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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 7, 2005.

I hereby appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

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

PRAYER

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

Since justice and judgment are the foundation of Your throne, Lord God; because You love those who hate evil and guard the lives of Your faithful ones, Lord, we know that You welcome into the heavenly court Your servant, Chief Justice William H. Rehnquist.

May his legacy continue to guide this Chamber, the provisions of the courts of this land and the citizens governed; to seek the truth behind every dispute and deferring opinion, to work for equal justice under the law for all Your people.

Eternal rest and reward grant unto him, O Lord. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from California (Ms. SOLIS) come forward and lead the House in the Pledge of Allegiance.

Ms. SOLIS 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.

SUPPORTING JUDGE JOHN ROBERTS

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

Ms. FOXX. Mr. Speaker, I rise today to voice my strong support for President Bush's nominee for Chief Justice, Judge John Roberts, Jr. Judge Roberts has a distinguished record, a brilliant legal mind, and is uniquely qualified to replace the late Chief Justice William Rehnquist.

Judge Roberts graduated summa cum laude from Harvard University in only 3 years. He then went on to graduate magna cum laude from Harvard Law School where he served as editor of the Law Review. Judge Roberts also clerked for our late Chief Justice Rehnquist.

Judge Roberts has argued 39 cases before the Supreme Court, earning him a reputation as one of the finest advocates in the Nation. Only a handful of the 180,000 members of the Supreme Court bar come close to this record.

Since 2003, he has served on the U.S. Court of Appeals for the D.C. District. This court is regarded as the second most influential court in the Nation. Judge Roberts was confirmed unanimously for this important position by the United States Senate.

Judge Roberts is the kind of judge we need. He will apply the law as written and decide the case on its merits, regardless of his personal political views.

Mr. Speaker, it is clear Judge Roberts offers all we could ask for in a Chief Justice nominee. Therefore, I urge the Senate to hold fair and speedy hearings in order to fill this important vacancy as soon as possible.

KATRINA RESPONSE

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

Mr. EMANUEL. Mr. Speaker, there are three ways to respond to the crisis along the gulf coast: rebuilding, restoring, and retrospection. We must pinpoint the errors made prior to the storm and flooding, develop an action plan on what needs to be done to ensure that the response failures do not happen again, and focus on rebuilding people's lives.

Pointing fingers and attributing blame does little to put our country back together again. On the other hand, acting Pollyannish, as if everything went according to plan, would be dangerous. Failing to respond in a time of need is unacceptable.

Here are four things we must begin immediately to help folks put their lives back together: first, anyone affected by this tragedy should be exempted from the recently enacted bankruptcy laws. Second, we need to make sure the kids whose lives have been turned upside down receive universal health care and an education. Those seeking a higher education will receive a $3,000 voucher. Third, we need to start reconstruction from housing to highways. New Orleans and the rest of the gulf coast must come back better and safer than before. Fourth, we need to immediately begin to restore the region's natural buffer zones.

Mr. Speaker, in a crisis people look to their fellow countrymen, and they are looking to this country. It is time to start the rebuilding, the restoring, and the retrospection.

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''GIT'R DONE''

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

Mr. POE. Mr. Speaker, I want to congratulate and thank Texans that are helping our neighbors from across the Sabine River in Louisiana. The amazing hurricane relief efforts being organized in the State of Texas are a model for compassion, concern, and competence. The city of Houston, following the leadership of Mayor Bill White, is housing over 40,000 individuals from New Orleans. The Houston Astrodome has been opened up under the supervision of Harris County Judge Robert Echols and is housing close to 20,000 people. Next door in Jefferson County under the direction of Judge Carl Griffith, they are housing more than 1,800 people in their county complex. Altogether close to a quarter of a million displaced persons from Louisiana are being taken care of by Texas.

Mr. Speaker, there are those who have done nothing in this disaster except criticize and complain. I instead rise to praise and encourage. I would like to thank Mayor White, Judge Echols, Judge Griffith, and the thousands of volunteers across the State of Texas for showing us what character and compassion are all about. I know they will continue to ''git'r done.''

DEALING WITH NATURAL DISASTERS IN THE FUTURE

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

Mr. BLUMENAUER. Mr. Speaker, as we all reel from the devastation of Katrina, what is surprising is that so many claim to have been surprised by an event both predictable and inevitable.

This is the moment when the Nation's attention is trained upon not just this tragedy but what we must do to prevent future unnecessary suffering and loss. Today with a majority of Americans at risk from natural disasters, this is more important than ever for us to get the job done right.

Four years ago, we got it wrong as FEMA lost its focus in the vast Homeland Security bureaucracy. We need to listen to each other this time and to the consensus of independent experts. We need to deal with the long term and to find an appropriate Federal role. We need to use the forces of nature to protect against the power of nature. We must assure that each step along the way that we take as a Congress leaves our communities more liveable and our families safer, healthier, and more economically secure.

IN MEMORY OF CHIEF JUSTICE WILLIAM REHNQUIST

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

Mr. WILSON of South Carolina. Mr. Speaker, today our thoughts and prayers are with the Rehnquist family and our Nation. As we celebrate the life of Chief Justice William Rehnquist today, we mourn the loss of a true leader who made the most of his unique opportunity to help the American people. He was a skilled judge and a brilliant man who devoted over a third of his life to ensuring that our highest Court fairly upheld our laws.

From fighting excessive Federal laws as an Associate Justice to battling cancer as Chief Justice, Rehnquist embodied determination and conviction throughout his tenure. Often the lone vote on an issue, he remained true to his conservative beliefs and worked tirelessly to ensure that justice was fairly delivered, and efficiently. Because of his monumental impact on our legal system, he earned a valuable place in our Nation's history.

As his family and friends gather today, I would like to express my sincere respect and gratitude for the life and work of Chief Justice William Rehnquist.

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

HURRICANE KATRINA AND THE IMPACT ON LATINOS

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

Ms. SOLIS. Mr. Speaker, last week the world witnessed the devastating impact of one of the greatest calamities the United States has ever faced. Hurricane Katrina left hundreds of thousands of people without their livelihood and homes and many more without a sense of hope and esperanza.

As shelters across the United States open their arms to evacuees, we must remember all the vulnerable communities which are suffering tremendously in the wake of this natural disaster, including the immigrant population that resides in the embattled areas of the Nation.

More than 150,000 Hondurans, 100,000 Mexicans, and a host of other individuals who live in that particular area, these are immigrants and their families who have contributed significantly to the social and economic fabric of the gulf coast, working in casinos, on farms, in hotels, construction sites, and also in janitorial services. I feel strongly that these immigrants and their families cannot be forgotten in this crisis.

Just as we embrace all the victims of disaster, I hope and I know that the Federal Government will do the same without regard to race, ethnicity, and country of origin. Let us not forget that these individuals contribute every single day to our Nation.

EDWARD M. REUTINGER

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

Mr. NEY. Mr. Speaker, I rise today to commemorate the life of a great American, Edward M. Reutinger. Edward Reutinger passed away on August 25, 2005, from a stroke at the age of 58. He was a Green Township trustee in Ross County, Ohio, for 12 years and planned on renewing his public service to Ohio this November by running for trustee again.

Edward Reutinger was a devoted family man and a cherished husband, father, grandfather, and uncle. He and his wife were set to celebrate their 37th wedding anniversary this year.

Mr. Speaker, Edward Reutinger represents some of the best that Ohio and America have to offer. I want to remember him for his upstanding citizenship and for the love he had for his township and his country. May God rest his soul.

HURRICANE KATRINA AND AFRICAN AMERICANS

(Mrs. CHRISTENSEN asked and was given permission to address the House for 1 minute.)

Mrs. CHRISTENSEN. Mr. Speaker, I have been through some of the worst hurricanes in the last quarter of a century. They were experiences I never want to go through again, but none comes close to the devastation especially in the lives of the people of Louisiana, Mississippi, and Alabama. I would have thought that there would have been some institutional history and expertise at FEMA that would have dictated a more appropriate preparation and immediate lifesaving response. Obviously, I was wrong and lives were lost.

What I have not been wrong about is what my CBC colleagues and I have been telling this body over and over again for a long time, that African Americans are left out and left behind in just about every facet of American life. Now the entire country and the whole world has seen it in its most stark and tragic reality.

If nothing else comes out of the devastation we have witnessed over the past week, it should be that we forge the will and determination and the leadership of this Nation to close the gaps; to eliminate the disparities; and, finally, after all of these centuries, ensure fairness, equality, and justice for all and that all Americans be finally embraced into the fullness of the promise that is America.

THE BEST OF HUMAN NATURE

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

Mr. GINGREY. Mr. Speaker, over the Labor Day weekend, I had the opportunity to go to Baton Rouge not as a Member of Congress but as a physician and to work in the River Center where the evacuees, over 5,000, so many of them were there, and to help provide basic health care needs.

What I saw in Louisiana was the best of human nature: a level of confusion, of course, and some disorganization, but people pulling together and trying to do the best they could in a difficult situation.

Mr. Speaker, I would ask my colleagues on both sides of the aisle at a time like this, probably the greatest tragedy this Nation has ever seen, to pull together, avoid the temptation to get into a finger-pointing, blaming situation, and let us see as a result of this the best of the human nature of this Congress.

FEMA

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

Mr. DEFAZIO. Mr. Speaker, I agree with the gentleman who went before me: we should see the best of human nature and we should all join together, and hopefully Congress and the administration can do better in the relief and the rebuilding efforts than they did in the prevention and disaster response.

But it is a time to learn and reform because it may only be days or weeks until we have another devastating hurricane, who knows when the terrorists will attack, and have we learned any lessons since 9/11.

A gentleman before me said we will never forget. We have forgotten. There were no interoperable secure communications. They want to blame New Orleans for that. Guess what, the Bush administration zeroed out interoperable communications in the Homeland Security budget. The Bush administration insisted that FEMA had to go into Homeland Security. I joined with 163 Members of this House saying no, that will degrade FEMA. FEMA has been degraded. They have a political hack as their head.

Changes need to be made now, and urgently, because the next disaster may strike tomorrow. And if the response is as poor as it was in this emergency, more people will die needlessly.

PULLING TOGETHER

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

Mr. PRICE of Georgia. Mr. Speaker, we all watched in disbelief as the desperation of fellow Americans rolled across our TV screens waving from rooftops in New Orleans, waiting to be saved. And as the hours rolled by, it became clear that our response, our response, at the local, State, and Federal levels was lacking.

□ 1015

Hurricane Katrina is the largest natural disaster in the history of our Nation, affecting an area the size of the entire State of Michigan. Any response would have been lacking for some. There will be opportunities in Congress and elsewhere to evaluate that response, but now is the time for all Americans to pull together and work together to get millions of our fellow citizens back on their feet. Now is the time for the American spirit to shine.

We are a giving and a generous country, and millions of Americans are desperate to help. There are so many avenues of opportunity.

Our Nation has faced huge challenges before, and we know how to succeed in the face of adversity. We succeed by marshaling that American spirit and by working together. Together, it is imperative that now we in Congress and across our Nation move forward with that uniquely American can-do, never-fail attitude.

HELP THE REAL VICTIMS

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

Mr. PITTS. Mr. Speaker, in the wake of Hurricane Katrina, our prayers are with the families who are still displaced, those who have lost loved ones, and those who have yet to locate friends and family.

Last week we offered a $10.5 billion down payment on a long-term rebuilding effort, and I hope this initial commitment will send a clear message to the victims that the American people stand ready to help during their time of need.

But I am concerned about politics. I have been around long enough to recognize opportunism when I see it. Some Democrats are already using this opportunity to impugn the integrity of the President with blame and finger-pointing. Though it is appropriate to determine what went wrong, I am afraid that they may have another agenda.

Now is the time for all of us to work together to help those in need. Lest we forget who they are, here is a hint: They do not work here in the Capitol, they do not run for political office, they live in refugee camps in a dozen States because their homes and lives were destroyed by Katrina.

BEING RESPONSIBLE WITH OUR NATION'S RESOURCES

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

Mr. FLAKE. Mr. Speaker, we have already made a down payment of $10.5 billion. We will do another $50 billion likely later this week, as we should.

I want to encourage my colleagues in our leadership to seek out offsets. When a family has an emergency, they will sometimes put it on a credit card or plan for it some other way. Our credit is just about at its limit, and we have to dig deep within ourselves and say, how are we going to pay for this? What else are we going to cut?

I have many suggestions. A prescription drug benefit that will go into effect next year has about a $40 billion price tag for 1 year. That will be a great place to start. We just passed a massive transportation bill that we ought to have revisions on. There are many ways that we can look for the money, but we have to find the money somewhere, and we should not simply assume that we can spend new money and that everything will go along just fine.

We have to be responsible with the Nation's resources.

PULLING TOGETHER AS A NATION

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

Mr. KINGSTON. Mr. Speaker, I have the honor of representing the entire coast of Georgia from Savannah to Brunswick to St. Mary's, Georgia, and during my 14 years in Congress, we have had a number of tropical depressions and hurricanes, and we have had to evacuate and so forth. And we have been hit, but certainly not to the degree that the gulf has been.

Yet, one thing I know from that experience is that you do not sit around and point fingers. You get folks their basic needs after a storm. You get them water, you get them food, you get them shelter, you get them electricity, you get them medical attention, you get them transportation. These things are what we need to be doing right now.

Sure, we can sit around in Louisiana and say, why was the National Guard not ordered, and who is in charge of that? Why were the 4,000 buses in New Orleans not activated? Who is in charge of that? We could say, why was the evacuation of New Orleans only made on Sunday, the day beforehand? We can sit around and do that, but that is not going to help people who rightfully need medical attention, food, and water.

This is the time to pull together as a Nation, as different people from all over the States with different perspectives and different social statuses and different income brackets, to unify into one and help those on the ground who need our help the most.

The United States Congress is doing that. We passed the emergency bill for disaster relief last Friday and we will do it again this week. We are going to continue to pull together to get this recovery going as fast and as orderly as possible.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF HOUSE RESOLUTION 423, HONORING AND RECOGNIZING THE DISTINGUISHED SERVICE, CAREER, AND ACHIEVEMENTS OF CHIEF JUSTICE WILLIAM HUBBS REHNQUIST UPON HIS DEATH

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that it

shall be in order at any time to consider in the House the resolution (H. Res. 423); the resolution shall be considered as read; and the previous question shall be considered as ordered on the resolution to its adoption without intervening motion or demand for division of the question except: (1) 1 hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit.

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

There was no objection.

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 House Resolution 423.

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

There was no objection.

HONORING AND RECOGNIZING THE DISTINGUISHED SERVICE, CAREER, AND ACHIEVEMENTS OF CHIEF JUSTICE WILLIAM HUBBS REHNQUIST UPON HIS DEATH

Mr. SENSENBRENNER. Mr. Speaker, pursuant to the order of the House entered into previously today, I call up the resolution (H. Res. 423) honoring and recognizing the distinguished service, career, and achievements of Chief Justice William Hubbs Rehnquist upon his death, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The text of House Resolution 423 is as follows:

H. RES. 423

Whereas William H. Rehnquist was born on October 1, 1924, in Milwaukee, Wisconsin and grew up the son of a paper salesman;

Whereas William H. Rehnquist served the United States in the Army Air Corps during World War II;

Whereas William H. Rehnquist attended and graduated from Stanford University, earning a bachelor's and master's degree in political science, and a second master's degree in government from Harvard University;

Whereas William H. Rehnquist went on to graduate first in his class at Stanford Law School in 1952, where he met his wife Natalie ''Nan'' Cornell;

Whereas William H. Rehnquist and Natalie had three children: James, Janet, and Nancy;

Whereas William H. Rehnquist served as a law clerk to Justice Robert H. Jackson on the Supreme Court during the 1951 and 1952 terms, and as Assistant Attorney General for the Justice Department's Office of Legal Counsel, where he advised the Nixon Administration on constitutional law from 1969 until 1971;

Whereas William H. Rehnquist was appointed by President Nixon and confirmed by the Senate as an Associate Justice of the United States on December 10, 1971, at the age of 47;

Whereas William H. Rehnquist was appointed by President Reagan and confirmed by the Senate as the 16th Chief Justice of the United States in 1986;

Whereas Chief Justice Rehnquist's 33-year tenure on the Supreme Court was one of the longest and most influential in the Nation's history;

Whereas legal scholars of all perspectives rank Chief Justice Rehnquist as among the great Chief Justices of the United States who influenced the interpretation of the law in significant ways;

Whereas Chief Justice Rehnquist was widely respected for his evenhandedness as Chief Justice; and

Whereas on January 7, 2002, the 30th Anniversary of his swearing in at the Supreme Court, Justice John Paul Stevens praised Chief Justice Rehnquist for ''the efficiency, good humor and absolute impartiality that you have consistently displayed when presiding at our Conferences'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) has learned with profound sorrow of the death of Chief Justice Rehnquist; and

(2) honors, recognizes, and expresses gratitude for the distinguished service, career, and achievements of William H. Rehnquist upon his death.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from California (Mr. BERMAN) each will control 30 minutes.

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

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

Mr. Speaker, I rise today in support of House Resolution 423 which honors and recognizes the distinguished service, career, and achievements of Chief Justice William Hubbs Rehnquist upon his death.

Mr. Speaker, the passing of Chief Justice Rehnquist means that a long and distinguished career has come to an end. William Rehnquist was born on October 1, 1924, in Milwaukee, Wisconsin and was raised in nearby Shorewood, Wisconsin, which currently lies in the congressional district I am proud to represent. The future Chief Justice attended Kenyon College briefly before joining the U.S. Army Air Corps during World War II.

Following his career in the Army, Chief Justice Rehnquist attended and graduated from Stanford University, where he received a bachelor's and master's degree in political science and a second master's degree in government from Harvard University.

At Stanford Law School, the future Chief Justice graduated first in the class that famously included his future colleague, Justice Sandra Day O'Connor. It was also at Stanford Law School that the Chief Justice met his future wife, Natalie ''Nan'' Cornell, whom he married in 1953.

After graduation, William Rehnquist clerked for Supreme Court Justice Robert H. Jackson for the 1952 and 1953 terms. He then went on to practice as an attorney in his adopted home State of Arizona for several years before returning to Washington, DC, to serve as Assistant Attorney General for the Justice Department's Office of Legal Counsel, where he advised the Nixon administration on constitutional law from 1969 until 1971.

On October 22, 1971, President Nixon nominated William Rehnquist to fill the vacancy on the United States Supreme Court created by Justice John Marshall Harlan's retirement. The Senate confirmed him to the post of Associate Justice on December 10, 1971, and he was sworn into office on January 7, 1972, at the age of 47.

Under his leadership, federalism, judicial restraint, and State autonomy once again became staple features of the Court's jurisprudence. Chief Justice Rehnquist deeply respected the proper roles of each branch of government and the separation of powers envisioned by our Founders. He repeatedly acknowledged that the first amendment to the Constitution guaranteed the free exercise of religion.

By the time President Reagan nominated him to become the 16th Chief Justice of the United States on June 20, 1986, to replace Warren Burger, the pieces were in place for the Chief Justice to make a profound impact on American jurisprudence. His commitment to his principles were evidenced in his majority opinion upholding Cleveland, Ohio's program of school vouchers, which allowed public school students in poor areas to use vouchers to attend better, and often religious, schools, against an Establishment Clause challenge. His support for freedom of religion was also evidenced in his concurring opinion of Elk Grove Unified School District v. Newdow, in which he rightly concluded that the phrase ''under God'' in the Pledge of Allegiance was not a violation of the Establishment Clause.

Most recently, Chief Justice Rehnquist joined Justice O'Connor's dissent in Kelo v. City of New London in which they correctly concluded that it is a violation of the fifth amendment's Public Use Clause when a government takes private property and gives it to another private entity to use for private commercial purposes.

Apart from the doctrinal changes the Chief Justice brought to the Court, he also streamlined the manner in which the Court operated. His keen intellect and evenhandedness were appreciated by all of his colleagues. On the 30th anniversary of Rehnquist's swearing in, Justice John Paul Stevens, who often found himself on the opposite side of opinions from the Chief Justice, praised him for the ''efficiency, good humor, and absolute impartiality that you have consistently displayed when presiding at our conferences.'' These traits have led observers of all political persuasions to view Chief Justice Rehnquist as one of the most consequential jurists in our history.

When Chief Justice Rehnquist was diagnosed with thyroid cancer in October of 2004, many of his admirers feared that his tenure on the Court would come to an end. The Chief Justice, however, had other plans and continued to make his presence felt on the Court even as he battled his disease. Unfortunately, last Saturday, Chief Justice Rehnquist lost that battle, and the country has lost a great intellect and a great public servant. His decision to swear in President George W. Bush last January while battling his illness inspired millions of Americans.

From a personal standpoint, let me say that I first met the future Chief Justice back in 1968 going door-to-door while running for a seat in the Wisconsin Assembly, and when I knocked on his parents' door, they introduced me to the Chief Justice-to-be, and he and I have kept contact up for a number of years until he passed away, both before he was selected for the Court and I was elected to the Congress.

As the chairman of the Committee on the Judiciary, let me say that I deeply appreciated the Chief Justice's invitations to address the twice-yearly meetings of the Judicial Conference of the United States on issues relating to the separation of powers and the interrelationship to how the laws the Congress passes relate to the operation of the third branch of government. I can say that the Chief Justice was extremely responsive when I had complained that the Judicial Discipline statute enacted in 1980 was not being utilized properly and effectively in terms of disciplining judges in the appeals court and in the lower Federal courts that may have strayed from the bounds of propriety and the ethical standards that we hope all of the judges will uphold.

I can say that probably one of my most profound memories of the Chief Justice was at a Judicial Conference meeting on the morning of September 11, 2001, where, because I had the first three bills up on the floor at 10 o'clock, the Chief Justice put me on first. At that time the Twin Towers had both been hit, and the Chief Justice came in, sat down and said, ''Jim, make this snappy. Something bad is going on.''

□ 1030

So my remarks got condensed to a minute and a half and the Chief Justice said, ''There are no questions of the chairman, are there?'' And everybody else in the room got the message, so I was then excused, and when I got here to the Capitol to make the three motions for suspensions of the rules, the Pentagon had already been hit. So the Chief Justice, I think, was advised that we were all in danger, he wanted to get the business done despite the danger, and he was able to do that. I think that this shows his character, and it is a way that touched me in an extremely personal way.

While the country has lost so much, his family, including his children James, Nancy, and Janet, and his six grandchildren have lost a loving family member as well. I know that the whole House will join me in extending our condolences to his family and our thanks for his great service to this country. I hope that all Members will join me in supporting House Resolution 423 honoring, recognizing, and expressing our gratitude for the distinguished service, career, and achievements of Chief Justice William H. Rehnquist.

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

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

Mr. Speaker, today I rise to celebrate the life of Chief Justice Rehnquist. Justice Rehnquist was devoted to the highest Court of the land and, more broadly, to our system of justice; and throughout his long tenure, he served them both admirably. During his 33 years on the Court, 19 of which were as Chief Justice, he chartered a definitive path which reflected his philosophy and left an unquestionable impact on the direction of the Court.

In his early years on the Court, at a time when his approach to constitutional interpretation often was not shared by a majority on the Court, Justice Rehnquist stuck closely to his principles, earning him the moniker ''The Lone Ranger.'' Over time, he was joined by other Justices who shared his ideology, and he was able to craft majorities that moved the Court towards adopting his vision of the law. To his great credit, when faced with a conflict between his own strongly held position and the dictates of stare decisis, as happened with recent efforts to limit the Miranda decision, he frequently sided with precedent.

While it is fair to say that over the years on decisions which have split the Court, I have probably disagreed with Chief Justice Rehnquist's opinions more often than I have agreed with them; however, I have admired many of his efforts to protect the independence of the judiciary and his willingness to criticize his own party.

Chief Justice Rehnquist often stated his discomfort with Congress encroaching on a court's prerogative in an attempt to guard judicial independence. He lashed out at those attempting to impeach judicial activists and threaten judges for rulings they did not like. ''The Constitution protects judicial independence not to benefit judges but to promote the rule of law. Judges are expected to administer the law fairly, without regard to public reaction,'' he once said.

Chief Justice William H. Rehnquist also criticized Congress for repeatedly enacting Federal criminal laws that overlap State laws. The States have the primary role in the area of crime and law enforcement, he said in his annual message on the judiciary, and Congress needs to think twice before turning ''every highly publicized societal ill or sensational crime'' into a new Federal law. ''The trend to federalize crimes that traditionally have been handled in State courts not only is taxing the judiciary's resources,'' he said, ''but it also threatens to change entirely the nature of the Federal system. Federal courts were not created to adjudicate local crimes, no matter how sensational or heinous the crimes may be. State courts do, can, and should handle such problems.''

The impact of Congress having relegated more complex and time-consuming cases appropriate for State court adjudication to Federal jurisdiction, such as Congress did with class action reform, warranted Rehnquist's rebuke: ''Congress should commit itself to conserving the Federal courts as a distinctive judicial forum of limited jurisdiction in our system of federalism. Civil and criminal jurisdiction should be assigned to the Federal courts only to further clearly define national interests, leaving to the State courts the responsibility for adjudicating all other matters. This long-range plan for Federal courts is based not simply on the preferences of Federal judges but on the traditional principle of federalism that has guided this country throughout its existence.''

As noted by the New York Times, Chief Justice Rehnquist was also duly critical of hastily enacted limitations on judicial sentencing decisions and the potential damage that compiling information on the sentencing habits of individual judges could do to fair and impartial justice. Chief Justice Rehnquist plainly saw his role as defender in chief of the Nation's independent court system, which he famously called ''one of the crown jewels of our system of government.''

His often practical approach to immeasurably weighty responsibility of having one out of nine votes on the most powerful Court in the country reflected his devotion and respect for the institution of the Supreme Court and its effect on the lives of all Americans. Nowhere did Justice Rehnquist's love for the Court shine through more than in his numerous books on Supreme Court history and lore.

Chief Justice Rehnquist also displayed considerable skill in managing an often divided Court. His colleagues have spoken of his deft ability, good humor, and impartiality as he led the Court through landmark cases. On top of this, he served for nearly 2 decades as the chief judicial officer of the Nation's Federal court system, constantly advocating for the resources needed to improve the courts' mission of delivering evenhanded justice throughout the Nation.

I would commend to my colleagues the op-ed piece in the New York Times yesterday by Laurence Tribe, a frequent litigator in the Supreme Court who argued many, many cases, who speaks of Chief Justice Rehnquist's career there and finds many, many reasons to praise and admire him. He closes his article urging that as the Senate now considers the confirmation

of a new Chief Justice, they look to one of the issues that he felt Chief Justice Rehnquist so ably stood for and that is the ability of new Justices to help the Court earn the respect of all who take part in its proceedings or are affected by its rulings, which means everyone. ''Chief Justice Rehnquist,'' Professor Tribe noted, ''was a master at that mission. For that, and for the steadiness of his leadership, I will always remember him with profound gratitude and admiration.''

We are all saddened by the loss of Chief Justice William Rehnquist. As we mourn his death, regardless of our political differences, we must remember how he selflessly gave to the Court and the Nation. His work is an important legacy that impacts every American's life and will shape the lives of future generations. I join the Nation in applauding his accomplishments, and I express my sympathy for our collective loss.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. Mr. Speaker, not unlike the gentleman from Wisconsin, I also appeared at the Supreme Court on 9/11 to address the judicial conference. Just as I approached the podium, the Chief Justice handed me a note which read: ''The Pentagon has been bombed.'' I thought perhaps they did not know about the World Trade Center because they had been in session the entire morning, and I said, ''No, Chief, it's the World Trade Center.'' He said, ''No, Howard, it's the Pentagon here.'' My staff, Mr. Speaker, admonishes me to this day for not having retained that piece of paper. It would have been a nice personal memento. Each time I saw the Chief after that, he or I mentioned that exchange between us.

Not unlike the gentleman from Wisconsin, I did not know the Chief that intimately, but I am very high on him. I think he was an outstanding Chief Justice. Each time I saw him, he or I mentioned that exchange between us on 9/11.

If I could describe him very briefly, I would say a man blessed with supreme intellect; a warm, cordial demeanor; an outstanding Chief Justice; an outstanding jurist; an outstanding citizen; an outstanding gentleman. He will indeed be missed. I join with my colleagues in extending our sincere condolences to the family of this great man.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. CHABOT), the chairman of the Subcommittee on the Constitution.

Mr. CHABOT. Mr. Speaker, as chairman of the Constitution Subcommittee of the Judiciary Committee, I want to take this opportunity to honor the late Supreme Court Justice William Hubbs Rehnquist. Our country was privileged to have Justice Rehnquist serve as a member of our Supreme Court for 33 years, the last 18 years, as we know, as Chief Justice. Once considered the maverick lone star justice for his solo dissents, he eventually led a majority which perhaps most importantly favored a shift in power from Washington back to the States where it belongs.

Among other challenges he met during his tenure, Chief Justice Rehnquist presided over the impeachment trial of a President, President Clinton. Having served as one of the House managers myself, I can say that he did so with an evenhanded approach, showing fairness and dignity to both sides. Also, notably, he was the last member of the Court who voted on the landmark case of Roe v. Wade, dissenting from that ruling that legalized abortion. I will always appreciate his respect for the value of human life and his commitment to this body and local government's making decisions to protect life, such as the ban on partial-birth abortion.

Through his opinions, the Chief Justice showed that an active Court could uphold conservative policy through judicial restraint. As we begin the process of finding a replacement for Justice Rehnquist, I hope that we will remember the important impact of his presence on the Court and his commitment to upholding the text and history of the Constitution.

His strength and dedication to our country could be seen most recently when he fulfilled his duties of swearing in our 43rd President for the second time while battling terminal thyroid cancer. Let us remember this, I believe, historic Chief Justice for his love of the law and his love for his country. Our thoughts and prayers are with his family on this day.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, Chief Justice Rehnquist was a man of great intellect on a Court that is saturated with great intellect. He was also a man of vast common sense. Unfortunately, common sense was not so well and evenly distributed on the Court. Nonetheless, as a gentle man, a man of class, a man of integrity, he brought great wisdom and great honor to the Court. As a former prosecutor, a former district judge, a former chief justice of an appellate court in Texas, I watched his actions, I read his opinions and appreciated his great intellectual honesty and appreciation for the Constitution. He was a rare man, a man that brought great honor upon the Court, upon this country, and upon the Constitution. He will be sorely missed. It is with great respect that we extend our sympathy and our sincere best wishes and our prayers to the family and those closest to the Chief Justice. We all mourn the loss of a very great American.

Ms. PELOSI. Mr. Speaker, I join all of my colleagues in expressing our deepest condolences to the family of Chief Justice William H. Rehnquist. I mourn his loss, and I thank the gentleman from Wisconsin, Mr. SENSENBRENNER, and the gentleman from Michigan, Mr. CONYERS, for introducing this resolution.

I had the privilege yesterday of paying my respects to the Chief Justice as he lay in repose at the Great Hall. As I prayed, I thought of the great courage he displayed in the last few months, and his devotion to duty, even in the face of illness.

As a Nation, today we honor his memory and a lifetime of dedicated public service. Chief Justice Rehnquist was a man of great intellect and passion for the Supreme Court and its traditions, who was an outstanding leader and administrator of the judiciary. He was not only a student of history, an author of books on American history, but he also wrote chapters in our Nation's history as Chief Justice.

As a law clerk to a great Justice, Robert Jackson, he formed an early appreciation for the institution that he would serve in a long and distinguished career. As Justice John Paul Stevens noted, Chief Justice Rehnquist set an exemplary example as leader of the Court. His colleagues uniformly spoke of his fair and impartial leadership of their proceedings, and of his efforts to prevent disagreements from becoming personal.

His legacy is his steadfast and proud defense of an independent judiciary. As Justice Ruth Bader Ginsburg said on Sunday: ''He regarded an independent judiciary as our country's hallmark and pride, and in his annual reports, he constantly urged Congress to safeguard that independence.''

I hope all of us in Congress will honor his legacy by preserving an independent judiciary. It is our oath of office to protect and defend the Constitution of the United States—and that means protecting an independent judiciary free of manipulation and intimidation.

As the New York Times noted this morning, Chief Justice Rehnquist disapproved of recent Congressional attempts to ''intimidate individual judges, strip federal courts of jurisdiction to decide certain constitutional challenges, and otherwise undermine the constitutional separation of powers and checks and balances.'' In his last annual report, the Chief Justice wrote that ''A judge's judicial acts may not serve as a basis for impeachment. Any other rule would destroy judicial independence.''

An independent judiciary has served for more than two centuries as the guardian of our constitutional liberties and as the words on the Supreme Court building so nobly state, has ensured ''equal justice under law.'' We must preserve an independent judiciary and honor his memory by doing so.

It is with sadness and respect that I extend my sympathies to Chief Justice Rehnquist's family and friends. I hope it is a comfort that so many people are praying for them at this sad time. He will long be remembered and missed.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today to pay tribute to one of the most influential jurists of the 20th Century, Chief Justice William H. Rehnquist, the 16th Chief Justice of the United States upon his passing on the evening of Saturday, September 3, 2005.

First appointed to the Supreme Court as an Associate Justice by President Richard Nixon in 1972, Rehnquist would go on to serve for 33 years, the final 19 of which as Chief Justice. During his time on the Court, Rehnquist

earned the reputation as a conservative intellectual who would challenge the status quo in the name of judicial restraint and federalism principles. He respected the Court's role as an independent body whose role was not to legislate subjectively on the issues of the day; but rather, to serve as the objective arbiter of the rule of law.

Notwithstanding the politically charged nature of the Court during the latter half of the 20th Century, Rehnquist was very well liked and respected by all his colleagues, even those with whom he frequently disagreed. In fact, Justice John Paul Stevens, the Justice with whom Rehnquist most frequently disagreed, commented on "the efficiency, good humor and absolute impartiality that [Rehnquist had] consistently displayed when presiding at [Supreme Court] Conferences." This ability to work closely with all of his colleagues was a testament to Chief Justice Rehnquist's affability, professionalism and evenhandedness.

Not only will Chief Justice William H. Rehnquist be missed as a jurist, he will also be missed as a loving family man. Though his wife preceded him in death, he is survived by three wonderful children to whom he no doubt passed his strong work ethic, patriotism, and deep and abiding respect for our American institutions.

In closing Mr. Speaker, please let me extend my condolences to Chief Justice Rehnquist's family and friends on their loss. He was a great American and will be missed by us all.

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

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

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to the order of the House of today, the resolution is considered read and the previous question is ordered.

The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1045

EXPRESSING CONDOLENCES OF NATION TO VICTIMS OF HURRICANE KATRINA

Mr. BOUSTANY. Mr. Speaker, I ask unanimous consent that it shall be in order at any time to consider in the House the resolution (H. Res. 425); the resolution shall be considered as read; the previous question shall be considered as ordered on the resolution to its adoption without intervening motion or demand for division of the question except: (1) 1 hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure; and (2) one motion to recommit.

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

There was no objection.

Mr. BOUSTANY. Mr. Speaker, pursuant to the order of the House of today, I call up the resolution (H. Res. 425) expressing the condolences of the Nation to the victims of Hurricane Katrina, commending the resiliency of the people of the States of Louisiana, Mississippi, and Alabama, and committing to stand by them in the relief and recovery efforts, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The text of H. Res. 425 is as follows:

H. RES 425

Whereas, on August 28, 2005, Hurricane Katrina reached landfall devastating the Gulf Coast states;

Whereas there has yet to be a full accounting for all our citizens whose lives were tragically lost;

Whereas the cost in human suffering is ongoing for hundreds of thousands of people who have lost loved ones, homes, and livelihoods;

Whereas immediate humanitarian aid is still critically needed in many of the devastated regions;

Whereas the devastation on the Gulf Coast of Mississippi, Louisiana, and Alabama is catastrophic;

Whereas the City of New Orleans is tragically flooded and the surrounding communities of St. Bernard and Plaquemines parishes are devastated;

Whereas every city on the Mississippi Gulf Coast is severely damaged or destroyed, including Waveland, Bay St. Louis, Pass Christian, Long Beach, Gulfport, Biloxi, Ocean Springs, Moss Point, and Pascagoula;

Whereas the States of Florida, Texas, and Georgia also sustained damage;

Whereas Coast Guard search and rescue teams, police, firefighters, the National Guard, and many ordinary citizens have risked their lives to save others;

Whereas doctors, nurses, and medical personnel worked expeditiously to ensure that hospitals, medical centers, and triage units provided needed care;

Whereas the American Red Cross, the Salvation Army, and other volunteer organizations and charities are supplying hurricane victims with food, water, and shelter;

Whereas the State of Texas and numerous other States have welcomed tens of thousands of victims from Louisiana and provided them with aid and comfort;

Whereas the Army Corps of Engineers has worked to reinforce levees in Louisiana; and

Whereas thousands of volunteers and government employees from across the Nation have committed time and resources to help with recovery efforts: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses the condolences of the Nation to the victims of Hurricane Katrina;

(2) commends the resiliency and courage of the people of the States of Louisiana, Mississippi, and Alabama; and

(3) commits to provide the necessary resources and to stand by the people of the States of Louisiana, Mississippi, and Alabama in the relief, recovery, and rebuilding efforts.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the gentleman from Louisiana (Mr. BOUSTANY) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 30 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. BOUSTANY).

GENERAL LEAVE

Mr. BOUSTANY. 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. 425.

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

There was no objection.

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

Mr. Speaker, the House of Representatives expresses the condolences of the Nation to the victims of Hurricane Katrina, and this resolution expresses those condolences. It commends the resiliency and courage of the people of the States of Mississippi, Louisiana, and Alabama, and it commits to provide the necessary resources and to stand by the people of the States of Mississippi, Louisiana, and Alabama in the relief, recovery, and rebuilding efforts.

Mr. Speaker, the Senate approved a similar resolution last night, and bipartisan support for recognizing the work of first responders and to express congressional concern for those displaced by the hurricane and those who died is in order. My district, the Seventh Congressional District of Louisiana, did not suffer significant damage from Hurricane Katrina, but we face enormous challenges of sheltering and supporting the numerous evacuees now in my district. The rest of our State down in the New Orleans area and south, in Plaquemines Parish and St. Bernard Parish were devastated.

Mr. Speaker, we are up to the challenge. In my district, in Lake Charles, there are an estimated 25,000 evacuees, and in Lafayette, my hometown, there are an estimated 40,000 evacuees. Official tallies are much lower because many had family or friends to stay with or had funds to pay for hotel rooms, but this is going to be temporary. Almost all available housing has been rented or bought. Schools are preparing to accept thousands of new students. In fact, we are already currently enrolling many of these students.

State and local officials are concerned about being able to support evacuees for the long months of recovery. Local community organizations are stepping up to help, but have limited resources. The evacuation process continues. Much media attention has been on New Orleans, but there are other areas of Louisiana that remain under 10 feet of water or more. A number of communities in the Third District of Louisiana, represented by the gentleman from Louisiana (Mr. MELANCON), have been completely destroyed. Entire towns in Mississippi have been destroyed. There are residents of these communities still waiting for aid, food, water, and health supplies.

The recovery process will be long and expensive. The Federal Government must continue to step in and bring its resources to bear in this effort.

Mr. Speaker, the visual images have been heartbreaking, and I have seen

the damage with my own eyes. I have spoken to the many victims who have been affected, and the human stories are unfathomable to hear. And, like many, I am frustrated with the delay and the bureaucracy that has interfered with getting relief and supplies to our evacuees. But this is not the time to point fingers; this is not the time for blame.

There is an enormous amount of work that still needs to be done and done in a bipartisan manner. Accountability will come, and I know Congress will look into the disaster.

I urge my colleagues to rise above the vicious rhetoric that does not provide the thousands of children in my district with school supplies or uniforms, or does not provide displaced small businesses with the help to get back on their feet, or does not provide opportunities for families to reunite or housing for seniors with care or comfort.

Mr. Speaker, this is going to take time. It is going to take a monumental effort. We must pull together to accomplish all of this.

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

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

Mr. Speaker, I appreciate the work of the gentleman from Louisiana (Mr. BOUSTANY) in coming forward with this bipartisan resolution.

I am going to offer some formal remarks, and then I am going to say a word further about the irony of my managing this bill this morning.

Mr. Speaker, 10 days ago Hurricane Katrina slammed into America's gulf coast. The aftermath of the hurricane has prompted one of the largest response mobilizations in United States history. At the very core of all the relief effort is the overwhelming concern we all have for our fellow Americans, ordinary citizens who have become victims of this vast, unprecedented devastation.

Thousands of local State and Federal workers and volunteers are engaged in life-saving activities. Life-sustaining activities, supported by virtually all national charities, are spreading across all parts of the United States. Sheltering and housing initiatives so vital to the well-being of the victims have been activated all across the country. These efforts are aimed at providing some measure of efforts and relief to the tens of thousands of displaced Americans, many who survived with merely the clothes on their backs.

It is with a heavy heart, but with a deep sense of hope for a better future that I join all of my colleagues today in expressing my deep sense of sorrow and the condolences of the Nation to all the victims of Hurricane Katrina. I commend the resilience of all who have survived and all who are helping them to survive and am awed by their enduring vision for a better future.

For the present, I will work to fulfill our Nation's commitment to each victim that all the necessary resources and the might of the country will be used to relieve their suffering and to provide the resources they need for the brighter future characteristic of our country.

Mr. Speaker, I say the irony is, I was at an opening of an employment and training center for SOME, So Others Might Eat, and commenting there on the irony of the opening of that employment and training center at a time when just yesterday I had gone to Dulles Airport to retrieve 300 evacuees from a plane, who now reside in the Armory just a few blocks from here. And I said the symbolism of this center opening now is not lost on me, and the first moment I have to tell my colleagues about the symmetry between the opening of this center and the evacuees here, I am going to do it. Then I got a phone call saying we need someone to manage the bill expressing our condolences as a Nation and our resolve for the victims on the gulf coast.

Mr. Speaker, as I left this center, this new center where I had indicated that here in D.C. is doing very well, but certainly the poorest part of the region, surrounded by very rich counties, I was proud of my city because we had seen the need and said, Come here even though there are many unemployed here.

The man who runs this new SOME center said, We are quickly filling the 60 slots; we have 20 slots left. I am on the other side of the Anacostia in Ward 7, and Wards 7 and 8 are the high unemployment wards. So if there are only 60 slots, there are 60 times 60 people in Ward 7 alone that need it. And so he said, I think we ought to give the slots to the people who got off the plane yesterday. And I said, What a wonderful contribution that would be. We all have to find a contribution to make, and for you to contribute 20 of 60 slots from the highest unemployment pool in the city is to make the kind of sacrifice our country needs to be prepared to make now. And that is the kind of sacrifice we are seeing all over the country.

I want to say that in this House we have got to ask ourselves, what sacrifice are we prepared to make? We have assumed the best of all possible worlds, but what we cannot control is always possible and what we cannot control has happened.

I hope that in the coming weeks, as we finish the session, we will remember that it is time for us to make sacrifices. Already the Senate appears to say it is not going to bring forward the permanent repeal of the estate tax. If it took a tragedy to do it, then it has been done. The mega-rich will not get richer this time around. I just think in the spirit of trying to figure out how we can go home and say this is something we did that we would not otherwise have done but for Katrina is what we need to say.

Of course, we will go home and talk about the $20 billion and now the $40 billion. That, of course, is mandatory. That is what we are here for. The real issue for me is, what is it that we wanted to do, talking to both sides of the aisle, that we now forswear, that we now say, in the name of the greatest natural tragedy in memory, we decide that we will not do that that we most wanted to do.

Some of us wanted to do spending on some things. Some of us may want to do a little more tax cutting, but it is time for us to become introspective about being visited with the most massive natural tragedy of our time.

My heart is with the people of Mississippi, Alabama, Louisiana, and the entire gulf coast. That is true of America generally. But as people take in people in their own homes, as people send money, we have to ask ourselves, what will we do, what will we say is the sacrifice we as Members of Congress have made as a body when we go home next week?

□ 1100

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

Mr. BOUSTANY. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Pennsylvania (Mr. SHUSTER), who is the distinguished subcommittee chairman of the Subcommittee on Economic Development, Public Buildings and Emergency Management on the Committee on Transportation and Infrastructure.

Mr. SHUSTER. Mr. Speaker, I thank my good friend from Louisiana for yielding this time.

I join my colleagues today to convey to the people of the gulf coast a very simple message: you are not alone.

Time and again, this Nation has banded together to overcome terrible challenges it has faced, and we will do so again to overcome the challenge that is Hurricane Katrina. I, like most all of my colleagues, have been inundated with phone calls from constituents offering their support and assistance to those in need during this terrible time; and at present, we are working through the gentleman from Louisiana's (Mr. BOUSTANY) office to get those resources from Pennsylvania down to Louisiana and the gulf coast.

The people of the gulf coast need to know also that we in Congress will do whatever it takes to help them overcome this difficult time; and more importantly, we will be there in the long run to help them recover.

Recovery from this disaster will require not just the pumping of flood water and rebuilding of homes and businesses, the reconstruction of utilities, water and sewer, roads, levees and countless other activities. Recovery will also require the restoration of civic, educational, and social institutions. We will be with you during this process as well.

We will spend whatever it takes, implement any changes that are needed, and maintain rigorous oversight to ensure the process works well.

As the chairman of the subcommittee with jurisdiction over FEMA, I wanted to also urge my colleagues to show restraint in making judgments about the response until all of the facts can be gathered. All of the facts need to be gathered, not just what we hear as the sound bite on the TV today.

This disaster is quite simply the largest humanitarian challenge the Nation has faced on its own shores. The hurricane devastated hundreds of miles of shoreline, disrupted power, water, energy sources in all of the gulf States, and displaced hundreds of thousands of people. There are just no parallels in size, scope, or impact to what has happened.

Now is the time for helping people get the food, water, and medical attention that they need. Now is the time to begin looking forward to how we will help the people of the gulf States recover and return to their homes and places of business. Now is not the time to point fingers or cast blame or, even worse, to call for the removal of key officials, especially since the response and relief effort is still ongoing.

There will be plenty of time in the coming weeks and months to evaluate what happened in the days leading up to and during the storm, to meet with responsible officials, to go over who did what and when, and, if necessary, to make policy and legislative changes. It is both unseemly and inappropriate to try and do so now, while we do not have all the facts.

I again want to express my sincere condolences to the families of those that have lost loved ones and pledge my support and the support of my constituents to do whatever is necessary to overcome this terrible challenge.

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

I agree with the gentleman that we are not in an atmosphere where we can properly evaluate and investigate what has happened here. I do think it important to note that the only way to avoid making mistakes is to look at the mistakes we have made.

I do want to say this for the record. It took us a very long time to get bipartisan support for a 9/11 Commission. Is anybody in this body sorry? What would have happened if history had looked back and said there was no independent commission that looked into 9/11?

In this same way, this natural disaster is the functional equivalent of 9/11 for natural disasters. We need an independent commission to do the kind of job that the 9/11 Commission did, and I think a fair reading of that report is not that it pointed fingers at anybody, but that it did advise what it is we should do.

We should quickly get about the business of appointing a commission equal to the task of doing a credible, unbiased, independent investigation in the name of the people of the gulf coast who have suffered and in the name of the people of the United States of America.

Mr. Speaker, I am pleased to yield 4 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I want to thank the distinguished gentleman from Louisiana for his leadership, and of course, express our sympathy and concern for the people of Louisiana, Mississippi and Alabama; and I think the Congresswoman is an example of the outpouring of concern across the Nation, having received just recently a number of evacuees, survivors, into Washington, D.C. It is good to know that even people without votes can open their hearts and minds to this great and powerful, horrific incident that has occurred, a tragedy in our lives.

Let me first of all say to the members the families, those survivors, evacuees, and those who have lost loved ones, we are, in fact, our brothers' and sisters' keepers; and through the last 5 days I have been reminded more of the Good Samaritan parable in the Bible than at any other time in my life. We can say that Americans have certainly been the Good Samaritans, but I do want to take this time to acknowledge Houstonians and the people of Texas.

There has been such an outpouring of effort, volunteers coming from every walk of life, the mustering together of resources through the county, county judges and the mayor of the city of Houston. The pictures may not have been as pretty as we would have liked, but the immediate response of the Astrodome and the immediate response of the coming together of elected persons and now a facility in my congressional district, the George R. Brown Convention Center; and the thought that went into organizing this process was overwhelming. The local responding to the crying out of people who, as I walked through those aisles of cots and humanity, babies and elderly and the sickly and the strong, each and every one had a thank you on their lips and said that they still had hope.

As they lay there, to each of them I asked the question, were you in water? I could not imagine a 1-month-old or twins who were 1 month old or toddlers or 9-year-olds or amputees who had been in water, but each one had a sense of hope.

So to Houston, I want to give, if I could, the enormous gratitude of the American people because you had willing hands, and I might want to acknowledge that the pastors of that community, the religious community of all different faiths, they are on their job. Anyone who is asking the question where are the pastors, where are the religious leaders, they are there. We are hoping they will continue to be there at the will of the people, going in and nurturing and counseling and worshipping as they desire, not putting it on them, but as they desire. I encourage my community to allow all of the pastors into the areas where the people are desirous of them to come, but might I, as I offer sympathy, offer these points of concern.

We have to have policies today emphasizing the reunification of families, and it is necessary in the emergency supplemental to have the technology that will unite all of the shelters across America so that families can be reunited. I look forward to working on that language that gives the technology and underwrites that cost for local communities.

FEMA has to get more personnel on the ground. We cannot do it with 11 or 20. We must hire local officials, local people, and hire the victims or survivors. They can do it, and train the survivors to do the work that FEMA needs, the intake work, the counseling work or getting the information. We need to declare the area in this impact area a health crisis because we found E. coli. We have got to declare it a health crisis.

We need assistance with law enforcement, and the children have got to have special emphasis, language in the emergency supplemental, that deals with the plight of children not getting the education, health care, not because it is a desire, but we need the capacity.

Finally, might I say we are, in fact, our brothers' and sisters' keepers. We are the Good Samaritans, not by words but by deeds. An inquiry of commission is not finger-pointing; it is fact-finding so that America knows that the safety net of the Federal Government will never leave her abandoned. That is the crux of my advocacy and legislation on the inquiry; it is that America will never abandon her people.

God bless all of those who are now surviving, and God bless those who have lost their loved ones.

Mr. BOUSTANY. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. GOHMERT). The State of Texas has been very, very generous in helping out, reaching out to evacuees.

Mr. GOHMERT. Mr. Speaker, I thank the gentleman from Louisiana, a dear friend, for the time.

We have made a lot of new, dear friends in past days. There have been hundreds and thousands of people that have come through our east Texas area, and it has been a real privilege and honor to witness and to reach out to those folks that are staying in centers all over east Texas.

As my colleague, the gentlewoman from Houston, indicated, they have many tens of thousands in Houston; but it has been an amazing thing to watch. I have seen people on the networks, I have seen leaders in various positions accuse others of being racist in the handling of this matter. And I am telling my colleagues what: anybody that says that there is racist activity needs to come to east Texas because there Martin Luther King, Jr., I think, would be proud to see his dream taking effect, where people are judged not by the color of their skin but by the content of their character, and even one step further, beyond even character, by the depth of the pain and the hurt they are experiencing.

There are people, whites, blacks, Hispanics, different races, that have come together and embraced physically, literally, figuratively. The people all over that I have witnessed firsthand have opened their arms. They have opened their hearts. They have opened their wallets and become as one people, getting through this tragedy.

Abraham Lincoln is attributed to have said, Those who look for the good in man will surely find it. It is true. If we look for the good through this tragedy, we find incredible stories and testimonies of the goodness of man, of the hope that springs eternal in the human breast. They are all over the southern area of America as it is responding to this tragedy, and the hope continues.

I was continually asked by people who have come, many of them from New Orleans, most of them from southern Louisiana in our district, do you think we will ever rebuild? I am telling my colleagues, there will be a rebuilding. New Orleans, southern Louisiana, southern Mississippi, southern Alabama will rise again and be a testimony to the strength of character and the depth of compassion that exists in this country.

Our hearts and our prayers go out to those who have lost loved ones, who are continually reaching out trying to find their loved ones. We continue to help. The gentlewoman from Texas had a good idea, but our prayers and our efforts and our money will go to help those people.

Ms. NORTON. Mr. Speaker, I yield 4 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 resolution.

The devastation of Hurricane Katrina has presented us with an unprecedented opportunity to focus the spotlight of public attention and political concern on not just doing the best job possible for the victims of this tragic storm but make it less likely that others suffer needlessly in the future. I think that this is the best way to honor the memory of the thousands who have died and respect the losses of tens of thousands more who are living.

I agree that the last thing we need to do is to jump to conclusions or be satisfied by drawing up a list of suspects responsible for what went wrong. There will be plenty of time to do this as the sad tragedy continues to unfold; but after having been in Congress for a decade, the greatest danger now I fear on the floor of the House is that we, under the pressure, will adopt a quick fix so that Congress looks like it is doing something.

□ 1115

While we focus relentlessly on rescue and relief, it is not too early to think about how to make sure that not only the residents of the Gulf of Mexico States are better off in the long run, but that all Americans are safer and more secure.

What is frustrating for me is not that this was just so obvious. I am tempted to ask how any official could assert the failure of the levees was unforeseen. Steps could have been taken to moderate the losses. I truly believe that thousands of people were killed, injured or lost their homes unnecessarily, and we must assure that it never happens again.

As Members of Congress, we are all concerned about the administration's well-publicized problems with performance, but I also know that long-term security must also start with State and local governments who must pay careful attention to making sure that people are not put in harm's way in the first instance. Businesses and individuals are going to have to share responsibility for their actions and their policies.

I am also concerned that we here in Congress acknowledge our responsibilities, because ultimately they are our budgets. We establish the Corps of Engineers' project list. We are the ones who put FEMA into the Department of Homeland Security. It is important for us to draw the right lessons from this situation. The rushed reaction to 9/11 put FEMA in a flawed Department of Homeland Security, which haunts us today and contributed to the misery of Katrina's victims.

We should establish fundamental principles from the outset that guide reconstruction. One critical overarching principle which is obvious, but sadly has not been practiced in the past, is that there should be no Federal investment that merely puts people back in harm's way and leaves the environment the same or worse than before. Our investments and our actions must leave people and the environment better than it was before. We must make a commitment for what we do in metropolitan New Orleans and indeed throughout the tri-State region of devastation to be a model about how to do it right. We must use this specific opportunity on a broad level to do the planning correctly.

As someone who has been working on these issues since long before coming to Congress, I look forward to working with all my colleagues, for we must come forward with our suggestions to advance the serious discussions and highlight the critical elements that must be included in any final plan. We must, at the end of the day, make sure that these communities are more livable and that all these families, indeed all American families, are safer, healthier, and more economically secure.

Mr. BOUSTANY. Mr. Speaker, I am now pleased to yield 5 minutes to the distinguished gentleman from Louisiana (Mr. BAKER), my colleague and friend who has been involved in the relief efforts.

Mr. BAKER. Mr. Speaker, I thank the gentleman and doctor, for yielding me this time, and I want to express my appreciation to him for his leadership in bringing this matter to the House's attention this morning.

And to the Chair and to Members I wish to express deep appreciation. I see my good friend, the gentleman from Louisiana (Mr. JEFFERSON), here this morning, whose district has been so adversely affected. I want to express to the Members of the House and to the Senate our appreciation for the extraordinary generosity, concern, and love that has been expressed in these preceding days.

To all Americans who have given of themselves, their time, their financial resources, their assets, it is an extraordinary thing to be on the end of people's generosity in a time of crisis, and it is a bit overwhelming. I can tell you that every dollar sent will be utilized for the highest and best purpose, that every bottle of water, every asset they choose to give us is indeed warranted and justified; and we are only in the early days of our difficulty.

I am told that there are areas in New Orleans where water may not yet be completely moved for another 80 days. So the stories will continue to unfold a day at a time, a week at a time, as the scope of this tragedy becomes fully appreciated.

To my fellow congressmen, the gentleman from South Louisiana (Mr. MELANCON), whose St. Bernard Parish is at the moment 10 feet under water; to the gentleman from Mississippi (Mr. TAYLOR), who has lost his personal residence and all his congressional capabilities; to his staff, who have also lost their personal assets; and to Senator LOTT, who lost his home, which had stood for 151 years on the coast of Mississippi and endured the 200 mile-an-hour wrath of Hurricane Camille in 1969 and had no expectation that this storm would bring the consequences it brought.

On Sunday morning, before the storm's arrival on the following Monday, we heard this from the media: The storm has been downgraded from a Category 5 to a Category 4. It has now moved on an eastward track and will likely miss the city of New Orleans, and the evacuation has proceeded in an orderly and efficient manner. People are leaving in record numbers.

All of those predictions and observations were accurate. The storm missed New Orleans. It destroyed Mississippi. What we are now seeing is the aftermath of a levee failure. And with all due respect to those who have seen flood waters come and go for many decades, no one could predict the breach of those levees. No one expected it to occur. And the devastation that occurred was amplified by people who had stayed in their homes, survived 140-mile-an-hour winds, endured the passage of a 12-hour storm, saw the sun come out and the skies clear and think, we have made it. Within 20 minutes of a phone call to a New Orleans resident who was in one of those houses that survived, he had 3 feet of water in his home. He could not even grab resources

to get out quick enough. The water rose to 10 feet. Those in single-story structures were in great peril.

The magnitude of this tragedy cannot be explained in mere words. It is 90,000 square miles of devastation, and will more than double the cost of 9/11 to American citizens. The remedy is to get resources to people, get the lights on and let us go back to work.

There is corn and grain from the Midwest. Harvest season starts in 3 weeks. Sixty percent of that product goes through the Port of Orleans to the rest of the world. That has real economic implications for this Nation. Our petroleum industry needs to get back to work. Our port needs to get opened so dock workers can have jobs.

We can build ourselves back. We want to go to work. We need tolerance and patience and hope. We do not need recriminations and accusations today. The terrible scope of this tragedy is going to extend for 3 more months. There will be lots of time next year to decide who was at fault and what did not happen when it occurred.

I will tell you this: I am so appreciative to the President and the National Guard. My word, the personal effort these guys and ladies have put into their effort is just beyond comprehension. Many Louisianans, law enforcement, got in boats day and night to pull people out.

Everybody who has been touched by this wants the same thing: We want personal suffering to go away. We want lives to be restored and to go forward. Nobody got up and said, I am going to flip the switch off on the phones. No one said, I am not going if people need me.

The National Guard had to chain-saw their way from north Mississippi after the storm occurred to the coastal areas to get help in, and then we had the incredible event of people firing on their rescuers. This is unheard of. We then mobilized 7,500 National Guard. In any case, anywhere, any time, it takes 2 days to do that. It took 2 days to do it this time. Help is now on the ground. We have got a long way to go, but circumstances are better now than ever before.

Let me close and say, thank you, just a deep heartfelt thanks to America and thanks to this Congress. You guys are great, and we cannot make it without you.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume to comment that I appreciate what the gentleman has just said about how much of this was unpredictable. There is no question that that is the case.

But, for the record, it must be said that the levee was built to withstand a Category 3 storm. So the Corps of Engineers has been saying, yelling for decades that no one can say we will not ever surpass a Category 3 storm. People will tell you in Louisiana that they have been talking about dodging the bullet for decades because they did not go above Category 3.

I hope that when we repair the damage, and it will take billions more than we can imagine now, that we will do what we say we are going to do for the possibility of terrorism, that is to say, prepare for the worst-case scenario, not the case scenario that we wish for. And the worst-case scenario is finally what Louisiana got.

Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, I thank the gentlewoman from the District of Columbia (Ms. NORTON) for yielding me this time and this opportunity.

It is appropriate that we recognize, as this resolution does, the courage of those who have risked their lives to save lives in the gulf coast tragedy. It is appropriate, as this resolution does, that we offer condolences for those who have suffered such great loss. It is appropriate that we do these things. I would suggest that there is another way that this House can extend itself in an appropriate fashion to offer further condolences and consolation.

We can console the people of the gulf coast with a plan for complete recovery, a new national recovery act, if you will, in that we can console the people of the gulf coast region with food, with shelter, with clothing and with health care. We need the Center for Disease Control to be tasked immediately with the responsibility of making sure that conditions that could create cholera or typhoid are met with the full resources of our government, and that we control any conditions that could create an outbreak of disease that would be even more devastating than the conditions we find right now.

We can console the people of the gulf coast with complete efforts to reconnect families. We have heard over and over again how families have been broken up. We have heard over and over again how people are desperately searching for loved ones. Only our Federal Government can be involved effectively in helping to bring about the reuniting of families.

We can use our resources and effectively console people with complete rebuilding of the infrastructure. We know and we have heard many stories of how there were many plans to repair the infrastructure or to shore it up so that people would be spared the devastation that occurred. We need to move forward from this point and commit ourselves to seeing the infrastructure and flood control programs brought forward, and also to make sure that all of the structures that have been destroyed that are public structures are rebuilt.

We can console the people of the States who have been affected by this tragedy by helping to lift people out of poverty, to make sure that the jobs that are created are jobs that are created for people who live in the area, to make sure that people are paid a living wage. The whole Nation saw the images of poverty reflected in the rising flood waters, but what we need to also show reflected is action from this Congress that would provide appropriate consolation for those who are mired in poverty.

We need to provide the resources that will rebuild the cities, that will provide jobs, and then we also can expect the cities to have responsibility then. One of the cruelest assertions that is occurring right now is certain Federal officials maintaining that local communities had the first responsibility in this regard. That is just not true. The Federal Government surely could have foreseen and taken action.

Well, now we can foresee the action that must be taken to rebuild communities. We can console the people with the health care system that would be expanded through Medicare so that people can not only receive the long-term care they are going to need but also the immediate short-term care that is vital to their survival.

□ 1130

We can console the people by providing appropriate environmental protections. Now we see the stories of pollution that was in New Orleans being pumped back into sources that are not polluted. We need to look at available technologies that can enable us to provide increased environmental protection in the immediate circumstances, while we are also trying to prepare for long-term environmental protection.

We can console the people by making sure their children will be educated during this time and setting up temporary schools.

We can console the people through letting them see their government finally at work and go from government inaction to seeing a government in action.

We can console the people by being there for them at once and repair the breach, not only that has occurred in a levee, but the breach of faith that people have had in their government.

This is the time for people to see their government in action, and I think that this Congress will provide effective consolation to the people when we take that position.

Mr. BOUSTANY. Mr. Speaker, this is not a time to cast blame and to second-guess actions.

Mr. Speaker, I am pleased now to yield 5 minutes to my friend and colleague, the gentleman from Louisiana (Mr. JINDAL), who lost his home, his district has been devastated, and he will inform us on what the facts are.

Mr JINDAL. Mr. Speaker, I want to thank my colleague from Lafayette not only for recognizing me but also for his volunteer efforts and his community's hospitality to so many thousands of dislocated residents of my own district.

Mr. Speaker, I want to share with this body that, first of all, the pictures do not do the suffering justice. I have been spending the last several days in the water, in helicopters, in boats, on land, just trying to help bring comfort

and trying to bring relief to the people of southeast Louisiana. The pictures do not do the suffering justice.

Yet there are some lessons that we have learned. Many of you have heard me share very specific frustrations about what has worked and what has not worked. Certainly we can learn from the red tape and the bureaucracy where aid could have been delivered more quickly, where relief could have been provided in a more efficient way.

But I am not here just to point out what did not work, and there are many examples where red tape and bureaucracy got in the way. I am also here to say a big thank you. I am here to offer on behalf of my district our sincere gratitude to the people of Baton Rouge and Lafayette; to the people of Texas and Arkansas; to the people across the country who literally took in thousands of evacuees, people who were forced, like myself, to leave our homes.

The State of Texas took in over 220,000 people. They did not ask how are we going to do this. They literally opened their homes, opened their wallets, opened their hearts to create temporary housing, to create health care, to create opportunities for people to find comfort.

I want to say thank you to the medical volunteers that rushed into harm's way. I want to say thank you to the first responders, the sheriffs' deputies, the law enforcement officials, the Coast Guard officials, Wildlife and Fisheries officials, those that have been working 7, 8, 9, 10 days without relief, without rest. Many of these heroes have no idea what happened to their own property. Many of these heroes have been separated from their own families. Yet they worked tirelessly to provide relief to others.

I want to say thank you to our National Guardsmen. If ever before we needed yet another reminder of the true heroism of our military, we saw tens of thousands of men and women on the ground in the most dangerous circumstances, thinking not of themselves, but of others.

I want to say thank you to the entire communities that pulled together, with the sheriffs, the mayors in my districts, who had so little, and yet reached out to their colleagues to share what they had, literally patching together impromptu communications systems, food supply systems, and other systems. Those that had the least shared the most.

I want to say thank you to all these people. We have been reminded again what a great and powerful country America really is.

I want to say thank you to the private sector. We called on Ford Motor Company to provide overnight search and rescue vehicles to first responders, and they did that. I want to say thank you to the bottling companies that sent the water, the food, the supplies, Anheuser Busch and the many other companies. I want to say thank you to Lamar for providing the tarps to cover people's homes.

I want to say thank you to all the companies like Verizon, Wal-Mart and others, the pharmaceutical companies and small businesses that opened their stores, opened their warehouses, provided during this time of need without any concern for compensation, without any concern for anything other than helping their fellow man.

I want to thank all those employers that have done so much work to find their missing employees, to set up shelters to truly meet our needs during this devastating tragedy.

I also want to comment on the amazing spontaneous effort by our faith-based community. Churches all over our State, all over our Nation literally opened their doors, made room in their pews, made room in their sanctuaries for families. One church, Healing Place in Baton Rouge, literally put up hand-lettered signs the day of and the day after the hurricane saying: ''If you need water, if you need food, if you need shelter, come here.''

We have private individuals across the State and now even outside the State that organized a network for people with extra bedrooms, extra places in their own homes to take in complete strangers.

Again, in this tragedy we have seen on TV and in national images some of the very worst behavior. And yet these are the very few, those that choose to be obstructionists to get in the way of the relief efforts, a very few who resorted to violence. They were outnumbered greatly by the tremendous number of people who opened their doors, opened their hearts, opened their wallets.

Let us not let the images of a small number of people who out of frustration or for whatever other reasons became violent, became obstructionists, let us not let them be the final story of Hurricane Katrina. Let us look to the churches, let us look to the first responders, let us look to the National Guard, let us look to the communities in Texas, in Arkansas, across the country, that have been so generous.

Now I want to say a word to this body about what comes next. We are still rescuing people from the water and off the rooftops. We have an obligation to bring people to safety. We have an obligation to cut through the red tape and bring people housing, make sure that people know where their kids will go to school, how they get their health care. We also have an obligation to rebuild. We have an obligation to rebuild southeast Louisiana.

But shame on us if we also at the same time we preserve and rebuild what was good in southeast Louisiana, we also rebuild what was bad. Shame on us if we do not use this as an opportunity to rebuild a better health care system, a better educational system, a better economy, better paying jobs for the people that are coming back. We want every single person to come back to a better city, to a better region.

We had problems in New Orleans and in southeast Louisiana before the hurricane. We had problems with education, we had problems with health care, we had problems with crime, we had problems in our economy. Things were getting better, but more can be done.

I want to say thank you to those who have been so generous; but I want to urge this body as we are generous in our response, let us keep our eye also on saving lives, but also on rebuilding a better city, a better region.

God bless Louisiana.

Ms. NORTON. Mr. Speaker, I yield 5 minutes to the gentleman from New Orleans, Louisiana (Mr. JEFFERSON). I am sure perhaps no Member has suffered more greatly than the Member I am about to yield the floor to now.

Mr. JEFFERSON. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, it is indeed with a heavy heart that I rise today in this Chamber to support this resolution. I want to thank my colleague, the gentleman from Louisiana (Mr. BOUSTANY), for his work.

During my 15 years in the people's House, we have confronted many trying circumstances: runaway fires in the West, rolling blackouts across the Northeast, the extraordinary destruction of Hurricane Andrew, the horror of September 11. And the Asian tsunami. But my heart has never been as personally struck and touched as by the tragedy of a disaster as it is now.

Just over a week ago when Hurricane Katrina roared ashore, it left wide paths of destruction, unprecedented in American history. The citizens of Mississippi, Alabama, Florida, and my home State of Louisiana have suffered unspeakable tragedies. Hundreds, possibly thousands, of lives have been lost. Hundreds of thousands of homes have been destroyed and shuttered. Thousands of businesses have been closed, at the risk of perhaps never opening again.

The images in the news media shocked the American people, but they are only a pale reflection of the devastation experienced by our friends, families, and neighbors throughout the gulf coast region.

My hometown of New Orleans, my constituents, friends and family, thought they had once again dodged a bullet when Hurricane Katrina changed course at the last minute, making landfall in another place bordering the city.

But we woke Tuesday morning to a heart-wrenching discovery. The levee system that had protected New Orleans for hundreds of years had failed. Our city was inundated, 80 percent of it, with deadly water. Thousands of lives were lost, many drowned, trapped in their homes. Others were lost trying to escape the fury. Others were lost unnecessarily through neglect, and still others have now survived and are spread far and wide throughout the country, have lost their sense of place and their connection to home.

Our neighbors and families are living in shelters, staying with friends or family, benefiting from the hospitality and kindness of caring Americans. Tens of thousands of homes have been destroyed, churches and businesses at the heart of many of our beloved city's neighborhoods have been flooded and lay in ruins.

In sum, Hurricane Katrina was more than a destructive hurricane. It has dealt a death blow to the very fabric and culture of a grand American city and region. Hurricane Katrina has left most of New Orleans, known for its vibrant spirit and vitality, threadbare and melancholy.

The gentleman from Louisiana (Mr. JINDAL) talked about the people of our city, and I want to say something about that too.

The spirit of the folks in my city, although beaten down, is still vibrant. If you saw the people who were standing and waiting for help, they were orderly. They were a model of orderliness in most cases. When I went down Friday to see folks at the convention center, they simply said to me, Jeff, help us get out of here. When are the buses coming?

The few scenes you have seen of some people taking advantage of people who were there in dire circumstances are few and far between. The image that we want to remember is one of people who endured unnecessary suffering and who stood strongly and in an orderly fashion and dealt with it. I am so proud of our people for having done that.

I also am proud of the outpouring of support that has come from around the country. I want to thank my colleagues for their words of encouragement, for their support, and for their prayers: from the mayor of Detroit, who told us we could bring in 500 families, to just one man from San Diego who offered his small plane to the folks in New Orleans, to pick them up and take them to safety, and one couple from Illinois who called us saying they had just sent their three kids off to college and they had three spare bedrooms for anyone who needed them.

The generosity has been overwhelming. It has reminded us that the human spirit is vibrant and that goodwill is abundant in the American people's hearts.

I want to thank all those who contacted my family, my office, to express concern, those who are now telling us they want to help to reach our constituents, to get our constituent services back together. And I want to thank all of you who have worked with us over the Labor Day weekend. I want to thank my CBC colleagues who have initiated unprecedented efforts to marshal resources to help dislocated Louisianans.

I want to tell you that the most important thing we can do right now is to make sure that people who are displaced are dealt with with dignity, that they are taken care of properly and their needs are met, and that we try as soon as we can and as well as we can to get our people back home, back to the State of Louisiana, back connected to their way of life, back connected to their culture, back connected to their people, and that we commit ourselves for the long haul to rebuild our city, to rebuild our region, and to rebuild the lives of our people. This is our mission now in the Congress.

Also, though we look at all the good things that have happened, it is not inappropriate to ask the question as to whether or not we could not have done a better job. The President himself has said that the response is unacceptable.

So I am one who believes that as we do these other things and as we congratulate each other for the work we have done, and as I congratulate the Red Cross and the FEMA workers that have given a great deal, and our responders, our mayor and our State government, our police and fire people, that we recognize there is a need to do better for our people, and in the future we would make sure that things that did not go right never ever happen again.

Mr. Speaker, I thank everyone for what they have done. We appreciate it very much.

