this regard in the CAFTA–DR signatory countries. As you know, Congress appropriated $20 million in FY05 specifically for projects to improve labor and environmental law enforcement in these countries.

The recent House Appropriations Committee mark-up of the FY06 Foreign Operations appropriations bill increases this commitment for the next fiscal year, with $40 million earmarked for labor and environmental enforcement capacity-building in the CAFTA–DR signatory countries. The Administration is willing to support this level of funding in the FY06 Senate appropriations bill.

Furthermore, because we are willing to make a longer-term commitment to improve labor and environmental law enforcement in the CAFTA–DR countries, the Administration is willing to propose and support this same level of labor/environment capacity-building assistance for the next three fiscal years, FY07 through FY09.

More specifically, you have suggested the assistance of the International Labor Organization (ILO) in monitoring and verifying progress in the Central American and Dominican governments' efforts to improve labor law enforcement and working conditions.

We are willing to implement your idea. Your proposal, as I understand it, is that the ILO would make a transparent public report of its findings every six months. The Administration has now consulted with the ILO and determined that this function would require additional funding to the ILO of approximately $3 million annually. The Administration is willing to devote approximately $3 million of the $20 million in FY05 labor enforcement assistance monies to support and fund this ILO monitoring initiative. To ensure that this monitoring continues, the Administration is willing to continue a funding commitment to ILO monitoring for the next three fiscal years, FY07 through FY09.

The Administration also shares your goal of ensuring that we pair expanded trade opportunities with economic development assistance designed to ease the transition to free trade, especially for rural farmers in our CAFTA–DR partners. On June 13, 2005, the U.S. Millennium Challenge Corporation (MCC) signed a $215 million compact with Honduras targeted specifically at rural development and infrastructure, and on the same day the MCC announced a $175 million compact with Nicaragua that will be signed shortly.

As Secretary Rice and I have already communicated to you, we are willing to give high priority to negotiating compacts with El Salvador, Guatemala, and the Dominican Republic when those countries become eligible for MCC assistance under higher per capita income caps next year. I anticipate that such compacts would provide substantial U.S. economic assistance for rural development in these countries.

In addition, the Administration has worked with the Inter-American Development Bank (IDB) to provide new assistance, including $10 million in new grants announced by the IDB earlier this month for rural development and institution building. I hope you will join me and officials from the IDB, World Bank, and other institutions next month for an international donors conference to discuss other ways we can direct development assistance toward meeting the needs of rural populations.

To address your specific concern about the period before MCC compacts might be negotiated with El Salvador, Guatemala, and the Dominican Republic, the Administration is willing to support additional spending for rural development assistance of $10 million per year for each of those countries starting in FY07 for a total of five years, or until the signing of an MCC compact with such country, whichever comes first. This amounts to a $150 million commitment in transitional rural assistance for these countries over five years.

These monies will provide transition assistance to rural farmers in these three countries for a defined period, while preserving a very strong incentive for candidate countries to meet the statutory criteria to receive what would likely be much higher levels of economic assistance under an MCC compact. Since the implementation of CAFTA–DR requires steps which reinforce the statutory criteria for funding under the MCC law, I believe that implementation of the agreement will assist these three countries to move quickly toward qualifying for a successful MCC compact with the United States.

Furthermore, because many of the agreement's requirements for agriculture liberalization in the CAFTA–DR countries for sensitive commodities—such as dairy, poultry, and rice—will not fully occur until ten, fifteen, or even twenty years after CAFTA's implementation date, I am confident that this transitional mechanism provides ample time for adjustment in the rural economies of these nations.

Sincerely,

ROB PORTMAN.

NOTICE

Incomplete record of Senate proceedings.

Today's Senate proceedings will be continued in the next issue of the Record.

EXTENSIONS OF REMARKS

HONORING GREGORY PETERSON, RECIPIENT OF THE 18TH ANNUAL PARKER AWARD FOR SOCIAL JUSTICE

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. HIGGINS. Mr. Speaker, I rise today to honor the exemplary public service of Gregory Peterson, a resident of Chautauqua County, Town of Lakewood, upon receiving the 18th annual Parker Award for Social Justice.

Mr. Peterson was presented this honor for his dedication and effort to developing the Robert H. Jackson Center for Justice. Peterson is currently the President of the center and is committed to bringing social justice to the City of Jamestown. He is also known for bringing some prominent speakers to Jamestown.

This award is given by the Unitarian-Universalist Congregation of Jamestown, to a local person who voluntarily dedicates their time and effort to social justice, and is not a member of the congregation. It was established as a memorial in 1985 for T. Richard Parker, a leader in the Unitarian Church of Jamestown.

Mr. Peterson is an exemplary man for donating his time and energy to this worthy cause. That is why, Mr. Speaker, I am proud to honor the public service of Gregory Peterson.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2006

SPEECH OF

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 28, 2005

The House in Committee of the Whole House on the State of the Union had under consideration 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:

Mr. CROWLEY. Mr. Chairman, I rise today to speak in strong support of the Weiner-Ferguson-Crowley-Israel Amendment on Saudi Arabia.

I ask my colleagues—how long is this Congress going to continue to provide the Saudis with aid when they provide us with little to no assistance in fighting the war on terror?

The Kingdom of Saudi Arabia says they are making progress, but yet everyday we see that the leading source of foreign insurgents in Iraq are coming from Saudi Arabia.

The Kingdom says that they are opening up to reforms and point to the holding of partial elections for town councils as an example of this supposed opening.

Surprising that no mention is made about how women are still not allowed to vote.

While all these supposed reforms and actions against terrorists are going on we saw the arrests of 13 Saudi intellectuals for simply calling for Saudi Arabia to evolve into a constitutional monarchy.

This country, a country with the vast reserves of the world oil supply, the same country charging my constituents $2.25 and more a gallon for gas at the pump, also receives foreign aid, to bring military officers here for training.

Training officers to defend a regime which doesn't give equal rights to women, to non-Muslims, which exports terror to Iraq, and Afghanistan, and most painful of all, jacks up the price for every gallon of gas at the gas pump for Americans.

Support the Weiner-Ferguson-Crowley-Israel amendment. Say no to foreign aid to Saudi Arabia.

DEE KELLY'S LETTER TO THE EDITOR OF THE DALLAS MORNING NEWS

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Ms. GRANGER. Mr. Speaker, I rise today to have a letter to the Editor of the Dallas Morning News, written on June 8, 2005, entered into the RECORD. The letter was written by a constituent of mine, Dee Kelly.

JUNE 8, 2005.

Mr. WILLIAM MCKENZIE,
Associate Editorial Page Editor, Dallas Morning News, Dallas, TX.

DEAR BILLY: Amon Carter always said that given the opportunity Dallas would always treat Fort Worth like a stepchild. However, that was not the case when Dallas and Fort Worth built DFW. The cities worked together and agreed to joint covenants to build one of the greatest airports in the United States and to close Love Field and Amon Carter Field in Fort Worth.

Unfortunately, the founder of DFW in preparing the bond covenants did not require Southwest to sign the agreements. Southwest was then only operating in Texas under permit from the defunct Texas Aeronautical Commission. As a result Southwest was permitted to continue to fly out of Love Field, but Fort Worth was required to shut down Amon Carter Field.

For many years, Fort Worth could rely on the bond covenants to protect themselves from Dallas trying to expand Love Field. The Fifth Circuit Federal court has now preempted the joint covenants between the two cities leaving Fort Worth virtually defenseless to prevent Dallas from further expanding Love Field in the event the Wright Amendment is repealed.

Southwest has become not only greedy, but hypocritical as well. Southwest was about to have Love Field closed again in 1979, but its lobbyist J.D. Williams from the firm of Williams and Jensen in Washington was able to persuade Jim Wright to accept the Wright Amendment, which basically kept Southwest alive. For Herb Kelleher to indicate that the Wright Amendment was forced upon him when in fact it saved his airline insults credulity.

Another factious Southwest contention is that the relationship between the Houston International airport and Hobby could form a basis for DFW/Love Field connection. DFW is the third busiest airport in this country. Houston International is not even rated in the top ten, primarily because Hobby has siphoned off so much travel from the big airport in Houston.

It is true, no doubt, that if Southwest moved to DFW it could lower airport fares for everybody in the metroplex, including Fort Worth. Southwest is far too selfish to forgo its monopoly at Love Field and is not willing to compete at DFW.

Southwest, of course, is the darling of the press because of its lower fares. People in the metroplex should be concerned about the long-term effect of expansion at Love Field. Make no mistake that American will move to Love Field as well. There will be litigation almost instantly for Dallas to expand to permit many of DFW's best flights to move to Love. Congestion and safety concerns will arise again just as they did when DFW was built.

If Mr. Carter was living, he would not be surprised that Fort Worth once again finds itself on the short end of a deal with Dallas.

Best Regards,

DEE KELLY.

HONORING ZACH OSBORNE AND MIKE ALLEN, CIVIL AIR PATROL SERGEANTS AND DAVID FEHLMAN, CADET CAPTAIN, FOR THEIR COMPLETION OF THE CIVIL AIR PATROL CADET PROGRAM

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. HIGGINS. Mr. Speaker, I rise today to commend Zach Osborne, Mike Allen and David Fehlman for receiving the milestone award in recognition of their accomplishments in the Civil Air Patrol cadet program.

These three young men have shown great dedication and excellence. This article published in the Jamestown Post Journal pays tribute to their commendable accomplishment.

[From the Jamestown Post Journal, June 24, 2005]

CADETS COMPLETE TRAINING PROGRAM

(By Sabrina Blanco)

Three cadet members of the Jamestown Composite Squadron earned awards Thursday after completing intensive training programs with the Civil Air Patrol. Zack Osborne, Michael Allen and David Fehlman of Chautauqua County received milestone awards in recognition of their accomplishments in the Civil Air Patrol cadet program.

A full curriculum of aeronautics, communications, physical fitness and moral leadership was taught to each cadet. They also participated in several volunteer and community service projects over the last year.

Cadet Sergeants Osborne and Allen were honored with the Wright Brothers Award, passing the first of four phases in the cadet program.

The Wright Brothers Award is earned after completing Phase I, ''The Learning Phase,'' consisting of the first three achievements of the cadet program. In addition, the cadet must pass a challenging examination, testing leadership, knowledge and proficiency in drill and ceremonies.

''These cadets have really grown since they first started the program and they have come a long way,'' said Deputy Commander Ellen Maternowski, who presented the awards to each cadet.

Once a cadet earns the Wright Brothers Award, they are promoted to the grade of cadet staff sergeants. They begin service as cadet non-commissioned officers and continue to participate and advance as cadets in the U.S. Air Force Auxiliary Civil Air Patrol.

Mark Thomas, Chautauqua County executive, gave a message at the event, saying, ''During World War II, the civil air patrol became famous for coastal control, where civilians volunteered to use privately owned aircrafts to spot enemy submarines along the Atlantic and Gulf coasts. Recognizing that America's entrance into the war was imminent and general aviation would be needed to succeed, the Civil Air Patrol then expanded rapidly into an army of more than 100,000 civilian volunteers committed to protecting America.''

The Civil Air Patrol has marked over 60 years of service and remains a thriving program across America.

In the graduation ceremony on Thursday, Cadet Captain David Fehlman was honored with the Amelia Earhart Award which is earned after completing the Phase III with 11 credits and passing an arduous 100-question examination testing aerospace topics, leadership theory and staff topics.

''Once a cadet earns the Earhart Award, they are promoted to the grade of cadet captain,'' Mrs. Maternowski said. ''These cadets who later enter CAP's Senior Member program are eligible for immediate promotion to CAP 1st Lieutenant at age 21. They are also eligible to apply to the International Air Cadet Exchange.''

The cadet program provides opportunities for the learning, maturing, accepting, and nurturing of leadership to over 27,000 young Americans from 12–20 years of age. For further information about the Civil Air Patrol, contact Ellen Maternowski at 763–2743.

''For more than half a century the Civil Air Patrol has taken an active role in carrying out non-combat missions on behalf of the United States Air Force, performing more than 85 percent of inland search and rescue missions in the continental U.S.,'' Thomas said. ''It is a great opportunity to honor these young men today for their achievements and for being role models for the younger generation.''

I am honored Mr. Speaker, to have an opportunity to honor Zachary Osborne, Mike Allen and David Fehlman for their completion of cadet training.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2006

SPEECH OF

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 28, 2005

The House in Committee of the Whole House on the State of the Union had under consideration 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:

Mr. CROWLEY. Mr. Chairman, I rise in opposition to the Sanders-Rohrabacher Amendment which cuts funding for the Export-Import Bank. While one may argue that this amendment will simply prohibit the Export-Import Bank from approving federal loans or loan guarantees for the construction of nuclear power plants in China, this amendment sends a bad message. This amendment is one more step in the attempts of some in the House to shut down Ex-Im completely.

Now I respect the sponsors of this amendment who are true opponents of Ex–Im, but we cannot be fooled by thinking that one can vote for this language and still be a supporter of the Export-Import bank or free trade.

The Export-Import Bank was created to help U.S. exporters match competition from foreign export credit agencies in Japan, Germany, France, Canada, and other countries. Ex–Im is also required by law to work toward securing international agreements to reduce government-subsidized export financing, thereby promoting a level playing field for U.S. exporters—which means jobs for Americans in America.

Ex–Im finances approximately two percent of U.S. exports annually. Among Ex–Im financed exports were U.S. civilian aircraft, electronics, energy-related products, engineering services, medical equipment, vehicles, and agricultural equipment.

Even the sponsors of this amendment acknowledge that the funds for this project will go towards creating jobs in the U.S. They can claim that Westinghouse is a British owned company, and thereby something that does not deserve U.S. support, but using that same argument, Chrysler Motors is now a German owned company—should we not have any dealings with Chrysler and the thousands of American workers and UAW employees employed there. Nonsense—oppose this amendment and support U.S. jobs and free and fair trade.

IN HONOR OF VETERAN JOURNALIST GERSHON JACOBSON

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mrs. MALONEY. Mr. Speaker, I rise today to acknowledge the life and achievements of Gershon Jacobson, the veteran Yiddish journalist, who founded and published the Algemeiner Journal. I am saddened to report that Mr. Jacobson passed away on May 29, 2005. He is survived by his loving family and his many friends, who have established the Gershon Jacobson Jewish Continuity Fund to serve as an anchor for the perpetuation of Mr. Jacobson's legacy.

Mr. Jacobson was one of our Nation's most respected and influential journalists. He was born in Moscow in 1933 and soon emigrated to France, where he began his writing career. He then moved to America and immediately began working for the New York Herald Tribune. In the 1960s, Mr. Jacobson replaced Eli Weisel as the U.N. correspondent for Israel's largest daily, Yediot Achronot. During this time, Mr. Jacobson became renowned for excellent reporting on the capture of German war criminal Adolf Eichmann and for his interviews with world leaders and other notable figures. In 1972, Mr. Jacobson founded the Yiddish-English weekly, Der Algemeiner Journal. For the next 33 years, Mr. Jacobson served as its editor and publisher, and made it into a vital source of information for the Jewish community.

Mr. Jacobson stood at the forefront of Jewish life in America for close to 60 years and served the public as an indispensable guide to the post-World War II period. The prominent Israeli daily Haaretz stated, ''Gershon Jacobson created a revolution in the Yiddish Press. Till his day, the Yiddish press occupied itself primarily with memories of the Shtetel, with romantic tales, and Yiddish literature and prose. Mr. Jacobson introduced into Yiddish journalism an acute awareness of the reality of Israel and the burning issues of contemporary Jewish life.''

The Gershon Jacobson Jewish Continuity Fund will honor Mr. Jacobson's legacy and continue his work to battle for spiritual integrity and moral clarity. The fund's overall goal is to create a broad range of vehicles that will serve as a voice for Jews in the 21st century.

Mr. Speaker, I request that my colleagues join me in honoring the late Gershon Jacobson, whose keen insight into international and domestic affairs made him a strong and courageous voice on behalf of the Jewish people and the State of Israel. With his passing, the community has lost one of its true heroes. My heart goes out to his family and friends who will miss him deeply.

RECOGNIZING ROBERT G. WILMERS FOR HIS CONTRIBUTIONS TO THE WESTERN NEW YORK COMMUNITY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. HIGGINS. Mr. Speaker, I rise today to pay tribute to Mr. Robert G. Wilmers, a man whose business expertise and community compassion has made a significant difference in Western New York.

Since 1983 Mr. Wilmers has served as President and Chief Executive Officer of M&T Bank Corporation. At that time, M&T was a local, Buffalo based bank with holdings of approximately $2 billion.

Over the last 22 years, under Mr. Wilmers leadership, the company has grown to one of the 20 largest banks in the United States with

over 650 branches, managing over $50 billion in assets and employing over 13,000 people.

While his financial accomplishments have been quite significant, his commitment to building a better Buffalo region has been equally profound. Last year Mr. Wilmers and his wife, Elizabeth, were recognized by the United Way of Buffalo & Erie County for corporate and personal donations to a number of local charities including: the Buffalo Zoo, the Darwin Martin House, Shea's Performing Arts Center, the Albright-Knox Art Gallery and the Buffalo Philharmonic Orchestra.

Mr. Wilmers has also taken a special interest in building a better future for Buffalo children through promoting education. This focus has involved contributing to enhancements at Buffalo Public School No. 68—Westminster Community Charter School and helping sponsor the search for a new superintendent for the Buffalo Public School System.

Furthermore, Mr. Wilmers has lent his finance skills to the Buffalo Fiscal Stability Board, the Buffalo Niagara Partnership, and a business leaders association called the "Group of 18."

While Mr. Wilmers will continue to be involved professionally at M&T Bank, after over two decades of success, he has decided to relinquish his position as President and CEO of the Corporation.

Mr. Speaker, it is with great pleasure and gratitude I stand here today to recognize Robert Wilmers, a man who has dedicated his life to economic, community and social development. On behalf of the residents of Buffalo and Western New York, we are grateful for your enduring commitment to this area and wish you health and happiness in your new semi-retirement role.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2006

SPEECH OF

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 28, 2005

The House in Committee of the Whole House in the State of the Union and under consideration 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:

Mr. STARK. Mr. Chairman, I rise in opposition to the Foreign Operations Appropriations Act for FY 2006.

The United States should be the world's leading peace broker rather than its largest arms dealer. Unfortunately, about one-quarter, or about $5 billion, of the funding for this foreign operations appropriations bill is direct military aid and more than $2.5 billion are "Economic Support Funds," which are often used for security operations. Supplying so many weapons to other nations does more to promote war than it does to enable peace.

To be fair, there are positive provisions in this bill. For example, it increases funding for family planning programs and the United Nations Population Fund, UNFPA. Regrettably, this good news is tarnished by another provision in the bill that gives President Bush the power to unilaterally withhold funding from the UNFPA initiative. For several years, President Bush has withheld these funds claiming that UNFPA plays a role in the coercive abortion practices of the Chinese.

Despite that rhetoric, UNFPA does not provide funding for abortions or abortion services. It works to prevent the need for abortions by educating women in other countries on the many advantages to services such as contraception and disease prevention. UNFPA is the largest internationally funded source of population assistance to developing countries. For over three decades, the UNFPA has provided billions of dollars of assistance to more than 150 countries for voluntary family planning and maternal and child health care.

I am also disappointed that the bill fails to fund the Global Environmental Facility, GEF. The GEF is the largest single funding source for projects to improve our global environment.

I also oppose provisions in this bill that have removed all conditionality on U.S. military assistance to Indonesia and Guatemala. Indonesia continues to abuse the human rights of its people and Guatemala has violated numerous agreements stipulated in its domestic peace accords.

What message is this Republican Congress sending the world? On the one hand, President Bush sends Secretary of State Condoleezza Rice on a tour of the Middle East touting democracy. On the other hand, this Republican Congress is allowing brutal regimes to get military aid without any restrictions.

I cannot vote for this legislation. The large amount of military aid and the lack of commitment to promoting democracy and international family planning initiatives force me to vote against it. I urge my colleagues to join me in voting against this ill-conceived legislation.

HONORING THE FIRST GRADUATING CLASS FROM THE CAMDEN ACADEMY CHARTER HIGH SCHOOL

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. ANDREWS. Mr. Speaker, I rise today to honor the first graduating class of the Camden Academy Charter High School. The high school grew out of Camden's Promise Charter School, which opened its doors in September of 1998. From the beginning, Camden Academy Charter School has provided a safe environment for the children of Camden. The students here are not just presented with a foundation in academics, but also discover how their education translates into opportunities outside the classroom. The students participate in summer immersion, job shadowing, and even internships with local companies.

These students have truly earned their diplomas. I commend them for their dedication and hard work, and hope that their education will not end here. Education is a lifelong goal, one that serves to the betterment of the individual, and of society. I ask them to read the newspaper; read a novel; write poetry; study current events; talk to friends and family about the issues of the day. Their graduation today is a starting point from which they can grow and learn, and I wish these students all the best in their future endeavors.

The following are the 2005 graduates from the Camden Academy Charter High School:

Aaron Adams, Kristen Alpheus, Devon Alston, Jamellah Best, Diana Borges, Tyesha Brantley, Domonic Busbee, Troy Butler, Edwin Caraballo, TieQuann Carver, Jesse Coltrane, Alexis Cooper, Michael Cropper, Bianca Cox, Juan Cruz, Aramis Cruz, Letitia Curry, Khalil Davis, Julissa DeCasanova, Yesenia DeCasanova, Christopher Dickerson, Marilynn Ferguson, Rashon Fisher, Sheila Gabriel, and Tajah Gamble.