Mr. BOUSTANY. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I want to thank the gentleman from Louisiana not only for bringing forward this resolution but also for the great work that he did in the State of Louisiana in regard to organizing medical clinics and emergency health care, and I commend him for that.

This is a great resolution. It emphasizes a positive. There is no finger-pointing, name-blame game. This is exactly the kind of resolution that shows the spirit of this Congress.

I want to say, Mr. Speaker, that the gentleman from Louisiana (Mr. JEFFERSON), I will just tell a little story about that, what really inspired me to go to Louisiana over the Labor Day weekend in Baton Rouge and try to help out in a medical clinic.

I saw the gentleman from Louisiana (Mr. JEFFERSON) on television talking about Jefferson Parish and the devastation and how much they had suffered. I was fortunate enough when I went to the emergency command center in Baton Rouge to run into my friend, the gentleman from Louisiana (Mr. JEFFERSON); and we had a brief hug, pat on the back, sincere handshake and the spirit of cooperation that he just expressed so eloquently.

I want to echo what the gentleman said and what the gentleman from Louisiana (Mr. JINDAL) and, of course, the gentleman from Louisiana (Mr. BOUSTANY) and all of the legislative delegation Members of this Congress from the States that have been so adversely affected, especially Louisiana, Mississippi, Alabama, said.

My own state of Georgia was not unscathed.

□ 1145

We had a number of tornadoes that came as a result of the hurricane that touched down in the 11th Congressional District, and one life was lost and a business destroyed in Carollton, Georgia.

So, again, I commend and support, as we all do, this resolution, which is just saying it in the right way, totally nonpartisan.

When I was on the ground in Louisiana, I had an opportunity to see a lot of the evacuees and the Red Cross and the many people coming together. I saw the best of human nature, not the worst. And I think this is truly a time for the best of the human nature of the Members of this Congress, on both sides of the aisle, both bodies, to come together because this is all about uplifting people and the ones that are suffering so much.

And let us not forget that the suffering continues. It is not just the emergency response, but it is going to go on a long time, and fatigue might set in for some of the volunteers; so we need to keep a list and keep going and continue to support the gulf coast in that great part of the United States.

Again, I thank the gentleman from Louisiana (Mr. BOUSTANY) for the resolution and thank him for yielding me time for the opportunity to join in and say a few words.

Ms. NORTON. Mr. Speaker, I yield myself the balance of my time.

I just have a few closing remarks. We all agree that the first obligation of any government is to protect its citizens. The majority often say that, and we have seen no contradiction from this side on that score. And I think there has been agreement that we have not fully honored that responsibility.

It was with a great deal of thought that I became a cosponsor of the bill today, H.R. 3659, to reestablish FEMA as an independent agency outside the control of the bureaucracy of the Department of Homeland Security. I did not do that easily. Frankly, I strongly supported and still support the establishment of a Department of Homeland Security. So I had to think about this matter. Is this a contradiction from what I generally believe, that these agencies must be brought together?

I have resolved that conflict in my mind because it is clear that FEMA is not about preventing anything. FEMA is about going in quickly and nimbly after there has been either an actual natural attack or a national attack; and there is telling evidence about how we have diverted funds from FEMA's natural disaster responsibilities to our legitimate concern with preparation for terrorism.

I believe, therefore, that we do no harm to the notion of one cohesive unit, the Homeland Security Department, to prevent attacks if we have FEMA outside. I think that FEMA simply has not done well inside the Department of Homeland Security. I cannot guarantee that taking it out will

make it whole again. I do know this: that we did not have complaints about FEMA during the 1990s, and I remember FEMA's being held to great glory for how they handled and how they were reorganized during the 1990s.

I, therefore, want to thank the gentleman from Louisiana for coming forward and to say that I know I speak for every Member on my side when I say he will have our full cooperation, more than our empathy, our full cooperation when it comes to Louisiana and the entire gulf coast. I thank him for his initiative. I am pleased to be a part of it.

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

I thank the gentlewoman for her kind remarks.

Mr. Speaker, today the House of Representatives, through this resolution, expresses its condolences to the victims of Hurricane Katrina. It commends the resiliency and the courage of all those involved in this, both the victims and the volunteers, who gave so willingly to help these victims. It also makes clear that we have a tremendous task ahead of us in Congress; and yet I know, as many others here know, that we are up to the task.

What we are going to do is we will commit the necessary resources to stand by the people of Louisiana, Mississippi, and Alabama who have been affected by this disaster. We have a tremendous task ahead in sustaining life as we continue to search for and rescue those still missing. We have a tremendous effort ahead in the recovery of the entire gulf coast, and I know this Congress is up to that task.

So I stand with my colleagues on both sides of the aisle in expressing these condolences and urge support for this resolution. It is time to move forward. It is time for action so that we can get on with recovery.

Mr. Speaker, thousands of students have been displaced as a result of Hurricane Katrina, including university students who rely on federal financial aid for their education expenses.

Several institutions have had to close for the entire semester, leaving students without schools to attend.

Fortunately, other colleges have stepped up and are accepting many of these students. The University of Louisiana at Lafayette is one example of this generosity. They have already enrolled over 835 displaced students, and the numbers are expected to increase.

But not all students will be able to attend other institutions.

Many have suffered large losses of property, jobs, and, most devastatingly, family and friends.

In the past, low-income students who were the recipient of need-base Pell grants and suffered extreme losses due to natural disasters have been forced to repay their Pell grants, further straining their financial resources.

H.R. 3169 will provide financial relief to many students displaced by Katrina by waiving the Pell Grant repayment for those students withdrawing from school as a result of the hurricane, and it will also ensure that future natural disaster victims are treated in the same manner.

I urge my colleagues to support this bipartisan measure, which will assist thousands of needy students who have been dealt an enormous blow by Hurricane Katrina.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I have spent much of the past week examining the aftermath of Hurricane Katrina, one of the most tragic natural disasters in our Nation's history. My heart goes out to each and every person who has suffered in the wake of this situation. I grieve for the loss of life, and I sympathize with those who have lost their livelihood as a result of this terrible tragedy.

First and foremost, it is important to give credit to countless brave men and women, both volunteer and professional, who have been working tirelessly on our recovery and rescue operations. Their heroic efforts have saved countless lives, and we need to ensure they have the support and tools they need to accomplish their jobs. In addition, it is important to recognize National Guard Units and other emergency management professionals who have been attempting to restore order under exceptionally trying circumstances.

Hurricane Katrina has proven to be one of the most damaging storms ever experienced by the people of the Gulf Coast. It will take a long time for this area of the country to regain some semblance of normalcy—a process that will depend on the collective acts of kindness, generosity, and selflessness of all Americans as much as it does the acts of government. I salute those who have already volunteered their services, donated money or goods, or opened their homes to their displaced countrymen.

In the weeks and months to come, much of our attention in Washington will be focused on the response to Katrina. There will be much to say and plenty of time to say it. But for now I want to pause to remember the victims of this storm and to grieve for their passing. For the survivors, I offer my condolences and, through the work we will pursue together, as one Nation, the prospect of hope.

Mr. EDWARDS. Mr. Speaker, our deepest condolences go to the victims of Hurricane Katrina, who lost their lives, their homes and their livelihoods. Our thoughts and prayers are with them and their families. While the devastation caused by this tragedy is vast, our faith and determination ensure that we will rebuild and we will endure.

Congress and President Bush have taken the first step in appropriating emergency funds to aid relief efforts in the aftermath of Hurricane Katrina and much more is on the way. It is vital that this emergency funding moves quickly toward rescue and relief efforts in the Gulf Coast region and throughout the Nation. Together, Federal, State and local authorities must continue to work diligently to protect and assist those in need.

In Texas, we are opening our hearts, homes, and facilities to over 75,000 victims of Hurricane Katrina. The Federal Government has a responsibility to help communities in Texas who are generously helping others during this time of national tragedy.

During this difficult time, most Americans have shown an inspirational outpouring of support for the victims of Hurricane Katrina. However, it appears that some have acted out of greed and taken advantage of our national tragedy by price gouging Americans when it comes to basic necessities like gas, food, and shelter. That is totally unacceptable and the Federal Government must act quickly to fulfill its responsibility to protect the public and hold price gougers accountable.

History will judge all of us by our response to this national tragedy and it is vital that we come together, rise above the partisanship, and do what's right for the American people in this time of crisis.

I am confident that we will and the American spirit of generosity will prevail in the days, weeks, and months ahead, as our American family from coast to coast continues to provide much needed assistance to those who have lost so much.

Ms. BORDALLO. Mr. Speaker, as the waters recede in New Orleans and as the families impacted by Hurricane Katrina attempt to recover, we must now embark upon the monumental task of helping to rebuild both the infrastructure and vitality of the Gulf Coast communities. We also have begun to reflect on the tragedy, one which many say is one of the worst disasters to strike an American city in our history. The people of Guam would like to express their condolences to the families that have lost loved ones, and to the thousands of people who are now struggling to recover from what can only be described as a humanitarian catastrophe.

Families and individuals have been uprooted, homes have been destroyed, and the process of rebuilding will be long and arduous. The communities involved depend upon support from Congress, and we must fully fund every stage of the recovery that is necessary to rebuild homes and lives.

We must also ensure that our cities and coastlines are protected as best as possible from perilous storms. The people of Guam know far too well the toll that hurricanes can have upon a population. Located in what is known as "Typhoon Alley" in the Pacific Ocean, our island is annually threatened and sometimes pummeled by typhoons that can have winds upwards of 180 miles per hour. These Super Typhoons have the potential for widespread devastation, but Guam is well prepared to withstand these potentially destructive storms. From tough building codes to a stratified warning system, Guam is in a state of constant readiness. In fact, at the time Hurricane Katrina was intensifying in the Gulf of Mexico, Guam was in a state of readiness as Typhoon Nabi was forecast to make a direct hit. In our case, the storm turned away, but nonetheless Guam was bracing for the worst.

There is more our island needs to do to be better prepared for Typhoons, such as burying our power lines and improving our water system. We continue to perfect our disaster preparedness plan and harden our infrastructure. Our community, as well as all communities across the Nation, are now more dependent than ever on the support of the Federal Government to help us prepare for and recover from devastating storms. It is imperative that at-risk areas be better equipped and prepared, from the Federal level to the local level, to deal with hurricanes and other natural disasters.

I support House Resolution 425 and urge its passage. Together, let us as a Congress, express the Nation's sorrow for the victims of this tragedy.

Mrs. MALONEY. Mr. Speaker, sadly, approaching the four year anniversary of the September 11, 2001 terrorist attacks, our

country faces great tragedy again and a tremendous national challenge in the wake of Hurricane Katrina.

I would like to assure the people of Louisiana, Mississippi, and Alabama that New Yorkers who lived through 9/11 understand the shock and dismay being felt deeply after Hurricane Katrina.

We are well aware that time and great effort will be needed to rebuild after Hurricane Katrina, but we know also that the recovery will advance strongly because of the great will of the people of Louisiana, Mississippi, and Alabama. I also hope that the recovery will be spurred by the strong support most assuredly coming from countless New Yorkers and Americans from all corners of the country.

I stand ready to work with Members of Congress from Louisiana, Mississippi, and Alabama to advance all Federal programs necessary for recovery operations after Katrina. My thoughts and prayers are with those affected by Hurricane Katrina and with the people now facing great recovery challenges in its wake.

Mr. LARSEN of Washington. Mr. Speaker, I would like to convey my deepest condolences to the victims of Hurricane Katrina, many of whom lost loved ones, their homes and their livelihoods. Many constituents have contacted my office, concerned about relatives, friends, and fellow Americans in that area. A member of my own staff has been touched by this tragedy and has dozens of family members displaced and in distress. Our thoughts and prayers are with his family and all those other families who have been affected by this disaster.

While we are devastated by this tragedy, our faith, perseverance and American spirit of generosity will ensure that we help the region and its residents recover and rebuild.

The Pacific Northwest, where my Congressional District is located, is about as far north and west of this tragedy as you can get in the continental U.S. Yet even there, Governor Gregoire is coordinating with state and Federal officials nationwide to get state employees and volunteers on the ground in the affected areas. Our state has readied 600 Washington National Guard soldiers and airmen. We have offered up our State's refueling aircraft, support personnel, helicopters, and satellite communications systems, among other assets. Washington State's residents are giving generously to aid relief efforts and victims. It is likely that we will soon provide a temporary home to thousands of displaced hurricane victims.

I would also like to extend my deepest gratitude to organizations such as the Red Cross for their significant disaster relief efforts. The Red Cross has said that this is their largest relief effort ever—larger than after September 11, 2001, and larger than all four Florida hurricanes last year. We continue hearing heartwarming stories of American Red Cross volunteers from across the Nation, including in my Congressional District, who have already headed down to help with relief efforts.

As we respond to this tragedy, I will continue working with my colleagues to provide needed Federal assistance to the people harmed by this disaster. I know that in months ahead there will be much work to do. As Americans, we have pulled together through tragedies in the past. I am confident that we will demonstrate that same unity and perseverance in overcoming the devastating effects of Hurricane Katrina.

Mr. OBERSTAR. Mr. Speaker, 10 days ago Hurricane Katrina slammed into America's Gulf Coast. The devastation we have seen is unprecedented. While the Federal Government's response to this devastation has itself been a management catastrophe, I have been heartened by the overwhelming response of our fellow Americans to the victims of Katrina. People have opened their homes and their hearts to their victims. They have donated food, clothing, and money. The goodness of our citizens to one another, especially in their time of need, should make all Americans proud.

With a heavy heart, but with confidence in a better future, I join all my colleagues today in expressing my personal deep sense of sorrow and offering the condolences of a nation to all the victims of Hurricane Katrina. All who have watched these tragic events unfold before us on TV are inspired by, and in awe of, the resilience of the New Orleanians, their courage under adversity, their extraordinary self-sacrifice in mutual assistance, their love of their city, and their determination to rebuild their lives. I pledge my enduring efforts—and I know that my colleagues on the Committee on Transportation and Infrastructure join in this pledge—to provide New Orleans and the states of Louisiana, Mississippi, and Alabama, the resources necessary for the reconstruction efforts.

Today we must remain focused on the recovery from the devastation wrought by Katrina. However, in the coming weeks and months, this Congress must investigate the Government's disastrous response to this disaster. To begin that process, Congresswoman NORTON and I have introduced a bill, H.R. 3659, to reestablish FEMA as an independent agency outside of the control of the bureaucracy of the Department of Homeland Security.

The Government's first priority must be to protect its citizens. It has failed to honor that responsibility, and we must insure that such failure never happens again.

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

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to the order of the House of today, the resolution is considered as read and the previous question is ordered.

The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 53 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1630

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LAHOOD) at 4 o'clock and 30 minutes p.m.

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.

FEDERAL JUDICIARY EMERGENCY SPECIAL SESSIONS ACT OF 2005

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3650) to allow United States courts to conduct business during emergency conditions, and for other purposes.

The Clerk read as follows:

H.R. 3650

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

SECTION 1. SHORT TITLE.

(a) SHORT TITLE.—This Act may be cited as the ''Federal Judiciary Emergency Special Sessions Act of 2005''.

SEC. 2. EMERGENCY AUTHORITY TO CONDUCT COURT PROCEEDINGS OUTSIDE THE TERRITORIAL JURISDICTION OF THE COURT.

(a) CIRCUIT COURTS.—Section 48 of title 28, United States Code, is amended by adding at the end the following:

''(e) Each court of appeals may hold special sessions at any place within the United States outside the circuit as the nature of the business may require and upon such notice as the court orders, upon a finding by either the chief judge of the court of appeals (or, if the chief judge is unavailable, the most senior available active judge of the court of appeals) or the judicial council of the circuit that, because of emergency conditions, no location within the circuit is reasonably available where such special sessions could be held. The court may transact any business at a special session outside the circuit which it might transact at a regular session.

''(f) If a court of appeals issues an order exercising its authority under subsection (e), the court—

''(1) through the Administrative Office of the United States Courts, shall—

''(A) send notice of such order, including the reasons for the issuance of such order, to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives; and

''(B) not later than 180 days after the expiration of such court order submit a brief report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives describing the impact of such order, including—

''(i) the reasons for the issuance of such order;

''(ii) the duration of such order;

''(iii) the impact of such order on litigants; and

''(iv) the costs to the judiciary resulting from such order; and

''(2) shall provide reasonable notice to the United States Marshals Service before the commencement of any special session held pursuant to such order.''.

(b) DISTRICT COURTS.—Section 141 of title 28, United States Code, is amended—

(1) by inserting ''(a)(1)'' before ''Special'';

(2) by inserting ''(2)'' before ''Any''; and

(3) by adding at the end the following:

''(b)(1) Special sessions of the district court may be held at such places within the United States outside the district as the nature of the business may require and upon such notice as the court orders, upon a finding by either the chief judge of the district court (or, if the chief judge is unavailable, the most senior available active judge of the district court) or the judicial council of the circuit that, because of emergency conditions, no location within the district is reasonably available where such special sessions could be held.

''(2) Pursuant to this subsection, any business which may be transacted at a regular session of a district court may be transacted at a special session conducted outside the district, except that a criminal trial may not be conducted at a special session outside the State in which the crime has been committed unless the defendant consents to such a criminal trial.

''(3) Notwithstanding any other provision of law, in any case in which special sessions are conducted pursuant to this section, the district court may summon jurors—

''(A) in civil proceedings, from any part of the district in which the court ordinarily conducts business or the district in which it is holding a special session; and

''(B) in criminal trials, from any part of the district in which the crime has been committed and, if the defendant so consents, from any district in which the court is conducting business pursuant to this section.

''(4) If a district court issues an order exercising its authority under paragraph (1), the court—

''(A) through the Administrative Office of the United States Courts, shall—

''(i) send notice of such order, including the reasons for the issuance of such order, to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives; and

''(ii) not later than 180 days after the expiration of such court order submit a brief report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives describing the impact of such order, including—

''(I) the reasons for the issuance of such order;

''(II) the duration of such order;

''(III) the impact of such order on litigants; and

''(IV) the costs to the judiciary resulting from such order; and

''(B) shall provide reasonable notice to the United States Marshals Service before the commencement of any special session held pursuant to such order.''.

(c) BANKRUPTCY COURTS.—Section 152(c) of title 28, United States Code, is amended—

(1) by inserting ''(1)'' after ''(c)'';

(2) by adding at the end the following:

''(2)(A) Bankruptcy judges may hold court at such places within the United States outside the judicial district as the nature of the business of the court may require, and upon such notice as the court orders, upon a finding by either the chief judge of the bankruptcy court (or, if the chief judge is unavailable, the most senior available bankruptcy judge) or by the judicial council of the circuit that, because of emergency conditions, no location within the district is reasonably available where the bankruptcy judges could hold court.

''(B) Bankruptcy judges may transact any business at special sessions of court held outside the district pursuant to this paragraph that might be transacted at a regular session.

''(C) If a bankruptcy court issues an order exercising its authority under subparagraph (A), the court—

''(i) through the Administrative Office of the United States Courts, shall—

''(I) send notice of such order, including the reasons for the issuance of such order, to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives; and

''(II) not later than 180 days after the expiration of such court order submit a brief report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives describing the impact of such order, including—

''(aa) the reasons for the issuance of such order;

''(bb) the duration of such order;

''(cc) the impact of such order on litigants; and

''(dd) the costs to the judiciary resulting from such order; and

''(ii) shall provide reasonable notice to the United States Marshals Service before the commencement of any special session held pursuant to such order.''.

(d) UNITED STATES MAGISTRATE JUDGES.—Section 636 of title 28, United States Code, is amended in subsection (a) by striking ''territorial jurisdiction prescribed by his appointment—'' and inserting ''district in which sessions are held by the court that appointed the magistrate judge, at other places where that court may function, and elsewhere as authorized by law—''.

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.R. 3650.

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, every Member of this body is aware of the scope of the tragedy and destruction that Hurricane Katrina inflicted on the gulf coast region, and Congress has already taken several steps to bring relief to the affected States and their people. In addition to the thousands of private residences and businesses destroyed or rendered uninhabitable by the hurricane and subsequent floods, many entities of the Federal Government located in that region may not be able to operate for a time period that remains uncertain.

The creation and maintenance of a court system that allows citizens to adjudicate disputes is a fundamental responsibility of government. The purpose of H.R. 3650 is to authorize Federal courts to conduct business outside of their statutorily defined geographic domains during times of emergency. It is critical that Congress enact the legislation expeditiously so that the affected courts in Louisiana, Mississippi, and Alabama may continue to function in the wake of Hurricane Katrina.

The text of H.R. 3650 is substantially similar to section 15 of H.R. 1751, the Secure Access to Justice and Court Restoration Act of 2005, which the Subcommittee on Crime, Terrorism, and Homeland Security reported to the full Committee on the Judiciary on June 30.

Mr. Speaker, the need for this legislation became tragically apparent following the terrorist attacks of September 11, 2001, and the impact of these disasters on court operations, particularly in New York City. In emergency conditions, a Federal court facility in an adjoining district or circuit might more readily and safely be available to court personnel, litigants, jurors, and the public than a facility at the place of holding court within the district. This is especially true in major metropolitan areas such as New York, Washington, D.C., Dallas, and Kansas City, where the metropolitan area includes parts of more than one judicial district.

This legislation is also needed to address natural disasters. The recent impact of Hurricane Katrina on the Federal courts in Louisiana, Mississippi, and Alabama has increased the urgency of congressional action. Where court operations cannot be transferred to other divisions within the affected judicial district due to widespread flooding and destruction, judges must be empowered to shift court proceedings temporarily into a neighboring judicial district.

The advent of electronic court record systems will facilitate the implementation of this authority by providing judges, court staff, and attorneys with remote access to case documents. The bill authorizes circuit, district, and bankruptcy courts that conduct special sessions outside of their respective geographic boundaries upon a finding that because of emergency conditions, no locations within the boundaries of those courts are reasonably available where such special sessions could be held.

The Administrative Office of the U.S. Courts, or AO, is required to notify the House and Senate Committees on the Judiciary, as well as the Marshals Service when a court issues an order to conduct an emergency session. The AO must also follow up no later than 180 days after such an order expires by submitting a brief report to both committees summarizing why the order was issued, its duration, its impact on litigants, and its cost to the judiciary.

The bill specifies that criminal trials may not be conducted outside the State in which a crime has been committed unless a defendant otherwise consents. This is consistent with the provisions of article III of the Constitution and the sixth amendment. With this one exception, a Federal court is empowered to conduct all business in a special session outside a district that it might otherwise conduct during a regular session.

Given these constitutional constraints, however, jurors in criminal

trials may only be summoned from ''any part of the district in which the crime has been committed,'' unless a defendant agrees to be tried by jurors from the district in which the court is holding a special session.

Finally, United States magistrate judges are currently subject to certain territorial limitations on their powers imposed by the Federal Magistrates Act. The bill clarifies that magistrate judges can also participate in the emergency extraterritorial sessions of the district courts.

Mr. Speaker, I urge my colleagues to support this bipartisan legislation to return a measure of continuity to the victims of Hurricane Katrina and the Federal Court system that serves them.

Mr. Speaker, I submit for the RECORD a letter from the Justice Department in support of this legislation.

DEPARTMENT OF JUSTICE, OFFICE OF LEGISLATIVE AFFAIRS, OFFICE OF THE ASSISTANT ATTORNEY GENERAL

Washington, DC, September 7, 2005.

Hon. F. JAMES SENSENBRENNER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to express the views of the Department on H.R. 3650, ''The Federal Emergency Special Sessions Act of 2005.'' We support swift enactment of this legislation.

This bill is drawn from other legislation currently being considered in the Congress that will permit Federal courts to conduct business in other locations in the event of an emergency situation. The need for this bill has been clearly demonstrated by the recent catastrophe caused by Hurricane Katrina, which has already caused extreme disruption to the courts. Passing this bill on an emergency basis will permit the Federal Courts to return to the Nation's critical business more quickly and more easily.

The Department already has commented on similar provisions in prior legislation and some of our prior comments have been addressed in this bill. In future legislation, we will continue to seek refinement of the law in this area, particularly as it relates to the critical need for consultation and coordination between the Judiciary and the Marshals Service in the event of any serious emergency.

Thank you for the opportunity to express our views. The Office of Management and Budget has advised us that from the perspective of the Administration's program, there is no objection to submission of this letter.

Sincerely,

WILLIAM E. MOSCHELLA,
Assistant Attorney General.

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

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

I, too, Mr. Speaker, join the chairman of the Committee on the Judiciary in rising in support of this legislation. One of the many effects of the terrible tragedy resulting from Hurricane Katrina, one of the worst in our history, is the problem that the Federal courthouses in the region are flooded, preventing countless civil and criminal cases from proceeding. This legislation would permit the circuit courts, the district courts, magistrates, and the bankruptcy courts to all conduct proceedings outside their normal jurisdictions in times of emergency. These courts are, in many instances, closed as we meet today in Washington.

Terrorist attacks and natural disasters can render unusable the Federal courthouses. Along with the tragic humanitarian results of such events, the administration of justice would come to a halt, preventing citizens from exercising their rights in court. In such circumstances, the chief judge of the court or judicial council of the circuit court could order the court proceedings to be conducted at any other place within the United States.

Upon such an order, the Administrative Office of the United States Courts would notify Congress of the reasons. Also, within 180 days of the termination of the special session, the Administrative Office would notify us of the order's duration, its impact on litigants, and the cost to the judiciary.

This bill, H.R. 3650, further provides that jurors for civil cases may come from either the original or the temporary jurisdiction of the court. With respect to criminal cases, the legislation preserves the sixth amendment rights of defendants by limiting the jury pool to the district where the crime is committed, unless the defendant consents otherwise.

There is an issue not addressed in the bill, and that is who would pay for the parties, including criminal defendants, to travel to the new location. Presumably, because a public function is at issue, the government should pay such expenses. It would be untenable for the courts and prosecutors to travel at government expense while defendants are left to fend for themselves in times of disaster. I am hoping that this can be corrected. There may be due process and sixth amendment violations if we force defendants to pay their own way to a distant courthouse. I hope to work with my colleagues in the House and Senate and the chairman of our committee in the House in the coming weeks to ensure that this oversight is properly resolved.

Finally, Mr. Speaker, I strongly believe that we in the Congress must do more, much more, to alleviate the effects of Hurricane Katrina. Thousands of people may be forced to seek bankruptcy protection, but now will be subjected to the onerous and creditor friendly provisions of the newly enacted bankruptcy law, including its means test, which goes into effect on October 17. Victims of disasters and other tragedies, I think, ought be exempt from such rigid requirements.

We have also heard countless reports of price gouging at gas stations. Big oil says the pipelines and refineries are down, thus limiting supply and increasing prices, but somehow they still continue to reap record profits. Along with a number of my colleagues, I have called upon the Federal Trade Commission to investigate this profiteering.

Mr. Speaker, H.R. 3650, the Federal Judiciary Emergency Special Sessions Act of 2005, deserves the support of every Member in this body.

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

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

Mr. Speaker, I think that the gentleman from Michigan (Mr. CONYERS) makes a good point relative to the reimbursement of travel and subsistence expenses of parties, particularly those who may be indigent, and I think that we ought to look at this issue as time progresses, basically in seeing how far away criminal trials have to be moved away from New Orleans and the other places on the gulf coast where the courts are either impaired or not able to function in their chosen venues.

However, I would point out that the Office of General Counsel For the Administrative Office of the Courts advises that jurors may obtain reimbursement for mileage, subsistence, and lodging expenses under this bill just as they may under normal circumstances. Similarly, there is the payment of travel and subsistence expenses for witnesses who will be available during the emergency special sessions under the bill.

As far as the parties are concerned, particularly the indigent ones, I can give the gentleman from Michigan my assurance that we all will continue to work with the Administrative Office of the United States Courts, the appropriators, and the Senate on this point. I think the thing that we have got to do now is to get this bill enacted into law as quickly as possible so that the courts can be up and running to do their business even though their current facilities may still be under water.

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

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. SMITH), the chair of the Subcommittee on Courts, the Internet, and Intellectual Property.

Mr. SMITH of Texas. Mr. Speaker, I thank the gentleman from Wisconsin, the chairman of the Committee on the Judiciary, for yielding me this time.

Mr. Speaker, I rise in strong support of H.R. 3650, the Federal Judiciary Emergency Special Sessions Act of 2005. H.R. 3650 authorizes Federal courts to conduct business outside of their geographic jurisdictions during times of emergency. Congress must enact this legislation immediately so that the affected courts in the gulf region can continue to operate in the wake of Hurricane Katrina.

Hurricane Katrina has severely damaged, perhaps ravaged is a better word, Federal courthouses in Louisiana, Alabama, and Mississippi. We must act with a sense of urgency. To illustrate why, consider the Eastern Judicial District of Louisiana, where operations are currently suspended.

There is virtually no Federal district court presence there. Judges and court staff are physically scattered throughout Louisiana and other States. But crime in the district, assault, rape, and robbery, has not taken the week off. Yet there is no court that can act and no judge to preside. Criminal defendants will walk if deadlines established in the Speedy Trial Act cannot be met. In other words, we must restore the rule of law in the Eastern District of Louisiana as well as elsewhere.

□ 1645

The bill contemplates that affected courts could use other facilities that are convenient and practicable to participants under the circumstances. The special circumstances allowing courts to operate outside their normal jurisdictions would continue only until the vacated courthouses could be restored for normal business activities.

We need to enact H.R. 3650 as part of the initial effort to help the displaced citizens of the region get back on their feet.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 3650, as we are all aware, much if not all of the Gulf Coast region has been flooded by the devastating forces of Hurricane Katrina. I personally spent 4 days in shelters in and around the Houston area, so I have first hand knowledge of the devastation this natural disaster has caused as well as what the evacuees are going through. In addition to the many problems that have resulted from the aftermath of this hurricane, many of the Federal courthouses in the region are flooded; thus, preventing countless civil and criminal cases from proceeding. Furthermore, many attorneys and court employees have been displaced, not only from their homes, but also from their jobs. H.R. 3650 would permit the circuit courts, district courts, magistrates, and bankruptcy courts to conduct proceedings outside their normal territorial jurisdictions in times of emergency.

The bill further provides that jurors for civil cases may come from either the original or temporary jurisdiction of the court. With respect to criminal cases, the legislation preserves the Sixth Amendment rights of defendants by limiting the jury pool to the district where the crime is committed unless the defendant consents otherwise. While these are issues are important, the bill fails to address who would pay for the parties to the case to travel to the new location. Presumably because a public function is at issue, the government should pay such expenses. It would be untenable for the courts and prosecutors to travel at government expense while defendants are left to fend for themselves in times of disaster. There may be due process and Sixth Amendment violations if we force defendants to pay their own way to distant courthouses.

In spite of my support for this bill, I hope the concerns I just mentioned can be worked out in the coming weeks as this bill moves forward. In closing, I strongly believe we must do much more to alleviate the effects of Hurricane Katrina. Thousands of people may be forced to seek bankruptcy protection but now will be subject to the onerous and creditor-friendly provisions of the newly-enacted bankruptcy law, including its means test. Victims of disasters and other tragedies should be exempt from such rigid requirements.

I urge my colleagues to support this legislation.

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 3650.

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.

PELL GRANT HURRICANE AND DISASTER RELIEF ACT

Mr. KELLER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3169) 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, as amended.

The Clerk read as follows:

H.R. 3169

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 ''Pell Grant Hurricane and Disaster Relief Act''.

SEC. 2. WAIVERS OF FEDERAL PELL GRANT REPAYMENT BY STUDENTS AFFECTED BY DISASTERS.

Section 484B(b)(2) of the Higher Education Act of 1965 (20 U.S.C. 1091b(b)(2)) is amended by adding at the end the following new subparagraph:

''(D) WAIVERS OF FEDERAL PELL GRANT REPAYMENT BY STUDENTS AFFECTED BY DISASTERS.—The Secretary may waive the amounts that students are required to return under this section with respect to Federal Pell Grants if the withdrawals on which the returns are based are withdrawals by students—

''(i) who were residing in, employed in, or attending an institution of higher education that is located in an area in which the President has declared that a major disaster exists, in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170);

''(ii) whose attendance was interrupted because of the impact of the disaster on the student or the institution; and

''(iii) whose withdrawal ended within the academic year during which the designation occurred or during the next succeeding academic year.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. KELLER) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

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

GENERAL LEAVE

Mr. KELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 3169.

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

There was no objection.

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

Mr. Speaker, earlier this year I introduced the Pell Grant Hurricane and Natural Disaster Relief Act.

Last week Hurricane Katrina struck Florida, Alabama, Mississippi, and Louisiana. While the damage from this storm is particularly tragic, the hurricane's devastation was a familiar sight. Last year, four hurricanes ravaged Florida over a 40-day period. Many students lost their homes, their jobs, and they were forced to withdraw from school.

In addition to all the suffering they underwent, Pell grant recipients who withdrew from classes were forced to repay any Pell grant funds they used to pay for school expenses beyond fees and tuition, or else were barred from enrolling in future classes.

I believe that our neediest students, who would not have access to college without Pell grants, should not be further punished after enduring a natural disaster.

After writing a letter to the Secretary of Education to ask for relief for these students, I discovered that students who are victims of natural disasters can receive similar help with regard to student loans, but the only way to help Pell grant recipients is by passing this legislation.

My bill would allow the Secretary, in her discretion, to provide a waiver for repaying Pell grants for students who were forced to withdraw from classes due to a natural disaster as declared by the President of the United States.

Language from this bill was incorporated into the higher education bill passed by the Committee on Education and the Workforce earlier this year with unanimous, bipartisan support.

I urge my colleagues to vote ''yes'' on H.R. 3169.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to support H.R. 3169, the Pell Grant Hurricane and Disaster Relief Act recognizing the state of emergency that the country is in in the aftermath of Hurricane Katrina. Hundreds of thousands of people have been left homeless with hundreds, maybe even thousands, dead.

Nearly 100,000 college students have been displaced in some 30 colleges in the gulf coast region that have been severely damaged by the hurricane. In addition, countless more student borrowers have been left without jobs, without any income, and yet must

repay their college loans. I support this legislation because it is the right thing to do, and I want to thank the gentleman from Florida for introducing this legislation and responding in this manner so quickly.

It authorizes, as the gentleman said, the Secretary of Education to waive the requirement for students to repay their Pell grants if they withdraw from college due to a disaster. The Secretary can use this authority to ensure that the Pell grant recipients affected by Hurricane Katrina are not punished financially as a result of this national emergency.

While this is a necessary and appropriate step, we also must recognize that Congress should be doing more to provide relief for these 100,000 students. I say that not as a point in contention. I say that as part of the dialogue that we have been having between the two sides of the aisle on this committee as we start to assess the situation that these students find themselves in. There is great urgency to this bill for these Pell grant recipients so they can quickly calculate the situation that they are going to be in and the question of how they continue their education in another location.

But I would hope that we would go further quickly, because this only deals with the recipients of Pell grants, and yet we know that we have hundreds of thousands of students that have student loans and student campus-based loans available to them, all of which have been thrown into question.

Today, the gentleman from Michigan (Mr. KILDEE) and I will introduce the Katrina College Relief Act to provide expansive relief for college students, their families and student borrowers affected by the hurricane. In addition to H.R. 3169, the Katrina College Relief Act would allow affected student borrowers to defer their loans for 6 months so they do not have to make payments and are not charged interest on those loans.

Under current law, student borrowers affected by the disaster may apply for a 3-month forbearance on their college loans. However, loans in forbearance continue to accrue interest, which raises the overall cost of the loan. We should not be forcing students who have been ravaged by Hurricane Katrina to pay more for their college loans.

The Katrina College Relief Act would also allow students and families affected by the hurricane to have their student aid award immediately readjusted to better reflect their financial situation. This is important to tens of thousands of these students, because currently many of these students and their families no longer have the necessary resources to pay for college even after their current Federal student aid is taken into account.

Congress should direct the Secretary of Education to immediately readjust how much these families are expected to pay toward college for their current term and for the next academic year.

We must do everything we can to ensure that 100,000 college students affected by Hurricane Katrina are able to continue their education immediately. While the initial efforts of college alumni and donors to help relocate displaced students should be commended, we must do more. It is not enough to support a bill that says that we care or accept the status quo. We should support efforts to help all of the students affected by the hurricane, not just those who receive the Pell grants.

Mr. Speaker, I would hope that we would be able to pass this legislation in a very timely fashion, and I would hope the Senate would give its immediate consideration. Then I would also hope that we would move forward to see what we can do to financially alleviate the burdens that this hurricane has placed on the students and on their families; and that we can in a timely fashion, and I understand that the colleges support the effort, recalculate the financial contributions that these families will be able to make. Given the fact that many of the families and students have been devastated in terms of the loss of their homes, their jobs, their places of business, and students who were working have lost their jobs in these areas, the jobs may or may not be available to them.

These students are now having to quickly decide whether or not they can continue their education at an alternative location, in many instances far away from their home, or where their home used to be, and we have to do everything we can so they will be able to resolve that decision in favor of continuing their education, not losing a semester, not losing a year, and certainly not having the cost of their education increased to them by virtue of the fact that they are the victims of this largest national disaster to befall our country.

Mr. Speaker, I want to thank the gentleman again for addressing this problem in this very, very timely fashion. I hope that we can work together for these other students who are not the recipients of Pell grants.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. KILDEE), the ranking member on the Subcommittee on 21st Century Competitiveness.

Mr. KILDEE. Mr. Speaker, I rise today to urge this body to offer real relief to college students impacted by the disastrous Hurricane Katrina. Well over 100,000 students at over 30 major institutions and others have been directly impacted by this terrible tragedy, with countless more feeling the aftershocks of the disaster.

I support the bill offered by the gentleman from Florida (Mr. KELLER) to offer relief to Pell grant recipients affected by natural disasters and thank him for this introduction. But this bill is not enough; as we all realize, not only Pell grant recipients were affected by this tragedy.

Thousands of affected students and graduates will be unable to make payments on their Stafford or Perkins loans. Currently, students in repayment who are suffering from economic hardship can go through a lengthy process to defer the accumulation of interest and repayment on their loans. Also they can apply and receive a temporary forbearance on their loans, allowing them to defer payments, but continue the accumulation of interest. We need to cut the red tape by allowing any student impacted by a natural disaster to receive an automatic deferment of both the accumulation of interest and the payments. Graduates already struggling to dig themselves out of the student loan debt, an average of $17,500, must not be penalized because of this terrible tragedy.

Enrolled students who are currently receiving Federal aid had their financial aid packages calculated based on the Expected Family Contributions, the so-called EFC, which includes parent contributions and contributions of working students. With millions unemployed, including the one in five undergraduates who were working more than 30 hours a week to support themselves, the calculated Expected Family Contribution is no longer realistic.

The Miller-Kildee bill allows those students to have their EFC student aid packages readjusted to reflect the financial changes that family may have suffered. Affected families have limited resources to aid their recovery. The little they have needs to go toward rebuilding their homes and lives. But this should not mean that their children should have to drop out of school. We really need an adjustment in the Expected Family Contributions.

Mr. Speaker, I am pleased that the majority leadership has decided to take up the issue of college students impacted by this tragedy and am pleased with the work of the gentleman from Florida (Mr. KELLER). Yet comprehensive relief is necessary for all students with financial hardship.

Mr. Speaker, I hope Congress will soon consider a more comprehensive package. An extraordinary catastrophe demands an extraordinary solution. Congress must do more.

Mr. KELLER. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. BOEHNER), the chairman of the Committee on Education and the Workforce.

Mr. BOEHNER. Mr. Speaker, I rise in strong support of this bill to provide assistance to the victims of Hurricane Katrina whose higher education aspirations have been disrupted as a result of the tragic events of the last 10 days. This bill represents a first small step in our efforts in the weeks and months to come that we hope will make a critical difference for students and families as they work to rebuild their homes and their lives, and hopefully are able to return to higher education.

I want to thank the gentleman from Florida (Mr. KELLER) for developing this bill and for recognizing the forgotten struggles of students forced to withdraw from college as a result of a natural disaster.

The premise behind this bill is very simple. It says that if a student is forced to withdraw from higher education because of a natural disaster, that student will not have to repay their Pell grant that has already been awarded and perhaps already spent. The gentleman from Florida (Mr. KELLER) has been developing this legislation for months, in large part because of what he saw in last year's hurricane in Florida and how it impacted his constituents enrolled in higher education and those that had Pell grants.

The Higher Education Act already allows waiver authority for the Secretary of Education to exercise in case of a natural disaster declared by the President. However, that authority exists for student loans and not for Pell grants, a discrepancy that can have a significant impact on disadvantaged college students.

Pell grants serve some of the most disadvantaged students enrolled in higher education. In fiscal year 1999, an estimated nearly 45 percent of dependent Pell grant recipients had total parental income of below $20,000, and more than 90 percent had total income of less than $40,000.

Pell grants are a need-based aid that students do not have to pay back. However, when students withdraw from higher education, they may have to return a portion of their Pell grant aid.

□ 1700

Unfortunately, in the case of a natural disaster, there is no mechanism for the Secretary to waive that requirement, which may force students who have already lost their homes and communities to actually pay back the Pell grant funds that they had been awarded.

I am pleased that my committee included this provision in a comprehensive Higher Education Act reform package approved in July. Today, however, we have an opportunity to act quickly to ensure that students in the gulf coast region get the relief they need and they get it soon. This proposal was adopted with bipartisan support in the committee, by a voice vote, during subcommittee markup of our higher education reform package; and I expect similar support today as my colleagues on both sides of the aisle join together to provide relief to college students impacted by this unprecedented natural disaster.

Once again, I want to thank the gentleman from Florida (Mr. KELLER), the bill's sponsor, and urge my colleagues to join me in support of the bill.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I thank the ranking member from California for yielding me this time.

I rise in support of this legislation, and I want to commend the gentleman from Florida (Mr. KELLER) for his introduction of it.

I think all of us recognize the importance of formal education, higher education, training; and that if individuals for whatever the reason are not able to avail themselves of these opportunities, then obviously life for them will be far more difficult.

I think it is also important, though, that we go beyond just the individuals who are recipients of the Pell grant, and I support strongly the legislation that I understand is being introduced later on today by the gentleman from California (Mr. GEORGE MILLER) and the gentleman from Michigan (Mr. KILDEE) that would allow us to provide for the recalculation to take another look at how we assess family income to try to make sure that we maximize the potential of each and every individual in our country to have the greatest possibility of receiving formal education that goes beyond the primary and secondary levels.

So there are many ways to respond to the impact of Katrina, and I think many people are doing so in many places throughout the country, everybody using what it is that they have got to give.

Again, I commend the gentleman from Florida (Mr. KELLER) for his insight, for his intuition, for his introduction of this bill, and would urge that we support it and also urge support for the Miller-Kildee legislation that I understand is being introduced later on today.

Mr. KELLER. Mr. Speaker, I continue to reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Speaker, I rise in strong support of the Pell Grant Hurricane and Disaster Relief Act.

Hurricane Katrina created a disaster of monumental proportions. First and foremost, our priority should remain saving of lives and delivering aid immediately to those most in need. As long as this crisis continues, we should tap every available resource of the Federal Government to make sure that we are providing relief in every corner of the disaster zone. This relief extends to young Americans who work so very hard and, with the help of Federal assistance, were able to realize their dream of attending college.

This crucial legislation would allow the Secretary to grant waivers to students who were forced from school by a natural disaster such as Katrina. This would waive the requirement for them to pay back Federal Pell grant aid when they withdraw from school. It is hard enough for them to get into college without this disaster throwing up yet another barrier to achieving the dream of a college education.

I commend the gentleman from Florida (Mr. KELLER) for introducing this legislation, and I thank the leadership for calling this legislation to the floor so quickly. And I also thank my colleagues on the Committee on Education and the Workforce for supporting this measure when we considered the Higher Education Act in July.

Mr. Speaker, this is a good bill in a difficult hour. I strongly encourage my colleagues to vote for it.

I also would like to say a word about the bill that the gentleman from California (Mr. GEORGE MILLER) and the gentleman from Michigan (Mr. KILDEE) are introducing today. It is every bit as important that we pass that bill in a timely fashion as it is that we pass the gentleman from Florida's (Mr. KELLER) bill. It is particularly important that we allow families to adjust their expected family contribution.

One of the problems with the financial aid system is that the information that is used to determine eligibility is often a year behind reality. That system works when reality does not change that much from year to year; but when it changes as dramatically as it has for so many people affected by this tragedy, it would place students in a thoroughly disadvantageous position if they were unable to change their financial contribution. So I urge speedy consideration and passage of that bill as well as of the gentleman from Florida's (Mr. KELLER) bill.

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

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

I simply want to join in the chorus in support for this bill. It is difficult for us to recognize how far reaching the implications and consequences of Hurricane Katrina have been. And I know, for example, when I mentioned to another individual today that we would be dealing with the Pell grant in the context of the hurricane, this Member did not see any connection whatsoever until I pointed out the consequences.

I am very pleased that we are taking such rapid action in this Chamber to deal with the wide-reaching consequences of the hurricane and recognize that there are so many dimensions of our citizens' lives that have been affected by this. I am pleased at this rapid action. I am grateful that this bill is presented to us. I will certainly support it and vote for it, and I hope the other body will give equal consideration and rapid consideration so that we may service our students.

Let us also remember to continue in prayer for all the victims who have been affected in their lives in so many different ways, and let us continue to work together to ensure that very rapidly we can deal with restoring the Southern States to their positions, their economic position, and, above all, the positions of the families who live there so that they may return to their homes.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Again, I just want to thank the gentleman from Florida for introducing this legislation, for bringing it to the floor, and I hope that we can get the Senate to give its timely attention.

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

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

Mr. Speaker, this is a commonsense piece of legislation that will make sure our neediest college students will not be forced to prematurely terminate their college education due to Hurricane Katrina or other natural disasters. Without this legislation, thousands of college students will be barred from enrolling in future college classes as a result of a hurricane that they had no control over whatsoever.

Let us join together now in a bipartisan spirit and help these college students by providing the Secretary of Education with waiver authority for students who are eligible for Pell grants and who have been adversely impacted by natural disasters. I urge all of my colleagues to vote ''yes'' on H.R. 3169.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 3169, which would amend the Higher Education Act of 1965 to authorize the Secretary of Education to waive requirements for Pell Grant repayments if student withdrawals from institutions of higher education are due to disasters. This bill essentially provides aid to those students who have been displaced as a result of the devastating forces of Hurricane Katrina. In Mississippi, Louisiana, and Alabama thousands of students are no longer able to attend classes at universities such as Dillard, Xaiver, and the University of New Orleans. These universities have historically provided minorities the opportunity to receive a college education.

Fortunately, universities such as Texas Southern, and the University of Houston are taking in displaced students so they can continue their education as we continue to address the many problems facing the victims of Hurricane Katrina.

I urge my colleagues to support this legislation.

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from Florida (Mr. KELLER) that the House suspend the rules and pass the bill, H.R. 3169, as amended.

The question was taken.

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

Mr. KELLER. 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 3650, by the yeas and nays;

H.R. 3169, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

FEDERAL JUDICIARY EMERGENCY SPECIAL SESSIONS ACT OF 2005

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3650.

The Clerk read the title of the bill.

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 pass the bill, H.R. 3650, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 24, as follows:

[Roll No. 456]

YEAS—409

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berman
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)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conyers
Cooper
Costa
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
Duncan
Edwards
Ehlers
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
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
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
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)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
Meehan
Meek (FL)
Meeks (NY)
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
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
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
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanders
Saxton
Schakowsky
Schiff
Schmidt
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
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
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
Waters
Watson
Watt
Waxman
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—24

Baker
Berkley
Brady (TX)
Butterfield
Buyer
Conaway
Costello
Dreier
Emerson
Ford
Hoekstra
Levin
Maloney
Marchant
McNulty
Melancon
Olver
Pickering
Reynolds
Sanchez, Loretta
Taylor (MS)
Weiner
Weldon (PA)
Young (AK)

□ 1732

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:

Mr. LEVIN. Mr. Speaker, I was unavoidably delayed on rollcall No. 456. Had I been present, I would have voted aye.

PELL GRANT HURRICANE AND DISASTER RELIEF ACT

The SPEAKER pro tempore (Mr. LAHOOD). The pending business is the question of suspending the rules and passing the bill, H.R. 3169, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. KELLER) that the House suspend the rules and pass the bill, H.R. 3169, as amended, 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 412, nays 0, not voting 21, as follows:

[Roll No. 457]

YEAS—412

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berman
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)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conyers
Cooper
Costa
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
Duncan
Edwards
Ehlers
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
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
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
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)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
Meehan
Meek (FL)
Meeks (NY)
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
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanders
Saxton
Schakowsky
Schiff
Schmidt
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
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
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
Waters
Watson
Watt
Waxman
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—21

Baker
Berkley
Brady (TX)
Butterfield
Buyer
Conaway
Costello
Dreier
Emerson
Ford
Hoekstra
Maloney
Marchant
McNulty
Melancon
Olver
Pickering
Sanchez, Loretta
Taylor (MS)
Weiner
Young (AK)

□ 1747

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1642

Mr. WILSON of South Carolina. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1642.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

WHATEVER WE CAN DO

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

Mrs. BLACKBURN. Mr. Speaker, in Tennessee we are called ''volunteers,'' and that is for good reason because when our Nation is in need, our State responds. And such is the case we see this week and over the past several days as those who are the victims, the evacuees, from Hurricane Katrina have needed our help. Our Nation and our State have responded.

This headline in the Williamson AM pretty much says it: ''Whatever we can do.'' And that is the way the people of Tennessee have responded, opening their churches, opening their homes, opening town halls to help those who are in need of supplies, in need of schooling for children, in need of a place to live, food to eat.

I want to say thank you to all of those volunteers who have risen to the occasion in Tennessee, and I thank the volunteers all across the Nation who have responded to those who have found themselves in need because of the storm that we experienced last week.

HONORING ADOLFO AGUILAR ZINSER

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

Mr. BROWN of Ohio. Mr. Speaker, Adolfo Aguilar Zinser was a scholarly and outspoken Mexican diplomat and politician whose independent struggle for democracy helped end 71 years of single-party rule.

Ambassador Zinser was killed in a traffic accident while driving back from his country home south of Mexico City. He was only 55.

It is my honor to lend my voice to the many admirers of Ambassador Zinser whose untimely death is a tremendous loss for all of us who believe

in the fight for social and economic justice.

A tireless defender of democracy and human rights, Mr. Aguilar Zinser will be remembered as a true patriot, a true fighter for his country, and a friend to so many of us.

In recognition of his outstanding and valuable service to Mexico, I want to offer my deepest sympathies to his family and to his many friends around the world.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

UNCOVER DISASTER PREPAREDNESS PROBLEMS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, tomorrow the House of Representatives under suspension of the rules, that is, a bill with 40 minutes of debate total, no amendments allowed by any Member of the House for any reason, will vote to borrow on behalf of all the American people $51.8 billion to begin the recovery, rebuilding and continuing the aid and assistance efforts subsequent to the disaster of Hurricane Katrina.

Now, it is good that we are reacting and we are going to begin to fund the incredible needs that will arise and have arisen from this disaster. It is the beginning of a long process, and it is probably only a down payment. But some say that we cannot, as the House of Representatives or the legislative branch, examine the causes of the miserable response that caused unnecessary loss of life while recovery efforts are still ongoing.

Some say that we cannot question the work done by the administration and the appointees in place who failed to act adequately. They say that would be unseemly.

But during World War II, Harry Truman, in a Democratic-controlled legislature, chaired a special committee investigating the procurement scandals of a Democratic administration in the greatest crisis of our history, World War II.

We can do both. We can provide aid and assistance, and we can get at the root causes of unnecessary loss of life and unnecessary disaster. We can do that.

There are a number of lessons to be learned. We need to be able to respond better today or tomorrow. Hurricane season is not over yet. We might have another. Another might follow tragically that same path. That might be an incredible disaster. And we are going to have the same people in place, the same procedures in place. That is not going to be enough.

The terrorists are not going to wait. It has been 4 years since 9/11. We still do not have interoperable, secure communications that were identified as a principal problem on 9/11. The Bush administration zeroed them out in this year's budget, and the Congress has not yet seen fit to restore that money. I hope they will do that in one of these emergency spending bills.

Then there are the cuts at FEMA. The aggregate budget for FEMA during the term of the Bush administration, the Federal Emergency Management Agency, has been reduced. We are not quite sure how much yet because we do not have the final numbers on this bill. I guess with this disaster assistance that will not be the case. But in terms of their preparedness and mitigation, it has been reduced.

The Corps of Engineers has hundreds of critical infrastructure problems, including the levee around New Orleans, underfunded and unfunded. I had a dam in my district that was failing, a flood control dam, with the largest cities in the State downstream. And the Corps of Engineers simply said, We do not have the money. Finally they scrambled around and they found the money. But, unfortunately, they were not able to do that in New Orleans for the Corps budget had been dramatically reduced.

□ 1800

In fact, the Corps' own people predicted that this could happen because of the underfunding of the ongoing maintenance and the needed improvements in the diking system there, but all's well.

Deputy Press Secretary Trent Duffy said things are on track to privatize Social Security because we are going to borrow so much money for the disaster we are going to need to privatize Social Security. What? The Bush plan for privatization of Social Security requires borrowing more money. That is absurd. Then he says, oh, and the tax cuts are all on track, too. The tax cuts for the wealthiest among us are on track in face of a war and a disaster. Why? Because trickle-down will help the people of New Orleans.

How about Federal investment in the infrastructure that would protect the people of New Orleans and other cities around the United States of America? How about interoperable communications for our first responders across the United States of America? How about more money for disaster mitigation preparedness for FEMA? How about those investments before tax cuts for the wealthiest among us?

But they live on the high ground, and I guess they think they are exempt. They are not exempt. We are all in this together, and there should be some degree of sacrifice and level-headedness downtown. We are going to borrow $52.8 billion tomorrow, adding to the deficit; and they are proposing more tax cuts for people who earn over $300,000 a year and estates over $6 million.

Come on, let us get real. Let us act on behalf of all our people. Let us invest in our country and our people and do a better job against natural disasters and the potential for terrorist attacks. We need some changes. It should be more than 40 minutes of debate, and one or two amendments at least should be allowed.

HIGH FUEL PRICES

The SPEAKER pro tempore (Mr. DENT). Under a previous order of the House, the gentleman from Nebraska (Mr. OSBORNE) is recognized for 5 minutes.

Mr. OSBORNE. Mr. Speaker, I am sure that most Members spent time touring their districts in August, and I did as well. The major complaint that I heard was what probably most Members heard. That was concern about high fuel prices. We all know that fuel for automobiles, trucks, and airplanes have simply gone out of sight. One thing that we are not probably quite as aware of as a Nation is what it has done to agriculture, particularly where irrigation is concerned.

I talked to one Member of Congress who does some farming and irrigating. He was telling me that he had one center pivot that was powered by electricity; it cost him $1,000. He had one center pivot that was powered by either diesel or propane; that was $4,000. Same pivot, same size, and normally electricity would be higher than diesel or propane. So fuel has really eaten into the farm profits this year, and it is going to make farming very unprofitable for many people.

What has happened? Obviously, one major issue has been that global demand has increased. We realize that China, India, countries like these, have been industrialized, and over the last 4, 5, 6 years have been using much more fuel.

Number two, exploration has been curtailed. A 1998 executive order extended a moratorium on offshore drilling for 10 years. It is assumed that these areas would contain 75 billion barrels of oil and 362 trillion cubic feet of natural gas, but they are off limits. Federal law restricts access to resources in the Rocky Mountains and the Gulf of Mexico. Drilling in ANWR has not been allowed; and so whichever side of the environmental fence you are on, whether you agree or disagree, it certainly has made it more difficult to meet our fuel demands. Natural gas prices have increased 83 percent over the last 3 years, and this will cost our economy roughly $111 billion, and a lot of this is simply because of a shortage of natural gas, at least that is available to us; and we have a tremendous amount of it in Alaska and other places we are not able to get to.

Number three, refinery capacity has been reduced due to obsolescence. As a refinery gets old and equipment begins to go downhill, rather than being replaced, it simply is retired; and we have lost 30 percent of our refinery capacity since 1976. For the last 30 years,

we have been steadily losing capacity; and this, again, is mostly due to environmental regulation. We have mandated also 13 blends of gasoline. These are called boutique fuels, which add expense and time to fuel refining; and of course, in many cities, like Chicago, you may have to have three or four different fuel blends in a year. Every time you change a blend, you shut down the refinery, you clean the pipes and you start over again; and, again, that adds to expense. Katrina's destruction of refineries has pushed us over the brink. Obviously, just losing 5 or 10 percent, with such a thin margin, has made it somewhat inoperable.

Four, we have increased reliance on foreign oil, which everybody realizes. We are nearly 60 percent dependent on foreign oil at the present time. Much of this is from OPEC. So they can simply have a meeting, tighten the screws and prices go up. This contributes greatly, this dependence on foreign oil, to a $670 billion annual trade deficit, which this country simply cannot continue to sustain. We have to get more energy-independent, obviously.

I guess fifth, something that is in everybody's mind, is has price gouging occurred? To be honest with you, I do not know. I do not think anybody at this point knows, but I do know this: E85, that is 85 percent ethanol, was $1.60 in my State of Nebraska 4 weeks ago. Today, it is $2.75, an increase of $1.15 in 4 weeks. Katrina did not have anything to do with that because the cost of corn has remained low. All of the ethanol manufacturing is done in the Midwest, and so the hurricane had nothing to do with this issue. I think these are things that have to be looked into, probably by Congress.

The solution eventually, I hope, will be, what we have in our energy bill, will eventually provide relief, ethanol, biodiesel, solar, wind energy, nuclear, hydrogen fuel cells, and I think some additional refinery capacity; but it is all going to take time. This will be a difficult time, and I think Congress probably really needs to do some soul searching and look at some of the regulations we have placed upon ourselves.

KATRINA DISASTER RESPONSE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Connecticut (Ms. DELAURO) is recognized for 5 minutes.

Ms. DELAURO. Mr. Speaker, these last 9 days have been as difficult as any in our Nation's history. The devastation caused by the aftermath of Hurricane Katrina to the thousands of citizens from Louisiana, Mississippi and Alabama is, put simply, without precedent in this country.

The images that we have seen, that we continue to see, are unimaginable: people cutting through their rooftops simply to keep their families above the rising flood water; seniors in wheelchairs stuck in 110-degree convention centers and stadiums for days with plumbing overflowing and no food or drinking water; parents desperately needing for family members to call them and let them know they are safe; unspeakable acts of lawlessness and violence.

We have seen ordinary citizens with shovels burying the dead, not because they knew them, but out of respect, because it was the right thing to do. Just yesterday, The Washington Post ran a picture of a body of a man who had died of seizures outside a New Orleans gas station, his dog lying by his side for 5 days.

So it is unsurprising that countless Americans from across the country have expressed their outrage at the slow Federal response to this tragedy. Indeed, the slow response and tepid leadership cost us many lives on the gulf coast. Thankfully, as we speak, our troops, National Guard, rescue personnel from across the country and ordinary citizens in cities across America are volunteering and giving to take in the homeless, continue the rescue. Heroism is winning out.

Indeed, of all the tragedies that have befallen our country and the gulf coast in the last week, perhaps the saddest is that we knew that this day was coming for New Orleans. Contrary to the President's assertions that this flooding was unexpected, scientists, Federal officials, and others had predicted the potential for a Katrina-like disaster for decades. In 2002, the New Orleans Times-Picayune ran the now-infamous five-part series exploring the vulnerability of the city, specifically addressing the possibility of massive floods drowning residents, destroying homes, releasing toxic chemicals throughout the city. Just days ago, FEMA Director Brown, Homeland Security Secretary Chertoff listened in on electronic briefings given by the staff before Hurricane Katrina had even touched Louisiana and Mississippi. They knew full well of the storm's deadly potential.

Yet they were unprepared to do anything about it. Last year, former director of FEMA James Lee Witt said as much, testifying before a panel I chaired outside of the Congress. He told the committee, and I quote, ''Scientists tell us that we are going to be seeing more catastrophic natural disaster events in the 21st century than we have ever seen, more devastating. And yet we have destroyed the one agency that not only responds to those events but also works with State and local governments to do pre-disaster mitigation prevention before that risk could ever happen, to minimize that risk.''

He went on to say that there were virtually no communications within FEMA itself and that it no longer had the communications channels or partnerships with State and local governments that it needed. Indeed, he said communications were virtually nonexistent between FEMA headquarters in Washington and its 10 regional offices. It took the submerging of one of our most culturally vibrant cities to put Director Witt's words to the test.

So this is not about assigning blame at an untimely moment. It is about understanding what this administration has done to FEMA, which is a symbol of its priorities and underlying values. They have cut the heart out of FEMA, as they have cut the heart out of so much of our capacity to address our domestic needs and secure our homeland from terrorist threats, from natural disasters, from global economic changes. The reason why the head of FEMA is so speechless at this moment and why he must go is that he represents an approach that leaves us with our fingers crossed instead of with real vision for tackling the threats before America.

This administration and this Congress' answer to every problem is more tax cuts, mostly for the most privileged. They have left us saddled with bulging deficits, a diminished Social Security trust fund, weakened investments in our own people and communities, and that is why the Federal Government and the agency responsible for emergency relief failed to act and failed to lead.

I start by calling for the resignation of Michael Brown, the director of FEMA, as a statement by the administration and our country that we intend to face these challenges in a wholly new way. It is the only way we can honor the heroism that we are now witnessing in New Orleans, across the gulf coast, and around the country.

I make this request as a Member of the United States Congress and an American, not as a partisan. We need to unite now just as our volunteers, our police, firemen, troops are united in a common effort. That means accepting that we have the responsibility as a community to tackle the rescue and tackle the rebuilding of this part of our country. Those are the values that now govern in this period.

We must make sure that our budget priorities are reordered, not to reward greed but civic virtue. We must rebuild. We must give people the capacity to remake their lives, and it starts by getting this relief effort right. The new appropriations of our resources must enable people to get housing, get their families back on track, repair the levee breaches, pumping out the flood water, giving food and shelter. We must invest in New Orleans, but also in our infrastructure and environment and our people.

That is why America is so special, Mr. Speaker. We have to do so much in this institution, not measured only in dollars and in cents but our character and our compassion that is evident every day as we watch the heroism of the gulf coast. It is a time for leadership and heroism as well.

LANCE ARMSTRONG

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, the news reports: 80-year-old woman gives birth to 300-pound baby; bat child found in Utah cave; Lance Armstrong used performance-enhancing drugs.

Mr. Speaker, these are a few tabloid headlines that have been released recently. They seem a bit outrageous to normal people, especially the last one. As a fellow Texan and great admirer of Lance Armstrong, I stand with him in the face of this mindless, babbling slander.

Using unknown procedures and almost none of the standards outlined by the World Anti-Doping Agency, a newspaper pretends to have proof that in 1999, six years ago no less, Lance Armstrong used a performance-enhancing drug. What a shock, the newspaper is a French one.

This most recent saga is a continuation of an ongoing struggle between Lance Armstrong and the French press. Since 1999 when Lance won the first of his seven consecutive Tour de France races, the French press has accused him of using drugs. The French would line the streets as Lance raced by. They would spit on him and curse and chant, ''Dope, dope.''

Lance Armstrong's past is fairly well-known. In 1996, Lance Armstrong was diagnosed with testicular cancer, and the condition spread to his abdomen, his lungs and his brain. He was given about a 33 percent chance of living. With the help of modern medicine, the good Lord and an iron will, Lance Armstrong beat cancer, went on to race again, and became arguably the best cyclist in history.

But, Mr. Speaker, the anti-American French press cannot handle this truth so they attack the victor. Once again, they try and project their arrogance and obsessed outlandish sentiment against one of cycling's best.

□ 1815

Cycling in France is like baseball or football is in the United States, and they cannot comprehend how an American, a Texan no less, could dominate their sport.

The most important aspect of Armstrong's success is his ability to train longer and harder than any other man alive. In the words of one racing expert, ''Lance pushed physical preparations to new limits.'' In his book, Lance attributes his training abilities to the fact that he learned how to endure pain during his battle with cancer.

Mr. Speaker, the idea of a perfect athlete is similar to the idea of a perfect storm. You take the most gifted athlete, his ability to combine that with the most dedicated work ethic, and what you have is Lance Armstrong. You see, Lance wants it more than anyone else.

Seven Tour de France crowns and a million dumbfounded French reporters later what you get is this situation today. We have a tremendous athlete falling victim to the accusations of reporters with an obvious case of sour grapes and elitist European snobbery.

Mr. Speaker, I was a felony court judge in Texas for 20 years and a prosecutor for 8. I never lost a jury trial as a prosecutor, so I know what it takes to convict someone. I know about the chain of evidence and due process. And nothing about the most recent of the French allegations against Lance Armstrong is credible. Not a court in the United States or even France would convict him of these atrocious and appalling allegations.

There have been many drug tests done on Lance Armstrong over the years, and all of a sudden, years later, as if out of some obscure cave, a French newspaper reports some old samples from a French lab came back positive. Mr. Speaker, that dog just won't hunt.

Essentially, there is no proof that these mysterious samples used in this test were even Lance Armstrong's. There is no proof they were stored properly and there is no proof the test is even reliable. The chain of evidence is so horrible that nobody can prove that the samples were not switched.

Mr. Speaker, what we have here is simply the latest bombardment of the 7-year smear campaign by the French media. They cannot defeat Lance Armstrong in their race, so they are attempting to bring him down with allegations and junk tabloid journalism. If this latest so-called proof is the best the French can do, I suggest they do what they do best: throw up their hands and surrender. The burden of proof is on the accuser, not the accused, and I would encourage this tabloid to put out the campfire and call in the dogs, because the hunt is over.

Mr. Speaker, what the French need to remember is that Lance Armstrong's life stands for much more than his amazing cycling abilities and winning seven races. He knows there is more to life than the 15,205 miles he cycled in those seven races. Although the Tour de France is known as the world's most grueling test of human endurance, fighting cancer and going on to win the test of life is more remarkable.

As a superior athlete, he has succeeded in inspiring cancer patients around the globe and will continue his fight for years to come, despite absurd accusations as this one. Perhaps Lance Armstrong has the best answer to these absolute absurd allegations. In a 2000 Nike commercial that he produced he made the statement, ''Everybody wants to know what I'm on. What I'm on: I'm on a bike busting my butt 6 hours a day. What are you on?''

KATRINA RESPONSE

The SPEAKER pro tempore (Mr. DENT). Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

Mr. EMANUEL. Mr. Speaker, in the past week all Americans, in fact, the whole world, has witnessed the devastation along our gulf coast. As a nation and as a Congress there are three ways to respond to this crisis: rebuilding, restoring, and retrospection.

We must pinpoint the errors made prior to the storm and the flooding; develop an action plan on what needs to be done, ensuring these times of failures do not happen again to Americans; and focus on rebuilding the lives. And we will rebuild those lives. As many tomorrows as those folks along the coast need, every American will dedicate themselves to being there as they regather their lives, regather their loved ones, and regather their property. We will be there every step of the way. That is the most important message they need to know.

Before we do anything, we need to dispense with the myths that we were not warned. Earlier this year, the New Orleans Times-Picayune ran a series of articles on the possibility of a Category 5 hurricane and what would happen to New Orleans.

In December 2004, the Army Corps issued a report saying the levees needed to be raised. According to Newsweek, Senator Breaux from Louisiana personally discussed this issue with the President last year. So let us not kid ourselves. The warnings were there about where the weaknesses existed.

Now, that is as it relates to the hurricane. We also have articles relating to, and reports just yesterday in the Wall Street Journal about, how, in fact, FEMA directors around the country reported up to the head of Homeland Security that, in fact, the way we were structured we could not handle a major crisis in the country, leading to a meeting in August with Director Chertoff because everybody was upset about what was happening to FEMA and the degradation of the operation.

We need to be honest with the American people. They ultimately pay for this government. They need to know, and that is not going to be about pointing fingers or about blaming anybody, because you cannot fix a problem if you do not think you have a problem. And there are a lot of individual actions where people can be proud of people who have served, volunteered, or who have done heroic things beyond the call of duty. That is all good and that is the right thing and that needs to be supported.

But we need to be honest with ourselves, and that does not mean pointing fingers for political gain. If FEMA was not up to snuff, it was not up to snuff. If the director of Homeland Security did not take the type of hands-on approach that was needed and people were concerned internally, we need to deal with that.

Here we had a natural crisis. The Wall Street Journal noted the other

day about how this may be a boon to the terrorists. We need to improve our response to an emergency so this does not happen again to any American, anywhere, any time, because failure when it comes to an emergency is not an option. When lives are at stake, and this was the worst tragedy in America and lives could have been saved, we need to be honest with ourselves and the American people who pay the bills here, because they expect that type of service, and they should, from their government.

Now, pointing fingers and attributing blame does little to put our country back together. On the other hand, acting Pollyanna, as if everything went according to plan, would be dangerous and foolish. Again, you cannot fix a problem if you do not think you have a problem. My colleagues, we have a problem.

In times of crisis like this, the American people rightfully look to their government. This time, the government at all levels failed them. That is unacceptable. People should and will be held accountable. But today our utmost important task and this body's primary task should be putting the people's lives back together and building communities.

Here are four things I think we can do immediately. First, anyone affected by this tragedy should be exempted from the recently enacted bankruptcy laws immediately. Many have lost everything, including their jobs. Expecting them to honor their obligations would be unrealistic and against the values of this country.

Second, we need to make sure that all the children have universal health care and access to education, and we should provide these children and their families universal health care at least minimally for the next 18 months. We should also consider making community health care part of our emergency response on the part of FEMA, like any first responders. We must also make sure they do not miss a day of school by quickly enrolling them in new schools and providing those schools with the types of services they need.

In addition to that, on education, every individual who is going to get either a GED, college education, postgraduate work, or job training should get a $3,000 voucher for their education.

IN MEMORY OF SPECIALIST ERNEST DALLAS, JR.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BURGESS) is recognized for 5 minutes.

Mr. BURGESS. Mr. Speaker, just before we left at the end of July, I received notice from the Department of Defense about the death of one of my constituents, Specialist Ernest Dallas, Jr., in the country of Iraq on July 24. I wanted to take some time this evening to talk about the life of Specialist Ernest Dallas. Many of the remarks that I am going to make tonight were taken from an article that appeared in the Denton Record Chronicle on July 27, written by Matthew Haag.

Mr. Speaker, I think it is appropriate tonight to honor the memory of Specialist Ernest Dallas. He was from my district, the 26th Congressional District of Texas, and he was serving his country during Iraqi Freedom. Again, he died on July 24 with three other soldiers when a roadside bomb exploded next to their Bradley fighting vehicle. Specialist Dallas was assigned as a scout in the Third Armored Cavalry Regiment in Baghdad. He was 21 years old.

Celebrating and recognizing the life of Specialist Dallas is important. He was a graduate of Fred Moore High School, and he enlisted for a 3-year term in the Army in November of 2003 because he wanted to serve his country and he felt he needed the training that he would be provided to meet his future goals, a future that he hoped included a job as a Denton police officer.

Specialist Dallas was a loving family member and he always took time to phone home to get his family caught up on news of what was going on with their unit. He was the first Denton, Texas, resident to die in the conflict in Iraq.

His first love was baseball, his family said. He started playing when he was 9, and he idolized the former Texas Rangers Catcher Ivan (Pudge) Rodriguez. In 2000, he decided to forgo baseball and enrolled in the Denton Police Department's Citizen Youth Academy. He turned out to have another dream. He wanted to be a Denton policeman, said his stepfather, Manuel Sauseda. In the program, Specialist Dallas would ride along with Denton police officers.

As soon as school let out in the afternoon, Specialist Dallas would race home and get ready to go out with the officers. The program was scheduled from 3 p.m. until midnight when the officers' shift was over. But his stepfather said that Specialist Dallas would frequently call at midnight and ask to stay a little longer, and a little longer frequently turned out to be 6 a.m. in the morning. His mother joked that the neighbors must have grown suspicious of the police cars that were constantly stopping by her house and bringing him home. I know what the neighbors thought: that little boy must be in so much trouble, said his mother, Charlene Sauseda.

Specialist Dallas' family said he always wanted to protect the people he loved. So 2 years after 9/11, he enlisted in the Army. He said that the attacks inspired him to enlist. He saw how it affected everybody, his mother said. Enough was enough, said Ernie. He wanted to go over there and take care of things.

I had the opportunity to sit down with Specialist Dallas' family during the August break and they told me of his love of the Police Academy. They told me how he came to love the Police Academy. Specialist Dallas was sometime earlier prone to leadership that was taking him in the wrong direction. He was brought home one afternoon by a sheriff's deputy in Denton, a gentleman I know well, named Greg Levling, who now works for the Dallas Sheriff's Department.

Apparently, Specialist Dallas was at that time, at 8 years old, a lookout man for someone who had figured out how to get free pinball games on a pinball machine. Specialist Dallas was to watch and tell if anyone was coming. Well, when the sheriff's deputy came around the corner, Specialist Dallas sang out ''Here comes somebody.'' The sheriff brought him home and his mother said that the sheriff's deputy, Mr. Levling, provided some firm direction for the young man; and it was then and there that he got his love for the police force and his wish to, hopefully, one day serve in the military.

Just a few weeks prior to his death, Specialist Dallas sent an engagement ring to his girlfriend.

He was truly a soldier who understood his duty, and he planned for a future beyond the service to his country.

Mr. Speaker, it was my honor to represent Specialist Dallas. I extend my deepest sympathies to his family. On behalf of the United States Congress, I want his family to know that his service and their sacrifice were deeply appreciated and we thank them.

HONORING THE LIFE OF ARMY SPECIALIST TOCCARA GREEN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, I rise today to pay tribute to an American hero. Army Specialist Toccara Green, a native of Rosedale, Maryland, served with the 10th Mountain Division based in Fort Drum, New York. While on mission in Al Asad, Iraq, with her transportation company, she was unfortunately killed by the detonation of a roadside bomb.

Specialist Green was the first woman from Maryland killed in combat in Iraq. What we know with certainty is that she made the ultimate sacrifice in service of her country. The lasting lesson about this tragedy arises in part from the fact that Specialist Green was only 23 years old. Her wonderful and promising life was cut too short by far.

Mr. Speaker, for as long as humanity has walked this earth, we have been forced to deal with the terrible devastation of war.

□ 1830

This age-old truth brings little comfort, however, when the loss becomes so personal. Knowing this, I offer my deepest condolences to her family during this very difficult time, and I join the entire Maryland Federal delegation in mourning their loss.

Our prayers go out to a very strong and close family, which includes her

mother and father, Yvonne Green and Detective Garry Green of the Baltimore City Police Department; her brother, who she loved dearly, her ''big brother,'' she called him, Marine Staff Sergeant Garry M. Green, Jr.; her sister-in-law, Kim; her nephew, Jayline; and all the family and friends who have been touched by Toccara's life.

This remarkable young woman was one of Maryland's finest citizens. Public service was in her blood. The Armed Forces seemed like a natural progression for Specialist Green. She spent 4 years in ROTC while attending Forest Park High School in my district in Baltimore. Her dad, a Baltimore City police detective, risks his life for us on the streets of Baltimore every day. Her brother, whose life was an inspiration to Specialist Green, serves in the Marines.

Her mother and father instilled in their children the importance of serving others. Yet, knowing the perils of war, they were apprehensive when their only daughter shared with them her dream of joining the Army. As loving parents, her safety and security was their priority. But Toccara Green's determination was steadfast.

Along with her intense desire to serve, she also shared her father's love of cars, and she transferred that love to her duty in the Army as a motor and transport operator. She was serving her second tour, her second tour of duty in Iraq when she was killed.

Toccara Green loved her country. She wanted to do all that she could to help people and give back to the Nation that had given so much to her.

Yet, as I noted, Mr. Speaker, her death is an all too painful reminder of how deeply the sorrows of war cut into our hearts and burden our souls. Now we will never know what her future would have become. Her family and her friends will never celebrate the milestones and triumphs that each passing year would have brought to her life. They have been deprived of her laughter, her affection and of her love.

Nevertheless, Specialist Green has left with them, and all of us, a legacy that can inspire. I am sure she saw more horror while serving in Iraq than most of us can ever imagine. Yet, even in the face of death and destruction, she had the ability to provide strength and a positive outlook to her weary fellow soldiers. She was an eternal optimist who could find the good in the worst of situations. They called her the unofficial morale officer of her unit.

Toccara Green was following a higher calling, a calling to serve. She rose above the adversity that surrounded her, lifting herself and others by her courage and her unyielding determination to do her part in attempting to make the world a better place.

Toccara Green gave our Nation her very best. She willingly did her job because she was a woman of honor and a courageous soldier. She touched the hearts and lives of all of those who knew her. As Americans, we owe her a debt of gratitude that we can never repay. We can only do our best to give meaning to her sacrifice.

Mr. Speaker, I thank the family of Specialist Green for sharing her with the Nation and the world. She is now at rest; and as a Christian who was active in her church, I am sure she is looking down from above saying, It is well, it is well, it is well with my soul.

The SPEAKER pro tempore (Mr. DENT). Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

INSPIRING ACTS OF KINDNESS OCCURRING IN WAKE OF HURRICANE KATRINA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

Mr. GINGREY. Mr. Speaker, I rise today to share one of the many inspiring stories of personal commitment and sacrifice that have occurred in the aftermath of Hurricane Katrina. In the Eleventh District of Georgia in the town of Marietta, my hometown, a community came together to rescue more than 30 hurricane victims from the Waldo Boys Home in Louisiana.

It started when Marlene Murphy, an employee at InfoMart, a local company in Marietta, made a desperate appeal to her fellow workers. Marlene's sister and brother-in-law were counselors at the Waldo Burton Boys Home in New Orleans. They were stranded, along with many of the residents and staff, after floodwaters engulfed that city.

Without wasting a bit of time, InfoMart employees, led by the company's president, Tammy Cohen, swung into action, taking on the cause as their own. The employees brought food, clothing, and necessities for the stranded boys. They notified the Coast Guard of the situation. Naval Air Station Atlanta's Captain Sean King and other leaders in the community quickly organized a mission to rescue these victims.

InfoMart rented three passenger vans and a truck, and they started that long trip to New Orleans. On the way, there were plenty of reasons to turn back: 2-mile long lines for gas, police barricades, and even cars driving on the wrong side of the interstate.

But these volunteers did not for a second think of themselves or their troubles. They were only focused on rescuing these boys, no matter what; and I am proud to report that their mission was a success. Fifteen boys, aged from 12 months to 15 years, along with 16 staff and family members, were brought back to Marietta, Georgia, where now they were welcomed by a generous community eager to help.

After spending the night in donated rooms at the Marietta Conference Center, the boys are now being transitioned into three homes owned by the YWCA. They have been fed. They have been given fresh clothes and personal necessities. Efforts are being made also to locate other family members, and local businesses and charities are donating the resources needed to get these victims settled.

Mr. Speaker, if I thank all the people who deserve praise for this astonishing and selfless effort, we would be here all night. A gas station in Birmingham donated gas for the trip home, and local restaurants, like Panera Bread and Mellow Mushroom Pizza, are donating food for the boys. InfoMart employees and community members have donated supplies, clothes, and that most important gift of all, their time.

This is a shining example of a community coming together to help another community. In this time of crisis we can draw strength from the knowledge that Americans are helping Americans. It is good to know that the American way is a generous and giving one.

Mr. Speaker, the acts of kindness I have witnessed in Katrina's wake make me proud to be a citizen of this great Nation. Neither waves, nor rain, nor wind, nor blistering heat can crush the American spirit. Wherever nature kicks us down, there are millions of hands waiting to lift us up.

There are many acts of kindness taking place across this Nation, and I ask that you join me in praising the selfless dedication our citizens have shown in opening their wallets, their homes, and, most importantly, their hearts.

ENSURING THAT MEDICAID IS AVAILABLE TO HURRICANE KATRINA VICTIMS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, Hurricane Katrina put a human face on hardship. It reminded us that there are Americans who work hard and pay their taxes and play by the rules, yet are still hanging on by a thread. It reminded us how easily that thread can break. In the clearest terms possible, it communicated the value, both tangible and intangible, of government assistance.

Many people who suffered from Katrina have relied on Medicaid, a government health care program for poor families, for families who are working but do not make enough or have health insurance. Yet as we return to Washington this week after surveying the damage from this terrible storm, Republican leaders are pursuing $10 billion, $10 billion, in cuts to that Medicaid program, in large part because they are insisting on more tax cuts for the wealthiest 1 percent of the people of our country.

As we saw the poorest in New Orleans left behind while those who were more affluent were able to escape, this Congress, frankly, is mimicking that same process, that same scenario, where we are giving tax cuts to the wealthiest citizens, while the poorest and the middle class and those who are working hard and playing by the rules and paying their taxes but who cannot afford health care, we are leaving them behind.

Our Nation's leaders must stop blaming the poor for having the same health care needs we all do. Helping the poor secure health care is not a frivolous extravagance; it is an expression of our values as a Nation. Health care is expensive. No one has figured out, especially in this institution, with the power of the drug companies and the influence of the insurance industry, no one here has been willing to find a solution to contain medical costs without stifling medical progress.

Our Nation's leaders must stop pretending that taking health care away from the poor solves that dilemma. They must stop pretending that the poor take advantage of Medicaid, as if enrollees look for excuses to take off work and see the doctor. The Nation's leaders must stop pretending that taking health care away from the poor will not hurt them. It is a convenient theory. It is also patently false.

Hurricane Katrina forced this Nation, if only for a few days, to see through the eyes of Americans living in poverty. It was a grim reminder that Americans from all walks of life can be financially independent one day and in desperate need the next. A natural disaster, a catastrophic illness, a stock market crash, an aging parent, a sick child, that is all it takes.

Katrina reminded us that when Americans witness human suffering, they do everything in their power as a great Nation, as the people, not the government, they do everything in their power to alleviate that suffering.

Medicaid is the Nation's insurer of last resort. It simply is a financing mechanism that, with modest adjustments and sufficient resources, can accommodate the health care needs of the hurricane victims without delay, without red tape. Medicaid serves people who have virtually no resources of their own. In Louisiana, Mississippi and Alabama, we have seen what that kind of poverty looks like.

Some policymakers have proposed saving money by increasing the cost-sharing burden on Medicare enrollees, people who already ration every dollar to get through their daily lives, to cover their basic necessities.

Medicaid enrollees are not going to respond to increased cost-sharing by forsaking discretionary care. Other obstacles, like transportation costs and hourly wage jobs, already force those choices. Increased cost-sharing will deter timely, necessary health care. That is not right, that is not smart, that is not compassionate. Delays increase the cost of treating illnesses.

Policymakers have also proposed ''tailoring'' Medicaid coverage to fit the health care needs of different beneficiaries. That is not an efficient way of cutting costs; it is an efficient way of cutting care. It is the wrong decision to make, to make this $10 billion Medicaid cut.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. LINCOLN DIAZ-BALART of Florida from the Committee on Rules, submitted a privileged report (Rept. No. 109–217) on the resolution (H. Res. 426) providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. PETERSON) is recognized for 5 minutes.

(Mr. PETERSON of Pennsylvania addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

MINNESOTANS SUPPORT HURRICANE SURVIVORS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. RAMSTAD) is recognized for 5 minutes.

Mr. RAMSTAD. Mr. Speaker, the Minnesota spirit is alive and well. The Minnesota spirit of compassion and help for people in need has moved countless Minnesotans to step forward to provide relief for the survivors of Hurricane Katrina.

My district office has literally been overwhelmed with calls from people offering housing, food, clothing, health care, labor, and monetary assistance. Camp Ripley, located in northern Minnesota, is presently welcoming over 3,000 survivors of Hurricane Katrina. Other Minnesota communities are similarly opening their doors.

In our suburban communities, churches and synagogues, civic and service clubs, school groups, the business community and numerous other organizations have answered the call to help disaster survivors. The Minnesota Vikings football team collected 70,000 pounds of clothing, toiletries, and other supplies for Katrina's survivors. As head coach Mike Tice said, this was an example of Americans helping Americans.

In our Lake Minnetonka community, Interfaith Outreach & Community Partners, representing 21 area churches, has a long history of helping people in need. Interfaith Outreach & Community Partners is jump-starting its annual housing fund drive to aid the housing needs of Hurricane Katrina survivors. I will be home this coming Saturday to join Interfaith Outreach & Community Partners in kicking off a drive to raise $1.5 million for people in the gulf States who are so devastated by Hurricane Katrina.

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John Berg, chairman of the Interfaith Outreach and Community Partners Housing Fund, put it best when he said, ''It's simply the right thing to do. We can't look away from the suffering of these people. We need to leverage all the resources and partnerships available to ensure a safe place to call home for both the families and children of our community and the families and children devastated by Katrina. It's a time for faith,'' concluded Mr. Berg.

Interfaith Outreach and Community Partners, Mr. Speaker, which sponsors the Sleep Out annually to raise funds for homeless people in our community, will also continue to raise funds for local emergency and long-term housing initiatives. Last winter's Sleep Out raised over $1.3 million from the generous people of our Lake Minnetonka communities to literally, literally, bring in 42 homeless families from the cold and to enable 656 other families with over 800 children to keep a roof overhead.

Mr. Speaker, the people of our communities back home have big hearts, and I know they will come through again for the Hurricane Katrina Housing Relief Fund. A special thanks to all the good people of Minnesota for opening their arms to hurricane survivors who have suffered so greatly. Once again, Mr. Speaker, the people I am proud to represent are doing the Lord's work here on Earth.

SMART SECURITY AND THE KATRINA HURRICANE

The SPEAKER pro tempore (Mr. DENT). Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, Katrina, the Category 4 hurricane that hit the gulf coast last week, leveled nearly everything in its path. It tore apart homes and destroyed entire coastal cities. It has taken the lives of countless hundreds, if not thousands. It will cost an estimated $150 billion to rebuild and repair the affected region.

Sadly, the Federal Government's response to Katrina was lackluster at best and shamefully negligent at worst. Despite the public's forewarning that there was a knowledge of Katrina's severity, the Bush administration failed to provide adequate Federal aid and hands-on support for the thousands of citizens stuck in the storm's aftermath. A large part of this failure stems directly from the lack of qualified first responders, the thousands of Guardsmen and Reservists who are currently stuck fighting in Iraq and Afghanistan.

It is during wholesale natural disasters like these that Americans should be able to rely on our Nation's capable National Guard and Reserve forces.

Unfortunately, it has not worked out that way because the Bush administration has more than 50,000 National Guardsmen and Reservists stationed in Iraq. That amounts to just over 40 percent of the total U.S. military forces there.

The Army's Guard and Reserve units are supposed to be our Nation's emergency force, America's defenders of last resort. Yet the Army's Web site actually defines the Army reserve as being ''like a part-time job that enables soldiers to keep their civilian careers while they continue to train near home.''

But the President has 50,000 of them fighting in a war very, very far from home, shouldering a disproportionate share of the burden in Iraq. He has them suffering for a war that was supposedly about weapons of mass destruction and then about Saddam's link to al Qaeda and then about bringing democracy to Iraq. But no matter how we slice it, the war in Iraq was never a war of last resort. The emergency units should have remained here at home in case of a real emergency. In fact, all 3,700 of Louisiana's National Guardsmen are currently stationed in Iraq and will not return home to help their devastated State or their own families, for that matter, for another week. Unfortunately, it was only a matter of time before the deployment of thousands of Guardsmen and Reservists to Iraq ended up hurting Americans right here at home.

The city of New Orleans and the rest of the gulf coast has learned that lesson in a painful way, losing family members, loved ones, friends, and pets that could have been saved if their government had provided more human support and a smarter approach to dealing with Katrina's aftermath.

It is my hope that our national overreliance on military solutions during the past 4 years, made painfully clear by the Katrina hurricane, will lead us to a smarter national security strategy in the future. That is why I have introduced SMART Security: a Sensible, Multilateral, American Response to Terrorism. SMART is based on the belief that we should pursue the military solution only in the most extreme circumstances and after every diplomatic solution has been exhausted. SMART would divert resources for military spending and foreign wars to homeland security and energy independence, from outdated weapons systems to an ambitious development plan for the troubled regions both in the United States and around the world.

Democracy-building, international aid, human rights education, small business development, these are the cures to poverty, to oppression, to hopelessness that plague both the people of Iraq and the survivors in the gulf, particularly in New Orleans. SMART projects protect America by relying on the very best of America, not violence and conquest, but our capacity for global leadership, our belief in freedom, and our compassion for the vulnerable people here at home and around the world.

Mr. Speaker, Katrina's aftermath has given us a firsthand look at what happens when a nation's forces are stretched thin. That is why it is time for us to start bringing our troops home. The Iraqi people need the United States, they need the U.S. National Guard out of Iraq, and no less important, the American people need them here at home where they belong.

STATEMENT REQUIRED BY SECTION 402(a)(3) OF H. CON. RES. 95, THE CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2006

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. LEWIS) is recognized for 5 minutes.

Mr. LEWIS of California. Mr. Speaker, the funds provided in H.R. 3673 to meet the urgent needs arising from the consequences of Hurricane Katrina are designated as emergency requirements for the purposes of section 402 of H. Con. Res. 95, 109th Congress. The requirements funded in the bill meet criteria outlined in section 402(c) since they are in response to a situation which poses a direct threat to life and property, is sudden, is urgent and compelling, is unpredictable, and is not permanent in nature. The funds are also essential to the continuing recovery effort.

The devastation that has occurred in New Orleans and around the Gulf Coast as the result of Hurricane Katrina is of monumental proportions. It already is the most costly natural disaster in the Nation's history, and most government natural disaster assistance experts anticipate recovery needs far beyond the $62.3 billion to be provided by Congress in the first two Hurricane Katrina supplemental measures. The funds in H.R. 3673 will provide urgently needed food, shelter, security, and reconstruction. The funds will help to save lives. Clearly, the funds meet emergency needs and are consistent with the criteria outlined in the budget resolution.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HINCHEY) is recognized for 5 minutes.

(Mr. HINCHEY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Ms. MILLENDER-McDONALD. Mr. Speaker, I ask unanimous consent to take the Special Order time of the gentleman from New York.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

PAY INEQUITY AND THE WAGE GAP IN THE UNITED STATES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. MILLENDER-McDONALD) is recognized for 5 minutes.

Ms. MILLENDER-McDONALD. Mr. Speaker, earlier this week we observed Labor Day. We take this important opportunity every year to honor this Nation's workers.

Tonight I want to shed light on one way that this country can really honor a group of workers that make up almost half of this Nation's workforce, and those are our women.

Mr. Speaker, the Department of Labor estimates that women will account for 55 percent of the increase in total labor-force growth between 2002 and 2012. However, in 2004 women made up 46 percent of the total United States workers. In that same year 68 million women were either working or looking for work.

Women work in every sector of our economy. They are professionals, managers, nurses, salespersons, factory workers, and business owners. More and more women are entering into nontraditional occupations. We are an essential component of the American workforce.

Then why is it that a full-time working woman receives only 73 cents to every dollar received by a man? That figure is worse for women of color. African American women earn 65 cents for every dollar paid to a white male. Hispanic women receive only 53 cents for each dollar earned by a white male. This means that Hispanic women are paid only slightly more than half of what white men earn. Even in jobs where women make up the majority of the workforce, and that is over 70 percent, men still earn close to 20 percent more than the women.

This trend must stop. Anyone would be hard pressed to find statistical evidence proving that women work is less arduous than their male counterparts or that they underperform comparatively. There is no logical explanation why a woman, who is often times still responsible for her children and family, in addition to working full time, should earn less than a male doing the same work.

This is not an issue that is going to go away, Mr. Speaker. Pay inequity is affecting the American family. If women earned the same amount of money as men who work the same hours doing the same job, their families' annual income would increase by $4,000 per year. This would cut poverty rates in half. Equal pay for equal work will increase women's spending capability. Equal pay for equal work will empower women to plan for their children's education and their own retirement.

Over 40 years have passed since the enactment of the Equal Pay Act. In that time we have only closed the wage gap by one-third of 1 cent per year. Mr.

Speaker, this is unacceptable. We must do more to correct this disparity.

HURRICANE KATRINA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

Mr. LIPINSKI. Mr. Speaker, the whole country continues to be focused on the millions of Americans who have been displaced by Hurricane Katrina. As we begin to understand the enormity of the situation in the gulf region, it is becoming clear that this is one of the worst natural disasters to ever strike our country. My thoughts and prayers go out to the families grieving the loss of their loved ones and to the survivors who are struggling to cope and to find shelter, food, and medical care in the wake of this terrible disaster.

These are the moments that we realize that we are our brothers' keepers. It is clear that we must all come together to help our fellow citizens. And Americans are donating record amounts of money, time, and supplies to help those who are displaced by the hurricane. The most important thing right now is to make sure that we are saving lives and we are providing the food, shelter, and medical care for the people affected by this tragedy.

As has happened in many other States, four jetliners arrived yesterday in my home State of Illinois with the first group of 540 hurricane evacuees; and Illinois expects to provide housing, food, and medical care for up to 10,000 evacuees.

I am pleased that Congress was called back to Washington last week for a special session to pass the $10.5 billion in relief funding for the victims of this horrific natural disaster. This funding is only the first step on a long and challenging path to recovery for the entire gulf coast region.

Unfortunately, many of the victims have had to endure not only the natural disaster of Katrina but also the unnatural disaster of the delayed and deeply flawed relief effort. In this time immediately following the disaster, we have an obligation to correct the mistakes in crisis response. We must find answers to basic questions that the American people are asking right now as they watch the aftermath unfolding on their television screens minute by minute and hour by hour. They are saying over and over again to themselves, How could this have happened in the United States of America, the most powerful country on the Earth? How could our country allow people to die without getting them water, food, and medical care?

One thing that is clear is that the Federal Emergency Management Agency, FEMA, must assume a large share of the blame for the woefully inadequate response to the hurricane. Somehow FEMA has lost its way. During the Clinton administration, FEMA was transformed into an exemplary and effective cabinet-level agency under the leadership of James Lee Witt, a veteran emergency director. Unfortunately, as part of the Homeland Security Act of 2002, the President and Congress moved FEMA from an independent, cabinet-level rank to a subagency of the Department of Homeland Security under the authority of the Secretary of Homeland Security.

It is time for us to return FEMA to its status as a cabinet-level agency that reports directly to the President and establish it once again as an independent agency.

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I have signed on to legislation to do this, and I urge my colleagues to quickly and carefully review this bill.

We have important questions to answer about how the Federal Government could have better handled the events that unfolded as a result of this catastrophe. These are serious questions on which we all need to work together. We need to make sure that we are responding quickly not only to those in need today, but also prepare for anything that may happen in the future.

Today, we live under the specter of terrorist attacks, and we may face a situation much worse than we have faced with Katrina. We have to be ready. We have to learn from this catastrophe, from the mistakes and the lack of adequate response, and we have to quickly fix the problems. As we have all too painfully seen, the lives of millions of Americans depend on how we handle this, depend on how FEMA handles these emergencies. So it depends on what we here in Congress do to correct this situation so it never happens again.

FEDERAL GOVERNMENT'S SHAMEFUL RESPONSE TO HURRICANE KATRINA

The SPEAKER pro tempore (Mr. REICHERT). Under a previous order of the House, the gentlewoman from California (Ms. LEE) is recognized for 5 minutes.

Ms. LEE. Mr. Speaker, the devastation wrought by Hurricane Katrina has torn down the curtain and exposed the dirty secret that divides our Nation like an open wound, and the entire world is watching. If anyone ever doubted that there were two Americas, Hurricane Katrina and our government's shameful response have made the division very clear for all to see.

New Orleans is a city where 67 to 70 percent of its population was black. Nearly 30 percent, one in three, were living below the poverty line. Twenty-one percent of the households earned less than $10,000 a year. Eighty-four percent of the people living in poverty in New Orleans were black.

So when a disaster came such as this one, the people who had cash in the bank and a car in the garage, they escaped, and those who did not were shamefully left to fend for themselves, and the majority were poor and black.

The Bush administration's response to Katrina has been nothing short of shameful, and they must account for their actions. Why did Federal officials ignore predictions of a disastrous flood and hurricane in New Orleans? Why did FEMA turn away assistance, telling Amtrak it did not need to help evacuating survivors, denying the Red Cross access to New Orleans, turning away three trailer trucks from Wal-Mart that were loaded with water, and preventing the Coast Guard from delivering 1,000 gallons of diesel fuel?

How many people died as a result of this delayed response? And why has the FEMA budget been cut since 2003? Why have the last two directors of FEMA been political appointees who had no experience with disaster management?

As one commentator recently said, he said, ''Actions have consequences. No one could predict that a hurricane the size of Katrina would hit this year, but the slow Federal response when it did happen was no accident. It was the result of 4 years of deliberate Republican policy and budget choices that favor ideology and partisan loyalty at the expense of operational competence. It is the Bush administration in a nutshell.''

Quite frankly, the director of FEMA, Michael Brown, should resign immediately, or he should be fired. And we must help put people's lives back together immediately by providing the health care and the housing and the mental health care and the services and the education, all of the basics that people deserve, who live in the wealthiest country in the world.

The incompetence and the indifference demonstrated by the administration in responding to this tragedy was shocking, but it was not really surprising. Does anyone doubt that if this sort of devastation had taken place in the communities where the small percentage of people who are benefiting from the Bush administration tax cuts live, the response would have been swift and efficient? Can you imagine Bush fund-raisers desperately clinging to their roofs, waiting for days to be rescued?

This indifference to the most vulnerable among us is not isolated to this tragedy; it is part and parcel of a systemic problem that seeks to make a large sector of our population invisible.

Many people viewing the human tragedy left in Katrina's wake could not recognize the images that they were seeing. They thought they were witnessing a tragedy in Somalia or Haiti or the Sudan. They think to themselves, they think, this does not look like the America that I know. Some have even come to refer to the survivors of this catastrophe as refugees, as if the image of the survivors they are seeing are too foreign for them to recognize them as Americans.

The people you see on television are not refugees; they are Americans. They

are Americans. And for some of us, though, let me just say, for some of us, this is an America that we know very well, an America that is often swept under the rug by lawmakers and the media.

The truth is, there are almost 36 million Americans living in poverty in the United States. There are more than 15 million living in extreme poverty.

What does that mean? According to the Census Bureau, it means that a family of three is living on less than $14,680 a year. They define extreme poverty as half of that. In 2003, the number of children living in poverty, this number grew by a half a million. Since President Bush took office, the number of poor people in America has grown by 17 percent. Is this the real state of this ownership society that we keep hearing about?

It is unacceptable. The Bush administration policies of tax cuts for the wealthy and cutting funding from the programs that provide for economic and domestic security in order to pay for this unnecessary war in Iraq are only making matters worse. That is why we must call for the President to develop a plan to eliminate poverty by 2010.

CALLING FOR AN INVESTIGATION INTO THE LACK OF TIMELY RESPONSE TO HURRICANE KATRINA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. SCOTT) is recognized for 5 minutes.

Mr. SCOTT of Georgia. Mr. Speaker, I rise with indeed a heavy heart, as so many in America do. This is an extraordinary time in our country. My heart goes out to all of those thousands and thousands of people in the gulf area that have lost everything. This is one of our darkest hours, and let us hope some bright light can shine very, very quickly. But in order for that bright light to shine, Mr. Speaker, we must realize the importance of having an investigation quickly.

Let me hurry up and say that this investigation is not a blame game, because we already know where the blame is. It is for those individuals who had the responsibility. It has been a failure of leadership at the national level. Here in Congress, a failure of leadership. At the White House, a failure of leadership. The President, a failure of leadership. Our military, a failure of leadership. And our Homeland Security, a failure of leadership. In FEMA, a failure of leadership. And we must examine that now so that we can prepare quickly for the next disaster, because it is coming, or a terrorist attack. There have been mistakes after mistakes after mistakes. That is why we need a thorough investigation of what went wrong in the Federal response to Katrina, and why there was such a delay. Delay after delay after delay.

We must not try to skirt around and assume and put blame, unrighteous blame, on the city of New Orleans and their police department and mayor, who were victims. They were suffering from the flood. They were suffering from the hurricane. Here is a Category 5 hurricane coming at a city 6 feet below sea level and 30 percent of its population below the poverty level. Where was that plan? Their police departments immediately disseminated. Several of their policemen were killed in the flood. They were not able to do it. And then to hide behind and go to the Governor and say, where is the Governor in this? We cannot fault the Governor for this, nor the mayor. This was a national disaster, and the national leadership failed.

We must move quickly to get an investigation so we can determine what went wrong. The need for this investigation, like I said, is not simply to find blame, but it is to prepare us for future disasters and attacks. We cannot delay in this investigation, because time is of the essence. Questions must be asked and corrections in the system must be made while the timeline of the responses is still fresh in our minds of actually what happened and why, because we do not know how soon the next event will happen.

This was on television, Mr. Speaker, for everyone to see. We cannot run and hide from this one. And I tell my colleagues, in looking at the television, no matter what it is, this is not a Republican problem, it is not a Democratic problem; it is an American problem, and America is expecting us to stand up for America.

There are two essential questions that must be raised and answered. The first one is, why did it take the military so long? Six days. Bodies floating in New Orleans. Flooding up to the rooftops. People trying to get rescued. And on every television station, Fox News, Shepard Smith, my hat is off to him. Tears in his eyes saying, Where is our military? Where are people, Geraldo, cradling a baby, with tears coming down his face. Where is our President? Where is our Congress? Where is our FEMA? Where is our Homeland Security? A failure. We deserve to investigate this quickly, and get answers.

And then the other question, Mr. Speaker, that is on everybody's mind is this one: What role did race and poverty and class play in this?

We cannot hide behind the sensitivities of this. Some of these questions are very unpleasant. They were not created by you or me, but they are there. Those were black and poor people who feel that if those people were white, that would not be happening if they were white and middle class. I am not the only one asking this. African Americans are not the only ones asking this. White people, too, are asking this. We need an investigation to get to the bottom of this particular question.

And then this other question, Mr. Speaker: Why can an administration who can, without a declaration of war, without authority from Congress, invade another country, topple its government, and then can do it in 24 or 72 hours, but it took them 6 days to respond to sick children and people on ventilators who had passed away. We have to ask the question, Mr. Speaker, because the great tragedy here is not Katrina, it is the tens of thousands of American citizens' lives that were lost because their Federal Government failed them. We owe it to the American people, Mr. Speaker, to quickly put together a commission, just like we did with 9/11, with subpoena power, and get to the bottom of this and fix it so that we can put back together and protect this country.

RELIEF EFFORTS FOR HURRICANE KATRINA VICTIMS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GREEN) is recognized for 5 minutes.

Mr. GENE GREEN of Texas. Mr. Speaker, I am proud of what I have seen of what is happening not only in America, but also in my home State of Texas. I think we are all an America, where the tragedy occurred in Louisiana, Mississippi, and Alabama last week, and the human and economic cost is unprecedented in our history. I know our Congress will respond to that.

We pray daily for those who have been affected by this terrible storm, and as we say in southeast Texas, ''There but for the grace of God go us'' in southeast Texas, because we have had our storms and our floods, and that is why I think we have been so willing to help, particularly in Texas as a whole, our neighbors to the east, mostly Louisiana, but possibly Mississippi and Alabama.

I rise to focus on the relief efforts for these evacuees, thousands of which are in my hometown of Houston, Texas. Getting folks out of harm's way is the first objective, and we then have to provide for them during the many months it takes to recover from this disaster.

□ 1915

Today there are over 30,000 in four mega-shelters in Houston where Texans are being the best friends in need that they can be. The Reliant Astrodome, Reliant Center, Reliant Arena, and George R. Brown Convention Center are full or filling up with evacuees.

The American Red Cross has shelters around the area with an estimated 2,600 displaced persons, including Baytown, Texas. And the people of our area, whether in Baytown or across our county, are responding to this tragedy. Countless people are working long hours to serve, particularly, I know, a Baytown City Council member, Sammy Mahan, and Fire Marshal Bernard Olive who literally formed their own shelter and provided so much assistance to our neighbors.

Thousands more are in hotels and private homes across Texas and in the Houston area. There are about 100 seniors that have just moved into a senior housing facility in our district, and thousands more may end up in similar housing.

Some estimate in the Houston area we have about 100,000 to 150,000 total evacuees, maybe more.

The health care, food, and clothing and other needs of these shelters is and will continue to be enormous for a long time.

The charitable giving by individuals, nonprofits, and businesses has been overwhelming. Like 9/11, we are seeing Americans and Texans at their best.

However, most of the burden for caring for these new residents of the Houston area will fall on already over-burdened local governments. So we are relieved that FEMA is up with five disaster relief centers at some of the shelters coordinating the disaster assistance. But we need a lot more. We had 20 centers during Tropical Storm Allison in 2001.

Unfortunately, we are having a hard time caring for all the needy folks who live in the Houston area alone, so we are going to have to rely on the Federal Government to respond to this national disaster.

To show how steep the costs are, the city of Houston on Monday, Labor Day, met in special council session and put $10,000 advance cost immediately for evacuee costs. This does not include our Harris County costs. And the amounts are so huge in other jurisdictions, the city has to rely on accountants from the Big Four accounting firms who volunteered to compile these expenses.

I understand our Federal disaster law has never been used to compensate States for such a massive relief operation for citizens who are not from our State.

There appears to be a significant amount of red tape for the money. There are several different ways to flow funds, through Louisiana then to Texas, or Texas may have to bill Louisiana, and then Louisiana gets reimbursed, and Texas may be reimbursed by the Federal Government directly.

In addition, the public health costs alone present a complex situation. And I believe Texas will need a public health emergency declaration just like Louisiana.

Many of these evacuees could already have or be susceptible to infectious diseases that thrive in our cramped conditions. That is why we are trying to move them out of these large facilities to apartments and homes as quickly as we can.

How can Texas afford handling the Medicaid and Medicare costs of Louisiana residents who fled to our State? We cannot even cover our own needy children as we would like to. That is why the Federal Government should pay, at least in an emergency, 100 percent of the Medicaid match in times of emergency and national disaster. And tonight I am going to introduce legislation for that.

While progress is being made on the housing front, there is much work to be done, and the sooner housing is found, the better off for our health situation.

We need to figure out the best way to do this in an unprecedented situation. This event will be the largest charity and volunteer operation ever by Texans, and I think by our Nation. But we are stepping up to the challenge.

Many Houstonians worked through Labor Day weekend to provide the initial relief for our Louisiana brothers and sisters. Donations are pouring into our churches and charities across my district, our community, and our State.

Our religious community, it is great to see these daily meetings in the city of Houston with our Democratic city of Houston mayor and our county judge is a Republican, being problem solvers and dealing with our faith community. Our Catholic bishop and our Methodist bishop, churches of all walks of life are literally out there every day helping. However, local and State governments cannot be equipped.

Mr. Speaker, I know I have used up my 5 minutes. That is why I would like to put the rest of my statement in the RECORD. And I cannot say too much about being so proud to be a Texan, but also an American.

However, the local and State governments are just not equipped to deal with the scale of the situation. There is a reason that disasters like this are borne on the Federal level.

Therefore, Texas, like Louisiana, will need to be reimbursed for the local government costs of this operation. Otherwise Hurricane Katrina's impact will become ever wider as the costs spread ever outwards.

FEMA has been criticized for its red tape, but on this issue we have a chance to be proactive. Let's devise a financial strategy that keeps aid and relief moving as fast as possible.

If we need a legislative fix, then we need to find out now, rather than later. We will have at least two more supplementals to address the situation.

FEMA'S INEPTITUDE IN THE AFTERMATH OF HURRICANE KATRINA

The SPEAKER pro tempore (Mr. REICHERT). Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I would like to continue a discussion I began last evening about who is responsible for much of the human destruction caused by Hurricane Katrina. The Bush administration has been in charge of relief efforts, and it is clear they have failed the American people. Why were relief efforts so painfully slow to get started and, in fact, FEMA not on the ground after 4 days?

Meanwhile, trying to fill the gap of a failed Federal administration, our thousands of first responders, volunteers, members of the National Guard and active duty military personnel and religious and committed Americans who are performing exemplary service and deserve the highest praise.

President Truman used to have a sign on his desk that said, ''The buck stops here.'' Truly, the buck in this instance stops with the President of the United States. It is he who appointed the Cabinet and subcabinet level individuals tasked with organizing and implementing the plan to deliver timely relief to those in need, and they failed to do that. Yes, the President holds responsibility. His appointees hold responsibility. Specifically, these include the Director of Homeland Security, Michael Chertoff, and the Federal Emergency Management Director, Mike Brown, and several other individuals.

And it has been quite painful for me, as a Member of Congress who served on the FEMA Oversight Committee for a number of years, to witness the constant failures of judgment by this team, starting with the President himself when he took office, and importantly, early on in his administration, hollowed out FEMA, taking away its Cabinet status, saying that it should no longer be an independent agency that reported directly to the President, instead rolling it into the gargantuan Department of Homeland Security and tasking that with eliminating terrorism.

FEMA is tucked three levels down in this lumbering massive bureaucracy of 170,000 people which still cannot figure out how to answer a letter.

I voted ''no'' on that reorganization; was on the losing side when the President tried to pass that through Congress and was successful, and have now joined with my dear colleague, the gentleman from Michigan (Mr. DINGELL), to call for the removal of FEMA from the Department of Homeland Security in order to restore it as a fully independent agency headed by an actual professional with direct reporting to the President of the United States.

Now, the first person that the President appointed to head FEMA was his campaign director from Texas who ran the Bush campaign in the year 2000. His name is Joe Albaugh, and he accepted the FEMA position in 2001. And here is what he said back then. He characterized the organization as an oversized entitlement program, and counseled States and cities to rely instead on faith-based organizations like the Salvation Army and the Mennonites Disaster Service. As important as they are, those organizations are not equipped to handle a national disaster. Thank God we have them, but even they know they are not up to the task fully. So the tone was set back in the first Bush administration. And it is instructive to see how the President's appointees have been locked in over at FEMA.

We know that Mr. Chertoff, who heads the Department of Homeland Security, is an attorney. He has spent

more time in courtrooms prosecuting the Mafia than managing large-scale crises like these.

Under him is Michael Brown, the Director of FEMA, who has absolutely no experience in national disasters or emergencies. In the last 10 years before being appointed by President Bush as head of FEMA, he earned about $100,000 a year in a position with the International Arabian Horse Association, where his job was to ensure that judges followed rules and to investigate allegations of cheating in horse races.

Most frightening is, after he got his position, and when Katrina hit, he waited 5 hours after Katrina actually reached land to officially request help and legal authority to send rescue workers and supplies into the affected regions. What was he doing during those 5 hours, and why was he not more active ahead of time in evacuating people?

As noted by the Center for American Progress, those under Mr. BROWN, his deputies, make him look qualified. The number two at FEMA is Chief of Staff Patrick Rhode, who was an event planner or advance man for the Bush Presidential campaign. He had absolutely no emergency management experience before joining FEMA. And under him, the number three person at FEMA, Deputy Chief of Staff Scott Morris, was a press flak at the Bush campaign. He previously worked for Maverick Media, the firm that produced TV supports for Bush's campaigns.

I say, who holds responsibility? The President of the United States holds responsibility. The buck stops with him.

God bless the people who have suffered and God bless this country.

On CNN, just his second day in Louisiana, Brown placed blame on the victims for not evacuating.

Most frightening, though, is the fact that Mike Brown waited until five hours after Katrina reached land to officially request help and legal authority to send rescue workers supplies into the affected regions. Despite three to four days of constant alarms that Katrina was a Category 5 hurricane poised to strike Louisiana, Brown did practically nothing to prepare for the devastation that was predicted in the event of just such an occurrence.

In spite of the dire warnings of what would happen should a Category 4 or 5 Hurricane strike New Orleans (and the Gulf Coast in General) Mike Brown sat patiently by while the Hurricane delivered 100+ mph winds and a 25-foot storm surge into the region—obliterating towns, killing thousands of Americans and causing what will be hundreds of billions of dollars in damage.

Mike Brown is not the only FEMA official with little to no experience, though. As noted by the Center for American Progress, "Brown's top deputies, however, make him look qualified. The number two at FEMA, Chief of Staff Patrick Rhode, was an event planner ("advance man") for Bush's presidential campaign. He had absolutely no emergency management experience before joining FEMA. The number three at FEMA, Deputy Chief of Staff Scott Morris, was a press flak at the Bush campaign. He previously worked for Maverick Media, the firm that produced TV spots for Bush's campaigns. Morris also has no emergency management experience. In contrast, the top deputies of Clinton-era FEMA Director James Lee Witt ran regional FEMA offices for at least 3 years before assuming senior positions in Washington.

FEMA spokesperson Natalie Rule said the absence of direct managing emergencies is irrelevant because top managers need "the ability to keep the organization running."

That's all well and good, except for the fact that this Administration cut more than six hundred million dollars last year from funding for local administrators and offices—diverting it to other accounts. Effectively, poor planning and management has created a vacuum of leadership anywhere in this agency that Congress and former President Clinton worked so hard to "fix" in the early to mid-1990's.

As former chief-of-staff at FEMA Jane Bullock said yesterday, "We knew that about 120,000 of the people who needed to be evacuated did not have cars, so we would have to position buses. The buses were not there. We knew that the levees would be under heavy stress and so we should position barges with pumps up the Mississippi in preparation for flooding. This was not done. We knew that the Superdome would be used as a refuge of last resort so we should pre-position food and medical supplies. They were not there. There was a lack of leadership."

[From the New York Post, Sept. 7, 2005]

FEMA FOOL SAT ON HIS HANDS

(By Douglas Simpson, Ted Bridis and Ian Bishop)

The head of FEMA waited a mind-boggling five hours after Hurricane Katrina hit the Gulf before even contacting his boss about sending personnel to the area—then suggested workers be allowed two days to get to the ravaged region, shocking internal documents reveal.

One stunning Aug. 29 memo—sent from embattled Federal Emergency Management chief Michael Brown to Homeland Security Secretary Michael Chertoff—called killer Katrina a "near-catastrophic event," but otherwise lacked any other urgent language underlining the potential magnitude of the disaster.

Brown then politely ended his memo with: "Thank you for your consideration in helping us to meet our responsibilities."

In another note sent later to FEMA workers, Brown said one of their duties would essentially be to make the agency look good. "Convey a positive image of disaster operations to government officials, community organizations and the general public," he wrote.

In Brown's memo to Chertoff, he proposed sending 1,000 Homeland Security workers within 48 hours and then another 2,000 within seven days.

In explaining the two-day period that workers had to arrive in the disaster area, Homeland Security spokesman Russ Knocke said it was to ensure they had adequate training before going down.

The same day Brown wrote his memo to Chertoff, he also urged local fire and rescue departments outside Louisiana, Alabama and Mississippi not to send trucks or emergency workers into disaster areas without an explicit request for help from state or local governments.

Brown said it was vital to coordinate fire and rescue efforts.

Several congressmen have already called for Brown's resignation.

In other developments yesterday:

President Bush and Congress pledged separate probes into the feds' response to Katrina.

The airline industry said the government's request for help evacuating storm victims didn't come until late Thursday afternoon—three days after Katrina made landfall as a Category 4 hurricane.

A Long Island congressman ripped into New Orleans officials, who he said did a woefully inadequate job of responding to the hurricane, compared with how New York handled 9/11.

"All New Orleans has to worry about is a hurricane. They don't have to worry about terrorist attacks," Republican Representative Peter King said. "They've seen this coming for 200 years."

As the Army Corps of Engineers battled to pump out flooded New Orleans, Mayor Ray Nagin warned that the receding water will reveal horrors.

"It's going to be awful and it's going to wake the nation up again," he warned.

Late last night, Nagin authorized law enforcement and the military to forcibly evacuate residents who have refused to obey orders to leave.

A refugee from the devastated city attempted suicide aboard a commercial flight bound for Washington, D.C., causing the plane to be diverted.

[From the Financial Times, Sept. 7, 2005]

STAFF EXODUS AND CUTBACKS CURB DISASTER MANAGEMENT

(By Peter G. Gosselin and Alan C. Miller)

While the federal government has spent much of the last 25 years trimming the safety nets it provides to Americans, it has dramatically expanded its promise of protection in one area—disaster.

Since the 1970s Washington has emerged as the insurer of last resort against floods, fires, earthquakes and, after 2001, terrorist attacks. But the government's stumbling response to the storm that devastated America's Gulf coast reveals that the federal agency singularly most responsible for making good on Washington's expanded promise has been hobbled by cutbacks and a bureaucratic downgrading.

The Federal Emergency Management Agency (Fema) once speedily delivered food, water, shelter and medical care to disaster areas and paid to rebuild damaged roads and schools and get businesses and people back on their feet. Like a commercial insurance company setting safety standards to prevent future problems, it also underwrote efforts to get cities and states to reduce risks ahead of time and plan for action if calamity struck.

But in the aftermath of the September 11 attacks, Fema lost its cabinet-level status as it was folded into the giant new Department of Homeland Security. And in recent years it has suffered budget cuts, the elimination or reduction of key programmes and an exodus of experienced staff.

The agency's core budget, which includes disaster preparedness and mitigation, has been cut each year since it was absorbed by the Homeland Security Department in 2003.

The agency's staff has been reduced by 500 positions to 4,735. Among the results, Fema has had to cut one of its three emergency management teams, which are charged with overseeing relief efforts in a disaster.

Three out of every four dollars the agency provides in local preparedness and first-responder grants go to terrorism-related activities, even though a recent Government Accountability Office report quotes local officials as saying what they really need is money to prepare for natural disasters and accidents.

''They've taken emergency management away from the emergency managers,'' complained Morrie Goodman, who was Fema's chief spokesman during the Clinton administration.

Michael Chertoff, secretary of homeland security, acknowledged in interviews on Sunday that Washington was insufficiently prepared for the hurricane that laid waste to New Orleans and surrounding areas. But he defended its performance by arguing that the size of the storm was beyond anything his department could have anticipated and that primary responsibility for handling emergencies rested with state and local, not federal, officials.

His remarks, which echoed earlier statements by President George W. Bush, prompted withering rebukes both from former senior Fema staffers and outside experts. ''They can't do that,'' former agency chief of staff Jane Bullock said of administration efforts to shift responsibility away from Washington. ''The moment the president declared a federal disaster, it became a federal responsibility.''

THE TRAGEDY OF HURRICANE KATRINA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Indiana (Ms. CARSON) is recognized for 5 minutes.

Ms. CARSON. Thank you very much, Mr. Speaker, and thank you all Americans for your prayers, your volunteerism, your most generous financial support, and all of the ways that you attempted to relieve some of the pain of those evacuees who were affected. My prayers continue.

The United States Congress, Members of the United States Congress, should board the plane transportation and go to the gulf, go to Mississippi, go to Louisiana, and all the other affected places. Congress should go, not just watch it on television, because it is very heart-wrenching, and I think we ought to be there in person.

I think we need to understand what happened to the young man whose mother cried out for help. On a Monday they promised her help was coming. On Tuesday they promised her it would be there shortly. On Wednesday it would be there in just a few. On Thursday, help is on the way. On Friday she drowned. Most heart-wrenching story that I have seen.

In my district, Calvary Temple sent nine buses after they got authorized by the American Red Cross to go down. But once they got there, FEMA would not allow them to board people on the buses. And they only allowed 12 people to get on nine buses, and the rest of the buses returned to Indianapolis empty, which is tragic.

We have some of the most sophisticated hospital ships in the whole world that sit right out here at Virginia. It took them 5 days to even get started to go down to the gulf, when it was clear that the help of the ships and the midshipmen and all the medical supplies on board were needed immediately.

We need to immediately reinstitute WPA days, Work Progress Administration days, that worked so well during the Roosevelt administration and that allowed all of these unemployed people that we have now in the South to begin to rebuild their own cities. And I know that numerous of them would be more than happy to allow the government to pay them while they rebuild their own cities. It is like Charles Dickens' ''Tale of Two Cities,'' the worst of times. But we could augment legislation to make it better times for the people that were so tragically affected. And I encourage Congress to do that.

Mr. Speaker, there have been so many comments made that I was going to make, and I will not replicate them. But in closing, I would like to remind us that every Member of this Congress should get together, not all at the same time, it is too many of them. But day after day after day we need to take a trip to the gulf, meet the people there, help serve the homeless, help serve the hungry, take clothes, our own money used, take clothes, take water, take diapers, take hygiene equipment. We need to personally be involved ourselves. And we need to get on the road right away.

Mr. Speaker, I regretfully rise today to join a growing chorus of American outrage in the wake of the Hurricane Katrina disaster on the Gulf Coast.

My purpose tonight is not to assign blame for this tragedy onto any single official or agency, but to express my shame and the shame of my constituents at the failure of our government to serve its citizens when they needed it most. Mr. Speaker, the American people know that this great Nation can do better. They deserve answers. They deserve results.

When I talk to my constituents I hear their indignation that a city like New Orleans, which lies below sea level and is so obviously vulnerable to hurricanes, was turned down repeatedly in recent years by its Federal Government for assistance in shoring up levees and reinforcing the ailing water pumps which kept the city above ground.

I hear anger that, in a city where with several days' notice of an imminent landfall of the hurricane, in a city where one third of all residents live below the poverty line, the only real option for evacuation was the ownership and deployment of privately owned automobiles.

Mr. Speaker, families living on less than $9,000 a year don't own cars. And because the hurricane came at the end of the month, low-wage earners living from paycheck to paycheck could not afford passage even if they had them. It was these poor, overwhelmingly African-American residents who were left to die in the thousands. The American public knows this tragedy could have been avoided. They deserve answers. They deserve results.

And now, with as much as 10,000 feared dead and thousands more waiting for housing, food, and other supplies, Americans from across this country who have offered their assistance and opened their cities to displaced citizens from Louisiana and Mississippi are being turned down by FEMA.

Last weekend a caravan of relief supplies and buses organized by local charities in my hometown of Indianapolis arrived in New Orleans to help evacuate the homeless to Indianapolis but was sent home by FEMA officials who insist that such generosity first pass through exorbitant layers of red tape before reaching citizens in need.

Never before has the great disconnect between the American public and its government been so clear.

The management of this disaster calls into question our readiness to deal with similar emergencies, including future terrorist attacks that may displace citizens and require massive relief efforts. But it also exposes the colossal failures of this Congress. And for that the American public deserves answers. They deserve results.

The business of this body has for too long been dominated by legislation that explicitly benefits the wealthy at the expense of our Nation's poor, such as the bankruptcy bill, the repeal of the estate tax, the President's devastating income tax proposals, and multiple bills shielding corporations from lawsuits, which are often the only means to reverse the injustices inflicted on our forgotten poorest citizens by our richest and most powerful.

Indeed, this Congress and this administration have not dared acknowledge the plight of the poor and less fortunate in this country. Now, finally, we have no choice.

In the wake of this profound tragedy, let us find the strength to face the failures of our past and turn toward policies that aim to protect all our citizens from harm.

HURRICANE KATRINA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. CORRINE BROWN) is recognized for 5 minutes.

Ms. CORRINE BROWN of Florida. Mr. Speaker, what we are witnessing in Louisiana and in Mississippi right now is the complete meltdown of the Federal Government, and in particular, the Department of Homeland Security. Given that the Federal Government can't even dole out adequate assistance to this one area of the country during this tragedy, how can U.S. citizens feel safe at a time when we are faced with the threat of a terrorist attack on a national level?

What I find truly amazing is that the disaster planners have said that a direct hurricane strike on New Orleans is one of the top 3 catastrophic scenarios facing our Nation. So how is it that the agencies have been so slow to respond to this crisis, claiming to have been caught off guard? The President himself said that the levee breach was not anticipated . . . how can that possibly be true? In addition, while the Superdome has long been considered as the city's main hurricane refuge spot, no supplies were stocked there before the storm hit on Monday. It is simply incomprehensible to me how Federal officials had not deployed equipment and relief supplies before Katrina struck land, or even bothered to mobilize in the region beforehand? This lack of response is outright shameful, an outrage, and an embarrassment!

This is one more example of the complete failure of the Federal Government under the Republican led administration. Since 9/11, the Republican led Congress has given natural disaster preparedness secondary status in the Federal budget, undermining the effectiveness of FEMA, and has cut funding for the Army Corps floor control projects in and around New Orleans, and throughout the Nation.

In the post 9/11 reorganization, FEMA joined 21 other agencies to form the new Homeland Security Department, and was stripped of the Cabinet rank that had allowed it to report directly to the President. Later, in a further department shuffle back in July, FEMA lost its mission of working with State and local governments on preparedness plans even before a disaster hits. FEMA used to be a very powerful organization, with veteran staffers, that is, up until the Bush administration threw everything together into one huge department, ironically labeling it "Homeland Security." What the new department should have been called is the "Department of Insecurity!"

And now, as many here in Washington and around the country have been urging for the agency to have its independence restored, the Republican Congress has just taken away people and money, as well as power and authority from FEMA, doing away with our national security while doling out tax cuts for the rich. This agency, which in the past has given out hundreds of millions of dollars in grants to State and local responders, has now lost the ability to do so, leaving grant giving in the hands of the overextended Homeland Security Department. Moreover, the Bush administration has canceled other FEMA programs, including a Clinton administration-era disaster mitigation effort known as Project Impact. And what's more, at a time in our history when homeland security experts are calling for a greater emphasis on preparing for calamity, Michael Brown, FEMA's current director, has faced years of funding cuts, personnel departures and the downgrading of the department. And of course, worse yet, Michael Brown himself is a mere political appointee, who obtained his current position because of his close friendship with Joe M. Allbaugh, who managed President Bush's 2000 presidential campaign. I think many would agree with me that for a position as important as this one, past experience in emergency management is crucial.

One other terrible decision made previously in the administration was the transferring of the Coast Guard to the Department of Homeland Security. Let us remember that the Coast Guard was the first agency to respond to the terrorist attacks on September 11th. Within minutes after the attacks, their ships were guarding our bridges and waterways.

In closing, it is clear that we really need to evaluate our country's ability to handle national disasters. It is simply unacceptable for the Federal Government to wait until there are bodies floating down rivers to begin activating the National Guard! Again, I would have hoped that FEMA would have had a contingency plan in the case of a major hurricane hitting the Gulf Coast. Yet obviously, they did not.

ORDER OF BUSINESS

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent to take my Special Order at this time.

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

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

HURRICANE KATRINA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, hurricanes may be natural disasters, but Hurricane Katrina has made it clear to anyone in the world with a television that who lives and who dies, who is left to suffer, who is left without the most basic necessities of life, who is left without medical care as a result of that disaster is very much related to who you are.

We have watched with horror and rapidly growing anger as Katrina came and went and left behind many, overwhelmingly poor, black, old, sick, to drown, to be stranded, to be herded into shelters under filthy, inhuman conditions, to be left in sweltering heat without water and food and to be cut off from health care. Why did it take aid and security so long to arrive?

□ 1930

We have received no answer.

Why were we so unprepared? We have received no answer.

What kind of shelters are planned without stockpiles of water and food as well as basic sanitation, medical personnel, and emergency power? We have received no answer.

Why did we not immediately press into service every able-bodied National Guard member? Why did we not immediately bring into service emergency teams from cities across the country? We have received no answer.

Why have we not moved to use unoccupied military barracks to house families left homeless by the storm? We have received no answer.

Where are the plans and the resources to stabilize the lives of hundreds of thousands with no homes, no jobs, no schools? We have received no answers.

Where are the plans and the resources to rebuild all that has been destroyed and to heal the families and communities left so devastated? We have received no answers.

When will we act to rein in the profiteering by big oil? We have received no answer.

How much can we do to lessen the impact of big storms by restoring natural buffers like wetlands, ending our disinvestment in infrastructure such as levees and acting to halt global warming? We have received no answer.

Ordinary Americans have responded without reservation. They have opened their hearts and their wallets. They have already given hundreds of millions of dollars. They have given of their time and their material possessions. Many have opened their homes.

We thank all of those who have contributed and we urge every household to find some way to join this great patriotic effort. Despite the sometimes heroic efforts of many frontline first responders, America's response to Katrina has been every bit as big a disaster as the storm itself.

It is government, especially the Federal Government, that has failed. "Unacceptable" is much too weak a term to describe that response to this disaster. It is time, it is past time, to put America's priorities straight and get them straight today.

I call upon the President to immediately mobilize adequate resources, medical supplies, personnel, security, transportation, and move those who are still in harm's way to safety. We call on the administration to present to Congress an emergency plan and a budget to address the needs of all those left homeless and jobless while their homes and communities are being rebuilt.

I call on the President to initiate an emergency public works program to rebuild America, to restore infrastructure, roads, bridges, water and sewers; and to mesh with private-sector insurance to rebuild every home, every small business.

We have a clear choice. We can use this as an opportunity to offer thousands, especially our young people, a chance to work to learn new skills from construction to nursing, or we can abandon tens, perhaps hundreds of thousands who have been uprooted and displaced, who have lost their material possessions, but each of whom is still a unique and irreplaceable person with untapped resources.

The President indicated that there is no limit to what we will spend in Iraq. I ask, how much will we spend in America?

I thank all of those in my immediate community, from the governor to the mayor to the president of our county board, all elected officials, churches, members of organizations and groups. I am proud to live in Chicago and in Illinois where we have opened our hearts and our wallets, and I simply ask that our Federal Government do the same.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) is recognized for 5 minutes.

(Ms. WASSERMAN SCHULTZ addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Mrs. JONES of Ohio. Mr. Speaker, I ask unanimous consent to claim the time of the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

The SPEAKER pro tempore (Mr. REICHERT). Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

SWEEP AROUND OUR OWN FRONT DOOR

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Mrs. JONES) is recognized for 5 minutes.

Mrs. JONES of Ohio. Mr. Speaker, I stand today concerned about what happened on the Gulf Coast from Hurricane Katrina. I hope that apart from

this devastation we can say that Hurricane Katrina has brought to light the atrocities that have been going on for years across our country.

Only yesterday in Cleveland, Ohio, we were notified that 400 evacuees would be coming to Cleveland tomorrow that we were supposed to support. Only 2 hours ago, we learned that they were not coming.

This is a part of that same situation we are talking about, that FEMA does not know what they are doing. What we are concerned about is people being put on a bus, being told, ''We are going to take you somewhere,'' and the people do not even know where they are going. It is part of denying these evacuees dignity, denying them an opportunity to say that we are Americans and we are entitled to the very same democracy that everyone else is entitled to.

Far too long we have neglected the underprivileged of this country, and we are quick to criticize others for not taking care of their own. However, we have all forgotten the poor in our country and we are hoping this will be an opportunity again for this country to address the issue of poverty, the lack of housing, the lack of education, the lack of the ability to create wealth, the lack of opportunity to grow African American and small businesses.

A recent study by the Population Reference Bureau noted that the Orleans Parish, Louisiana, and Harrison County, Mississippi, are counties that are homes to New Orleans and Biloxi and have median incomes that are just above $32,000, 44 percent below that of the national average. I will not read through all the statistics that I have, but I will say these statistics point out the dilemma that we face as a result of poverty being rampant in our country. It is unacceptable. It is unacceptable.

Now, the President said it was unacceptable what FEMA did, but since saying that he is backing off on his statement about its being unacceptable.

The other thing I need to point out is, people keep saying to those of us who are speaking out that we should not place any blame, that we should be quiet and move forward. But the reality is, you have got to own up to your mistakes before you can correct those mistakes. And the United States Government needs to own up to the mistakes that they made over the past few days with regard to this.

There is a gospel song that says, ''Sweep around your own front door,'' and that is what we need to do in America is sweep around our front doors across this country, the doors that used to exist, the doors that no longer exist.

It is our job, and we are calling upon people across America to say that it is unacceptable, that what we have seen over the past few days from our government is unacceptable, that it is not permissible and that the people of America, the people who have been devastated by the storm, deserve to have the same kind of support, the same kind of encouragement that all other Americans want.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) is recognized for 5 minutes.

(Ms. EDDIE BERNICE JOHNSON of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

GOVERNMENT FAILS MOST VULNERABLE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WATERS) is recognized for 5 minutes.

Ms. WATERS. Mr. Speaker, this is a very special time in American history. We have experienced one of the greatest catastrophes in the history of this country. We have lost lives, and we have seen this catastrophe mismanaged in ways that most of us could never have imagined.

Mr. Speaker, I was sitting at home watching television, and for 3 days or more, I saw almost 30,000 people in front of the Convention Center in New Orleans waiting for food, waiting for water, waiting for some assistance. They waited and they waited and nothing happened.

I decided to leave Los Angeles and join with some of my friends in New Orleans to see what was going on. After all, I am the ranking member of the Subcommittee on Housing and Community Opportunity of the Committee on Financial Services; and when people are homeless in America, particularly 30,000 as a result of a catastrophe, I need to understand what I can do to make sure that those people are housed, that they get some kind of shelter.

So I went to New Orleans and was met by State Senator Cleo Fields, and he and his staff and others, we joined together and we went to the State Police compound, motor vehicle compound where people were gathered. All of our agencies were gathered there. The governor of the State was there. Mr. Chertoff was there, representing Homeland Security. Mr. Michael Brown was there, representing FEMA. The National Guard was represented and on and on and on.

I had an opportunity to speak with the governor. I had an opportunity to speak with Mr. James Lee Witt, who is now advisor to the governor, who was once head of FEMA, to try and find out what was going on and where the breakdown was.

What became very, very clear in my interactions there early on in one of my visits was that there certainly had been a breakdown, that responsibility had not been accepted, assumed, implemented in ways that we expected. And what surprised me more than anything else was the fact that we have spent a lot of time organizing Homeland Security. We have spent millions of dollars making sure that there are plans in cities and States. We have spent millions of dollars identifying the first responders and their responsibility. But all of the sudden we have a catastrophe that could have been a terrorist attack.

The levee that broke, that was vulnerable and could have been attacked by a terrorist, and this is the operation that was supposed to respond, it had fallen apart. It did not happen. And poor people, the most vulnerable of people, were left without any protection.

By the time that I got there, they had started to move the people to the Louis Armstrong Airport. This had become a staging ground, and the buses were supposed to go there to take them to shelters that had been identified all over the State. And they were supposed to have airlifts that were taking them even farther out of State.

Cleo Fields, a State senator was trying to get them to open England Air Force Base. It is an Air Force base that is right there in the area, Alexandria, Louisiana, that is all boarded up, has 450 dormitories unused. He brought with him three huge buses, and he told the governor and everybody else, Mr. Chertoff and everybody else, that he was going to fill these buses up with people from the Convention Center and people along the highway and people at the airport, and he was going to take them to England Air Force Base and he was going to force them to open it up and let them in and give them some safe and secure place to live until they could get permanent housing.

We put them on the buses and we drove into the Louis Armstrong Airport and it was a sight that I shall never forget in my life. There were thousands of people on the sidewalks, in wheelchairs, people who did not know what their future held. We finally got inside the airport. Thousands of people, people who needed medication, people who needed insulin, there were people who had not been attended to.

Well, we stayed there a few days and we went to a number of shelters up and down the State. We were not only in shelters in Louisiana, the top part of the State, but the bottom line is this, Mr. Speaker, our government failed us, and they failed the most vulnerable people.

We cannot let this get swept under the rug. We have to keep this before the American people. It does not appear that the attitude exists here that we will pay attention in the way we paid attention to 9/11. But we have to make sure that we do not fail the people again and again. We have got to get them out of these temporary shelters. We have got to get them into permanent housing and that is some responsibility that we are going to accept.

□ 1945

The SPEAKER pro tempore (Mr. REICHERT). Under a previous order of the House, the gentleman from New York (Mr. RANGEL) is recognized for 5 minutes.

(Mr. RANGEL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Mr. LEWIS of Georgia. Mr. Speaker, I ask unanimous consent to speak for 5 minutes.

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

There was no objection.

HURRICANE KATRINA DISASTER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. LEWIS) is recognized for 5 minutes.

Mr. LEWIS of Georgia. Mr. Speaker, I rise this evening with a heavy heart. What we have witnessed during the past few days in New Orleans and the gulf coast of Mississippi and Alabama is unreal. It is unbelievable.

This did not have to be. We were told by the National Weather Service and by the media that a dangerous storm, a very dangerous storm, was on the way; but something went wrong. Somebody someplace at the highest level of this government fell asleep at the switch.

Our government had time to act, but we failed to move. The strength and the might of the most powerful Nation on Earth, the only remaining superpower, could not defend, could not protect, could not save her people.

Even a mother hen in time of great trouble, in the midst of a mighty wind, would gather her little chick under her wing. Can we do any less?

I do not understand how we can put a man on the Moon, how we can go to the bottom of the ocean, or conduct a war thousands of miles away, yet we cannot save our own citizens here at home.

What happened in New Orleans is an embarrassment and a national disgrace, and it must never ever happen again. Some people are trying to blame local and State officials for this disaster, but as Harry Truman suggested, the buck stops at the top.

What this disaster has showed us is that this Nation is still divided by both race and class. This administration never had an urban policy. It never tried to find a way to help the poor in America.

There were people with very little means who were left out and left behind in New Orleans. They did not have an automobile or an SUV. They could not buy an airplane ticket to go to Dallas or Houston, Chicago, or Atlanta. They were left out and left behind, not just in apartments but waiting in water up to their waists, to their chests, over their heads. They have been trapped for decades in lives of poverty and neglect.

Do not tell me that our government cannot be responsible. Do not tell me that it is hard to respond. When we get ready to go to war, we do not ask two former Presidents to go pass around a tin cup to raise money. We authorize, we appropriate, and that is what we should do now.

Do not tell me that this Nation cannot respond in a crisis when the safety of the American people is at stake.

In 1957, when there was a crisis in Little Rock, Arkansas, at Central High, President Eisenhower sent in the Federal troops.

In 1961, when there was a crisis during the Freedom Rides, Americans were beaten and brutalized, President Kennedy placed the city of Montgomery under martial law and sent in the National Guard to protect the lives of local citizens.

In 1965, President Lyndon Johnson did not hesitate. He used his capacity, he used his power as Commander in Chief to call out the Federal troops to protect Americans as they marched from Selma to Montgomery.

Yes, Mr. Speaker, we are the most powerful Nation on Earth; and we are able, we are able, we have the ability, we have the capacity to respond in a crisis. We have the means. Now we just have to find the will.

A great nation is defined by the methods it uses to defend the dignity of humanity. This hurricane has put us to the test, and it is my hope and my prayer that some good can come out of this very bad situation.

People have lost their lives. Families are broken. Mothers are here. Fathers are there. Children and grandchildren are someplace else. We may never really know how many people died because of this disaster. There are people suffering from dehydration. People cannot get their medicine. They are stranded for days and cannot get food to eat or water to drink. A great Nation, a proud people should be able to do better.

The American people have taken the lead. They have poured out their compassion and come to the aid of their fellow citizens. They have expressed a sense of righteous indignation. They have called us on the telephone. They have e-mailed us. They are demanding action. They want to know why this has happened; and Mr. Speaker, it is the role of their government to respond.

We must deliver Federal support to help rebuild New Orleans, to help rebuild the gulf coast of America. We must deliver Federal support to help rebuild the lives of thousands of American people and help them find their way back home; and if we do anything less, if we fail to act, then I am afraid the spirit of history will not be kind to us.

FEDERAL GOVERNMENT'S RESPONSE TO HURRICANE KATRINA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WATSON) is recognized for 5 minutes.

Ms. WATSON. Mr. Speaker, we got word today that there will be a bipartisan, bicameral investigation into what went wrong in the Federal Government's response to Hurricane Katrina. This is welcome news. A full investigation will help us understand, in detail, how we can improve our disaster response capabilities to prevent this sort of mishandling from ever happening again.

The problem is that an investigation will take months. Meanwhile, it is clear that the Federal Government still does not have its act together on this crisis; and in the meantime, people are dying.

Here are just a few of the recent foul-ups:

In the Gulf of Mexico, the USS Bataan, a Navy hospital ship, has been sitting in the Gulf of Mexico since Hurricane Katrina hit. Yet the Bataan's hundreds of hospital beds are still going empty.

FEMA has requested hundreds of firefighters from around the country to rescue Katrina victims, but for 4 days they have been sitting idle in a hotel at the Atlanta airport and playing cards while studying FEMA history. Said one Pennsylvania firefighter, ''On the news every night you hear hurricane victims say, How come everybody forgot us? We didn't forget. We're stuck in Atlanta drinking beer.''

On Tuesday, FEMA asked the South Carolina Department of Public Health to scramble on only a half hour of notice to receive 180 injured evacuees from New Orleans. The South Carolina doctors then waited for hours for the evacuees to arrive in Charleston. It turns out that FEMA had sent the evacuees to the wrong Charleston: Charleston, West Virginia, instead of Charleston, South Carolina, where the doctors were waiting.

Now we hear that the director of FEMA, Michael Brown, waited hours after Katrina hit before submitting a plan to send FEMA personnel into action. This despite the fact that the President of the United States had declared a Federal emergency 2 days before Katrina hit.

Mr. Speaker, Republicans are eager to accuse anyone who questions the Federal Government's response of ''playing politics.'' But this is not about politics. This is about getting answers as to why our Federal Government cannot protect its citizens. We cannot sit still waiting for hearings when it is clear that Americans are suffering and dying while their government officials learn on the job.

Mr. Speaker, the Director of FEMA, Michael Brown, needs to go and to go now. This is not a political act; it is a humanitarian act. Who knows how

many Americans might still be alive if someone other than Mr. Brown was in charge of FEMA. Mr. Brown should get out of the way so someone with experience can come in and fix this whole thing; and if Mr. Brown does not come to his senses and step aside, the President should remove him immediately.

Some say that we cannot switch leaders in the midst of this relief effort because it would disrupt the efforts already under way. Mr. Speaker, I do not see how our worst enemies could disrupt our efforts much further. It seems the effort will be far more organized if someone other than Mr. Brown were in charge.

One more disturbing trend I have noticed is the effort of administration officials to shift the blame to State and local officials for this scale of disaster. This is unconscionable, and I do not think the American people will really swallow it. The President declared Katrina to be a Federal emergency 2 days before it hit. He claimed responsibility for the emergency response for the Federal Government. Now it is time for him to take responsibility for the Federal Government's colossal failure.

HURRICANE KATRINA DISASTER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Mississippi (Mr. THOMPSON) is recognized for 60 minutes as the designee of the minority leader.

Mr. THOMPSON of Mississippi. Mr. Speaker, I am joined this evening by the gentleman from Louisiana (Mr. JEFFERSON), my colleague from New Orleans, on a Special Order held by the Congressional Black Caucus to discuss the events of the last few days relative to Hurricane Katrina.

As you know, we have had serious troubles in our part of the country. The gentleman from Louisiana (Mr. JEFFERSON) and the gentleman from Alabama (Mr. DAVIS) and myself, who are members of the Congressional Black Caucus, have had our districts pretty much decimated because of Hurricane Katrina, and we have some serious concerns about our government and its response. On behalf of the Congressional Black Caucus, we want to share those concerns tonight.

Mr. Speaker, I yield at this point to the gentleman from Louisiana (Mr. JEFFERSON).

Mr. JEFFERSON. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, it is important the Congressional Black Caucus address these issues tonight because many of the people who are affected by this tragedy are African American and otherwise impoverished or disadvantaged, and they are folks who need to have their concerns given voice tonight.

Many of our Members will talk on different issues. I want to talk about the recovery of that area, of our area, and about an economic recovery package for New Orleans and the other areas affected by Hurricane Katrina.

Hundreds of thousands of my constituents have been uprooted from their homes. More than 100,000 businesses have been shuttered, and possibly thousands of lives have been lost to the wrath of Hurricane Katrina.

The extent of the damage, the human toll, property damage and economic loss is unprecedented in our Nation's history.