Abraham Gonzalez, Adrian Graham, DeVaughn Hailey, LaToya Hairston, Marcus Harris, Theresa Holmes, Michael Hopkins, William Hughes III, Hope Ibeneche, Nashid Ibn-El, Daniel Irizarry, Brittany Johnson, Damian Johnson, Nigel Jones, Erving Jones, Kris Keaton, Monique Kinard, Keyana Kirkland, Antonia Maldonado, Jorge Maldonado, KiaMarae Mathes, Steven McDonald, Jessica Medina, Jevon Miles, and Tabron Miles.

Naeemah Mitchell-El, Rafael Montanez, Ebony Mosley, Chanell Moye, Shardae Norwood, Saunier O'Neill, Jeremy Ortiz, Charles Parrish, India Powe, Dianna Pujols, Veda Quann, Quameer Reddick-Parker, April Reid-Bey, Christopher Rivera, Daniella Rivera, Jeremy Robinson, Samuel Rodriguez, LaTisha Rodriguez, Cheryl Ross, Kabria Satterwhite, Devin Seamon, Phillip Smalls, Dareese Smith, Akacia Spearman, and Yaniece Spencer.

Vaughn Spicer, Genice Steward, Troy Still, Steven Taylor Jr., Mercy Torres, Gina Torres, Jemaine Underdue, Fashionette Underdue, Alexander Vargas, Jha-Nai Wagner, Tangier Washington, Brittney Webb, Rasheen Webb, Gabrielle Williams, Chanteera Wilson, Lateema Yellock, and Tiffany Young.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

SPEECH OF

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 23, 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. RYAN of Ohio. Mr. Chairman, I rise today in recognition of House Amendment 343 to House Resolution 3010, to restore full funding to the Corporation of Public Broadcasting.

The passage of this amendment preserves public broadcasting, a longstanding American tradition. This amendment enables the Corporation of Public Broadcasting to continue providing countless benefits to our society, including unbiased and nonpartisan information and news, educational and developmental programming and services, and arts and entertainment to the American public.

I would like to commend my fellow colleagues on their cooperation and nonpartisanship in voting to preserve the American institution of public broadcasting. I was unable to vote on the amendment because I was paying my respects to the family of a brave soldier who made the ultimate sacrifice for his country in Operation Iraqi Freedom.

I am strongly against the cuts proposed by House Republicans that were even more severe than the President's suggested budget cuts. While the President recommended a cut of approximately ten million dollars in funding to the Corporation of Public Broadcasting, the House Appropriations Committee and other subcommittees recommended a total cut of $246.2 million, or 44.9 percent of the current funding. While I recognize the importance of fiscal responsibility, especially in the midst of a severe budget deficit, I believe that we must properly prioritize funding provided by taxpayer dollars. The majority of Americans, according to a recent poll, rank public broadcasting as the second most important publicly provided service, after military defense; additionally the majority of Americans believe not only that their tax dollars are well spent on public broadcasting, but actually support an increase in its funding.

The proposed cuts to public broadcasting are clearly contrary to public opinion. Moreover, these cuts would result in the loss of invaluable services that Americans trust and rely upon, and would harm local economies in the form of closed local stations and lost jobs. For these reasons, I celebrate the passage of this amendment, and pledge my support to continuing funding the Corporation of Public Broadcasting.

THE RETIREMENT OF RABBI RICHARD LEVINE

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. SAXTON. Mr. Speaker, I rise today in recognition of an extraordinary gentleman who I am honored to call a friend. On July 1, 2005, Rabbi Richard Levine will retire after 41 years of service as the spiritual leader of Congregation Adath Emanu-El. Since 1964, Rabbi Levine has worked tirelessly on behalf of his Congregation and the greater Jewish community of southern New Jersey. As my friend continues his journey after retirement, it is with great pride and admiration that I look back on his tenure as a spiritual and community leader.

After graduating from the Wharton School of Business at the University of Pennsylvania, Richard Levine went on to the Hebrew Union College-Jewish Institute of Religion whereupon completion of his studies, he was ordained as a Rabbi. Arriving in Willingboro, New Jersey in 1964, Rabbi Levine began to get involved with a countless number of Jewish and non-sectarian organizations and causes. In addition to holding the Presidency of the Delaware Valley Association of Reform Rabbis and the Tri-County Board of Rabbis, he was the first New Jersey Rabbi ever to serve as President of the Greater Philadelphia Board of Rabbis. He has served on the Boards of the Jewish Federation of Southern New Jersey, Jewish Family and Children Services and the Board of Jewish Education.

Rabbi Levine's dedication to our local community goes far beyond his service on Rabbinical and community boards. Over the years he has worked with the Juvenile Diabetes Research Foundation, Operation Head Start, various multi-ethnic human relations organizations and has taught classes at local schools. He has served with distinction as a "scholar in residence" in other communities and has led over a dozen trips to Israel. During these trips, the participants enjoy his first-hand knowledge of the country, its history, people and spiritual meaning.

Today, as we honor the accomplishments of this exceptional American, Rabbi Levine is still hard at work, as the patriarch of a growing family. He and his lovely wife Judith are the proud parents of nine children and are celebrating the arrival of their eighth grandchild! As a father, grandfather and rabbi, Richard Levine has earned the respect, gratitude and admiration of all of us who have had the privilege to work with him over the years.

Mr. Speaker, my friend Richard Levine has dedicated his professional life to the service of his people and the greater community of which I am honored to be a part. As he begins his well-earned retirement, I would like to extend my sincere gratitude for his friendship, leadership and service.

IN HONOR OF CAPTAIN JEFFREY E. KLINE

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. FARR. Mr. Speaker, I rise today to honor Captain Jeffrey E. Kline, United States Navy, who retires this month after 26 years of uniformed service to our Nation's Navy. His career is highlighted by a blend of significant operational and academic achievement.

At the University of Missouri, CAPT Kline participated in the NROTC Program and was commissioned in 1979 upon graduation with honors. He then attended Surface Warfare Officer School at Newport, RI. His first assignments were as Gunnery Officer and Navigator on board the USS *Moosbrugger* from 1979 to 1981 and then on the USS *Ranger* as the Propulsion Officer until 1983. Upon completion of USMC Instructors School, CAPT Kline was a Naval Gunfire Instructor with the Land Force Training Command, Pacific, until 1986. He retuned to Department Head School at Newport followed by another sea duty assignment as Combat Systems Officer on board the USS *John L Hall* from 1986 to 1988. This led directly to a billet as the Combat Systems and Operations Officer on the staff of Commander Destroyer Squadron THREE TWO through 1990. Captain Kline then continued his education at the Naval Postgraduate School graduating with a Masters Degree in Operations Research with distinction in 1992.

Upon graduation, Captain Kline served his first tour as a Commanding Officer on board the USS *Aquila.* In 1993, he was assigned to the Office of the Secretary of Defense for Programs, Analysis and Evaluation as a Naval Forces Analyst, and was awarded the Legion of Merit for his work in 1996. Returning to academia, he graduated with distinction from the National War College at the National Defense University in 1997.

From 1997 to 1999, Captain Kline assumed his second operational command as the Commanding Officer of the USS *Cushing.* This was followed by a two-year tour as Deputy Operations Officer for the Commander Sixth Fleet. For this work he received the Defense Meritorious Service Medal in 2001. Captain Kline completed his distinguished naval career as the Associate Dean and Chair of Warfare Innovation at the Naval Postgraduate School.

Captain Kline has been consistently recognized for his outstanding service throughout his naval career. In addition to the Legion of Merit and the Defense Meritorious Service Medal, he has been awarded two Meritorious Service medals, three Navy Commendation Medals, and two Navy Achievement Medals by various commands. His academic achievements in naval education earned him the 1992 CNO Excellence in Operations Research Award, the 1996 Naval War College Award for the best Geostrategic Context paper and two Northrop Grumman Awards of Excellence for Systems Engineering in 2003 and 2004 while at the Postgraduate School.

Mr. Speaker, it is my pleasure to applaud a person who has served his country with such distinction for so many years. I join with all his friends and family in honoring this talented man and his many achievements.

COMMENDATION FOR ROSALIND M. WON-PAT FLEET FOR HER PUBLIC SERVICE

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Ms. BORDALLO. Mr. Speaker, I rise today to commend Rosalind M. Won-Pat Fleet for 26 years of dedication and commitment to the security of this Nation through her career with the U.S. Department of Defense. I want to express my personal thanks to Rose as her family and friends gather to honor her accomplishments on the occasion of her retirement.

Born on Guam to the late Congressman Antonio Borja and Ana Perez Won-Pat, Rose currently resides in Haymarket, Virginia. She is married to William Don Fleet and is the proud mother of three children, Natalie, William, Jr., and Michael.

After graduating from George Washington High School in Mangilao, Guam, Rose attended the University of Maryland at College Park where she received her Bachelor of Science degree in Journalism and was a member of Theta Sigma Phi, the National Professional Society for Women in Journalism and Communications. She continued her postgraduate studies in Communications and Public Administration.

Following in her family's tradition of public service, Rose began her career in 1984 as a Budget Assistant with the Commander of Naval Forces Japan (COMNAVFORJAPAN) in Yokosuka, Japan. Within 3 years, she became Budget Chief at the Office of the Director of Naval Intelligence (DNI) at the Pentagon. She continued her rise within the Department of Defense, serving as the Financial Resource Manager with the Defense Intelligence Agency

(DIA), a Program/Budget Analyst at the Pentagon, and now, as a Senior Congressional Analyst with the Office of the Under Secretary of Defense for Intelligence.

Her outstanding performance throughout her career has not gone unrecognized. She has received many awards, including the award for Sustained Superior Performance and the Quality Step Increase.

Although Rose has spent most of her career away from Guam, she has never forgotten her roots, promoting and preserving the Chamorro culture through her active involvement as an Executive Board Member with the Guam Society of America, Inc. here in the greater Washington, D.C., Metropolitan Area. In addition, she has served as an Alternate Delegate for Guam to the National Conference of State Societies.

I want to thank Rose for her many years of dedicated service in the day-to-day operations of our Federal Government. Your contributions are appreciated by your colleagues and fellow citizens. Dangkulo Na Si Yu'os Ma'ase.

A TRIBUTE TO THE SOUTH COAST CHINESE CULTURAL CENTER

HON. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. COX. Mr. Speaker, I rise to recognize and congratulate the South Coast Chinese Cultural Center on the occasion of its grand opening celebration on Sunday, April 24, 2005 in Irvine, California. This important and vibrant cultural center will serve as a gathering place for thousands of Californians. This is a center that will serve as a place of community bonding and fellowship; a place to build new relationships and to foster old ones; a place to learn about Chinese history and to teach younger generations about Chinese culture and language; and, of course, a place to relax and to play mah-jong with the best of them.

The South Coast Chinese Cultural Association, founded in 1977, is the heart and soul behind this new center. For 28 years the SCCCA has served and supported Orange County's Chinese community. The mission of the association is the same today as it was in 1977: to promote an, understanding of Chinese culture, to preserve Chinese heritage, and to support the rights of all Chinese Americans. This outstanding organization currently serves more than 1,000 member families in the greater Orange County area. The South Coast Chinese Cultural Center was born out of the idea that the association could better serve its members from a central campus.

Tradition is a large and vital part of Chinese culture and way of life. Ancient traditions continue with new life here in America in places such as the South Coast Chinese Cultural Center. Younger generations will have the opportunity to learn from their elders about the timeless art of Chinese Brush Painting, Chinese Calligraphy, Chinese Swordsmanship, and Chinese Martial Arts. The Irvine Chinese School, now in its 28th year, will continue to serve the community at this new center by giving new meaning to Chinese language and lessons for future generations of Chinese Americans. The heritage of the Old World will not be lost so long as there are places like the South Coast Chinese Cultural Center in which to congregate.

This grand opening celebration of the South Coast Chinese Cultural Center was a momentous occasion for not only the Chinese community, but also for people of all backgrounds throughout Orange County and all of Southern California. This center aims to unite the unique and diverse ethnic framework that makes ours such a thriving and vibrant community.

I am particularly proud that the South Coast Chinese Cultural Center—the largest center of its kind on the West Coast—has chosen to call Irvine its home. The leadership exemplified by the Chinese community in Orange County in building this wonderful center has shown us that, with a great vision and dedication, we can ensure that the global traditions and cultures that have been brought to America's melting pot will live on for generations to come.

Mr. Speaker, I ask my colleagues to join me today in congratulating the South Coast Chinese Cultural Center on the occasion of its recent grand opening.

CHINA: A GROWING THREAT

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. WOLF. Mr. Speaker, I would like to bring to the attention of our colleagues a two-part series that ran in the Washington Times this week, which gives an eye-opening account of the growing military and intelligence threat posed by China. As this series makes clear, we are naive to view China as simply a trading partner, when in fact they are a global superpower with military ambitions directly at odds with the United States.

[From the Washington Times, June 26, 2005]

CHINESE DRAGON AWAKENS

(By Bill Gertz)

China is building its military forces faster than U.S. intelligence and military analysts expected, prompting fears that Beijing will attack Taiwan in the next 2 years, according to Pentagon officials.

U.S. defense and intelligence officials say all the signs point in one troubling direction: Beijing then will be forced to go to war with the United States, which has vowed to defend Taiwan against a Chinese attack.

China's military buildup includes an array of new high-technology weapons, such as warships, submarines, missiles and a maneuverable warhead designed to defeat U.S. missile defenses. Recent intelligence reports also show that China has stepped up military exercises involving amphibious assaults, viewed as another sign that it is preparing for an attack on Taiwan.

''There's a growing consensus that at some point in the mid-to-late '90s, there was a fundamental shift in the sophistication, breadth and re-sorting of Chinese defense planning,'' said Richard Lawless, a senior China-policy maker in the Pentagon. ''And what we're seeing now is a manifestation of that change in the number of new systems that are being deployed, the sophistication of those systems and the interoperability of the systems.''

China's economy has been growing at a rate of at least 10 percent for each of the past 10 years, providing the country's military with the needed funds for modernization.

The combination of a vibrant centralized economy, growing military and increasingly fervent nationalism has transformed China into what many defense officials view as a fascist state.

''We may be seeing in China the first true fascist society on the model of Nazi Germany, where you have this incredible resource base in a commercial economy with strong nationalism, which the military was able to reach into and ramp up incredible production,'' a senior defense official said.

For Pentagon officials, alarm bells have been going off for the past two years as China's military began rapidly building and buying new troop- and weapon-carrying ships and submarines.

The release of an official Chinese government report in December called the situation on the Taiwan Strait ''grim'' and said the country's military could ''crush'' Taiwan.

Earlier this year, Beijing passed an anti-secession law, a unilateral measure that upset the fragile political status quo across the Taiwan Strait. The law gives Chinese leaders a legal basis they previously did not have to conduct a military attack on Taiwan, U.S. officials said:

The war fears come despite the fact that China is hosting the Olympic Games in 2008 and, therefore, some officials say, would be reluctant to invoke the international condemnation that a military attack on Taiwan would cause.

ARMY OF THE FUTURE

In the past, some defense specialists insisted a Chinese attack on Taiwan would be a ''million-man swim'' across the Taiwan Strait because of the country's lack of troop-carrying ships.

''We left the million-man swim behind in about 1998, 1999,'' the senior Pentagon official said. ''And in fact, what people are saying now, whether or not that construct was ever useful, is that it's a moot point, because in just amphibious lift alone, the Chinese are doubling or even quadrupling their capability on an annual basis.''

Asked about a possible Chinese attack on Taiwan, the official put it bluntly: ''In the '07–'08 time frame, a capability will be there that a year ago we would have said was very, very unlikely. We now assess that as being very likely to be there.''

Air Force Gen. Paul V. Hester, head of the Pacific Air Forces, said the U.S. military has been watching China's military buildup but has found it difficult to penetrate Beijing's ''veil'' of secrecy over it.

While military modernization itself is not a major worry, ''what does provide you a pause for interest and concern is the amount of modernization, the kind of modernization and the size of the modernization,'' he said during a recent breakfast meeting with reporters.

China is building capabilities such as aerial refueling and airborne warning and control aircraft that can be used for regional defense and long-range power projection, Gen. Hester said.

It also is developing a maneuverable reentry vehicle, or MARV, for its nuclear warheads. The weapon is designed to counter U.S. strategic-missile defenses, according to officials who spoke on the condition of anonymity. The warhead would be used on China's new DF–31 long-range missiles and its new submarine missile, the JL–2.

Work being done on China's weapons and reconnaissance systems will give its military the capability to reach 1,000 miles into the sea, ''which gives them the visibility on the movement of not only our airplanes in the air, but also our forces at sea,'' Gen. Hester said.

Beijing also has built a new tank for its large armed forces. It is known as the Type 99 and appears similar in design to Germany's Leopard 2 main battle tank. The tank is outfitted with new artillery, anti-aircraft and machine guns, advanced fire-control systems and improved engines.

The country's air power is growing through the purchase of new fighters from Russia, such as Su–30 fighter-bombers, as well as the development of its own fighter jets, such as the J–10.

Gen. Hester compared Chinese warplanes with those of the former Soviet Union, which were less capable than their U.S. counterparts, but still very deadly.

''They have great equipment. The fighters are very technologically advanced, and what we know about them gives us pause for concern against ours,'' he said.

Missiles also are a worry.

''It is their surface-to-air missiles, their [advanced] SAMs and their surface-to-surface missiles, and the precision, more importantly, of those surface-to-surface missiles that provide, obviously, the ability to pinpoint targets that we might have out in the region, or our friends and allies might have,'' Gen. Hester said.

The advances give the Chinese military ''the ability . . . to reach out and touch parts of the United States—Guam, Hawaii and the mainland of the United States,'' he said.

To better deal with possible future conflicts in Asia, the Pentagon is modernizing U.S. military facilities on the Western Pacific island of Guam and planning to move more forces there.

The Air Force will regularly rotate Air Expeditionary Force units to Guam and also will station the new long-range unmanned aerial vehicle known as Global Hawk on the island, he said.

It also has stationed B–2 stealth bombers on Guam temporarily and is expected to deploy B–1 bombers there, in addition to the B–52s now deployed there, Gen. Hester said.

PROJECTING POWER

China's rulers have adopted what is known as the ''two-island chain'' strategy of extending control over large areas of the Pacific, covering inner and outer chains of islands stretching from Japan to Indonesia.

''Clearly, they are still influenced by this first and second island chain,'' the intelligence official said.

The official said China's buildup goes beyond what would be needed to fight a war against Taiwan.

The conclusion of this official is that China wants a ''blue-water'' navy capable of projecting power far beyond the two island chains.

''If you look at the technical capabilities of the weapons platforms that they're fielding, the sea-keeping capabilities, the size, sensors and weapons fit, this capability transcends the baseline that is required to deal with a Taiwan situation militarily,'' the intelligence official said.

''So they are positioned then, if [Taiwan is] resolved one way or the other, to really become a regional military power as well.''

The dispatch of a Han-class submarine late last year to waters near Guam, Taiwan and Japan was an indication of the Chinese military's drive to expand its oceangoing capabilities, the officials said. The submarine surfaced in Japanese waters, triggering an emergency deployment of Japan's naval forces.

Beijing later issued an apology for the incursion, but the political damage was done. Within months, Japan began adopting a tougher political posture toward China in its defense policies and public statements. A recent Japanese government defense report called China a strategic national security concern. It was the first time China was named specifically in a Japanese defense report.

ENERGY SUPPLY A FACTOR

For China, Taiwan is not the only issue behind the buildup of military forces. Beijing also is facing a major energy shortage that, according to one Pentagon study, could lead it to use military force to seize territory with oil and gas resources.

The report produced for the Office of Net Assessment, which conducts assessments of future threats, was made public in January and warned that China's need for oil, gas and other energy resources is driving the country toward becoming an expansionist power.

China ''is looking not only to build a blue-water navy to control the sea lanes [from the Middle East], but also to develop undersea mines and missile capabilities to deter the potential disruption of its energy supplies from potential threats, including the U.S. Navy, especially in the case of a conflict with Taiwan,'' the report said.

The report said China believes the United States already controls the sea routes from the oil-rich Persian Gulf through the Malacca Strait. Chinese President Hu Jintao has called this strategic vulnerability to disrupted energy supplies Beijing's ''Malacca Dilemma.''

To prevent any disruption, China has adopted a ''string of pearls'' strategy that calls for both offensive and defensive measures stretching along the oil-shipment sea lanes from China's coast to the Middle East.

The ''pearls'' include the Chinese-financed seaport being built at Gwadar, on the coast of western Pakistan, and commercial and military efforts to establish bases or diplomatic ties in Bangladesh, Burma, Cambodia, Thailand and disputed islands in the South China Sea.

The report stated that China's ability to use these pearls for a ''credible'' military action is not certain.

Pentagon intelligence officials, however, say the rapid Chinese naval buildup includes the capability to project power to these sea lanes in the future.

''They are not doing a lot of surface patrols or any other kind of security evolutions that far afield,'' the intelligence official said. ''There's no evidence of [Chinese military basing there] yet, but we do need to keep an eye toward that expansion.''

The report also highlighted the vulnerability of China's oil and gas infrastructure to a crippling U.S. attack.

''The U.S. military could severely cripple Chinese resistance [during a conflict over Taiwan] by blocking its energy supply, whereas the [People's Liberation Army navy] poses little threat to United States' energy security,'' it said.