Of particular significance, a disproportionate share of the damage in my hometown of New Orleans was meted out to parts of our great city that were already extraordinarily economically disadvantaged.

The poverty and economic depression in these areas in no small way were factors in the extraordinary loss of life and property experienced by my constituents.

For that reason, it is critically important at this time to come together to ensure that all areas affected by Hurricane Katrina receive the necessary resources to rebound from what could be an economically devastating blow all across the gulf coast.

Now, we are talking about an economic package of $40 billion coming up. We just approved $10 billion a few days ago, but I think it is important to put the right number before the Congress. At this time, we do not know what that number is, but we know it is a lot larger than $50 billion.

The Wall Street Journal reports today that through their own analysis they have come up with a figure of $150 to $200 billion. Today, at a press conference, I called on our Congress and our Nation to set aside some $225 billion for this tragedy, $100-plus billion for New Orleans alone.

I believe it is important to talk about a number that is closer to the right number now so that we will not have the rest of the Congress figuring that we have already fixed the problem with 40 or 50 or $60 billion when we know it is going to be four times that number.

So as the Congress moves on various relief packages, I would like to articulate a few principles and policy proposals I believe should guide our efforts and be included in any relief package.

□ 2000

First, the urban poor in New Orleans were dramatically and disproportionately affected, as I have said, by the destruction of Hurricane Katrina. Therefore, our efforts must include provisions to improve conditions to the point that the magnitude of the damage is never again experienced in our great Nation.

Second, businesses large and small have been shuttered throughout the region, leading to an economic double whammy. Not only is the region cut off from the goods and services provided by these businesses, but the tens of thousands of employees working for these businesses are cut off from their jobs and their paychecks.

Third, the public health effects of Hurricane Katrina are also extraordinary. In response to the health impacts of the hurricane, we must restore health care access, health care quality, health outcomes and the health care worker force because all Americans deserve equal treatment in health care. A proper investment in health care will improve both the health and economic well-being of our region and our country. The legislation we propose ought to address rebuilding the public health infrastructure and ensuring health care coverage. We must, therefore, move to immediately counter these difficult challenges.

On the economic front, I think it is important to propose measures to jump-start the economic recovery throughout the gulf coast, and in the long term to improve the lives of hard-working Americans throughout the region. Because there are a number of Federal tax benefits conditioned on the household living situation of the taxpayer, and in light of the extraordinary displacement of citizens throughout the region, I think we should recommend changes to the Tax Code that ensure that displaced Americans are not disqualified from the tax benefits to which they are otherwise entitled as a result of the hurricane.

Under current law, there are limits on a taxpayer's ability to deduct casualty or disaster losses in ways that would severely affect large numbers of our constituents. Accordingly, I believe we should propose to eliminate any barriers in the Tax Code that would prevent the devastated families from the tax relief to which they are now entitled.

So many of our people who lost their property back home were not home owners; unfortunately, they lived in apartments. They did not have renters insurance or flood insurance. They have lost everything. This has to be taken into account as we go about this.

One of the most extraordinary effects of Hurricane Katrina ever is the unprecedented destruction of housing in New Orleans. One hundred sixty thousand homes in New Orleans alone, and across the area more than 200,000 homes have been affected by this or destroyed by this hurricane. This is going to take some extraordinary action by FEMA and HUD, and some flexibility in the Community Development Block Grant program and the HOME program to get our region back on its feet.

I think we should look at the New Markets Tax Credits program and add $1 billion in 2006 and another $1 billion in 2007 to help with the restructuring there.

With our businesses, of course, there are no jobs, and we ought to ensure that we provide businesses throughout the region the tools necessary to reopen and thrive, as well as incentives to provide jobs to the thousands of displaced Americans throughout the region.

On health care, we ought to have a declaration of emergency to trigger

emergency Medicaid provisions, and we ought to allow our States to therefore simplify the application process and eliminate other barriers to enrollment and participation. We should think about a 100 percent Federal Medicaid match to States directly affected by Hurricane Katrina or States receiving evacuees, and elimination of residency requirements as people are being scattered throughout the country.

On Medicare, we ought to waive the late enrollment penalties for affected residents to sign up for the new prescription drug benefit from October of this year to some other time, if they become newly eligible. We ought to delay transition of the affected dual-eligible to the Medicare program. And we ought to create a health safety net for all people affected by Katrina.

With regard to the health care workforce, we have to redirect our resources there to make sure we have people available to do the work. We ought to establish health empowerment zones, for instance, and freeze budget cuts for safety net and public health programs for two. And, finally, we ought to be concerned about the mental health of our people, because displacement is a terrible mental health issue, and we ought to make sure services are delivered there in the proper way.

Mr. Speaker, I would like to yield to my colleague, the chairman of the Congressional Black Caucus, the gentleman from North Carolina (Mr. WATT).

Mr. WATT. Mr. Speaker, I thank my colleague, the gentleman from Louisiana (Mr. JEFFERSON), and the gentleman from Mississippi (Mr. THOMPSON) for providing an opportunity for us to speak this evening. I am speaking as Chair of the Congressional Black Caucus, and we are here to show our support for our three Members whose districts have been severely and adversely affected by Hurricane Katrina, the gentleman from New Orleans, Louisiana (Mr. JEFFERSON), the gentleman from Mississippi (Mr. THOMPSON), who represents part of that district, and the gentleman from Alabama (Mr. DAVIS), who represents part of that State. We are here to support their efforts on behalf of their constituents.

Mr. Speaker, it is coincidental that those constituents are disproportionately African American. I say it is coincidental because I believe this catastrophe, this hurricane, was certainly not directed at African American people. But the reality is that poor people, disproportionately African American people who were poor, were not able to get away from the disaster. When they were told to leave New Orleans, in particular, they did not have the financial means to escape the disaster.

This is an issue that the Congressional Black Caucus has been talking about not only in the context of a hurricane, but in the context of an agenda which describes disparities in every area of our lives. It is an agenda that we have been talking about the entire year. We did not just start talking about it in the context of a hurricane.

Disproportionately, African Americans are poor. And if this same catastrophe had happened in any American community in which black people and white people were living, disproportionately African Americans would have been left behind, subject to the whims of nature and the catastrophe.

So we are here to express our support for our Members and their constituents, and we heartily endorse the proposals that have been outlined in general terms by our friend, the gentleman from New Orleans (Mr. JEFFERSON). We endorse them and we encourage our colleagues to embrace them.

Our Nation is at a crossroads, and we must respond. We must respond to these constituents in the same way that we would respond to other Americans, rich, middle class and otherwise, who were subjected to this kind of disaster. I encourage my colleagues to pay attention to what is going on in this area and to devote our resources and our energy, both private-sector and governmental, to addressing this problem.

Mr. Speaker, I will yield back to my colleague, the gentleman from Mississippi (Mr. THOMPSON), and again applaud him for providing this opportunity for Members of the Congressional Black Caucus to address this issue.

Mr. THOMPSON of Mississippi. Mr. Speaker, I now yield to the gentlewoman from Michigan (Ms. KILPATRICK).

Ms. KILPATRICK of Michigan. Mr. Speaker, I thank my colleague from Mississippi for yielding to me and for his leadership during this difficult time. We are here to stand with you and to offer assistance to you.

And to the gentleman from Louisiana (Mr. JEFFERSON), whose district has been so devastated, we are here to say that we support you wholeheartedly.

I want to thank the millions of Americans, individual Americans and families, who have brought into their own homes, into their churches and into their schools many people who find themselves homeless. I want to applaud the American citizenry for stepping up at a time when our Federal Government did not.

In our own State of Michigan, we have received evacuees. The governor advised today that no more evacuees would be coming to Michigan, but I am here to say, Madam Governor, that they are still coming to Detroit. We have 300 families in Detroit right now and we are housing them, we are clothing them, we are feeding them, and the medical community in Detroit has come together under the leadership of Mayor Kilpatrick.

I want to pledge to my colleagues, the gentleman from Mississippi (Mr. THOMPSON), the gentleman from Louisiana (Mr. JEFFERSON) and the gentleman from Alabama (Mr. DAVIS) that we will continue to do that. We are here to serve, to represent, and to take care of the least among us. And so we will do that, my congressional brothers. And I want the governor of the State of Michigan to know that we appreciate her, but we will take care of these people as they come to our doors from this grief-stricken region.

I want to applaud Secretary Alphonso Jackson and HUD, who has been working with our mayor to make sure that we have the facilities available. Our private community has stepped forward, our hotel industry, our manufacturers of food, and our health care industry. That is how we are able to do what we are doing in the city of Detroit, and we will continue to do so.

We need the Federal Government to cut the red tape. There is too much red tape here. We have an emergency. We have put out $10.5 billion, which has been passed by both Houses of Congress. I am told today that Halliburton got $500 million of that already in a no-bid contract to help in New Orleans, to relieve the streets of its water. I wonder why we could not find others. At the same time, I have families who have been stopped from getting the food and nutrition that they need.

FEMA must develop a plan. I, too, call for the firing of Mr. Brown, the FEMA director with no emergency management experience, as well as his deputy, a friend of the President's, with no emergency management experience. We need real professionals in this time of need. The CBC stands ready, our Congressional Black Caucus, to do what we must do, and we will be visiting the stricken area soon now.

I was in an appropriation hearing today where we discussed the tens of billions of dollars, over $250 billion, that is being spent in the reconstruction of Iraq. Must we be there? Maybe. But should we take care of America's people? We must. So I call upon this Congress and the President to work together to make sure that American people are taken care of.

I witnessed this morning on a morning show a family with the last name of Allen, a wife whose husband works for the housing department in Louisiana, who stayed in Louisiana to help the people who were left there. The wife and one of the sons were evacuated. This family has a son fighting for this country in Iraq.

So, you see, they are American citizens, many who have been evacuated because of a national disaster. We owe them. They pay taxes. The seniors, the frail, they built this country. We owe them.

Let us rise up, America. This Congress can do better and we will do better, because we cannot let them down.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield to the gentleman from Chicago, Illinois (Mr. RUSH).

Mr. RUSH. Mr. Speaker, I thank the gentleman from Mississippi for yielding to me, and I want him to know that he and the gentleman from Louisiana

(Mr. JEFFERSON), and the gentleman from Alabama (Mr. DAVIS) are an inspiration to many of us. Your courage, your commitment, and the leadership that you have displayed over these trying times, not only to those who reside in your districts but also to the American people in general have not gone unnoticed.

The Bible says, ''When the righteous are in authority, the people rejoice; but when the wicked rule, the people groan.'' Mr. Speaker, when I think of the devastating effects of the failed rapid response of the Federal Government to Hurricane Katrina, I cannot help but wonder about the value of some life, some human life in this country, particularly the lives of the poor, the powerless, and the black.

Along with the rest of the world, I have been outraged by the less-than-rapid response, of the inaction, of the lack of attention and the lack of providing aid to the thousands of individuals who were left to die and fend for themselves in the aftermath of the worst natural disaster in American history. Those who did not die were subject to the most dehumanizing conditions, the demoralizing squalor in the Superdome and other relief centers in New Orleans has been compared to the conditions in the hulls of slave cargo ships.

□ 1815

I might add, this is not a far-fetched and extreme exaggeration.

Hurricane Katrina is an example of how the Federal Government failed. It is an example of a complete breakdown when responding to those in need of critical help. In times of national crisis, the cries of mothers, fathers and families from Louisiana and Mississippi and Alabama went unheard.

I serve on the Committee on Energy and Commerce, and today our committee held a hearing on price gouging at America's pumps. But my immediate concerns are on the price of human suffering being paid by the most vulnerable in our society.

New Orleans is going through a full-blown public health crisis, Mississippi is going through a full-blown public health crisis, and so is Alabama; and they are all suffering from the debilitating environmental conditions caused by Hurricane Katrina and by human malfeasance.

In addition to examining the incompetence and indifference of FEMA, the National Guard, and, I might add, the American Red Cross in their responding to this catastrophe, this Congress needs to address immediate and emergency concerns, including the purification of the drinking water and the abatement of dreaded diseases such as e-coli, hepatitis A, cholera, West Nile and other mosquito and waterborne diseases. Clearly, the public health concerns of this Nation and particularly the Gulf Coast region are of paramount importance.

I might also quickly note that we should sharply increase funding for the LIHEAP program, so that we can address the rising cost of heating oil during the upcoming winter months.

Lastly, we must examine and address the psychological scars that people have suffered from this terrible tragedy. We cannot underestimate the wounds that lie deeply in the psychology of the victims of Hurricane Katrina. The week-long conditions under which many of them toiled are unimaginable.

In this regard, we must especially be sensitive to the psychological needs of the children. Children may have suffered trauma that will stay with them for the rest of their lives. It is important that this Congress provide comprehensive mental health services to the children and to all of the evacuees.

It is now time for this Congress to acknowledge that there is widespread poverty in this Nation. It is now time for this Congress to also acknowledge the role that poverty played in the paucity of the Federal response during this national crisis.

Mr. Speaker, I also join with my colleagues in saying down with Michael Brown. Down with Michael Brown.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield to the gentleman from Alabama (Mr. DAVIS), another Member of this body that was also affected by Hurricane Katrina.

Mr. DAVIS of Alabama. Mr. Speaker, I thank the gentleman from Mississippi (Mr. THOMPSON) for yielding. I certainly thank all of my colleagues in this Chamber who have expressed solicitude to me. But, frankly, that solicitude is better spent on my colleagues from Mississippi and Louisiana. My State of Alabama was gratuitously spared virtually all of this damage. There are certainly people in my State who lost power, there are people in my State who were hurt. But God did not create all suffering on the same scale, and I know the difference between what has happened in my State and what has happened to my colleagues.

I am very proud of the gentleman from Mississippi (Mr. THOMPSON), I am very proud of the gentleman from Louisiana (Mr. JEFFERSON) for all of the work that they do in this Congress, but particularly for their fortitude in the last week, because, Mr. Speaker, we have been able to sit at these things from a distance. We have been able to talk as compassionate people about these losses.

The gentleman from Mississippi (Mr. THOMPSON) and the gentleman from Louisiana (Mr. JEFFERSON) have the very hard work of going into their communities and talking to people who are in pain and saying, ''I will use my power to try to help you,'' and seeing the tears in response. So it is they who very much deserve our solicitude tonight, and I am proud to serve with them.

Mr. Speaker, I want to make three points that I think are related. The first one is this:

So many of the people who died, and we understand that the numbers of the dead will likely exceed 10,000, the largest single disaster in American history, so many of the ones who died had lives that do not put them on the front page of the newspaper. They had lives that were relatively anonymous. They were hard-working people, trying to make it through their lot in life, and all of a sudden they were cut down in blameless circumstances.

The challenge of leadership though is to give an honor and a place to those who die in tragic circumstances. The challenge of real leadership is to lift the anonymity and to put an honor on the table.

One of the things that I wish we would see in this Chamber, Mr. Speaker, is for the President of the United States to do what he did the last time our country was seared, to come and gather the House and Senate together in this body, to address the Nation and the Congress, and to paint a vision of how we can do better next time and a vision of how we can rebuild these people.

I would love to see the President go to the National Cathedral, a place he went 4 days after September 11, because when he went to the National Cathedral, he gave an honor to those victims and lifted them up to a certain place of honor. I would love to see that done for the people in your State of Mississippi and the people in the great State of Louisiana.

We cannot let the anonymity that lingered over the lives of these people mask the honor of their death, because the honor of their death is this: They were innocent, hard-working Americans who lost their lives in part because of nature, but in part because of the errors of our government. And it is that second point that I want to turn to tonight.

The country needs this President to admit that his government failed; the country needs this President to come here and say that the standard that was set by FEMA last week is one that was unacceptable for the people of Mississippi and Louisiana; and the country needs this President to name this as the disaster that it was. I cannot say it nearly as eloquently as our friend and colleague the gentleman from Georgia (Mr. LEWIS), but our country is embarrassed when we have power and do not use it intelligently and effectively. Our country is embarrassed when we have the means, the capacity and the ability to know what was happening last week, and still fail to adequately respond to it.

I have heard some of my friends and colleagues on the other side of the aisle say that they were pleased and satisfied and thankful for the job that happened last week, and I would simply differ with them in this one sense: Can we truly be pleased with the lack of response, the constant underestimation, the constant miscalculation? Because if we are pleased with that and we consider that to be good work, our standard is far too low.

The final point that I want to make, I say to the gentleman from Mississippi (Mr. THOMPSON), is one that perhaps should be more obvious to us. The fissures that already exist in our society become even more painful and more acute when there are stresses in our society. Last week, as so many people in this Chamber have said so well, the people who were left in the Superdome, the people not evacuated in time, so many are the people we often do not see. And we owe this next quote to Mr. Brown, the head of FEMA. Mr. Brown said that we learned that there were people that we did not even know existed.

Mr. BROWN did not mean to be profound when he said that, but he was unintentionally so, because we did learn and his administration did learn last week that there are people that they did not know existed, who live in the cracks and fissures in our society. And that ought to pain us.

The last point that I want to make, and it is the point I would hang over this Chamber as we think over this next several weeks: We owe people in this country a better place than the margins of life. There are people who, because of their own faults and their own demerits, end up in a particular place. We understand that. We know that. The Bible tells us that. But we ought to be strong enough and bold enough as a country to not let people who are trying to live their lives fall into the margins because we do not care enough to build a net around them. The absence of a net in New Orleans, the absence of a net in Mississippi, the absence of a safety net in much of the South, was laid bare last week, and we ought to be moved by that.

I will not cheapen this tragedy by saying there is a silver lining in it. Too many people died for that. But I will say that I hope that we draw some inspiration. I hope that as we go about fashioning a strategy for relief, that we fashion a strategy for relief that can lift up the weakest of these people and the least of them in an economic sense.

But I hope as we move past Hurricane Katrina, and, frankly most of us in this Chamber will find a way to do that, it is the gentleman from Mississippi (Mr. THOMPSON) and the gentleman from Louisiana (Mr. JEFFERSON) who will continue to you live with it, but for a lot of the people in this Chamber, we will be able to move past this. We will be on to the next crisis of the month or the next political cause of the month.

But I hope as we move on, we carry this lesson with us, we carry this notion that if we are a just country, we cannot be a country where being left behind and being left out has the consequences that happened in the gentlemen's State of Mississippi and in Louisiana last week. If we are to be the country that we say we are, we have to do better by all of our people.

The final point before I yield back my time, I turn once again to the President and his leadership. This President would not serve himself or our country well if this is turned into an attack on the mayor of New Orleans or the governor of Louisiana. This is not the time to make false comparisons and to wonder whether the governor and the mayor did not do this or did not do that, because there is something we ought to understand: The governor and the mayor lived in the midst of a crisis.

The people who sat comfortably in this city last week were removed from that crisis. They were in a position and had the level head to do better, and they came up with the sea of incompetence that we saw. So how dare we look at the mayor and the governor sitting among their people in the midst of all of this and blame them, when people sat in this city far removed from the danger and could not do better?

Mr. Speaker, again I thank the gentleman from Mississippi (Mr. THOMPSON) for his leadership, and I hope that his constituents, and know that his constituents, appreciate it. I thank the gentleman for his work as the ranking member of the Committee on Homeland Security, because it ought to be said, What is the measure of homeland security if we cannot find a way to secure our own people in the midst of danger?

Mr. THOMPSON of Mississippi. Mr. Speaker, I thank the gentleman very much.

Mr. Speaker, I yield to the gentleman from New Jersey (Mr. PAYNE).

Mr. PAYNE. Mr. Speaker, I join my colleagues in expressing my heartfelt sympathy to all of the victims of Hurricane Katrina and their families. Our thoughts and prayers remain with them as they cope with the aftermath of this enormous tragedy. We stand in solidarity with our brothers, the gentleman from Louisiana (Mr. JEFFERSON), the gentleman from Mississippi (Mr. THOMPSON) and the gentleman from Alabama (Mr. DAVIS).

My home State of New Jersey has responded by deploying police officers, firefighters and decontamination personnel from around our State to aid relief efforts in the City of New Orleans. I commend Governor Codey of New Jersey for his leadership in responding to the needs of those affected by the catastrophic conditions in New Orleans and the surrounding areas.

In addition, Continental Airlines, which has a hub in my home city of Newark, is participating in Operation Air Care to provide emergency airlift to more than 25,000 New Orleans residents stranded by Hurricane Katrina. I appreciate the efforts.

Many of our local churches in my congressional district have taken the lead in organizing relief efforts to collect clothing, food and money to help hurricane victims. Over the past weekend I met with Reverend Raymond Jefferson of Metropolitan Baptist Church, originally from Louisiana, who is organizing a comprehensive statewide relief. Just last night he convened a meeting of concerned community leaders and is working tirelessly to bring refugee relief to the hurricane victims.

My office received a call from a family of 11, who needed assistance, coming up from Louisiana, and we were able to locate housing for them. Then we went to Reverend William Howard's church, Bethany Baptist Church in Newark, to help provide additional social services, including medical attention, preschool for the youngsters, as well as schooling for high school and college students, and Social Security for the elderly. It is really a complicated system, and everybody needs to be involved.

While Reverend Howard and I were meeting with the family at the church, we received a call that the grandfather of the family who had been missing was located at a hospital in New Orleans. This was a great feeling.

Reverend Joe Carter of New Hope Baptist Church started a fund-raising drive on Sunday and will meet with the pastor from New Orleans tonight in Atlanta at a meeting of the National Baptist Convention. So everyone is doing their own thing, collectively.

Let me conclude by saying, unfortunately, much of the devastation caused by Hurricane Katrina could have been mitigated if President Bush and his director of Federal Emergency Management Agency had shown real leadership by responding swiftly and completely to the warning before Katrina hit the gulf coast. Instead, they seem to be in denial about their woeful and inadequate response, even to the point of blaming the victims.

□ 2030

FEMA Director Michael Brown coldly made the statement that those behind had failed to heed the advance warnings and thus were basically responsible for their own misfortune. It apparently never occurred to him that not everyone had the resources to drive or fly out of the city before the hurricane struck.

Today's Washington Post reported that offers of assistance from other countries were ignored for days after the tragedy. An executive with a telecommunications company based in the Netherlands expressed his frustration with these words: ''FEMA? That was a lost case. We got zero help. We lost one week trying to get things so that we could move forward.''

I serve as one of two congressional delegates to the United Nations, and it is going to be embarrassing for me next week to be with our allies from around the world who offered assistance which was turned down.

Let me conclude by saying I received a call from Rome today, and they said they were shocked at the abject poverty in the United States. They did not realize that there was so much poverty in this country. And even The Washington Post referred to people as refugees. By international law, if they

looked it up, one cannot be a refugee in one's own country. Disgraceful, wrong, and that is what the W in George W. stands for. Wrong, wrong, wrong.

Mr. Speaker, we often hear it said from this administration that this government should be run like a private business. I would like to ask the Members what business would ever think about retaining an employee who performed as dismally as Mr. Brown did, completely failing to fulfill his responsibilities at a time of crisis?

I was also shocked to hear statements made by others that many of the victims are better off in the shelters in Houston because they were underprivileged anyway. It was said by a very prominent American. Unbelievable. To suggest that it does not matter if poor people lose the roof over their heads and all of their possessions, lose loved ones and have their families separated seems to me to be the height of insensitivity on the part of the overprivileged.

Mr. Speaker, I hope that we will have a thorough investigation into the failings of our government to respond to this cataclysmic event and the consequences it had on all victims and disproportionately on victims and people of color. We are the United States of America, and we certainly can do better.

Mr. THOMPSON of Mississippi. Mr. Speaker, I thank the gentleman for his comments.

I now yield to the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Speaker, my prayers and my heart go out to those who have been displaced and the families that have been disrupted by this devastation. I stand firmly with my brothers, the gentleman from Louisiana (Mr. JEFFERSON) and, most importantly, New Orleans; the gentleman from Mississippi (Mr. THOMPSON); and the gentleman from Alabama (Mr. DAVIS) while they meet the challenges ahead and while they grapple with this devastation.

Hurricane Katrina is turning out to be the worst human catastrophe in America's history, far surpassing Hurricane Camille and the 1906 San Francisco earthquake in its destructive and deadly impact.

At this time I would like to thank all Californians for their generosity and outpouring of donations, food, clothing, and opening their homes to the families and to our families of this gulf coast area. My district has a hurricane disaster relief effort, and we are getting big-rig trucks that are taking all of this to those ravaged areas, and we thank my church that raised over $100,000 on Sunday, Second Baptist Church, Dr. William Epps, in providing donations to the region.

The flooding and physical destruction of New Orleans, a truly historic American city, coupled with the complete destruction of families, homes, businesses, roads, and bridges along this 120 miles of Louisiana and Mississippi coastline presents a humanitarian challenge of unprecedented proportions with consequences that will be felt for years to come by those who lost loved ones, jobs, homes, and any sense of comfort and security. And the reality of our government's failure thus far to deal adequately with the tragedy that has occurred in New Orleans and along the gulf coast deepens each day.

While Hurricane Katrina could not have been prevented, it is now clear that the flooding of New Orleans that followed Katrina would not have been so devastating if the levees had been rebuilt and the wetlands had not been taken away.

For years the Federal Government had not provided the critical funding that would have made possible the building of sound infrastructure that would have protected New Orleans from this assault that has come to the great people of this great city.

Our figure says it all. It would have cost only $2.5 billion to build storm defenses around New Orleans capable of resisting a Category 5 hurricane. Katrina was an upper Category 4 hurricane. Nothing about New Orleans in this situation is new. Its vulnerability has been known for decades. This government knew that, yet nothing was done to protect the city and the surrounding communities.

FEMA, supposedly given a high priority for funding in the wake of 9/11, was not visible in the first days following this hurricane. We saw and heard evidence of the lifesaving work of countless private organizations like the Red Cross and the Salvation Army; yet this FEMA was not seen or heard of. In other words, we did not know what they were doing.

And in the days after Katrina hit the gulf coast, we have now learned that in many cases, FEMA was actually an impediment to the ongoing rescue and recovery efforts attempted by State and local officials. I am certain that in the months ahead we will see that FEMA's slow response to this terrible disaster needlessly resulted in the loss of hundreds, maybe thousands, of additional deaths and injuries. Why did this happen in the most powerful country in this world? This question begs for real answers.

Finally, there is a much more profound American problem that this disaster has illuminated, and that is the fact that the victims of the flooding in New Orleans have been, for the most part, African Americans and poor. The lowest lying areas of New Orleans, the most vulnerable to flooding, were inhabited by the city's most vulnerable people. Tragically, these victims, many of whom are children, the elderly, and the disabled, could have been spared much of the pain and massive destruction that was caused by Katrina if only their safety had been our government's priority. Instead, they were essentially left to fend for themselves with even more tragic consequences.

How could this happen, Mr. Speaker, in the world's most powerful and wealthiest country? Clearly, it was not due to a lack of resources; but, rather, it was the result of our Homeland Security and this administration whose priorities did not include assisting the most vulnerable and needy of our society.

One of the first questions that we will need answers for after the rescue and recovery efforts are completed is what will happen to New Orleans? And these questions should be answered by Congress and the administration.

What will happen to New Orleans?

I will say this: we must have a plan for rebuilding New Orleans and the surrounding gulf coast communities, and we must have it soon. The people of New Orleans and the surrounding gulf coast communities cannot wait too long for solutions to this immediate crisis they now face. Mr. Speaker, we must act now. The people of New Orleans and the people of this country are waiting.

Mr. THOMPSON of Mississippi. Mr. Speaker, I thank the gentlewoman for her comments.

Mr. Speaker, I now yield to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I join my colleagues in extending my sympathy and that of the people of the U.S. Virgin Islands to the people of Louisiana, Mississippi, and Alabama who have suffered great losses and continue to suffer from the impact of Hurricane Katrina on their lives. They are very fortunate to be represented by the gentleman from Mississippi (Mr. THOMPSON), the gentleman from Louisiana (Mr. JEFFERSON), and the gentleman from Alabama (Mr. DAVIS).

I am proud to say that we, who know the fury of these storms, have many who are working in the affected and host communities, that our hotel association and countless individuals and businesses have contributed close to $200,000 and that number continues to climb, that our National Guard sent many of our able troops to this vital effort, and our university has opened its doors to displaced students.

After 9/11, it was clear that we needed to become not just a stronger America but a better America, one where everyone was treated with dignity, fairness, justice, and compassion. Our leaders, though, urged us to go back to normal, and that was clearly not good enough. Despite the generosity of many good people, we have witnessed what has become normal for far too many in this country: for the poor, the rural, and people of color.

What happened in Alabama, Mississippi, and especially in Louisiana, the extent to which we have not yet seen, brings the issue of health and socioeconomic disparities into stark focus. Based on what is estimated, Katrina's toll will add more than 12,000 preventable, premature deaths to the

close to 100,000 we African Americans experience every year.

I am greatly concerned about all that has to be done now and for recovery and reconstruction; but as a physician, the health care challenges that are immediately upon us trouble me most. I am concerned because as a member of the Committee on Homeland Security, along with the gentleman from Mississippi (Mr. THOMPSON), we have been issuing repeated calls for repairing and strengthening our public health system especially in our poor, minority, and rural communities. Calls that went unheeded.

I am concerned because we knew from a New York Academy of Medicine study that people would need more help and information to respond as instructed. I am concerned because another report on national health disparities will be released this week which will again tell us that disparities are widespread and due to persistent and institutional racial and ethnic discrimination and the socioeconomic problems they spawn in communities of color.

And so in the affected areas we have worsening chronic disease, diabetics without insulin for far too long, HIV/AIDS patients without medication, and babies without the proper feeding. Crowding and poor sanitation will increase infectious diseases, and we will have mental health problems now and for a long time to come. In this area the lack of the culturally competent providers we have long pressed for will be acutely felt.

No planning in Iraq, no planning here; yet another crisis has been allowed to develop. The President has not only to own up to the inadequacy of the preparedness and response, but he must also not cover it up. He has to work with us to correct it.

Mr. Speaker, we have an opportunity that the CBC will lead to make this right, to still become a better America. We can do it if we invest in our people and our country instead of giving tax cuts to the wealthiest Americans. We can do it if we improve Medicaid, not cut it; if we restore proposed cuts to food stamps, WIC, public housing, small business programs, education, and all of the health care programs that improve the health services and health status for all of us who live here.

We can do it if we do everything that is needed to bring the destroyed places back and the displaced back home; if we strengthen the infrastructure in New Orleans and all around this country and in doing so create jobs and economic opportunity for all. We can do it, and in this time of great tragedy and distress, the time that usually brings people together, my prayer is that we will; and I call on all of our colleagues to support this effort.

Mr. THOMPSON of Mississippi. Mr. Speaker, I thank the gentlewoman for her comments.

Mr. Speaker, I now yield to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Speaker, I thank the gentleman from Mississippi (Mr. THOMPSON) for yielding to me, and again I concur with all of our colleagues in expressing our partnership, our involvement, our support of the gentleman from Mississippi, the gentleman from Alabama (Mr. DAVIS), and certainly the gentleman from New Orleans and Louisiana (Mr. JEFFERSON).

I want to start out by certainly illustrating an opportunity that our President has to truly lead here. We know that there has been a failure in national leadership. We have talked about that. We have criticized that. But we are going forward now, and there are some important points that need to be made, and I want to appeal to our President because I think he has an excellent opportunity to make up some lost ground on regaining the position of national leadership on this issue because it is not too late because we have got to move forward.

And I think one of the first orders of business, Mr. Speaker, is that the President would reach out to the African American Members of Congress. We are the duly elected representatives who need to be involved in every critical process going forward. We all know the faces on the television cameras. The majority of the victims were African Americans and poor. We know that race and poverty and class play a part in this. Who better to make sure that this Nation is sensitive to that important fact?

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It is not something to be brushed under the rug; it is something to be lifted up. For if it is true, there will be more than 10,000 or 12,000 individuals left, and as the water recedes in New Orleans, we owe it to those who have lost their lives, who because they were poor did not have a way to get out. And many in this Nation feel that our national leadership failed them.

Now is the time to pick up from there, and the first order of business would be to reach out to members of this Congressional Black Caucus and make sure that members of the Congressional Black Caucus are active in the investigation committees going forward, to make sure we are there to ask the right questions, to get the right answers, and there will be credibility going forward.

It is important for members of the Congressional Black Caucus to be on the spending committees. So far, there has been $10.5 billion put forward. There is another $50.5 billion that will be put forward later this week, possibly tomorrow. We must be at the table. We must help to decide where that money is going.

And then, Mr. President, here is a sterling opportunity to lead. It is going to take at least $250 billion or $300 billion, by all of the estimates that we have examined, and I have been on the phone to Harvard economists and others who have said that it is going to take at least $300 billion. We need a huge investment in New Orleans, in Louisiana. We need something there that will attract people to come back to New Orleans. One of the sad things I heard so many people saying is, I am going from New Orleans, I am not coming back to New Orleans. Fats Domino said it well: ''I am walking to New Orleans.''

All of us need to walk back to New Orleans. We need people coming from everywhere to walk back to New Orleans so New Orleans does not lose a beat; and in order to do that, we have to put a sizable investment in New Orleans. $200 billion, $300 billion, I do not know the figure, but it is certainly more than 50, certainly more than 100. I would think $300 billion. And we have to think that way. That is what it takes for public works and transportation.

Then we need to determine, what do the victims need to rebuild their identity. They have no license, they have no addresses, they have no money; and where can they get immediate financial help? We have an excellent opportunity for leadership. I look forward to doing it, as do all of us here in the Congressional Black Caucus. This needs to be a partnership and a two-way street, and we look forward to working to make this a positive out of a negative.

Mr. THOMPSON of Mississippi. Mr. Speaker, I now yield to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I want to thank the gentleman from Mississippi for yielding, and also to the gentleman from Louisiana, I want to thank him for his leadership and his hard work 24/7 in helping communities, your communities, work through this devastation, and also in leading this Congress in an effective response. We stand with the gentleman from Louisiana. Our constituents extend their desire to help in whatever way possible and to help in a very real way.

Mr. Speaker, I said earlier, and I have to say this again, that the world is watching. The world is watching as our Nation has been exposed. If anyone has ever doubted that there are two Americas, Hurricane Katrina and our government's shameful response have made this division very clear.

New Orleans is a city where 65 percent of the population was black. Nearly 30 percent, or one in three, were living below the poverty line. Twenty-one percent of the households earned less than $10,000 a year. Eighty-four percent of the people living in poverty in New Orleans were black. People died because they were poor and black and young and old and disabled. The incompetence and the indifference demonstrated by this administration in responding to this tragedy was really quite shocking, but it was not surprising.

For some of us, however, this is an America that we know very well. It is an America that has often been swept under the rug by lawmakers and the

media. This is the America that many of us know, and that is why the Congressional Black Caucus and so many in this House fight each and every day against these obscene tax cuts for the wealthy, and Medicaid and housing and health care budget cuts.

This is the America that I know, and this is why I have said over and over again that the war against Iraq, based on distortions and false information, did not have to be fought. We did not have to spend over $300 billion and deplete the resources that could have gone to domestic security, economic security, and taken care of our people right here at home.

Each and every Member of Congress should be frightened to death, seeing the lack of preparedness and the unacceptably slow and deadly response by our government. People died who would not have died if our government had responded quickly and efficiently. This is a crime.

Each and every Member of Congress has had a glimpse of what could happen in their districts should a natural disaster or, God forbid, a terrorist attack occur in the future.

Now Americans have risen to the occasion and asked what they could do to help. And after listening to a very disappointing briefing by Cabinet Members and, however, listening to Members of Congress from affected districts who, in spite of the odds, again have been responding around the clock to the survivors of this devastation in heroic ways, I have a few thoughts that I think we should do immediately.

Well, of course, we must recognize, first of all, and thank individuals and organizations who have continued with monetary donations and also providing donations of medicine, clothing, bedding, and hygiene articles. But do my colleagues know what? The Federal Government must step up to the plate and lead this effort. We must help find temporary transitional housing so that people can live with dignity and respect until they can return home.

And we must insist that the Red Cross hire staff, and many of us have had experience working with the Red Cross; they need to hire staff and volunteers who reflect the populations that they serve, such as African Americans and Latino volunteers and staff. They should be brought in.

Mental health professionals should also be sensitive to, and they should be of, the diversity of the affected populations and understand the cultural background of those who have been traumatized. And they should understand, quite frankly, that they just left a war zone, and post-traumatic stress syndrome will be setting in. And we must insist that the rebuilding process takes into account the populations who have been displaced. Developers should not just come in and create a city where no one can afford to return home. There must be affordable housing and good-paying jobs for those survivors of this devastation.

Also, we must ensure that survivors' losses are not compounded by financial institutions. Credit card late fees and penalties and mortgages, all of these issues must be addressed, and we must make sure that our Americans are protected from predatory lenders at this time of extreme need.

Let me just say, quite frankly, we must not allow military recruiters to take advantage of the misfortune of hurricane survivors. They should not be allowed to access temporary housing and shelters to recruit the destitute and the vulnerable. As the proud daughter of a 25-year career military officer, I honor and thank our service men and women for their bravery and service, but I do not believe that recruiting traumatized survivors of this hurricane is the right thing to do.

The world is watching, and I thank the gentleman from Mississippi (Mr. THOMPSON) and the gentleman from Louisiana (Mr. JEFFERSON) for leading the way.

GENERAL LEAVE

Mr. THOMPSON of Mississippi. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of this special order.

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

There was no objection.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield to the gentleman from Houston, Texas (Mr. GREEN).

Mr. AL GREEN of Texas. Mr. Speaker, I thank the gentleman from Mississippi. I would like to extend my sympathies to all of the persons who have suffered.

Mr. Speaker, I am not asking for help for the survivors because they are black, of the black race; I am not asking that they be helped because some of them are of the white race. I am asking for help because they are all of the human race, and that is the race that counts.

I believe, Mr. Speaker, that we must do something that is critical: We must not continue to call them refugees. Because, Mr. Speaker, these are tax-paying Americans. They have earned the right to be called American citizens who are in need of our help. So I beg today that we extend the hand of friendship and that this Congress spend whatever is necessary to restore their lives.

Mr. THOMPSON of Mississippi. Mr. Speaker, as my colleagues know, this is a Congressional Black Caucus hour. We wanted to talk about Hurricane Katrina and its impact on our Member districts. What I would like to do is offer the balance of my time to the gentleman from New Orleans, Louisiana (Mr. JEFFERSON).

Mr. JEFFERSON. Mr. Speaker, I thank the gentleman from Mississippi for his expert handling of this hour to help to bring to the attention of the American people the particular plight of African Americans, the particular plight of people who are impoverished, the particular plight of disadvantaged citizens who have been afflicted by this storm, and the hope and promise that our Nation holds for them and for my great city of New Orleans and the gulf coast region. I want to thank the gentleman for his attention to this matter, and I thank my colleagues for joining us in this very special and important hour.

Mrs. JONES of Ohio. Mr. Speaker, while there has been much devastation brought upon the Gulf Coast from Hurricane Katrina, I hope that apart from its devastation, we can say that Hurricane Katrina brought to light some of the atrocities that have been going on for years such as the poverty crisis in this country.

For far too long, we as a nation have neglected the underprivileged of this country. We are quick to criticize other countries for not taking care of their own, however, we have all but forgotten the poor in our own country.

A recent study by the Population Reference Bureau noted that Orleans Parish, Louisiana and Harrison County, Mississippi, the counties that are home to New Orleans and Biloxi respectively, had median household incomes of just $31,369, 44 percent below that of the national average of $44,684.

Additionally, 23.2 percent of the people in Orleans Parish and 14.6 percent of the people of Harrison County are below the poverty rate. Disproportionate rates of those people are African American. A whopping 35 percent in Orleans Parish and 27.4 percent in Harrison County.

High proportions of elderly residents of the Gulf Coast have disabilities as well. In New Orleans alone, 56.4 percent or 28,195 elderly resident have disabilities, compared to the national average of 39.6 percent.

About 9 percent of households in New Orleans did not even have a vehicle available to escape the storm. And for those who did have transportation, add to that the steadily rising gas prices which now exceed $3.20.

This is simply unacceptable. The world is watching. And they are waiting to see if we are going to do right by our own citizens. If we will pull together to do what is right. We can send massive amounts of aid to tsunami victims, but we can't bail out the Gulf Coast. We fight for democracy across the globe, but when our own needed help we were slow to respond.

There is a gospel song that says, "Sweep around your own front door." Today, I say America it is time for us to sweep around our own front doors. We can no longer put on blinders to the poverty crisis that is now staring us in our face.

We must work within this Congress to put in place legislation that will help these victims not just over the next few months, but for years, because that is how long it will take for us to heal from this natural disaster.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to address the ongoing crisis for those who have evacuated Louisiana, Mississippi, Alabama, and Florida, and to recognize the extraordinary efforts of Texans. And in particular residents of Dallas.

For the people along the Gulf Coast, I wish to express my deepest condolences.

This devastation has cost many individuals their homes, jobs, belongings, and worst of all their lives.

Almost a quarter million evacuees have traveled to Texas. Seventeen thousand of which have come to Dallas. This is an extremely traumatic situation. Many of these individuals are looking for missing family and friends. Most do not know if or when they will be able to return home.

The one bright spot is the thousands of Americans who have opened their hearts to volunteer time and money. I truly believe it is the personal efforts that make the greatest impact.

During this time of tragedy many heroes have emerged. Local residents, churches, and businesses in Dallas have overwhelmingly offered assistance.

The efforts of those who are volunteering their time at Dallas area shelters have made an immeasurable impact. In addition, many Texans have offered jobs or opened their homes to evacuated families.

I know that the generous spirit of Texans and of all Americans will help to aid this transition. When these dislocated people return to their communities, immediate economic opportunities should be given to them first so they can rebuild.

Mr. Speaker, we now look towards this Administration to exhibit the same type of sacrifice and humanity that countless Americans and charities have displayed.

I question those policies that stretched those National Guard units that could have rendered more immediate aid in New Orleans and elsewhere. First responders have not been given the tools they need. And this Administration drastically underfunded the Army Corps of Engineers, who are responsible for maintaining the levees surrounding New Orleans.

It is time to acknowledge our dependence on fossil fuels—whether foreign or domestic—which set the stage for further economic displacement ahead.

It is neither premature nor unpatriotic to raise questions as the federal government recovers its footing after an initially dismal performance. The point is that even though the government is now showing signs of progress, much work remains.

I can assure the Administration we, as Members of CSC, will do our best to work with them towards fulfilling our commitment to the American citizens.

I will be offering a comprehensive education appropriations bill along with Congressman HINOJOSA. There are currently 160,000 displaced students as a result of Hurricane Katrina. The Texas Education Agency predicts that as many as 70,000 displaced students will enter Texas schools this year.

This bill sets up a $500 million fund for displaced students within the Department of Education. From this fund, states will receive $3,000 for each displaced student that enters their school systems. This money will provide funding for additional classrooms, teachers, books, and supplies. These young people have been through a traumatic experience and providing a safe stable school environment is vital.

I will also introduce a bill that would call on the Department of Health and Human Services to ensure that the displaced survivors of Hurricane Katrina and first responders receive the mental health services they need.

Mr. Speaker and colleagues, think of the incredible stress these people are experiencing. There is anxiety. There is depression. There is a sense of hopelessness.

I am a former nurse, and I worked in the mental health sector. I feel strongly that these displaced individuals, many of whom are left with nothing, desperately need mental health services to address the trauma they have endured.

This bill will call upon Health and Human Services and the Department of Justice to address those needs. Mental health should not be forgotten.

Mr. Speaker, the Federal Emergency response to this calamity was disappointing. When I visited my District in Dallas and saw the suffering of many displaced individuals, I was struck at how far-reaching and long-term these issues will be. Let us make good legislative decisions to help them in the best way possible.

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

ORDER OF BUSINESS

Ms. JACKSON-LEE of Texas. Mr. Speaker, I ask unanimous consent to reclaim my time to address the House for 5 minutes.

The SPEAKER pro tempore (Mr. KIRK). Is there objection to the request of the gentlewoman from Texas?

There was no objection.

COMING TOGETHER FOR THE VICTIMS OF HURRICANE KATRINA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I hope that as my colleagues have spoken now for almost an hour, the American people will understand the depth of passion and concern that we are now experiencing as Members of the United States Congress.

In particular, I want to acknowledge the gentleman from Louisiana (Mr. JEFFERSON) and the gentleman from Alabama (Mr. DAVIS) and the gentleman from Mississippi (Mr. THOMPSON) for the devastation that they have experienced in their districts and simply suggest that this is not a question of ''I's'' and ''me's,'' but it is a time now for ''me's'' and, if you will, ''us's,'' a time for America to come together, and a time for us to stand steadfast and to be able to be the wind beneath the wings of those survivors.

I will also say, Mr. Speaker, that it is not a time to shy away from the critical questions that need to be asked and answered.

There are many people now today that had homes and had a sense of comfort and might now be sitting with their family around a television set, just finishing dinner, going out, coming back in. But, Mr. Speaker, the bottom line is, they had a home. And unfortunately tonight, as we stand in this wonderful testament to democracy, we have Americans who have experienced a brutal and unending disaster in their lives.

□ 2100

And so I come today most of all to offer my deepest sympathy for the ones who lost their lives, and my deepest expression of concern to the survivors. And they are survivors. For those of us who watched in utter shock the events of the last week, what an opportunity to come face to face in my own city of Houston with the survivors. What an opportunity to be able to see the greatest expression of charitable output, if you will, by the city of Houston and Harris County, as people worked day in and day out, first working with no road map, no structure on how to receive hundreds and hundreds of buses and thousands of people, almost 1,700 in one night, coming, individuals with the same clothing that they had on, suffering from overexposure, water, fear, trauma, individuals who had come from the Superdome and ultimately the Convention Center who thought they had been abandoned with no food, no water and no clothing and disaster amongst them.

These individuals survived, and they came with a resilient spirit, and they buoyed the volunteers, and they buoyed the leadership of our city and Harris County. They worked to improve the conditions of the Dome, albeit as I walked and saw the throngs of people and sometimes the despair in senior citizens begging to go home, as they sat by the wheelchair of an elderly person, sitting with no clothing, people looking for their loved ones, holding up signs, where is my daughter, where is my son, my grandmother, my mother, my husband, my wife; doctors coming in in throngs from the medical center and all around the community; clothing being brought time after time. It was an amazing outpouring, but yet there was despair.

But still, the volunteers in Houston kept meeting and meeting and meeting, recognizing that they could not give up as well. And now the George R. Brown Convention Center, opening its doors with people and wonderful sites for the children and libraries and the medical MASH unit.

And we have gotten better, Mr. Speaker. We know how to do it now. And these are, in fact, our brothers and sisters. And, yes, there is something to the story of the Good Samaritan. We are, in fact, not doers of the deed, but we do it; and we understand what it means.

But at the same time we rejoice that there are survivors, we must recognize that there must be an inquiry. And as we speak, I am writing legislation entitled the Katrina Inquiry Commission, because we remember the 9/11 Commission, and we are grateful for it.

I am also associated with writing legislation that will drop tomorrow that provides relief for the survivors, so that if they are in bankruptcy, none of the benefits from the Federal Government can be used to discharge debts.

We are also looking to provide more technology and working with FEMA

right now for the technology to help speed up the reunification of families. We are asking for more personnel on the ground and more resources so that we can put FEMA personnel in units like the Prince Center on Jensen Drive, doing an excellent job, just open their doors and allow people in; the Thurgood Marshall Center is a school in the North Forest Independent School District; and St. Peter Clavier.

Mr. Speaker, I know that we can do better for the children. We can do better for our community. But certainly America knows that we can do better in the future. But right now, as we work toward this, we must draw together. We must insist, as we work together in the Congressional Black Caucus, that the people know that we have not abandoned them.

I rise tonight with my colleagues eight days after Hurricane Katrina devastated parts of Louisiana, Mississippi and Alabama. I want to especially thank Congressmen JEFFERSON and THOMPSON who have displayed great courage and resolve to help their constituents through the aftermath of this natural disaster. In my Congressional District in Houston tens of thousands of evacuees are being sheltered and fed. In fact, Americans throughout this country are stepping up to help those affected by this disaster. It demonstrates that once again in our darkest hour that we have united as a nation to help our brothers and sisters who now seek to rebuild their lives.

As we stand here tonight in Congress we must find steps to move forward to help those affected by this disaster and to try to prevent such an ineffective response from taking place again. I plan to introduce a number of legislative measures that will seek to alleviate the suffering of the survivors of the most devastating natural disaster in modern American history. I along with my Judiciary colleagues led by Ranking Member CONYERS will introduce legislation to protect the hundreds of thousands of families and small businesses financially devastated by Hurricane Katrina from being penalized by debtor provisions contained in the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, scheduled to take effect on October 17, 2005. This legislation is based in part on an amendment I offered at the markup of the Bankruptcy bill. We expect a Senate counterpart to be introduced this week as well.

We are concerned that just as survivors of Hurricane Katrina are beginning to rebuild their lives, the new bankruptcy law will result in a further and unintended financial whammy. Unfortunately, the new law is likely to have the consequence of preventing devastated families from being able to obtain relief from massive and unexpected new financial obligations they are incurring by forcing them to repay their debt with income they no longer have, but which is counted by the law.

Our bill makes several important adjustments. First, it would specify that individuals who are victims of natural disasters, and who incurred a substantial portion of their debt as a result of that disaster, are not subject to the "means test" and therefore cannot be forced into burdensome repayment plans. Although the current law includes an exception to the means test if the debtor can demonstrate "special circumstances," qualifying for such an exemption will be quite costly and burdensome, and require numerous detailed filings and legal certifications. This is the last thing a hurricane victim should need to worry about. Since the current bankruptcy law counts all income earned in the six months prior to the bankruptcy as part of future income, this means that hurricane victims who have lost their jobs will be considered high income debtors who are presumed to be abusing the bankruptcy system. This is obviously absurd; so our bill gives the hurricane victims an automatic carve out, as we already do for certain categories of veterans.

Second, it would specify that disaster relief payments are not counted as part of income for purposes of calculating repayment plans. These are one time, limited payments, and should not result in a hurricane victim being treated as a high income debtor. Just as we excluded Social Security, compensation for victims of war crimes, and terrorism payments from current monthly income, we also should exclude these payments as part of the calculation of relevant income.

Third, our bill would give the court the discretion to extend certain deadlines for businesses devastated by Hurricane Katrina, to insure that a business is not inadvertently forced to liquidate—and lay off workers—as a result of an arbitrary deadline. Other key provisions of our bill would:

Exempt from the requirement of completing credit counseling and credit education in order to get a discharge debtors who cannot complete those requirements because of a natural disaster (a similar exemption is provided under the bankruptcy law for individuals serving in military combat zones and people who are disabled or incompetent);

Exempt victims of natural disasters from the provisions of the new law that make it easier for landlords to lift the automatic stay and evict their tenants who are in bankruptcy;

Exempt victims of natural disasters whose records are likely lost or destroyed from the more onerous paperwork and documentation requirements of the new law; and

Provide additional filing options for debtors who have relocated or are otherwise unable due to a natural disaster to file in the venue designated by law.

The legislation we plan to introduce will prevent new bankruptcy provisions from having adverse and unintended consequences for the hundreds of thousands of individuals now facing financial ruin by providing needed flexibility for victims of natural disasters in bankruptcy proceedings.

I also plan to introduce a bill that will provide tax breaks for individuals who take in evacuees into their home. These people are stepping up to provide shelter and relief to their fellow Americans and I believe it is certainly proper to encourage this behavior through the implementation of tax breaks.

In addition, I propose legislation that will grant a minimum of 20,000 two-year tenant-based housing assistance vouchers for Katrina's victims, together with transportation and relocation assistance to be used where necessary. These vouchers should be administered by local housing agencies presently administering HUD-funded Section 8 Housing Choice Voucher assistance, which are located in or near the areas hardest hit by Katrina. These agencies are already position to provide housing assistance and can play an extremely helpful role meeting the immediate housing needs of Katrina's victims. This legislation would also allow the Secretary of Housing and Urban Development to issue a wide range of statutory and regulatory waivers in order to most effectively and flexibly utilize HUD resources to meet the needs of victims.

Finally, I am calling for the establishment of a Commission to study the genesis of the devastation caused by the hurricane. We need a 9/11 style commission to know everything that took place. In addition, I am calling for the establishment of a position of an ombudsman for FEMA in order to provide proper oversight. Without a proper investigation we can not get all the answers and without the answers we can not provide the necessary legislation and oversight needed to try to prevent this kind of human suffering from happening again in the future.

HONORING CHIEF JUSTICE WILLIAM REHNQUIST

The SPEAKER pro tempore (Mr. KIRK). Under the Speaker's announced policy of January 4, 2005, the gentleman from Texas (Mr. CARTER) is recognized for 60 minutes as the designee of the majority leader.

Mr. CARTER. Mr. Speaker, I appreciate the recognition, and I rise this evening to discuss a man and a history on the bench, judicial bench, that probably will be recorded as one of the great careers in the legal profession in the history of the United States. I am referring to Chief Justice William Rehnquist.

Today we laid to rest Chief Justice William Rehnquist, who has served this country and served it well for many, many years. Justice Rehnquist is going to be sorely missed by the citizens of this country. His wisdom and his leadership and his all-around ability to unite and work with every faction of the Supreme Court has been an inspiration to all of the citizens of this country.

He served tirelessly with great wisdom, judgment, and leadership. He leaves behind a legacy as one of the most influential Chief Justices in our Nation's history; and today, in sadness, we bid him farewell, and we say to Justice Rehnquist, job well done.

A native of Milwaukee, Wisconsin, William Rehnquist grew up in the nearby suburb of Shorewood. His father, the son of Swedish immigrant parents, worked as a paper salesman, and his mother as a multilingual professional translator.

I come from a part of Texas which has a large Swedish heritage, and I am sure that Justice Rehnquist got his base principles established by that Swedish heritage that he grew up in.

After service in World War II with the Army Air Corps from 1943 to 1946, and with the assistance of the GI Bill, Rehnquist earned bachelor's and master's degrees in political science from Stanford University, finishing in 1948. In 1950 he received a master's degree in government from Harvard. Rehnquist later returned to Stanford University

to attend law school, where he graduated first in his class in 1952, even ahead of Justice Sandra Day O'Connor, currently serving on the Court. He also served as the editor of the Law Review.

Rehnquist served as a law clerk for Associate Supreme Court Justice Robert Jackson both in 1951 and 1952. Following his clerkship, he settled in Phoenix, Arizona, where he was in private practice from 1953 to 1969.

In 1964 he also served as a legal advisor to the Barry Goldwater Presidential campaign.

When President Nixon was elected in 1968, Rehnquist returned to Washington, D.C. to serve as Assistant Attorney General in the Office of Legal Counsel. In this position Rehnquist served as the chief legal counsel to the Attorney General. He served as Assistant Attorney General in the Office of Legal Counsel until 1971, when President Nixon nominated him to replace John Marshall Harlan on the Supreme Court.

During his time in the Court, Chief Justice Rehnquist authored countless landmark decisions and thought-provoking dissents. He carefully reasoned his opinions and insisted that the principle of federalism is an integral part of our Nation's constitutional structure. His opinions recognized that our government is one of enumerated rights and dual sovereignty, with certain functions and powers left to the States.

His jurisprudence has shown that the first amendment establishment clause does not dictate government hostility toward religion. Rather, the government should act in a manner which respects our freedom to worship as we please, neither favoring nor disfavoring religion.

The last 19 years have shown that Chief Justice Rehnquist was a terrific choice to lead the Supreme Court. Though some of his colleagues on the Court disagreed with him at times, there is no doubt that they admired his strong leadership and his likable personality and his ability to build a consensus. While always a forceful advocate for his views, the Chief Justice consistently strove for consensus on the Court and treated his colleagues with courtesy and respect.

It is thanks to his personal attributes that even in an age of 5 to 4 decisions, the Court never descended into bitter infighting. Instead, Justice Rehnquist led a court united by friendship, committed to the law and service to our country.

One example of Chief Justice Rehnquist's commitment to the law is his opinion in Dickerson v. The United States. Although a long-time critic of Miranda v. Arizona, Rehnquist nevertheless placed his past position aside and wrote an opinion in Dickerson effectively affirming Miranda.

In 1999 Justice Rehnquist lent his services to the Senate when he became only the second Chief Justice in history to preside over a Presidential impeachment in the trial of President Clinton. During that difficult time, with the Nation and some of its Senators locked in partisan struggle, the Chief Justice's very presence reminded us of the solemn legal duties the constitution requires of the Senate.

A historian of the Supreme Court, Chief Justice Rehnquist, had authored three books on the history of the Court and the American legal system.

As Chief Justice, Mr. Rehnquist led not only the Supreme Court but the entire third branch of government. In that role he was an eloquent advocate for a strong and independent judiciary. In his annual reports on the judiciary and other public pronouncements, Chief Justice Rehnquist championed the interest of the judicial branch, earning praise from judges of all jurisdictional stripes.

At all times Chief Justice Rehnquist performed his duties of office with nobility and courage. Even in his recent sickness, he found the strength to administer the oath of office to President Bush and to consider the challenging cases that came before the Court.

Peggy Noonan wrote of President Bush's inauguration, ''And the most poignant moment was the manful William Rehnquist, unable to wear a tie and making his way down the long marble steps to swear in the President. The continuation of democracy is made possible by such gallantry.''

Our Nation is deeply indebted to William Rehnquist. Above all, the rule of law was paramount for Chief Justice Rehnquist. He understood that our government cannot survive without a judiciary that places the rule of law above politics.

Justice Rehnquist has tirelessly served our Nation for the last 3 decades, and he serves a permanent legacy as one of the great Supreme Court Justices. The next Chief Justice will surely have big shoes to fill.

At this time, Mr. Speaker, I would like to yield as much time as he wishes to consume to my colleague, the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. Thank you, Mr. Speaker, and thank you. We call you Judge Carter here in this institution. Mr. Speaker, the gentleman from Texas (Mr. CARTER) has earned a great deal of respect in this institution because he is not only a man that brings judicial experience to this body, but he is someone that we can all trust. He is someone that we know has a heart that burns with patriotism, for love for his country, for love for his fellow human beings and just a commitment to human freedom.

And I want you to know, Mr. Speaker, that it is my precious honor to serve with a man like Judge Carter, we call him. You know, and perhaps that is all too appropriate tonight as we speak of judges, because we talk sometimes of judges legislating from the bench. Maybe Judge Carter comes to this body with just the kind of experience he needs to have. But we are grateful that he is a man that did not legislate from the bench, and that he understands the difference between the judiciary and the legislative body.

And with that, Mr. Speaker, I would just like to pay a few words tonight of tribute to a towering figure in our country, Chief Justice William Rehnquist.

The era of the Rehnquist Court has come to a close, and William H. Rehnquist has stepped quietly into the arms of God. Chief Justice Rehnquist was one of America's great Chief Justices. This Nation has suffered a great loss with his passing, and as twilight falls upon this remarkable man's career, the most notable elements of his extraordinary legacy must not be lost to revisionist history, Mr. Speaker, because in his tireless defense of the United States Constitution, Chief Rehnquist strongly advocated for a judiciary that applies the law rather than legislates from the bench.

We, as Americans, should be very grateful for our Founding Fathers and for the genius of the constitutional system that they left to us. It was a framework that protects human dignity and individual freedom by enforcing limits on government power. It is incumbent upon ours and future generations to jealously guard that precious gift bestowed upon us by our forebears.

Chief Justice Rehnquist spent decades on the highest Court in the land acting as the Constitution's protector. He was a constitutional originalist, defending the process of interpretation of the law that is constrained by the text and the original meaning of that great document.

Mr. Speaker, there is a fundamental reason why we, as a self-governing people, so carefully put pen to paper to memorialize our Constitution and our laws and our great founding documents. They are written words that have become an agreement between the people and the government. We write it all down to keep a record and an understanding of the limits placed on government by the will of the people.

□ 2115

Chief Justice Rehnquist's efforts to advance this understanding that at times the Federal courts must enforce limitations on Federal power while recognizing the preeminent role of democratically elected institutions at both the State and Federal levels, Chief Justice Rehnquist was a valiant defender of States' rights in recognition of the superiority of a federalist system when governing peoples of divergent views, divergent faith and cultures.

He was an influential man in leading the Court back toward the original intent of the Constitution after decades of abuse by a liberal activist Court born of the Roosevelt era and the New Deal philosophy.

Mr. Speaker, that New Deal activist Court actually delivered such bizarre rulings as in Wickard v. Filburn, a ruling that a man in Ohio who was growing wheat in his own backyard as a

means to feed his family and his own livestock had somehow violated the Interstate Commerce Clause of the United States Constitution because of the quantity of wheat that he grew could have actually been sold.

Moreover, in their unanimous decision, this liberal activist Court affirmed, ''If we assume it is never marketed, homegrown wheat competes with wheat in commerce. The stimulation of commerce is a use of the regulatory function quite as definitive and quite as definitely as prohibitions or restrictions thereon.''

Mr. Speaker, what a circuitous and false logic.

The stage was then set of course by this activist Court for massive expansion of Federal power. Year after merciless year a liberal Supreme Court, drunk with self-imposed power, delivered an unprecedented assault upon the rights of the States and of the people.

During his years on the court, especially his early years, Mr. Speaker, Justice Rehnquist was often called the lone dissenter to outrageous decisions, even once receiving a Lone Ranger doll awarded by his friends. But yet his adherence to the Constitution, faithfully expressed in some of his earliest dissents, had great influence upon the Court as evidenced in later majority opinions where he was vindicated in his previous conclusions.

In 1973, when the Supreme Court illegitimately bestowed its imprimatur on abortion on demand, it was Justice William Rehnquist who wrote a scathing dissent to that majority opinion in Roe v. Wade. He said, ''To reach its results, the Court necessarily has had to find within the scope of the 14th amendment a right that was apparently completely unknown to the drafters of the amendment.'' How very eloquent.

Chief Justice Rehnquist was also instrumental in fighting back assaults on religious freedom in his efforts to make clear that the Constitution ensures government neutrality in matters of religious conscience, but not the requirement to move religion altogether from the public square. He understood the Constitution.

In the 1995 case of United States v. Lopez, the Rehnquist Court marked the first time in over 50 years, Mr. Speaker, that the Supreme Court upheld the rights of States, ruling against the expansion of Federal power and finding a Federal law in violation of that now woefully distorted commerce clause of the Constitution.

Chief Justice William Rehnquist was often found standing in the breach of defense of the Constitution, endowing this Nation through the years with a noble legacy of resistance to a liberal, activist Court determined to make its own law and enact its own agenda.

Mr. Speaker, he gave the American people his last full measure of devotion and stayed at his post through great personal pain and sacrifice while he was fighting cancer. To the very end, he led a brave and good-natured effort to restore the Supreme Court to its ethical grounding.

Mr. Speaker, as we bid loving farewell to this stoic champion, I reflect upon the words of Alfred Lord Tennyson in tribute: ''Though much is taken, much abides; and though we are not now that strength in which the old days moved earth and heaven; that which we are, we are, one equal-temper of heroic hearts, made weak by time and fate, but strong in will to strive, to seek, to find, and not to yield.''

Mr. Speaker, when the final battle with illness and physical weakness came to Chief Justice William H. Rehnquist, he resolutely remained at his post for his President, for his country, and for the future of all mankind. He did not yield.

Mr. CARTER. Mr. Speaker, I thank my colleague for that very well-presented picture of this great man that we are talking about here tonight.

The gentleman is right. There was a time when William Rehnquist stood alone for the rule of law and a strict interpretation of the United States Constitution in a world where lots of people actually made jokes about him, that were of the other persuasion.

To us that are conservatives and respected his intelligence, his wit, and his humor, and his bulldoggedness, he was someone that we respected and we loved because when he got ready to do his job, he did it.

One of the things you can look at is, when your colleagues who disagree with you have comments that are positive about you, I think that speaks a lot about not only his ability to stand his ground but his ability to stand it with grace as a man who demanded and received respect because of his behavior and because of the way he handled himself.

Now, Chief Justice William Brennan is well known for the way he uses certain language. I am going to read a quote from Justice Brennan, and some of it is a little rough, but I think we will enjoy it. He is talking about Justice Rehnquist.

''He is just a breath of fresh air. He is so damn personable. He lays his position out, casts his vote. You know exactly where he stands on every goddamn case. And he's meticulously fair in assigning opinions. I can't begin to tell you how much better all of us feel and how fond all of us are of him personally.'' That is a quote from Justice Brennan.

Another of his colleagues, Justice Louis Powell said, ''In many ways he is the best-educated person I have ever worked with, very familiar with the classics. He'll quote them with confidence. Everybody agrees generally, I suppose, that he's brilliant, but he has a good sense of humor and he is very generous and he is principled.''

Former Supreme Court Justice Thurgood Marshall said, ''Rehnquist is a great Chief Justice.''

All these people were people on the other side of most of the issues with William Rehnquist, and yet they speak of him as a colleague that they highly respect and they believe he handled himself very well.

As we are talking about colleagues that we respect, I see that we are joined today by the gentleman from east Texas (Mr. GOHMERT) and also one of my judicial colleagues, coming to this august body from the judiciary of Texas, which is getting to be a habit for quite a bit of our congressmen, and we are glad to have him. I wonder if the gentleman would like to step up and make a statement about the Chief Justice and join in a colloquy about the Chief Justice.

Mr. GOHMERT. Mr. Speaker, it is a pleasure and an honor to be here to talk about the great Chief Justice William Rehnquist.

The gentleman knows, those of us that really believed in strict constructionism, that the Founders and writers of the Constitution meant what they said, know this to be a great man, a brilliant man. We do mourn in the passing of the Chief Justice, 19 years, as the gentleman pointed out, as the Chief Justice, 34 years as a Justice. That is incredible that he maintained his humility, his sense of purpose, his servanthood-type mentality.

I just want to highlight some things. Under his leadership the 10th and 11th amendments began to have more meaning, as they were intended. For so long they had just been forgotten. The 10th amendment talks about if it is not an enumerated power, basically it is reserved to the people in the States.

This is a man that had an intellect unsurpassed by anybody on the Court, past or present, and yet sometimes the intellect seems to get in the way and you cannot see the forest for the trees. He saw the words in simplistic brilliance. He knew they meant what they said and he said so.

In Alden v. Maine, Seminole Tribe v. Florida, U.S. v. Printz, U.S. v. Lopez, that was one the Chief penned himself, those were cases where he pointed these things out.

In the Lopez case, it is a great case, one of my favorites, it had the powerful language that reins in the commerce clause power that Congress has. And he explained that commerce clause means what it says. You cannot just keep reaching out and say a school is part of interstate commerce. That is not the intention and everybody knows it. And he helped rein in the Court to where it should be.

Now, the Chief Justice wrote the 2005 opinion Van Orden v. Perry that allowed the State of Texas to continue to display a monument containing, among other things, the Ten Commandments. As I sat there and listened to the oral argument before the Supreme Court, and I am a member of the Supreme Court bar, and it was an honor and privilege to be sitting there, you look up and you see Moses holding the Ten Commandment tablets and, here they are trying to decide if it is okay for the

State of Texas to have a monument to the Ten Commandments.

He understood the hypocrisy. He understood how silly it was for people to try to be so intellectual, as a lady back in Mount Pleasant where I grew up used to say, ''Some people have a Ph.D. but the truth is they are still P-H-U-L's. They are fools.'' But the Chief Justice had that kind of delightful sense of humor as well.

In the establishment clause he framed the issue very well when he said, ''This case, like all establishment clause challenges, presents us with the difficulty of respecting both faces. Our institutions presuppose a Supreme Being. Yet these institutions must not press religious observances upon their citizens. One face looks to the past in acknowledgment of our Nation's heritage, while the other looks to the present in demanding a separation between church and State. Reconciling these two faces requires that we neither abdicate our responsibility to maintain a division between church and State nor evince a hostility to religion by disabling the government from, in some ways, recognizing our religious heritage.''

At times, like the World War II monument where they just did not include the part where Roosevelt said, ''So help us God,'' like that was going to offend somebody, it reminds me, I had a summer in the Soviet Union back in college. Stalin wrote Trotsky completely out of the history books. That is what Chief Justice Rehnquist was saying. You cannot just rewrite history to suit yourself. A Supreme Being, the acknowledgement of God, has been part of our history, and it should not be ignored.

The Chief quoted a case previously decided by the Court in 1952 because he also believed in precedent, like we do, like we did as judges; that is what we are supposed to do. That has been placed as far back as a rule for justices to follow. He understood that just because something, a monument, a speech or a display, contains religious symbols or words, it does not mean that it violates the establishment clause.

□ 2130

On the sensitive issue of abortion, the gentleman from Arizona (Mr. FRANKS) pointed this out, he was steadfast. He said the States have that right. They have the right. So he dissented in Roe v. Wade; and again, he dissented in Parenthood v. Casey. It was clear to the Chief, he believed, that States had a right to place restrictions unless they were prevented from doing so by clear language of the Constitution, and that simply was not there.

This same usurpation that Members of Congress just talk about daily, this was a man that lived it. He did not believe in usurpation of the State and local governments' rights.

As I reflect on the Court and awe and reference from such a humble man of peace, man of life, I could not help but think about the words in the Declaration of Independence. We are created equal by our creator, but it is pretty clear a lot of us did not get this equal amount of common sense.

Everybody on the Supreme Court is brilliant, some of the brightest minds in this country; and yet the common sense was not equally passed around those nine Justices. So things that made complete sense, common sense, were so simple that it apparently flew right by some of the pseudo-intellectuals. Here was a man who made the complicated simple, as it should have been. He is a man this country owes a great debt of gratitude to. He is a man that I will always have great respect for. He is a man that should and could be a role model for all Americans. He loved liberty more than self.

He was a servant, and I thank God for Chief Justice William Rehnquist. I thank God for the life he lived. I thank God for the life he tried to make sure that others would have as well, and our thoughts and prayers will continue to be with his loved ones.

I thank the gentleman from Texas (Mr. CARTER) for giving me an opportunity to share in this tribute. It does weigh heavy. It is important that we pay tribute to such a great man.

Mr. CARTER. Mr. Speaker, I was thinking back. The gentleman from Texas (Mr. GOHMERT) and I both served in the Texas judiciary, and I do not know if you were there at the time or not and if you remember. At one point in my 22 years on the bench this took place, but we had a State judicial conference. Our guest speaker was a very, very personable and intelligent professor of law from the University of Virginia. He actually was smart enough to carry two full days of education for judges by himself, and you have got to be pretty good to do that.

In one of these sessions, he was analyzing the President's Supreme Court, and this was prior to Chief Justice Rehnquist becoming Chief Justice, when he was Justice Rehnquist, and he was talking about the makeup of the United States Supreme Court at that point in time.

He started by tracking the liberals on the Court, which at that time was the vast majority; and he talked about their capabilities and what direction they wanted to take things and all this stuff. Finally he got down and he said those of you who are feeling very depressed because you do not have a liberal bend towards the law, do not lose heart because you have a champion, and he is equal to the task of all those we have just discussed put together in his ability to analyze and take forward his view of the United States Constitution.

He said never sell short William Rehnquist. He knows what he is doing; he knows where he wants to take the law; and he will take it there. And believe me, as long as it is a Republican in office, he should and will be the next Chief Justice of the United States Supreme Court, and at that time he will turn the corner on many of the decisions which we have found to be very strange and not very well directed towards the trial courts and the trial courts' abilities. So do not lose heart. You have a champion and he is a white knight and he will deliver for the conservative view, the rule-of-law view of the Constitution.

He certainly did. Even though he wrote dissents, sometimes those dissents were so telling that they moved the Court slowly. Absolutely a phenomenal intelligence and ability to wordsmith, to word things so that they led us in a direction we needed to go.

Mr. GOHMERT. Mr. Speaker, if the gentleman will yield, I think about one of the last cases the Court decided under his Chief Justice administration, the Kelo case. He was in the dissent, and it brings to mind the quote, ''The price of liberty is eternal vigilance.'' He did a great deal. He was able to help turn the Court back toward having the Constitution mean what it said.

Yet, here again, the Kelo case, he dissented. He was, as you say, very clear, very precise. He had Justices Scalia, Thomas, and O'Connor with him on that in dissenting. They all four dissented, and yet a majority of the Court turned around, said you know what, we are going back to the day of fiefdoms and kings and dukes. So whoever is better friends with the ones in power, well, they can just flat take land away from those that have, if they are going to promise to provide more bounty to the ones in power. Phenomenal decision, just an embarrassment. It should be for everyone who sits on the bench anywhere.

Yet, to the very end, he maintained his integrity, he maintained his principle, he maintained the clarity of mind to understand not only is that not right, not only is that not fair, not only is that un-American, it violates the Constitution.

Mr. CARTER. Mr. Speaker, if I can reclaim my time, I noticed that the gentleman from Iowa (Mr. KING), our friend, has arrived in the Chamber. I would really like to hear what he has to say about Justice Rehnquist. So I yield to our colleague and good friend from Iowa.

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman. It is an honor for me to stand on the floor here with two of the three judges that we have from Texas to help guide us down through this constitutional path and my good friend, the gentleman from Arizona (Mr. FRANKS), who is a pure constitutionalist and whom I have the honor to serve on the Subcommittee on the Constitution with.

I have a lot of things to say about Chief Justice Rehnquist, and it is an honor for me to have an opportunity to say a few words here, but I would like to first start by recapping some of his life. That is a life just so well-lived and so impressive to see what he has done

and how he put it together piece by piece, almost without flaw.

Looking back through that life, we know that we have lost a great public servant just last Saturday, and it happened in the middle of the disaster down in the gulf coast. So some of the media was swamped by those current events, and this happened underneath that shell in a way that we need to raise this up and commemorate this man's life in a special way.

He was just a month short of his 81st birthday. He battled cancer that eventually took his life, but he battled it with the same determination that he battled for principles that we all here hold so dear.

The Chief Justice awed the Nation by never giving up, and he never retired. He continued his service to our Nation until the very end. He was consistent with his lifetime of service, and he also was consistent with the vision of the Founding Fathers in that these Justices would be appointed for life. They were expected to serve for life or until retirement. He served a full, full lifetime for this country and 33 years, and he was consistent and true to his principles all the way through. He was a noble and honorable American who was part of the Greatest Generation. Examining his lifetime and career gives us insight into this powerful figure.

He devoted the majority of his life to serving this country in numerous capacities, and I take you back to 1943 to 1946 where he served in the U.S. Army Air Corps, and there is no question he had an incredibly deep intelligence.

He attended top schools, earning numerous advanced degrees, and was consistently at the top of his class, and unquestionably served as a model for his fellow students.

He received a BA and an MA in political science from Stanford and another master's in government from Harvard. He graduated first in his class from Stanford in 1952, just two places ahead of Justice Sandra Day O'Connor. He served as a law clerk for Justice Robert Jackson on the Supreme Court of the United States in the 1951 and 1952 terms and practiced law in Phoenix, AZ, from 1953 until 1969.

He served as Assistant Attorney General in the Office of Legal Counsel from 1969 until 1971. As Assistant Attorney General for the Justice Department's Office of Legal Counsel, it was one of his primary functions to screen potential Supreme Court candidates.

When Justice John Marshall Harlan retired, a search went out for a replacement, and Attorney General John Mitchell, who many of us remember, he was Rehnquist's boss at the time, announced he had found someone suitable for the job. That person was Justice Rehnquist whom Nixon appointed to the Court. So at the tender age of 47, which at that time was a young age for those appointments, and at this time as well, he was confirmed as Associate Justice on December 10, 1971, by a vote of 68 to 26. I can only imagine there are 26 votes out there that would like to have the opportunity to reconsider that vote.

His first day on the job was January 7, 1972. He served on the Nation's highest court throughout seven Presidencies. In 1986, Chief Justice Warren Burger retired, and President Reagan nominated Justice Rehnquist through to the reins of the Court as Chief Justice. There was a confirmation debate and deliberation that ensued. He was confirmed as Chief Justice on September 17, 1986, by a vote of 65 to 33, another 33 that I believe would like to have a chance to reconsider that vote in light of the historical 33 years of service of Chief Justice Rehnquist.

We have gotten to know a little bit more about him in the last few days. His management style, his effort to be fair, to be a giving and forgiving boss, but one that was also a task master. As a result he was able to form a cohesive Supreme Court body. Even though they had a lot of different personalities and a lot of different kinds of common sense they brought to their jurisprudence, Justice Rehnquist pulled them together. He left quite a legacy.

In elementary school, he was asked about his career plans by his teacher, and what I think is one of the best prophesies I have heard of a career in some time, he replied, ''I'm going to change the government.'' Now some people say, I am going to change the government, they mean they are going to grow government or they are going to adapt government in light of modern contemporary values.

Chief Justice Rehnquist did change the government. He fought a rear guard action to preserve our Constitution, the text of the Constitution. He was a constitutionalist. He was a model of judicial restraint. He stayed true to the principle and the paramount principle which is strict construction. No matter what path the other members of the Court took, at the beginning of his career on the Supreme Court, Justice Rehnquist was often a dissenter on a Court filled with judicial activists. He held firm to the guidance that the Constitution itself provides and was eventually joined by allies who helped him hold on to some of the meaning of our Constitution's text.

He led the Court in preserving States' rights, which was referenced here, and I appreciate that discussion; but it started with U.S. v. Lopez, which struck down a Federal law banning guns near local schools. Now I approve of the policy, but I more approve of his constitutional decision in dissenting from the Congress's policy. In U.S. v. Morrison, which struck down substantial parts of the Violence Against Women Act, again something, a policy, that I approved of, but a constitutional decision that I agreed with, and I appreciate that restraint.

He was not yet there on the Court when Griswold v. Connecticut in 1965 established a right to privacy. I wish he had been there on that day because that was the day that the Court turned to an extreme activist Court, established this right to privacy that had never been found in the Constitution before. It was discovered in the emanations and penumbras of the Constitution, meaning that we laypersons could not divine that. In fact, maybe some of the judges here could not have found that right in the Constitution either.

He was a staunch defender of the right to life. He authored Rust v. Sullivan, where the government can withhold funds from clinics that advocate abortion. He strongly dissented in Roe v. Wade; Planned Parenthood v. Casey, which reaffirmed Roe v. Wade; and in Stenberg v. Carrhart, which was the constitutional decision that found a right to partial birth abortion. Justice Rehnquist held the line against that. He needed more help on the Court. Most every day he was there he needed more help on the Court. He firmly rejected the extra constitutional right to privacy that his colleagues created.

□ 2145

Chief Justice Rehnquist also did something many shy away from today. He recognized that the free exercise clause of the first amendment is just as important as the establishment clause.

He authored the 2002 case that upheld school vouchers in Zelman v. Simmons-Harris, and strongly dissented in the 2000 case that held that public schools could not allow organized prayer at sporting events, even if the speaker is a student, and that was Santa Fe Independent School District v. Doe.

He joined the majority in Agostini v. Felton in 1987, which allowed public school teachers to provide remedial education in parochial schools.

Rehnquist dissented from the Court's 1985 decision that moments of silence in public schools are unconstitutional. That was Wallace v. Jaffree.

And in 2003, he strongly dissented in the Court's affirmative action cases, Strutter and Gratz, which we remember.

And I sat in on those cases and I remember watching him sitting on the bench as he deliberated on those presentations and oral arguments. He condemned the racial preference policies as a sham and a naked effort to achieve racial balancing. His position in 2003 matched that of the majority he joined in the 1978 Bakke case, which held that Federal law does not permit a university's consideration of race in admissions.

He was consistent from 1978 until 2003. He was consistent until the last day of his life. Justice Rehnquist opposed the reading of ''public use'' as being substituted for ''public benefit'' in this summer's Kelo eminent domain decision, which we have had much discussion about here on the floor of this Congress. And I think all of us have engaged in that. He argued the fifth amendment means what it says.

And I would support that statement that those 12 words in the fifth amendment of the Constitution, ''nor shall

private property be taken for a public use without just compensation,'' are some of the clearest and cleanest words that we have in the entire Constitution, yet the majority of the Court, with Justice Rehnquist and Justice O'Connor dissenting, held otherwise. I do not believe that the fifth amendment could be written more precisely, more concisely, and I would challenge the attorneys that we have across this country to write that better than it has been written.

Both the personal and case histories I have discussed here show that Chief Justice Rehnquist, whose passing we mourn, whose legacy we celebrate tonight, was a man of great principle and honor. I firmly believe that without Chief Justice Rehnquist's presence on the Court for the last 33 years, our Constitution would be unrecognizable. It is to him that we owe our deepest thanks for preserving our Constitution for future Americans to fully restore to its original text.

I would say that there was a time in my life when I had the privilege and honor to sit in the presence of this great man. I am not going to pose the question here into this RECORD tonight, but I posed a question to Justice Rehnquist that caused him to deliberate for quite some time, and he finally answered, ''I am going to elect not to answer that question.'' Now, I do not believe he elected not to answer the question because he did not know the answer. I believed he elected not to answer the question because of how the answer would reflect on the other members of the Court.

He had an ability to do a calculation on a question or a problem and boil it down to the root quicker than anyone that I have watched process these heavy legal questions.

He was a giant of a man. He lived a life that was well lived, and we are here to celebrate tonight and give great honor to a man who hung on to this Constitution as dearly and as strongly as anyone has been charged with when they take the oath to uphold this Constitution.

It has been an honor to be a citizen of this country for the 33 years that he has served us so well. It has been an honor to have worked with him, to have been in his presence, and to deliberate with him on those occasions, and an honor to be in the courtroom to hear the oral arguments and an honor to read the opinions that he has given us. He has left us a legacy.

He has also left us a duty and a responsibility to pick up this ball now, and where he has held onto this Constitution, it is our job to carry forward and reestablish the text of this Constitution that he held so dear, and that we all hold so dear.

Our prayers go out to the family. Our prayers of gratitude for the lifetime, the legacy of Chief Justice William Rehnquist will continue into the future.

As I say, it has been an honor to be serving in this government with a man like that, and I hope and pray that we will be able to carry on the legacy that he left for us.

Mr. CARTER. Mr. Speaker, I thank the gentleman for his comments, and I was thinking as he was speaking, and he gave an excellent presentation of the Chief Justice, but we are joined here in the Chamber today by two men who basically made their entire life a part of dealing in the justice system both as members of the bar, members of the bench, and who also built, basically from scratch, from what I know of both of them, very successful businesses, overcoming insurmountable obstacles. And then, when they had the ability to continue to go out and make those businesses thrive, they volunteered to come to Washington and become a part of the justice system, a part of the legislative branch of our government. This kind of defines the kind of man that Justice Rehnquist personally reached out to, kind of everybody.

He wrote the opinions of those of us who honor our heritage, who honor the language that our forefathers wrote into the Constitution and think that if that is what it says, that is what it says. It does not take a genius to read the paper and say that is what it says. And with all his skill and writing ability, really you can cut it down to the fact that that is the way he looked at it. He said, Wait a minute, let us read the Constitution. That is what it says. It speaks volumes that Justice Rehnquist was able to do that in such a talented manner and in such a manner that challenged legal scholars across the country.

One of his opponents from Harvard University made a comment about him, something to the effect that no matter what you thought of him, whether you agreed with his ideology, he said, I have to give Rehnquist an A. That is the kind of talent that he had. He could take the causes that those of us working in the trenches, the trial judges, and we liked to say there is a difference between trial judges and appellate judges. We shoot from the hip and make those decisions and then they get to grade our papers. Of course, Judge Gohmert has been both, so he has experience in both those areas, but I am just an old trial judge.

Mr. GOHMERT. If the gentleman will yield, I might just say that it is easier to grade papers after people have shot from the hip.

Mr. CARTER. Well, at least you know they are shooting from the hip.

Mr. GOHMERT. But we all loved, I think, his simplicity. Even towards the end of this great man's life, I remember seeing on television the reporters all after him, asking are you going to resign or are you going to retire? And he came back, this man of brilliance yet simplicity, and said, It is for me to know and for you to find out. That is the kind of man he was even to the end, cute, humble, and a lot of fun.

Mr. KING of Iowa. Mr. Speaker, if the judges would yield, there is another anecdote that is worth mentioning, and I do not know if it has been passed along here tonight, but I think it demonstrates his sense of humor. And sometimes it was self-deprecating and sometimes it was succinct.

Several years after he had been appointed to the bench, he was asked what it is like to serve here on the Supreme Court. He said, Well, you spend the first 2 years here wondering how you got here, and the rest of your time wondering how they got here.

Mr. CARTER. Mr. Speaker, I thank the gentleman for sharing that, and I now yield to my colleague, the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. Mr. Speaker, I think my primary reason for being here tonight was just to not let this man's towering contribution to the judicial process slip away into history. There is an old quote by Dostoevski. He said, ''He who controls the present, controls the past. And he who controls the past, controls the future.''

Of course, as somebody was saying, there are a lot of revisionists out there trying to rewrite history in order to affect the future, but this man's history is very important to our country. I will make a prediction tonight that a lot of the decisions, where he found himself in dissent, in the next 20 or 30 years will turn in the other direction, and we will see that this man was before his time.

There is a saying that if you fail without succeeding, if you struggle without succeeding, it is so someone else might succeed after you. And if you succeed without struggling, which I think some of our modern-day justices are going to do, it is because someone has struggled and succeeded before you. This man, I believe, is going to be vindicated in society, because he did not find a lot of these hidden things that the gentleman from Iowa (Mr. KING) talked about.

We have seen judges say that somehow the words in the Pledge of Allegiance, ''under God,'' might be unconstitutional; or that it is unconstitutional to protect a 9-year-old girl from Internet pornography, or it is unconstitutional to protect an unborn child from partial-birth abortion. With regard to all of these insane notions, he did not see them.

One woman said, Maybe these judges who find all these things ought to be out looking for Osama bin Laden if they are that good at finding things that are not there.

This judge saw the Constitution for what it was. He did not try to make a new revolution. He simply tried to affirm the one we already had. I think that tonight we celebrate the life of a man that many justices of the future will stand on his shoulders and look back and say, you know, Judge Rehnquist was right, Justice Rehnquist was correct.

The ship of state turns slowly sometimes, but this man had his hand on the rudder long before the rest of us

even knew. And I again just wanted to join with all of my colleagues and honor this man's life.

Mr. CARTER. Mr. Speaker, I thank the gentleman for his comments, and let me say this. As we discuss Chief Justice Rehnquist and what he has accomplished and the legacy he brings to the United States of America, we are doing this on the very eve of the beginning of the new selection of a Chief Justice of the United States Supreme Court. It is, I think, appropriate to realize that as Judge Rehnquist was serving 33 years on the highest court in this land, he also was writing history books to record history.

He knew just what my colleague said, the gentleman from Arizona (Mr. FRANKS), that it is important that we remember the history as it was, not revise it to make it what we want it to be. So he wrote three history books about the Court so we could say, Well, what does history tell us about that event at that time? And so the judge, the great researcher, has given us the research and a direction on the history as it pertains to the Court, something the other justices of the Court that will follow can turn to as additional information to get a picture of where the Court was coming from as it made rulings.

It is very important, and I hope our colleagues in the Senate, as they look at the confirmation of Judge Roberts, I hope that they are looking at the history of the United States Supreme Court and the legacy of William Rehnquist.

Mr. KING of Iowa. Mr. Speaker, there is a point that comes to mind, and I can get it quickly made. This right to privacy that was in the emanation's penumbras, in the shadows, was something that was never recognized by Chief Justice Rehnquist. That right to privacy will be presented to Judge Roberts, and he will be asked. In fact, he will be demanded to recognize that right to privacy as a condition of his confirmation over in the Senate, a very right to privacy that Chief Justice Rehnquist never recognized.

That is how they are going to try to amend the Constitution and the confirmation process over in the Senate. I think it is important to recognize that the legacy of Justice Rehnquist should be preserved in the confirmation process in the Senate as well.

Mr. CARTER. I wonder how you can be unqualified to serve by not recognizing that right, when there are members sitting on the Court at this time who do not recognize that right.

The point of a Supreme Court is that there are multiple points of view, and you should not be requiring only one point of view on the United States Supreme Court. To make a confirmation hearing dependent upon one point of view absolutely flies in the face of justice in America.

Mr. GOHMERT. Mr. Speaker, I appreciated hearing from my colleague from Iowa regarding his saying in elementary school that he wanted to change the government. I think about the example of the emperor who had no clothes, yet all the crowd got swept up in seeing clothes that were not there and saying, Oh, are the clothes not beautiful? They were not there. Chief Justice Rehnquist was one of those if he had to stand alone and say they are not there, there are no clothes, he did it.

Just in conclusion, I think about the end of Frost's poem: Two roads diverged in the woods for Chief Justice Rehnquist many years ago, and he took the one less traveled by, and that has made all the difference. It has, in fact, changed a Nation for the good.

□ 2200

Mr. CARTER. Mr. Speaker, reclaiming my time, I thank the gentleman. One of the downfalls of appearing in the Congress with the gentleman from Texas (Mr. GOHMERT) and the gentleman from Arizona (Mr. FRANKS) and the gentleman from Iowa (Mr. KING) is these guys are great in quoting all these things off the top of their head, and that is hard for an old trial judge who is just used to shooting from the hip. I do enjoy the wonderful quotes these guys pull out and quote them right. It is a blessing to have them as Members of our Congress.

Mr. Speaker, you have been very patient today as we honor our passing Chief Justice of the Supreme Court, as we laid him to rest today. We thank you for your patience in allowing us to express our opinions about him.

ISSUES AFFECTING AMERICA IN THE AFTERMATH OF HURRICANE KATRINA

The SPEAKER pro tempore (Mr. KUHL of New York). Under the Speaker's announced policy of January 4, 2005, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes.

Mr. MEEK of Florida. Mr. Speaker, it is an honor to address the House once again. I am glad that we are here back in the people's capital of the United States to represent those that sent us up here to represent them.

This hour is designated by the Democratic Leader, the gentlewoman from California (Ms. PELOSI), and the rest of our leadership on the Democratic side, the gentleman from Maryland (Mr. HOYER), also the gentleman from New Jersey (Mr. MENENDEZ), and the gentleman from South Carolina (Mr. CLYBURN), our vice chair of our caucus; and week after week we come to the floor to share with Americans issues that are facing not only them, but also this country.

I can tell you that we appreciate the fact that the leader had enough foresight and insight to know that not only those of us that are in the 30-something Working Group, but young Americans, have to have a voice in this process.

As you all know, in the aftermath of Hurricane Katrina and a number of other issues that have faced the Nation since we recessed for the summer to go back to our districts to also take care of other congressional business, there is a lot that has happened for and to Americans. I think it is important for us to just reflect a little bit on what has happened as it relates to Hurricane Katrina.

Tonight I am joined not only by the gentleman from Ohio (Mr. RYAN), but also the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), who is my neighbor in Florida and representing south Florida. The gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) and I, both our districts were touched by Hurricane Katrina as a Category 1 storm, but not as a Category 5, some may say 4, that hit the gulf coast area; and our hearts go out to those individuals that are going through the process.

I think tonight not only are we going to talk about the issues that are facing many of these families, but many of them are young families, many of them are elderly; and because of the mistakes and the failures in some part of our emergency management agency and other responding agencies, there was loss of life that could have been prevented. I think we should take this in a very serious way. The responsibility of this Congress, one, is to ask the questions and to make sure it does not happen again.

I do commend not only the Democratic leader for recommending that there be a task force or a select committee to deal with the issue of the recovery process and to be able to review the whole Hurricane Katrina experience, but I am glad that the Speaker has taken her recommendation and moved on it and they will appoint a task force to deal with this issue, because I think it needs the kind of oversight to make sure that we do not make the victims victims over again because we thought that it was important to appropriate some $50 billion-plus towards the recovery effort without the appropriate oversight to make sure that it gets where it is supposed to be.

Mr. Speaker, I also feel, before I yield to my colleagues, that it is important that we all understand that we are in the first 2 minutes of the first quarter, if this were a football game, as it relates to the recovery process. I think the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) and other Members from States that are constantly hit by hurricanes understand that we are in the very early stages.

We know that a number of Americans have been turned off by the recovery and the response, and there will be a time and place to be able to identify that. That time is now, that time is also in the future, but also to make sure that we do not continue to fumble the ball.

When I say ''we,'' I think it is important to understand that we do have an

executive branch that has the responsibility for appointing responsible individuals to carry out the task that we legislate for here in this Congress, and that we make sure that they have the dollars, A, that is the question as relating to levees and other preventative measures that could have prevented loss of life; and, B, making sure that there are individuals that can make the decision without an act of Congress to go in and save lives in a timely manner.

So, I am glad, Mr. Speaker, that we are here. I am glad that the 30-something Working Group, that one thing that not only the Democratic Caucus can count on, but also this Congress can count on, we will come here week after week to make sure that the American people know what they need to know and make sure that this Congress also hears the voices of those that cannot be heard here.

I have some information, but I am going to yield to my colleagues, A, talking about the process on what are the programs that are available to Americans, because, Mr. Speaker, I feel those that are victims, and I am talking about in the tens of thousands, that are victims, some are in shelters, but, guess what? Many have been taken in by their family members and friends throughout the country. Maybe FEMA, maybe the State government, maybe the local government has not been able to locate these individuals to let them know what they are eligible for.

If they left their home in the middle of a storm trying to swim out of their home and the water is over the roof, they may not know they are eligible for assistance from the very government they have been paying taxes through the noses to over the years. So as it relates to their home and as it relates to their job, to even making sure they are able to receive the kind of counseling, their children receive counseling, it is important that we tell them and break it down to the point that they can understand. If they have a problem as it relates to getting that information, that is what their Member of Congress is for.

So we have people throughout this country, we have the list of how many people are displaced in different States, but how many of those individuals cannot be reached. Hopefully, we will reach family members and loved ones that can share with them their rights, so that they will be able to take advantage of some of the assistance that has been provided thus far.

Mr. Speaker, with that, I yield to my good friend and colleague, the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank the gentleman. It is again great to be here with my colleagues from Florida and Ohio. It is so important that we spend the time that we spend here each week helping to get the message out to our generation and, quite honestly, to the generations ahead of us and behind us.

We had a devastating tragedy happen to us in our country, and that is to all of us, about 10 days ago. The gentleman from Florida (Mr. MEEK) and I literally live at one point or another through every storm in the ''cone of error,'' as every storm that approaches the United States at some point or another, the gentleman's and my home and the homes of our constituents are in the cone of error for some period of time. So we know what it is like to stare down any one of a number of different levels of hurricanes or tropical storms.

As we speak tonight, we have Ophelia just about 100 miles off the coast of our State, yet again another tropical storm warning. We are up to ''O'' now. It is just never-ending.

One of the things that I would like to spend some time on tonight with both of your indulgence is we do need to get the information out, and one of the things that I did on Tuesday at home in south Florida was help to try to channel the energy of south Floridians who obviously were devastated by the last Category 5 hurricane that hit the United States and that unfortunately hit us in south Florida, deep in the hearts of our community, and we had an outpouring of affection and assistance from across the world. So you can imagine listening to this, what people in south Florida so badly want to do is return the favor and give back to the people in the gulf States and across the country what was given to them 13 years ago.

They do not know where to channel that energy, because there are so many relief organizations, so many on-the-spot relief organizations that have cropped up in the last week; and, unfortunately, if you recall during Andrew and during the 9/11 attacks, you have groups that will form within a matter of days to take advantage of a whole lot of money that is flowing through people's hands.

So what we did in south Florida is we channeled people's energy through one organization, Volunteer Florida, which is an organization affiliated with the State that exists throughout the year to help foster volunteerism. But we turned it into the clearinghouse for our State and gave people a phone number that they can call. I will check my notes and provide it. I do not want to give out the wrong number. Logon to www.volunteerflorida.org. We are trying to make sure that people go through an agency they know they can have confidence in.

Beyond that, there is an absolute necessity, I feel, for us to talk about what has gone on in the last 6 or 7 days, or, rather, what did not go on, because it is just absolutely unacceptable to me, and unacceptable is not a strong enough word.

The response, the lack of response, the indifference, the insensitivity and the actions and words of the leadership that is running this country in response to this devastating tragedy is just inexcusable to me.

While I have heard many of my colleagues and other people across this country say now is not the time for finger pointing, well, do you know what? If we did not talk about what was not going on last week, then, quite honestly, I think President Bush might still be on vacation even today. I think quite honestly that perhaps there would not have been a response even to the degree that we needed it without someone saying that the emperor had no clothes. Where was the help?

We know, because we live in the cone of error, so often in south Florida that you have several days' notice, and they did have several days notice that a Category 5 hurricane was bearing down on the gulf coast States. Where were the troops on the border of the cone of error? Where was the readiness? Where was the preparation? Where was the response? Where was the organization? It was nowhere.

We have got to make sure not only that it never happens again, but that there is an investigation and that there is a discussion in this body as to why it happened. We should talk about FEMA and why it is being led by a person who has absolutely no previous emergency preparedness or disaster experience, none, why his ineptitude was allowed to continue. Why a year ago when Florida faced four hurricanes, FEMA was handing relief checks out like candy to people who were not even victims of the storms.

There has got to be some accountability, and the time is not 2 months from now. We have billions of dollars that we are appropriating here and are about to appropriate that we should be appropriating, but we are going to go put it in the hands of people who have proven that they are incapable of handling disasters like this? Something needs to happen so that we can hold these people accountable on many different levels.

Mr. RYAN of Ohio. Mr. Speaker, if the gentleman will yield, I agree 100 percent with the gentlewoman. And to look back and hear all the information that FEMA had beforehand, an article here from Cox News and the New Orleans Times, Dr. Max Mayfield, Director of the National Hurricane Center, was talking to FEMA. They were going through simulations on what exactly could happen and what the worst-case scenario could be, what the storm surge capabilities were for overtopping levees.

I think it is important, if this is not pointing fingers, we get paid to oversee administrative government, and that is what we are doing here. The thing that is outrageous is that the people who are in charge and who are incompetent for those early days are the same people that are running the operation now. Thank God we have got some military in there now to actually fix some of the problems.

But I think it is important that we share with the American people, not to be critical, but so the problem gets

fixed. This is our responsibility here. This is our constitutional responsibility here.

Dr. Max Mayfield, and you can get this on the Internet, the Cox News article said, knew storm's potential. Just to read through here a little bit and share with you, there were briefings by this Dr. Mayfield who told FEMA that the strength of the storm and the potential disaster it could bring were made clear during both briefings and an informal advisory which warned of a storm surge capable of overtopping levees in New Orleans and winds strong enough to blow out windows of high-rise buildings.

''We were briefing them way before landfall, Mayfield said. It is not like this was a surprise. We had advisories that the levee could be topped.''

These guys had the information and they failed to respond. And the most insulting part of this whole thing is to have the President say days afterwards, ''I do not think anyone anticipated a breach of the levees.''

□ 2215

I mean, it is just not true. It is just not true because the FEMA people knew, and there were these advisories and there was all this information that FEMA had, and it is unacceptable that this is the way the government is supposed to work. Because after 9/11 the American people charged this Congress, reelected this Congress, reelected this President because he had the capability supposedly to keep us safe. I do not think there is one American out there now that would even feel close to safe if something happened here.

I do not know, and it seems like the goals that we wanted to try to communicate, intraoperability where people could communicate with each other because they would have the proper communication equipment, the predisaster mitigation which they used out West for an earthquake where they actually went in early and secured buildings and spent $20 million, which ended up saving $500 million out there, that program that Mr. Witt started was called Project Impact; and the day the earthquake hit on February 28, 2001, was the same day the President cut that program. This was a lack of foresight for many, many, many years.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, will the gentleman yield?

Mr. MEEK of Florida. I yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I want to just highlight that this is not an isolated incident. It would be easy to say that FEMA was just overwhelmed and could not possibly have been expected to be prepared for a storm the size of Katrina since this administration changed the rules of the game when it comes to FEMA. FEMA used to be an independent agency prior to the Bush administration and prior to its being absorbed into the Department of Homeland Security after 9/11. FEMA was an independent agency with a director and a staff that had expertise in disaster preparedness.

I want to just highlight for my colleagues prior to Hurricane Katrina some of the instances of irresponsibility on FEMA's part under Secretary Brown's leadership. In 2004 Florida officials recorded 123 fatalities from last year's hurricanes. We had four hurricanes that hit Florida last year. FEMA pays expenses for 315 deaths; 123 fatalities documented from last year's storms. FEMA pays expenses for 315 deaths. There is something wrong with that.

In 2004 FEMA reimbursed over 5,000 people $9.3 million for rental assistance when a follow-up study showed that most residents never left their homes. In 2004 FEMA reimbursed people for 11-piece bedroom sets when they just owned a bed. In 2005 Hurricane Katrina strikes Florida damaging over 200 homes. FEMA has declined to pay individual assistance to those homeowners.

And I stood in the yard of an 86-year-old woman on Monday who lives in my district who was in tears, whose hearing was so poor she could barely hear what I was saying to her. Her home had no roof. Her neighbor's home across the street was basically crumpled in his yard, and around the corner was the same type of home with the roof ripped off and lying on the front lawn. FEMA has decided that there is an 800-home standard for destruction or damage before they will pay individual homeowners reimbursement for their damage.

Let me just show my colleagues the type of damage that FEMA says people are not eligible for assistance. This is what FEMA will not pay for. After Hurricane Katrina, as a Category 1 storm, struck Florida last week, this is the damage that they say these people do not deserve reimbursement for because we did not have 800 homes suffer this kind of damage.

Mr. RYAN of Ohio. Because why?

Ms. WASSERMAN SCHULTZ. FEMA is saying that the standard they are using in 2005, and as I have outlined for my colleagues, which they had no such standard in 2004, coincidentally in a Presidential year, they are saying that because Florida did not reach the threshold of 800 homes that were damaged that our homeowners who have damage are not eligible for individual assistance, meaning they cannot get reimbursed by the government, by FEMA, for the damage.

Now, I will not claim by any stretch of the imagination that Floridians suffered the same type of strife and damage that people in the gulf States did from Katrina, but I will argue that hurricanes know no boundaries. Hurricanes do not respect State boundaries. Katrina did not know the border of Florida and Alabama and on westward. The impact on a homeowner in Florida is the same as it is on the homeowner who suffered the same kind of damage in a gulf State. This is what FEMA is denying. It is disgusting. And it is just not going to stop. We have got to get the word out to people, Mr. Speaker, that there are places that they can turn to for help, but clearly FEMA was not one of them.

Mr. MEEK of Florida. Mr. Speaker, I think it is important that everyone understand that Homeland Security Director, the FEMA Director, or the President of the United States can reverse an original decision by FEMA not to pay individual homeowners or assist individual homeowners who do not have insurance, that are eligible for Federal programs. It is almost like saying that we have the antidote for their problem, but there are only 200 or 300 people affected and we have to get to 800 before we can help them.

I mean, it does not make sense, and because of that we have asked the President, and a bipartisan letter has gone to not only the President but also to the FEMA Director and also to the Department of Homeland Security Secretary, about looking at this very small issue. But I can tell the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) that if there are issues of the very obvious, what happens under a $50-plus billion dollar appropriations to an agency that cannot see that there is a need out there that needs to be met?

Let me tell the gentleman from Ohio (Mr. RYAN) when Americans pay their taxes, they expect a response in times such as this. They do not expect bureaucratic lip service. They expect action. And I just want to make sure the people are clear on this. Folks may say, well, you know, you all are there and you all are Democrats and all, and it is your job to be able to point out everything that is wrong. That is incorrect. And I know the gentleman from Ohio (Mr. RYAN) is from the heart of America, this, that, and the other; but the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) and I are from the South, and I think this is an issue about how this country feels about the South, how they feel about people that live in the South.

I will tell my colleagues this: maybe in another part of the country the response would have been different, but I can tell the Members right now there are a lot of individuals that are down there that pay taxes just like anyone else that expects representation. I do not know, maybe this lady may be a Republican. She may be an Independent. We do not care. She needs assistance.

And the bottom line is that FEMA is supposed to be there in a time of need. The Federal Government is supposed to be there in a time of need. When the local government resources are out or depleted or coming close to being depleted, that is why we have a Federal Government. They are not independent countries out there. Louisiana is not by itself. Alabama is not by itself, and I can guarantee my colleagues that Mississippi is not there by itself. So

why should they be treated any differently than any other part of the country?

The bottom line I feel is what is the Federal obligation to the South? What is it? And I feel that we really do not have to paint a picture for Americans. We really do not. They have seen it. And they saw folks having press conference after press conference talking about what the situation is. They say, We knew that 5 or 6 days ago. And what my colleague was talking about with the hurricane director, they knew. They were just hoping that the levees held.

But I think it is outstanding that the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) brought pictures here tonight, because when we talking about the 30-something Working Group, third-party and fourth-party validators are important because we have folks who take to the floor saying, Well, it is not what some people tell you that it is. Do you believe us or your lying eyes? We see it on television.

The reason I talked about information, that it is important that we disseminate information, I want the Members and the American people to see what we get in the U.S. Congress. We get one sheet of paper talking about a recovery process. Like my cousin used to say, If I am lying, I am flying. The bottom line is that this came out as Congressional Advisory No. 8, September 6. This is yesterday's advisory. Today is like three quarters of a page. I thought I would at least get a full-page report. It is just bullets and feel-good language, not telling us anything.

I just want to take this little segment out here while we are talking about the major inequities here, and hopefully, Mr. Speaker, hopefully, someone will say we need to correct this. Not only should we provide more information to Members of Congress but we should also make sure we provide information to more victims.

This is what it is: the Housing Task Force, whoever they are, are also identifying long-term housing facilities to assist disaster victims as quickly as possible. What is ''quickly as possible''? Do I pay my taxes as quickly as possible, or do I have a date to pay my taxes?

Here is the other issue: assuring that security and order to the impact areas, maintaining law and order is a priority to assist recovery and evacuation efforts, deliver relief in a timely and effective manner.

This is stuff that one puts on their Web site when they are selling cookies.

The bottom line is we have people that we have not even found yet. I am talking about FEMA or whatever the case may be. But here is the issue: we must assume nothing. And I tell my colleagues on both sides of the aisle, and I have said this before and they all have heard me, I do not care if they are Republican, Independent, Democrat. They need to go see the wizard and get some courage and say, listen, it is not working and we need to make it work, not going down there and walking around for a day saying, well, you know they are doing the best they can do, because folks are hurting.

So we have got to get this information out. We have got to make sure that this lady and other folks are able to get the assistance that they pay taxes for. So if I have anything to contribute here tonight, and I have some other information, and I see that the gentleman from Ohio is looking at me, but if I have anything else to contribute here tonight, I want to make sure this Congress understands. Here is a question for the Congress and for the Federal Government: What commitment do you have to the people that are living in the South? That is what I want to know. I want to know is it lip service or is it for real? And I can tell the Members right now from what I am seeing, there are no recommendations for a national day of mourning. People have died in this thing, and we are finding more people. There are no recommendations to go down to the South and have a joint session of Congress. It is beyond a natural disaster. A lot of it is failure of government.

I am coming in for a landing. There was a letter that was written today to a chairman of a major committee here of serious questions that were asked. Could New Orleans' levee system hold? The budget of the Corps of Engineers for construction projects in New Orleans District was cut over 40 percent between 2001 and 2005 apparently to free up funds for the war in Iraq and homeland security projects.

Mr. RYAN of Ohio. Say that again.

Mr. MEEK of Florida. Mr. Speaker, I am going to finish, and then I am going to go back over it again.

In 2004, for the first time in 37 years, the first time in 37 years, the Corps of Engineers halted all work. They stopped all work on the New Orleans levee system. Not because they felt like it. It was because they did not have any money. I am on the Committee on Homeland Security and we knew, and I know the gentleman from Ohio (Mr. RYAN) has information that they went through a whole exercise about what if this happens. They knew it could happen. So when someone lines up in front of a camera and starts talking, I do not care who they are. I was emancipated many years ago; so I do not care what some may feel about what I say here tonight. The bottom line is if it is the President or the village council person or whoever it might have been as it relates to holding back funds from the levee system, saying this was a natural disaster, what could we do, we could have governed in a way that we should govern on behalf of individuals in the South that pay taxes just like anyone else.

And the bottom line is if it was not for Katrina, Mr. Speaker, we would have been voting here on the estate tax for a huge tax break, to even make the reality even more evident that the Corps of Engineers never would have had started work on the levee system next year or the year after that or the year after that because we have no money.

□ 2230

Mr. RYAN of Ohio. Mr. Speaker, I think this gets back to a basic concept that we have seen over the course of the last couple of years here. The outfit that runs this body and that lives in the White House and this administration, they just hate government. They just hate it, and they think that if it was gone and abolished, everything would be fine. So, if you bring that attitude to government, that government cannot do anything good.

And then your philosophy leads you to a point where you put an attorney for Arabian horses and a guy who used to run horse shows in charge of the Federal Emergency Management Agency, that is where that philosophy takes you, and then you get someone who is incompetent to handle the job, not a professional emergency management specialist, but just a political appointment, because government is for supplying our friends with graft, and that is all this is.

Now, the gentleman mentioned something, and I want to go through this and I read a little bit of this article earlier. And this is Dr. Mayfield and what he said. He participated, he and his staff participated in a 5-day Hurricane Pam exercise, which was sponsored by FEMA and the Louisiana Office of Homeland Security and Emergency Preparedness last July, that assumed a similar storm as Katrina would hit Louisiana, and they called it Hurricane Pam at the time, on July 23 of 2004.

So FEMA released, after they simulated this Hurricane Pam in Louisiana, FEMA announced the exercise and basically summed up the simulation. Here it is, quote: ''Hurricane Pam,'' and this is FEMA talking in July of 2004. ''Hurricane Pam brought sustained winds of 120 miles per hour, up to 20 inches of rain in parts of southeast Louisiana, and the storm surge toppled levees in New Orleans. More than 1 million residents evacuated, and Hurricane Pam destroyed between 500,000 and 600,000 buildings. Emergency officials from 50 parish, State, Federal, and volunteer organizations faced this scenario during a 5-day exercise held this week at the State Emergency Operations Center in Baton Rouge.''

Then, a year later, this same government says they had no idea that could possibly happen. How disingenuous is that? You ran a simulation. You wargamed Hurricane Katrina and you called it Hurricane Pam a year ago. And then you come to the American people and say, the best you could come up with is, who would have thought the levees would have broken. Thinking everybody is stupid? Thinking this would not come out?

It is criminal, criminal, what happened. You put an Arabian horse purchaser in charge of FEMA, you wargame it the year before, and the guy still does not know what he is doing, and people died because of it. That is the sad part of this whole thing.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, to piggyback on what the gentleman from Florida said about tax cuts, I mean it is just mind-boggling that yet again, their answer, their solution for everything is more tax cuts. I mean, I would not believe it unless I had it in print in front of me, but Treasury Secretary Snow said just the other day, today is September 7, he said yesterday at a press statement, this is in response to what we should do about Hurricane Katrina and the aftermath. He said, ''Making the tax cuts permanent would be a real plus in a situation like this, because people would know they had going forward the advantage of lower tax rates,'' Snow said. ''And when people know they have lower tax rates locked in going forward, it affects their behaviors. It makes them more confident of the future.''

Now, let us talk more about FEMA's failure, because that is really what it boils down to at the end of the day, because we need FEMA to be there, we need FEMA to generate confidence in Americans.

Mr. Speaker, the Republicans, and I am going to use the word ''Republican,'' but the Republicans ran last year on being the party that would be the best choice to protect people. They were the security party. That is supposedly the thing that tipped the scales.

Well, it is not just an issue of security in a terrorist crisis, which all of this resulting from Hurricane Katrina calls into question now, about whether they really are the party. They are clearly not the party of crisis.

Mr. RYAN of Ohio. They have proved they are not the party.

Ms. WASSERMAN SCHULTZ. They have proved they would not be able to be there in a disaster, in a disaster of any major proportion.

Let me just detail, because I have another chart here that is going to outline a couple of things that I think are important, FEMA's failures. Let us talk about cleanup, and let me just acknowledge that ''personnel'' is spelled wrong on this chart. I want to make sure the people knew that I know how to spell ''personnel.''

Cleanup: FEMA has failed for pay for debris removal from private property. This has resulted in many homeowners incurring large expenses paying for the removal of not only their own fallen trees and other damage, but also rubble blown onto their lots from other locales.

Let us talk about Federal aid.

So we give them an ''F'' in cleanup, because they are basically ignoring Florida as if a storm never hit our State.

FEMA must be more responsible in allocating Federal aid. We are talking about the things that FEMA should have been doing already and must do going forward. About $30.8 million in FEMA money has been awarded to residents in Miami-Dade, a county that I represent and that Congressman MEEK lives in, much of it for replacement of appliances such as televisions and air conditioners, although the storms last year in Florida barely grazed the county. Meanwhile, this year, when the storm hit the county directly, now they are not reimbursing people who have legitimate damage and roofs ripped off their houses. Meanwhile, other storm-ravaged areas still have many families who continue to be displaced because of the severe damage to their homes. So they get an ''F'' in Federal aid.

How about personnel? Subsequent reports detailed how FEMA inspectors received little training, that FEMA approved millions in assistance to other areas of the country largely unaffected by disasters; that government scientists said that FEMA misrepresented wind data that it used to justify the payments in Miami-Dade County last year, and that the agency paid 315 hurricane-related funeral claims in Florida, even though the official death toll was only 123. So they get an ''F'' in personnel.

Fourth, the shocking statistics in terms of their preparedness. Florida officially recorded 123 fatalities last year from hurricanes, as I outlined, but were paid for 315 deaths, including those of a man who shot himself and a stroke victim who was hospitalized more than a week before the last storm hit, and that was documented by the Fort Lauderdale Sun Sentinel. In one case, a FEMA worker tried unsuccessfully to persuade a coroner to count among the hurricane casualties a morbidly obese heart attack patient who purportedly was scared to death.

This is the kind of thing that went on in FEMA before Katrina. These are the people that we are putting our confidence in and that people in the gulf coast States are having to put their confidence in, who are going to come in and rescue them and clean up this mess.

Most recently, disaster aid earmarked for hurricane victims in central Florida paid for funerals for people who died of cancer, a brain aneurysm and, in one case, advanced AIDS, according to the local medical examiner. That was in the Sun Sentinel as well. Asked to comment on payouts in central Florida, FEMA spokesman James McIntyre did not provide a response. He also did not address how many more funerals FEMA has paid for since that time.

We have to make sure that FEMA takes responsibility and is held accountable for its mishaps. This is an organization that gets an ''F'' in every single thing that they are primarily responsible for. This is the organization that Americans are supposed to be putting their confidence in, that is going to be there for them when disaster strikes, and in advance of disasters striking that they should be ready for, and afterwards when they have to come in and clean it up. It is just absolutely inexcusable and disgusting.

For example, with the President, responding to the damage that the gentleman talked about to the levees, he said on Good Morning, America last Tuesday, that no one expected the levees to fail. Yet, he cut the budget that would have shored up those levees just last June, in 2004.

Mr. RYAN of Ohio. Mr. Speaker, that was the same, almost the same identical phrase that we heard from the Secretary, the new Secretary of State Condoleezza Rice, about 9/11 when she was National Security Adviser: Who would possibly think anyone would take a plane and fly it into a building like a missile? Well, we found out later that people knew that was going to happen. They knew that was an option.

It is the same old rhetoric with these people over and over and over again. It does not make any sense. It just does not add up. Now, all of a sudden, the spotlight is on, and we have all of this information here, and we have pages and pages and folders and folders full of how much they knew beforehand and played dumb.

Mr. MEEK of Florida. The same letter here that I read from earlier, I just want to read another paragraph out of the letter to the committee chairman from Ranking Member WAXMAN and also Ranking Member OBERSTAR and THOMPSON of the Committee on Homeland Security and the Committee on Government Reform and also the Committee on Transportation and Infrastructure.

The President said, I don't think anybody anticipated the breach of the levees. But just the opposite is true. Multiple reports have predicted that a large hurricane could overflow the levees and cause massive damage in New Orleans. Both the Red Cross and FEMA ranked a hurricane in New Orleans as the Nation's most dangerous natural disaster threat.

I am going to tell my colleagues, this is well documented. Senator Breaux, who is retired, came out of retirement and jumped on TV 2 days after the storm saying, Excuse me, I am sorry, I just, I do not know what folks are talking about when they say they did not know this was going on. I mean, year after year, we tried to get money from the Federal Government. His entire congressional career was based on getting money for the levees. That is why some folks started talking about, well, you know, they are here talking all that mess, and we are trying to save lives, they are talking about what is not happening.

Let me tell my colleagues what we are doing here tonight. We are saving lives, literally. We are saving lives here and pointing out the inequities of an

agency that we just gave $10-plus billion to and said, You handle it, okay? And the bottom line is that just as upset as Americans were about 9/11 and the loss of life, they need to be upset about Katrina and the loss of life and the lack of oversight in governance. The bottom line, period, dot.

So I think any American life that is lost when it could have been prevented deserves to be brought to the highest levels of Congress on both sides of the aisle. I am beyond partisanship right now. This is about responsibility. And the bottom line is, if the tables were turned and there was a man in the White House that had a Democrat, had a ''D'' behind his name, we could not stop the line of Republicans out the door to talk about what he or she did not do when they were supposed to do it and how they were supposed to do it.

So the bottom line is this: What are we going to do? I do not have a family member, God bless, in this situation, but there are people that do. And guess what? They may not be a Member of Congress. We have to give voice to those individuals.

What commitment does the Federal Government have to the people that are living in the South? That is the question. That is the bottom line. I do not care if they are a chairman, ranking member, somebody elected them over something in this Congress. The bottom line is, What is the commitment to the South? Because that is the only thing that I can point out, I say to my colleagues; I cannot come out with anything else.

Maybe the folks down there do not talk as fast as other folks, I do not know. Maybe they do not have endowed universities like we have in the North and in the central part of this country, I do not know. Maybe there are individuals that do not necessarily care about infrastructure and look at the warnings as it relates to New Orleans. Now it has happened.

The question is, what are we going to do about these individuals who are living in football stadiums and folks think it is okay for them to be there for 6 months. You can reach over and touch the next person in your bed. Do we have sex offenders living in the same stadium on the 50-yard line or the 60-yard line from a child? These are the things that we have to correct. These are the things that we must pay attention to. We cannot allow it to happen, or they will be made victims time after time and again.

So the bottom line is that we have individuals that are displaced. We have a Federal agency that we are about to give $50-plus billion, and I guarantee my colleagues that there will be no real discussion about oversight.

□ 2245

There will be no real action. I will guarantee, we will not stand by and watch this administration get this money and start handing out contracts to their buddies.

Mr. RYAN of Ohio. That is exactly right. We are not going to let that happen.

Mr. MEEK of Florida. And making individuals victims again. Because I guarantee, and I told you this earlier today, I may be in some retirement community at 80, if God is willing, walking around with a walker, and someone looks back in the history books about what took place at this time in the moment, and they look at me and they say well, were you not a Member of Congress at this time? What were you doing? I will tell them refer to the CONGRESSIONAL RECORD and also reflect on what happened and what the American people did because they knew what these individuals were doing and making these individuals victims again.

Now, do not get me wrong. I am not saying that it is intentional. But I guarantee you for folks who do not look and wear the flag of oversight and making sure that this never ever happens again, folks talking about never ever happen again. Let us stop the bad from happening. And the only way we are going to stop the bad from happening is governing in the way that we are supposed to govern.

And you know something, I say to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), we are in a bad situation. We have constituents that are hurt. We have constituents that are raising money and doing those things and sending truckloads and giving to the American Red Cross and to the Salvation Army and to the NAACP and all the other groups that have relief funds. There are kids throughout this Nation that are giving lunchboxes and giving toys and all of these different things and running around.

Meanwhile, the big kitty, the $50-plus billion we are running around here on a hush hush kind of thing and Members barely know what is going in the bill, what oversight is there. Where will it go? No one has been removed for a more qualified individual to be placed in a position that can continue the response and the recovery.

We are in the first quarter of this recovery and we know that our quarterback is not up to the task to be able to make it to the goal line. The FEMA Director, possibly the Homeland Security Secretary, possibly the individual in the White House that is quarterbacking the administrative moves on behalf of the White House, we need to call them in. We need to call time out, and we need to change our personnel for individuals that not only carry the resume but have the wisdom to be able to carry it out.

And you know, I am on the Homeland Security Committee, and I know these individuals. I sit down and talk to them. I have gone to the Department of Homeland Security. But guess what? This is not about personalities. This is about governance. And it is not personal. It is just business, and the business of saving lives and making sure that these individuals are made whole as much as possible. And we have got to correct it, not now but right now.

Ms. WASSERMAN SCHULTZ. You talk about the quarterback, and let us continue the football analogy. If you have got the quarterback in the FEMA Director not having any ability to get things done, let us continue the football analogy and call Secretary Chertoff the coach, and the President the man in the front office. You have got both of those people who we cannot have any confidence in either.

And I will take a less than left-leaning example here, an excerpt from Fox News Sunday, because the gentleman from Florida (Mr. MEEK) talks about it not being intentional. The gentleman is right. It is not intentional. Their response was not intentional. It was just indifferent. The indifference is what is shocking. And you had Chris Wallace go through this exchange with Secretary Chertoff on Fox News Sunday this past Sunday.

Mr. Wallace said, ''But Mr. Secretary, you know there are an awful lot of people around the country that are asking these questions and want to hear answers from you today.

During the week, during this past week you seemed to minimize or not to know about a lot of problems on the ground in New Orleans. Let us watch some of those.''

And then he went on to show him some of the clips.

And this was Secretary Chertoff's response: ''We are extremely pleased at the response that every element of the Federal Government, all of our Federal partners have made to this terrible tragedy. There have been isolated incidents of criminality. We have all seen pictures of looting.''

Then he goes on to say: ''I have not heard a report of thousands of people in the Convention Center who do not have food and water.''

Well, I can understand why, because yesterday when we had the briefing in this Chamber from most of the members of the Cabinet, you had one of the Secretary of Defense's military leaders stand up and say that the pictures we have all seen on TV are just like looking through a straw, that that does not show the full picture. We are looking through a straw, that they are extremely pleased with their response and it is going exceedingly well.

So then he goes on to say, what Chris Wallace says: ''Mr. Secretary, how is it possible that you could not have not known on late Thursday, for instance, that there were thousands of people in the Convention Center who did not have food, who did not have water, who did not have security, when that was being reported on national television?''

Secretary Chertoff says: ''Well, Chris, you know, that is one of the issues we have to look at. I mean, we were in constant touch with what was going on in the field, getting information from State and local officials. As it happened on that very Thursday I was in a

video conference with State officials and did not get any information about this. And one of the things we will look at is why in the middle of this emergent crisis there was a conflict in the information.''

You know, I can tell Secretary Chertoff why the State and local officials did not feel like they had to tell you that there were people at the Convention Center, because you could not turn on your TV and not see them dehydrating in front of your very eyes. How about the woman who had her dehydrated baby who she could not even wake up? I mean, I have a 2-year-old. God forbid that ever happened in my family. I can assure you that if it happened in the community that I represent, I have a hunch that the response would have been a little bit quicker because my constituents are not poor and they are not African American primarily.

You know, you talk about the South, and obviously I am one of those Members that would be very protective of the South. But this could be a natural disaster in Detroit or in Wisconsin or name any State with a black community or a predominantly poor community, and there but for the grace of God go them. I mean, really.

We are not here to point fingers. We are just here to point at what has been happening in front of our very eyes. And this has just got to stop. We do have to come up with solutions. We cannot hand out $50 billion to a person who is running the show like it is a circus, like he is the ring leader in a circus, and not a very good one. It is just inexcusable. We cannot ever let this happen again, and we have got to draw a line in the sand and say this far and no further.

Mr. RYAN of Ohio. It almost brings up the point, whether it is black or white or whatever, number of electoral votes the way this group operates. You know, if you have got a State that has enough electoral votes, we will maybe even be there before anything comes. But if you do not have enough, you know, you are on your own, and we are going to absolutely roll the dice.

And as we are kind of creeping into the final few minutes here, I want to just touch upon what the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) has just said, that I hope the ultimate point that we can all carry out of this whole tragedy that is still going on for thousands and thousands and thousands of people, and I hope when New Orleans is rebuilt and we are all down there, you know, hanging out again, that the point that we all remember is this: this tragedy highlighted the clear disparity between many people in this country and many others in this country. Whether it is black or white or rich or poor, there is a huge, tremendous rift between those people who have a lot of money and those people who do not have anything.

And we saw it today, or this past week because people were saying, well, why did they not leave? Well, 35 percent of the African Americans, I believe, in the city, did not have cars. Now, regardless of how the whole thing was structured, and we will have arguments about everything else, they were at a clear disadvantage. They were reliant upon someone else. And you go through education and health care and basic skills that kids test on, it is unbelievable how poorer kids do so much worse.

And this is going on in Youngstown, in Akron, in Cleveland, in Milwaukee, in Detroit. Pick a city, as the gentlewoman said. And I hope that after all this we realize that that is unacceptable and to give millionaires trillions and trillions of dollars and see what the end result is, whether it is through kids, education, health care or levees being built, the government has a role to play, and those people who benefit from society have an obligation to meet their responsibility to everybody else. And that is really, I think, the ultimate point in this. And I hope that the reaction to this is the same reaction that we had in 1927 when the big flood hit in 1927, which eventually led to a very progressive era in government and into the 1930s and 1940s and, quite frankly, into the 1980s.

So I hope that we all realize that, you know, we are pretty lucky, most of us. But there are some people that we need to reach out to and find ways to reform government and put the money in the right places to make sure that those people have the kind of opportunity that many others have.

Mr. MEEK of Florida. I would say to the gentleman from Ohio (Mr. RYAN) and the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) I just wanted to go over a couple of these programs that FEMA has available for individuals that are in the Federal disaster area, those States that have been designated by the President. There are a number of grants and I just want to make sure, and also low-interest loans, and if anyone wants assistance as it relates to those, you can call and just ask the question. The operators will go over it with you. They are working 7 days a week, 24 hours a day. You can call 1–800–621–FEMA, F-E-M-A, and that is 3362. So that is 1–800–621–3362 to register. If you are hearing impaired, you will dial the TDY line, which is 1–800–462–7585. I am going to read that other number over again. 1–800–621–3362. If you are hearing impaired, 1–800–462–7585. They also have an online, you can reach FEMA through FEMA acronym, FEMA.gov/register. That is again 24-hour grant. They also have 24-hour you can get the grant information. And many of the family members may have to get it on behalf of the other family members because they may not be in an area where they can receive that information. You have to help your family and friends through this process, even though government is reaching out to them.

The individual housing grants that are also available, this is the primary vehicle of assistance that FEMA provides to individuals. Also what that individual grant information does, it provides you with a voucher for short-term housing. Each individual can get up to $26,200 per individual or household. And I think that is important. And we will give you more information in the coming days on that.

Disaster unemployment relief. This program, with acronym of DUA, provides benefits to individuals that were previously employed or self-employed that have been made jobless because of a direct result of the major disaster which will be Katrina, that are not eligible for regular Federal or State unemployment insurance. I think that is important. But I still urge Americans and also Members to encourage their constituents to go after these programs.

Dislocated worker activities, this is a program that provides training and also related assistance to persons that have lost their jobs that are unlikely to return back to their current job or industry. That is important for individuals that are throughout the country.

I just want to be able to add in the last couple of minutes here, we have folks that are all over the country, that are literally all over the country. And I am coming back to the gentleman from Ohio (Mr. RYAN).

In Alabama, there are some 5,017 individuals; Arkansas, 5,534. I am just reading out some of the big numbers. Louisiana there are a lot of people still there, 67,000 individuals. So there are a number of programs that are available. I urge you to go to the FEMA Web site or even call them. Mr. RYAN, do you want to give the Web site information?

Mr. RYAN of Ohio. 30somethingdems@mail.house.gov. We are going to be trying to recruit college kids to go down and help with the clean up too. So it is 30somethingdems@mail.house.gov

Mr. MEEK of Florida. Well, on behalf of the 30-something Working Group, we would like to thank the Democratic leader, Mr. Speaker, for allowing us to come here to the floor once again, and it was an honor addressing the House once again.

ENERGY EFFICIENCY

The SPEAKER pro tempore (Mr. KUHL of New York). Under the Speaker's announced policy of January 4, 2005, the gentleman from Maryland (Mr. BARTLETT) is recognized for 60 minutes.

Mr. BARTLETT of Maryland. Mr. Speaker, this evening I wanted to spend the first few moments reflecting on the crisis in the gulf.

□ 2300

I have been privileged to observe nearly 8 decades of life and I will tell you that this is the only time that I can remember that I was looking at television, coming from our country that seemed really surreal to me. I had

to pinch myself to make sure that I was not dreaming, because how could it be that in our country, the United States of America, there were people sitting dead in wheelchairs by the sidewalk, there were people rolled up in sheets dead and others walking by them, there were corpses floating by in the water?

There were tens of thousands of people in buildings that they could not leave because water was around them and they had no food, no water, no bathroom facilities and no power.

The situation is better now and it is improving; and no one is happy with the response of either the local officials, the State officials or the Federal Government. But, Mr. Speaker, this is not the time to look at what went wrong.

Now is the time to make sure that these people are all rescued, who are not already out, to make sure that they all are comfortable in housing, to make sure that their needs are met, that their children are in school.

There will come a time that is not now, Mr. Speaker, when we will really take a hard look at what went wrong, not to place blame. Because I really believe, Mr. Speaker, that everyone at every level made what they thought was the right decision at the time they made it. Obviously, in hindsight, it was not the right decision and we need to make sure that we learn from this experience so that we do not repeat it when we have another crisis. And there will be another crisis, either a natural disaster or a terrorist-induced crisis.

Americans are really helping. When a tragedy occurred overseas we poured out ourselves to help in the tsunami and Americans are doing that now for other Americans. And we are learning that sometimes bureaucracy gets in the way because we have people who want to help and they are ready to help and they wait and they wait. What can we do? And they are ready with supplies. We are working very hard, Mr. Speaker, as we clear away these roadblocks in our bureaucracy because we know that what the Bible says is true, that it is more blessed to give than to receive.

We are now taking a lot of money from our people and from our children and our grandchildren because we will not be able to pay it back, money we need to help the survivors of this catastrophe. But we must not deny our citizens the satisfaction, the reward, the fulfillment that they get from helping themselves. And so we must continue to work to make sure that bureaucracy does not get in the way of people helping people because that really, in the end, is the best kind of help.

Just a little example about how much some of our agencies have done. This is the Coast Guard. They rescued over 23,000 survivors, assisted in the evacuation of another 10,000 from area hospitals. They have brought in over 2,600 servicemen and women, called up another 800 Reservists to undertake response operations. They moved over 75 aircraft, 22 cutters, those are ships, 110 small boats into the disaster area to execute search and rescue, environmental clean-up and to restore navigation to ports. That is very important because a lot of oil moves in there.

They dispersed tons of food, potable water and other supplies to survivors, surveyed and replaced dozens of aids to navigation required to reopen 62 percent of the local ports and waterways to deliver critically needed oil, gas and other natural resources.

They have begun the environmental remediation on gulf waterways by removing 60,000 gallons of oil, 665 floating containers of unknown liquid, 132 compressed cylinders and 10 petroleum tanks.

Mr. Speaker, as a result of this crisis, gas that was already high has skyrocketed higher, and now many people are talking about energy. We started talking about energy and a coming crisis on March 14. Katrina has just hastened and magnified the process that we began talking about then.

On March 4, just 10 days before we gave our first floor speech here on this subject, gas was $1.93. By August 29, just before the hurricane hit, it was $2.60. That is a pretty big increase, from March 4 to August 29 a 67 percent increase. In just 7 days from August 29 to September 5, the price of oil jumped from $2.60, this is an average nationwide, more some places, less some others, to $3.04 average. This is an increase of $1.22 in just 1 year.

But, Mr. Speaker, it could have been much worse. We have over 4,000 wells in the gulf; 953 of those are manned rigs and platforms. Only about 20 of those were cut. And, by the way, from those 4,000 wells we get about 1.5 million barrels of oil a day, which is just a bit more than a fourth of all the oil that we pump. So we pump just a little over 6 million barrels of oil. But, Mr. Speaker, we use 21 million barrels of oil and the rest has to come from somewhere else and that somewhere else is all over the world, and much of it from countries that are relatively unstable, whereas, the President says, the people do not particularly like us.

I have here, Mr. Speaker, a little chart that shows the density of the oil rigs off the coast. And notice the little line here, the little symbols here. That shows where the hurricane came in. Lucky for us the hurricane came in where there was the least density of oil wells. Had it come in just a little west of that, it would have hit a very much higher density of oil wells, and the crisis might have been much worse than it is.

On September 7 there was an article by Reuters that said another storm would devastate U.S. energy, and it was quoting some analysts. And one of the analysts I know, because I have spoken with him several times and met him, was Matthew Simmons; by the way, he is the energy adviser for the President. He was an energy adviser in his first campaign and in his second campaign. He is the president and CEO of the largest energy investment bank in the world.

This is what Matt Simmons said in talking about our refineries and the infrastructure that moves the refined product to a great many users on the east coast. He says, ''We shoved it all into Texas and Louisiana. We put the heart of the industry in the middle of hurricane alley.''

Mr. Speaker, we may want to rethink where we have this infrastructure in light of its vulnerability to this kind of natural disaster.

I have here a news story from the 4th of March of this year, that was just 10 days before we gave our first floor speech here on this subject; and I am quoting from this. ''The average pump price then was $1.93,'' as I just said.

Trilby Lundberg—this is the Lundberg family, everybody has heard of the Lundberg Report that for many years now has been giving the price of gas and predicting what it will be in the future—she said, ''The chances of gasoline rises are very, very strong, if not immediately, then in coming weeks as we move into spring.'' It was $1.93 then, remember.

A government official who works for the U.S. Energy Information Administration, and I will not give you his name, Mr. Speaker, because he would be quite embarrassed, because this is what he said. He said, ''It takes about 8 weeks for crude prices to make it to the pumps,'' and he did not think the increase would be more than 10 cents. It was $1.93 so he did not think it would go up in the summer to more than $2.03. Mr. Speaker, it was $2.60 before the price was pumped up by the hurricane.

I guess it just goes to show, Mr. Speaker, that you cannot believe everything your government tells you.

The AAA reporting in that same story made this statement, Mr. Robert Sinclair from the AAA said, ''Probably the era of cheap oil as we have known it, where a barrel of crude oil was $29 or $30 is gone forever.''

Sadly, Mr. Speaker, I think that Mr. Sinclair was exactly right, and the chart that I have here shows that.

Now I have had to modify this chart. This shows inflation steadily rising and it shows the price of oil which has been up and down. And we notice what I had to do over there at the end, because a few weeks ago when I used this chart, we had not gone over $55 a barrel for oil and so I put that down as the 2005 figure. But just a few days ago during intraday trading, the price of oil went up to $71.85, almost off the chart.

When I come back again, Mr. Speaker, and I will, to talk about this subject, because I think it is so important that we need to emphasize it over and over again so that we have enough interest and enough knowledge so that we do the things that we really must do to avoid a really big problem with this in the future. So I suspect, Mr.

Speaker, that when I come back to talk again that this might very well be off the chart, and we will try to add something to the corner of the chart to show you how high it has gone.

□ 2310

On the next chart are some numbers that are widely known. We have only 2 percent of the known reserves of oil. We use 25 percent of the world's oil. As I said just a few moments ago, about two-thirds of that is imported.

By the way, we have gone from bad to worse. In the Arab oil embargo in 1973 we imported 34 percent, about one-third of the oil we use. We did not learn a whole lot from that, did we, Mr. Speaker, because now we are importing two-thirds of the oil that we use. So we are even more vulnerable, and look what happened then with the Arab oil embargo.

We represent only 5 percent, as a matter of fact less than 5 percent, of the world's population, one person out of 22, and we use a fourth of all of the oil which is used in the world. The other figure here is a really interesting one, and that shows that we pump 8 percent of the world's oil. If we have only 2 percent of the reserves, and from that 2 percent of the reserves we are pumping 8 percent of the oil, that means we are pretty good at pumping oil, and we are. It also means that we have a whole lot of oil wells probably, and we do. More than half of all the oil wells drilled in the world, Mr. Speaker, are drilled in this country. So we do not have much oil, and we are using it up really quickly. When there is an end to oil, we will come there before the rest of the world because we use so much, we have so little, and we are pumping the so little we use so fast.

The next chart shows a consequence of this, and by the way, those numbers inspired about 30 of the leading citizens in our country, McFarland, Jim Woolsey, Frank Gaffney and about 30 names total, retired generals and admirals and leading people in our country wrote a letter to the President saying, Mr. President, the fact that we have only 2 percent of the oil and use 25 percent of the oil and import two-thirds of what we use is a national security risk, which is unacceptable. We have to do something to wean ourselves from foreign oil.

The chart that I have here, Mr. Speaker, points out one of the problems that we face, and that is, that we are not only a country that needs a lot of oil. China now is the second largest importer in the world. Last year, they increased their importation 25 percent. I saw the number. They increased their oil use by 14.7 percent. I am not sure how we get so precise, but this chart of the world here shows where they are. They are now scouring the world to make sure that they have oil, and they are entering into contracts and buying assets.

You may remember, Mr. Speaker, they bid on Unocal in our country, almost got it, bid more than Chevron. Fortunately, they withdrew their bid. By the way the price of oil is not set by who owns it. It is set by how much of it there is in the world compared to demand in the world. It would have not been nice for China to own oil right in our country, but it really would not have affected the price of oil at all.

Notice, they are in Colombia. They are in Venezuela. They are in Brazil. They are really in the Middle East. In the big far eastern Russian oil reserves in the Sakhalin Islands, they are now building a pipeline. Originally, we thought it would go to a port where the oil would then go to Japan. Russia has just recently said that at least a large part of that is going to be diverted on down to a pipeline that goes to China. So we now have a world in which China and India and all of the developing countries, many of them in northern Africa, particularly in the Orient, are now demanding more and more oil.

To put this in context, Mr. Speaker, and to kind of see how we got here, we need to go back 60 years. Our next chart takes us back there 60 years and just a word about the origin of this chart.

Working for the Shell Oil Company in the 1940s and 1950s was a scientist known as M. King Hubbert. He watched the pumping and the exhaustion of oil fields and he noticed that for almost all of those fields that they followed a bell curve. Now, most people are familiar with a bell curve. There are some people very short, some very tall, but most of us are somewhere in the middle. So there is a bell by weight, and most things out there in the nature, their distribution follows a bell curve. What he found was that we pumped oil faster and faster until finally we reached a peak, and at that peak, he noticed that about half of the oil that was in the field had been found, and no matter how hard they sucked and pumped, the production of oil from that field fell down the other side. It is perfectly reasonable that the last part of the oil is more difficult to get than the first part of the oil.

So what M. King Hubbert did was to say, gee, if I knew how many oil fields there were in the United States, and I knew how many more we were likely to find, and if I added up all these little bell curves, I could get a big bell curve which would tell me when the United States was going to peak in oil production. He did this study and he made that prediction in 1956. Everybody thought that he was going to be really wrong and really be embarrassed, and Shell Oil Company said, please, do not do that.

He published the paper anyhow, and right on target, in 1970, we reached our peak oil production. M. King Hubbert went from being something of an embarrassment to being an icon because he was right on the money. He predicted 14 years ahead when we would peak in oil production in this country.

Using those same analytical techniques, he predicted that the world would peak in oil production about 2000. That did not happen because he could not have known of the Arab oil embargo and the oil price spike hikes and the worldwide recession that occurred as a result of these oil price spike hikes.

Many experts believe that we in the world are peaking about now. If not now, soon. The next chart shows where we have gotten our oil from in the United States, and it shows the production curve and the fact that right on target in 1970 we peaked in oil production, and it has been downhill since.

This shows where we get the oil from, a whole bunch from Texas, the rest of the United States, natural gas, liquids. Notice Alaska there. This is Prudhoe Bay, from which we get a fourth of our oil, and Mr. Speaker, that produced only a little blip in sliding down Hubbert's Peak, and notice the yellow there. I am sure you can remember the fabled Gulf of Mexico oil discoveries. This was going to solve the problem. There would be oil for a very long time. That is all the contribution. That yellow there is the total contribution from the Gulf of Mexico oil discoveries.

Mr. Speaker, I am having some trouble understanding why we ought to drill ANWR. Let me tell you why. We have only 2 percent of the known reserves of oil. We use 25 percent of the world's oil. I am having trouble understanding how it is in our national security interests to use up that little bit of oil we have as quickly as we can. If we could pump that oil tomorrow, and we cannot, but figuratively, if we could pump that oil tomorrow, what would we do the day after tomorrow? And there would be a day after tomorrow.

ANWR will be, most people believe, not more than half of what Prudhoe Bay was, and you see that it did little or nothing to stop our slide down Hubbert's Peak. So I would like to reserve ANWR. We are really going to need oil in the future. It and gas are the feedstock for an enormous petrochemical industry. We live in a plastic world, and in the future, when we look back at what we have done, we will be embarrassed that we burned, just to get energy, so much oil, and particularly gas, because they are such an important feedstock for our petrochemical industry that we see all around us.

We live really in a plastic world. It builds our tractors and makes the insecticides, makes the herbicides. It makes the plastics. It is anything and everything in our society.

□ 2320

The next chart shows something very interesting. In spite of increasing techniques, in spite of computers, in spite of 3D seismic, the peak oil discoveries were about 40 years ago. Now, this is blocked off by 5-year increments, and there was a big one here at about 1980, but generally speaking the discovery of oil has been down, down, down. And the experts do not believe that there is

more than about maybe 5 percent of the known reserves that are yet to be discovered.

We have drilled a lot of holes. We have done a lot of exploration. We are really good at finding oil. And most of the experts do not believe we should count on much more than maybe about 5 percent of our current reserves as unknown, yet-to-be-discovered reserves.

The next chart shows something very interesting, and that shows that you cannot drill your way out of this problem. This shows the production of oil in the United States; and in 1980, when the Reagan administration came in, we were already 10 years down Hubbert's Peak. We had slid over the top and were starting down the other side of this bell curve called Hubbert's Peak. We were importing oil, and Reagan was concerned that we needed more oil. And so he did what you do in a market society like we have, he gave incentives for drilling. If we just give them some incentives, some tax advantages, some profit motive for drilling, they will go out and drill.

This yellow line represents the number of wildcat wells that were drilled. And, boy, was he successful. He got them to drill a whole lot more wells. But notice what happens down here. They produced less and less oil. They soon tired of drilling those extra wells when they were not finding any oil; and so, notice that the number of wells they drilled slipped down and down because they were finding less and less oil and we were going more and more negative.

The next chart shows something which Albert Einstein said was the most powerful force in the universe. When we had discovered atomic energy and the nuclear weapons, Albert Einstein was asked, Gee, Dr. Einstein, what will we do next? What will be the next big increment in energy? What will we fight the next war with and so forth? He said, The most powerful force in the universe was the force of compound interest; that is exponential growth.

And so here we show some exponential growth curves. The bottom straight line here is a 2 percent growth in the first year, and then just extrapolating out there from that. If you have money in the bank and it is getting 2 percent interest, and every year you take out the 2 percent and just keep it and do not let it in there to create any more interest, that is the rate at which it will grow. But if you leave the interest in and it is compounded, then you see what happens. You have what is called an exponential curve. This is 2 percent and 4 percent and 5 percent.

And this one on the left here is a really interesting one, Mr. Speaker. That one that goes almost straight up, that is the rate at which China is growing, almost 10 percent a year. With a 10 percent growth rate, you double in 7 years, 7.2 years to be precise, but roughly 7 years. You are four times bigger in 14 years and you are eight times bigger in 21 years. Now, I do not think China will necessarily continue with a 10 percent growth rate for 25 years, but if they do, their economy will be eight times bigger than it is today.