China views the United States as ''a potential threat because of its military superiority, its willingness to disrupt China's energy imports, its perceived encirclement of China and its disposition toward manipulating international politics,'' the report said.

'MERCANTILIST MEASURES'

The report stated that China will resort ''to extreme, offensive and mercantilist measures when other strategies fail, to mitigate its vulnerabilities, such as seizing control of energy resources in neighboring states.''

U.S. officials have said two likely targets for China are the Russian Far East, which has vast oil and gas deposits, and Southeast Asia, which also has oil and gas resources.

Michael Pillsbury, a former Pentagon official and specialist on China's military, said the internal U.S. government debate on the issue and excessive Chinese secrecy about its military buildup ''has cost us 10 years to figure out what to do.''

''Everybody is starting to acknowledge the hard facts,'' Mr. Pillsbury said. ''The China military buildup has been accelerating since 1999. As the buildup has gotten worse, China is trying hard to mask it.''

Richard Fisher, vice president of the International Assessment and Strategy Center, said that in 10 years, the Chinese army has shifted from a defensive force to an advanced military soon capable of operations ranging from space warfare to global non-nuclear cruise-missile strikes.

''Let's all wake up. The post-Cold War peace is over,'' Mr. Fisher said. ''We are now in an arms race with a new superpower whose goal is to contain and overtake the United States.''

[From the Washington Times, June 27, 2005]

THEFTS OF U.S. TECHNOLOGY BOOST CHINA'S WEAPONRY

(By Bill Gertz)

China is stepping up its overt and covert efforts to gather intelligence and technology in the United States, and the activities have boosted Beijing's plans to rapidly produce advanced-weapons systems.

''I think you see it where something that would normally take 10 years to develop takes them two or three,'' said David Szady, chief of FBI counterintelligence operations.

He said the Chinese are prolific collectors of secrets and military-related information. ''What we're finding is that [the spying is] much more focused in certain areas than we ever thought, such as command and control and things of that sort,'' Mr. Szady said.

''In the military area, the rapid development of their 'blue-water' navy—like the Aegis weapons systems—in no small part is probably due to some of the research and development they were able to get from the United States,'' he said.

The danger of Chinese technology acquisition is that if the United States were called on to fight a war with China over the Republic of China (Taiwan), U.S. forces could find themselves battling a U.S.-equipped enemy.

''I would hate for my grandson to be killed with U.S. technology'' in a war over Taiwan, senior FBI counterintelligence official Tim Bereznay told a conference earlier this year.

The Chinese intelligence services use a variety of methods to spy, including traditional intelligence operations targeting U.S. government agencies and defense contractors.

Additionally, the Chinese use hundreds of thousands of Chinese visitors, students and other nonprofessional spies to gather valuable data, most of it considered ''open source,'' or unclassified information.

''What keeps us up late at night is the asymmetrical, unofficial presence,'' Mr. Szady said.

''The official presence, too. I don't want to minimize that at all in what they are doing.'' China's spies use as many as 3,200 front companies—many run by groups linked to the Chinese military—that are set up to covertly obtain information, equipment and technology, U.S. officials say.

Recent examples include front businesses in Milwaukee; Trenton, N.J.; and Palo Alto, Calif., Mr. Szady said.

In other cases, China has dispatched students, short-term visitors, businesspeople and scientific delegations with the objective of stealing technology and other secrets.

The Chinese ''are very good at being where the information is,'' Mr. Szady said. ''If you build a submarine, no one is going to steal a submarine. But what they are looking for

are the systems or materials or the designs or the batteries or the air conditioning or the things that make that thing tick,'' he said. ''That's what they are very good at collecting going after both the private sector, the industrial complexes, as well as the colleges and universities in collecting scientific developments that they need.''

''One recent case involved two Chinese students at the University of Pennsylvania who were found to be gathering nuclear submarine secrets and passing them to their father in China, a senior military officer involved in that country's submarine program.

BIT BY BIT

To counter such incidents, the FBI has been beefing up its counterintelligence operations in the past 3 years and has special sections in all 56 field offices across thy country for counterspying.

But the problem of Chinese spying is daunting.

''It's pervasive,'' Mr. Szady said. ''It's a massive presence, 150,000 students, 300,000 delegations in the New York area. That's not counting the rest of the United States, probably 700,000 visitors a year. They're very good at exchanges and business deals, and they're persistent.''

Chinese intelligence and business spies will go after a certain technology, and they eventually get what they want, even after being thwarted, he said.

Paul D. Moore, a former FBI intelligence specialist on China, said the Chinese use a variety of methods to get small pieces of information through numerous collectors, mostly from open, public sources.

The three main Chinese government units that run intelligence operations are the Ministry of State Security, the military intelligence department of the People's Liberation Army and a small group known as the Liaison Office of the General Political Department of the Chinese army, said Mr. Moore, now with the private Centre for Counterintelligence Studies.

China gleans most of its important information not from spies but from unwitting American visitors to China—from both the U.S. government and the private fector—who are ''serially indiscreet'' in disclosing information sought by Beijing, Mr. Moore said in a recent speech.

In the past several years, U.S. nuclear laboratory scientists were fooled into providing Chinese scientists with important weapons information during discussions in China through a process of information elicitation—asking questions and seeking help with physics ''problems'' that the Chinese are trying to solve, he said.

''The model that China has for its intelligence, in general, is to collect a small amount of information from a large amount of people,'' Mr. Moore said during a conference of security specialists held by the National Security Institute, a Massachusetts-based consulting firm.

IN THE LEARNING PHASE

Mr. Szady acknowledges that the FBI is still ''figuring out'' the methods used by the Chinese to acquire intelligence and technology from the United States.

Since 1985, there have been only six major intelligence defectors from Chna's spy services, and information about Chinese activities and methods is limited, U.S. officials said.

Recent Chinese spy cases were mired in controversy.

The case against Katrina Leung, a Los Angeles-based FBI informant who the FBI thinks was a spy for Beijing, ended in the dismissal of charges of taking classified documents from her FBI handler. The Justice Department is appealing the case.

The case against Los Alamos National Laboratory scientist Wen Ho Lee, who was suspected of supplying classified nuclear-weapons data to China, ended with Mr. Lee pleading guilty to only one count among the 59 filed.

The FBI has been unable to find out who in the U.S. government supplied China with secrets on every deployed nuclear weapon in the U.S. arsenal, including the W–88, the small warhead used on U.S. submarine-launched nuclear missiles.

''I think the problem is huge, and it's something that I think we're just getting our arms around,'' Mr. Szady said of Chinese spying. ''It's been there, and what we're doing is more or less discovering it or figuring it out at this point.''

Mr. Bereznay said recently that Chinese intelligence activities are a major worry. FBI counterintelligence against the Chinese ''is our main priority,'' he said.

In some cases, so-called political correctness can interfere with FBI counterspying. For example, Chinese-American scientists at U.S. weapons laboratories have accused the FBI of racial profiling.

But Mr. Szady said that is not the case.

China uses ethnic Chinese-Americans as a base from which to recruit agents, he said.

''They don't consider anyone to be American-Chinese,'' Mr. Szady said. ''They're all considered overseas Chinese.''

So the answer he gives to those who accuse the FBI of racial profiling is: ''We're not profiling you. The Chinese are, and they're very good at doing that.''

PUSHING AN AGENDA

China's government also uses influence operations designed to advance pro-Chinese policies in the United States and to prevent the U.S. government from taking tough action or adopting policies against Beijing's interests, FBI officials said.

Rudy Guerin, a senior FBI counterintelligence official in charge of China affairs, said the Chinese aggressively exploit their connections to U.S. corporations doing business in China.

''They go straight to the companies themselves,'' he said.

Many U.S. firms doing business in China, including such giants as Coca-Cola, Boeing and General Motors, use their lobbyists on behalf of Beijing.

''We see the Chinese going to these companies to ask them to lobby on their behalf on certain issues,'' Mr. Guerin said, ''whether it's most-favored-nation trade status, [World Health Organization], Falun Gong or other matters.''

The Chinese government also appeals directly to members of Congress and congressional staff.

U.S. officials revealed that China's embassy in Washington has expanded a special section in charge of running influence operations, primarily targeting Congress. The operation, which includes 26 political officers, is led by Su Ge, a Chinese government official.

The office frequently sends out e-mail to selected members or staff on Capitol Hill, agitating for or against several issues, often related to Taiwan affairs.

Nu Qingbao, one of Mr. Su's deputies, has sent several e-mails to select members and staff warning Congress not to support Taiwan.

The e-mails have angered Republicans who view the influence operations as communist meddling.

''The Chinese, like every other intelligence agency or any other government, are very much engaged in trying to influence, both covertly and overtly,'' Mr. Szady said.

TAKING TECHNOLOGY

The real danger to the United States is the loss of the high-technology edge, which can impair U.S. competitiveness but more importantly can boost China's military.

Immigration and Customs Enforcement (ICE), a part of the Department of Homeland Security, is concerned because the number of high-profile cases of illegal Chinese technology acquisition is growing.

''We see a lot of activity involving China, and I think it would be fair to say the trend is toward an increase,'' said Robert A. Schoch, deputy assistant director in ICE's national security investigations division.

Mr. Schoch said that one recent case of a South Korean businessman who sought to sell advanced night-vision equipment to China highlights the problem.

''We have an awesome responsibility to protect this sensitive technology,'' he said. ''That gives the military such an advantage.''

ICE agents are trying hard to stop illegal exports to China and several other states, including Iran and Syria, not just by halting individual exports but by shutting down networks of illegal exporters, Mr. Schoch said.

Another concern is that China is a known arms proliferator, so weapons and related technology that are smuggled there can be sent to other states of concern.

''Yes, some of this stuff may go to China, but then it could be diverted to other countries,'' Mr. Schoch said. ''And that is the secondary proliferation. Who knows where it may end up.''

As with China's military buildup, China's drive for advanced technology with military applications has been underestimated by the U.S. intelligence community.

A report prepared for the congressional U.S.-China Economic and Security Review Commission found predictions that China was unable to advance technologically were false.

In fact, the report by former Pentagon official Michael Pillsbury highlights 16 key advances in Chinese technology—all with military implications—in the past six months alone.

The failure to gauge China's development is part of the bias within the U.S. government that calls for playing down the threat from the growing power of China, both militarily and technologically, Mr. Pillsbury stated.

''Predictions a decade ago of slow Chinese [science and technology] progress have now proved to be false,'' the report stated.

Unlike the United States, China does not distinguish between civilian and military development. The same factories in China that make refrigerators also are used to make long-range ballistic missiles.

At a time when U.S. counterintelligence agencies are facing an array of foreign spies, the Chinese are considered the most effective at stealing secrets and know-how.

''I think the Chinese have figured it out, as far as being able to collect and advance their political, economic and military interests by theft or whatever you want to call it,'' Mr. Szady said. ''They are way ahead of what the Russians have ever done.''

HONORING JOHN PITTS, SR.

HON. HAROLD E. FORD, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. FORD. Mr. Speaker, I rise today to honor a distinguished leader in the Memphis business community, John Pitts Sr., who has recently been selected as a member of the Tennessee Insurance Hall of Fame. This

honor is well deserved by Mr. Pitts for his success and influence in the insurance industry, his outstanding contributions to the Memphis community, and his truly exemplary life.

Over 50 years ago, Mr. Pitts co-founded Lipscomb & Pitts Insurance which has grown to become the largest locally-owned independent insurance agency, and one of the largest privately-owned, single-site insurance agencies in the United States. Throughout his career, Mr. Pitts has served locally as president of both the Insurers of Tennessee and the Insurers of Memphis, and he has been active nationally as the State National Director of the Independent Insurance Brokers of America and as the president of the Professional Insurance Agents.

With all of these achievements, Mr. Pitts still affirms that the most rewarding experiences of his professional career have been the instances when he has watched employees develop professionally and has had the opportunity to influence the lives of those who work at Lipscomb & Pitts. Mr. Pitts has been instrumental in leading Lipscomb & Pitts to support many community organizations both with financial resources and with employees' volunteered time.

Mr. Pitts is an Eagle Scout and the father and grandfather of Eagle Scouts. He has received numerous awards for the Boy Scouts of America and currently serves as the chairman of the Eagle Board of Review. Mr. Pitts has also been an active life-long member of his church, Faith Christian Church.

Mr. Speaker, I ask my colleagues to join me in honoring Mr. John Pitts, a man who is a true leader in the insurance industry, the Memphis business community, his local community, and his family on the occasion of his induction into the Tennessee Insurance Hall of Fame.

RECOGNIZING THE HEROIC EFFORTS OF THE PEOPLE WHO SAVED DEAN OLSON

HON. COLLIN C. PETERSON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. PETERSON of Minnesota. Mr. Speaker, on Wednesday, May 25, 2005, 84-year-old Dean Olson of Montevideo, Minnesota lost control of his pickup truck during a storm, went off the road, and landed approximately 35 feet into the Minnesota River. The vehicle was not visible from the road. Mr. Olson spent over 2 hours trapped in the vehicle, submerged to his shoulders in 40-degree water, after sustaining multiple injuries.

It is our intention today to recognize the compassionate and heroic efforts of three people who saved Mr. Olson's life that day: Mr. Kevin Applewick, Chippewa County Sheriff Deputy Timothy Christensen, and Mr. Robert Pender.

Kevin Applewick discovered the partially submerged truck while searching for a fishing spot. Mr. Applewick could not determine if anyone was in the vehicle. He promptly notified the Chippewa County Sheriff's Office. Deputy Timothy Christensen was dispatched to the scene and arrived at the same time as Robert Pender, who was fishing in the area. By the time of their arrival, Mr. Applewick thought he had heard low moans coming from the pickup. Mr. Pender and Deputy Christensen immediately waded into the swift current of the near freezing Minnesota River, where they discovered Dean Olson trapped in the vehicle. They notified emergency response personnel, and kept Mr. Olson breathing and prevented him from drowning for 20 minutes while standing in over 4 feet of cold river water until EMS professionals could evacuate him.

Dean Olson, who served his country as a fighter pilot in the Pacific Theater during WWII, remains hospitalized in serious condition at Hennepin County Medical Center.

He and his family are extremely grateful for the extraordinary efforts that sustained Mr. Olson's life.

The extraordinary efforts and exceptional actions of Kevin Applewick, Timothy Christensen, and Robert Pender are hereby recognized and commended.

PERSONAL EXPLANATION

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. ORTIZ. Mr. Speaker, due to business in my district, I was unable to vote during the following rollcall votes. Had I been present, I would have voted as indicated below.

Rollcall No. 324: "yes"; rollcall No. 325: "no"; rollcall No. 326: "no"; rollcall No. 327: "yes"; rollcall No. 328: "no"; rollcall No. 329: "no"; rollcall No. 330: "yes"; rollcall No. 331: "yes"; rollcall No. 332: "yes"; rollcall No. 333: "yes"; rollcall No. 334: "no"; rollcall No. 335: "yes."

ACKNOWLEDGING THE PARKER FAMILY FOR THEIR SACRIFICES DURING WORLD WAR II

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to acknowledge Chas and Effie Parker of Westfield, FL, who had five sons in World War II: Samuel, Leon, John, Lewis, and Chas Jr. Their three daughters, Cleta, Nita, and Marquerite, and other son, Alan Parker, remained in the U.S. For their accomplishments the Parkers received a Blue Banner with five blue stars. After the war all five sons returned home safely. They lived out the American dream and made a home, a family and life in the country they loved.

The millions of young Americans, like the Parkers and their sons, pulled the U.S. out of a Great Depression. They defeated fascism and saved the world from the threat of Nazi occupation of Europe. Without their help, America would not have had victory during World War II.

In a letter to the mother of five men who died during the Civil War, Abraham Lincoln wrote, "I feel how fruitless must be any words of mine which should attempt to beguile you from the grief of a loss so overwhelming. But I cannot refrain from tendering to you the consolation that may be found in the thanks of the Republic they died to save."

I thank the Parkers for their sacrifices during World War II, which helped preserve the freedom Americans enjoy. The Parkers are a model American family, a family I am proud to call constituents.

TRIBUTE TO COLONEL JOHN W. IVES

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. RUPPERSBERGER. Mr. Speaker, it is my distinct honor today to rise and pay tribute to a great American, Colonel John W. Ives, for his distinguished and exemplary service on behalf of my constituents and a grateful nation.

When Colonel Ives first enlisted as a soldier in 1972, no one could have imagined the events of September 11, 2001 and the war on terrorism that would ensue. And yet in hindsight, Colonel Ives' entire career prepared him to be a leader in our post 9/11 world and to help the Army position itself to face the future.

Colonel Ives was commissioned as a military intelligence officer in 1981 after completing his undergraduate studies in the Business School at the University of Texas, El Paso. Colonel Ives led two platoons in the 125th Military Intelligence Battalion (CEWI), followed by 2 years as the S2 Intelligence Officer with the 1st Battalion, 19th Infantry Regiment, 25th Infantry Division. He later directed a Joint Agency Task Team from the National Photographic Interpretation Center, specializing in North Korean affairs. During his combat tour in Operation Desert Storm, Colonel Ives served as the S3 Operations Officer.

Following his time in Desert Storm, Colonel Ives continued his established career in intelligence by managing sensitive advanced technology programs for the Office of Secretary of Defense. From 1997–1999, he commanded the 532nd Military Intelligence Battalion (Operations) in the Republic of Korea, afterwards being assigned as Director, Imagery Assessments Directorate (IAD) with the National Ground Intelligence Center (NGIC). In June 2002, he assumed command of the Army Garrison at Fort Meade.

A highly decorated individual, Colonel Ives' commitment to American security is evident in the number of awards he has earned. The Bronze Star Medal, Defense Meritorious Service Medal (3rd Oak Leaf Cluster), Joint Staff Commendation Medal, Army Commendation Medal (3rd Oak Leaf Cluster), National Defense Service Medal (2nd Oak Leaf Cluster), Saudi Arabian-Kuwait Liberation Medal, and the Kuwait Liberation Medal are just a few of the many decorations Colonel Ives has achieved. Never one to rest in his accomplishments, Colonel Ives continues to fight for excellence for every soldier and for our nation's Army.

I am proud to represent both Ft. Meade and NSA. As a member of the House Permanent Select Committee on Intelligence, I understand the threats our nation faces and fully appreciate the contributions of military intelligence experts like Colonel Ives. I have also had the pleasure of personally knowing Colonel Ives to be a man who cares deeply about his country. He has provided dutiful service as a leader on

the battlefield and an expert in the field of intelligence for over 30 years. Our nation is indebted to leaders like Colonel Ives, who deserve our respect for their unending dedication in providing security for Americans both at home and abroad. Of course, no soldier can be successful without a supportive and understanding family at home. Their service and sacrifice in allowing Colonel Ives to do his work deserves our respect and appreciation as well.

Mr. Speaker, I ask my colleagues to join me in thanking Colonel Ives for his decades of tireless service towards the protection of our nation. We wish him and his family well in his retirement.

TRIBUTE TO LANCE CORPORAL RYAN S. McCABE, UNITED STATES MARINE CORPS

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. MEEHAN. Mr. Speaker, I rise today to honor Lance Corporal Ryan S. McCabe of the United States Marine Corps for his extraordinary courage and heroism while serving our nation in Afghanistan. On March, 10, 2005, Lance Corporal McCabe was presented with the Navy and Marine Corps Achievement Medal.

Lance Corporal McCabe put himself at grave personal risk to protect the lives of the Marines in his unit. He used a bayonet to navigate his unit through a minefield in Afghanistan. Due to his bravery, Lance Corporal McCabe's patrol leader—who had been wounded by a detonated landmine—received the urgent medical care he needed to survive and recover.

Lance Corporal McCabe has brought great pride to his parents, Stephen and Kathleen, and his hometown of Lowell, Massachusetts. I would like to congratulate Lance Corporal McCabe, and enter into the record a news article titled "'V' for valor" by reporter Robert Mills which ran in the May 30, 2005 edition of The Lowell Sun.

His patrol leader had already been wounded by a landmine explosion when Lance Cpl. Ryan McCabe, of Lowell, was handed a bayonet and told by his sergeant to start digging his way through the minefield.

McCabe, 22, took his orders without hesitation.

Just minutes before, McCabe and the rest of the six-man patrol he was part of on that mid-August day had started up a hill where they saw a bunker. The patrol leader took the lead, walking up a trail even though the troops saw landmines on the hillside.

Nevertheless, the patrol leader soon detonated an anti-personnel mine, which blew off part of his leg.

The rest of the patrol retreated from the immediate area to avoid setting off any other mines, and began to organize a rescue mission.

That's when McCabe received his orders.

McCabe, who comes from a long line of veterans and Lowell firefighters, got on his hands and knees, and began probing through the minefield, plunging the bayonet into the dirt, searching for mines.

"You feel through the dirt with the bayonet at an angle so if you find a mine you hit it on the side, which won't set it off," he said.

The anti-personnel mines are triggered when they are stepped on, so only direct pressure on top of the mines will cause an explosion.

McCabe was too excited at the time to remember about how far he had to crawl through the minefield, but he eventually got to the lieutenant and secured the area around him which allowed the rest of the patrol, and the medic that was traveling with it, to rescue and treat the group's leader.

In recognition of his efforts, McCabe was awarded the Navy and Marine Corps Achievement Medal, with a combat V—for valor—earlier this month.

Despite his heroism in Afghanistan, which he returned from in December, McCabe and his unit, Lima Company of the Third Battalion Sixth Marines, will now ship out for duty in Iraq starting in August or September.