The next chart shows this same 2 percent growth. And, by the way, you can make that bell curve very sharp, very high and very sharp. You can simply change the numbers on the abscissa and the ordinate here. But this is the same 2 percent we saw in the previous one, and this has been about the rate that the consumption of oil has grown in the world, about 2 percent a year. That is the 2 percent curve here.

Now, obviously, up until this time the rate of reduction has equaled the rate of use because we have used all the oil that was produced and we have had all the oil we needed to use. But there will come a time, if in fact there is a phenomenon known as peak oil, when you peak, and there was for our country.

I want to remind you, Mr. Speaker, that there are a couple of unassailable facts. The first one is that M. King Hubbert was right about the United States. We did peak in 1970. He predicted that we would peak in 2000. Now, why should not M. King Hubbert be right about the world if he was right about the United States? And we now have oil at, what, roughly $65 a barrel, that has recently spiked up to over $71 a barrel.

But notice, Mr. Speaker, from this chart that the problem does not wait until peak. And, by the way, this 2 percent growth curve doubles in 35 years. So from this point to the end here, all the shaded area, that spans 35 years, because the upper point here is twice this one. That would mean that you start to have problems, if you could see them that precisely, 17½ years before peak. So we do not necessarily have to reach the peak before there is a discrepancy between what you would like to use, India and China and us.

We think, Mr. Speaker, if our economy is not growing at least 2 percent a year, the sky is going to fall, so we need to grow. China is certainly growing. India is growing. All of the Orient is growing and all demanding more oil. And if we stay with only a 2 percent increase—China last year increased 14.7 percent, India increased. If we stay with only a 2 percent increase, we are going to be really lucky. And, Mr. Speaker, we will not even be able to use all of the energy that is available here if, in fact, we are going to make a reasonably smooth transition to alternatives.

Mr. Speaker, we will transition to alternatives, because the age of oil will not last forever. And as oil runs down, we must move to alternatives. We will either move to alternatives because there is not any more oil available in the quantity we would like, and by the way we are not running out of oil; there will be oil for another 100 years. What we are running out of is readily available, high-quality oil produced in the quantities that we need to meet our current economic demands.

Now, we really are going to have to reduce our consumption here so that we will have some energy to invest in the alternatives, because you are not going to make the transition without investing three things: Money. Mr. Speaker, we do not worry much about money. We just borrow it, without permission, from our kids and grandkids. But we cannot borrow time and we cannot borrow energy. So we are going to need to have time and need to have energy. So what we are going to need to do is to conserve, so that we reduce our energy demands so that we have something to invest.

The next chart shows us, Mr. Speaker, that we really can do that. This shows through the years from 1960 to 2000 the energy use per capita, per person, in the United States. Now, on this chart, Mr. Speaker, we see something very interesting. We, and by ''we,'' me and everybody else in the United States and California, started out at the same place, about 4,000 kilowatt hours per person. We have been using more and more energy as we have lived better and better from 1960 until now. We have more labor-saving things that are using fossil fuels to help us. But notice what has happened. Because of their emphasis on environment and efficiency in California, the average Californian uses only about 65 percent as much energy as the rest of America. This shows, Mr. Speaker, that we can conserve. We can be more efficient. We can reduce our consumption of energy.

The next chart shows what we have available to us to transition from fossil fuels, oil, gas, and coal to renewables. We have some finite resources. These are things which we have that are not the typical petroleum product that we can rely on to give us some energy. Tar sands and oil shales and coal and nuclear fission and nuclear fusion. Just a word about these.

I would first like to make an observation about energy density, because this is a quality of energy that is very important in our society. Fossil fuels have enormous energy density. For instance, Mr. Speaker, one barrel of oil, the refined product of which is 42 gallons of gasoline, you can buy at the pump for just a little over $100 now. That will give you, Mr. Speaker, the work output of 12 people working all year for you and it costs you just a little over $100.

Now, to give you some sense that that is probably correct, I would like you to reflect for a moment, Mr. Speaker, on the car you drive and how many miles per gallon you get. That gallon of gas is still, at $3-something, cheaper than small bottles of water in the grocery store, by the way. But reflect on how far that gallon of gas will take you in your car and then you think about how long it would take you to pull your car that far.

□ 2330

So you will get some notion that this energy density is probably correct, that a barrel of oil, 42 gallons of gas, the refined product will give you the work output of 12 people working all year for you, and it costs you just a little over $100.

Mr. Speaker, another way of looking at this is to go out this weekend and work very hard in your yard, manual labor, digging a ditch, cutting grass, whatever you want to do. I will use an electric motor and less than 25 cents worth of electricity, and I will get more mechanical work done than you will working all day long real hard. That is kind of humbling, is it not, Mr. Speaker, to recognize that in terms of the energy in fossil fuel, you and I are worth less than 25 cents a day.

But this is really the problem we have had, because these fossil fuels are so good, they are so available, the energy density is so high that we have just come really to rely on them. So when we are looking for alternatives, if we are going to continue the lifestyle anything like the lifestyle we have now, we are going to have to find substitutes that have something like the quality of energy this our fossil fuels. That is not going to be easy, Mr. Speaker.

Here are the finite resources that we have. There are some big oil sands, they call them oil sands up in Canada, and they are now producing oil from the oil sands at about $30 a barrel. Oil is selling at $65 a barrel, and that is a good deal, so Canadians are producing a lot of oil up there from the oil sands. From a dollars and cents perspective, that makes a lot of sense. They are doing that and selling it.

But there is another profit ratio that we have to think here, and that is energy profit ratio. That is energy in and energy out. I am told that at this time they are using more energy from natural gas.

You see, this tar and the tar sands is so stiff that it will not flow at normal temperatures. So they drill two wells together, then they go horizontal, and in the upper well they put hot water, steam, and that softens the oil. Then it goes down through the rock and sand and then they pick it up in the lower well that is drilled under that. They can now drill down perpendicularly and go horizontally, as they have been able to do for a number of years.

I am told they are using more energy from natural gas than they will get out of the oil they produce. For them that is still maybe a good idea, because the natural gas is up there and it is cheap for them and hard to transport. Because it is a gas and there is not very much of it, the density is very low. They are converting gas energy into oil energy, and although they get less energy out of the oil, you can put it in a pipe or ship and you can easily move it and you are getting $65 a barrel for the oil, so they are doing it.

But this points out, Mr. Speaker, that we should not be too sanguine about all of the potential energy in the tar sands and oil shales, because it may take, even if we get really good, and they are now talking about putting a nuclear power plant up there to heat the water, to soften the oil to get it out of the ground, if we are really good at getting this out, it is not going to be very energy positive. We are going to have to be good to make it energy positive at all.

Then coal, in a couple of moments I will show you a chart on coal, we have 250 years at current use rates, but that shrinks when you have to use it in higher quantities, and we will have to use it in higher quantities.

Nuclear fission, that is the conventional nuclear power plants, now we get 14 percent of our total energy, 20 percent of our electricity, from nuclear. As you drive home tonight, Mr. Speaker, note that every fifth house and every fifth building would be dark if we did not have nuclear energy.

We probably in this transition period need to have a lot more of that, and we need to think through what we do with the waste from that and how we handle that. But either you are going to end up using far less energy than you are using now, or you are going to get energy from sources you are not now getting it from, and nuclear is a very attractive source to get energy from because you have such enormous energy output from a single plant.

But that is not a final solution with the kind of power plants we have now, because they use fissionable uranium, and that is in limited supply in the world and that will not last forever. Maybe, I get different numbers, I get numbers between 30 years and 200 years, depending on who you are talking to. We desperately need an honest broker, like maybe the National Academy of Sciences, to help us agree on a number so we have something to work with.

But in any event, when fissionable uranium is gone, and that is at current use rates, by the way, we have 30 to 200 years. If you ramp up the use rates, it goes more quickly. Then we have to go to breeder reactors, with which we have little experience and which produce by-products that have to be stored away, even more critical by-products, end products, than from the fissionable uranium, that have to be stored away for maybe a quarter of a million years, and that kind of boggles the mind to think of storing something away for that long.

The last one here is nuclear fusion. I support all the money that technology can absorb. I think the chances of getting to nuclear fusion in our lifetime are about the same as my chances of winning the lottery and solving my personal economic problems. If I think the lottery is a good bet, I am going to think that nuclear fusion is a good bet. But I would not bet the ranch that we are going to get to nuclear fusion.

If we get there, Mr. Speaker, we are home free, because there is essentially a inexhaustible amount of energy there. We ought to support all of those skilled people that have expertise in this area to see if it is possible to get there. But it is certainly something we should not bank on. It will be really nice if it happens, but we better have an alternative course of action, because it is unlikely to happen.

Once we have gone through these finite resources, then we come to the alternatives. I would like to look at the next chart and leave this one up, because I want to come back to it.

This now shows where we are. This is our total energy use in the little circle here, and three-fourths of that, the natural gas, the petroleum and the coal, if you add those up, they add up to 85, it should be 85 percent.

The other sources of energy are then 15 percent total. A bit more than half of that comes from nuclear power and so-called renewables. Here the chart has blown that up so we can see it. The biggest part of that comes from hydroelectric, and that is not likely to grow in our country, because we have dammed up about every river we should and maybe a few we should not and we are breaching more dams than we are creating now. So that is probably not going to grow.

The next biggest source of renewables is wood. This is not the rural person burning it for heating their home. This is a big timber industry and paper industry wisely burning what would otherwise be a waste product to get energy.

Then waste. This one can grow, the waste, and it should grow. It is really kind of dumb to bury our waste rather than burning it to get energy from it. Landfills create problems. When you burn it many of those problems, when you control it the pollutants disappear and you get energy from it.

But what this points out is that the sources that we are going to have increasingly turn to as we run down Hubbard's peak are things like solar, which is now one percent of 7, which is one out of 7 percent, which is .07 percent. Wind, these are just now really minuscule, but they are the resources that we have got to invest in, because they are going to have to be big sources of energy for us in the future.

Here, alcohol. A couple of weeks ago I spent a full day, Mr. Speaker, at the National Press Club here on a conference on ethanol. There is a big controversy out there about whether or not we can produce ethanol and get more energy out of the ethanol than we put into producing it, mowing the land, building the tractor, putting the tires on the tractor, fertilizing and so forth. There are a couple of really good scientists who believe they have looked at all of the energy inputs and they think that you have an energy deficit when you go from corn to ethanol, that you put more energy into producing it than you get out of it. Others think it is maybe energy positive.

But the point I am making is if it is energy positive, it is not going to be

very energy positive, and it may be a nice convenient way to end up. You cannot put cornstalks in your car and go, but you could have a little critter that breaks down the cellulose there into glucose and then ferment that and get alcohol and put that in your car and go. I am not saying it is not a good idea, but I am saying we are not going to get enormous amounts of energy from it.

□ 2340

It may be energy positive; but if energy positive, not very energy positive.

Here is geothermal, and, by the way, that is not the geothermal of the guy who is selling the heat pump and telling us he is going to put in a heat thermal system. And what he is doing is very wisely connecting us either to groundwater or the ground so that we are not trying to heat the summer air to cool our house or cool the winter air to warm our house. It is what we do with the heat pump that interfaces with air, and they call that geothermal. And I agree they ought to put that in quotes because the real geothermal is where we are doing what Iceland does and tap into the molten core of our Earth where we are close enough where we can drill down and get the benefit of that heat.

If one goes to Iceland, I have never seen a chimney there. I have been there several times. They do not need chimneys because they have a lot of geothermal there. This points out the importance of these now very miniscule contributions to our energy. We are very much, Mr. Speaker, like a young couple that has just gotten married and we have really lucked out. We have got a big inheritance from our grandparents. We really lucked out. We found a lot of fossil fuels.

So now we have established a lifestyle where 85 percent of all the money we spend is our grandparents' inheritance and only 15 of percent of it comes from our income. But our grandparents' inheritance is not going to last until we retire and certainly not until we die. So we are going to do, Mr. Speaker, one of two things. Either we are going to have to spend less money, or we are going to make more money; and that is exactly where we are in energy. Eighty-five percent of what we use is fossil fuels. Fifteen percent of it is what we have earned in a sense because it comes from nuclear power, and if we go to breeder reactors, that could be a perpetual source of power, and it comes from these renewables.

And we are going to have to transition as we run down Hubbert's Peak. We are going to have to transition from this 85 percent inheritance of our grandparents to the 15 percent, and would it not be nice if we could make it more than 15 percent? But the probability is that we are going to have to have life-styles in the future which require less energy.

And let us go back to our previous chart. If we look at the potential for energy sources from all of these solar and wind and geothermal and ocean energy, can one imagine, Mr. Speaker, how much energy it takes to lift the ocean 2 feet, the tides? But the problem with that is it is so diffuse, it is very hard to harness. But people are trying. Wave energy, thermal gradients in the ocean, there are lots of possibilities of energy from the ocean; but it is very diffuse. It is very difficult to get it concentrated so we can use it.

Then all the agricultural sources. Mr. Speaker, I am not so sanguine about energy from agricultural as I once was as I recognize that we are barely able to feed the world. Tonight, a fifth of the world will go to bed hungry. When I recognize that we are barely able to maintain the productivity of our soils with no till farming that helps us keep our top soils.

Before that we were losing the battle, and our top soils in the center of our country were ending up in the Mississippi Delta, from the Chesapeake Bay Watershed. They were ending up in the Chesapeake Bay. Now we are doing better; but I am concerned, Mr. Speaker, how much biomass we can take from our agricultural land and still have enough organic material, good tilth, which is what we call that quality of soil. So we can get some energy from agriculture, but it is going to be limited. It is not going to be enormous amounts of energy we get there. But we need to get energy from every place we can get it because we have an enormous challenge to come up with enough energy to replace the fossil fuels as we run down Hubbert's Peak.

Waste energy, we mentioned that. It was on the previous chart. We really need to do more of that. That is a really good idea.

Just a word about hydrogen from renewables. Hydrogen, Mr. Speaker, is not an energy source. It will always take more energy to produce hydrogen than we get out of hydrogen. Otherwise, we are going to have to suspend the laws of thermodynamics, and they are not going to be suspended. But still it is a good idea to use hydrogen because we can get hydrogen from some things like coal, like electricity from a nuclear power plant; and we cannot put a nuclear reactor in the trunk of our car. We cannot put coal in the trunk of our car. We did that in the coal car behind the engine, but we do not do it in our cars and we will not.

So what we are doing really is converting one kind of undesirable energy to a very desirable form of energy in hydrogen that burns and we get only water from it. And in addition to that, Mr. Speaker, we can now use it in a fuel cell. It is very adaptable to a fuel cell where we will get about twice the efficiency that we do from a reciprocating engine. But please think of hydrogen as the equivalent of a battery. It takes energy from one place and stores it in a very convenient form so we can use it someplace else.

Several weeks ago we had a hearing here, and we had experts here on hydrogen and the hydrogen economy. And they all agreed that of the three ways that we could store hydrogen, only one of them was really feasible if we were ever going to move to a true hydrogen economy. Three ways of storing hydrogen. One is to compress it. It is the lightest element in the universe. It is always trying to get out of wherever we put it. And it takes big, thick pressure vessels because it is so light to store very much of it. So that is a big problem. They say that we can never really have a really functional hydrogen economy if we have to compress it.

Another way of storing is to liquefy it. Then it is really cold, and it takes a lot of energy to compress it and cool it, compress it and cool it until it finally becomes a liquid, and then we have to store it in a really insulated vessel; and when we park our car, it is just going off.

And they say that the third way of storing it is the only way that is really going to make a hydrogen economy feasible, and that is solid state storage. Storing the hydrogen in a reversible chemical reaction. Mr. Speaker, that is exactly what we do with the electron battery, which is the conventional battery we have. We take electrons and we put them in a chemical form that is reversible so we can charge the battery and then discharge the battery to get power from it.

So when we have a hydrogen economy, which will really be effective and doable, these experts say we are going to have to find a battery, a way of storing hydrogen in a solid form to make it really doable. So just think of it as another kind of battery.

The next chart is really a very interesting one, and it points out to us something that we should have realized, and this covers about 400 years. It goes from 1630 to the present. And on the ordinant it shows the energy that our societies have produced; and over here, of course, is time. And the brown here is wood, and it shows that when we really learned how to use wood in the Stanley Steamer and our charcoal for smelting iron and so forth, we started an industrial revolution. It was stuttering, and then we found coal, and, boy, it really jumped. But then the use of coal really dropped off when we found oil because oil had qualities that exceeded coal. It was so much easier to use. The energy density was higher. And look what happened to our production of energy.

And, by the way, the increase in population pretty much followed the increase in the production of energy. It made it possible now to live so much easier. We could have more children. We could support the children. And notice up at the top up there that little dip. That is the Arab oil embargo and the worldwide recession. And what that did, Mr. Speaker, was to delay the onset of peak oil.

The next chart shows us some characteristics of the alternatives that we are going to have to replace these fossil

fuels. On the ordinant here, we have energy profit ratio. I talked a little bit ago about energy profit. This is how much energy we get out from what energy we put in. And if we go subzero, we may as well not do it if we are putting in more energy in than we get out unless what we are getting out has some qualities that are better than the qualities we are putting in.

And we are down here now with hydrogen. Hydrogen is down here. It is below zero. We are putting more energy in than we are getting out. But never mind, because hydrogen has real economic effectiveness in transport. We can put it in a vessel, and we can run our car with it.

□ 2350

Now, what you want, of course, is an alternative that has the highest energy profit ratio and has the highest economic effectiveness in transport, and what meets that are the giant oil fields. We do not have any of those in our country. Most of U.S. oil is way down here. It is really good in terms of economic effectiveness, but it takes a whole lot more energy to get it out than it takes over in Saudi Arabia, and the big, giant oil fields are up here, and there never were any of those in our country, they are in the Middle East. You can see here coal. You get a meaningful amount of energy out of coal but, boy, it is not very good in economic effectiveness. You have to convert it into something else. Photovoltaics in 1995, they were way down here, and now we have moved them up to here. Hydro and coal-fired and nuclear are down here, and this tells you the qualities of the replacements that we are going to need to find for fossil fuels if we are going to be able to maintain anything like the economic activity and the lifestyle that we now have.

The next chart is an interesting one. It shows us coal, and people will tell us, do not worry about energy, we have 250 years of coal left in our country. That is not forever, by the way, but that is a very long time. That is true. At current use rates, we have 250 years of coal. But, if we are going to use more coal, we are going to have an increased use of coal, and if we use coal only with a 2 percent growth per year, and, Mr. Speaker, we are going to have to use a much greater growth rate than that to make up for the slide down Hubbard's Peak in oil, but only 2 percent growth per year, compounded, it now shrinks to 85 years. And, since you cannot use coal for a lot of things like running your car, you have to convert to a gas or liquid; well, you have now made that conversion, you are now down to only about 50 years. The coal is there, it is dirty, it produces a lot of pollutants. You either put up with the pollutants or you pay a lot of energy and money, and we will not worry about money, we should worry about energy, to clean up the coal.

The next chart is an interesting one. The top shows you the subject that I spent a full day down here at the National Press Club a couple of weeks ago on, and that is ethanol. On the right here it shows the energy you get from oil. You put in 1 million BTUs and you get out 1.23 million BTUs. I am sorry. With an input of 1.3 million, you get out 1 million BTUs. Obviously, you are going to have to use some of the energy and the oil to transport it and to refine it and to deliver it and so forth.

Now, the chart on the left here was given to me by our Department of Energy. I am told by the experts that this is wildly optimistic, but this is at least this group's view of what we can get out of it. The Energy Conference had these two experts who said that you need to put in more energy than you will get out. And even this optimistic assessment says that to get a million BTUs out, you need to put in three-fourths that amount. Now, of course, the extra energy comes from the sun, which, by the way, is where the oil came from too, because the oil and gas all come from things that grew a very long time ago with sun.

On the bottom here is a really interesting chart. In this little pie-shaped thing here, it shows all of the energy that goes into producing a bushel of corn. And notice that nearly half the energy, Mr. Speaker, that goes into producing a bushel of corn comes from nitrogen. And that nitrogen fertilizer is made from natural gas, so that is natural gas energy there. And notice almost every other slice of this pie, we are talking about fossil fuel energy to grow the seed to haul, to supply the water, many of the chemicals come from oil, custom work, putting oil in the combine, natural gas that is liquefied or used as natural gas for drying your crop, electricity that is used for a lot of things; gasoline itself, diesel, the lime and the phosphate and the pot ash are all mined using fossil fuels, so essentially, for every piece of this pie, fossil fuels are used.

Now, what do we need to do? This next chart, which is our last chart, shows us the challenge. And, Mr. Speaker, what we need is a focus that is equivalent, if you are old enough to remember the Manhattan Project, it is equivalent to the Manhattan Project, or putting a man on the moon. That was a real challenge. And I think we need to challenge the American people in a very similar way. We have to do something about our dependence on foreign oil. If you do not think there is going to be such a thing as peak oil, and I think we are probably here. I hope not. I hope I am wrong, I hope these world experts are wrong. But if we are right, then we face a very bumpy ride. But even if you do not believe that as a problem, you have to believe that getting two-thirds of our oil from overseas is a big national security risk. By the way, we need to do exactly the same thing to reduce the national security risk that we need to do to transition. We need to buy time, conservation, and efficiency. We need to use that very wisely. If you do the wrong thing, you may end up making the problem even worse.

I would encourage my colleagues, Mr. Speaker, to look into Jevons Paradox. Very interesting paradox. For some problems, the harder you work, the worse the problem gets. There will be real benefits to doing this. We will have technologies we can sell to the world, not just we, but the world, so we need to make this transition. We will create a lot of new jobs. It will be challenging to our people.

Whether we like it or not, Mr. Speaker, we are going to be a role model. We use 25 percent of the world's oil. We are a role model. We are going to be a role model. We need to step up to that.

Mr. Speaker, I would like to challenge our government and our people to step up to this challenge. There are those who believe that we cannot do this. One writer begins his article by saying, dear reader, civilization as we know it will end soon. His name is Mat Savinar, you will find him with a google search of ''peak oil.'' Please read the article. You will be genuinely frightened, having finished the article.

I am not as pessimistic as Mat Savinar. I think that the American people, because we have met every other challenge, I think we can meet this challenge. But, Mr. Speaker, we are not likely to meet the challenge if we do not know there is a problem. So I am very appreciative for this opportunity to speak about this problem, and we will be back again, because this problem is not going to go away, and we need to talk more and more about the solutions and the problem.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BUTTERFIELD (at the request of Ms. PELOSI) for today and September 8 on account of a death in the family.

Mr. FORD (at the request of Ms. PELOSI) for today on account of attending a funeral.

Mr. MCNULTY (at the request of Ms. PELOSI) for today on account of personal reasons.

Mrs. EMERSON (at the request of Mr. DELAY) for September 6 and today on account of helping with Hurricane Katrina relief.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.

Ms. DELAURO, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.
Mr. HINCHEY, for 5 minutes, today.
Mr. LIPINSKI, for 5 minutes, today.
Ms. LEE, for 5 minutes, today.
Mr. SCOTT of Georgia, for 5 minutes, today.
Mr. GENE GREEN of Texas, for 5 minutes, today.
Ms. KAPTUR, for 5 minutes, today.
Ms. CARSON, for 5 minutes, today.
Ms. CORRINE BROWN of Florida, for 5 minutes, today.
Ms. WASSERMAN SCHULTZ, for 5 minutes, today.
Ms. EDDIE BERNICE JOHNSON of Texas, for 5 minutes, today.
Ms. JACKSON-LEE of Texas, for 5 minutes, today.
(The following Members (at the request of Ms. DELAURO) to revise and extend their remarks and include extraneous material:)
Ms. MILLENDER-MCDONALD, for 5 minutes, today.
Ms. WATERS, for 5 minutes, today.
Mr. RANGEL, for 5 minutes, today.
(The following Member (at the request of Mr. RAMSTAD) to revise and extend his remarks and include extraneous material:)
Mr. RAMSTAD, for 5 minutes, today.
(The following Member (at the request of Mr. POE) to revise and extend his remarks and include extraneous material:)
Mr. LEWIS of California, for 5 minutes, today.
(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)
Mr. DAVIS of Illinois, for 5 minutes, today.
Mrs. JONES of Ohio, for 5 minutes, today.
Mr. LEWIS of Georgia, for 5 minutes, today.
Ms. WATSON, for 5 minutes, today.

ADJOURNMENT

Mr. BARTLETT of Maryland. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 58 minutes p.m.), the House adjourned until tomorrow, Thursday, September 8, 2005, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3665. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Methoxyfenozide; Pesticide Tolerances for Emergency Exemptions [OPP-2005-0224; FRL-7732-3] received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3666. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Halosulfuron-methyl; Pesticide Tolerances for Emergency Exemptions [OPP-2005-0165; FRL-7719-8] received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3667. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Flonicamid; Pesticide Tolerance [OPP-2005-0217; FRL-7731-6] received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3668. A communication from the President of the United States, transmitting requests for emergency FY 2005 supplemental appropriations for the Departments of Homeland Security and Defense and the Army Corps of Engineers; (H. Doc. No. 109–53); to the Committee on Appropriations and ordered to be printed.

3669. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting certified materials supplied to the Defense Base Closure and Realignment Commission, pursuant to Public Law 101–510, section 2903(c)(6) and 2914(b)(1); to the Committee on Armed Services.

3670. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting certified materials supplied to the Defense Base Closure and Realignment Commission, pursuant to Public Law 101–510, section 2903(c)(6) and 2914(b)(1); to the Committee on Armed Services.

3671. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting certified materials supplied to the Defense Base Closure and Realignment Commission, pursuant to Public Law 101–510, section 2903(c)(6) and 2914(b)(1); to the Committee on Armed Services.

3672. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting certified materials supplied to the Defense Base Closure and Realignment Commission, pursuant to Public Law 101–510, section 2903(c)(6) and 2914(b)(1); to the Committee on Armed Services.

3673. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of the enclosed list of officers to wear the insignia of the grade of real admiral (lower half) accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

3674. A letter from the Under Secertary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Wallace C. Greyson, Jr., United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

3675. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Richard L. Kelly, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

3676. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Richard A. Hack, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

3677. A letter from the Under Secertary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of General William L. Nyland, United States Marine Corps, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

3678. A letter from the Secretary, Department of Health and Human Services, transmitting written notification of a determination of a public health emergency in the states of Arkansas, Colorado, Georgia, North Carolina, Oklahoma, Tennessee, West Virginia, and Utah, pursuant to 42 U.S.C. 247d(d); to the Committee on Energy and Commerce.

3679. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production [OAR-2003-0003; FRL-7957-7] (RIN: 2060-AM23) received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3680. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Allocation of Essential Use Allowances for Calendar Year 2005 [FRL-7958-2] (RIN: 2060-AM50) received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3681. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Process for Exempting Critical Uses of Methyl Bromide for the 2005 Supplemental Request [FRL-7962-4] (RIN: 2060-AN13) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3682. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing [OAR-2003-0121; AD-FRL-7961-9] (RIN: 2060-AN09) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3683. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Minnesota; Revised Format of 40 CFR Part 52 for Materials Being Incorporated by Reference; Correction [MN-86-2; FRL-7962-6] received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3684. A letter from the Acting Assistant Secretary for Legislatve Affairs, Department of State, transmitting a report as required by Section 7120 of the Intelligence Reform and Terrorism Prevention Act of 2000 (P.L. 108-458); to the Committee on International Relations.

3685. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Report on Adherence to and Compliance with Arms Control, Nonproliferation and Disarmament Agreements and Committments for August 2005, pursuant to 22 U.S.C. 2593; to the Committee on International Relations.

3686. A letter from the Chief Executive Officer, Corporation for National and Community Service, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3687. A letter from the Acting White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3688. A letter from the Acting White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3689. A letter from the Acting White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3690. A letter from the Political Personnel and Advisory Comm. Mgmt. Spec., Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3691. A letter from the Deputy General Counsel for Equal Opportunity and Administrative Law, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3692. A letter from the Deputy General Counsel for Equal Opportunity and Administrative Law, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3693. A letter from the Deputy General Counsel for Equal Opportunity and Administrative Law, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3694. A letter from the Deputy General Counsel for Equal Opportunity and Administrative Law, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3695. A letter from the Assistant Secretary for Administration and Management, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3696. A letter from the Assistant Secretary for Administration and Management, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3697. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3698. A letter from the Deputy General Counsel for Equal Opportunity and Administrative Law, Department Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3699. A letter from the Assistant Administrator, OARM, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3700. A letter from the Assistant Administrator, OARM, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3701. A letter from the General Counsel, Office of Management and Budget, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3702. A letter from the Asst. Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Oil and Gas and Sulphur Operations in the Outer Continental Shelf — Plans and Information (RIN: 1010-AC47) received August 26, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3703. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; San Francisco Giants Fireworks Display, San Francisco Bay, CA [CGD 11-05-008] (RIN: 1625-AA08) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3704. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; San Francisco Giants Season Home Opener Fireworks Display, San Francisco Bay, CA [CGD11 05-003] (RIN: 1625-AA08) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3705. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Bucksport, South Carolina [CGD07-05-038] (RIN: 1625-AA08) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3706. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation for Marine Events; Neuse River, New Bern, NC [CGD05-05-040] (RIN: 1625-AA08) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3707. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Regulation for Marine Events; Western Branch, Elizabeth River, Portsmouth, VA [CGD05-05-026] (RIN: 1625-AA08) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3708. A letter from the Program Analyst, FAA, Department of Transporation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A320-111 Airplanes and Model A320-200 Series Airplanes [Docket No. FAA-2005-20500; Directorate Identifier 2004-NM-235-AD; Amendment 39-14191; AD 2005-15-02] (RIN: 2120-AA64) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3709. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135 Airplanes, and Model EMB-145, -145ER, -145MR, -145LR, -145XR, -145MP, and -145EP Airplanes [Docket No. FAA-2005-21598; Directorate Identifier 2005-NM-121-AD; Amendment 39-14159; AD 2005-13-22] (RIN: 2120-AA64) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3710. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lockheed Model L-1011-385 Series Airplanes [Docket No. 99-NM-129-AD; Amendment 39-14190; AD 2005-15-01] (RIN: 2120-AA64) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3711. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B4-600, B4-600R, and F4-600R Series Airplanes, and Model A300 C4-605R Variant F Airplanes (Collectively Called A300-600 Series Airplanes) [Docket No. FAA-2005-20867; Directorate Identifier 2004-NM-188-AD; Amendment 39-14194; AD 2005-15-05] (RIN: 2120-AA64) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3712. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-200C and 747-200F Series Airplanes [Docket No. FAA-2005-20690; Directorate Identifier 2003-NM-230-AD; Amendment 39-14195; AD 2005-15-06] (RIN: 2120-AA64) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3713. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-100B SUD, -200B, -300, -400, and -400D Series Airplanes [Docket No. FAA-2004-19175; Directorate Identifier 2003-NM-246-AD; Amendment 39-14197; AD 2005-15-08] (RIN: 2120-AA64) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3714. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30, DC-10-30F (KC-10A and KDC-10), DC-10-40, DC-10-40F, MD-10-10F, MD-10-30F, MD-11, and MD-11F Airplanes [Docket No. 2001-NM-359-AD; Amendment 39-14201; AD 2005-15-12] (RIN: 2120-AA64) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3715. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A320-111 Airplanes and Model A320-200 Series Airplanes [Docket No. FAA-2005-21023; Directorate Identifier 2004-NM-262-AD; Amendment 39-14196; AD 2005-15-07] (RIN: 2120-AA64) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3716. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited (Jetstream) Model 4101 Airplanes [Docket No. FAA-2005-21137; Directorate Identifier 2002-NM-86-AD; Amendment 39-14200; AD 2005-15-11] (RIN: 2120-AA64) received August 12. 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3717. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The New Piper Aircraft, Inc. Models PA-34-200T, PA-34-220T, PA-44-180, and PA-44-180T Airplanes [Docket No. FAA-2005-21590; Directorate Identifier 2005-CE-33-AD; Amendment 39-14199; AD 2005-15-10] (RIN: 2120-AA64) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3718. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-1A11 (CL-600), Model CL-600-2A12 (CL-601), and Model CL-600-2B16 (CL-601-3A, CL-601-3R, and CL-604) Airplanes [Docket No. FAA-2005-21139; Directorate Identifier 2003-NM-196-AD; Amendment 39-14193; AD 2005-15-

04] (RIN: 2120-AA64) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3719. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc RB211-524 Series Turbofan Engines [Docket No. 2002-NE-40-AD; Amendment 39-14202; AD 2005-15-13] (RIN: 2120-AA64) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3720. A letter from the Secretary, Department of Health and Human Services, transmitting a waiver of certain Medicare, Medicaid, and State Children's Health Insurance Program Requirements, pursuant to 42 U.S.C. 1320b–5; jointly to the Committees on Ways and Means and 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. LINCOLN DIAZ-BALART of Florida: Committee on Rules.

House Resolution 426. Resolution providing for consideration of motions to suspend the rules (Rept. 109–217). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. KANJORSKI:

H.R. 3664. A bill to amend the Internal Revenue Code of 1986 to impose a windfall profit tax on oil and natural gas (and products thereof) and to appropriate the proceeds for the Low-Income Home Energy Assistance Program; to the Committee on Ways and Means, and in addition to the Committee on Appropriations, 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. BOOZMAN (for himself, Ms. HERSETH, Mr. FILNER, and Mr. EVANS):

H.R. 3665. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide adaptive housing assistance to disabled veterans residing temporarily in housing owned by a family member and to make direct housing loans to Native American veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. EVANS (for himself, Mr. FILNER, Mr. GUTIERREZ, Ms. CORRINE BROWN of Florida, Mr. MICHAUD, Ms. HERSETH, Mr. STRICKLAND, Ms. HOOLEY, Mr. REYES, Ms. BERKLEY, and Mr. UDALL of New Mexico):

H.R. 3666. A bill to provide that, for the period ending August 31, 2007, veterans affected by Hurricane Katrina shall have access to health care from the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. WAXMAN (for himself and Mr. MCHUGH):

H.R. 3667. A bill to designate the facility of the United States Postal Service located at 200 South Barrington Street in Los Angeles, California, as the ''Karl Malden Station''; to the Committee on Government Reform.

By Mr. JINDAL (for himself, Mr. BOEHNER, Mr. MCKEON, Mr. WILSON of South Carolina, Mr. PORTER, Mr. BOUSTANY, Mr. HINOJOSA, Mr. WU, Mrs. DAVIS of California, Ms. MCCOLLUM of Minnesota, Mr. DAVIS of Illinois, Mr. VAN HOLLEN, Mr. BAKER, Mr. MCCRERY, Mr. BACHUS, and Mr. WICKER):

H.R. 3668. A bill to provide the Secretary of Education with waiver authority for students who are eligible for Federal student grant assistance who are adversely affected by a major disaster; to the Committee on Education and the Workforce.

By Mr. NEY (for himself, Mr. BAKER, Ms. WATERS, Ms. GINNY BROWN-WAITE of Florida, and Mr. DAVIS of Alabama):

H.R. 3669. A bill to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program; to the Committee on Financial Services.

By Mr. EVANS (for himself, Mr. FILNER, Mr. GUTIERREZ, Ms. CORRINE BROWN of Florida, Mr. SNYDER, Mr. MICHAUD, Ms. HERSETH, Mr. STRICKLAND, Ms. HOOLEY, Mr. REYES, Ms. BERKLEY, Mr. UDALL of New Mexico, and Mrs. DAVIS of California):

H.R. 3670. A bill to extend for persons affected by Hurricane Katrina the time for appeal to the United States Court of Appeals for Veterans Claims of certain decisions of the Board of Veterans Appeals that are rendered during the period from June 1, 2005, through November 30, 2005; to the Committee on Veterans' Affairs.

By Mr. GENE GREEN of Texas:

H.R. 3671. A bill to amend title XIX of the Social Security Act to authorize the Secretary of Health and Human Services to provide 100 percent as the Federal medical assistance percentage for displaced Medicaid recipients receiving medical assistance outside their State of residence due to a declared public health emergency; to the Committee on Energy and Commerce.

By Mr. MCCRERY (for himself, Mr. JEFFERSON, Mr. BAKER, Mr. JINDAL, and Mr. PICKERING):

H.R. 3672. A bill to provide assistance to families affected by Hurricane Katrina, through the program of block grants to States for temporary assistance for needy families; to the Committee on Ways and Means, and in addition to the Committee on the Budget, 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. LEWIS of California:

H.R. 3673. A bill making further emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, 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. ANDREWS:

H.R. 3674. A bill to authorize the Secretary of Transportation to make grants for projects to construct fences or other barriers to prevent public access to tracks and other hazards of fixed guideway systems in residential areas; to the Committee on Transportation and Infrastructure.

By Mr. BASS:

H.R. 3675. A bill to amend the Federal Trade Commission Act to increase civil penalties for violations involving unfair or deceptive acts or practices that exploit popular reaction to an emergency or major disaster, and to authorize the Federal Trade Commission to seek civil penalties for such violations in actions brought under section 13 of that Act; to the Committee on Energy and Commerce.

By Mr. BERRY:

H.R. 3676. A bill to suspend temporarily the duty on clock radio combos; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 3677. A bill to suspend temporarily the duty on dog accessories; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 3678. A bill to suspend temporarily the duty on floor coverings and mats of vulcanized rubber; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 3679. A bill to suspend temporarily the duty on manicure and pedicure sets; to the Committee on Ways and Means.

By Mr. CAMP:

H.R. 3680. A bill to amend the Internal Revenue Code of 1986 to increase and extend temporary expensing for equipment used in refining of liquid fuels; to the Committee on Ways and Means.

By Mr. CONYERS (for himself, Mr. NADLER, Mr. MEEHAN, Mr. SCOTT of Virginia, Ms. ZOE LOFGREN of California, Mr. DELAHUNT, Ms. LINDA T. SÁNCHEZ of California, Ms. WASSERMAN SCHULTZ, Ms. JACKSON-LEE of Texas, Mr. THOMPSON of Mississippi, Mr. JEFFERSON, Mr. SCHIFF, Mr. TAYLOR of Mississippi, Mr. CROWLEY, Mr. SANDERS, Mr. VAN HOLLEN, Mr. CASE, Ms. WATSON, Mr. CAPUANO, Mr. BOREN, Mr. FILNER, Mr. KUCINICH, Mr. MCDERMOTT, Ms. MCCOLLUM of Minnesota, Mr. WEINER, Mr. GEORGE MILLER of California, Mr. LARSON of Connecticut, Mr. AL GREEN of Texas, Ms. LEE, Ms. KILPATRICK of Michigan, Ms. CARSON, Mrs. MALONEY, Mr. CLEAVER, Ms. ROYBAL-ALLARD, Mr. INSLEE, and Mr. SERRANO):

H.R. 3681. A bill to amend the Clayton Act to make unlawful price gouging for necessary goods and services during Presidentially declared times of national disaster; to the Committee on the Judiciary.

By Mr. TOM DAVIS of Virginia (for himself and Mr. WOLF):

H.R. 3682. A bill to redesignate the Mason Neck National Wildlife Refuge in Virginia as the Elizabeth Hartwell Mason Neck National Wildlife Refuge; to the Committee on Resources.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. SHADEGG, Mr. PAUL, Mr. MCHENRY, Mr. FORD, Mr. SENSENBRENNER, Mr. WILSON of South Carolina, Mr. SIMMONS, Mr. KENNEDY of Minnesota, Mr. GOODE, Mrs. CUBIN, Mr. MCCAUL of Texas, Mr. HAYWORTH, Mrs. JOHNSON of Connecticut, Mr. ADERHOLT, Mr. RENZI, Mr. WELLER, Mr. GINGREY, Mrs. BLACKBURN, Mr. MILLER of Florida, Mr. FRANKS of Arizona, and Mrs. MILLER of Michigan):

H.R. 3683. A bill to amend the Internal Revenue Code of 1986 to suspend for 30 days the Federal excise taxes on highway motor fuels; to the Committee on Ways and Means.

By Mr. FLAKE (for himself, Mr. SAM JOHNSON of Texas, Mr. WILSON of South Carolina, Mr. KLINE, Mr. MCHENRY, Mr. KING of Iowa, Mr. SHADEGG, Mr. BARRETT of South Carolina, Mr. BISHOP of Utah, Mr. HERGER, Mr. CULBERSON, Mr. TIAHRT, Mr. GOODE, Mr. TANCREDO, Mr. WICKER, Mr. PITTS, Mr. BARTON of Texas, Mr. ISTOOK, Mr. BROWN of South

Carolina, Mr. FEENEY, Mr. CHABOT, Mrs. MYRICK, Mr. GOHMERT, Mr. HENSARLING, Mr. DOOLITTLE, Mr. GINGREY, Mr. FRANKS of Arizona, Mr. PENCE, Mr. WAMP, and Mr. GARRETT of New Jersey):

H.R. 3684. A bill to suspend the Davis-Bacon wage rate requirements for Federal contracts in areas declared national disasters; to the Committee on Education and the Workforce.

By Mr. FOLEY (for himself, Mr. SHAW, Mr. CLYBURN, Mr. FLAKE, Mr. MILLER of Florida, Mr. PAUL, Mr. MANZULLO, Mrs. MALONEY, Mrs. MYRICK, and Mr. BROWN of South Carolina):

H.R. 3685. A bill to reestablish the Federal Emergency Management Agency as an independent establishment in the executive branch; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GERLACH:

H.R. 3686. A bill to amend titles 23 and 49, United States Code, to promote the integration of local land use planning and transportation planning; to the Committee on Transportation and Infrastructure.

By Mr. GUTKNECHT (for himself, Mr. DELAHUNT, and Mr. POE):

H.R. 3687. A bill to authorize appropriations for grants for specialized technical assistance and training to improve the quality of criminal investigation and prosecution of child abuse cases; to the Committee on the Judiciary.

By Mr. ISRAEL:

H.R. 3688. A bill to require the Comptroller General to conduct a study of the consolidation of the refiners, importers, producers, and wholesalers of gasoline with the sellers of such gasoline at retail; to the Committee on Energy and Commerce.

By Mr. MEEK of Florida:

H.R. 3689. A bill to authorize the Secretary of Education to make grants to reduce the size of core curriculum classes in public elementary and secondary schools, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GEORGE MILLER of California (for himself, Mr. KILDEE, Mrs. MCCARTHY, Mr. ANDREWS, Mr. HINOJOSA, Mr. HOLT, Ms. MCCOLLUM of Minnesota, Mr. BARROW, Mr. RYAN of Ohio, Mr. VAN HOLLEN, Ms. SLAUGHTER, Mr. SCOTT of Virginia, Mr. BROWN of Ohio, Mr. DAVIS of Florida, Mr. GRIJALVA, Mr. ETHERIDGE, Mr. MOORE of Kansas, Ms. LEE, Mr. PAYNE, Mr. KENNEDY of Rhode Island, Mr. HIGGINS, Mr. DAVIS of Illinois, Mr. TIERNEY, Mr. MORAN of Virginia, Mr. KUCINICH, Mr. PALLONE, Mrs. DAVIS of California, Mr. BISHOP of New York, Mr. CONYERS, Mr. NADLER, Mr. HOYER, and Mr. MENENDEZ):

H.R. 3690. A bill to provide relief to students, schools, and student borrowers affected by natural disaster; to the Committee on Education and the Workforce.

By Mr. NUNES:

H.R. 3691. A bill to amend the Central Valley Project Improvement Act to provide for improved water management and conservation, and for other purposes; to the Committee on Resources, 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. PALLONE (for himself, Ms. BORDALLO, Mr. CASE, Mr. FARR, and Mr. FILNER):

H.R. 3692. A bill to establish a program within the National Oceanic and Atmospheric Administration and the United States Coast Guard to help identify, determine sources of, assess, reduce, and prevent marine debris and its adverse impacts on the marine environment and navigation safety, in coordination with non-Federal entities, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Resources, 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. PRICE of Georgia:

H.R. 3693. A bill to require the Secretary of Homeland Security to prevent all unlawful entries into the United States by January 1, 2007, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Resources, 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. WU:

H.R. 3694. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide grants to rural counties to ensure they are able to offer a sufficient level of advice and casework services to help veterans learn about and obtain the benefits they have earned, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. LEE (for herself, Mrs. CHRISTENSEN, Mr. GRIJALVA, Mr. SERRANO, Mr. OWENS, Mr. RANGEL, Mrs. JONES of Ohio, Mr. CUMMINGS, Mr. AL GREEN of Texas, Ms. MCKINNEY, Ms. KILPATRICK of Michigan, Mr. SCOTT of Virginia, Mr. CLAY, Mr. MEEKS of New York, Ms. NORTON, Mr. RUSH, Mr. DAVIS of Illinois, Mr. HASTINGS of Florida, Mr. SCOTT of Georgia, Mr. CLEAVER, Mr. PAYNE, Mr. CLYBURN, Ms. WATSON, Ms. CARSON, Mr. FATTAH, Mr. MEEK of Florida, Ms. WATERS, Ms. JACKSON-LEE of Texas, Ms. MILLENDER-MCDONALD, Mr. BISHOP of Georgia, Ms. MOORE of Wisconsin, Mr. WYNN, Mr. CARDIN, Mr. TOWNS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JACKSON of Illinois, Mr. THOMPSON of Mississippi, and Mr. JEFFERSON):

H. Con. Res. 234. Concurrent resolution affirming the obligation and leadership of the United States to improve the lives of the 37,162,000 Americans living in poverty and the 15,600,000 of those who live in extreme poverty; to the Committee on Government Reform.

By Mr. EVANS:

H. Con. Res. 235. Concurrent resolution expressing the sense of the Congress that States should require candidates for driver's licenses to demonstrate an ability to exercise greatly increased caution when driving in the proximity of a potentially visually impaired individual; to the Committee on Transportation and Infrastructure.

By Mr. SMITH of Washington:

H. Con. Res. 236. Concurrent resolution expressing the sense of the Congress that all Americans should program their cell phones and other portable electronic devices to show personal emergency contacts under the acronym ICE (In Case of Emergency) to enable emergency personnel to contact family and friends in the event of an emergency; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOUSTANY (for himself, Mr. BAKER, Mr. JEFFERSON, Mr. JINDAL, Mr. ROGERS of Alabama, Mr. NEY, Mr. ADERHOLT, Mr. PICKERING, Mr. BONNER, Mr. TURNER, Mr. ALEXANDER, Mr. CRAMER, Mr. BACHUS, Mr. YOUNG of Alaska, Mr. EVERETT, Ms. JACKSON-LEE of Texas, and Mr. SHUSTER):

H. Res. 425. A resolution expressing the condolences of the Nation to the victims of Hurricane Katrina, commending the resiliency of the people of the States of Louisiana, Mississippi, and Alabama, and committing to stand by them in the relief and recovery effort; to the Committee on Transportation and Infrastructure. considered and agreed to.

By Mr. HYDE (for himself, Mr. LANTOS, and Mr. DOOLITTLE):

H. Res. 427. A resolution relating to the terrorist attacks against the United States on September 11, 2001; to the Committee on International Relations, and in addition to the Committees on Armed Services, Transportation and Infrastructure, the Judiciary, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HYDE (for himself and Mr. LANTOS):

H. Res. 428. A resolution expressing the sincere gratitude of the House of Representatives to the foreign individuals, organizations, and governments that have offered material assistance and other forms of support to those who have been affected by Hurricane Katrina; to the Committee on International Relations.

By Mr. ABERCROMBIE (for himself and Mr. CASE):

H. Res. 429. A resolution congratulating the West Oahu Little League Baseball team for winning the 2005 Little League Baseball World Series; to the Committee on Government Reform.

By Mr. COLE of Oklahoma:

H. Res. 430. A resolution commending the University of Oklahoma's gymnastics team for winning the 2005 National Collegiate Athletic Association Division I Gymnastics Championship; to the Committee on Education and the Workforce.

By Mr. SWEENEY:

H. Res. 431. A resolution expressing the sense of the House of Representatives that there should be established a Lifelong Learning Week; to the Committee on Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. CARDOZA introduced a bill (H.R. 3695) for the relief of Daniel Acevedo; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Mr. SCHWARZ of Michigan.

H.R. 23: Mr. THOMPSON of Mississippi, Mr. KUHL of New York, and Mr. BISHOP of Utah.

H.R. 42: Mr. NORWOOD.

H.R. 63: Mr. KENNEDY of Rhode Island.

H.R. 97: Mr. PRICE of North Carolina.
H.R. 111: Ms. SCHWARTZ of Pennsylvania.
H.R. 127: Mr. RYAN of Ohio.
H.R. 128: Mr. PRICE of North Carolina.
H.R. 133: Mr. SCOTT of Georgia.
H.R. 215: Mr. VAN HOLLEN.
H.R. 220: Ms. NORTON.
H.R. 226: Mr. UDALL of Colorado.
H.R. 239: Mr. KING of Iowa.
H.R. 269: Ms. HARRIS, Mr. REYES, and Mr. MCINTYRE.
H.R. 294: Mr. MICHAUD.
H.R. 303: Mr. JINDAL, Mr. PETRI, Mrs. MUSGRAVE, Mr. GOODLATTE, and Mr. LEACH.
H.R. 305: Mrs. WILSON of New Mexico.
H.R. 354: Mr. SHERMAN and Mr. GERLACH.
H.R. 363: Mr. LARSON of Connecticut, Mr. THOMPSON of Mississippi, Mr. ALLEN, and Mr. HIGGINS.
H.R. 371: Ms. SLAUGHTER.
H.R. 500: Mr. CAMP.
H.R. 503: Mr. LYNCH and Mr. DAVIS of Florida.
H.R. 515: Mr. HINOJOSA and Ms. WASSERMAN SCHULTZ.
H.R. 552: Mr. WESTMORELAND, Mr. HAYES, and Mr. MICA.
H.R. 602: Mr. BURGESS, Ms. MILLENDER-MCDONALD, Mrs. NAPOLITANO, Mr. ANDREWS, and Mr. GREEN of Wisconsin.
H.R. 609: Ms. ROS-LEHTINEN and Mr. LEWIS of Kentucky.
H.R. 691: Mr. FORTUÑO.
H.R. 699: Mr. ANDREWS, Mr. SHIMKUS, and Mr. FOSSELLA.
H.R. 771: Mr. TIERNEY.
H.R. 799: Mr. LEWIS of Georgia.
H.R. 856: Mr. PICKERING, Mr. SCOTT of Virginia, and Mr. POMEROY.
H.R. 867: Mr. GRIJALVA, Ms. MCCOLLUM of Minnesota, and Mr. SMITH of Washington.
H.R. 874: Mr. BEAUPREZ.
H.R. 881: Mr. KUHL of New York, Mr. MOORE of Kansas, Mr. FILNER, Mr. FOLEY, Mr. MICA, and Mr. HASTINGS of Washington.
H.R. 884: Mr. WU, Mr. FILNER, Ms. VELÁZQUEZ, Mr. STARK, Ms. SCHAKOWSKY, Ms. ZOE LOFGREN of California, Mr. LARSEN of Washington, Ms. DELAURO, Mrs. CAPPS, Ms. WASSERMAN SCHULTZ, and Mr. ENGEL.
H.R. 888: Mr. JENKINS.
H.R. 896: Mr. WATT, Mr. FILNER, Mr. WAMP, Mrs. TAUSCHER, Mr. OWENS, Mr. BOUCHER, and Mr. SABO.
H.R. 916: Mr. MOLLOHAN, Mr. FARR, Mrs. EMERSON, Mr. ROTHMAN, Mr. CUMMINGS, Mrs. DRAKE, Mr. SHUSTER, Mr. HONDA, and Mr. HIGGINS.
H.R. 949: Mr. PLATTS, Mr. ORTIZ, Mr. FILNER, Mr. STARK, Ms. ZOE LOFGREN of California, and Mr. FRANK of Massachusetts.
H.R. 985: Mr. BOUCHER.
H.R. 986: Mr. EHLERS and Mr. MICHAUD.
H.R. 1010: Mr. SOUDER and Mr. REYNOLDS.
H.R. 1059: Mr. RANGEL and Mr. BROWN of Ohio.
H.R. 1105: Mr. PASTOR.
H.R. 1120: Mr. LEWIS of Georgia and Mr. WELDON of Pennsylvania.
H.R. 1126: Mr. EVANS.
H.R. 1131: Mr. CALVERT, Mr. VAN HOLLEN, and Mr. PRICE of North Carolina.
H.R. 1146: Mr. HERGER.
H.R. 1200: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1202: Mr. MANZULLO.
H.R. 1214: Mr. ANDREWS.
H.R. 1258: Mr. PETERSON of Minnesota.
H.R. 1262: Ms. SLAUGHTER.
H.R. 1298: Mr. FOLEY, Mr. FARR, Mr. GOODE, Mr. LATOURETTE, Mr. HASTINGS of Washington, and Mr. PETERSON of Minnesota.
H.R. 1300: Mr. PAYNE.
H.R. 1306: Mr. MCCAUL of Texas, Ms. MATSUI, Mr. ROYCE, and Mrs. BONO.
H.R. 1329: Mr. ROSS, Mr. ANDREWS, and Mr. BASS.
H.R. 1333: Mr. MOLLOHAN, Mr. ROTHMAN, and Mr. DENT.
H.R. 1355: Mr. PETERSON of Minnesota.
H.R. 1357: Mr. SODREL.
H.R. 1366: Mr. MORAN of Kansas, and Mr. REYES.
H.R. 1418: Mr. FRANK of Massachusetts.
H.R. 1456: Mr. PLATTS.
H.R. 1498: Mr. HASTINGS of Florida, Mr. BOSWELL, Ms. CORRINE BROWN of Florida, Mr. PASTOR, Ms. LINDA T. SÁNCHEZ of California, and Mr. MARSHALL.
H.R. 1518: Mr. FORD, Mr. KENNEDY of Minnesota, and Mr. OWENS.
H.R. 1534: Mr. MARSHALL.
H.R. 1535: Mr. MARSHALL.
H.R. 1536: Mr. MARSHALL.
H.R. 1547: Mr. PRICE of North Carolina.
H.R. 1554: Mr. MILLER of North Carolina.
H.R. 1588: Mr. LEACH, Mr. PALLONE, and Mr. BERRY.
H.R. 1594: Mr. RYUN of Kansas.
H.R. 1602: Mr. GRIJALVA, Mr. KING of New York, Mr. DAVIS of Alabama, Mr. PLATTS, Mr. TANCREDO, Mr. FILNER, Mr. GERLACH, Mr. LEWIS of Kentucky, Mr. FOLEY, Mr. LATOURETTE, Mr. DAVIS of Florida, Mr. WAMP, Mr. HAYES, Mr. PASTOR, Mr. GENE GREEN of Texas, Mr. BARTLETT of Maryland, Mr. DREIER, Ms. BERKLEY, Mr. MANZULLO, Mr. PITTS, and Mr. GARY G. MILLER of California.
H.R. 1615: Mr. KENNEDY of Rhode Island, Mr. LANTOS, Mr. MCGOVERN, Mr. HINCHEY, and Mr. PRICE of North Carolina.
H.R. 1621: Mr. MARKEY, Mr. STUPAK, and Mr. ALEXANDER.
H.R. 1632: Mr. WYNN.
H.R. 1636: Mr. PETERSON of Minnesota.
H.R. 1651: Mr. FORD and Mr. WAMP.
H.R. 1652: Mr. PRICE of North Carolina and Mr. MOORE of Kansas.
H.R. 1668: Mr. HASTINGS of Florida, Mrs. CHRISTENSEN, and Mr. ROTHMAN.
H.R. 1671: Ms. SCHWARTZ of Pennsylvania.
H.R. 1688: Mr. PASCRELL.
H.R. 1704: Mr. KUCINICH, Mr. FRANKS of Arizona, Mr. PLATTS, Mr. WELDON of Pennsylvania, and Mr. ISSA.
H.R. 1709: Ms. MCKINNEY, Mr. CUMMINGS, Mr. FRANK of Massachusetts, Mr. PALLONE, Mr. SHERMAN, and Mr. MEEKS of New York.
H.R. 1748: Mr. INGLIS of South Carolina.
H.R. 1772: Mr. CANNON.
H.R. 1790: Mr. PETERSON of Minnesota.
H.R. 1898: Mr. GIBBONS, Mr. BARTLETT of Maryland, Mr. SHAYS, Mr. HUNTER, Mr. TANCREDO, Mr. RYUN of Kansas, Mr. JONES of North Carolina, and Mr. BEAUPREZ.
H.R. 1951: Mr. JEFFERSON, Mrs. JONES of Ohio, Mr. GOODE, Mr. RAMSTAD, Mr. BRADLEY of New Hampshire, and Mr. BASS.
H.R. 1973: Ms. ZOE LOFGREN of California.
H.R. 2043: Mr. WYNN.
H.R. 2048: Ms. SOLIS, Mr. CUMMINGS, Mr. ROTHMAN, Mr. GOODLATTE, Mr. WYNN, and Mr. BARTLETT of Maryland.
H.R. 2049: Mr. HERGER and Mr. GARY G. MILLER of California.
H.R. 2076: Mrs. MALONEY and Mr. REYES.
H.R. 2106: Mr. BISHOP of Utah, Mr. MATHESON, and Mr. PETERSON of Minnesota.
H.R. 2186: Mr. PETERSON of Minnesota.
H.R. 2229: Mr. CALVERT and Mr. WALSH.
H.R. 2238: Mr. HIGGINS, Mr. FORD, and Mr. TIERNEY.
H.R. 2290: Ms. HARRIS.
H.R. 2308: Mr. FRANK of Massachusetts.
H.R. 2317: Mrs. NAPOLITANO, Mr. WILSON of South Carolina, Mrs. BONO, Mr. FARR, Mr. HIGGINS, Mr. YOUNG of Alaska, Mr. TOWNS, Mr. GILCHREST, and Mr. BISHOP of Georgia.
H.R. 2350: Mr. PETERSON of Minnesota.
H.R. 2365: Mr. CONYERS, Mr. HOLDEN, and Mr. EMANUEL.
H.R. 2369: Mr. MCCOTTER, Mr. BOEHLERT, and Mr. ETHERIDGE.
H.R. 2386: Mr. RANGEL, Mr. WESTMORELAND, Mr. LIPINSKI, Mr. RYUN of Kansas, Mr. GRAVES, Mr. LANGEVIN, Mr. HOLDEN, Mr. HOYER, and Mr. FRANK of Massachusetts.
H.R. 2409: Mr. GEORGE MILLER of California.
H.R. 2410: Ms. MOORE of Wisconsin.
H.R. 2423: Mr. PETERSON of Minnesota.
H.R. 2498: Mr. WILSON of South Carolina, Mr. COSTA, Mr. PRICE of North Carolina, and Mr. EVANS.
H.R. 2525: Mr. WALDEN of Oregon.
H.R. 2564: Mr. MEEKS of New York.
H.R. 2637: Mr. OLVER.
H.R. 2662: Ms. DEGETTE, Mr. MORAN of Virginia, Mr. THOMPSON of California, Mr. GERLACH, Mrs. NAPOLITANO, Mr. LEVIN, and Ms. CORRINE BROWN of Florida.
H.R. 2671: Mr. ROTHMAN.
H.R. 2717: Mr. SALAZAR, Mr. SCHWARZ of Michigan, Mr. MURTHA, Mr. MCDERMOTT, Mr. COSTELLO, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. TAUSCHER, Mr. SMITH of New Jersey, Mr. LIPINSKI, Mr. STARK, Ms. DELAURO, Mr. DOYLE, Ms. ZOE LOFGREN of California, and Mr. LEVIN.
H.R. 2799: Mr. WYNN, Mr. GRIJALVA, Mr. SCHIFF, Mr. CALVERT, and Mr. GENE GREEN of Texas.
H.R. 2803: Mr. BAKER, Mr. DAVIS of Tennessee, Ms. WATERS, Mr. EDWARDS, Mr. PLATTS, Mr. OTTER, and Mr. FORD.
H.R. 2807: Mr. FORD.
H.R. 2822: Mr. DOGGETT and Mr. GOODE.
H.R. 2869: Mr. DEFAZIO and Mr. FRANK of Massachusetts.
H.R. 2870: Mr. SHERMAN.
H.R. 2872: Ms. WASSERMAN SCHULTZ, Mr. SERRANO, Mr. JONES of North Carolina, Mr. SHAYS, Mr. FORTUÑO, Mr. SCOTT of Georgia, Mr. WILSON of South Carolina, Mr. FILNER, Ms. HARRIS, Mr. DAVIS of Kentucky, Mr. MOORE of Kansas, Mr. SENSENBRENNER, Mr. SHERMAN, Mr. FEENEY, Mr. LANGEVIN, Mr. DENT, Mr. OTTER, Mr. ANDREWS, Mr. CHABOT, Mr. MENENDEZ, Mr. COSTA, Mr. LATOURETTE, Mr. MICHAUD, and Mr. LEWIS of Georgia.
H.R. 2926: Mr. BOUCHER.
H.R. 2939: Mr. HINCHEY, Mrs. DAVIS of California, Mr. GRIJALVA, Ms. ESHOO, and Mr. SHAYS.
H.R. 2943: Mr. KIND, Mr. LANTOS, Mr. FILNER, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2989: Mr. EHLERS, Mrs. NORTHUP, Mr. NORWOOD, Mr. MICHAUD, Mr. MCGOVERN, Mr. CRAMER, Mr. LEACH, Mr. HOLDEN, Mr. HONDA, Mr. OTTER, Ms. HARRIS, and Mr. HIGGINS.
H.R. 3034: Mr. FRANK of Massachusetts.
H.R. 3046: Mr. MCHUGH.
H.R. 3082: Mr. FILNER.
H.R. 3085: Mr. LINDER and Mr. NORWOOD.
H.R. 3086: Mr. SANDERS, Ms. SLAUGHTER, and Ms. ZOE LOFGREN of California.
H.R. 3096: Mr. PAYNE.
H.R. 3103: Mr. BACA and Mr. MCCOTTER.
H.R. 3143: Mr. KENNEDY of Minnesota.
H.R. 3144: Mr. TAYLOR of Mississippi.
H.R. 3145: Mr. CLAY, Mr. KIRK, Mr. MOORE of Kansas, Mr. COSTA, Mr. MCCOTTER, and Mr. SHIMKUS.
H.R. 3150: Mr. ISTOOK, Mr. GUTKNECHT, Mr. GOODE, Mr. CULBERSON, Mr. WAMP, Mr. PRICE of North Carolina, Mr. LUCAS, Mr. HERGER, Mr. SHADEGG, Mr. MCHENRY, Mr. SODREL, Mr. RYUN of Kansas, Mr. PITTS, Mr. BROWN of South Carolina, Ms. FOXX, Mr. WESTMORELAND, Mr. CHABOT, Mr. MCCAUL of Texas, Mr. SAM JOHNSON of Texas, Mr. KLINE, and Mr. BISHOP of Utah.
H.R. 3159: Mr. SIMMONS, Mr. KENNEDY of Rhode Island, and Mr. SHAYS.
H.R. 3183: Mr. TANCREDO and Mr. SALAZAR.
H.R. 3189: Mr. TANCREDO and Mr. MARKEY.
H.R. 3255: Mr. BOUCHER.
H.R. 3260: Mr. OBERSTAR.
H.R. 3263: Ms. ESHOO and Mr. FRANK of Massachusetts.
H.R. 3279: Mr. DAVIS of Kentucky.
H.R. 3300: Mrs. EMERSON.
H.R. 3304: Mr. CANNON and Mr. TERRY.
H.R. 3321: Mr. MCGOVERN and Mr. LYNCH.

H.R. 3323: Mr. GENE GREEN of Texas, Ms. PRYCE of Ohio, Ms. DEGETTE, Mr. KENNEDY of Rhode Island, Mr. MOORE of Kansas, Ms. SCHAKOWSKY, and Mr. LEWIS of Kentucky.

H.R. 3326: Mr. BOEHLERT, Mr. MICHAUD, Ms. DELAURO, Mr. HINCHEY, Mr. OWENS, Ms. LEE, Mr. CUMMINGS, Mr. KENNEDY of Rhode Island, Ms. ESHOO, Ms. LINDA T. SÁNCHEZ of California, and Mr. FRANK of Massachusetts.

H.R. 3352: Mr. MCDERMOTT and Mr. ROGERS of Kentucky.

H.R. 3360: Mr. RAMSTAD and Mr. LEACH.

H.R. 3361: Mr. LANGEVIN.

H.R. 3372: Mr. OTTER and Mr. RAMSTAD.

H.R. 3373: Mrs. CAPPS, Mr. JEFFERSON, Mr. TAYLOR of Mississippi, Mr. MARSHALL, Ms. BALDWIN, Mr. CLAY, Mr. SCHWARZ of Michigan, Mr. BISHOP of New York, Mr. MOORE of Kansas, Mr. GILCHREST, Mr. BOUCHER, Mr. SIMPSON, Mr. ANDREWS, Mr. JONES of North Carolina, Mr. FORD, Mr. BUTTERFIELD, Mr. CASE, and Mr. YOUNG of Florida.

H.R. 3401: Mr. WOLF and Mr. BACHUS.

H.R. 3403: Mr. SOUDER, Mrs. NORTHUP, and Mr. SAM JOHNSON of Texas.

H.R. 3405: Mr. BACHUS, Mr. KUHL of New York, Mr. CUELLAR, Mr. HERGER, Mr. MACK, Mr. DOOLITTLE, Mr. MCGOVERN, Ms. HARRIS, Mr. RAMSTAD, Mr. OSBORNE, Mr. SCHWARZ of Michigan, Mr. GUTKNECHT, Mr. HAYES, Mr. SALAZAR, Mr. CHANDLER, Mr. GENE GREEN of Texas, Mr. LATHAM, Mrs. JO ANN DAVIS of Virginia, and Mr. GORDON.

H.R. 3427: Mr. OWENS, Mr. GILCHREST, Mr. MOORE of Kansas, Mr. GOODE, and Mr. BOSWELL.

H.R. 3436: Mr. NORWOOD, Mr. BAKER, Mr. SODREL, Mr. MILLER of Florida, and Mr. BRADLEY of New Hampshire.

H.R. 3478: Mr. SIMMONS.

H.R. 3532: Mr. LEVIN, Mr. DINGELL, and Mr. EHLERS.

H.R. 3548: Mr. KING of New York, Mr. RANGEL, Mr. NADLER, Mr. WEINER, and Mrs. MCCARTHY.

H.R. 3579: Mr. FILNER, Mr. GUTIERREZ, Ms. CORRINE BROWN of Florida, Mr. CONYERS, Mr. VAN HOLLEN, Ms. HERSETH, and Mr. PAUL.

H.R. 3585: Mr. BRADLEY of New Hampshire.

H.R. 3604: Mr. GENE GREEN of Texas.

H.R. 3612: Mr. MOORE of Kansas.

H.R. 3613: Mr. INGLIS of South Carolina.

H.R. 3656: Mr. DOYLE, Mr. CLEAVER, Ms. WATSON, Mrs. CAPPS, Ms. WASSERMAN SCHULTZ, Mr. JEFFERSON, Mr. GENE GREEN of Texas, Ms. SCHAKOWSKY, Mr. HOYER, Mr. MCGOVERN, Mr. RANGEL, Mr. CONYERS, Mr. MURTHA, Mr. CLAY, Mr. MELANCON, Mr. MENENDEZ, and Mr. RAHALL.

H.R. 3659: Mr. LIPINSKI, Mr. NADLER, Mr. CAPUANO, Mr. HONDA, Ms. CORRINE BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DEFAZIO, Mr. CUMMINGS, Mr. LARSEN of Washington, Ms. MILLENDER-MCDONALD, Mr. BAIRD, Ms. BERKLEY, and Mr. RAHALL.

H.J. Res. 55: Mr. RANGEL, Mr. PAYNE, Mr. NADLER, Mr. FILNER, Ms. CARSON, Ms. WATSON, Mr. HONDA, Mr. MCNULTY, and Mrs. CAPPS.

H.J. Res. 57: Mr. GORDON.

H.J. Res. 61: Mr. ROGERS of Michigan, Mr. TOWNS, Ms. KAPTUR, Mr. DUNCAN, Mr. BRADY of Pennsylvania, Mr. ACKERMAN, Mr. REYES, Mr. SODREL, Mr. MORAN of Virginia, Mr. MCINTYRE, Mr. DINGELL, Mr. MARSHALL, Mr. ISTOOK, Mr. BROWN of South Carolina, Mr. WESTMORELAND, Mr. CHABOT, Mr. CANTOR, Mr. FLAKE, Mr. BISHOP of Utah, Mr. MCHENRY, Mr. HOSTETTLER, Mr. ISSA, Mr. TANCREDO, and Mr. MILLER of North Carolina.

H. Con. Res. 23: Mr. RYAN of Ohio.

H. Con. Res. 106: Mr. KLINE and Mr. BAKER.

H. Con. Res. 120: Mr. ANDREWS.

H. Con. Res. 179: Mr. MOORE of Kansas and Mr. OXLEY.

H. Con. Res. 197: Ms. NORTON, Mr. ABERCROMBIE, and Mr. VAN HOLLEN.

H. Con. Res. 215: Mr. MARKEY.

H. Con. Res. 221: Mr. GARY G. MILLER of California.

H. Res. 61: Mr. FARR.

H. Res. 85: Ms. GRANGER.

H. Res. 276: Mr. MCCOTTER, Mr. SABO, Mr. SIMMONS, Mr. HINOJOSA, Mr. COBLE, Mr. RUPPERSBERGER, Mr. GORDON, Ms. DELAURO, Mr. MCDERMOTT, Mr. OBERSTAR, Mr. GREEN of Wisconsin, Mr. TIBERI, Mr. VAN HOLLEN, Mr. MEEHAN, and Mr. FRANK of Massachusetts.

H. Res. 295: Mr. CUMMINGS.

H. Res. 316: Mr. BARROW, Mrs. CAPPS, and Mr. MORAN of Kansas.

H. Res. 317: Ms. ZOE LOFGREN of California.

H. Res. 367: Mr. CROWLEY, Mr. PRICE of North Carolina, and Mr. VAN HOLLEN.

H. Res. 368: Mr. PRICE of North Carolina, Mr. HIGGINS, Mrs. DAVIS of California, Mr. GARRETT of New Jersey, Mr. ISRAEL, Mr. TANCREDO, Ms. WATSON, Mr. DAVIS of Tennessee, Mr. FOSSELLA, Mr. KIRK, Mr. NEAL of Massachusetts, Mr. VAN HOLLEN, Mr. CHANDLER, Mr. WEINER, and Mr. GENE GREEN of Texas.

H. Res. 371: Mr. INGLIS of South Carolina.

H. Res. 375: Mr. LARSEN of Washington, Mrs. CAPPS, Mr. BAIRD, and Ms. ESHOO.

H. Res. 382: Ms. SOLIS, Mr. GONZALEZ, and Mr. CARNAHAN.

H. Res. 389: Mr. ABERCROMBIE, Mr. ALEXANDER, Ms. BALDWIN, Mr. BECERRA, Mr. BERMAN, Mr. BOEHLERT, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDOZA, Mr. CASE, Mr. CHANDLER, Mrs. CHRISTENSEN, Mr. CONYERS, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DELAHUNT, Ms. DELAURO, Mr. DICKS, Mr. ENGEL, Mr. ENGLISH of Pennsylvania, Mr. ETHERIDGE, Mr. FARR, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. GONZALEZ, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. HINCHEY, Mr. HOLDEN, Mr. HOLT, Mr. INSLEE, Mrs. JOHNSON of Connecticut, Ms. KAPTUR, Mr. LARSEN of Washington, Ms. LEE, Mrs. LOWEY, Mrs. MALONEY, Mr. MARKEY, Ms. MATSUI, Ms. MCCOLLUM of Minnesota, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCHUGH, Mr. MEEHAN, Mr. MEEK of Florida, Mr. MEEKS of New York, Mr. MENENDEZ, Mr. MOORE of Kansas, Mr. MORAN of Virginia, Mr. NADLER, Mr. NEAL of Massachusetts, Mr. OBERSTAR, Mr. OWENS, Mr. PAYNE, Mr. RANGEL, Mr. REYES, Mr. ROSS, Mr. RUSH, Mr. RYAN of Ohio, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. SHIMKUS, Mr. SMITH of Washington, Ms. SOLIS, Mr. SPRATT, Mr. THOMPSON of California, Mr. TOWNS, Mr. WAXMAN, Mr. WEINER, Mr. WEXLER, and Ms. WOOLSEY.

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. 1642: Mr. WILSON of South Carolina.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 3673

OFFERED BY: MR. TANCREDO

AMENDMENT NO. 1: At the end (before the short title), insert the following new title:

TITLE __—ESTABLISHMENT OF SELECT COMMITTEE

SEC. __. There is established a select committee to investigate and oversee the awarding and execution of contracts for relief and reconstruction activities in areas affected by hurricane Katrina.

SEC. __. The select committee shall conduct an ongoing study and investigation of the awarding and carrying out of contracts by the Government for relief and reconstruction activities in areas affected by Hurricane Katrina, and to make such recommendations to the House as the select committee deems appropriate regarding the following matters—

(1) oversight procedures for the awarding of contracts and distribution of appropriated funds;

(2) bidding, contracting, and auditing standards in the issuance of government contracts;

(3) accountability of contractors and Federal, State, and local government officials involved in procurement;

(4) penalties for violations of law, official corruption, and abuses in the awarding or carrying out of government contracts; and

(5) such other matters as the select committee deems appropriate.

SEC. __. The select committee shall be composed of 15 individuals, to be appointed by the Speaker of the House (of whom 7 shall be appointed upon the recommendation of the minority leader), one of whom shall be designated as chairman. Any vacancy occurring in the membership of the select committee shall be filled in the same manner in which the original appointment was made.

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

(b) One-third of the members of the select committee shall constitute a quorum for the transaction of business except for the reporting of the results of its study and investigation (with its recommendations) or the authorization of subpoenas, which shall require a majority of the committee to be actually present.

(c) A subpoena may be authorized and issued by the select committee in the conduct of any investigation or series of investigations or activities only when authorized by 8 members of the select committee. Authorized subpoenas shall be signed by the chairman or by any member designated by the select committee, and may be served by any person designated by the chairman or such member. Subpoenas shall be issued under the seal of the House and attested by the Clerk. The select committee may request investigations, reports, and other assistance from any agency of the executive, legislative, or judicial branch of the Government.

(d) The chairman, or in his absence a member designated by the chairman, shall preside at all meetings and hearings of the select committee. All meetings and hearings of the select committee shall be conducted in open session, unless 8 members of the select committee vote to close a meeting or hearing.

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

(f) The select committee shall adopt additional written rules, which shall be public, to govern its procedures, which shall not be inconsistent with this title or the Rules of the House of Representatives.

SEC. __. (a) The select committee staff shall be appointed, and may be removed, by

the chairman and shall work under the general supervision and direction of the chairman.

(b) The chairman shall fix the compensation of all staff of the select committee within the budget approved for such purposes for the select committee.

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

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

(e) The select committee shall cease to exist at the close of the 109th Congress.

SEC. __. (a) The select committee shall provide quarterly reports to the House containing the results of its study and investigation, with its recommendations. Any report made by the select committee when the House is not in session shall be filed with the Clerk of the House. Any report made by the select committee shall be referred to the committee or committees that have jurisdiction over the subject matter of the report.

(b) Upon the dissolution of the select committee, the records, files, and materials of the select committee shall be transferred to the Clerk of the House.

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Senate

The Senate met at 10:30 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, King of kings and Lord of lords, we thank You today for the gift of exemplary living, particularly as we remember our Supreme Court's 16th Chief Justice, William Rehnquist. We received inspiration from his commitment to public service and from his desire to invest his life in things that flourish beyond his lifetime. We were challenged by his willingness to choose duty over personal comfort.

As many mourn his death, remind us that one day we must all stand before Your judgment seat, for You are the Chief Judge of the universe. May the reality of our accountability to You prompt us to live our lives for Your glory.

Empower each Senator to listen to the whisper of conscience as he or she labors for liberty. May his or her first priority be to live for Your honor. Give all of us the power to rule our spirits so that we may fulfill Your purpose for our lives.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

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

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business until 12 noon with the time equally divided and Senators permitted to speak therein for up to 10 minutes each.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, just a short while ago, the Senate proceeded as a body to the U.S. Supreme Court to pay final respect to the late Chief Justice William Rehnquist. We continue this morning with tributes to the Chief Justice. Senators will be able to come to the Senate floor until 12 noon to make those statements.

ORDER OF PROCEDURE

I ask unanimous consent that at 12 noon today, the Senate proceed to a vote on the adoption of a resolution honoring the life of Chief Justice Rehnquist.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. FRIST. Mr. President, Senators should be aware that the next vote will occur at noon today. The Senate will also recess early this afternoon during the funeral for Chief Justice Rehnquist as a further mark of respect. If necessary, we will return to session later today to consider any additional Katrina-related legislation or tributes.

This week, we also anticipate a further supplemental appropriations bill relative to the efforts in our Gulf States. We will consider that bill as expeditiously as possible to continue the recovery and rescue efforts.

Finally, I remind my colleagues that tomorrow we will begin consideration of the Commerce-Justice-Science appropriations bill. The measure has important hurricane-related issues, including small business disaster loans and Justice Department law enforcement assistance grants. Votes will occur during the remainder of the week as we consider these matters.

HONORING CHIEF JUSTICE WILLIAM H. REHNQUIST

Mr. FRIST. Mr. President, last Saturday, in the wake of one terrible loss, our Nation suffered another loss, a quiet loss but one that was also deeply felt across the land. We learned that William H. Rehnquist, the 16th Chief Justice of the United States, had passed away. Karen and I and the entire Senate family extend our deepest sympathies to his family and to his friends. Our Nation mourns the loss of a great leader.

William Rehnquist was an American hero—a World War II veteran, a lifelong public servant, a brilliant legal mind, and a jurist of historic consequence. He was an inspiration to all who knew him. This was especially true in his final months as he stoically fought the cancer that would eventually claim his life.

Since October 2004, when the Chief Justice announced he had thyroid cancer, his chin remained up and his mind focused and devoted. Today, that optimism, that determination, that strength of spirit in purpose remain an encouragement to us all.

I feel privileged to have had the opportunity to get to know William Rehnquist during my tenure in the Senate. I am honored to call him a friend. But even more, perhaps the most one can say of any leader, I simply feel blessed to have lived in his time and in the country that so benefited from his wisdom.

William Rehnquist was born on October 1, 1924, in Milwaukee, WI. The son of William Benjamin Rehnquist, a

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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paper salesman, and Margery Peck Rehnquist, a multilingual translator, he spent his childhood in the Milwaukee suburb of Shorewood, WI, where he attended public schools. Even as a young student, William Rehnquist expressed interest in public service, telling others he wanted to ''change the government.'' Well, he did exactly that.

William Rehnquist grew up in an era marked by grave challenges and extraordinary triumphs. He saw our Nation rise from the depths of the Great Depression to defeat the threat of Nazi Germany and Imperial Japan.

On December 7, 1941, when Pearl Harbor was bombed, William Rehnquist was 17 years old. Shortly thereafter, he signed up to fight, joining the Army Air Corps, serving at home and abroad from 1943 to 1946.

After the Armed Forces, with the help of the GI bill, William Rehnquist went on to college. At Stanford, he earned a bachelor's and master's degree in political science and graduated Phi Beta Kappa. But his academic journey was far from over.

He took a brief hiatus from Stanford, heading east to Harvard for a second master's degree, this time in government. In 1950, he returned to Stanford ready for law school and the defining point in his life. From Stanford, William Rehnquist would graduate first in his class that included none other than his future colleague on the high Court, Sandra Day O'Connor.

As a law student, he was known for his astute ability to defend conservatism and for his bright legal mind. One of his professors described William Rehnquist as ''the outstanding student of his law school generation.'' This same professor would later introduce him to Supreme Court Justice Robert Jackson. In a private interview, William Rehnquist convinced Justice Jackson to award him with a coveted clerkship with the Supreme Court, despite Rehnquist's initial thoughts that he had been ''written [off] as a total loss'' by Justice Jackson.

After completing his clerkship, he married Natalie Cornell. The coupled settled in Phoenix, where they raised three children—James, Janet, and Nancy—and where Justice Rehnquist would practice law for 16 years.

As a young lawyer, William Rehnquist was known to wear loud shirts and ties, prompting even President Nixon to refer to him as ''the guy dressed like a clown.'' But clearly, Nixon was impressed by what he saw on the inside of the young lawyer from Phoenix. President Nixon selected Rehnquist to serve as the Assistant Attorney General for the Department of Justice's Office of Legal Counsel.

In 1971, President Nixon nominated William Rehnquist again, this time to replace Justice John Marshall Harlan as an Associate Justice on the Supreme Court. William Rehnquist was overwhelmingly confirmed by a Democratic Senate by a vote of 68 yeas and 26 nays.

In 1986, President Regan nominated Justice Rehnquist as Chief Justice, and the Senate, by a wide margin once again, confirmed him to serve as the 16th Chief Justice of the highest Court in the land. Today, I echo what my good friend and former colleague Senator Bob Dole said of the Chief Justice during that confirmation debate now two decades ago. He was a man of ''unquestioned integrity, incorruptibility, fairness, and courage.''

During my tenure in the Senate, I had the privilege of getting to know the Chief Justice, or ''the Chief'' as the law clerks called him. And since our first introduction, I found William Rehnquist to be thoughtful, intelligent, and, I must say, quite humorous.

A skilled writer and avid historian, Chief Justice Rehnquist is the author of a number of books on Supreme Court history and the American legal system. Many articles have been written about William Rehnquist and his successes as Chief Justice of the United States, and in almost every one of these articles, he is praised for his superb ability to efficiently manage the Court.

Speaking to this point, Supreme Court Justice Byron R. White once said:

> I have never ceased to marvel how one person could possibly carry out all of the tasks given the Chief Justice and yet also decide cases and write opinions as the rest of us do. Yet Chief Justices do them with regularity and, of the three Chief Justices with whom I have served, the man who now sits in the center chair in the courtroom . . . seems to me to be the least stressed by his responsibilities and to be the most efficient manager of his complicated schedule.

A former adviser to the Chief Justice said that Justice White's comments mirrored his own observations. He said that William Rehnquist's rigorous work ethic and dedication to efficiency is reflected on his staff, which he, in fact, reduced when he became Chief Justice, relying on only three clerks, although he was authorized to have four.

The former adviser described William Rehnquist as a man who could do twice the work of the average judge in half the time. Having worked alongside William Rehnquist on the Smithsonian's Board of Regents, I couldn't agree more. I treasure the days we spent together on this Board of Regents. In his capacity as the chancellor of the Smithsonian, he served as chairman of the Smithsonian's Board of Regents. I, in that capacity, saw firsthand the Chief Justice's commitment to that institution, the Smithsonian, attending every meeting despite his very busy day job at the Court. He even hosted planning meetings for board staff and liaisons of the Supreme Court in the Natalie Cornell Rehnquist Dining Room, named after his late wife of 38 years. Recently, he brought the entire Court to the Smithsonian's American History Museum to see the Brown v. Board of Education exhibit.

As he did on the Court, since the Chief Justice became chancellor, he emphasized the importance of efficient management in the Smithsonian's affairs, and he brought a certain sense of distinction to our work for the Smithsonian. Moreover, he inspired me to always be mindful of our duty to history, our place in preserving the strength of this Nation we serve.

In recent months, while the ongoing debate in the Senate regarding judicial nominations was occurring, I thought a lot about our Federal courts and our judges. I have often wondered what are the most important qualities to look for in an individual who is being considered for a lifetime appointment on the courts. I have looked to the Chief, and I have seen those qualities embodied in his approach to the law—commitment to judicial restraint, fairness, integrity, impartiality, even temperament, openmindedness, and respect for the Constitution and the rule of law.

What is more, William Rehnquist was a man not only of high intellect but common sense—a unique combination reflected in the clarity of his opinions.

I witnessed firsthand William Rehnquist's intelligence, his temperament, and his commitment to equal justice under the law when he became only the second Chief Justice to preside over Presidential impeachment in the trial of President Bill Clinton.

A friend of mine and a former administrative assistant to the Chief Justice said:

> What impressed me most about the manner in which he presided over the impeachment trial was his astute and facile recognition of and respect for the traditions and rules of the Senate. I knew he would provide impartial leadership but he also adjusted his superb management skills appropriately to the Senate's traditions. At the conclusion of the trial he was praised by the Leaders of both parties. It was another demonstration of the rare combination of high intellect and common sense that he possesses.

To this day, my colleagues on both sides of the aisle continue to remember the Chief Justice for his efficient managerial skills and his steadfast respect for the Senate during the impeachment trial. In an atmosphere of partisanship, the Chief Justice was a constant reminder of the solemn legal duties our Constitution requires of the Senate.

The Chief loved the Court. He held a deep respect for the law and its traditions, and in turn his colleagues, even those with different judicial philosophies, held a deep respect for him.

A former colleague who often decided cases differently than the Chief Justice, Justice Harry Blackmun, praised William Rehnquist as a ''splendid administrator'' and often testified to his fairness and commitment to the coherence and cohesion of the Court.

Once the Court's leading liberal, Justice William Brennan called Chief Justice Rehnquist ''the most all-around successful'' Chief that he had known and described him as ''meticulously fair.''

Another liberal on the Court, Justice Thurgood Marshall, described him as ''a great Chief Justice.''

In his 19 years as Chief Justice of the highest Court in the land, Chief Justice Rehnquist never placed himself on a higher plane than his colleagues. To fellow Justices, his law clerks and secretaries, he was sensitive, humble, and ever respectful.

I am confident that the President's nominee to the Chief Justice's seat, Judge John Roberts, will bring the same dignity to the job and earn the same level of respect from his colleagues. Judge Roberts, after all, learned from the best. From 1980 to 1981, he was clerk to then Associate Justice Rehnquist.

Having come to know John Roberts these last few weeks, there is no doubt in my mind that he has the skill, the mind, the philosophy, and the temperament to lead the Supreme Court.

With his passing over the weekend, the Supreme Court loses one of the most prolific scholars and brilliant legal minds ever to sit on the Federal bench. His passing marks a sad day for America, but it is also a day to reflect on our great fortune to have had William Rehnquist in the service of our Nation.

For over 33 years, Chief Justice Rehnquist generously offered America his brilliant mind, his unwavering leadership, and his fair and impartial judgment. He was the embodiment of all of the ideal qualities of a judge, and his humility, wisdom, and superb managerial skills allowed him to become one of the most memorable, influential, and well-respected Supreme Court Justices in our history.

Many feel that history will remember the Chief for presiding over the Senate during impeachment trials, for his participation in landmark decisions, for his perseverance in fulfilling his duties through ailing health. I believe William Rehnquist will be most remembered for his magnificent leadership and management, his ability to build consensus, his compassion and respect for others, and his fair and impartial review of each and every case that came before the Court. The imprint of William Rehnquist's gavel will not fade fast. No, it is indelibly stamped upon the face of American history and the legacy of the law we uphold. America was blessed to have William Rehnquist as Chief Justice and today he enters the history books as one of the greatest Chief Justices ever to serve on the Supreme Court of the United States.

May God bless William Rehnquist and may God bless the United States of America.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The minority leader is recognized.

HONORING CHIEF JUSTICE WILLIAM H. REHNQUIST

Mr. REID. Mr. President, I was a high school student in a place called Basic High School in Henderson, NV. I was a boy about 16 years old, and Mrs. Robinson came into the classroom. She was a part-time counselor and a full-time government teacher. She pulled me out of the class and she said, I have looked at all of your reports and you should go to law school.

I had never met a lawyer, had never even seen a courthouse, let alone been in one, but I accepted Mrs. Robinson's word that I should go to law school. From that day forward, that is what I set my mind to do. I came back here to go to law school. I was a full-time student at George Washington University, went to school in the daytime and worked as a Capitol policeman in the nighttime.

Still having never been in a courthouse, as a law student in an appellate practice course I was taking, the students were invited to go into the Supreme Court to listen to a Supreme Court argument. I can remember going there. The case the professor chose was not one that sounds very exciting. It certainly did not sound very exciting to me at the time. It did not involve some spectacular criminal case. It involved a case called Baker v. Carr. The first time I was ever in a courthouse I listened to one of the most important, significant Supreme Court arguments in the history of the country because those lawyers debating this case, these issues of law, were there to talk about the one man-one vote doctrine, which the U.S. Supreme Court a few months later, after having heard these arguments, decided that we in the United States would be bound by one man, one vote.

As a result of that, reapportionment took place in State legislatures and, of course, in the United States through the Federal courts. In the States where the legislature did not follow the one man-one vote rule, the courts took over.

As I look back, I was so fortunate to be able to have my first exposure to the law in the place where I later became a member of the Supreme Court bar. Having heard that case is something I will always remember.

I was a trial lawyer, and I have argued cases before the Nevada Supreme Court and the Ninth Circuit, but I never argued a case before the U.S. Supreme Court. I wish I had had that opportunity.

Having heard Baker v. Carr those many years ago, I have never forgotten it. That is why it has been so pleasant for me to develop a personal relationship with some of the Supreme Court Justices, one of whom was the man whose funeral I will go to today at 2, William Rehnquist.

I said earlier and I will say again, I had a tour of duty as chairman of the Democratic Policy Committee and every Thursday there is an off-the-record discussion that takes place in the Senate with Democratic Senators, and we always try to come up with things that will interest the Senators. I said to a number of my colleagues I wanted to invite William Rehnquist to come to the Democratic Policy luncheon and they said, no, he is a dyed-in-the-wool Republican, he is partisan, and he will not come anyway.

I picked up the telephone and in a matter of a minute or two he was on the line. I said, Mr. Justice, would you come to this policy luncheon? You will talk for 5 or 10 minutes, and we will ask questions.

Yes, I would like to do that.

He came over to the LBJ Room, one of the best luncheons we ever had. He answered all the questions. As I reflect on Justice Rehnquist coming to that Democratic Policy luncheon, the thing I remember more than anything else is how funny he was. He was a man physically large in stature with a biting sense of humor.

I felt so comfortable having him preside over the impeachment trial. That was also kind of an awkward time for me. I had just been selected as the assistant Democratic leader. I had this seat right here. I had never sat so close to what was going on before and I felt so uncomfortable sitting here. My first tour of duty in the Senate in that seat was as a Senator as part of the impeachment trial of President Clinton.

Of course, I visited with him, talked to him when he kept getting up. He had a bad back and he suffered a lot from physical pain for many years as a result of his back. He would get up every 20 minutes or so and stand and walk around his chair. I had a number of very nice, warm conversations with him at that time.

The conversation I will remember beyond all other conversations with the Chief Justice, there was so much speculation in the newspapers about he was sick and he was going to step down and would it be this Monday or the next Monday or when was it going to be. So in that I felt comfortable and had spoken to him on the telephone a number of occasions, I called him at his home and I said, I am sorry to bother you at home. He was not well. I said, the simple reason I have called you is to say, do not resign.

He said, I am not going to.

I am not going to talk about all that was said during the call, but I would say he told me he was not going to resign. I will always remember that telephone conversation with the Chief Justice of the United States. I am confident I did the right thing in calling him. I did not tell any of my colleagues. I did not tell my family. I did not tell anybody, but I picked up the telephone and I called him, and I am glad I did.

So I join with the distinguished majority leader in spreading on the record of this Senate the accolades for this good man. He was very politically conservative, so I understand. He served as a lawyer for 16 years after he graduated first in his class at Stanford Law School and I have a great amount of affection for that law school. One of my

boys went to Stanford. It was a wonderful place to go to school. He served in the Army Air Corps. He was Phi Beta Kappa. That was not enough education for him. He got a second master's degree at Stanford after having gotten a master's degree at Stanford.

I am sorry that he is not going to be on the Court any more because I thought he was an outstanding administrator. He spoke for the Federal judges with strength and clarity. When we kept piling stuff on Federal judges to give them jurisdiction and do things, he complained about it. He said they work too hard, they have too much to do. So we are going to miss his voice.

HURRICANE KATRINA AND SENATE AGENDA

Mr. REID. Mr. President, Hurricane Katrina was a tremendous hit to us. When I say ''us,'' I mean the American people. We recognize this administration needs to have a review of what took place. Certainly they have to acknowledge that, but I think it is the wrong thing for the President to be investigating himself. That is basically what he said he was going to do yesterday. Baseball games do not work out very well when you have the man throwing the pitches calling the balls and strikes.

I heard the House is going to start meeting today on actually passing legislative matters that are so important to being able to give relief to these people, but outside the $10.5 billion we did on an emergency basis last Thursday, we have not done anything here legislatively to help the people who are so devastated. It is time we get to work for the gulf coast families.

What does it mean to have lost everything? That is what has happened to tens of thousands of people. They have lost everything. They are at the National Guard Armory sleeping on cots. There are hundreds of them coming from Nevada. The Senator from Arkansas, BLANCHE LINCOLN, indicated yesterday there are about 60,000 evacuees who have come to Arkansas with no jobs, no money, no change of clothes—nothing. They are counting on us, and we in the Senate are not doing anything.

We all care about these victims. This is not a question of who cares the most. But I have to say, and I raise a flag of concern, tomorrow morning we are going to the Commerce, Science, and Justice appropriations bill. Under the rules of the Senate, you are really restricted as to what you can do on an appropriations bill. This appropriations bill is no different. We can do a few little things to help the victims but almost nothing: SBA loans and maybe a few things for law enforcement, but there is nothing that gets the victims the health care, the housing, the education, or the financial relief they need now. We need to adjust our priorities on the floor of the Senate.

If we go to another appropriations bill, the same problems are here. We cannot get to the things that we need to get to, to help these people who are so desperately in need of help. I personally think we should finish the Defense authorization bill. That is what should be called up. Call up the Defense authorization bill. I spoke to the majority leader last week about this and indicated I would talk to Senator LEVIN about how much time he thought it would take. I reported my findings to Senator FRIST. We have to get to the Defense authorization bill. We spent some time on it; a few days, as you will remember. Nothing happened, to speak of. The bill was pulled.

We have hundreds of thousands of people who will be affected by the Defense authorization bill, not only those on the ground as soldiers and marines and airmen and some naval personnel who will be helped, who are on the ground in Afghanistan and Iraq. We have to do it for that reason, but we also have to do it for the hundreds of thousands of veterans who are affected by what we do with the Defense authorization bill, or do not do, and right now we are doing nothing. If we brought up the Defense authorization bill, we could do the things that need to be done to help the victims of Katrina.

What, obviously, is the game plan around here is we will wait on the Defense authorization bill until we are way down the road. Then people will say you are spending too much time on this and you are bringing up matters that are not in keeping with the defense of this country. I think the defense of this country is right now. What we have seen happening in the gulf indicates that we need our soldiers and marines, our military personnel. There are about 60,000 of them down there right now, in those three Gulf States—60,000. The Defense bill is important. Let's bring it up.

If we brought up that bill, there are some things we could do. We could, for example, introduce legislation to reestablish FEMA at the Cabinet level so it is no longer the toothless tiger it has become. We could introduce legislation to establish an independent commission to study what went wrong with Katrina. It is going to happen. There will be an independent commission to study Katrina just like there was an independent commission to study 9/11. The administration fought that and fought that, but it came to be and it was good. Congressman Hamilton and Governor Kean did a wonderful job for the people of America and the world with the work they did. We need a similar bipartisan commission to find out what took place after the storm hit.

There is legislation in which some are interested—including, it is my understanding, Congressional Representatives from Louisiana, and I know I have spoken to Senator KENNEDY about this—to have an independent authority for how we are going to spend maybe as much as $200 billion, $150 billion, to do what needs to be done as a result of that catastrophe, an independent commission like the Tennessee Valley Authority, as an example, so that money is spent in the right way.

What about gas prices? Do we need to take a look at that? Do we need legislation to take a look at that? Of course we do. Of course we do. In one quarter, the last quarter, ExxonMobil's profits were up to $8 billion, one quarter net profit; British Petroleum, $6 billion; Shell, $5.4 billion; ChevronTexaco, $3.7 billion; Conoco, $3.10 billion—their profits up 55 percent; Chevron profits up 13 percent; Shell up 35 percent; British Petroleum, their profits up 37 percent; ExxonMobil up 32 percent.

People are going to fill their vehicles today, and they will wind up spending $100 for a tank of gas—one tank. So having the Defense bill brought up would give us an opportunity to do that. I can't imagine why we can't go to the Defense authorization bill—other than the reasons I just indicated.

There are things we could be doing. The Energy and Water conference, we have been waiting for months to have a conference on that. We can't do that. Why? Because the Senate number is higher than the House number, so the House fixes that. They just won't let us go to conference. Chairman HOBSON is not allowing us to do anything because our number is bigger than theirs.

The American people should understand that part of the Energy and Water subcommittee money that we need to spend is for the Corps of Engineers. It is here and it is in the doldrums, to say the least. Nothing is happening. Why can't we go to conference?

Also, in that the Republicans control the House, the Senate, and the White House, I think we need to revisit this budget and reconciliation. Is it really the time in the history of our country to have, as called for in the documents I have just talked about, $70 billion more in tax cuts? That is what we are being asked to go along with.

On the night we voted on the budget resolution I read a letter from the head of the Lutheran Church, the Methodist Church, mainline Protestant Churches. They said to me: I want you to tell everyone here voting on this—and I read it into the RECORD; they gave it to me in the form of a letter—that the budget document that you are being asked to vote on is ''immoral.'' That is their word, not mine: ''immoral.''

If it was immoral when we passed it, think about it now. We are going to ask for $70 billion more in tax cuts, most of them for the rich, of course; $35 billion in spending cuts, $10 billion alone for Medicaid. In all the pictures on television and the newspapers you see those people who could not get out of the storm because they had no automobiles, there was no public transportation—they were stuck there. The poorest of the poor have been hit the hardest by Katrina. Shouldn't we consider not cutting Medicaid $10 billion?

That is where that money goes, to the poorest of the poor. We cut student loans, food stamps—these are cuts to the very programs the survivors of Katrina need. America can do better.

FEMA and other agencies failed these people, in my opinion. The Senate must not fail the American people. It is time we get to work. I have given some outlines. We as a minority are happy to work with the majority, but I have given an outline of some of the things I think we need to do. The burden is on the majority to do something about this budget and reconciliation because it is on the conscience of the majority. I have to say: $10 billion cuts in Medicaid? More tax cuts? Cutting food stamps? Student loans?

I also say that we have a burden, an obligation to do something about the military that is sacrificing so much. The little, sparsely populated State of Nevada had 24 soldiers killed.

I yield the floor.

The PRESIDING OFFICER (Ms. MURKOWSKI). The Senator from Kentucky.

HONORING CHIEF JUSTICE WILLIAM H. REHNQUIST

Mr. MCCONNELL. Madam President, it is my privilege to join others in discussing the life and career of the late Chief Justice William Rehnquist. Chief Justice Rehnquist was only the 16th Chief Justice in American history. John Jay was the first, sworn in in October of 1789. Many of us had an opportunity to go over and pay our respects, over in the Supreme Court a few moments ago, and had a chance to look at the busts of those Chief Justices.

Chief Justice Rehnquist filled the role defined for him by our Founding Fathers with wisdom and with dignity. Millions of Americans honor him for his legacy of achievement. When I went home last night, I noticed a long line of people waiting to file past the casket and pay their respects to this wonderful man.

I first met the Chief Justice in 1969 here in Washington. At the time, he was Assistant Attorney General for the Office of Legal Counsel. I was a young legislative aide to a Senator named Marlow Cook, who represented the Commonwealth of Kentucky. Senator Cook was on the Judiciary Committee and this was a period in which there were a couple of highly contentious Supreme Court nominations. Judge Clement Haynsworth of the Fourth Circuit, who was subsequently defeated, and District Judge Harold Carlswell from Florida, who was also defeated. So President Nixon had not only one but two nominations at the Supreme Court defeated.

Bill Rehnquist, which is what I called him in those days, was the guy who sort of crafted the speeches and helped us, helped the Republicans and as many Democrats who were interested in supporting those two nominees—helped us craft the speeches and did the important work of helping us express ourselves. My boss ended up supporting Haynsworth and opposing Carlswell, so I was not working with Bill Rehnquist on the second nomination.

He was an extraordinary person: Dedicated, hard-working, the smartest lawyer I had ever been around at that point, and even after all these years I would still say he was the smartest lawyer I had ever been around; a keen intellect with a very sharp mind. He was also, as others have pointed out and will point out this morning, a kind and personable man, which he remained even while rising to the foremost position in American jurisprudence.

After working for Senator Cook, I returned to Kentucky in January of 1971, thinking I was sort of through with Washington. Toward the end of the year, to my surprise and pleasure, President Nixon nominated Bill Rehnquist to be on the Supreme Court. So, on my own nickel, I came back to Washington for a month and worked on his confirmation—just as a volunteer, and did odd jobs and helped do whatever was thought to be appropriate by those who were officially in charge of his confirmation. But it was a thrill to see him confirmed to the Supreme Court.

Later, in 1986, when President Reagan elevated Justice Rehnquist to the Chief Justice position, by then I was a Member of this body and, in fact, a member of the Judiciary Committee. So that was my second opportunity to work on a William Rehnquist nomination to the Supreme Court. Of course, I was proud to be involved in that and very proud to vote to confirm him.

The Chief Justice served our country with his characteristic wisdom and grace. After leading the Court for 19 years, he was the longest-serving Chief Justice since 1910. He was only the fifth Chief Justice in our Nation's history to have previously served as an Associate Justice. He exemplified the highest virtue for a Justice: He entered each case with an open mind, free of bias, never prejudging the case before the decision was made. In fact, some of his decisions over the years surprised observers and proved that he was willing to rethink opinions he may have once held. Actually, that is a good thing.

He reminded us that judges should be like umpires—never taking sides, just fairly applying the rules.

He leaves behind him a legacy that will be studied for generations. I would submit that a chief component of that legacy will be his steering the Supreme Court back toward the principle of federalism, which, alongside separation of powers, stands as one of the two structural principles undergirding our Constitution. Chief Justice Rehnquist expressed that view in dissent after dissent in the early years when he was on the Court until, with time, his dissenting views became majority ones. Because of his clear understanding of the underlying purpose of federalism, he worked to establish a jurisprudence that guards against untrammeled Federal power and helps ensure that decisions that are purely local in nature will remain in the hands of the citizens who must, of course, abide by them.

The Chief Justice earned a reputation for being a fair and even-handed leader of the High Court. Former Justice William Brennan, who was frequently on the opposite side in cases, said Chief Justice Rehnquist was ''meticulously fair in assigning opinions.'' He went on to say that since Rehnquist's ascension to the Chief Justice position, ''I can't begin to tell you how much better all of us feel . . . and how fond all of us are of him personally.'' That was Justice Brennan, with whom Justice Rehnquist rarely agreed.

In this recent age of many 5-to-4 decisions, it is all the more extraordinary that the Chief Justice created such a harmonious court. The late Justice Thurgood Marshall, who served with the Chief Justice from 1972 to 1991, said simply that William Rehnquist is ''a great Chief Justice.''

As Chief Justice, William Rehnquist was the same honest and upright man I had observed when I first met him back in 1969. In his final months as Chief, he reminded us all once again what it means to serve with dignity and honor, as he persevered through his fight with cancer. Who was not moved to see the concept of ''duty'' personified on January 20, 2005, when, under extraordinary physical duress, he administered the oath of office to the President of the United States?

This Nation owes Chief Justice Rehnquist a debt that can never be fully repaid. He served his country in combat with the Army Air Corps during World War II, as a law clerk to Associate Justice Robert Jackson, as an Assistant Attorney General, as Associate Justice, and finally as Chief Justice of the United States. Throughout it all he stood for the rule of law and the upholding of the principles that this Republic holds dear. In my opinion, he was the most consequential Chief Justice since John Marshall. I repeat: the most consequential Chief Justice since John Marshall.

Elaine and I extend our sympathies to his family, his daughters Janet and Nancy, his son James, his sister Jean, and his nine grandchildren.

As miraculous a document as it is, the Constitution is only words on paper. It requires men and women of principle to see its meaning and spirit made real. William Rehnquist was one of those persons. Our grateful Nation will always remember his heroic service and his devotion to duty until the very end.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Madam President, let me thank the distinguished Democratic whip for letting me precede him in making this statement.

It was with great sadness that I learned of Chief Justice Rehnquist's

passing, and even more sad when I joined the Senate to pay our last respects to him this morning.

I first met Bill Rehnquist in 1952. We were both young lawyers here in Washington, DC. We each had taken jobs here in Washington after finishing law school and in the course of many months became very good friends. In fact, my first date with my first wife was double-dating with Bill Rehnquist.

We had both served in the Army Air Corps during World War II, and we were comrades in the deepest sense of the word. I respected Bill personally then and professionally. He was a law clerk to Supreme Court Justice Jackson.

He took his responsibilities to the Court and to the American people very seriously. Bill Rehnquist was devoted to the rule of law and to our democratic system.

In many of our Nation's most turbulent moments, we relied upon Chief Justice Rehnquist's commitment to the law to steer us toward calmer waters. History will remember his evenhandedness and his impartiality in the face of tough decisions. During the impeachment process, which he chaired in the Senate, the Chief demonstrated his fairness and his commitment to follow precisely our Constitution and the precedents of the past. It was during that time that I once again had the privilege of sharing lunches and coffees and just talking off the floor with my great friend of the past.

Bill Rehnquist was a humble and gracious man, as we all know. Among his clerks and among his friends, he was known just as ''the Chief,'' and he was guided by the belief that no man is more important than the nation or the institution he serves. It was this belief that guided his efforts to narrow the concept of judicial activism and restore our system to its constitutional roots.

I didn't always agree with Bill Rehnquist. As a matter of fact, as young lawyers, we had a lot of arguments. But I knew he was a brilliant man, and he proved to be a great administrator for our Supreme Court. Those of us who knew the Chief respected his commitment to law and valued his advice and counsel. His friends were from all walks of life. He counted law clerks, Senators, Congressmen, and Presidents among his friends.

He embodied the lines in the Rudyard Kipling poem, ''If.'' Bill Rehnquist could ''walk with kings'' without losing ''the common touch.''

Those of you who knew him will miss the Chief's wry sense of humor. As a matter of fact, inspired by a costume from his favorite Gilbert and Sullivan operetta, he is the only Justice who added four gold stripes to each sleeve of his black Supreme Court robe.

He also loved a practical joke. One of my favorite stories is an April Fools' prank played on Chief Justice Warren Burger, with whom I also served at the Department of Justice. Bill put a life-size photo of Warren Burger on the front steps of the Supreme Court building with a sign asking tourists to pay $1 to get a picture with the Chief Justice. Remember, it was April Fools' day. He then drove the Chief Justice by those steps so he could see his reaction to this prank.

But he said once to me, ''The Chief Justice brings to the office no one but himself.'' This may be true, but this Chief Justice leaves office with the gratitude of our entire Nation. You can see it today in those long lines over by the Supreme Court. The Supreme Court has lost a great legal mind, the country has lost a devoted public servant, and I have lost another good friend.

Catherine and I extend our deepest sympathies to Bill's family and friends. He will be missed by all—greatly by me.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I know the Senator from Alabama is waiting to speak. I would like to ask him how long he would like to speak so we can set up a time arrangement with the Senator from California.

Mr. SESSIONS. I am thinking 7 to 10 minutes.

Mr. DURBIN. If it meets with the Chair's approval, I ask unanimous consent that after I finish speaking, the Senator from Alabama speak for 10 minutes and the Senator from California for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Thank you, very much. I will try to be brief and to the point.

Chief Justice Rehnquist was a person I probably disagreed with in most political arguments. I read his opinions, and I realized that we just looked at the world in a different way. Yet I liked him. I liked him a lot.

I had two direct contacts with him as U.S. Senator, the first as a new Member of Senate and as a member of the Senate Judiciary Committee, and I received an invitation to come across the street, which is unusual, from the Senate to the Supreme Court for lunch. It was with a Federal judicial council. I was flattered and accepted the invitation. I then started asking the staff: Who are these people? They said: They are Federal judges from all across the United States. They gather together infrequently across the street for lunch in the Supreme Court, in a large chamber with the Chief Justice. They have invited you to come and speak to them.

Reflecting on my storied legal career as a small-town lawyer in Springfield, IL, and the fact that I didn't set the world on fire in law school, I wondered why they would ever invite me. Then it dawned on me. I was the ranking member on the court administrations subcommittee of the Judiciary Committee which had responsibility for determining the salaries of Federal judges. So they were going to entertain me for lunch and pay close attention to all of my views in the hopes that I would listen carefully when they recommended increases in judicial salaries. That is exactly what happened. But the circumstances of that meeting were amazing.

It was a large room and a huge table. There were two chairs empty as I walked into the room with all of these federal judges in every direction. I sat in one of them. Then we waited quietly, and the door of the back room opened and everyone stood as Chief Justice Rehnquist came in to sit next to me. As he sat down, I thought to myself: There isn't a single law professor I ever had in school who would ever dream I would be sitting next to the Chief Justice, but I am certain my mother looking down from heaven thought it was entirely appropriate that her son was sitting next to the Chief Justice of the United States.

The second time was the impeachment trial in the Senate, which was presided over by Chief Justice Rehnquist. There is a small room called The President's Room. It is a historic chamber, and people often go in there for quick meetings off the floor. It became the Chief Justice's office when he was here for the impeachment trial. It was a curious setup because as you walked by there, he had a desk that was literally smack dab in the center of the room with the chair behind it, and I do not recall that there was any other furniture in the room. He just kind of sat there isolated, like this little island. I would walk by and glance in there from time to time.

Finally, I got the courage to walk in and talk to him. He dropped what he was doing and started talking right away. I was impressed. The man was entirely approachable, personable, and funny. He had a ton of questions about the Senate because he had been for over 30 years at the Supreme Court and the Senate was brand new to him. He asked basic questions and joked about the rollcalls. He said, ''I love it when we have a rollcall, and it will be BAYH 'aye' and SNOWE 'no.' He said, ''I just love to listen as you call the roll here in the Senate.''

We had a great conversation. He gave me a book he had written about the impeachment process. He agreed to autograph a few things. I really liked him a lot personally.

I can understand why those who disagreed with him politically still thought the world of Chief Justice William Rehnquist. He was a man dedicated to public service. I respected him so much for that.

As others have said, when he showed up in frail health at the second inauguration of President George W. Bush on a blustery, cold day to administer the oath, it was a great gesture on his part. It showed his personal commitment to his job as Chief Justice, his love of his Nation, and his responsibility. We are going to miss him. Very few men and women ever get the chance to serve as Chief Justice.

The Rehnquist Court was a Court which because of his leadership will be remembered for many years to come.

SENATE BUSINESS

Mr. DURBIN. Madam President, I wish to follow up the statement by our minority leader, HARRY REID. It is time to get down to business. We will finish this afternoon, after the funeral of Chief Justice Rehnquist. I hope the Senate will return immediately, come right back to the Senate and not waste any time. Let's start moving on important legislation.

The Department of Defense authorization bill was pulled from the calendar over 6 weeks ago by the Republican leadership so they could bring a bill sponsored by the gun lobby on the immunity of gun dealers from being sued in a court of law for wrongdoing. It was hard to believe we would take away from consideration a bill that dealt with our troops and our veterans, that tried helping, in the right way, the war in Iraq. We took that off the calendar so we could help a special interest group. Let's get back on the calendar to the Department of Defense authorization bill. That is something we can start this afternoon, and we should. Let's get it done this week, if we do nothing else, to make certain we are responsive to a very real concern we all share.

We have lost 1,886 American soldiers, as of today, in Iraq. Over 14,000 have suffered serious injuries. We need to get back on that bill, and then as soon as we finish that, focus on Hurricane Katrina.

All are stunned to see on the television each night, and to read in the newspapers, the accounts of the suffering that continues. Some of it is not as acute as it was just a few day ago, but consider the circumstances. These poor families were yanked out of their homes—in many cases their homes were destroyed—and now have been cast into other communities, in my State and other States, to try to keep it together while they search the whereabouts of their loved ones, put their kids in school, try to get a roof over their head, and try to get back to a normal life.

We need to do our part in Washington, DC, on a bipartisan basis, to deal with it. First, we need to provide the resources. The $10.5 billion from last week will be gone quickly because this is such an expensive undertaking. Senator HARRY REID said yesterday, and I agree with him, let us not underestimate the cost of what this means: $100 billion or $150 billion is not unrealistic when considering the gravity of this hurricane and the damage it did. I fear some do not want to mouth those words—$100 billion or $150 billion—because they reflect the reality of what this is going to cost.

If we face the reality of the cost of Katrina, we are going to have to be honest about other decisions. How could we possibly turn to a reconciliation bill, another bill we consider in the Senate, and cut spending for food stamps, cut spending for Medicaid, the health insurance program for poor in America, in this time of great national need? Yet that is what is planned. How could we conceive of the notion of going to a bill that would cut taxes on the wealthiest people in America, when we are at war with our children losing their lives every day, and we are facing Katrina and its aftermath where hundreds of thousands of Americans are in distress? How could we turn at that moment and say our highest priority is to give a tax break to wealthy people? That is not what America is all about. That is not what our values are all about.

For those who come to the Senate and speak in terms of their religious commitment, the basic reality is this: If you care for the least among you, you have to show it in your life's work. The Senate has that responsibility as well and more than others who do their work each day.

Two things come out of this crisis with Katrina. First, we understand what E.J. Dionne wrote on September 2 of this year in an article for the Washington Post entitled, ''When Government is Good.'' He quoted a former Member of the Senate, Bill Cohen of Maine, who was also a Defense Secretary, and what he said was ''Cohen's Law.'' Cohen's Law was this: Government is the enemy until you need a friend.

That is what we are learning with Katrina. We certainly learned it with September 11. We have learned it when it comes to the war on terrorism. Those who condemn Government and say, Let's keep shutting down agencies and Government employees right and left, have to understand the day may come, and soon, when we will need the American family working together as a government to do things that individuals cannot accomplish.

The second part of this is Hurricane Katrina has opened a door which has remained shut for too long. It is a door which reflects the reality of being poor in America. This door is now open 24/7 for all to see through. The poorest among us in America were the worst victims of Hurricane Katrina. Many others suffered, too, but as a group the poor suffered the most. We have to be mindful and sensitive to our responsibility to make this a great Nation of opportunity for the least among us, as well as those who have been blessed with prosperity and wealth. It is important our agenda, in the closing months of this session, reflect that reality as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I ask unanimous consent that when Senator BOXER completes her remarks, our distinguished colleague, Senator HATCH, the former chairman of the Judiciary Committee, be recognized for remarks on Chief Justice Rehnquist's death.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING CHIEF JUSTICE WILLIAM H. REHNQUIST

Mr. SESSIONS. Madam President, I will share a few personal thoughts about Chief Justice Rehnquist. I came to appreciate Justice Rehnquist as a young prosecutor. I was assistant U.S. attorney, tried a lot of cases and was involved in a lot of cases and had to read Supreme Court opinions on criminal law. I was impressed with his writings. It touched me in many ways. I felt he was speaking the truth when other Justices were missing and not understanding the reality of law enforcement in America.

This was in the mid-1970s, when our crime was increasing at an exponential rate. We had double-digit percentage increases in crime in the 1960s and 1970s. In the 1950s, we did not lock the door of our house, and we left our keys in the car. People did not worry about crime. It became a growing problem. At the same time crime was surging, the Warren Court handcuffed the police and their ability to deal with it.

Justice Rhenquist, during the Warren Court years, would often write dissents. Sometimes he would be the lone dissenter. I distinctly remember being in the U.S. Attorney's Office in Mobile, Alabama, reading an opinion and calling my colleagues to say: Look at this. At least one Justice understands the reality of crime and law enforcement in America.

He helped create a different approach to law and order in America. Instead of ruling on emotion and politics, he made his decisions based on the law and facts. In fact, before he left office, cases he was dissenting 8 to 1, he was winning a number of them 5 to 4 and 6 to 3. What an accomplishment to see that happen over a lifetime. I never would have thought it possible. I thought the trends were against that. Being young, I never thought we would see the pendulum swing back, but it did, and he played a key role in that.

From my observations as a member of the Department of Justice for nearly 15 years, as a member, now, of the Senate Judiciary Committee for 8 years, where I currently chair the Subcommittee on Administrative Oversight and the Courts, my humble opinion is Chief Justice Rehnquist is one of the greatest chief Justices ever to serve. Senator MCCONNELL said after John Marshall, but I don't know. I am not sure any have served more ably.

He was also a great Associate Justice. He wrote clean, succinct opinions that made sense. They were consistent with the law of our country and our heritage.

He came to the Court when the Warren Court was in full bloom and judicial activism was at its apex. In case

after case, he was the lone member of that Court to sound the alarm about the dangers that arise when a court detaches itself from a principled and honest commitment to the Constitution of the United States of America and the laws we passed. He saw the dangers in that, and he dissented many times—he joined with the majority many times, but he dissented many times—on matters of great principle in an intelligent and effective way.

He played a key role in the demise of judicial activism as a dominant view of the Court. By ''judicial activism''—I will paraphrase Senator HATCH's definition of it—it means when a judge allows their personal or political views about what is good policy or bad policy to affect their rulings in a case. It is not faithful to the Constitution when you twist the words of the Constitution or of a statute so they come out to mean what you would like them to in order to achieve the result that you prefer in a given case. Justice Rehnquist loved our Constitution, the one that we have, the good parts of it and the parts he may not agree with. He loved every section all and respected each one of them. He followed them and was faithful to them.

He understood liberty in America is dependent on order. Look what is happening, so sadly, in New Orleans: police are threatened, doctors and nurses could not get out to help or rescue people because order broke down. The Founders of our Republic never doubted the Government and the law enforcement of the United States of America. The States and counties and cities had to have certain authority to maintain order or we would never have liberty. This extreme commitment to libertarian views can undermine the basic order necessary to allow liberty to flourish in our individual capability first. He understood that very critically.

An example of the dangers he saw on the Court would be in death penalty cases. Chief Justice Rehnquist, as Associate Justice and as Chief, fully understood the Constitution makes at least eight references to capital crimes, to not being able to take someone's life without due process; at least eight references were made in that great document to the death penalty. How could the Constitution declare the death penalty was unconstitutional when it absolutely approved it?

Two Justices dissented in every single death penalty case, saying they thought it was cruel and unusual punishment. What a weird, unprincipled dangerous interpretation of the Constitution. Justice Rhenquist stood against that tide, often as a lone Associate Justice.

Until now, people have come to realize that the Constitution and laws of this country allow a State or the Federal Government to have a death penalty, if they choose to have it. If you do not like that, take it to your legislative branch. The Constitution does not prohibit it, for heaven's sake. The Constitution explicitly authorizes it.

He had a good understanding of church and State. I remember Senator REID, the distinguished majority leader now, when he was the assistant leader under Thomas Daschle during that year when they were in the majority, and the Ninth Circuit struck down the Pledge of Allegiance, he criticized the Ninth Circuit. I have been a big critic of the Ninth Circuit, but I remember making remarks at that time saying as big a critic of the Ninth Circuit and as much of a critic of their striking down the Pledge of Allegiance, I have to say many Supreme Court rulings on separation of church and State are so extreme that could well be justified under language of the United States Supreme Court. The Supreme Court has given us a very confused jurisprudence on what is a legitimate separation of church and State in America.

We got to the point in one case, the Jaffree case from Alabama, the Supreme Court, by a 6 to 3 majority, struck down a moment of silence in a classroom. Justice Rehnquist dissented in that case, as he consistently dissented against some of the confused thinking that was there.

If this court had followed Justice Rehnquist's thoughts and opinions on the question of separation of church and State, we would not have the confusion we have today. We would not have one case where the Ten Commandments in Texas are OK and another case in Alabama where the Ten Commandments are not OK. What kind of jurisprudence is that? We need to get that straight. The Court has failed, in my view, in establishment clause jurisprudence. But Chief Justice Rehnquist has been a consistent and sound and reasonable voice on how to strike the proper balance. We need to go back and continue to read those opinions and see if we cannot make them correct.

He also was a student of America. He wrote a number of books, grand inquests about impeachments, before we had the Clinton impeachment case in this body. He wrote a book, ''All The Laws But One,'' that deals with the rule of law in America in a time of crisis, and dealt with the Civil War and other times in our country. He was a historian who understood America, understood our exceptional nature, our commitment to law and the Constitution. He understood that deeply. Every day when he went to work, every opinion he ever wrote was consistent with his view and respect for America, her heritage, her rule of law, and her Constitution.

He understood that States have certain powers in our country. He understood that the Federal Government, through the commerce clause, has broad power, but there are limits to the reach of the commerce clause. It does not cover every single matter the United States Senate may desire to legislate on, to the extent that the federal government controls even simple, discreet actions within a State. He reestablished a respect for State law and State sovereignty through a number of his federalism opinions.

Madam President, we have lost one of the Nation's great Justices, a man who respected our Constitution, gave his life to his country, his whole professional career. All of us should be proud of that service and honor his memory.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

HURRICANE KATRINA

Mrs. BOXER. Madam President, I rise today with a heavy heart. We have all watched in horror as the Gulf Coast has been struck by what could be called the worst natural disaster in our history.

Over the weekend, Chief Justice Rehnquist, who served our Court and country with such distinction for 33 years, and showed such bravery in the last months of his life, passed away.

We have now lost nearly 2,000 young men and women in Iraq, and we still do not have, in my opinion, a credible plan, a mission, a timetable to achieve success and bring our troops home. Gas prices are putting horrible strains on most Americans.

There is a tremendous amount of anxiety in America today. I feel it when I go home to California. We must confront it immediately in the Senate, in the House, and, yes, at the White House.

With one party controlling the entire Government, there is pressure in some quarters to be silent and just let mistakes and misplaced priorities take their toll.

Well, I do not agree with that mindset. I am going to say what I think. And even more important, I am going to do everything I can with my colleagues on both sides of the aisle to help get our country moving in the right direction again.

Lives hang in the balance in this disaster and, God forbid, in the next one. It is difficult to put into words how heartbroken we all are for Americans affected by Hurricane Katrina. Thousands of people have lost their lives. Far more have lost their homes, their jobs, their communities. Brave souls everywhere are still searching for some family members while trying to keep others alive and hopeful.

I even heard a doctor on CNN talking about being forced to make the impossible choice of whom to save and whom to leave behind to die.

Yes, the acts of bravery are being celebrated, as they should be—neighbor helping neighbor, churches filling in for FEMA, local law enforcement putting their own hardships aside to work 24 hours a day helping others.

But there are images, such as this one I show here, that leave us in tears. It shows a makeshift grave along the road—a makeshift grave. Somebody put a sheet over a body, and it looks

like bricks are holding down the sheet. There is a cross on top, and it says: ''Here lies Vera. God help us.'' God help us, indeed. How can this have happened in America? Here we are, the most powerful and prosperous country in the world, and our people have to write notes on handmade graves to get attention.

Well, words of compassion are not enough. We must show those who have suffered so much that their Government will help them find their missing relatives, and rebuild their lives, homes, and communities.

The $10.5 billion we appropriated was an important start but just a start. We should not wait another day to give all the victims of Katrina immediate access to Medicaid or to exempt them from the recent bankruptcy law. We should not be cutting Medicaid now, and that is exactly what is in the budget bill the Republicans are bringing before us.

We should not wait another day to provide temporary housing for all those displaced, including emergency vouchers. We also should use our military bases that are vacant to house people until they are on their feet again.

We should not wait another day to make sure that Halliburton, or any other company receiving Federal contracts, employs some of the estimated 500,000 to 1 million people who are now jobless. Put them to work rebuilding their own communities. You are giving these companies Federal contracts. Let them step to the plate and do their share. There are two similarities that I see between Iraq and this hurricane. The administration did not have a plan for either, and Halliburton will end up making billions of dollars for both.

Hurricane Katrina has shown a spotlight on the best and the worst of America. We have seen the inspiring courage of the survivors and the dedicated men and women working around the clock to help them. We have also seen those who would loot, and take advantage of this tragic situation. We have seen the heroics of the press, which put a spotlight on the full extent of the tragedy.

We have also seen the deadly chasm between the haves and the have-nots, with the poorest among us left behind, literally and figuratively, to weather the storm. And, yes, we have seen, in my opinion, an unacceptable response from our Federal Government. The President himself said that, and then he backed away.

I know the President has said he will launch an investigation, but it is not sufficient for the President to investigate his own administration. Congress must fulfill its oversight responsibility. I thank Senator COLLINS and Senator LIEBERMAN for pledging to hold hearings on the Government's response to this tragedy.

Today, an AP wire story that was just handed to me says, ''The top U.S. disaster official''—that is Michael Brown—''waited hours after Hurricane Katrina struck the Gulf Coast before he proposed to his boss,'' that is Michael Chertoff, ''sending at least 1,000 Homeland Security workers into the region to support rescuers, internal documents show.''

Quoting further the AP wire story:

> The same day Brown wrote Chertoff, Brown also urged local fire and rescue departments outside Louisiana, Alabama and Mississippi not to send trucks or emergency workers into disaster areas without an explicit request for help from state or local governments.

We must fulfill our oversight responsibility. I agree with Senator CLINTON that we should also create an independent Katrina commission. Hurricane Katrina has raised alarming questions about our Nation's ability to prepare for and respond to disasters.

Last Thursday, the President told Diane Sawyer that we did anticipate a serious storm, and I quote him:

> I don't think anyone anticipated the breach of the levees.

Well, that is unbelievable. All you had to do was look at FEMA's own report in 2001, which listed the three most likely catastrophic disasters our country could face. What were they? A massive earthquake in California, a terrorist attack on New York City, and a major hurricane hitting New Orleans. All you had to do was look at the Houston Chronicle, which predicted this. The New Orleans Times-Picayune predicted this. The National Geographic predicted this. There was a 5-day simulation in July of 2004 to specifically address a disastrous hurricane in New Orleans. The LA Times reported that in late May the Army Corps of Engineers in the New Orleans district formally notified Washington that hurricane storm surges could knock out two of the big pumping stations that keep the city dry.

On the day before the tragedy struck, an AP wire story said:

> Experts expect Katrina to turn New Orleans into Atlantis, leaving up to 1 million homeless.

They did not think the levees would break?

And what about the budgets? Despite repeated requests from New Orleans for more Federal money to protect the city, the press reported that funding for Corps of Engineers projects in the New Orleans area fell by 44 percent between 2001 and 2005. This is unacceptable.

Michael Brown should go. He is a nice man. But I agree with Senator MIKULSKI, he should go. He should go because he does not even have the experience to do this job. He was the head of an Arabian horsemen's association. That is not training to step into a disaster the size of the one we have seen.

Now, in California, we know how important FEMA is during a disaster. After the Northridge Earthquake, James Lee Witt, the head of FEMA, was out there. We counted on him, and Lord knows how many lives he saved. He knew what he was doing. We built up FEMA during that time, all of us working together. It has now been turned into a shadow of its former self.

I also agree we ought to make FEMA again an independent agency. Senator BYRD tried to do that. He offered an amendment that said: Let's wait before we put FEMA under Homeland Security. Twenty-eight of us voted for that. It did not pass. I warned at that time very clearly that this was making me extremely nervous. My quote was:

> Putting the Federal Emergency Management Administration, [FEMA] lock, stock, and barrel, into this new Department I just think is going to be a real problem for us. . . . I am very worried about accountability.

Now, I do not say this to imply that I knew what was going to happen. I did not. But I do have some common sense, and I know you need one person in charge who has the ability, yes, to move mountains.

Yesterday, we had a briefing on this up in room 407. We had the whole Cabinet there. I listened to a lot of good people. I would have preferred one person I could hold accountable.

There are many more things I am going to do. But I have to say this: For years we tried to get interoperable communications funding—for years. I had a bill. Senator STABENOW had a bill. It got through the Senate. It got taken out by the House. We still do not have emergency workers able to talk to one another.

So we need to move fast. We need to move fast before the next disaster strikes. Now, we all pray in the Senate we will not have another disaster like this, but we must plan in case we do. That is our job. That is our work. We must set aside a lot of other things we are going to do around here to get this right because we know we are living under the threat of a terrorist attack that could occur in any city in this country. And this is a sad case for us and not one that should be emulated.

We all have to move forward. And, yes, the people who did not do the right thing should not be heading these agencies. In my state of California, we know how it feels to lose your bearings, your home, and your sense of security. I saw it so many times in my congressional career, in my Senate career. Earthquakes, fires, floods, mud slides; you name it, we have had it. You need strength at the Federal Government level when these things happen. Look at the city of New Orleans, what they tried to do with the police officers. Two police officers committed suicide. They had nothing, and they were trying to secure a city for days.

Well, it is hard to look at this, but we have to look at it. We have to do it with an independent commission. We have to make sure people who are counting on us get their lives back. And we can do it. This is America. But we need to hold people accountable. We need to be credible with our response. The job is a tough one, but we need to do it, and we need to do it soon. We

owe nothing less to the people we represent.

Madam President, thank you.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I was also at that meeting last night in the secure room in S. 407. I have to say, I was absolutely blown away by how much the Federal Government has mobilized to try and help in the Gulf region. There is no question that we knew this city was 10 to 12 feet under sea level and that there was bound to be some sort of a problem happen. I think there is plenty of blame to be cast around to everybody. The important thing that we ought to be considering is solving the problem and getting that city back on its feet. From what I heard last night, the Federal Government is doing everything it possibly can. Frankly, I believe every agency, including FEMA, has done a good job under the circumstances. This has been a catastrophe of great proportions. There is no question about it. All of the criticism in the world is not going to change that.

The fact is, we had a number of Cabinet-level officials there, from the Secretary of the Treasury to the Secretary of Labor, and I thought they made a pretty good case. I think we ought to get the job done and quit worrying so much about criticizing.

Mrs. HUTCHISON. Mr. President, over the weekend, I visited several hurricane relief shelters around the State of Texas. Hearing the stories from the victims of Katrina firsthand has reminded me that whenever natural disasters occur, we must help those affected recover and move on with their lives. But this is no easy task, and the impact of Katrina will be felt for many years to come.

I know this personally. Growing up in Galveston County, I lived through Carla in 1961 and other hurricanes. I have never forgotten the experience of driving to my parents' house because we had not heard from them. Telephone service was out, so we packed our car with water and other supplies and drove to their home. As we approached, we saw more and more of the hurricane's destruction. Finally, we reached their battered house, and fortunately found them unharmed.

Dealing with disasters has made Texans both strong and compassionate. Whenever people encounter adversity, they are forced to make a decision about how to respond. So often, Texans have stood tall, displaying virtue in the heat of the moment. When battered by a hurricane, Texans have increased their resolve, battling the elements to survive. When threatened by funnel clouds, they have reacted with bravery and risked their lives to save the lives of others. And after the moment of danger has passed, they have showed kindness and generosity in helping neighbors get back on their feet.

Approximately 80 percent of the city of New Orleans has been covered in water, and thousands of people suddenly found themselves homeless and with no one to turn to. I am proud of how my State has responded. About 250,000 Katrina evacuees are in Texas at this time, and more are expected. As many as 100,000 evacuees will be housed in 243 shelters dispersed across the State and FEMA officials estimate another 150,000 Katrina victims are living in hotels.

In the midst of this tragedy, my heart has been warmed by the many Texans who opened their arms and their homes to their fellow Americans.

Public institutions, many churches and charities, and numerous individuals have provided food, shelter, and money for those escaping the hurricane's devastation.

In one story that was particularly touching, a Texas couple who had just moved into their new home took their old home off the market in order to provide shelter to a family of nine in the months ahead.

In another part of Texas, a company has offered about 40 vacant apartments in a retirement community, plus food, transportation, and housekeeping for no charge. Another Texas company will donate $1 million to the American Red Cross and will offer rail transportation in support of hurricane relief and recovery efforts.

The Texas Health and Human Services Commission kept many offices open throughout the holiday weekend and has certified more than 50,000 Louisiana families for emergency benefits. One Houston office extended its Friday hours until 2 a.m. Saturday morning.

The Texas Department of Family and Protective Services is providing assistance with the placement of Louisiana foster care children, including 49 children from a New Orleans facility. The agency has identified placements for more children if needed and is working with shelters to ensure that any children who have been separated from their families receive help quickly.

I am also very proud of my own staff, many of whom generously gave up their holiday weekend to answer phones at the Red Cross.

I had a personal experience that was very heartwarming when I talked to a woman in the Dallas Convention Center who said her son was in the Navy and she wanted to get him a message that she was safe in Houston and that his wife and their son were fine. We were able to contact him on the USS *Harry Truman* later that night to inform him. He sent back a very long e-mail to his mother which will be delivered to her soon. It is important we do these little things to try to help as much as we can, and the Senate stands ready to do that.

One woman receiving aid in Texas thanked the workers there and gave them a message to pass along:

> Thank you for everything. God bless.

She went on to say that if they were ever in New Orleans once it is back in order, to please look her up so she could show them some New Orleans hospitality. We know New Orleans will recover, and we can't wait for that party.

To my friends back home in Texas, you repeatedly make me proud and I am honored to be your Senator. And to our neighbors along the Gulf of Mexico, know that Texas and the Nation stand with you. God Bless Alabama, Mississippi, Louisiana, and all of the United States of America.

Mr. SANTORUM. Mr. President, words cannot express the sense of loss and hopelessness that many residents are feeling at this time in Mississippi, Alabama, Louisiana, and Florida. My family and I send prayers and heartfelt condolences to all of those who have lost loved ones in the wake of this catastrophe.

One certainty of every disaster that occurs in the United States and around the world is the desire of fellow Americans to help those who are in need. Today, as we watch the terrifying developments on our TV sets, we know that generous Americans across the country are contributing food, clothing, money, and time to the unfortunate victims of this tragedy.

The Salvation Army has more than 250 volunteers, employees and others prepared to serve up to 500,000 hot meals per day to residents and first responders in the aftermath of Hurricane Katrina. They have mobilized approximately 100 mobile canteens that provide up to 5,000 hot meals per day, and staged two, 54-foot mobile Base Camp kitchens that can provide 20,000 hot meals per day. Salvation Army staff and volunteers are working in shelters and coordinating the distribution of supplies.

The American Red Cross is currently providing thousands of volunteers, Red Cross workers and resources to aid victims of Hurricane Katrina. The Red Cross has about 485 shelters open in 18 States serving more than 142,000 people. Working with the Southern Baptist Convention, the Adventists, and Second Harvest, the Red Cross is prepared to provide nearly 3.3 million meals each day. More importantly for some, the Red Cross is partnering with local and government entities to provide medical aid and counseling to families. The Red Cross is providing a safe haven for thousands of evacuees in hundreds of Red Cross shelters around the world.

Catholic Charities agencies from around the region are ready to send technical assistance teams to help the local Catholic Charities in the impacted areas with their response efforts, as well as providing long-term recovery work.

I am also thankful for the efforts of charitable organizations in my home State of Pennsylvania. From the moment that disaster struck, individuals, families and organizations across the Commonwealth have made great efforts in assisting those in need. Brother's Brother Foundation, BBF, a 47-

year old Pittsburgh-based international charity, is sending a tractor-trailer full of donations, including 5,000 pairs of new shoes donated by CROCS Inc. of Boulder, CO, and new clothing and hygiene items.

Fraternal benefit societies have also stepped up to the plate, including the Loyal Christian Benefit Association headquartered in Erie, PA, as well as the Knights of Columbus and Thrivent. The Greek Catholic Union of the United States, headquarted in Beaver, PA, has donated $15,000 to Catholic Charities, Salvation Army, and American Red Cross.

The University of Pittsburgh Medical Center, UPMC, is ready to deploy two helicopters to States hit by the hurricane if emergency management officials ask for them.

Additionally, UPMC has offered to treat hurricane patients at its Pittsburgh hospitals or set up a 250-bed medical facility around the disaster area.

Carnegie Mellon University has offered to assist Tulane University in New Orleans in any possible way, which could include CMU taking on students from Tulane so they do not fall behind in their classwork.

The charitable efforts of so many Americans during this crisis is a reminder that government should be making laws that support and encourage such philanthropy. Legislation such as the bipartisan CARE Act benefits a sector that is vital during these times of crisis. The estimated $2 billion in food-donation incentives that the CARE Act provides would allow farmers, restaurants and corporations to give more of their surplus food to local food banks and soup kitchens. Additionally, individuals would be willing to donate even more if current law was more favorable to those who charitably donate.

ORDER OF PROCEDURE

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I ask unanimous consent that the vote on S. Res. 234 be delayed until 12:10.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING CHIEF JUSTICE WILLIAM H. REHNQUIST

Mr. HATCH. Mr. President, I want to pay tribute to a good man whom I knew well, who was a great judge, the late Chief Justice William Rehnquist.

His service and leadership on the Supreme Court, the principles he consistently followed, and the steady hand with which he guided the judiciary make him one of the judiciary's very best.

William Hubbs Rehnquist served on the Supreme Court of the United States for 33 years and almost 8 months.

He was the eighth longest serving of the Court's 108 members, having recently surpassed the tenure of the legendary Justice Joseph Story.

He was the fourth longest serving of the Court's 16 Chief Justices, and one of just five individuals to have served as both Associate and Chief Justice.

William Rehnquist's service was a powerful mixture of the personal and the professional.

He brought a kind of dignified practicality, or perhaps it was practical dignity, to what is one of the most formal and respected posts in the Federal Government.

William Rehnquist was the historian who could play a practical joke, the defender of the judicial institution who played poker with his colleagues.

We will miss this scholar and author, who also led an annual Christmas carol sing-along for the Court's employees.

Yesterday, his former clerks surrounded his casket and carried it past his former colleagues into the Court where he lay in repose in a plain white pine casket. It was so touching.

We were all touched by Justice Sandra Day O'Connor weeping at the loss of a man who had been a fellow law student more than 50 years ago and was a fellow Justice for the past 24. He was No. 1 in his class; she was No. 3. They were close friends.

The respected legal analyst Stuart Taylor writes that one attribute of greatness is being esteemed by one's colleagues. Whether his fellow Justices voted with him or against him on the cases before the Court, they all cherished and esteemed him.

Liberal icons such as Justice William Brennan called Chief Justice Rehnquist a breath of fresh air.

Justice Thurgood Marshall called him a great Chief Justice.

Justice Lewis Powell said he had a good sense of humor and was both generous and principled.

When President Nixon nominated William Rehnquist to be an Associate Justice in 1971, Attorney General John Mitchell said he expected Justice Rehnquist to be independent.

Before the Judiciary Committee, the nominee pledged as his fundamental commitment to totally disregard his own personal beliefs when interpreting and applying the law.

Democratic Senator John McClellan of Arkansas, a member of the Judiciary Committee, explained in the pages of the New York Times why he supported what he called a distinguished nominee.

He said that William Rehnquist would not contribute to the trend of pursuing abstract goals driven by ideology rather than law. As both Associate and Chief Justice, William Rehnquist confirmed Senator McClellan's judgment.

Chief Justice Rehnquist strongly defended the prerogatives of the judicial branch. This alone might give pause to those who believe the judiciary was already too strong.

But he coupled that commitment to institutional vigor with a fidelity to constitutional rigor.

While insisting that the Court was the primary interpreter of the Constitution, he did not join those who said the Constitution's meaning ebbed and flowed with the latest cultural and political fad.

Chief Justice Rehnquist understood that we entrust interpretation of our laws to unelected judges only because, as he had, they promise to keep their own moral and political viewpoints on the sideline.

Over time, by example and leadership, this principle helped him move the Court toward its traditionally modest role within our system of government.

Commentators and reporters discussing the Chief Justice's legacy almost reflexively use the moniker ''Lone Ranger'' to describe the new Associate Justice Rehnquist.

He was sometimes a lonely dissenter on a Court that saw itself as the vanguard of social change.

In that role, however, he reminded us of the fundamental principles that should guide the judiciary.

Judges may not exercise judicial review based on their personal opinions, preferences, or agendas. They must take the Constitution as they find it and apply it as it is.

As new Justices joined the Court, and Chief Justice Rehnquist continued articulating and applying such traditional principles, he found himself with more company.

While some talk of Chief Justices as able to bring colleagues together in a particular case, Chief Justice Rehnquist did so, patiently and steadily, over the long haul of his entire tenure.

In a 1996 address at American University's Washington College of Law, Chief Justice Rehnquist called judicial independence the ''crown jewel'' of the American judicial system.

He took this seriously on a personal as well as a judicial level.

In this last year or so, William Hubbs Rehnquist lived and finished life on this earth in his own independent way.

He shared what he wanted to share, when and how he chose to share it.

He carried himself with dignity, in a way protecting his privacy publicly, if such a thing is possible.

He was a good man and a good judge.

Our lives, individually as citizens and collectively as a nation, are much better for him having been among us.

I knew him personally. I know what a great man he was, as far as I am concerned. I know what a supreme intellect he was on that Court. I know what a decent, honorable, honest person he was on that Court. I can remember one lunch I had with Chief Justice Rehnquist, Justice Scalia, and Justice Kennedy. It was terrific luncheon, filled with intellectual repartee. It was a luncheon that I will never forget. I can remember his smiling from time to time as his colleagues made some of their points. He had this wry sense of humor that I suppose came from the

people that he was born and raised with in his own State. This is a man of tremendous, inestimable talent, intellect, and ability. But he was warm. He was kind. He was decent. The only time I saw any flare for the unusual was the stripes on his black robe. That was done tongue in cheek, to just kind of lampoon some of the overseriousness some of us sometimes have with regard to the Supreme Court.

William Rehnquist was a good father. His daughter Janet worked with us on my staff for a short time. I think the world of her. She is a good person. The other offspring of Justice Rehnquist are also good people. I knew Justice Rehnquist's wife who preceded him in death. She was a beautiful, lovely human being, to whom he gave great deference. This was a man who counted. This was a Chief Justice who made a difference. This is a person whom I respect and whom I care for.

I yield the floor.

Mr. CONRAD. Mr. President, today, we remember the life and dedication of one of the most influential leaders of the U.S. Supreme Court.

William H. Rehnquist, 16th Chief Justice of the United States, passed away on Saturday, September 3, 2005. A midwesterner, Rehnquist's service to our country dates back to March 1943 when he was drafted to the U.S. Army Air Corps, the equivalent of today's U.S. Air Force. He served in World War II until 1946.

After his time in the military, Rehnquist began his academic journey under the G.I. bill at Stanford University, where he earned a bachelor's degree, a master's degree, and ultimately graduated first in his class at the Stanford Law School. After clerking for Justice Robert H. Jackson, Rehnquist spent the next 16 years in private practice in Arizona.

In 1971, President Nixon nominated William Rehnquist to be an Associate Justice on the Supreme Court. As Associate Justice, Rehnquist was nicknamed the ''Lone Ranger'' for his many lone dissents on the nine-member Court.

In 1986, President Ronald Reagan elevated William Rehnquist to Chief Justice of the United States. In that role, Rehnquist became known for his ability to foster and retain collegiality among Associate Justices with widely differing views on the issues before the Court. He was an outstanding leader of the judicial branch of our Government.

Those of us in the Senate probably remember him best for his service during the impeachment trial for President Clinton. He presided over that historic event with dignity and decorum.

Over the past year, as he battled cancer, Chief Justice Rehnquist was as determined and sharp as ever, doing his job faithfully until the day that he passed away.

Today, we remember the Chief Justice's passion, dedication, and brilliance. And we also remember his great sense of humor. Bill Rehnquist will be sorely missed by his family, his friends, and his country.

Mrs. HUTCHISON. Mr. President, I rise today to recognize and honor one of our country's greatest judicial leaders, a noble public servant, the 16th Chief Justice of the United States, William Hubbs Rehnquist. For the past 33 years, the last 19 of which as its leader, Chief Justice Rehnquist served the Supreme Court with honor, wisdom, and keen judgment. His record will be remembered as one of ideological dedication and devotion in a court of consensus and collegiality.