He will leave for urban and desert warfare training in California next week, before spending an estimated six to nine months in Iraq.

He said having another deployment so soon is "stressful," but nothing he can't handle.

"It's stressful, but once you get over there it's not too bad" he said. "The first few months are depressing, but you get used to it real quick. "

McCabe, who lived in Lowell all his life before joining the Marine Corps, ran cross-country and track while he was a student at Lowell High School.

When his duty with the Marine Corps is finished in about two years, he hopes to return to Lowell to become a firefighter, just as his father, two uncles and grandfather were before him.

McCabe's father, Steve McCabe, of Lowell, is a lieutenant with the Lowell Fire Department's Ladder 4. McCabe's uncle, Patrick McCabe, is one of the department's eight deputy chiefs. His uncle, Bob McCabe, is also a Lowell firefighter, as was his grandfather, Patrick McCabe, who was a deputy chief when he retired from the department in 1984.

He followed in his father's footsteps when he joined the Marines in 2001. His father had served from 1974 to 1976, just missing being sent to Vietnam.

Speaking from his Lowell home last week, Steve McCabe said he is proud of his son, though he naturally worries about him being in such dangerous situations.

"Like any parent that has a son or daughter serving I'm extremely proud, but at the same time I have mixed emotions because like any parent I worry," Steve McCabe said. "I'm nervous about him going to Iraq. "

Steve McCabe said that just as he did when his son was in Afghanistan, he will be following closely any reports he can find while his son is in Iraq.

Though his rescue mission in Afghanistan was perilous, McCabe said he didn't realize what he had done until after the lieutenant was saved.

"At the time, the adrenaline was going so much I just wasn't thinking of what was going on," he said from Fort Lejeune, in North Carolina, last week. "It happened so quickly I didn't have time to get nervous."

"Afterward, I realized 'wow, what did I just do?'" McCabe said.

Mr. Speaker, we're blessed to have brave men and women like Lance Corporal Class Ryan S. McCabe serving our nation. We should never forget the risks they take to preserve our liberty.

TRIBUTE TO MR. GEORGE RODRIGUEZ

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. SERRANO. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to a long time friend, Mr. George Rodriguez. "Georgie", as he is affectionately known in my community, will be honored in the Bronx, New York tonight for his outstanding work and unyielding service to the people of the Bronx, NY.

Since he arrived in New York over forty years ago, George has devoted most of his time to fighting the good fight. Serving as an advocate for the disadvantaged, George has helped to curtail the debilitating effects of racism, poverty and disease throughout the Bronx community.

Among George's long list of accomplishments are several projects which have helped to put roofs over the heads of our most vulnerable citizens. He has served as Chairman of the NYC Model Cities Program (a program that provides low income residents and senior citizens with housing), and helped to establish Mins Plaza Housing, OVB Garden Apartments and Borinquen Court housing for seniors. In addition, George has assisted in providing his neighbors with much needed quality healthcare. He was instrumental in the establishment of the New Lincoln Hospital, and the Degunda Ruix Belvis Neighborhood Health Center.

Mr. Speaker, men like George are a rare breed. It is not everyday that you find individuals who are willing to devote their entire lives to uplifting others. His selfless acts of kindness have helped countless Bronxites live better lives. Furthermore, his actions serve as a testimony to the great influence an individual can have when he is determined to bring about change.

Mr. Speaker, I am truly appreciative of the work George has done for residents of the congressional district. As a result of his strong leadership and vision, the Bronx is a better place and as result of his enduring friendship I am a better leader. For his outstanding service to the people of my community, I ask my colleagues to join me in honoring Mr. George Rodriguez.

MILITARY PERSONNEL FINANCIAL SERVICES PROTECTION ACT

SPEECH OF

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. WESTMORELAND. Mr. Speaker, I rise today in strong support of Title II of H.R. 458. This provision protects our service men and women from the predatory practices of high cost military lenders. Companies such as Pioneer Financial have demonstrated the need

for increased lending restrictions due to their avaricious behavior.

Pioneer Financial has realized that it can prey on military customers by charging unjustifiable rates, high fees and selling them expensive and often unnecessary credit insurance, and then refinancing the loan within a year to generate more fees. Some military customers have found alternatives to Pioneer's costly loan products, and because of this Pioneer has fought back and launched a targeted campaign to pass legislation that cripples its payday lender competitors and stops them from being able to sell to our military personnel.

Mr. Speaker, no one deserves to be taken advantage of, and it is despicable that someone would specifically target the very people that are protecting the freedoms that allow us to participate in commerce at all. That is exactly why I support this bill.

H.R. 458 protects and balances military borrowers' responsibilities and rights. It is important to note that the bill applies not only to payday advance lenders, but also to other higher-cost creditors like Pioneer, small loan companies, title lenders and finance companies.

This legislation also ensures that military borrowers are given additional warnings and special protections if their lender targets military personnel and charges higher rates. In particular, borrowers are protected from garnishment and other collection activities while on active military duty. Further, H.R. 458 takes care to maintain access to many types of credit. By doing so, this bill provides both choice and protection for our service members.

Mr. Speaker, I commend the members of the Financial Services Committee for addressing these abusive lending practices, and for protecting those who risk their lives to protect us every day.

RECOGNIZING THE 22ND ANNUAL FREMONT FESTIVAL OF THE ARTS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. STARK. Mr. Speaker, I rise today to recognize the twenty-second anniversary of the Fremont Festival of the Arts, sponsored by the Fremont, California Chamber of Commerce. Annual contributions from the Festival provide over $400,000 to non-profit agencies in the Fremont community.

The Festival is expected to attract over 45,000 individuals and will feature more than 800 artists, 40 culinary selections and 30 musical groups. This effort is made possible through the generous help of some 3,000 volunteers who give willingly of their time to insure the success of the Festival.

The spirit of community service continues to thrive in Fremont as exhibited by the Fremont Festival of the Arts. I am confident this year's Festival will be a success, and through its contributions to non-profits, will make a difference in the lives of all who live in our community.

I commend the efforts of David M. O'Hara, Festival Chairman, and Cindy Bonair, Chamber CEO and Festival Director, for their generous and untiring efforts to make the Fremont Festival of the Arts a model event.

TRIBUTE TO MISS MARTHA HARRIS

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. SHUSTER. Mr. Speaker, I rise today to recognize Miss Martha Harris, from Altoona, Pennsylvania, as one of twenty national winners in a new award program called The Alexander Hamilton Citizenship Achievement Award. The award is sponsored by a new 501(c)3 non-profit organization, The Alexander Hamilton Friends Association, AHFA, of Seattle, Washington. Fourteen states were represented and amongst the twenty winners, Pennsylvania had three, all of whom happened to be from Altoona Area High School. Over 200 candidates were considered for the award and it is a remarkable achievement for these three students and the Altoona Area school district.

The Alexander Hamilton Friends Association is a non-profit organization incorporated under the laws of the State of Washington. The AHFA's goal is to preserve Alexander Hamilton's legacy by recognizing and honoring young people who share Hamilton's strong sense of integrity, achievement, pragmatism, and service. For a student to win the award the student needs to exhibit a high degree of personal integrity and receive an outstanding rating in two of the five areas, which are: community service, school-related extracurricular activity, entrepreneurial skill, scholastic record, and personal achievement. George Cox, president of AHFA said, "The key question we asked ourselves, was this: If a young Alexander Hamilton were placed in a situation like this student, would be have responded in a similar manner? In the case of our winners, we think the answer is yes."

Miss Martha Harris is a junior at Altoona High school. She is a editor and serves on the staff of the school newspaper, yearbook, a literary magazine. As a copy editor of the yearbook, she supervises more than 25 students. Harris who is totally blind, frequently speaks to parents of blind children and the sighted public concerning the need for Braille texts and blindness awareness. She is active in Young Life and helps read scriptures for services at her church.

Mr. Speaker, we would like to congratulate Miss Martha Harris on her outstanding achievements in community service and we are proud to have her as one of our constituents.

HONORING TWO RIVER THEATER COMPANY IN RED BANK

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. HOLT. Mr. Speaker, I rise today to honor the Two River Theater Company on the opening of a new, state of the art, performance center in Red Bank, New Jersey. The Two River Theater Company is in Monmouth County, New Jersey's leading professional theater.

Since the company first opened its curtains in 1994, the Two River Theater Company has used many venues for their productions. Starting at Monmouth College and traveling around Monmouth County, the Two River Theater Company has been innovative and resourceful in creating productions in borrowed spaces. With the opening of their new home, the Two River Theater Company will provide an excellent addition to the artistic and cultural makeup of Red Bank, Monmouth County and all of central New Jersey.

As a supporter of the arts, I cannot stress enough the importance of culture in our lives. The arts play a crucial role in our society, enhancing our creativity; promoting critical aspects of education; and providing Americans with the opportunity to view works of beauty and expression. I commend the Two River Theater Company for bridging together local groups and communities through their educational and cultural programming and providing individuals with access to many different forms of art.

The Two River Theater Company decision to locate their new theater on Red Bank's west side, easily accessible by car and train, is an example of the desire to contribute to the local community. The new space is comprised of a main theater, named for the cofounders of the Two River Theater Company, that will provide an intimate atmosphere for both the actors and audiences. A small box theater will provide a different type of venue for performances as well rehearsal space for productions on the main stage. The complex also holds costume and craft shops, lighting and sound shops and dressing rooms.

For more than ten years, the individuals involved with the Two River Theater Company have shared their love for the theater, arts and music with local schools. From educational programming to reduced admission for school groups to running a yearlong program for 25 exceptional high school juniors to teach them about all aspects of theater, the Two River Theater Company is committed to educating our youth and helping students gain a greater appreciation for the arts.

Kicking off their inaugural season, the Two River Theater Company held a gala fund-raiser and then hosted three free programs for the local communities including a Celebration for Educators on April 26, a Neighborhood Open House & Concert on April 28, and a Family Day on April 30. The theater season kicked off on May 7th with the Pulitzer Prize-winning comedy "You Can't Take It With You" by George S. Kaufman, which will run in the Robert "Bob" and Joan Rechnitz Theater and "Suicide in B flat" by Sam Shepard, a one act play that includes music, that will be performed in the Marion Huber Theater for a limited number of days in June.

I congratulate the Two River Theater Company for their hard work and dedication to achieving their dream of their own theater. Not only will the new venue provide an excellent place for audiences to enjoy the arts, but it has and will continue to bring cultural and new life to downtown and west side Red Bank. I applaud the achievements of the Two River Theater Company and may they break a leg during their inaugural theater season.

ONE-YEAR ANNIVERSARY OF THE NEW SANCTUARY ON ROCK SPRINGS CHURCH

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. WESTMORELAND. Mr. Speaker, I rise today to bring to the attention of the House a momentous occasion occurring in the Eighth District of Georgia—the one-year anniversary of the new sanctuary of Rock Springs Church in Milner, Georgia which will be celebrated on August 14 of this year.

The ministry of Rock Springs is an amazing demonstration of the faithfulness of God in the lives of His people. The church has been a lighthouse for more than 150 years, faithfully calling on people in Georgia to follow the Lord in accordance with His Word.

It was 1852, when some of the first Congregational Methodist churches were being formed, that Rock Springs first began. The church began serving the area immediately, and moved into its first sanctuary in 1855.

From that point, a number of faithful men served in the pulpit, proclaiming God's Word to all who came to hear, and going out into the community to spread the message of truth.

The church has continued to grow, and now Dr. Benny Tate leads the work that has been carried on by so many before him. Dr. Tate's vision of ministry for the community has continued to grow, and the church stands as a lighthouse, true to the Word of God.

Dr. Tate's messages on the importance of Christian involvement in government have been an encouragement and challenge to me, and I appreciate his vision for Christians serving all throughout the halls of government. But true Christian statesmanship involves a deep commitment to living out the truths of the Bible, and that is the message that comes out loud and clear from the people of Rock Springs.

One year ago, Rock Springs dedicated the new church sanctuary, as Solomon dedicated the temple, to the glory of God. This is the base of operations for ministry to the community. But the building itself is not the church. As we celebrate this new sanctuary, dedicated to the worship of God, the equipping of His people, and the evangelization of the lost, we also thank God for the people of Rock Springs and the testimony they are to a watching world around them.

Mr. Speaker, it is an honor to lay before this House the ministry of Rock Springs Church, and pray God's richest blessings on the ministry there as they look back on the past year of the new sanctuary, and look forward to many, many years of ministry in the future.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

SPEECH OF

HON. TOM UDALL

OF NEW MEXICO

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. UDALL of New Mexico. Mr. Chairman, I rise today to state for the record, that although I will not be able to vote on final passage of H.R. 3010, I oppose this bill. As many of you are well aware because of actions recommended in your own districts, the BRAC Commission is in the process of holding regional hearings throughout the country. They are holding a hearing on closure of Cannon Air Force Base, located in my district, tomorrow, Friday June 24th, and I will be in attendance with the entire New Mexico delegation to show our support for keeping Cannon open.

With that said Mr. Chairman, I do appreciate the difficult constraints under which Mr. REGULA and Mr. OBEY had to work in crafting this important spending bill, and I certainly commend them for the work. Unfortunately, because this appropriations bill implements the budget resolution that I opposed, but that Congress passed, it does not give enough funding for many important services of the Federal Government. Services that have real implications for real people throughout New Mexico and the Nation.

As Mr. OBEY pointed out in his opening remarks, last year's Labor/H bill funded the programs at $3.5 billion above the previous year. This year, however, on a program-to-program basis, the bill cuts $1.6 billion. Programs such as the Community Access Program, which received $83 million last year, are devastated in this year's bill. The Community Access Program has been utilized by several organizations in New Mexico to provide better integrated systems of care for uninsured and underinsured, but receives no funding under H.R. 3010.

Also, H.R. 3010 cuts funding for rural health care and emergency medical services by $44 million, or 41 percent. That does not take into account the cuts to the Health Professions Training Program, which is also an important program for rural and underserved areas in New Mexico. The Health Professions program encourages new medical and dental school graduates to choose primary care specialties and to practice in rural and urban underserved areas. H.R. 3010 cuts funding for this program by $252 million, or by 84 percent.

Another program that I believe is of great importance is the Preventive Health and Health Services Block Grant. Earlier this year I sent a letter, joined by 70 of my colleagues from both sides of the aisle, urging the appropriations committee to provide funding for this program. The President unfortunately requested zero funding for it in his budget request, so I am pleased that the Chairman and Ranking Member included $100 million in H.R. 3010. I do hope, however, that the Senate will provide a greater level of funding that will be ultimately retained in the conference report.

I also would like to highlight, as many others have done today, the $100 million cut to the Corporation for Public Broadcasting. This figure represents a 25 percent cut over FY05 levels for CPB, and I hope that Mr. OBEY's amendment to restore this funding passes. Again, though I will not be able to vote on this amendment, I strongly support its passage.

I also support the amendment that will be offered by Mr. MILLER to deny funds in H.R. 3010 for the Pension Benefit Guaranty Corporation (PBGC). The PBGC just today published official notice in the Washington Post that it would be terminating the pension plan of United Airlines Flight Attendants next week. This termination—and the terminations of the rest of the United Airlines pension plans for pilots, flight attendants, mechanics, public contact employees and others—is unfair. It is the result of a backroom deal struck between the PBGC and United Airlines to terminate the company's pension plans and dump the liabilities onto the PBGC. The PBGC should not be allowed to go forward with this plan, and the Miller amendment will ensure that it does not.

Mr. Chairman, I have just highlighted a few of the issues important to my constituents and me. I did not touch on the key education programs that are shortchanged under H.R. 3010, nor did I address the worker training, labor, and human services programs that are shortchanged under this legislation. The list is too lengthy for me to do so. What it does all add up to, however, is a bill that does not represent the values of me, or my constituents. And for that reason, were I to be here tomorrow, I would vote "no" on final passage of H.R. 3010.

HONORING JIMMY LEE GREEN

HON. ZACH WAMP

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. WAMP. Mr. Speaker, Jim Lee Green—or Jimmy Lee as he's known in my hometown of Chattanooga—is an ordinary man with an extraordinary amount of commitment.

He began working for Southern Champion Tray in Chattanooga when he was 18 years old. And now, 50 years later, Jimmy Lee is the first person in Southern Tray's 78-year history to attain this landmark anniversary! Having no plans for retirement, Jimmy Lee Green has an extraordinary amount of energy, commitment and devotion.

Southern Tray will honor Jimmy Lee for his 50 years of servant leadership and dedication this Saturday, July 2, 2005. Words that his coworkers use to describe him are "honest, faithful, loyal, determined, fair and trustworthy."

Jim L. Green was born in Welch, West Virginia, on February 16, 1937. He's more than a faithful employee, he's a family man, a loyal friend and veteran of our Naval Services.

Congratulations to Jimmy Lee Green for reaching this unprecedented milestone! And, congratulations to Southern Champion Tray for its great work environment and continued investment in those who work there.

NATIONAL RECOGNITION FOR THE LAWRENCE JOURNAL-WORLD

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. MOORE of Kansas. Mr. Speaker, last Sunday's edition of the New York Times carried a lengthy analysis of the recent service expansions into new media delivery outlets

undertaken by the Lawrence Journal-World, a daily newspaper published in my congressional district.

The Lawrence Journal-World, long owned and managed by the Simons family, epitomizes locally based newspaper publishing in America. While many Kansas papers in neighboring communities have been purchased and reworked by out-of-state media conglomerates, the Journal-World has remained independent, feisty, and unique. While I have not always agreed with the conclusions advocated by the paper's management in its editorial columns, I respect the Simons' family's commitment to the strength of the Lawrence community, the advancement of the University of Kansas, and the independence of a free and activist press in the United States. I commend the New York Times' coverage of the Journal-World to my colleagues, Mr. Speaker, and I hope it presents a model that other newspaper publishers nationwide will seek to follow.

[From the New York Times, June 26, 2005]

THE NEWSPAPER OF THE FUTURE

(By Timothy L. O'Brien)

Every Little League player in this town of about 85,000 people can be a star. Regardless of how he or she hits or fields, each tyke and teenager is eligible for a personalized electronic trading card—replete with a picture, biography, statistics and an audio clip of the player philosophizing about the game—that can be posted on the Web site of the local newspaper, The Lawrence Journal-World.

Lawrencians buying tickets for University of Kansas football games can visit the same site, LJWorld.com, and find photographs offering sightlines from each of Memorial Stadium's 50,000 seats. Law aficionados can find transcripts of locally significant court cases posted on the site and participate in live, online chats debating the pros or cons of some cases—sometimes with experts who are involved in the proceedings.

A related Web site, lawrence.com, is aimed at college readers. It allows visitors to download tunes from the Wakarusa Music Festival, find spirited reviews of local bars and restaurants and plunge into a vast trove of blogs, including the Gay Kansan in China Blogger, who recently had his first ''disgusting'' experience with a woman, to the Born Again Christian Blogger, who offers videotaped huzzahs to the Nascar legend Dale Earnhardt Sr.

The steward of this online smorgasbord is Dolph C. Simons Jr., a politically conservative, 75-year-old who corresponds via a vintage Royal typewriter and red grease pencil while eschewing e-mail and personal computers. ''I don't think of us as being in the newspaper business,'' said Mr. Simons, the editor and publisher of The Journal-World and the chairman of the World Company, the newspaper's parent. ''Information is our business and we're trying to provide information, in one form or another, however the consumer wants it and wherever the consumer wants it, in the most complete and useful way possible.''

Owned by the Simons family since 1891, The Journal-World is a small-town paper emphasizing small-town news, but it is hardly restrained by a small-town mentality. Indeed, at a time when newspapers big and small are facing financial and journalistic crossroads, media analysts say The Journal-World, with a circulation of just 20,000, offers guidelines for moving forward.

The Simons family, through the World Company, enjoys an unfettered and often criticized media monopoly in Lawrence. But the family has used that advantage to cross pollinate its properties, ranging from cable to telephone service to newspaper and online publishing, and to take technological and financial risks that other owners might have avoided.

Mr. Simons and his associates describe their overall goals as a shared belief in quality, a deep attachment to Lawrence as a community and a constant reinvention of their business's relationship with readers, viewers and advertisers.

''We believe that journalism has been a monologue for so long and now is the perfect time for it to become a dialogue with our readers,'' said Rob Curley, 34, the World Company's director of new media. ''We want readers to think of this as their paper, not our paper.''

Lawrence has a long history as an independent, contrarian town. Founded in 1854 by New England abolitionists, it became one of the most violent, bloody battlegrounds in the slavery debate and was burned to the ground by pro-slavery raiders in 1861.

The University of Kansas opened its doors here just after the Civil War; women made up almost half of its first class. Haskell Indian Nations University, a college for Native Americans, opened here in 1884. After Mr. Simons's grandfather arrived in town more than a century ago, he bought the local paper for $50.

Today, Lawrence is a regional anomaly, anchoring a Democratic county in a solidly Republican state. Its large student population brings spunk to Lawrence, the university adds academic sophistication and sports fanaticism, and the town, dotted with funky restaurants and boutiques, has become a favorite of artists and activists.

Lawrence is also peppered with tidy, attractive homes and schools that draw middle- and upper-class families headed by professionals who commute to work in Topeka and Kansas City. ''It's a real town with a real soul where people like to get involved,'' said Paul Carttar, a Lawrence native who is executive vice chancellor for external affairs at the University of Kansas. ''People here care about what Lawrence will become.''

Mr. Simons says his family takes its Lawrence roots seriously. ''My dad told me that if you take care of Lawrence, Lawrence will take care of you,'' he said.

To that end, Mr. Simons has been an aggressive consolidator of local news and information services while resisting what he described as repeated offers over the years from larger companies wanting to buy him out. He has also been an early adopter of new technologies. The World Company began laying cable in 1968 and offered cable programming to residents in 1971, paying for the expansion with profits from The Journal-World—long before most larger media companies would embrace cable.

Today, about 80 percent of homes in Lawrence have cable connections. The Journal World began publishing on the Internet in 1995, the same year that Sunflower, the broadband subsidiary of the World Company, first offered cable modems to customers. In 1999, the newspaper and its television station began sharing talent, using reporters to write for The Journal-World and appear on the company's news stations.

''We're not afraid to jump outside of the box, and that's because of who our owners are,'' said Patrick Knorr, 32, Sunflower's general manager, who also oversees strategic planning for the World Company. ''They're determined not to lose because they were asleep at the switch.''

Mr. Knorr said that World, which employs a total of about 600 people, did not try to offer new content to broadband subscribers until it had solid relationships with its customers and a robust pipeline through which it could pump media offerings.

''Content is absolutely critical and king,'' Mr. Knorr said. ''But consumers have more power than ever over who gets crowned.''

On a sweltering midsummer morning in 2001, Mr. Simons convened most of his media staff in the basement of a handsomely restored former post office at the comer of New Hampshire and Seventh Streets. The building was World's new ''converged news center,'' where the company's television, newspaper and online staffs would all be housed.

Mr. Simons told his editors and reporters that they were going to do more than merely work shoulder to shoulder; they were going to share reporting assignments, tasks and scoops—whether they liked it or not.

Many did not like it at all, and some World reporters say they sometimes still feel taken advantage of—when they are asked to squeeze multiple print, television and online duties into the course of a single day. Print reporters and their editors have, at times, been reluctant to share scoops or ideas with their television counterparts, and vice versa. But many reporters also said that, over time, they have adapted.

''You can really teeter on the edge of, 'I'm not enjoying this and it's not fair,' to, 'This is one of the coolest things I've ever done,'' said Deanna Richards, a television reporter who works in World's converged newsroom. The company currently has 81 news employees, an unusually large number for an operation of its size.

In 1993, Mr. Simons recruited Bill Snead, an award-winning photographer from The Washington Post, to oversee the Journal-World newsroom. Now a senior editor, Mr. Snead, 67, has written, photographed and shot video for feature assignments on topics such as farm strife, cheerleaders and cowboys. He said that while he had never shot video before arriving at The Journal-World, he had no trouble adapting.

''Technology is our servant; it's our valet; it gets our stuff out there—but it's still about the content,'' he said, adding that his company's online and cable properties have helped to forge a closer relationship with readers. ''If you show people respect and don't treat them like a novelty, you'll have free rein. That's what we're doing here.''

For as ambitious and creative as the Journal-World team is, the newspaper still offers a menu of stories that is relentlessly, sometimes numbingly, local. Weather, local trials, local sports and other local comings and goings dominate. Some critics say that controversial topics, like divisive land-use debates, are soft-pedaled in the paper's pages.

''They control the dialogue on local news,'' said Charles Goff III, 46, a political activist and artist in Lawrence. ''Every viewpoint goes through their filter and is tied to the Chamber of Commerce and the moneyed elite.''

Mr. Goff conceded, however, that he was unaware of the depth of offerings on the Web site of The Journal-World. He also said that while he felt that the paper's editorial and opinion pages were staunchly and unsparingly conservative, he thought that the news pages usually offered more balanced viewpoints.

Mr. Simons and his news staff vehemently deny that controversial topics are sidestepped.

And while some residents bemoan The Journal-World's local navel-gazing, those overseeing the publication are unapologetic and enthusiastic examiners of all things Lawrence. ''When the space shuttle blew up, we didn't have it on our home page; when the war in Iraq started, we didn't have it on our home page,'' Mr. Curley said. ''It's focusing entirely on local stories that we think made our Web traffic go crazy.''

Mr. Simons recruited Mr. Curley to the World Company three years ago, when The Journal-World's Web site snared about 500,000 page views a month. Mr. Curley says the number is now about seven million. The company said its online operation was losing about $15,000 a month when Mr. Curley arrived; it expects the online business to become profitable this year.

Ralph Gage, World's chief operating officer, is a no-nonsense taskmaster whom Mr. Simons deputized to make sure the company's trains ran on time. Online revenue comprises only about 1.5 percent of World's total revenue, he said, while the bulk comes from broadband, at 53 percent, and the newspaper operation, at 37 percent.

But Mr. Gage says the company expects newspaper revenue to slacken over time, with online ventures eventually being a much more significant source of sales. For that reason, World has been willing to use its broadband funds to underwrite its online ventures until the online profits become more meaningful, probably by the end of the decade.

According to a recent survey by Nielsen/NetRatings, newspaper Web sites nationwide had a 12 percent increase in unique visitors from May 2004 to May 2005, with a significant portion of readers aged 35 to 44 switching from a newspaper to the same paper's Web edition for their daily read.

''Newspaper circulation has been tanking since the 60's and now we're finally growing our audience online, so when I hear people complain about having to give their content away for free on the Internet I think they just don't get it,'' Mr. Curley said. ''I'm a capitalist, and I respect people who want to make a ton of money, but, dude, I'm a journalist and I want to build cool things.''

Of course, building cool things simply for the sake of building cool things suffered a notable national flameout during the dot-com bust. But through the newspaper Web site and lawrence.com, Lawrence comes alive in a fashion rare for a town of its size. (Lawrence.com is also published as a print weekly.)

The town, once home to the poet Langston Hughes and the novelist William S. Burroughs, has a rich literary tradition. Journalists at World are assembling a lushly embroidered Web site devoted to Mr. Burroughs that includes rare letters, photographs and other archival material.

During a local election, a list of questions reporters had asked of all candidates as part of a voter's guide were posted online. That allowed voters to answer the same questions themselves. Then they could use an online tool to find the candidates whose answers most closely matched their own—an example of civic journalism on steroids.

The paper also routinely files local freedom-of-information requests and uploads piles of public records to its Web site. In 2003, World installed about 30 wireless hot spots around Lawrence. That same year, it began sending daily content to cellphones. For example, subscribers can have real-time scores and statistics from the University of Kansas's football and basketball games delivered on demand.

The company has begun offering daily ''podcasts'' of news and other information to Apple iPod owners or anyone else carrying an MP3 player. It plans to offer a service that automatically loads information onto a docked MP3 player in the early-morning hours before students head to school.

About a third of the 18 employees in the online operation are interns, and their presence allows Mr. Curley to have data, video, photos and other material collected and uploaded at little cost, a process he grinningly refers to as ''internology.''

''People come here from thousands of miles away expecting to see something very high tech and expensive, but a lot of what we do we do on the cheap,'' Mr. Curley said. ''So it just amazes me when people say they can't do what we do because they don't have the resources.''

Still, it is financial resources, not content, that is behind the handwringing in newspaper circles everywhere.

While print advertising stagnates or slips, it is not yet being replaced in a meaningful way by online advertising revenue—especially at companies that lack a source of bridge financing like World's broadband operation. Although journalists may cringe to hear it, the near-term battle for corporate survival is likely to be waged and won primarily by inventive business and advertising teams at media companies.

The World Company's advertising staff said that its sales force had embraced convergence enthusiastically and that offering customers multiple advertising platforms—on TV, on the Internet and in print—has become a strong pitch.

But the company is still finding it difficult to persuade readers to interact with online display ads. And, while willing to adapt to news advertising demands, the company refuses to turn its Web site into an advertising billboard, believing that the clutter would undermine the quality and integrity of its journalism.

''I think as we've converged the content we're going to converge the advertising,'' said Dan Simons, president of the company's broadband operations and a son of the chairman. ''I think you'll have to adapt to how buyers want to convey their messages so we're not just sellers of space and time. We have to be both advertisers and public relations advisers so we can help companies create their messages.''

As effervescent as the new media are in Lawrence, analysts balk at making grand extrapolations from World's efforts.

''It's a market dominated by one company so you have to be very careful when holding them up as a paragon,'' said Howard Finberg, director of interactive learning at the Poynter Institute, which operates a Web site devoted to journalism. ''Are they creative? Without a doubt, but I'm cautious about it being seen as a single solution or a model.''

Others are more laudatory but equally cautious about Lawrence's online innovations. ''Nobody else is close to doing what they've done,'' said David Card, a new-media analyst at Jupiter Research. ''But you also wouldn't necessarily be able to duplicate what they're doing in towns like San Francisco or New York.''

Dolph Simons, who writes a cantankerous Saturday column that draws barbs from Lawrence's liberals, is a gentle, self-effacing man who still serves Thanksgiving turkey to his newsroom employees. He says he considers himself a ''little fish in a big pond'' and is reluctant to be seen as a know-it-all by colleagues and competitors in the news business.

Even so, his opinion about the future of the news business is clear.

''I'm terribly concerned about readership in the country and I think we all have to learn new things as fast as we can. Otherwise other people are going to beat us to it,'' he said. ''We need to be driving with our brights, because if we're driving with our dims somebody's going to come in from the side of the road and knock us off.''

SIDNEY BARTHWELL, BLACK ENTREPRENEUR, BELOVED FATHER, AND ROLE MODEL

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. CONYERS. Mr. Speaker, I rise tonight to honor a great man and fellow Detroiter, Mr. Sidney Barthwell. As a child and young adult in Detroit, I grew up aware of the legacy of Mr. Barthwell. Later, I was blessed to both meet and come to know him personally. He was one of the first African American entrepreneurial beacons of Detroit to exemplify the ''American Dream.'' Many watched him succeed in business and sought to replicate his success. I was and remain extremely impressed with both his humanity and his brilliance. He never bought in to the notion that to have economic success made him better than those who may have been struggling financially. He treated everyone, regardless of title of or income, in the same manner, with kindness and warmth. Not only was he an astute businessman, but he was also a role model, a mentor, a benefactor and I am proud to say a friend. I would like to insert into the RECORD the article below which appeared on June 25, 2005 in the Detroit Free Press:

SIDNEY BARTHWELL: HIS LIFE'S SUCCESS INSPIRED OTHERS

(By Alexander B. Cruden)

In many ways, Sidney Barthwell's life was the story of 20th-Century Detroit.

Born elsewhere, with few resources, he arrived as a teen in the city, studied hard, overcame tough situations, made much from nothing and provided opportunities for his family and hundreds of others.

In many ways, his life was also the story of the creation of black success in Detroit.

Mr. Barthwell, who founded and ran, under his own name, what was once the largest black-owned drugstore chain in the country, died of heart failure on Thursday at Harper Hospital in Detroit. A steady, friendly, slyly humorous and discerning man, he was 99.

When he came to Detroit with his family from Cordele, Ga., in 1922, he was 16. He graduated from Cass Technical High School and earned a bachelor's degree in pharmacy in 1929 from what is now Wayne State University.

But with the prevalence of discrimination, the only pharmacy that would hire him was unlicensed, and it failed early on in the Depression.

Mr. Barthwell took over the store and built his business from there. He was a good observer of what people wanted and worked tirelessly to fulfill opportunities.

At the peak, he had 13 stores around the city, providing substantial employment, especially for younger people.

''I think my operation became the bridge for many blacks to achieve their goals,'' Mr. Barthwell said at a 1996 dinner attended by hundreds to launch a WSU pharmacy scholarship in his name. The scholarship built on a loan fund established in his honor in 1975.

His own children were high achievers as well. Daughter Akosua Barthwell Evans is a Yale Law School graduate and a lawyer and banker for J.P. Morgan in New York. Son Sidney Barthwell Jr. graduated from Harvard Law School and is a 36th District Court magistrate in Detroit.

Mr. Barthwell made it a point to see that other black pharmacists found job opportunities. He recalled that at least 30 pharmacists got their start by working with him.

''He was very wise, very understanding, very optimistic . . . just an amazing person,'' his daughter said Friday. He had a quick grasp of difficult concepts ''but was always down to earth . . . He always respected people . . . regardless of their station in life.''

In his business achievements, Mr. Barthwell was both a trendsetter and typical member in Detroit's growth from the 1930s on. As well, he was a model for what is now a broadly established black middle class, serving for a time as president of the Booker T. Washington Business Association in Detroit.

He was a delegate to the Michigan Constitutional Convention in 1962, elected without party affiliation and serving on the judiciary and education committees. He was a life member of Detroit Branch, NAACP, and a charter member of the Alpha Beta chapter of Kappa Alpha Psi at WSU.

In 1998, Mr. Barthwell was named by the Detroit Urban League as a Distinguished Warrior.

A meaningful moment was being invited to give a black history lecture at his grandson's exclusive prep school, the Lovett School in Atlanta. There, he spoke to an audience of wealthy white people. In the back of his mind were the racial humiliations of his Georgia childhood. He said later the Atlanta experience was a very rewarding interaction.

He loved his family deeply, his daughter and son said, though always mindful of the value of work.

His wedding day was a prime example. He and his wife, Gladys, were married about 11 p.m. Christmas Day in 1936, after a full day at the store.

As his son recalled, laughingly, if you woke up ill, Mr. Barthwell would say: ''Get up and go to work. You'll feel better as the day goes on.''

The younger Barthwell said his father was a man of ''high integrity, high character. To say he was unpretentious is an understatement. . . . He was very egalitarian; a great father.''

His grandson, Walter Evans, said ''he was always very loving, very interested in what I was doing,'' and as well kept up with what was going on in the world, right to the end.

Perpetually a committed Detroiter, Mr. Barthwell nonetheless saw national chain stores and shopping malls edge out smaller city businesses. The construction of I–75 knocked out the core of a busy commercial area of Detroit. He began closing his stores, selling the last one in 1987.

He lived in Detroit's Boston-Edison neighborhood. An avid bridge player, he was an active member of the Plymouth United Church of Christ in Detroit.

The funeral will be at his church, 600 E. Warren, at 11 a.m. Thursday. A family hour is scheduled at 6 p.m. Wednesday at the Thompson Funeral Home, 15443 Greenfield, Detroit.

Memorials are requested to the Sidney Barthwell Scholarship Fund at the WSU College of Pharmacy and Health Services, 259 Mack Ave., Detroit 48201.

RECOGNIZING THE ACHIEVEMENT OF DANICA PATRICK AT THIS YEAR'S INDIANAPOLIS 500

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Ms. BALDWIN. Mr. Speaker, I rise today to recognize Beloit, Wisconsin native Danica Patrick for her outstanding achievement at this year's Indianapolis 500. Anyone who watched the race knows that her performance this past May was simply remarkable.

Even before the green flag dropped, Danica amazed the racing world by qualifying in the fourth position, marking the highest beginning position for a woman in the Indianapolis 500's history. When the race started, fans across the country watched as Danica advanced as high as third place. At lap 80, Danica's engine stalled, causing her to drop back to 16th place. It looked like the race was over for her, but she fought back. As the race sped to its end, Danica charged through the field, advanced place after place, and eventually led the race for a total of 19 laps. Rather than play it safe, Danica gunned it out for the win by using all the fuel she had instead of taking a pit stop. As the checkered flag waived, Danica's efforts came up just short as she finished fourth—the highest finish ever for a woman. While Danica did not win this year's Indy 500, her performance won her this year's Rookie of the Year award and helped her capture the attention of racing fans around the world.

Danica's philosophy is that ''life is what you make of it,'' and she says she prepares for races by visualizing herself making laps around the track. She gives her work her full attention, and it is clear that her dedication is strong and her perseverance fierce. I join Wisconsin in applauding Danica for her performance at this year's Indianapolis 500 and for her hard work and dedication in becoming one of Formula 1 Racing's most exciting drivers. I cannot wait to see Danica's future electrifying races and I wish her the best of luck.

Congratulations to you, Danica.

HONORING EARL ALFORD

HON. CHARLES W. ''CHIP'' PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. PICKERING. Mr. Speaker, today in Amite County, Earl Alford is retiring after 39 years with the Mississippi Forestry Commission—all of them in Amite County. He is the longest serving county forester in the history of the commission. He has a great knowledge of Mississippi and Mississippi trees and has been honored and praised by friends, neighbors and colleagues in Southwest Mississippi.

He is one of our great tree farmers who possesses not only an understanding of the operations of the timber business, but also a love for the land. He is a conservationist who wants to balance timber and the environment so we can produce the wood our industries need while protecting the land that gives birth to these forests. His service to the community includes managing the school system's 16th Section timber land of which he has managed the harvest of, replanting of, growth of, and harvest of once again.

I would like to share with the House some of the comments on Earl Alford recorded recently in McComb's Enterprise-Journal newspaper.

''He birthed the association . . . If it wasn't for him I don't think it would still be operating.''—Bryant Barron, president of the Southwest Mississippi Forestry Association.

''He's forgotten more than most of us will ever know about forestry. Humble, common as peas, but a very learned man.''—James Copeland, U.S. Natural Resource Conservation Service and the Amite County School Board.

''The Mississippi Forestry Commission and the people of Amite County are gong to lose tremendously because we're not going to have him on the job every day.''—Richard Hay, Extension Service.

''He's never asked us to do anything he wouldn't do—except boot up a computer.''—Charlotte Reynolds, Earl's secretary.

''Having known him on a professional level, I've learned what a highly qualified forester he is, what a great people person he is, what a great asset he is to Amite County.''—Lee Wilson, U.S. Natural Resource Conservation Service.

Earl was born in Walthall County into a logging and farming family, the grandson of a tree farmer and sawmill operator. His father worked for the forestry commission and after school he would follow in the family legacy. He graduated from Salem High School, Southwest Mississippi Community College and finally Mississippi State University. In 1966 he went to work as the Mississippi Forestry Commission's Amite County forester; he retires today.

Mr. Speaker, Earl and his wife Pauline, a retired Extension Service home economist, have reared two children. Holly Alford is a sonographer at Southwest Mississippi Regional Medical Center. Mac Alford recently received a Ph.D in plant biology at Cornell University and has taken a position at the University of Southern Mississippi. He has served his family and community for many years and I am proud to take this time to honor him on this day of retirement. Though I know, his service to God and family and man will continue for years to come.

PERSONAL EXPLANATION

HON. ROBIN HAYES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. HAYES. Mr. Speaker, I was with President Bush at Ft. Bragg on Tuesday, June 28th. Had I been present, I would have voted in the following manner: ''nay'' on roll No. 326, ''nay'' on roll No. 327, this vote was a procedural motion to provide the Congressional pay raise which I am against, ''yea'' on roll No. 328, ''nay'' on roll No. 329, ''yea'' on roll No. 330, ''nay'' on roll No. 331, ''yea'' on roll No. 332, ''yea'' on roll No. 333, ''yea'' on roll No. 334, and ''nay'' on roll No. 335.

PERSONAL EXPLANATION

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. POMEROY. Mr. Speaker, on June 22 and June 23, 2005, the Base Realignment and Closure Commission held a site visit and hearing in Grand Forks, North Dakota, at which I testified. Due to the schedule, I missed rollcall

votes Nos. 293 through 304. Had I been present, I would have voted in the following manner: rollcall No. 293, "no"; rollcall No. 294, "no"; rollcall No. 295, "no"; rollcall No. 296, "aye"; rollcall No. 297, "no"; rollcall No. 298, "no"; rollcall No. 299, "no"; rollcall No. 300, "no"; rollcall No. 301, "no"; rollcall No. 302, "aye"; rollcall No. 303, "aye"; rollcall No. 304, "no".

PERSONAL EXPLANATION

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. McINTYRE. Mr. Speaker, I was unavoidably absent for rollcall votes 326–335 as I was visiting our servicemen and women at Fort Bragg in Fayetteville, North Carolina and traveling with the President to my Congressional District. Had I been present I would have voted: rollcall No. 326, "yes"; rollcall No. 327, "no;" rollcall No. 328, "no;" rollcall No. 329, "no;" rollcall No. 330, "yes;" rollcall No. 331, "yes;" rollcall No. 332, "yes;" rollcall No. 333, "yes;" rollcall No. 334, "no;" rollcall No. 335, "yes".

TRIBUTE TO MRS. JANIE HOLLOMAN JOHNSON

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. CLYBURN. Mr. Speaker, I rise to pay tribute to Mrs. Janie Holloman Johnson, a native South Carolinian whose dedication to service for all God's children shines as an example to each of us. On July 13, 2005, she will celebrate her 100th birthday, and I believe it is important to highlight a few of the contributions she has made during her life as we commemorate her centennial birthday.

Born in Timmonsville, South Carolina, Mrs. Johnson attended public schools in Darlington County where she had to walk four miles each way on a daily basis. An avid learner from an early age, she was one of a few students who had the capability to recite her ABC's forwards and backwards with great speed. As an example of her commitment to learning, at the age of 69, Mrs. Johnson went back to school to receive her high school diploma from Old Johnson High School in Timmonsville, South Carolina, taking night classes to achieve this long time goal.

Mrs. Johnson has been a tireless worker in her community. After she received her diploma, she held classes in the community to teach others to read and dial a telephone. In addition, she served as a caretaker to disabled members of her family and to others in the community at large.

Mrs. Johnson has been a longtime and active member of Mt. Carmel Baptist Church in Timmonsville, South Carolina serving in many capacities including the church choir, the Sunday School Department, and the Missionary Society. Her roots in the church date back to her childhood, where she received religious training from her parents and the leaders of Center Baptist Church in Timmonsville where she worshipped while growing up.

In addition to being a woman of faith, a woman dedicated to her community, and a woman who is a lifelong advocate of learning; Mrs. Johnson is a woman dedicated to family. She is the widow of the late Evander Johnson, Sr. to whom she was married for 65 years until his death. She is the mother of 6 children, 17 grandchildren, 15 great grandchildren, 5 great-great grandchildren, and 1 great-great-great grandchild.

While their children were young, the family lived as sharecroppers and Mrs. Johnson handmade most of the clothes for her growing children. Once her children were grown, she became a cosmetologist and worked from her home. To this day, she is still active with volunteer work in her community.

Mr. Speaker, I ask you and my colleagues to join me in celebrating the life and legacy of this venerable woman on her 100th birthday. She blazed a trail in her community through Christian service that continues to influence future generations. And she has demonstrated, with great fervor, her timeless commitment to serve the people of her community. I wish her a Happy Birthday and Godspeed.

CONGRATULATING MILLINOCKET REGIONAL HOSPITAL FOR FIFTY YEARS OF SERVICE

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. MICHAUD. Mr. Speaker, I rise today to congratulate the Millinocket Regional Hospital for fifty years of dedicated service to the Katahdin Region.

For half a century the Millinocket Regional Hospital has touched the lives of all us in the Katahdin Region. Like most who live in our area, my family has experienced the full range of experiences at MRH, from the joy of childbirth to the care of an ailing loved one. Through it all, the employees of MRH, past and present, have provided a caring and supportive haven for everyone and their dedication to compassionate care is second-to-none.

The Millinocket Regional Hospital will celebrate their half century of service this weekend and I am sure the people of the Katahdin region will unite in celebrating so many dedicated years of service.

The Millinocket Regional Hospital has provided essential access to health care services to our communities and I look forward to MRH's continued service to the Katahdin Region. Congratulations to all who have contributed to the hospital's longevity and success.

TRIBUTE TO COLONEL FRANK GALLEGOS

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. HUNTER. Mr. Speaker, I rise today to honor and pay tribute to Colonel Frank Gallegos, Commander of the 30th Space Wing and the Western Range at Vandenberg Air Force Base, California. Colonel Gallegos will be retiring after more than twenty-four years of faithful service to our nation.

Colonel Gallegos entered the Air Force in 1981 after graduating from the United States Air Force Academy. Since then, he has served in various operational assignments, and has performed staff duties at Headquarters, United States Air Force; Strategic Air Command; and on the Joint Staff. Colonel Gallegos also served as the Vice Commander of the Air Force Space Command and has commanded the 12th Missile Squadron at Malmstrom Air Force Base, Montana and the 90th Operations Group at Warren Air Force Base, Wyoming.

Throughout his career in the Air Force, Colonel Gallegos has always maintained a commitment to the men over which he commanded. While some military leaders choose not to know the personnel which they command, Colonel Gallegos has maintained a reputation as someone who places his troops before himself. In fact, in each one of his command posts, Colonel Gallegos established personal relationships with each of his Airmen, understanding that such relationships are important to maintaining cohesion, respect, and morale.

Colonel Gallegos is a true leader, worthy of recognition. His strategic, tactical, and operational expertise has served our nation well and as our armed forces continue to confront the threat of terrorism around the world, we look to individuals like Colonel Gallegos to lead the fight. His replacement, Colonel Jack Weinstein, will be given the command of a Wing that represents the best this country has to offer. I am confident that he will provide the Airmen of Vandenberg Air Force Base with the same leadership and dedication that Colonel Gallegos exhibited for so many years.

Colonel Gallegos will retire to Omaha, Nebraska, the same place he met his wife Julie. His time with his wife and his daughters is well deserved and I would like to wish him the best of luck in the years to come. On the occasion of his retirement, I ask that my colleagues join me in recognizing the dedication and service of Colonel Frank Gallegos.

A TRIBUTE TO COLONEL CHARLES R. ALEXANDER, JR. UNITED STATES ARMY CORPS OF ENGINEERS

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2003

Mr. McINTYRE. Mr. Speaker, it is with great pleasure that I rise today and honor Colonel Charles R. "Ray" Alexander, Jr. of the United States Army Corps of Engineers. On July 14, 2005, Colonel Alexander will retire after serving the people of this great nation for over twenty-three years.

Ray Alexander was a decorated officer, who spent his career ensuring that the freedoms the United States holds dear are protected. Throughout his illustrious career, Colonel Alexander was honored with the Defense Meritorious Service Medal, the Meritorious Service Medal, the Joint Service Commendation Medal, the Army Commendation Medal, the Army Achievement Medal, the National Defense Service Medal, the Armed Forces Expeditionary Medal, the Parachutist and Air Assault Badge, and Joint Specialty Officer.

As Commander of the Wilmington District of the United States Army Corps of Engineers,

Colonel Alexander continued to serve the people by managing many civil works projects in southeastern North Carolina. Without the dedication and determination of Colonel Alexander, many of these projects would not have been possible. From the Wilmington Port to the Brunswick, New Hanover, and Pender County beaches, from the Atlantic Intracoastal Waterway to our many shallowdraft inlets, his commitment has been unwavering and steadfast.

We owe Colonel Charles R. "Ray" Alexander our sincere appreciation for his twenty-three years of committed service to our nation. His devotion to the people of the United States should serve as an example to us all.

May God bless him and his family, and may God bless this great nation.

TRIBUTE TO REVEREND DONALD E. GREENE, JR.

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Reverend Donald E. Greene, Jr., on his tenth anniversary as the Pastor and visionary leader of Andrew Chapel Baptist Church in Orangeburg County, South Carolina.

Not only has Reverend Greene's leadership resonated on Sunday mornings, but he has also pioneered movements that have increased his church's membership by more than 500 members in his first decade of service. Under his guiding hand, the church has expanded physically as well. The Andrew Chapel congregation currently worships in a new sanctuary on a 33–acre site on Five Chop Road. The building, in its fifth year of existence, serves the community at large and is a reminder of what can be achieved by a deep and abiding faith and a dedicated outreach to others.

The church is truly a success story in that its members have worked to establish many beneficial programs and resources. One of its amazing successes is the Andrew Chapel Christian Academy which was established seven years ago. Under the direction of Reverend Greene, it has already quadrupled in enrollment and has inspired afterschool tutorial assistance for its students. Whether the need is for better materials in the classrooms or upgrading facilities in the old Andrew Chapel building, Reverend Greene and his church are dedicated to creating a house of worship that fits the needs of all people and attracts visitors and new members at the same time.

Andrew Chapel Baptist Church is a blessing for the Four Holes community of Orangeburg. It is establishing a rich legacy as a parish on the move with many energetic and devoted individuals driving it toward a bright future. Reverend Greene has led this congregation with a firm foundation in faith and has engaged the fellowship to serve as spiritual leaders to others around them.

Mr. Speaker, I ask you and my colleagues to join me in congratulations to Andrew Chapel Baptist Church and wishing them Godspeed as they continue to illuminate the virtues of moral leadership and community service. I wish the congregation many more decades of growth and sharing with Reverend Greene at the church's helm.

PERSONAL EXPLANATION

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. GONZALEZ. Mr. Speaker, on rollcall No. 322 and 323, had I been present, I would have voted "yes."

CONGRATULATIONS TO JUDGE CHARLES R. BUTLER, JR. ON THE OCCASION OF HIS ASSUMING JUDICIAL SENIOR STATUS

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. BONNER. Mr. Speaker, it is with great pride and pleasure that I rise to pay tribute to the Honorable Charles R. Butler, Jr., on the occasion of his assuming senior status on the bench of the United States District Court, Southern District of Alabama. For the past seventeen years, Judge Butler has served the families of the State of Alabama with compassion, dedication, and a tremendous level of commitment.

A 1962 graduate of Washington and Lee University, and a 1966 graduate of the University of Alabama School of Law, Judge Butler was hired for his first position with Hamilton, Butler, Riddick and Denniston law firm in Mobile, Alabama. Within two years, he had moved on to work as an assistant public defender and, in 1971, was elected as District Attorney for Mobile County. In 1975, following his work as district attorney, Judge Butler went to work for Butler and Sullivan law firm and, ultimately, returned to a position with Hamilton, Butler, Riddick, Tarlton and Sullivan law firm.

President Ronald Reagan nominated Judge Butler to his position as a district judge in 1988, and he began his official duties on November 1 of that year. From July, 1994, to February, 2003, he served as the southern district's chief judge, and he moved to senior status on March 28, 2005.

Along with his many professional responsibilities, Judge Butler has also served as a member of numerous State and Federal justice programs. This long list includes memberships on the Eleventh Circuit Judicial Council, the Executive Committee of the Eleventh Circuit Judicial Council, the Eleventh Circuit Criminal and Civil Pattern Jury Instruction Committees, the Judicial Conference Committee on Criminal Law, and the Executive Committee of the Judicial Conference of the United States. His work in these areas, as well as his professional accomplishments, has also resulted in public recognition and many awards during his long years of public service.

Mr. Speaker, I ask my colleagues to join me today in recognizing Judge Charles R. Butler, Jr., for his tremendous contributions to the citizens of the First Congressional District and of the entire State of Alabama. The experience and enthusiasm he brought to his job and the concern and compassion he displayed for all citizens in our State are unquestioned and unparalleled. He has indeed been a genuine asset both to the district court and to the thousands of men, women, and children he has assisted over the past two decades. I am proud and honored to call him my friend.

Make no mistake, the Judge's talents and experience will continue to be of great value to his colleagues in his new role as senior judge, and I am confident he will continue to remain actively involved in the United States District Court, Southern District of Alabama, and the life of the Mobile community for many years to come. Along with his friends and colleagues throughout Alabama, I wish to extend to Judge Butler and his family all the best now and in the future.

PERSONAL EXPLANATION

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. MENENDEZ. Mr. Speaker, I was attending my daughter's graduation from Harvard and I regret missing rollcall votes 230–240 on June 8 and 9, 2005. Had I been present, I would have voted as follows:

On rollcall vote No. 230, on Agreeing to the Weiner amendment to H.R. 2744, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations bill for Fiscal Year 2006; I would have voted "aye."

On rollcall vote No. 232, on Agreeing to the Hinchey amendment to H.R. 2744; I would have voted "aye."

On rollcall vote No. 233, on Agreeing to the Sweeney amendment to H.R. 2744; I would have voted "aye."

On rollcall vote No. 234, on Agreeing to the Blumenauer amendment to H.R. 2744; I would have voted "nay."

On rollcall vote No. 235, on Agreeing to the Chabot amendment to H.R. 2744; I would have voted "nay."

On rollcall vote No. 236, on Agreeing to the Hefley amendment to H.R. 2744; I would have voted "nay."

On rollcall vote No. 237, on Agreeing to the Garrett amendment to H.R. 2744; I would have voted "nay."

On rollcall vote No. 238, passage of H.R. 2744, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations bill for Fiscal Year 2006; I would have voted "aye."

On rollcall vote No. 239, passage of H.J. Res. 27, withdrawing the approval of the United States from the Agreement Establishing the World Trade Organization; I would have voted "nay."

On rollcall vote No. 240, on Motion to Table H. Res. 310; I would have voted "nay."

HONORING SIX SENIOR MEMBERS OF THE FORT MILL ROTARY CLUB

HON. JOHN M. SPRATT, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. SPRATT. Mr. Speaker, six senior members of the Fort Mill Rotary Club in Fort Mill,

South Carolina are being honored for life-long contributions to their community.

All six have demonstrated the ideals of Rotary in their lives and made significant contributions to their communities, Fort Mill and Tega Cay. All are Paul Harris Fellows and all are World War II veterans. They are not only dedicated Rotarians but dedicated civic leaders, and most importantly, they are men who love their families, their country, and their church.

I want to share with my colleagues in the House of Representatives sketches that indicate the contributions of these six outstanding citizens: O.T. (Buddy) Culp, Robert C. (Bob) Hill, William H. (Howard) Jones, William C. (Bill) Kimbrell, Roderick W. (Rod) Snider, and Phillip D. (Phil) Ray.

Buddy Culp—U.S. Army Artillery, Fort Mill native, 1999 Fort Mill Business Person of the Year, Charter Member of Fort Mill Rotary Club, Sustaining Member and Paul Harris Fellow Award, Life-long member of Unity Presbyterian Church, served on the session and board of deacons several terms. Fort Mill Area Chamber Board of Directors, Life-long membership in York County Regional Chamber of Commerce, United Way and Boys & Girls Club of York County Board of Directors. Owned and operated Culp Brothers, oil jobber and convenience stores. Married to Bette Jo, two children.

Bob Hill—U.S. Marine Corps, Fort Mill native, 2005 Lifetime Achievement Award—York County Regional Chamber, Charter Member of Fort Mill Rotary Club, Sustaining Member and Paul Harris Fellow Award, Fort Mill Chamber—First President and First "Man of the Year," Rock Hill Advisory Board of NationsBank, Retired Officers Association (Retired Major, SC ARNG), Veterans of Foreign Wars, American Legion, Former Member of York County Economic Development Board, United Way, Fort Mill Community Playhouse Past President, Member of the first York County Library Board, Masonic Lodge—Past Master, Optimist Club—Past President, Member for 60+ years of Unity Presbyterian Church. Owned and operated State Farm Insurance Agency in Fort Mill. Married to Dot, two children.

Howard Jones—U.S. Army Air Corps—saved three of his crew of four in a plane crash in combat over Italy, Member of Fort Mill Rotary Club since 1992, Sustaining Member and Paul Harris Fellow Award, Tega Cay Chamber—Past President, Carolina Historic Aviation Commission, Civic Air Patrol since 1948, Tega Cay Lions Club. Owned and operated American Management Appraisal. Married to Nancy, three children.

Bill Kimbrell—U.S. Navy, Fort Mill native, 2001 Lifetime Achievement Award, York County Regional Chamber, Charter Member of Fort Mill Rotary Club, Sustaining Member and Paul Harris Fellow Award, Fort Mill Chamber—Past President and "Man of the Year," Member of Unity Presbyterian Church Choir for 55+ years and served on the session and board of deacons for several terms, American Heart Association, Boy Scouts of America, Boys & Girls Club of York County, Winthrop University Foundation, York Technical College Foundation Board of Directors. Married to Joanne, three children.

Phil Ray—U.S. Army Air Corps, Member of Unity Presbyterian Church and served on the session and board of deacons for several terms, Charter Member of Fort Mill Rotary Club, Sustaining Member and Paul Harris Fellow Award. Started Ray Textiles of Fort Mill from scratch and has been running it for 25 years. Married to Fannie, two children.

Rod Snider—U.S. Navy, Member of Fort Mill Rotary Club since 1995, Sustaining Member and Paul Harris Fellow Award, Member of Unity Presbyterian Church, Good Folks of York County, United Way, Vintage Club of Tega Cay, York County Foundation Board. Owned and operated Snider Plumbing. Married to Peg, three children.

H.R. 432, BETTY DICK PRIVATE RELIEF BILL

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. UDALL of Colorado. Mr. Speaker, I rise in support of this bill, and to thank Chairman POMBO and Ranking Member RAHALL of the Resources Committee as well as the House leadership on both sides of the aisle for making it possible for the House to act on it today.

The bill would permit Ms. Betty Dick to continue her use and occupancy of a house located on lands within Rocky Mountain National Park.

The bill is not complicated. It would allow Ms. Dick to continue to use the property and live in this house in Grand County, Colorado, for the rest of her life.

This is not about ownership. The property belongs to the Federal Government and is part of the National Park. There is no dispute about that.

This is strictly about whether Ms. Dick should be permitted to continue to use the property.

There is no dispute that she has had that right for the past 25 years, under a legal agreement between her late husband and the National Park Service—not a lease, but an agreement that settled a lawsuit.

There is also no dispute about the fact that the agreement ends on July 16th of this year.

Without this bill or a new agreement with the National Park Service, at that time Ms. Dick, who has been a good neighbor with the National Park and who has opened her home for community events, will have to leave.

I do not think that is either necessary or desirable.

As I said, Ms. Dick has been a good neighbor. She has taken good care of the property and has not created management or administrative problems for the National Park Service in the years she has lived there.

In my opinion, she should be allowed to continue to live on this property and continue to contribute to the National Park and the surrounding community.

I had hoped that Ms. Dick and the Interior Department could work out a resolution to this issue so that she could remain.

Ms. Dick needs to have a resolution to this issue as soon as possible—she needs to know by this spring whether she has to start packing her things and move out, or arrange to do some maintenance on the property if she is allowed to stay.

Last year I wrote to Secretary of the Interior Gale Norton, asking her to help make that happen.

However, the response—from the Director of the National Park Service's Intermountain Region—was that the Interior Department is "legally bound to honor the provisions of the [1980] settlement agreement" and that the furthest the Department would go would be to offer Ms. Dick "the opportunity to remain on the property for the entire summer of 2005," an offer that evidently she has declined.

I am not convinced that the Interior Department lacks the authority to resolve this matter by entering into a new agreement with Ms. Dick.

But in any event, the bill would settle that question.

Since I first raised this matter with the Interior Department, I have been impressed with the outpouring of support from the nearby communities of Grand Lake and Granby, Colorado. The people in these communities have expressed a strong desire to have Ms. Dick remain on this property and be a part of their community. The bill would enable that to happen.

Finally, Mr. Speaker, it should be noted that this bill deals only with this particular property and the arrangement that has permitted Ms. Dick to use it over the years.

I recognize that somewhat similar arrangements may exist in various other parts of the National Park System, and that other Members may propose legislation addressing some of them.

I think that the right way to proceed is to evaluate each such proposal on its own and in the light of the particular facts involved.

That is what I have done in drafting this bill, and I hope that is the approach the Resources Committee and the House will take in considering similar measures in the future.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2006

SPEECH OF

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 28, 2005

The House in Committee of the Whole House on the State of the Union had under consideration 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:

Mr. POE. Mr. Chairman, I want to express my support for the underlying bill. I thank the Chairman for allowing an amendment in committee, by my colleague from Missouri, Ms. EMERSON, which reverses the Treasury Department's ruling against the definition of payment of cash in advance—a ruling that hinders rice exports to Cuba.

Since this Treasury Department ruling, rice exports to Cuba have been down 66 percent. Since the Trade Sanctions Reform and Export Enhancement Act that was passed in 2000, rice sales to Cuba had grown to $64 million a year and last year's rice imports from the U.S. amounted to 160,000 tons. According to the President of Cuba's Food Agency, Cuba expects to import 750,000 tons of rice this year. We need to make sure this is American rice

and this amendment went a long way to ensure this. This amendment stops the Treasury Department's roadblocks in shipping American rice to Cuba.

The Cuban people will eat rice. If we will not sell it to them, they will get it elsewhere, from countries like Vietnam, Thailand, and China. I appreciate the hard work Ms. EMERSON, the U.S. Rice Producers, and the U.S.A. Rice Federation have done toward reversing these trade restrictions. American rice is the best in the world and our Government must encourage rice trade instead of preventing such trade.

I encourage my colleagues to support the underlying bill.

ACKNOWLEDGING AFRO-DESCENDANT POPULATION IN LATIN AMERICA AND THE CARIBBEAN

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. RANGEL. Mr. Speaker, I rise to begin a formal acknowledgment of the injustices imposed on African descendants of the transatlantic slave trade in all of the Americas, with an emphasis on populations in Latin America and the Caribbean, and to encourage United States and international efforts to work to improve the situation of Afro-descendant communities in these regions.

In the 108th Congress, my colleagues and I concluded that, for too long, this country and other nations had ignored the struggle and challenges faced by Afro-descendant populations in the Americas. While the U.S. has been compelled to take steps to address our race problem in this country, we have often unintentionally forgotten or deemphasized the impact of that struggle throughout the Western Hemisphere.

The transatlantic slave trade had a devastating impact on the region's economies. While the exact events and conditions of slavery that dominated the U.S. did not necessarily permeate into Latin America and the Caribbean directly, Central and South America did have to deal with its own ''peculiar institution.'' Slavery transforms the body politic and the institutions of power and culture. It lifts one group of nations above another group, makes some the superior to others, and discriminates against those in the minority.

In this country, it led to three centuries of segregation, discrimination, and prejudice. It remains a battle that African-Americans continue to suffer through today. Rising above the harmful effects of centuries of racism has not been easy for us; neither has it been for countries in Latin America and the Caribbean.

In 2005, the struggle of Afro-descendants in Latin America and the Caribbean continues. Representing the largest population of African descendants outside of Africa, Afro-descendants have not fared well in the region. Afro-Latinos for instance account for about 30 percent of the Latin American population and make up over 60 percent of its poor. Afro-Latinos also have extreme high rates of suicide, homicide, infant mortality, and illiteracy.

Brazil has the largest population of Afro-descendants in Latin America and the Caribbean. Shockingly, only one in three Afro-Brazilians attends secondary schools. Colombia has the second largest Afro-descendant population in the region and Afro-Colombians have shorter life expectancies, limited access to medical and health care facilities, and the highest rates of illiteracy.

Our involvement, dependency, and complicity in the transatlantic slave trade require action by this country to help address the issues of Afro-descendant populations. With my House colleagues, I have introduced legislation (H. Con. Res. 175) to call for the recognition by this Congress of the struggle of Afro-descendant populations and to encourage and promote efforts to assist Afro-descendant communities. The resolution calls on the President, the Congress, and the international community to devote resources and services to help eradicate the economic and social disparities that exist in Latin America and the Caribbean.

I also must acknowledge the productive support, insights, and assistance of the Afro-Latino Working Group: The Honorable Mr. JOHN CONYERS, Mr. DONALD PAYNE, Ms. BARBARA LEE, Mr. WILLIAM JEFFERSON, and Mr. GREGORY MEEKS. Their counsel, advocacy, and commitment to these issues have been instrumental in raising the importance and awareness of this cause to me and this Congress. I appreciate their support.

I would also like to thank the number of colleagues that have extended their support to this resolution and are currently listed as cosponsors to the legislation. They are a sign of the bipartisan and broad support of this resolution by this Chamber. Today, the Subcommittee on the Western Hemisphere of the International Relations Committee marked up this legislation and voted to support it. I hope the 109th Congress will give it the same attention and support.

I would like to submit the text of House Concurrent Resolution 157 for the RECORD.

CONCURRENT RESOLUTION

Acknowledging African descendants of the transatlantic slave trade in all of the Americas with an emphasis on descendants in Latin America and the Caribbean, recognizing the injustices suffered by these African descendants, and recommending that the United States and the international community work to improve the situation of Afro-descendant communities in Latin America and the Caribbean.

Whereas during Black History Month it is important that we not forget that African-Americans are not the only survivors of the transatlantic slave trade;

Whereas like the United States, many European nations benefited greatly from the colonization of Latin America and the Caribbean and their participation in the slave trade;

Whereas the story of African descendants in all of the Americas remains untold, leading them to be forgotten, made invisible, and allowed to suffer unjustly;

Whereas it is important to acknowledge that as a result of the slave trade and immigration, approximately 80,000,000 to 150,000,000 persons of African descent live in Latin America and the Caribbean, making them the largest population of persons of African descent outside of Africa;

Whereas Afro-descendants are present in most all Latin American countries, including Argentina, Bolivia, Chile, Ecuador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, and Venezuela;

Whereas the size of Afro-descendant populations vary in range from less than 1 percent in some countries to as much as 30 percent in Colombia and 46 percent in Brazil and make up the majority in some Spanish speaking Caribbean nations, such as Cuba and the Dominican Republic;

Whereas Afro-descendant populations have made significant economic, social, and cultural contributions to their countries and the Western Hemisphere from their unfortunate involvement in the transatlantic slave trade to their recent contributions to trade, tourism, and other industries;

Whereas although persons of African descent have made significant achievements in education, employment, economic, political, and social spheres in some countries, the vast majority are marginalized—living in impoverished communities where they are excluded from centers of education, government, and basic human rights based upon the color of their skin and ancestry;

Whereas Afro-descendants have shorter life expectancies, higher rates of infant mortality, higher incidences of HIV/AIDS, higher rates of illiteracy, and lower incomes than do other populations;

Whereas Afro-descendants encounter problems of access to healthcare, basic education, potable water, housing, land titles, credit, equal justice and representation under the law, political representation, and other economic, political, health, and basic human rights; and

Whereas skin color and ancestry have led African-Americans in the United States and African descendants in Latin America and the Caribbean to share similar injustices, leading to economic, social, health, and political inequalities: Now, therefore, be it

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

(1) recognizes and honors African descendants in the Americas for their contributions to the economic, social, and cultural fabric of the countries in the Americas, particularly in Latin American and Caribbean societies;

(2) recognizes that as a result of their skin color and ancestry, African descendants in the Americas have wrongfully experienced economic, social, and political injustices;

(3) urges the President to take appropriate measures to encourage the celebration and remembrance of the achievements of African descendants in the Americas and a resolution of injustices suffered by African descendants in the Americas;

(4) encourages the United States and the international community to work to ensure that extreme poverty is eradicated, universal education is achieved, quality healthcare is made available, sustainable environmental resources, including land where applicable, is provided, and equal access to justice and representation under the law is granted in Afro-descendant communities in Latin America and the Caribbean; and

(5) encourages the United States and the international community to achieve these goals in Latin America and the Caribbean by—

(A) promoting research that focuses on identifying and eradicating racial disparities in economic, political, and social spheres;

(B) promoting, funding, and creating development programs that focus on Afro-descendant communities;

(C) providing technical support and training to Afro-descendant advocacy groups that work to uphold basic human rights in the region;

(D) promoting the creation of an international working group that focuses on problems of communities of Afro-descendants in the Americas; and

(E) promoting trade and other bilateral and multilateral agreements that take into account the needs of Afro-descendant communities.

RECOGNIZING BOULDER COUNTY AIDS PROJECT ON ITS 20TH ANNIVERSARY

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. UDALL of Colorado. Mr. Speaker, I rise today in recognition of the Boulder County AIDS Project, BCAP, and to honor their commitment to those in my community who are affected by HIV/AIDS. They are a model for advocacy and an invaluable asset to our community.

BCAP began in 1985 when two people volunteered two afternoons a week to answer a single borrowed telephone line. As the acronyms HIV, Human Immunodeficiency Virus, and AIDS, Acquired Immune Deficiency Syndrome, became household terms, and as the stigma about what was termed a ''gay cancer'' relaxed, the name of the organization was formally changed to the Boulder County AIDS Project.

BCAP has grown to include twelve staff members and over 300 volunteers. These volunteers work together with staff to serve those in the community who are infected with or affected by HIV and to educate the public about HIV and AIDS. In 2004, 368 HIV-infected individuals received services from the caseworkers and volunteers at BCAP; 17,000 youth and adults heard presentations by the BCAP Speakers Bureau, over 500 received HIV antibodies testing and counseling, and thousands of people attended BCAP's AIDS awareness events. The dedication demonstrated by BCAP staff and volunteers is a praiseworthy example of how to make a difference.

As with all great causes and organizations in today's society, their merit stands before the blind eye of a restrictive budget. Despite the success of BCAP, many difficult obstacles affect the center. Changes in the federal response to HIV/AIDS impact their ability to provide evidence-based, scientifically-researched HIV prevention programming. Colorado state budget cuts affect BCAP's ability to meet the increased need for services in an economic climate of decreasing resources.

In response to these challenges, BCAP recently adjusted their prevention programs to focus on access to HIV-antibody testing and early access to HIV care. BCAP and the Boulder County Public Health Department estimate that 30 percent of the population in BCAP's service area are HIV positive and are unaware of it. To address this issue, BCAP will purchase a van to be equipped as a mobile HIV testing facility. This will allow BCAP to meet one of its strategic goals of enhancing its HIV-antibody testing program while reducing a significant barrier to access and care—the access to easy testing.

Even in the midst of struggle and looming challenges, the Boulder County AIDS Project goes above and beyond the call of duty to provide for those infected with HIV or affected by AIDS. Their dedication to this honorable cause has given dignity and comfort to individuals living with HIV and AIDS.

Mr. Speaker, I ask my colleagues to join with me in thanking the Boulder County AIDS Project for their efforts in this commendable cause.

HONORING DR. ROBERT SMOTHERMAN

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Mr. LEWIS of Kentucky. Mr. Speaker, I rise today to pay tribute to a remarkable individual from my home district. Dr. Robert Smotherman, school superintendent of the Bardstown Independent School System, is retiring this month, bringing his distinguished career as an educator to a close.

Before becoming Superintendent in 1983, Dr. Smotherman spent a 9-year tenure as principal and assistant superintendent in the Kingsport, TN school system. He earlier taught in schools in Atlanta, Birmingham, and Nashville. During his 22 years as superintendent, Bardstown Independent Schools has been a catalyst for many Kentucky firsts including first in the state to create a private educational foundation to raise money for the school district; the first district to offer an educational program for all 3- and 4-year olds regardless of economics or special needs; the first district to mandate school uniforms; and the first district in Kentucky to move to a year-round calendar at all schools. He has also been a tireless advocate, throughout his tenure, for effective Adult Education. The current program offers a wide range of educational opportunity and the GED program, producing over 150 graduates annually.

Dr. Smotherman has been a consistent recipient of academic and community honors including being named one of the ''Top 100 Superintendents in America'' by Executive Educator Magazine, the Kentucky Department of Education's ''Good Apple'' Award, the American Legion Award for Educational Excellence, and the Jenson Award from the National Association for Year Round Schools, recognizing his outstanding leadership in a movement that he helped to organize. Dr. Smotherman served on the NAYRE Board of Directors and was later elected President of the national organization, the first Kentuckian to hold that position. In 2003, Dr. Smotherman was named to the Bardstown-Nelson County ''Hall of Fame.''

I applaud Robert Smotherman's accomplshments in public education, an occupation of great responsibility and ever greater reward, motivating young people to recognize and develop their talents and abilities. On behalf of so many in the Bardstown area, I would like to express my profound appreciation for his service and inspiration to the countless men and women who have benefited from his generosity and vision.

It is my great privilege to recognize Robert Smotherman today, before the entire U.S. House of Representatives, for his many achievements as an educator. His unique dedication to the development and well-being of young people and the communities they now serve make him an outstanding citizen worthy of our collective honor and respect.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2006

SPEECH OF

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 28, 2005

The House in Committee of the Whole House on the State of the Union had under consideration 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:

Mr. UDALL of Colorado. Mr. Chairman, this bill is far from perfect, but I think it deserves to be passed.

The bill provides important resources to help our allies in the struggle against international terrorism and against the narcotics trade. For example, it includes economic assistance for Afghanistan at the requested level of $430 million, $205 million above last year's level, but includes a new provision that withholds $225 million of the total until the Secretary of State certifies that the national and local governments in Afghanistan are fully cooperating with the U.S.-funded narcotics eradication and interdiction efforts. The bill also includes $220 million for military assistance for Pakistan to support their efforts in hunting terrorists along the Afghan border, as well as $347 million—$111 million above last year—for International Narcotics Control.

Some of the other high-priority items in the bill include much-needed assistance to combat HIV/AIDS, tuberculosis and malaria—$131 million more than the President's request and $502 million more than in fiscal year 2005.

The Peace Corps is funded at $325 million, $8 million above fiscal 2005, and the bill includes provisions to provide for a greater role in oversight of U.S. taxpayer contributions to international organizations.

Of course, the bill is far from perfect, and I do not agree with all its priorities. I voted for a number of amendments that would have improved it and regret that not all of them were adopted.

I also voted against some amendments, including two that dealt with the sensitive subject of extradition from other countries of people accused of crimes in the United States.

One of those amendments, by my Colorado colleague, Representative BEAUPREZ, calls for cutting off any assistance to a country that refuses to comply with a request to extradite a person charged with killing a police officer in the United States.

Killing a policeman is a very serious matter, and I am a cosponsor of a bill (H.R. 2363) to authorize much more severe penalties for such fugitive killers of a peace officer—including any Federal, State, or local police officer.

However, I voted against the Beauprez amendment after receiving a communication from the District Attorney in Denver. He is currently working to complete the extradition from Mexico of a fugitive wanted in connection with the murder of a Denver police officer and has indicated that Congressional threats to reduce assistance as a way to bring pressure on the Mexican authorities run the risk of being counterproductive. I am not opposed to using leverage, including our foreign assistance programs, to insist that other countries extradite

wanted fugitives, but the District Attorney's comments persuaded me that adoption of the amendment at this time could make it harder for the District Attorney's efforts with Mexico to succeed.

On balance, while the bill is not all that I would wish in all respects, I think it deserves approval and I will vote for it.

SUPREME COURT DECISION IN CASTLEROCK V. GONZALES

HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 29, 2005

Ms. MILLENDER-McDONALD. Mr. Speaker, we have heard much discourse today about two decisions handed down by the Supreme Court yesterday that addressed the constitutionality of displaying the 10 Commandments.

This is an important issue, but I believe that another case handed down yesterday, Castle Rock v. Gonzales, deserves serious attention as well.

Let me begin by saying that I am deeply disappointed with the Supreme Court's decision in Castle Rock v. Gonzales. In that case, the Court revealed a policy that strikes fear and sadness in the hearts of domestic violence victims and those of us who fight on their behalf: victims do not have a federal constitutional right to due process when they seek enforcement of their protective orders.

Jessica Gonzales's story elicits anger and sadness. Jessica Gonzales's relationship with her husband was dangerous and abusive. Knowing the threat he posed to her and her children, she mustered a tremendous amount of personal strength and obtained a protective order against her husband from the State of Colorado. She went through this arduous process believing that the state and local authorities would come to her aid if her husband violated the order. She did not think she would have to beg and plead with them to enforce it.

She was wrong. The New York Times reported today that:

> For hours on the night of June 22, 1999, Jessica Gonzales tried to get the . . . police to find and arrest her estranged husband . . . who was under a court order to stay 100 yards away from the house. He had taken the children, ages 7, 9, and 10, as they played outside, and he later called his wife to tell her that he had the girls at an amusement park in Denver.
>
> Ms. Gonzales conveyed the information to the police, but they failed to act before Mr. Gonzales arrived at the police station hours later, firing a gun, with the bodies of the girls in the back of his truck. The police killed him at the scene.''

Mr. Gonzales murdered their daughters after Ms. Gonzales spent hours trying to get the police to pay attention to her plight. This should never have happened.

A protective order without guaranteed enforcement does not protect victims. It puts them in the position of being victimized over and over again.

Domestic violence victims are already among the most vulnerable in our system. When they have children they are trying to protect, that vulnerability is compounded. Victims and their families rely on protective orders as one of the only tools they have to escape violent homes and relationships.

We need to make sure that they know that a court-issued protective order, accompanied by a hearing and court appearance in front of their abuser, is worth more than the paper it is printed on.

Recently, I introduced legislation that has received bipartisan support. H.R. 2947 seeks to require domestic violence education programs in high schools to teach teenage victims of dating violence about the legal options available to them as they seek to extricate themselves from abusive relationships.

I want this legislation to have its intended impact: that more teenage victims will have the knowledge that they are not alone in their struggle to end abusive relationships and that there are legal processes available to aid them in this process.

These young people, and every victim seeking the same assistance, need to know that the legal steps in place will actually protect them.

We cannot change the Supreme Court's decision, but we can do our part to prevent Jessica Gonzales's horrific situation from replicating itself across the nation.

First, we can pass my legislation, H.R. 2947. Second, we can strengthen and reauthorize the Violence Against Women Act before it expires on September 30th of this year. These victims deserve no less.

Daily Digest

HIGHLIGHTS

Senate passed H.R. 2985, Legislative Branch Appropriations.

Senate passed S. 1307, CAFTA Implementation.

Senate passed H.R. 2419, Energy and Water Development Appropriations.

Senate agreed to H. Con. Res. 198, Adjournment Resolution.

The House passed H.R. 3058, Departments of Transportation, Treasury, and Housing and Urban Development, The Judiciary, District of Columbia, and Independent Agencies Appropriations Act for FY 2006.

House Committees ordered reported the Pension Protection Act of 2005, and the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act.

Senate

Chamber Action

Routine Proceedings, pages S7647–S7695

Measures Introduced: Twenty-nine bills and three resolutions were introduced, as follows: S. 1339–1367, S. Res. 185, and S. Con. Res. 43–44. **(See next issue.)**

Measures Reported:

H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute. (S. Rept. No. 109–96)

Report to accompany S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure. (S. Rept. No. 109–97) **(See next issue.)**

Measures Passed:

Legislative Branch Appropriations: By unanimous consent, Senate passed H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, after agreeing to the committee amendments, and the following amendment proposed thereto: **(See next issue.)**

Allard (for Lott/Dodd) Amendment No. 1082, to provide funds for the Librarian of Congress to pay telecommunications costs for rapid dissemination of periodicals and daily newspapers available to blind and physically handicapped readers. **(See next issue.)**

Senate insisted on its amendments, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Allard, DeWine, Cochran, Stevens, Durbin, Johnson, and Byrd. **(See next issue.)**

CAFTA Implementation: By 54 yeas to 45 nays (Vote No. 170), Senate passed S. 1307, to implement the Dominican Republic-Central America-United States Free Trade Agreement.

Pages S7647–95, (continued next issue)

Temporary Assistance for Needy Families: Senate passed H.R. 3021, to reauthorize the Temporary Assistance for Needy Families block grant program through September 30, 2005, clearing the measure for the President. **(See next issue.)**

Highway Extension: Senate passed H.R. 3104, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, clearing the measure for the President. **(See next issue.)**

Energy and Water Development Appropriations Act: By 92 yeas to 3 nays (Vote No. 172), Senate passed H.R. 2419, making appropriations for energy

and water development for the fiscal year ending September 30, 2006, after agreeing to the committee amendment in the nature of a substitute, which will be considered as original text for the purpose of further amendment, after taking action on the following amendments proposed thereto:

(See next issue.)

Adopted:

Domenici for (Hatch) Amendment No. 1088, to maintain funding for the Department of Energy Clean Cities Program at its current level.

(See next issue.)

Domenici for (Levin) Amendment No. 1089, to provide funds for sea lamprey barrier construction in the Great Lakes. **(See next issue.)**

Domenici for (Collins) Amendment No. 1090, to provide funds for Saco River project. **(See next issue.)**

Domenici for (Snowe/Collins) Amendment No. 1091, to provide dredging funds for the Narraguagus River. **(See next issue.)**

Domenici for (Snowe/Collins) Amendment No. 1092, to provide funding for a reconnaissance study.

(See next issue.)

Domenici for (Akaka/Inouye) Amendment No. 1093, to set aside funds to initiate preconstruction engineering and design activities for modifications to Laupahoehoe, Hawaii. **(See next issue.)**

Domenici for (Frist) Amendment No. 1094, to provide funding for Advanced Scientific Computing Research. **(See next issue.)**

Domenici Amendment No. 1095, to make technical corrections for NNSA security. **(See next issue.)**

Subsequently, the amendment was modified.

(See next issue.)

Domenici Amendment No. 1096, to limit the use of funds for fully-funded contracts. **(See next issue.)**

Domenici (for Allard/Salazar) Amendment No. 1097, to set aside certain amounts for the purchase of mineral rights at the Rocky Flats Environmental Technology Site. **(See next issue.)**

Allard/Salazar Modified Amendment No. 1084, to set aside certain amounts to provide regular and early retirement benefits to workers at the Rocky Flats Environmental Technology Site. **(See next issue.)**

Domenici (for Graham) Amendment No. 1098, to make the Savannah River National Laboratory eligible for laboratory directed research and development funding. **(See next issue.)**

Rejected:

By 43 yeas to 53 nays (Vote No. 171), Feinstein Amendment No. 1085, to prohibit the use of funds for the Robust Nuclear Earth Penetrator and utilize the amount otherwise available to reduce the National debt. **(See next issue.)**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Domenici, Cochran, McConnell, Bennett, Burns, Craig, Bond, Hutchison, Allard, Reid, Byrd, Murray, Dorgan, Feinstein, Johnson, Landrieu, and Inouye. **(See next issue.)**

Adjournment Resolution: Senate agreed to H. Con. Res. 198, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

(See next issue.)

Nominations Confirmed: Senate confirmed the following nominations:

Marie L. Yovanovitch, of Connecticut, to be Ambassador to the Kyrgyz Republic. (Prior to this action, the Committee on Foreign Relations was discharged from further consideration.)

John Ross Beyrle, of Michigan, to be Ambassador to the Republic of Bulgaria. (Prior to this action, the Committee on Foreign Relations was discharged from further consideration.)

Ronald Spogli, of California, to be Ambassador to the Italian Republic. (Prior to this action, the Committee on Foreign Relations was discharged from further consideration.)

Robert H. Tuttle, of California, to be Ambassador to the United Kingdom of Great Britain and Northern Ireland. (Prior to this action, the Committee on Foreign Relations was discharged from further consideration.)

Reuben Jeffery III, of the District of Columbia, to be a Commissioner of the Commodity Futures Trading Commission. (Prior to this action, the Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration.)

Reuben Jeffery III, of the District of Columbia, to be Chairman of the Commodity Futures Trading Commission. (Prior to this action, the Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration.)

Walter Lukken, of Indiana, to be a Commissioner of the Commodity Futures Trading Commission. (Prior to this action, the Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration.)

Ashok G. Kaveeshwar, of Maryland, to be Administrator of the Research and Innovative Technology Administration, Department of Transportation.

Tom Luce, of Texas, to be Assistant Secretary for Planning, Evaluation, and Policy Development, Department of Education.

Daniel R. Stanley, of Kansas, to be an Assistant Secretary of Defense.

2 Air Force nominations in the rank of general.

4 Army nominations in the rank of general.

1 Coast Guard nomination in the rank of admiral.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, National Oceanic and Atmospheric Administration, Navy. **(See next issue.)**

Nominations Received: Senate received the following nominations:

Christopher Cox, of California, to be a Member of the Securities and Exchange Commission for the term expiring June 5, 2009.

Mark Langdale, of Texas, to be Ambassador to the Republic of Costa Rica.

Jendayi Elizabeth Frazer, of Virginia, to be an Assistant Secretary of State (African Affairs).

John S. Redd, of Georgia, to be Director of the National Counterterrorism Center, Office of the Director of National Intelligence.

Michael J. Garcia, of New York, to be United States Attorney for the Southern District of New York for the term of four years.

1 Army nomination in the rank of general.

(See next issue.)

Nominations Withdrawn: On Wednesday, June 29, 2005, Senate received notification of withdrawal of the following nomination: Ronald E. Meisburg, of Virginia, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2008, which was sent to the Senate on January 24, 2005. **(See next issue.)**

Messages From the House: **(See next issue.)**

Measures Placed on Calendar: **(See next issue.)**

Enrolled Bills Presented: **(See next issue.)**

Executive Communications: **(See next issue.)**

Executive Reports of Committees: **(See next issue.)**

Additional Cosponsors: **(See next issue.)**

Statements on Introduced Bills/Resolutions: **(See next issue.)**

Additional Statements: **(See next issue.)**

Amendments Submitted: **(See next issue.)**

Notices of Hearings/Meetings: **(See next issue.)**

Authority for Committees To Meet: **(See next issue.)**

Privilege of the Floor: **(See next issue.)**

Record Votes: Three record votes were taken today. (Total—172) **(See next issue.)**

Adjournment: Senate met at 9 a.m., and adjourned at 1:04 a.m., on Friday, July 1, 2005 and will reconvene at 10 a.m. on the same day. (For Senate's program, see the remarks of the Majority Leader in the next issue of the Record.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute.

MILITARY READINESS

Committee on Armed Services: Committee concluded a hearing to examine the status of the U.S. Army and U.S. Marine Corps in fighting the global war on terrorism, after receiving testimony from David S.C. Chu, Under Secretary for Personnel and Readiness, and Charles S. Abell, Principal Deputy Under Secretary for Personnel and Readiness, both of the Department of Defense; General Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff; General Peter J. Schoomaker, USA, Chief of Staff, United States Army; and General Michael W. Hagee, USMC, Commandant, United States Marine Corps.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported the nominations of Daniel R. Stanley, of Kansas, to be Assistant Secretary of Defense for Legislative Affairs, James A. Rispoli, of Virginia, to be Assistant Secretary of Energy for Environmental Management, General Teed M. Moseley, USAF, to be Chief of Staff of the Air Force, and 130 nominations in the Army, Navy, and Air Force.

HEALTH INFORMATION TECHNOLOGY

Committee on Commerce, Science, and Transportation: Subcommittee on Technology, Innovation, and Competitiveness concluded a hearing 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, after receiving testimony from Senators Enzi and Stabenow; David Brailer, National Coordinator of Health Information Technology, and Carolyn Clancy, Director, Agency for the Healthcare Research and Quality, both of the Department of Health and Human Services; Hratch G. Semerjian, Acting Director, National Institute of Standards and Technology, Technology Administration, Department of Commerce; Robert M. Kolodner, Acting Veterans Health Administration Chief Health Informatics Officer, Department of Veterans Affairs; Susan L. Bostrom, Cisco Systems, Inc., San Jose, California; John Glaser, Partners

Healthcare, Boston, Massachusetts; Peter Basch, MedStar Health, and Karen Ignagni, America's Health Insurance Plans, both of Washington, D.C.; and Pamela Pure, McKesson Corporation, Alpharetta, Georgia.

SAVINGS AND INVESTMENT

Committee on Finance: Subcommittee on Taxation and IRS Oversight held a hearing to examine savings and investment issues, focusing on present law on certain expiring provisions in the United States tax code, receiving testimony from G. Scott Harding, F.B. Harding, Inc. Electrical Contractors, Rockville, Maryland, on behalf of the National Federation of Independent Business; Robert A. Weinberger, H & R Block, Eric J. Toder, The Urban Institute Tax Policy Center, and Stephen J. Entin, Institute for Research on the Economics of Taxation, all of Washington, D.C.; David R. Malpass, Bear Stearns, New York, New York; and Brian Graff, American Society of Pension Professionals and Actuaries, Arlington, Virginia.

Hearing recessed subject to the call.

MIDDLE EAST ROAD MAP

Committee on Foreign Relations: Committee concluded a hearing to examine the current state of the Middle East road map, focusing on the challenge of organizing talks and resolving issues between Israel and Palestine, after receiving testimony from C. David Welch, Assistant Secretary for Near Eastern Affairs, and James D. Wolfensohn, Quartet Special Envoy for Gaza Disengagement, both of the Department of State; and Lieutenant General William E. Ward, Deputy Commander, United States Army Europe, U.S. Coordinator for Security, Department of Defense.

AMERICAN HISTORY ACHIEVEMENT ACT

Committee on Health, Education, Labor, and Pensions: Subcommittee on Education and Early Childhood Development concluded a hearing to examine issues relating to American history, focusing on S. 860, to amend the National Assessment of Educational Progress Authorization Act to require State academic assessments of student achievement in United States history and civics, after receiving testimony from Stephanie L. Norby, Director, Smithsonian Institution Center for Education and Museum Studies; Charles E. Smith, National Assessment Governing Board, Washington, D.C.; James Parisi, Rhode Island Federation of Teachers and Health Professionals, Providence; and David McCullough, West Tisbury, Massachusetts.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of James B. Letten, to be United States Attorney for the Eastern District of Louisiana, and Rod J. Rosenstein, to be United States Attorney for the District of Maryland, both of the Department of Justice.

IMMIGRATION REFORM

Committee on the Judiciary: Subcommittee on Immigration, Border Security and Citizenship concluded a hearing to examine securing the cooperation of participating countries relating to the need for comprehensive immigration reform, after receiving testimony from Andres Rozental, Rozental and Associados, former Mexican Ambassador at Large, and Roberta Clariond, Instituto Tecnologico Autonomo de Mexico, both of Mexico City, Mexico.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

MEDICARE

Special Committee on Aging: Committee concluded a hearing to examine possible strategies for slowing the growth of Medicare spending, including increasing the share of spending paid by beneficiaries and enhancing competition in the provision of services, after receiving testimony from Douglas Holtz-Eakin, Director, Congressional Budget Office; William J. Evans, University of Arkansas for Medical Sciences, Little Rock; Bill Herman, Highsmith Inc., Fort Atkinson, Wisconsin; Stephen J. Brown, Health Hero Network, Inc., Mountain View, California; and Steven H. Woolf, Virginia Commonwealth University, Fairfax.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 72 public bills, H.R. 3127–3198; and 13 resolutions, H.J. Res. 57; H. Con. Res. 196–203; and H. Res. 347–350, were introduced. **Pages H5599–5603**

Additional Cosponsors: **Page H5603**

Reports Filed: Reports were filed today as follows:

H.R. 940, to amend the Longshore and Harbor Workers' Compensation Act to clarify the exemption for recreational vessel support employees, amended (H. Rept. 109–161). **Page H5599**

Departments of Transportation, Treasury, and Housing and Urban Development, The Judiciary, District of Columbia, and Independent Agencies Appropriations Act for FY 2006: The House passed 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, by a yea-and-nay vote of 405 yeas to 18 nays, Roll No. 358. **Pages H5483–H5557**

Agreed to:

Hinchey amendment that changes wording in section 924, regarding publicity and propaganda authorized by Congress; **Page H5485**

Markey amendment that prohibits the use of funds in contravention of the Privacy Act or of title 48 of the Code of Federal Regulations; **Page H5509**

Sanders amendment that prohibits the use of funds to provide for the competitive sourcing of flight service stations (by a recorded vote of 238 ayes to 177 noes, Roll No. 347); **Pages H5497–99, H5510–11**

Souder amendment that prohibits the use of funds to enforce section 702 of the Firearms Control Regulations Act of 1975 (by a recorded vote of 259 ayes to 161 noes and 1 voting "present", Roll No. 349); **Pages H5501–04, H5512**

Garrett of New Jersey amendment that prohibits the use of funds to enforce the judgment of the U.S. Supreme Court in the case of Kelo v. New London, decided on June 23, 2005 (by a recorded vote of 231 ayes to 189 noes, Roll No. 350); **Pages H5504–06, H5512–13**

Knollenberg amendment that increases funding for the Working Capital Fund in the Department of Housing and Urban Development; **Page H5526**

Kilpatrick amendment that prohibits the use of funds for the Treasury Department to recommend approval of the sale of Unocal Corporation to CNOOC Ltd. of China (by a recorded vote of 333 ayes to 92 noes, Roll No. 353); **Pages H5515–16, H5537–38**

Velázquez amendment that prohibits the use of funds by the GSA to carry out the eTravel Service program (by a recorded vote of 233 ayes to 192 noes, Roll No. 356); and **Pages H5527–28, H5539–40**

Van Hollen amendment that prohibits the use of funds to implement the revision to OMB Circular A–76, made on May 29, 2003 (by a recorded vote of 222 ayes to 203 noes, Roll No. 357). **Pages H5529–31, H5540**

Rejected:

Davis of Florida amendment (no. 4 printed in the Congressional Record of June 28) that sought to prohibit the use of funds to implement, administer, or enforce the amendments made to title 31, Code of Federal Regulations, relating to travel in Cuba and visiting relatives in Cuba (by a recorded vote of 208 ayes to 211 noes, Roll No. 345); **Pages H5491–94, H5509–10**

Lee amendment that sought to prohibit the use of funds to implement, administer, or enforce the amendments to title 31, Code of Federal Regulations, relating to specific licenses for U.S. academic institutions (by a recorded vote of 187 ayes to 233 noes, Roll No. 346); **Pages H5595–97, H5510**

Rangel amendment that sought to prohibit the use of funds to implement, administer, or enforce the economic embargo of Cuba (by a recorded vote of 169 ayes to 250 noes, Roll No. 348); **Pages H5499–H5501, H5511–12**

DeLauro amendment that sought to prohibit the use of funds to enter into any contract with an entity incorporated or chartered in Bermuda, Barbados, the Cayman Islands, Antigua, or Panama (by a recorded vote of 190 ayes to 231 noes, Roll No. 351); **Pages H5506–09, H5513–14**

Jackson-Lee amendment that sought to prohibit the use of funds to implement section 12(c) of the United States Housing Act of 1937, regarding public housing community service requirements; **Pages H5531–32**

Hefley amendment (no. 7 printed in the Congressional Record of June 28) that sought to reduce total appropriations in the bill by 1% (by a recorded vote of 88 ayes to 338 noes, Roll No. 352); **Pages H5514–15, H5536–37**

Obey amendment that sought to prohibit the use of funds in contravention of the OMB Circular No. A–11, regarding Congressional testimony and communications (by a recorded vote of 208 ayes to 215 noes, Roll No. 354); and **Pages H5516–22, H5538**

Brown of Ohio amendment that sought to prohibit the use of funds by the Council of Economic Advisers to produce an Economic Report of the President regarding the average cost of developing and introducing a new prescription drug at $800 million or more (by a recorded vote of 141 ayes to 284 noes, Roll No. 355). **Pages H5522–26, H5538–39**

Withdrawn:

Simmons amendment (no. 14 printed in the Congressional Record of June 28) that was offered and subsequently withdrawn that sought to prohibit the use of funds to enter into, implement or provide oversight of contracts between the Secretary of the Treasury and private collection agencies; and reduces funding for Business Systems Modernization for the IRS; **Pages H5488–89**

Flake amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to amend the Code of Federal Regulations relating to religious activities in Cuba, as in effect June 29, 2005; **Pages H5494–95**

Tiahrt amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses; **Page H5522**

Clay amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to provide mortgage insurance under the National Housing Act for a mortgage or loan made by a lender that has engaged in lending practices that are not prudent; **Pages H5526–27**

Pickering amendment was offered and subsequently withdrawn that sought to prohibit the use of funds to enforce the Individuals With Disabilities Parking Reform Amendment Act of 2000; and **Pages H5532–34**

Jackson-Lee amendment that was offered and subsequently withdrawn that sought to increase funding for FAA Operations. **Pages H5535–36**

Point of Order sustained against:

Section 928 regarding contracting with private companies to provide online equipment applications and processing services; **Page H5486**

Section 945 regarding amendments to the Fair Credit Reporting Act; **Page H5487**

Flake amendment that sought to prohibit the use of funds to implement, administer, or enforce the amendments made to the Code of Federal Regulations, as published in the Federal Register on June 16, 2004, with respect to any Member of the U.S. Armed Forces; **Pages H5489–90**

Obey amendment that sought to add a new section relating to salaries of Members of Congress paid out of funds provided for the District of Columbia; and **Page H5504**

Wynn amendment that sought to prohibit the use of funds to pay a Federal contractor if the contractor is not in compliance with certain provisions of the Small Business Act. **Pages H5528–29**

H. Res. 342, the rule providing for consideration of the bill was agreed to on Tuesday, June 28.

Surface Transportation Extension Act: The House passed, by unanimous consent, H.R. 3104, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century. **Pages H5557–60**

Extending the term of the Executive Director, Deputy Executive Directors, and General Council of the Office of Compliance: The House passed, by unanimous consent, H.R. 3071, 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. **Pages H5560–61**

Consideration of Suspensions: The House agreed to H. Res. 345, providing for consideration of motions to suspend the rules, by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 216 yeas to 191 nays, Roll No. 359. **Pages H5561–70**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Sense of the House that a Chinese state owned energy company exercising control of U.S. energy infrastructure and production capacity could threaten U.S. national security: H. Res. 344, expressing the sense of the House of Representatives that a Chinese state-owned energy company exercising control of critical United States energy infrastructure and energy production capacity could take action that would threaten to impair the national security of the United States, by a 2/3 yea-and-nay vote of 398 yeas to 15 nays, Roll No. 360; **Pages H5570–77, H5592**

Expressing the disapproval of the House regarding the Supreme Court decision in the case of Kelo et al v. City of New London et al: H. Res. 340, expressing the grave disapproval of the House of Representatives regarding the majority opinion of the Supreme Court in the case of Kelo et al. v. City of New London et al. that nullifies the protections afforded private property owners in the Takings Clause of the Fifth Amendment, by a 2/3 yea-and-nay vote of 365 yeas and 33 nays and 18 voting "present", Roll No. 361; and **Pages H5577–85, H5592–93**

Supplemental Appropriations for Veterans Medical Services: H.R. 3130, making supplemental appropriations for fiscal year 2005 for veterans medical services, by a 2/3 yea-and-nay vote of 419 yeas with none voting ''nay'', Roll No. 363.

Pages H5585–91, H5594–94

Fourth of July District Work Period: The House agreed to H. Con. Res. 198, providing for a conditional adjournment of the House and a conditional recess or adjournment of the Senate. **Page H5591**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 6 p.m. on the third Constitutional day thereafter unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 198, in which case the House shall stand adjourned pursuant to that resolution. **Pages H5591–92**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, July 13. **Page H5592**

Late Report: Agreed that the Committee on International Relations have until midnight on July 8 to file a report on H.R. 2601. **Page H5592**

Congratulating the San Antonio Spurs: The House agreed to H. Res. 339, congratulating the San Antonio Spurs for winning the 2005 National Basketball Association Championship. **Pages H5594–95**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Wolf, or if he is not available to perform this duty, Representative Tom Davis of Virginia, to act as Speaker pro tempore to sign enrolled bills and joint resolutions through July 11. **Page H5597**

Report Vacated: Agreed that the filing of the report by the Committee on Science to accompany H.R. 1158, and the referral thereof to the Committee of the Whole House on the State of the Union, are vacated. **Page H5597**

Quorum Calls—Votes: Five yea-and-nay votes and 13 recorded votes developed during the proceedings of today and appear on pages H5509–10, H5510, H5511, H5511–12, H5512, H5512–13, H5513–14, H5537, H5537–38, H5538, H5539, H5539–40, H5540, H5556–57, H5569–70, H5592, H5593, and H5593–94. There were no quorum calls.

Adjournment: The House met at 10 a.m. and at 12:07 a.m. on Friday, July 1, pursuant to the provisions of H. Con. Res. 198, stands adjourned until 6 p.m. on Tuesday, July 5, unless it sooner has received a message from the Senate transmitting its concurrence in that resolution, in which case the House shall stand adjourned until 2 p.m. on Monday, July 11.

Committee Meetings

PENSION PROTECTION ACT OF 2005

Committee on Education and the Workforce: Ordered favorably reported, as amended, H.R. 2830, Pension Protection Act of 2005.

ZERO DOWNPAYMENT PILOT PROGRAM ACT OF 2005

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held a hearing on H.R. 3043, Zero Downpayment Pilot Program Act of 2005. Testimony was heard from William B. Shear, Director, Financial Markets and Community Investment, GAO; and public witnesses.

NEXT FLU PANDEMIC—U.S. READINESS

Committee on Government Reform: Held a hearing entitled ''The Next Flu Pandemic: Evaluating U.S. Readiness.'' Testimony was heard from the following officials of the Department of Health and Human Services: James W, Leduc, Director, Division of Viral and Rickdettsial Diseases, National Center for Infectious Diseases, Centers for Disease Control and Prevention; Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases, NIH; and Bruce Gellin, M.D., Director, National Vaccine Planning Office; Marcia Crosse, Director, Health Care Issues, GAO and public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Ordered favorably reported H.R. 3100, East Asia Security Act of 2005.

The Committee approved a motion authorizing the Chairman to request that the following measures be considered on the Suspension Calendar: H.R. 2017, Torture Victims Relief Reauthorization Act of 2005; H. Con. Res. 168, amended, Condemning the Democratic People's republic of Korea for the abductions and continued captivity of citizens of the Republic of Korea and Japan as acts of terrorism and gross violations of human rights; H. Con. Res. 175, Acknowledging African descendants of the transatlantic slave trade in all of the Americas with an emphasis on descendants in Latin America and the Caribbean, recognizing the injustices suffered by these African descendants, and recommending that the United States and the international community work to improve the situation of Afro-descendant communities in Latin America and the Caribbean; H. Con. Res. 191, amended, Commemorating the 60th Anniversary of the conclusion of the war in the Pacific and honoring veterans of both the Pacific and Atlantic theaters of the Second World War; H. Res. 328, amended, Recognizing the 25th anniversary of the workers' strikes in Poland in 1980 that let to the establishment of the Solidarity Trade Union; H.

Res. 333, Supporting the goals and ideals of a National Weekend of Prayer and Reflection for Darfur, Sudan; and H. Res. 343, Commending the State of Kuwait for granting women certain important political rights.

G–8 SUMMIT AND AFRICA'S DEVELOPMENT

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held a hearing on The G–8 Summit and Africa's Development. Testimony was heard from Paul Reid, Senior Advisor to the Under Secretary for Economic, Business and Agricultural Affairs, Department of State; Robert Pittman, Deputy Assistant Secretary, International Development, Finance, and Debt, Department of the Treasury; and public witnesses.

NONPROLIFERATION AND THE G–8 SUMMIT

Committee on International Relations: Subcommittee on International Terrorism and Nonproliferation held a hearing on Nonproliferation and the G–8. Testimony was heard from public witnesses.

SECURE ACCESS TO JUSTICE AND COURT PROTECTION ACT; TERRORIST DEATH PENALTY ENHANCEMENT ACT; STREAMLINED PROCEDURES ACT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security approved for full Committee action, as amended, H.R. 1751, Secure Access to Justice and Court Protection Act of 2005.

The Subcommittee also held a hearing on the following bills: H.R. 3060, Terrorist Death Penalty Enhancement Act of 2005; and H.R. 3035, Streamlined Procedures Act. Testimony was heard from Barry M. Sabin, Chief of Counterterrorism Section for the Criminal Division, Department of Justice; and public witnesses.

OVERSIGHT—IMMIGRATION REMOVAL PROCEDURES

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing entitled "Immigration Removal Procedures Implemented in the Aftermath of the September 11th Attacks." Testimony was heard from Lily Swenson, Deputy Associate Attorney General, Department of Justice; Joseph Greene, Director, Training and Development, U.S. Immigration and Customs Enforcement, Department of Homeland Security; and public witnesses.

OVERSIGHT—POTENTIAL OIL SOURCES

Committee on Resources: Subcommittee on Energy and Mineral Resources concluded oversight hearings entitled "The Vast North American Resource Potential of Oil Shale, Oil Sands, and Heavy Oils—Part 2." Testimony was heard from Theodore K. Barna, Assistant Deputy Under Secretary, Advance Systems and Concepts, Office of the Secretary, Department of Defense; Mark Maddox, Principal Deputy Assistant Secretary, Office of Fossil Energy, Department of Energy; and Chad Calvert, Deputy Assistant Secretary, Land and Minerals Management, Department of the Interior.

OVERSIGHT—HEALTH CARE BUDGET

Committee on Veterans' Affairs: Held an oversight hearing on the Department of Veterans Affairs' necessity to reprogram $1 billion to the medical services account in Fiscal Years 2005 and its implication for Fiscal Year 2006. Testimony was heard from R. James Nicholson, Secretary of Veterans Affairs.

CAFTA IMPLEMENTATION ACT

Committee on Ways and Means: Ordered favorably reported H.R. 3045, Dominican Republic-Central America-United States Free Trade Agreement Implementation Act.

BRIEFING—GLOBAL UPDATES

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on Global Updates. Testimony was heard from departmental witnesses.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D635–636)*

H.R. 483, to designate a United States courthouse in Brownsville, Texas, as the "Reynaldo G. Garza and Filemon B. Vela United States Courthouse". Signed on June 29, 2005. (Public Law 109–16).

S. 643, to amend the Agricultural Credit Act of 1987 to reauthorize State mediation programs. Signed on June 29, 2005. (Public Law 109–17).

COMMITTEE MEETINGS FOR FRIDAY, JULY 1, 2005

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on the Judiciary, Subcommittee on Crime, hearing on H.R. 2965, Federal Prison Industries Competition in Contracting Act of 2005, 9:30 a.m., 2141 Rayburn.

Next Meeting of the SENATE

10 a.m., Friday, July 1

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Program for Friday: Senate will be in a period of morning business.

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Monday, July 11

House Chamber

Program for Monday, July 11: to be announced.

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