A native of Milwaukee, WI, William Rehnquist first answered his country's call to service in World War II by serving in the Army Air Corps as a weather observer in North Africa from 1943 to 1946. Upon his return, he earned his bachelor's and master's degrees in political science from Stanford University in 1948, and a master's degree in government from Harvard University in 1950. He earned his L.L.B. from Stanford in 1952, graduating first in his class, a class which included his future Supreme Court colleague Sandra Day O'Connor.

Chief Justice Rehnquist's first experience with the Supreme Court came when he clerked for Associate Supreme Court Justice Robert Jackson. Rehnquist observed during this time at the Court what he would later describe as the ''expansion of federal power at the expense of State power.''

After his clerkship, Rehnquist moved to Phoenix, AZ, where he practiced law in the private sector for more than 15 years. During this time, he became involved in politics; and when President Nixon was elected in 1968, Rehnquist was asked to serve as Assistant Attorney General for the Justice Department's Office of Legal Counsel. Three years later, in 1971, President Nixon nominated Rehnquist to replace Justice John Marshall Harlan on the United States Supreme Court.

From his early years as an Associate Justice through his years as the Court's leader, Chief Justice Rehnquist chartered a course to reestablish the important principle of federalism, an integral part of our Nation's constitutional structure. In cases such as National League of Cities v. Usery in 1976 through U.S. v. Lopez in 1995, his opinions aimed to protect the role of the States within the Federal system by recognizing that our government is one of enumerated rights and dual sovereignty.

Though a strong and vigorous advocate for his beliefs, Chief Justice Rehnquist was always respectful of his colleagues and committed to the rule of law, never allowing politics or infighting to threaten his Court. All of us in the Senate got to know Chief Justice Rehnquist when he presided over the impeachment trial of President William Clinton. He was a decisive, but not intrusive arbiter. His insightful observations about the operation of the Senate were both serious and humorous. A profound defender of the Constitution and a staunch protector of liberty, Chief Justice Rehnquist has left behind a legacy of thoughtfulness and quiet intellect, and will be remembered as one of our Nation's greatest judicial leaders.

Mr. ENZI. Mr. President, I was sad to hear of Chief Justice Rehnquist's passing, but I want to share my gratitude for his service. He exceeded all but seven Justices by the length of his 33 years on the Supreme Court bench. President Nixon nominated him to be the 100th Supreme Court Justice in 1971. Fourteen years later, President Reagan nominated him to serve as Chief Justice. In his tenure as Chief Justice, he oversaw benchmark cases and events that helped to shape the Supreme Court and the country as we know it today. His efficient management of the Court and careful interpretation of the Constitution provide a good example for future Chief Justices.

He was a very learned man, interested in a wide range of topics and pleasant to be around. In 1952, he graduated first in his law school class at Stanford. In addition to his law degree, he held master degrees in political science from Stanford and Harvard.

He left law school and moved to Washington, DC, to clerk at the Supreme Court, a place where he would eventually spend over a third of his life.

At times, our lives intersected. During the impeachment trial of President Clinton, I presided on the Senate floor just before Chief Justice Rehnquist took the presiding officer's chair—and then I took over each day as he left the chair. I also presided when he was escorted out of the chamber following the end of the trial. I enjoyed reading his book about civil liberties in wartime and his book about the history of impeachments, which I was fortunate enough to get him to sign for me.

Now in the wake of his death and one of the worst natural disasters in U.S. history, the Senate will soon move to fill the vacancies on the court. People are going through some hard times in our country. Chief Justice Rehnquist knew about hard times.

He returned to the bench after being diagnosed and treated for cancer. He fought bravely to finish his job and spurned the rumors of retirement this summer. He stated that he would ''continue as long as his health permits.'' And he did. I admire him for it.

We also must continue to do our job by holding hearings and then voting on the President's nominees to the court. If we keep the political posturing to a minimum, we should have plenty of time to fill the spot of the man who held it for so long and so well.

Mr. FEINGOLD. Mr. President, today we mourn Chief Justice William H. Rehnquist, who faithfully served the Supreme Court and our Nation for 33 years—19 of them as Chief Justice. That tenure made him the fourth-longest serving Chief Justice in the history

of our Nation, surpassed only by Chief Justices Melville Weston Fuller, Roger B. Taney, and John Marshall. He was also the fifth longest serving Justice in our history. Walter Dellinger, former acting Solicitor General in the Clinton administration, has suggested that Chief Justice Rehnquist will be judged by history as one of the three most influential Chief Justices, together with Marshall and Chief Justice Earl Warren. We have truly lost a historic figure.

It is with pride, then, that we in Wisconsin claim Justice Rehnquist as a native son. He was born in our State, and Wisconsin was his first home. He grew up in Shorewood, a suburb of Milwaukee, and graduated from Shorewood High School in 1942. Wisconsin must have provided a good foundation for his future; he went on to graduate first in his class from Stanford Law School and to clerk for former Supreme Court Justice Robert H. Jackson, another of the great jurists of the 20th century.

I have deep respect for this son of Wisconsin, although I did not always agree with his substantive legal views. Indeed, we are hearing praise for Justice Rehnquist from across the political and legal spectrum. To be admired and respected despite philosophical differences is one of the marks of a truly great man.

Justice John Paul Stevens, perhaps Rehnquist's most ideologically distant colleague on the current Court, paid tribute to him on behalf of the entire Court on the occasion of Justice Rehnquist's 30th anniversary on the bench. Justice Stevens praised him for his efficiency, good humor, and absolute impartiality when presiding over Court conferences. That Chief Justice Rehnquist possessed sufficient intellectual strength and personal skill to preside over discussions among nine of the finest legal minds in the nation and to earn their respect is no small feat, particularly considering the difficulties and dissension that have marked discussions and conferences in other eras. All acknowledge that Chief Justice Rehnquist was a devoted and skilled court administrator, not just for his own highest court but also in his role as guardian of our entire third branch of government, the Federal judiciary.

In addition to his accomplishments on the Court, Chief Justice Rehnquist deserves our greatest respect for the dignity and fortitude with which he conducted himself in the last year. Despite the fact that he was clearly suffering from serious illness, he continued to serve the public and the Court. He was an inspiration to all who encounter physical obstacles in carrying out their duties, to all who face the challenges of illness or disability but still want to contribute to their country or their communities.

History will judge whether Chief Justice Rehnquist led the Court in a direction that was good for the country. For now, it is appropriate to recognize his intellect and his service. I have deep respect for Justice Rehnquist's integrity, his personal fortitude and his devotion to the Court and the entire judicial branch. Wisconsin will miss our distinguished son.

Mr. HAGEL. Mr. President, I rise today to honor the late Chief Justice William H. Rehnquist. The Chief Justice leaves behind a legacy as one of the longest serving and most influential members of America's highest Court. America is a better and stronger nation because of his distinguished service on the U.S. Supreme Court.

As many from his generation did, Chief Justice Rehnquist served in the military during World War II. He relied on the GI bill to attend college after the war and graduated from Stanford law school at the top of his class. In 1951 and 1952, Justice Rehnquist served as a U.S. Supreme Court law clerk to Justice Robert Jackson, and then went on to a distinguished career in private legal practice.

In 1971, President Nixon nominated Rehnquist to replace John Marshall Harlan on the Supreme Court, beginning one of the longest terms of service in the history of the U.S. Supreme Court. In 1986, President Ronald Reagan nominated Justice Rehnquist to be Chief Justice. He served in that capacity for over 18 years.

Only 16 individuals have served as Chief Justice of the U.S. Supreme Court. Legal scholars identify periods of evolution in American jurisprudence by the name of the Chief Justice presiding during each era. The Rehnquist Court will go down in American history as one of the most important.

As an Associate Justice, Rehnquist began coaxing the Court back into the role our Founders envisioned. As Chief Justice, Rehnquist continued to gradually pull the Court away from promoting particular social policies and back toward the principles of federalism enshrined in our Constitution. By the time he was through, Rehnquist had patiently helped reshape the relationships between our branches of Government and the States.

Chief Justice Rehnquist deserves enormous credit for returning the Court to its role of analyzing and interpreting the Constitution and our laws. History will judge Chief Justice Rehnquist well for the way in which he shaped and guided the Supreme Court during his service to our Nation.

America will miss him.

Mr. CORNYN. Mr. President, today I rise to pay tribute to one of the greatest legal minds of our day: Chief Justice William Hubbs Rehnquist, who passed away late Saturday night. His death is a tremendous loss to our entire Nation. I join my fellow Americans in both mourning his passing and honoring his profound contribution to our country.

Chief Justice Rehnquist faithfully served the American people on their Supreme Court for 33 years. Without question, our country owes him a debt of great gratitude.

The individual who occupies the center seat on the Supreme Court is not the Chief Justice of the Supreme Court, but the Chief Justice of the United States—the one person who embodies our national commitment to constitutional democracy and to the rule of law. Throughout his life, William Hubbs Rehnquist revered the Supreme Court and the rule of law as few people have—not only as our Nation's Chief Justice for 19 years, as Associate Justice for 14 years, and as a high Court law clerk, but also a student and a scholar of the Supreme Court. Rehnquist has written numerous books on legal history and the Supreme Court—including: The Supreme Court: How It Was, How It Is; Grand Inquests: The Historic Impeachments of Justice Samuel Chase and President Andrew Johnson; All the Laws But One: Civil Liberties in Wartime; and Centennial Crisis: The Disputed Election of 1876.

William Hubbs Rehnquist was born October 1, 1924, in Milwaukee, WI. He entered the U.S. Army Air Force and served in World War II from 1943 to 1946. Rehnquist obtained his undergraduate degree from Stanford University and two master's degrees from Stanford and Harvard Universities. He received his law degree from Stanford, graduating first in his class. Rehnquist served as a law clerk for Justice Robert H. Jackson, then practiced law in Phoenix, Arizona. President Richard Nixon appointed Rehnquist to serve, first as Assistant Attorney General in charge of the Office of Legal Counsel at the U.S. Department of Justice, and then as Associate Justice in 1972. President Ronald Reagan nominated him Chief Justice in 1986.

The Supreme Court enjoyed renewed admiration under Rehnquist's leadership. Guided by Rehnquist's steady hand, the United States Senate weathered one of the most difficult and controversial moments in our nation's modern history—the impeachment trial of a sitting U.S. president.

Rehnquist believed that the best judiciary was a restrained judiciary—one that would adhere to the letter of the law—not to the personal policy preferences of its members. Two areas in particular stand out in my mind as perhaps the most lasting examples of this legacy.

The Rehnquist Court may perhaps best be remembered for the restoration of common sense to our criminal justice system. Many Americans perhaps do not remember the days of the Supreme Court under Chief Justice Earl Warren. The 16 years under Warren, from 1953 to 1969, were nothing short of a heyday for criminals in America. Many Americans probably are familiar with the notion of letting a criminal off on the basis of a ''technicality.'' This notion originated in the years of the Warren Court. The Supreme Court let countless criminals go free because police officers did not say precisely what the Court wanted them to say when they arrested criminals, or because warrants did not say precisely

what the Court wanted them to say when the police searched criminals. It is no exaggeration to assert that, at that time, the rights of criminals were placed before the rights of victims—not to mention before the wellbeing of society in general.

This period ended when President Reagan elevated William Rehnquist to Chief Justice. Chief Justice Rehnquist did his level best to return our Constitution to its original understanding, an understanding that gives law enforcement officials the freedom they need to protect society from criminals. Over the last decade, we have witnessed an historic decline in violent crime all across America. This is due, in no small part, to the efforts of Chief Justice Rehnquist.

The second area, one equally, if not more important than the first, was the effort to restore the federal-state partnership known as ''federalism'' envisioned by our Founding Fathers. Our Founding Fathers believed that States and the Federal Government should be equal partners. Indeed, it was the view of our Founding Fathers that the Federal Government should have limited and enumerated powers, and, in fact, the primary authority to legislate should be left to State governments. I know this might come as a surprise to some, but not all wisdom emanates from Washington DC. State governments, after all, are closer to the people than the Federal Government is. Our Founding Fathers realized this fact.

Unfortunately, many Supreme Court Justices did not. Over the years, many of these Justices had interpreted the Constitution to give the Federal Government unlimited powers. These Justices characterized everything the Federal Government wanted to do as a regulation of ''interstate commerce.''

This was a fiction, of course, but over the years the Federal Government grew bigger and more powerful, the State governments grew smaller and less powerful, and the American people became less free.

Chief Justice Rehnquist did his part to stem this tide. He tried to stand for our Constitution and the founding vision that not everything should be left to the Federal Government. Although this project is still unfinished, Chief Justice Rehnquist made impressive strides, and there is no question that our Nation is better off today for his efforts.

Chief Justice Rehnquist's passing also reminds us that Supreme Court Justices are, after all, human beings—and that they should be treated with civility and respect, not as political pawns. Thus, perhaps the best way that we in the Senate might pay tribute to Chief Justice Rehnquist's legacy is to put partisanship aside in the judicial confirmation process.

President Bush has now fittingly nominated one of Rehnquist's former law clerks, Judge John Roberts, to replace him as Chief Justice. We should do the right thing by Chief Justice Rehnquist and vote on Judge Roberts's nomination as expeditiously as possible—and without some of the political posturing that has greeted other well-qualified nominees.

My thoughts and prayers are with Chief Justice's Rehnquist's family. The Nation suffered a profound loss on Saturday night. I am confident, however, that we in the Senate will do our part to proceed in a manner that honors the memory of our late Chief Justice and in a manner that would make him proud.

Mr. KYL. Mr. President, the death of William Hubbs Rehnquist leaves us saddened but also grateful for his more than three decades of service to his country as a Justice of the U.S. Supreme Court, including 19 years as its Chief Justice.

I first met Chief Justice Rehnquist when he was a lawyer in Phoenix. He spent most of the 1950s and 1960s practicing law in our State, and raising a family there with his wife, Natalie, who passed away in 1991. He made an annual return to Arizona from 1994 until last year, to teach a course on Supreme Court history at the University of Arizona College of Law, my alma mater.

Appointed to his seat by President Nixon in 1972, and elevated to Chief Justice by President Reagan in 1986, he provided steady leadership at the Court through turbulent decades. He showed that one man of integrity really can make a difference.

He was a conservative whose philosophy did not always carry the day, especially in his early years on the Court. More recently, there has been greater acceptance of his notion of balance between the authority of States and the Federal Government. His decisions helped prevent the rights of criminal suspects from being overemphasized to the point that law enforcement was hampered in doing its job. They curbed the Government's use of racial quotas, deemed by most Americans to be a squandering of the moral authority of the civil rights movement. They reaffirmed the religious freedom clause of the first amendment. They upheld restrictions on the practice of abortion, again in keeping with the views of most Americans.

On a personal level, William Rehnquist had a quick, dry wit and a manner that was warm and courteous. He was a straight shooter, devoid of pretentiousness, yet deeply learned in the law and many other things. The legacy he leaves includes the histories he wrote, namely his four books on the Court and the American legal system: ''The Supreme Court: How It Was, How It Is,'' 1987; ''Grand Inquests: The Historic Impeachments of Justice Samuel Chase and President Andrew Johnson,'' 1992; ''All the Laws But One: Civil Liberties in Wartime,'' 1998; and ''Centennial Crisis: The Disputed Election of 1876,'' 2004.

Notice those titles. We had, during his tenure as Chief Justice, a Presidential impeachment—over which he presided with a dignity and good sense that were reassuring to all, in and out of the Senate Chamber. We had a disputed election—in which he led the Court in delivering the U.S. Government and the country from a nightmare of litigation and partisan combat.

His death has left mourners even among those who disagreed with him. The liberal law professor Laurence H. Tribe offered words of praise for his brilliance, his honesty, and his calm leadership. He called Chief Justice Rehnquist ''a master'' at enabling the Court to ''earn the respect of all who take part in its proceedings or are affected by its rulings.'' Justice Ruth Bader Ginsburg said he ''was the fairest, most efficient boss I have ever had.''

The admiration he inspired in people all across the political spectrum is due also to the superb job he did as the Federal judiciary's top administrator, which is part of the role of Chief Justice. He staunchly asserted the independence of the Federal court system and fought to see that those who worked in it were adequately compensated.

William Rehnquist loved his family; he loved the law; he loved America and its history; and he loved the Supreme Court as an institution. The courage and tenacity he showed, despite suffering from thyroid cancer, were typical of him. He presided over oral arguments in the spring and continued his work on that group of cases until just last month.

> It is the right of every citizen to be tried by judges as free, impartial, and independent as the lot of humanity will admit.

So said the Massachusetts Constitution of 1780, which influenced the writing of the U.S. Constitution. William Rehnquist was a free, an impartial, and an independent judge. His combination of strong-mindedness and meticulous fairness made him perfect for the position he held. He makes Americans, and especially Arizonans, very proud. We mourn his loss.

HURRICANE KATRINA

Mr. McCAIN. Mr. President, at times we come to the floor of the Senate not to debate policy but to mark the death of fellow Americans. I am deeply saddened to note that this is one such occasion.

By some estimates, Hurricane Katrina has taken what may be thousands of lives throughout the southeastern United States. The storm not only ended lives but it also displaced hundreds of thousands of our fellow citizens. They have now been scattered throughout the Nation, hoping to one day return to the homes and lives they were forced to leave behind. Our work to help the victims of this national

tragedy has just begun, and Congress must do all that is necessary to fund essential relief and recovery efforts and help those in need.

HONORING CHIEF JUSTICE WILLIAM REHNQUIST

Mr. MCCAIN. Mr. President, while the Nation's attention is rightly focused on the ongoing tragedy in the South, I would also like to say a few words about the passing of a great American. After a long and extraordinary life, William Rehnquist died this past weekend. The 16th Chief Justice of the United States leaves us with an unmatched legacy of service to our Nation.

Born 80 years ago in Milwaukee, WI, William Rehnquist lived a truly remarkable life. Like many in his generation, he served in World War II and was stationed in North Africa. With the support of scholarship money from the G.I. Bill, Justice Rehnquist attended college at Stanford University. He then went on to earn his law degree from Stanford Law School. At law school, the Chief Justice began to establish his reputation as a brilliant legal thinker and an able scholar. He graduated at the top of his class, just ahead of Sandra Day O'Connor.

After clerking for Supreme Court Justice Robert Jackson, Rehnquist married his late wife Natalie Cornell and moved to Phoenix, AZ. There, Justice Rehnquist and Nan raised their three children—James, Janet, and Nancy—while he built a long career as one of Arizona's leading attorneys.

In 1969, Chief Justice Rehnquist became a public servant as an assistant U.S. attorney general. Two years later, he was nominated by President Nixon to the Supreme Court. After being confirmed by the Senate, he took his seat as an Associate Justice of the Court—at 47, he was the Court's youngest member. In 1986, President Reagan nominated and the Senate confirmed Justice Rehnquist as the Chief Justice of the United States.

During his 33 years on the Court, Justice Rehnquist gained respect for his sharp intellect, his strong sense of fairness, and his profound devotion to the Court and to public service.

The Chief Justice's extraordinary legal career was surpassed only by the courage that he showed in his final year of life. During that time, he battled bravely against thyroid cancer. Through radiation and chemotherapy treatments, he continued to serve on the Court and stated that he would continue to perform his duties as Chief Justice as long as his health permitted. He did just that, with the dignity and dedication that characterized his tenure on the Court.

William Rehnquist truly was first among equals. May he rest in peace.

Mr. OBAMA. Mr. President, today I speak in honor of Chief Justice William Rehnquist. The Chief Justice served this Nation's highest court with distinction and honor for more than three decades, and his career in public service started years earlier. Even as he battled cancer over the past year, he continued to be an example of personal strength, dignity, and fortitude. I join my colleagues in mourning his passing and offering my prayers to his family.

The Chief Justice was a staunch defender of the Supreme Court and an active, independent judiciary. He was admired as a warm and helpful colleague, a thoughtful mentor, and an extremely effective administrator of the federal court system. The courts were well cared for under his distinguished leadership.

Justice Rehnquist also engaged directly with many of the toughest constitutional controversies of the twentieth century. Although I often disagreed with his decisions, Justice Rehnquist's opinions have been the source of important scholarship and litigation. Like the Chief Justice he followed, the late Earl Warren, Justice Rehnquist will be remembered as an important historical figure whose legacy will impact generations of Americans.

I knew the Chief Justice only at a distance. As a lawyer and a constitutional law instructor, I was required to wrestle intellectually with his ideas and arguments, and to press my students to divine his judicial instincts and motivations. My regret is that I never got to know him personally, or even to join one of his legendary walks around the Capitol or monthly poker games. I know that his warmth and humor have touched many of my colleagues, and he will be missed.

Of course, the strength of our constitutional structure—is that it is greater than any individual. Each of us plays but a small role in designing or building or repairing that structure it is greater and more important than any of us. We mourn the passing of Justice Rehnquist and now look to the future and the important work to be done.

Mr. JEFFORDS. Mr. President, I rise today to honor Chief Justice William Rehnquist, who was a brilliant jurist, a devoted public servant, and a person who shared my love of Vermont.

Though most Americans knew Chief Justice Rehnquist for his years of service on the Supreme Court, many Vermonters knew him as a neighbor and a friend. Like most who visit our great State, Chief Justice Rehnquist fell in love with Vermont's natural beauty and rural character and purchased a home in Greensboro in 1974.

For over 30 years, Chief Justice Rehnquist escaped the humidity and stress of Washington every summer in favor of the picturesque surroundings and quiet charm of Caspian Lake. Whether it was playing cards, visiting Willey's Store, or worshipping at the Greensboro United Church of Christ, Chief Justice Rehnquist immersed himself in the community with a remarkable subtlety and modesty for a man of his stature and prominence. The Chief Justice would also share his knowledge of history, politics, and the law with community members in a lecture that became a much-anticipated summer tradition in Vermont's Northeast Kingdom.

Each year, before the State of the Union, I would usually have a chance to chat with the Chief Justice about his time in Vermont. Amidst the chaos and cameras of the Capitol on such a busy night, Chief Justice Rehnquist always found time to reminisce about the summer months he spent in our State. I always enjoyed these brief discussions with such a kind and engaging man who valued life's simple pleasures so dearly.

On September 5, the Burlington Free Press, describing the reaction in Greensboro to the Chief Justice's passing, wrote:

> It wasn't a dignitary that was mourned; it was a guy who liked to walk everywhere and call people by their first names (and expected them to return the favor). It was a guy who had an affinity for Hershey's Special Dark Chocolate bars and Donna Gerow's homemade pumpkin bread.

As millions of Americans mourn the loss of one of the most influential people of our time, Vermonters in Greensboro, and around Caspian Lake, mourn a good neighbor, a great friend, and a fellow Vermonter.

RELATIVE TO THE DEATH OF WILLIAM H. REHNQUIST, CHIEF JUSTICE OF THE UNITED STATES

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to a vote on the resolution honoring the life of Chief Justice William Rehnquist, which the clerk will report.

The assistant legislative clerk read as follows:

> A resolution (S. Res. 234), relative to the death of William H. Rehnquist, Chief Justice of the United States.

Mr. HATCH, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the resolution. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New Jersey (Mr. CORZINE), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 222 Leg.]

YEAS—95

Akaka	Dole	Martinez
Alexander	Domenici	McCain
Allard	Dorgan	McConnell
Allen	Durbin	Mikulski
Baucus	Ensign	Murkowski
Bayh	Enzi	Murray
Bennett	Feingold	Nelson (FL)
Bingaman	Feinstein	Nelson (NE)
Bond	Frist	Obama
Boxer	Graham	Pryor
Brownback	Grassley	Reed
Bunning	Gregg	Reid
Burns	Hagel	Roberts
Burr	Harkin	Salazar
Byrd	Hatch	Santorum
Cantwell	Hutchison	Sarbanes
Carper	Inhofe	Schumer
Chafee	Inouye	Sessions
Chambliss	Isakson	Shelby
Clinton	Jeffords	Smith
Coburn	Johnson	Snowe
Cochran	Kennedy	Specter
Coleman	Kerry	Stabenow
Collins	Kohl	Stevens
Conrad	Kyl	Sununu
Cornyn	Lautenberg	Talent
Craig	Leahy	Thomas
Crapo	Levin	Thune
Dayton	Lieberman	Voinovich
DeMint	Lincoln	Warner
DeWine	Lott	Wyden
Dodd	Lugar	

NOT VOTING—5

Biden	Landrieu	Vitter
Corzine	Rockefeller	

The resolution (S. Res. 234) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 234

Whereas William H. Rehnquist, the late Chief Justice of the United States, was born in Milwaukee, Wisconsin, to William Benjamin Rehnquist and Margery Peck Rehnquist and raised in Shorewood, Wisconsin;

Whereas a young William H. Rehnquist served our Nation during the Second World War in the United States Army Air Force at home and abroad from 1943 to 1946;

Whereas William H. Rehnquist enrolled in Stanford University, where he earned a bachelor's and master's degree in political science and was elected to Phi Beta Kappa;

Whereas William H. Rehnquist earned a second master's degree in government from Harvard University;

Whereas William H. Rehnquist graduated first in a very impressive class, including his future Supreme Court colleague, Sandra Day O'Connor, from Stanford University's School of Law;

Whereas William H. Rehnquist began his legal career by serving as a law clerk to Supreme Court Justice Robert Jackson;

Whereas William H. Rehnquist married the late Natalie Cornell, and they raised 3 children, James, Janet, and Nancy;

Whereas William H. Rehnquist was an accomplished attorney, having practiced law for 16 years in Phoenix, Arizona;

Whereas President Richard Nixon selected William H. Rehnquist to serve as Assistant Attorney General for the Office of Legal Counsel of the Department of Justice;

Whereas President Richard Nixon also nominated William H. Rehnquist to serve as an Associate Justice on the Supreme Court of the United States;

Whereas President Ronald Reagan nominated William H. Rehnquist to serve as the sixteenth Chief Justice of the United States;

Whereas William H. Rehnquist had a profound love for history and respect for the arts and served as Chancellor of the Smithsonian Institution for 19 years;

Whereas William H. Rehnquist was a skilled writer and avid historian and authored several books on Supreme Court history and the American legal system;

Whereas William H. Rehnquist was a man of enormous intellect and great common sense, a combination that was reflected in the clarity of his opinions;

Whereas William H. Rehnquist's record illustrates his unwavering commitment to judicial restraint, judicial independence, and the rule of law;

Whereas, under his firm leadership and superb managerial skills, William H. Rehnquist efficiently managed the Supreme Court of the United States for 19 years;

Whereas leaders of both political parties agree that William H. Rehnquist served with honor and integrity in his role as the second Chief Justice of the United States to preside over a presidential impeachment trial, respecting the institutional domain of the Senate and its processes, procedures, and traditions;

Whereas, as the leader of the Supreme Court, William H. Rehnquist was highly regarded by all of his colleagues, including those with differing judicial philosophies;

Whereas his former colleagues have described William H. Rehnquist as a ''splendid administrator'', ''the most efficient manager'', ''a great Chief Justice'', ''meticulously fair'', and the ''most all-around successful'' Chief Justice;

Whereas William H. Rehnquist served with distinction on the Supreme Court of the United States for over 14 years as an Associate Justice and 19 years as the Chief Justice, more than 33 years in all;

Whereas William H. Rehnquist was the fourth longest serving Chief Justice of the United States;

Whereas William H. Rehnquist was 1 of our Nation's most influential and memorable Chief Justices;

Whereas William H. Rehnquist was the embodiment of the ideal qualities of a judge, fair, impartial, open minded, and above all committed to the Constitution and the rule of law;

Whereas William H. Rehnquist will be remembered as 1 of the greatest Chief Justices of the United States;

Whereas William H. Rehnquist passed away on September 3, 2005, surrounded by his loving family; and

Whereas our Nation is deeply indebted to William H. Rehnquist, a truly distinguished American: Now, therefore, be it

Resolved, That the Senate—

(1) extends its heartfelt sympathy to the family and friends of William H. Rehnquist;

(2) acknowledges William H. Rehnquist's life-long service to the United States of America as a World War II veteran, a talented attorney, a dedicated public servant, a brilliant jurist, and one of our Nation's greatest Chief Justices; and

(3) commends William H. Rehnquist for his 33 year tenure on the Supreme Court of the United States and his many accomplishments as Chief Justice of the United States.

Mr. FRIST. I ask unanimous consent the time until 1:30 be equally divided, and at 1:30 the Senate stand in recess until 3:30 today as a further mark of respect to Chief Justice Rehnquist, provided further that when the Senate reconvenes at 3:30 there be a period for morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Massachusetts.

THE DISASTER IN NEW ORLEANS

Mr. KENNEDY. Madam President, Americans continue to be moved by the devastation of Hurricane Katrina and its toll on our fellow Americans, from New Orleans and in the Gulf Coast region, particularly in Louisiana, Mississippi, and Alabama. The human tragedy has brought out the generosity of the American spirit, as people have opened their homes and pocketbooks to families uprooted by the storm. This is a disaster of Biblical proportions. The dimensions of this tragedy almost are beyond human comprehension and the failures by our Government to prepare and to respond run deep and wide.

Yesterday the President and the White House spokesman proclaimed that the administration would not play the blame game. This is not a game. This is not some schoolyard spat. It is about life and death and, most important, it is about getting it right the next time.

We must be about the work of providing continuing relief to our citizens and rebuilding our communities. But we also cannot delay the important task of determining what went so gravely wrong, and holding accountable those responsible for the tragic failures that Americans have seen so clearly on their televisions and read in their newspapers. The next disaster could be tomorrow. It could be a devastating earthquake. It could be a deadly terrorist attack. It could be another destructive storm. We need an immediate and independent assessment of what went wrong and what we must do to fix it.

Any corporation faced with such devastation and incompetence by its leadership would have its board and its shareholders demanding an independent assessment of the failures and demanding accountability from its leadership. It would not be business as usual.

The same holds true for the people's Government. The people have a right to candor and honesty about the state of their Government's preparedness to protect them. The new Department of Homeland Security, created by this administration, was supposed to protect us. It was supposed to do a better job of keeping us safe. It failed, and more than a million people have been displaced from their homes, a treasured American city is a wasteland, thousands have lost their lives, an economy has been shattered with ripple effects all over America. Candor, honesty, action—that is what we need. The people have a right to know that they will be better protected the next time.

Another lesson of this tragedy is that America can ignore the disparities in our society no longer. The powerful winds of this storm have torn away the mask that has hidden from our debates the many Americans who are left out and left behind. We see now in stark relief that so many Americans live every day on the brink of economic disaster. For them any setback becomes a major

obstacle to survival, and a hurricane of this force leaves their lives in the balance. These disparities have emerged not out of malice but out of indifference, but they are real and we can neglect them no longer.

In August, the Census Bureau reported that the poverty rate in America is up and has risen for 4 years. It is now 12.7 percent, with 37 million Americans surviving in poverty. A quarter of all African Americans live in poverty; for Latinos it is 22 percent. One-fifth of our children live in poverty, and a tenth of our elderly. Thirty-six million Americans are hungry or malnourished. A third of our children are in families without health insurance. In fact, 45 million Americans have no health insurance at all. And the disparity in incomes has never been greater, with the rich getting richer and the rest of America, the poor and the middle class, falling behind.

People in the middle class are having a harder time, too. Already they were struggling to cope with rising gasoline prices, rising college tuition, and rising costs of health care. Now those affected by Katrina have lost everything: Their homes, their cars, their family photos—everything. We cannot be an America of haves and have-nots. We cannot be an America of 50 separate, isolated States. As we rebuild the Gulf Coast, we must also come together to tackle these disparities. We must be a united America, one Nation under God, with liberty and justice for all. And when we say all, we mean all.

To address this challenge, our Government must respond in ways that are as good and compassionate as the American people. We cannot just fix the hole in the roof; we need to rebuild the whole foundation.

I propose that we create a New Orleans and Gulf Coast Redevelopment Authority, modeled after the Tennessee Valley Authority in its heyday. We should invest at least $150 billion, as our Democratic leader HARRY REID has suggested previously. We should invest it in actions to work with Governors and mayors and citizens and communities to plan, help fund, and coordinate for the reconstruction of that damaged area. It should help hire workers to put people back to work rebuilding their own communities and helping them get back on their feet again.

This is a national responsibility. The tragedy affects us all, not only in our hearts, but it affects the national economy and our national security.

That is the America we stand for, an America where we treat each other with respect, where we address our mistakes and meet our challenges with honesty and candor and immediate action. America deserves no less.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. BAYH. Madam President, I ask unanimous consent to speak for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAYH. Madam President, I do not speak often on the floor of the Senate. Frankly, it has been my observation that we have too many speeches and not enough action in this town. But some events are so profound that they demand our reflection. The tragedy along the Gulf Coast is such a time.

This Sunday will be the fourth anniversary of the terrorist attacks on September 11, attacks that opened our eyes to the dangerous world we live in, made real the existence of evil, and shook our national complacency forever.

Last week we witnessed a tragedy of equal proportions, not a terrorist attack, but an act of nature made more tragic by the violation of the bedrock American value of community and the fundamental promise implicit between our Government and our people. Our Government failed at one of the most basic functions it has, providing for the physical safety of our citizens, and in so doing raised questions about who we are as a people, what makes us special, and whether our leaders understand.

I am not going to dwell on the horror of the past week which we as a Nation witnessed and which the people of the Gulf Coast experienced. Among the horrors, we also witnessed countless episodes of tremendous heroism and heartwarming generosity, and we saw Americans rise up to play the role the Government should have played by getting money, food, water, clothes, even opening their homes to complete strangers. That is the best of America.

There will be a time for hearings and for factfindings, for commissions. Those investigations must be independent, so we can get to the bottom of what happened and why. And those responsible must be held accountable for their mistakes, not promoted or awarded medals.

Today, however, I want to talk about something deeper: The breaking of a promise between our basic institutions of Government and the American people who have created those institutions. The fact is that scores, maybe hundreds or thousands of lives were lost, not simply because people didn't leave or because the levees were not strengthened, but because after the storm our institutions of Government failed them, and that is not right. Many of us never thought we would live to see the day when tens of thousands of our fellow citizens would be left for nearly a week to fend for themselves without food, without water, and stranded on rooftops.

This is a moment where we have to step back and revisit the idea of what America is all about. People came here because of that idea. They came because of the promise that everyone has an opportunity to aspire to something greater, and if you work hard and play by the rules, our Government will stand up for you if you happen to fall down on your luck. What happened last week in New Orleans and along the Gulf Coast broke faith with that idea in a profound way.

I believe the truth about America today is that our institutions, and particularly this administration, have broken their fundamental promise to the people they were elected to serve. It is unfortunate but perhaps not surprising from leaders ideologically hostile to the institutions they lead. The answer to the challenges we confront today cannot be big government, but it can also not be no government. And above all it cannot be incompetent government. But that is what they have given us.

What we are seeing in New Orleans is the result of a series of misjudgments and misdirected priorities that have all produced an increasingly tragic result, a people unprotected by their own Government, a government that no longer embodies our most basic and most precious of values. From soldiers without armor to protect them in battle, to children with no health care to protect them against disease, to corporate employees with no pensions to provide for them in their elder years, this administration has sown the seeds of indifference and division for too long and now we are all reaping the whirlwind.

Americans have always prized individuality. It is a part of our national DNA. But America is a community that draws strength from the sum of our people and has always known that the total of that sum is worth far more than its individual parts.

We can only do so much alone. To maximize our freedom, to make the most of our liberties, sometimes we must act together. It is what separates us from the law of the jungle. It is what makes us special and different from other countries, too.

As a civil rights leader once said, we may have arrived on these shores in different ships, but we are all in the same boat now.

Last week we were not all in the same boat. There were too many left adrift, too many of our boats were left behind. This is not the America we have known for more than 200 years. It is not the America we should aspire to be. Our Government broke a promise. It did not keep faith with our values. It is time for us to renew that commitment, to make a new promise to the people who went through the horror of last week, and to say to each and every American across our great land, we are going to work with you to rebuild your city, to give you the tools and the resources you need to get back on your feet, that together we are all in the same boat and that everyone—everyone—has a place. It will help you and it will strengthen all of us.

We must provide funding to school districts that accept displaced children. We must provide medical assistance for displaced victims without forcing them to wade through endless redtape. We must rebuild and strengthen the levee system in New Orleans as

quickly as humanly possible, which should have been done years ago, so that its people never again will face the calamity of last week. If Holland can do it, the little nation of Holland, then so, too, can we.

But to accomplish all of this and so much more that remains to be done, it will take leadership, leadership unlike that which has controlled Washington for these last several years. The times demand leaders who understand that the true test of leadership is not how we accentuate the differences among us but instead how we reconcile them, how we forge principled consensus, how we find common ground. We need leaders who appeal to us to think about something other than narrow self-interest but instead focus upon the greater, the better good.

The answer to our challenges can be found all around us on this floor. It is written in the motto of the Great Seal of the U.S. Senate. E Pluribus Unum: Out of Many, One.

It is written on the motto of the great seal of the United States Senate, ''E Pluribus Unum,'' Out of Many, One.

United, there are no challenges we cannot meet; divided, we will be surrounded by dangers, our potential as a nation unfulfilled.

So this Sunday, September 11, let us say a prayer for the victims in New York and for those on the Gulf Coast and, most of all, let us say a prayer and ask for a blessing on this great country that we might have the unity and the wisdom and the selflessness to fulfill the full meaning of our creed: ''One nation under God, with liberty and justice for all.''

Thank you, Madam President. I yield the floor.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. GRAHAM). Without objection, it is so ordered.

HONORING CHIEF JUSTICE WILLIAM REHNQUIST

Mr. CARPER. Mr. President, I would like to take the next 10 minutes to talk about a couple of different items.

Not far from where we are today, the body of our late Chief Justice has lain in repose, and a number of us were privileged to go there earlier today just to say goodbye and to thank him for his service to our country—33 years. That is a long time, more than three decades that he has served us. His love for our country, his love for the law and the integrity of our Nation's judiciary system was only surpassed by his love for his family and for those with whom he worked.

During his time on the Court, he fostered, among other things, real congeniality among the Justices—something that is not easy to do in that forum or, frankly, in this one. In return, he was held in high esteem by his colleagues who had called him, among other things, ''brilliant,'' ''principled,'' ''generous,'' with ''a good sense of humor,'' something we can never have too much of.

He demonstrated great personal strength and courage in leading the Court and this country through difficult and contentious times, continuing his work in the face of ever-daunting health problems that would have set most of us on our backs and far out of the courtroom.

There are many judicial hallmarks of his time on the Court. Throughout his tenure on the Court, he staunchly supported the independence of the Federal judiciary and our overall governmental system of checks and balances. We will miss him, but we are grateful that he was here to serve us for as long as he has.

HURRICANE RELIEF

Mr. CARPER. I would also like to talk about the good efforts that are going on in a number of places around our country to support the relief effort to those who have been stricken by Hurricane Katrina. We heard a fair amount of questioning about whether the response was adequate, was timely, what we could have done better, what we needed to do better, and those are all legitimate questions and they need to be answered in time—some of them now, some of them in the course of the next couple of weeks and months.

I said to some of my colleagues with whom I was discussing Katrina and our response—we were talking about the role of government in a situation such as this—Lincoln had it right about 150 years ago when he said words to the effect that the role of government is to do for people what they cannot do for themselves. That is our role in this instance as well.

Not long ago I was in our church, and the focal point of the sermon was the parable from the New Testament about the Good Samaritan and the question that is asked at the beginning of the parable of the Good Samaritan, Who is my neighbor? We go on to be reminded that our neighbor is not just the people who live across the street from us in Wilmington, DE, or in South Carolina. Our neighbor could just as well be a person who lives in New Orleans, Biloxi, Mobile, or any of the other places affected.

I am inspired by outpouring, not just from government and for us to do our jobs—we are paid literally to help people in instances such as this, and that is the expectation of us, but for a lot of people this is not their expectation. People are literally showing their faith by their deeds. In some cases, people are opening up their homes, opening up their military installations, opening up all types of facilities to receive those who have been dislocated, welcoming youngsters to schools far from the schools those kids would normally be attending to make sure their education is not disrupted.

I think of the folks from my own State, the doctors and nurses, folks in our medical operation out of our Delaware Air National Guard. They were literally on the scene today providing services and assistance to those who need it. People are collecting food, people are giving blood, people are giving boatloads of money and, frankly, boatloads more are needed. But it is an inspiring outpouring after a difficult and disappointing beginning.

Among the questions I hope we will focus on as we try to decide what went well and what did not go well, what was right, what went right, and what we did poorly, is the issue of the levees that surround the city of New Orleans that keep Lake Pontchartrain from pouring into the city of New Orleans. If you look in the dictionary for a definition of ''city at risk'' if there ever was a Category 3, 4, or 5 hurricane, you would see New Orleans. That is the poster child for this kind of risk. We knew the threat was there. We knew it was a grave threat. We have been talking about it for years. The people have talked about it for years. The Army Corps of Engineers sought to reinforce the levees.

We knew this storm was coming. It is not one that popped up at the last minute. Yet, in spite of that, the work that should have been done on the levees to strengthen them to sustain this kind of onslaught by Mother Nature, someone has dropped the ball. I am not interested in finger-pointing or witch hunts. We have to find out where we went wrong, why we went wrong, and fix that. If New Orleans is ever to rise again—not from the ashes but from the waters that engulf it today—this is an issue that has to be not only resolved, we have to come up with a solution to make sure we have learned from this very expensive lesson.

I fear a storm which could have cost tens of billions may cost more than $100 billion to repair the damage, a lot of it from New Orleans. A storm that could have cost us hundreds of lives will probably cost us thousands of lives. It did not have to be.

The last thing I wish to say is I was encouraged in the presentation we had by some of our Cabinet Secretaries who talked about what the Department of Health and Human Services is doing, making sure the folks who need medical assistance and Medicaid eligibility, identification, people who need help getting their food stamp allocations, people need to receive their unemployment checks—all kinds of things were discussed, what the Federal Government can do to help people. It was encouraging.

One of the presenters was the Secretary of the Department of Treasury. He talked, as the Presiding Officer may recall, about the work being done to

defer the payment of taxes. People who normally would have an estimated tax payment—personal business maybe—on September 15 will be given until the end of October to make that payment. They were looking for ways we, through the Federal Government, could exercise some charity, some consideration for those who were in harm's way and are now in desperate straits to pull their lives back together.

I come from a State where we have a lot of banks. We probably have more credit card banks per capita—probably issue half the credit cards issued in America. I am empowered to speak on this point. We have a lot of financial services companies around the world. They extend credit. Most do a great job of extending credit to people through America, the Northeast, Midwest, Southwest, and also the Gulf Coast States. Just as the Department of Treasury is trying to find ways to show kindness and a little consideration to those who are affected in the disaster areas on the tax side, my hope is our financial services companies which are going to be benefiting from the implementation of our new bankruptcy law this fall, this might be a good opportunity for some of them to say—and some of them already are doing this, I should point that out. Some financial services companies are saying: We want to help folks in the Southeast United States who have been affected, and here are the variety of ways we will do that. Some are not entirely forgiving indebtedness but are providing payment holidays, extending the dates on which payments are due, and taking away interest and finance charges. That is what we ought to applaud and the behavior we ought to encourage others to undertake.

Today, in addition to saying goodbye to our Chief Justice and to saying terrific work by folks from all walks of life to help people in dire straights, well done, we say to our financial services companies around the country that are trying to find their own ways to reach out and help people, God bless you. Good for you. Finally, to say to those who aren't, maybe you would like to join the parade and lend a helping hand as well.

(The remarks of Mr. CARPER pertaining to the introduction of S. 1627 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.''

Mr. CARPER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. In my capacity as a Senator from the State of South Carolina, I ask unanimous consent that the order for the quorum call be rescinded.

Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 3:30 p.m.

Thereupon, the Senate, at 1:30 p.m., recessed until 3:30 p.m. and reassembled when called to order by the Presiding Officer (Mr. MARTINEZ).

MORNING BUSINESS

The PRESIDING OFFICER. The Senate is in a period of morning business with Senators recognized for up to 10 minutes.

The Senator from Idaho.

ORDER OF PROCEDURE

Mr. CRAIG. Mr. President, I ask unanimous consent that following my 10 minutes, the Senator from New Hampshire, Mr. GREGG, be recognized for 10 minutes, to be followed by the Senator from Kansas, Mr. BROWNBACK.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING CHIEF JUSTICE WILLIAM H. REHNQUIST

Mr. CRAIG. Mr. President, I come to the floor this afternoon to speak for three very important reasons. Of course, first is to recognize our Chief Justice who has just passed, William Rehnquist.

Today the Senate paid its respects to the late Justice Rehnquist, filing through the halls of the Supreme Court where he served this Nation with distinction for more than 33 years.

I could not help but remember a conversation I had with Chief Justice Rehnquist a couple of years ago. I was walking to work and happened to run into him on one of his legendary strolls around the Court. We talked a bit about what was happening in the judicial nomination process in the Senate. But the specifics of that conversation are probably less important than the style of the conversation. He was informal, approachable, genteel, but certainly direct. And regardless of his physical frailty, he had lost none of his interest or his ability to give a shrewd analysis of the events of the day. If you spent any time at all with this very important man, you would feel the force of his great personality.

Much has already been written about the legal legacy of Justice Rehnquist because he was one of the most influential jurists of our time. He anchored and presided over a shift to conservative principles, underscoring in particular the importance of federalism and limitations on Government. I know some in the conservative community were disappointed that the Supreme Court, on his watch, did not reverse more prior left-leaning precedents, but his strong hand was certainly obvious in a long series of history-making decisions. William Rehnquist's impact on jurisprudence was profound and will be felt for many years to come.

In his personal life, I know this engaging man had many friends, and to all of them, as well as his family, I extend my deepest condolences. The Court has lost a brilliant and fair leader. America has lost a great public servant. I consider myself fortunate to have had the chance to know and be inspired by William Rehnquist.

I thank the leader for this opportunity to add one more voice to the chorus of tributes from a grateful Nation.

TRIBUTE TO DAMON TOBIAS AND GEORGE O'CONNOR

Mr. CRAIG. Mr. President, if you serve long enough in the Congress—I had the opportunity to serve 10 years in the House, and now I am into my third term in the Senate—you have a lot of very capable and wonderful people who work for you. If you serve long enough, as I have mentioned, they not only work for you but sometimes they decide to retire. In my situation, in my office, I have two people retiring this month, and I am going to miss them greatly. I want to speak a few moments about them.

First, I talk about Damon Tobias. Damon has been on my staff and handling my budget and tax issues and appropriations issues for a good number of years. I first met Damon in the House of Representatives when he was on the staff of Congressman Charlie Stenholm of Texas. Damon and I and Congressman Stenholm became involved in the balanced budget amendment movement at a time when deficits were totally out of control, and many of us worked to bring them under control. That is when Damon and I became friends. Through the 1980s we worked together on this most important issue.

I left the House to come to the Senate, and Damon left the Stenholm office to go to the U.S. Chamber of Commerce. Later on, 2 years after I came to the Senate, Damon joined my staff in March of 1992. Damon has continued to work for me over that time, dealing with the balanced budget amendment, dealing with taxes and budget and labor issues, immigration issues. Probably Damon has spent more time, along with me, trying to solve the immigration question for American agriculture and for workers in the American agricultural economy than nearly any other issue. Of course, that paramount bill he worked so much on now has majority support in this Senate and a vast coalition of Americans behind it, known as AgJOBS, and it is a legacy of which Damon can be truly proud. He worked on appropriations and small business and Hispanic issues.

He and his bride are going to return to his home State of New Mexico where Damon, I am sure, will proceed to do other things along with taking care of his aging mother. I and my staff are going to miss Damon Tobias, and I am convinced the Senate will also miss him.

Mr. President, I now wish to speak about George O'Connor. Many who are in the energy field not only here in the Senate but across the United States know George O'Connor. He has served with me as counsel, on the Energy and Natural Resources Committee for a good number of years. He came to this city as a lawyer in 1980, working for the Stein, Mitchell & Mezines law firm as a litigator. He specialized in administrative law litigation before the Federal Trade Commission. He became a trial attorney for the Federal Energy Regulatory Commission's Office of General Counsel in the Division of Hydroelectric Licensing in 1982.

He worked then as a legal advisor to FERC Commissioner Charles A. Trabandt from 1985 until 1993 and was responsible for environmental issues associated with energy projects. He returned to the FERC's Office of General Counsel until 1997.

In 1998, George joined my staff as a fellow, and it was not long before I realized I needed his talent on a full-time basis in the area of energy and natural resources. In the year 2000, he became directly involved with me and has worked in that capacity for a tremendous number of years. I must say that both George and I, at the close of the session for the August recess and the passage of the National Energy Policy Act, saw that as not only a culmination of a great career here in the Senate for George O'Connor but a substantial success for myself and other members of the Energy Committee who were much involved in that.

George has worked a total of 24 years in the Federal Government, and a total of 8 years in my office. I say, without question, I am going to miss George O'Connor. He is retiring to go downtown to do other things, and I am sure he will be back here when we need him helping us with his expertise and his talent. He is well known by all who associate with him as a tough but very fairminded and talented man.

I must say that George O'Connor has served my State of Idaho well, has served the Pacific Northwest well, where hydro is still a dominant producer of our electricity, and has served this Nation and the Senate well.

My hope for George O'Connor and Damon Tobias is that in their next life, which they are now about to assume, they will do well and be as successful in it as they have been as very talented and capable staffers here in the Senate.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

HONORING CHIEF JUSTICE WILLIAM H. REHNQUIST

Mr. GREGG. Mr. President, I wish to join with all my colleagues and with America in expressing our condolences to the Rehnquist family and, obviously, our great appreciation for his extraordinary service to this Nation. I hope at a later date to put in a more extensive statement. He was a man whose commitment to the law was exceptional, but his commitment to the country was even higher. We are very fortunate to have had him as our Chief Justice and as a Justice on the Supreme Court for so long.

RECONCILIATION INSTRUCTIONS

Mr. GREGG. I rise today basically to speak about another issue, and that is a letter which I have received as chairman of the Budget Committee and which was sent to the majority leader, the Speaker of the House, and the chairman of the Budget Committee on the House side by the leadership of the Democratic membership of the Senate and the House—Congresswoman PELOSI; JOHN SPRATT, who is ranking member on the House Budget Committee on the Democratic side; Senator REID, who, of course, is the Democratic leader; and KENT CONRAD, who is the ranking Democratic member of the Budget Committee.

The letter asks that we indefinitely postpone reconciliation, reconciliation being the mechanism by which we address the entitlement spending and tax policy here at the Federal level. It is an outgrowth, of course, of the budget process.

Now, the letter itself, if I can look at it, although I can hardly see it—I wish they would send these letters in larger fonts so those of us getting older would not have to take out our glasses to read them. But, in any event, the letter itself is structured in a way to assert a number of items, boldly assert items which essentially are inaccurate. In fact, the boldness of these inaccuracies is such that it would be humorous if they were not going to, I am sure, become part of the nomenclature of the left in the country and, indeed, be carried forth by the echo chambers, such as National Public Radio, which speaks for the left.

But their language says this:

> Now is not the time to cut services for our most vulnerable, cut taxes for our most fortunate, and add $35 billion to the deficit.

That is the basic theme of the letter.

> If allowed to go forward, this bill—

They are talking about the reconciliation bill—

> would likely cut programs that many victims of Hurricane Katrina will be relying on, including Medicaid, food stamps, and student loans.

Those two statements are, as I said, boldly inaccurate and reflect a failure to accept history and a failure to look at the specifics of the reconciliation bill as it passed the Senate.

Now that does not surprise me. I have to admit, and the folks who signed this letter readily admit, they did not vote for the budget when it first passed 8 months ago or 7 months ago, however long ago, 6 months ago. When it first passed, these four individuals and their caucuses strongly opposed putting in place here in the Congress a budget that had fiscal discipline, and they voted against it. So it should not come as a surprise and this letter should not come as a surprise that they are still against it and they still want to indefinitely postpone the key mechanisms which will make this budget effective.

But what is a little surprising is that they would assert such inaccuracies in their letter. Let's begin with the tax inaccuracy. They must be ignoring or they must not just look at history. They must not look at the history of the Kennedy tax cuts and the Reagan tax cuts, and most recently the George W. Bush tax cuts because one thing we proved beyond any reasonable doubt is that when you significantly cut taxes on the productive side of the American economy, you create economic activity, and as a result, you create jobs and you give people work and you create revenues for the Federal Government.

The numbers are incontrovertible. In the last 3 years, revenues have been jumping dramatically relative to the base we hit as a bottom as a result of the recession we experienced as a result of the bubble bursting, the Internet bubble of the 1990s, and the effects of 9/11. In fact, 2 years ago revenues jumped by 9 percent.

This year, revenues are literally going to jump by more than that. The revenue projections for the next few years are projected to increase by 7 percent, 6 percent, 7 percent. And the deficit has dropped by over $150 billion from the original estimates purely as a result of economic activity that has been stimulated in large part because we have reduced the tax burden on the productive side of the ledger and created an incentive for people to go out and invest. As a result, there is an incentive for people to create jobs.

We had some of the best job creation in the history of this country over the last 2 years. As a result, people are paying taxes and revenues are going up. It is totally ignored and misrepresented in this letter. More specifically, and I think the thing that I find most unreasonable about the terms of this letter—or, as I say, most boldly inaccurate—is its representation that the reconciliation instructions, as they relate to the mandatory accounts, will somehow affect programs that benefit people relative to the problems which we have in the South today as a result of Hurricane Katrina. Nothing could be further from the truth, be more inaccurate, or be more of an attempt to use the trauma and tragedy of Katrina to assert a political agenda here in the Congress of the United States, which they have been trying to assert, as I said, since they voted against that budget 6 months ago. The two have no substantive relationship, but there is an attempt now to use the political arena to try to link them up.

The fact is that the reconciliation instructions in this bill will in no way reduce student loans. In fact, the committee which has jurisdiction over this issue, under the extraordinarily able

leadership of Senator ENZI, is proposing a bill which will expand rather aggressively student loans, while saving money for the Federal taxpayer by addressing excesses in the lending community.

In fact, the proposal from the HELP Committee will increase Pell grants, will increase the availability of loans to students, and will reduce the interest rates on those loans. If we do not go forward with reconciliation and use reconciliation as a vehicle to protect this higher education initiative that comes out of the HELP Committee, we will actually end up increasing the costs to students. This letter is totally and obscenely inaccurate on that point.

It is equally inaccurate on the issue of pensions. Without reconciliation instructions on pensions, we are going to see more and more companies thrown into bankruptcy. As a result, the taxpayers are going to have to pick up the pension obligations of those companies. The people who benefit from those pensions are going to see their pensions dramatically reduced because, under the bankruptcy rules, you can significantly cut your pension liability. But if we correct the pension laws and if we use reconciliation to increase the premium cost of the pensions, which will be paid primarily by the corporations, we will be able to save some of the pensions which are now in dire straits.

The only way we can do this is probably through reconciliation. So if you don't have reconciliation, you are going to see more companies going into bankruptcy. You are going to see more pensions being wiped out. And you are going to see more employees—who have worked their whole life, invested in their company—find that that pension, which they thought they had, is actually going to be cut, if you follow the thought process which is being proposed here by the Democratic leadership of the Senate and the House of Representatives and which is totally the opposite of what their language in this letter talks about.

It is a total inaccuracy; 180 degrees different from the actual language of this letter will occur. People will lose their pensions. The cost to the American taxpayer will go up if we do not have reconciliation dealing with pensions.

The third area which this language talks about is Medicaid. Let's talk about Medicaid. The reconciliation instructions suggest that we reduce the rate of growth in Medicaid over the next 5 years from 41 percent to 40 percent. It was originally going to be back to 39 percent, but we went from 41 percent to 40 percent, a $10 billion reduction in the rate of growth—not in spending increases, in rate of growth, not a cut, on a $1.3 trillion base. In other words, we are going to spend $1.3 trillion on Medicaid over the next 5 years. What we asked in the budget was that we slow that rate of growth by 1 percent. We let it grow by 40 percent over the next 5 years instead of 41 percent or $10 billion.

And how was that going to be accomplished? It was going to be accomplished in concert with the Governors who are going to get much more flexibility in the way that they deliver the Medicaid services. Almost every Governor who came to us said: We will be able to deliver better services and cover more people if we get this flexibility than if we don't get the flexibility. As a result, we can certainly handle the 1-percent slowing of rate of growth of increase in exchange for getting the flexibility which will give us the capacity to cover more people. Dramatically more people will be covered if we use our reconciliation vehicle to change the law so that Governors don't have to go through all the hoops they have to go through today in order to address Medicaid, so that we don't have people defrauding the system as we have today but, rather, have a system that is honest and covers people who need to be covered. But you can't get there from here unless you use reconciliation because you can't pass a bill in this Senate with 60 votes. You can't get 60 votes because the party on the other side of the aisle simply refuses to do anything constructive in this area, and they have talked walked away from the table. So you need reconciliation protection. In fact, there will be no services cut.

To tie it into Katrina is so gross in its representation as to its inaccuracy as to be beyond blatant politics. The simple fact is, the reconciliation instructions assume no savings in Medicaid over the next year. All the savings come in years two, three, four, and five. Obviously, most all the spending for the Katrina situation is going to occur in the next year. To tie it into Katrina is absurd.

This letter is not surprising because it comes from people who oppose discipline in the budget to begin with, but its assertions are, even by the standards of politics in this body, bold in their inaccuracy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

HONORING CHIEF JUSTICE WILLIAM H. REHNQUIST

Mr. BROWNBACK. Mr. President, I rise to pay tribute to William Rehnquist, 16th Chief Justice of the United States. That is the title, Chief Justice of the United States. While the ceremony honoring him goes forward I think it is appropriate that we in this body recognize his incredible service to the Nation. His biography, where he came from and what he did, has been spoken of a great deal. What I wanted to speak about is not only that, but also his personal impact on me, one that he wouldn't have known or known about.

As a young law student in the early 1980s at the University of Kansas, I can remember studying constitutional law and other areas where his opinions came forth. Frequently, in those days he was in the minority opinion role.

Many of my law school professors would say: Can you believe what this guy wrote? I remember reading his opinions and thinking his opinion seemed very logical. It seems to me, he believed in holding with the great traditions of being a nation of the rule of law, not the rule of man. The Constitution is a textural document. Chief Justice Rehnquist had a big impact on me in his writings and what he believed we stood for as a nation. He has had a big impact on this Nation, and he will be sorely missed.

He was genteel in all of his dealings. Even when he presided in the Senate over the impeachment trial for President Clinton, he did so in a very stately, gentle fashion. Just his presence was one of a man at peace with himself, who knew what he was about, and knew his role and his duty. He fulfilled his duty to the best of his abilities as Chief Justice, Associate Justice on the Supreme Court, as presiding over an impeachment trial, and working with clerks.

I think one of most telling things for an individual is what the people say that worked for you, and particularly those who worked for you perhaps in a lower capacity. It seems uniform that the clerks for Chief Justice Rehnquist admired the man while they worked for him. It is a tribute to him how well they worked together and how he helped form them. There is a great symmetry about this in John Roberts being nominated now, as a former clerk of Chief Justice Rehnquist, and now nominated to fill the vacancy on the Supreme Court left by his former boss. John Roberts is an outstanding nomination to the Chief Justice position. I hope we can move forward with in an expeditious fashion, certainly thorough, but in an expeditious fashion.

That is not what we are here today to talk about. Today it is to talk about and to reflect upon an amazing American in William Rehnquist. He grew up in the suburbs of Milwaukee, WI. His father was the son of Swedish immigrant parents, worked as a paper salesman. His mother was a multilingual professional translator. Shortly after graduation from high school, Chief Justice Rehnquist enlisted in the Air Force and during World War II served as a weather observer in North Africa. On completion of his service in the Air Force, the Chief Justice began his undergraduate work at Stanford University. Yes, he did it on the GI bill.

In 1952, Rehnquist graduated first in his class from Stanford Law School, certainly a monumental accomplishment, an accomplishment of great discipline. Following law school, he clerked for former Supreme Court Justice Robert Jackson. In 1953, he began work at a law firm in Phoenix, and his brilliance was noted by the Nixon Deputy Attorney General at that time,

Richard Kleindienst. On October 22, 1971 President Richard Nixon, nominated him to serve as an Associate Justice on the Supreme Court. He was confirmed less than 2 months later, which would be record speed for this body by today's standard.

During his time on the Supreme Court, Chief Justice Rehnquist has defended the original text of the Constitution. To a number of people that may seem like a simple task. After all, it is the Constitution. It is the basic law of the land. What is there to defend? The law speaks for itself. It is a set of plain words on a clear document that has such a significant historical place in our hearts and minds. Yet he comes along on a Court at a point in time when a number of people are saying: It is a living document, it can move with the culture, and we can interpret the words more broadly. We can interpret it not by what it says, but by what we would like it to say.

Chief Justice Rehnquist fought against that and fought for the original text of the Constitution and said it is as it is. This is a textural document. If we want to change it, that is fine, but it is changed by two-thirds of the House and two-thirds of the Senate and three-fourths of the States, not by five people on the Court. Those are not his words, but they are the principles he stood for.

The role of a Justice on the Supreme Court is to look at the plain meaning and the original text of the Constitution, not at your own cultural bias of the moment and what you believe America may need and therefore may be willing to move to.

The problem with a living document is that you don't have the rule of law. You are more of a rule of man. So he defended this proposition of the original text of the Constitution, the intent of the Framers.

Certainly, he was a promoter of life. It was in the 1973 dissent in Roe v. Wade that then-Associate Justice Rehnquist wrote, ''To reach its result, the Court necessarily has had to find within the scope of the Fourteenth Amendment a right that was apparently completely unknown to the drafters of the Amendment.''

These are the Associate Justice Rehnquist's words. In his early years of lonely dissents in cases like Roe, Rehnquist made his mark by standing for constitutional principle over the political preferences of an unelected judiciary. With the retirement of Chief Justice Warren Burger in 1986, President Reagan then elevated Associate Justice Rehnquist to the Court's top post, where he served with distinction until his death.

The last 19 years have shown that Chief Justice Rehnquist was a terrific choice to lead the Supreme Court. He authored countless landmark decisions and thought-provoking dissents. In carefully reasoned opinions, he insisted that the principle of federalism is an integral part of our nation's constitutional structure. He recognized that our Government is one of enumerated rights and dual sovereignty, with certain functions and powers properly left to the States.

One example of Chief Justice Rehnquist's commitment to the laws is his opinion in Dickerson v. United States. Although a long-time critic of Miranda v. Arizona, Rehnquist nevertheless placed his past position aside and wrote the opinion in Dickerson, effectively affirming the holding of Miranda. He served well. He served nobly, and he served with courage. I might note that even during his recent sickness, he found the strength to do his duty and to serve in office. He found the strength to administer the oath of office to President Bush, to consider the challenging cases that came before the Court.

Peggy Noonan wrote of President Bush's inauguration, ''the most poignant moment was the manful William Rehnquist, unable to wear a tie and making his way down the long marble steps to swear in the president. The continuation of democracy is made possible by such gallantry.''

While some of his colleagues on the Court disagreed with him at times, there will there can be no doubt that they admired his strong leadership, his likable personality, and his ability to build consensus. That is the noteworthy quality of a gentleman. He served with distinction. He served us well. He carried his course out, and he is now at rest.

I yield the floor.

The PRESIDING OFFICER (Mr. COBURN). The Senator from North Dakota is recognized.

RECONCILIATION INSTRUCTIONS

Mr. CONRAD. Mr. President, I rise today to talk about the proposal that a number of us have made—Leader REID in the Senate, myself, the ranking member of the Budget Committee, Leader PELOSI in the House, Congressman SPRATT, the ranking member of the Budget Committee—to put off the reconciliation proposals that flow from the budget resolution.

We have just been hit by perhaps the greatest natural calamity in our Nation's history. We don't know yet how it will rank, but there is certainly a possibility this will be one of the greatest calamities in our Nation's history. And that is the reason we sent the letter this morning to Majority Leader FRIST and Speaker HASTERT, as well as the chairmen of the Budget Committees in both the House and the Senate recommending that we suspend those reconciliation instructions that are part of the budget resolution.

We did that because we don't think what was written then fits the facts now. We have just had a massive disaster. It makes no sense to pursue the priorities that were part of that budget resolution.

This is not a time to be cutting services to the most needy among us. This is not the time to cut food stamps, to cut medical care for the indigent, to cut student loans. That is what is in the reconciliation process. Are we really going to cut Medicaid $10 billion when we have hundreds of thousands of people homeless and don't have medical care and don't have a home? Are we really going to cut Medicaid in that context? Are we really going to cut food stamps when there are tens of thousands of people displaced, hundreds of thousands of people have had to leave their homes, and we are going to cut services for the most needy and, at the same time, cut taxes for the most fortunate among us?

Frankly, I did not think the budget resolution made much sense when we passed it. The budget resolution's reconciliation instructions cut spending $35 billion and cut taxes $70 billion, so it increased the deficit, on balance, $35 billion when we are facing massive budget shortfalls—among the biggest in our history.

In fact, the budget that was passed here will increase the debt of the country every year by $600 billion. That is stunning. It is going to increase the debt $600 billion. That is before Katrina. Now are we really going to continue down that path? Are we going to continue down a path that says on an emergency basis cut services to the least among us, cut taxes for the wealthiest among us, and run up the debt even more? What sense does this make?

It makes no sense to consider those legislative proposals in light of this new reality. It seems to me very clear none of us can know yet the cost to the Federal budget of the response to Hurricane Katrina. We should not be rushing through a further reduction in resources the Federal Government has available to respond to our Nation's challenges.

Katrina is a body blow of stunning proportion. We already passed $10 billion of aid, which we obviously should have done. We are told that we are going to be asked to immediately consider another $51 billion of aid, which clearly we should do. But that is just the beginning.

I have been told that the cost of this disaster to the Federal Government may well reach $150 billion. So for us to go forward with a budget plan that was written before this catastrophe, and for some to come to the floor of the Senate and say, Steady as she goes, just keep on with that plan, does not make a whole lot of sense.

We have just seen a dramatic disaster, a catastrophic disaster. You don't stick with the same old plan when something of this consequence occurs. We have to respond, and we do not just respond by doing what we were getting ready to do when we faced a totally different set of facts. Frankly, I don't think it made much sense before this disaster. It makes absolutely no sense after this disaster.

Again, let me say to my colleagues, are we really going to cut Medicaid

when we have hundreds of thousands of people displaced? Are we really going to cut student loans when we have a whole group of colleges that have been wiped out? Are we really going to cut food stamps when every night we can see on television what is happening to people who have lost everything? Are we going to say to them, Sorry, there is no help for you because we had a plan, a reconciliation plan up in Washington, and we had to stick to it? Is that really going to be the answer? I hope not because the facts have changed. The facts have changed, and the facts require that we change. The facts require that the plan changes, and the facts require we have a new plan and a new approach.

I submit to my colleagues this is not the time to cut assistance for those who are the least among us and to cut taxes for those who are the wealthiest among us. This is a time for all of us to come together as a nation and respond to this disaster with a generous heart. That is my belief of what is required of us at this moment. That is the moral imperative at this moment—to respond to this disaster, to help those in need, to assist in the rebuilding, to help the sick, to feed the hungry. Goodness knows, we can see on our television screens every moment of every day that there are tens of thousands of our fellow citizens who deserve a helping hand. The notion that we just go forward with the plan as written makes absolutely no sense.

Here are the images. We can all see them. Here are the homes flooded—an absolute unmitigated disaster.

I have been asked by the news media about an incident that occurred in 2002 before the Senate Budget Committee. I want a chance to review that for the record. I have been asked repeatedly about a series of questions that I asked in 2002 of Mr. Parker.

I asked a question in a Budget Committee hearing on February 26, 2002, of one of the witnesses, Mr. Mike Parker, the Assistant Secretary of the Army for Civil Works. He said at that hearing:

If the corps is limited in what it does for the American people, we will see a negative impact on the people of this country.

He was talking in testimony that he provided the Budget Committee and in response to a series of questions that I asked him.

Here is how that conversation went. Assistant Secretary Parker said: ''That figure we came up with was around $6.4 billion [for Army Corps funding] . . .''

I asked him:

That is what you requested?

Assistant Secretary PARKER: Yes.

My question back to him:

$6.4 billion?

Assistant Secretary PARKER: Right.

Senator CONRAD: And you got, on a comparison basis, $4 billion . . . Well, did you think $4 billion was the right number to come to?

Assistant Secretary PARKER: No. I would have offered that number if I thought it was the right number.

In other words, what happened was I asked Assistant Secretary Parker if the amount of money being requested by the administration for the Army Corps of Engineers was sufficient to deal with the challenges they were facing. He told me, no, they were not sufficient, that they had estimated $6.4 billion was needed, but the administration would only ask for $4 billion. And that is after the previous year's budget was $4.6 billion.

I also addressed questions to Lieutenant General Robert Flowers, Chief of Engineers for the Army Corps, who came to testify with Assistant Secretary Parker. Here is how that conversation went.

Let me ask you this. Last year, there was $4.6 billion [in Army Corps funding]. The President cut that by $600 million on a fair comparison basis to $4 billion. What are the implications of those reductions? What will it mean? . . .

LTG Robert Flowers said:

With the budget as it stands, we would in fact have to terminate projects . . .

Senator CONRAD: So you would have no choice but to terminate contracts?

Lieutenant General FLOWERS: Yes, sir. That's correct . . .

Senator CONRAD: It doesn't sound like it makes much sense to me. Does it make much sense to you, General Flowers, knowing what those projects are? Would it make any sense to you to terminate these projects?

Lieutenant General FLOWERS: Sir, it doesn't.

Lieutenant General Flowers went on to say:

. . . I would submit that in combating the war on terrorism and providing homeland security, the work we do in maintaining strategic ports is very vital to the military effort as well as the economy, because 98 percent of our foreign commerce is seaborne.

My rejoinder:

. . . So this has got a security issue attached to it.

Lieutenant General Flowers:

Sir, I believe it does. We have traditionally, in the U.S. Army Corps of Engineers, I think, contributed to the national defense.

What happened in these exchanges is very clear. I asked Mr. Parker, the civilian head of the Corps of Engineers, if he was asking for enough money. He said he was not. He said the administration had sent up a request for $4 billion. He determined what was needed was $6.4 billion, but the administration would not allow him to make that request.

Because of that testimony, Mr. Parker was then fired by the administration. He lost his job.

Senator TRENT LOTT said:

''Mike Parker told the truth that the Corps of Engineers budget, as proposed, is insufficient,'' said Senate Minority Leader Trent Lott.

Newspaper headlines on the firing of the Army Corps Chief in 2002 ran the gamut from the New York Times that said:

Official Forced to Step Down after Testifying on Budget Cut.

The Washington Post:

Corps of Engineers' Civilian Chief Ousted; Parker Resigns after Openly Questioning Bush's Proposed Spending Cuts.

The Wall Street Journal:

Head of Corps of Engineers is Forced Out after Criticizing Budget Cuts for Agency.

The Sun Herald of Biloxi, MS:

Parker Let Go as Army Corps Chief; Honesty Got Him Fired, Some Say.

The fact is, the funding for the Corps of Engineers was deficient to do the job necessary to protect New Orleans and other cities. It was clear at the time. It was testified to by the man who was the head of the Agency, and because he was honest and forthright in questions that I put to him, he was removed from his job.

That is the factual history of what occurred. And those who removed him because he was honest and forthright about the needs bear serious responsibility, I believe, for what has occurred.

All of us now have a special responsibility to reach out and assist those who have been devastated. It should never have happened. None of us can know if these funds had been forthcoming at the time that they were clearly needed, and that need was made clear by an appointee of this administration, who was then removed from his position because he said the funding was inadequate.

This calamity requires a response, and the notion that we stick with the plan I do not think will withstand much scrutiny. We are going to have to have a new plan, and as part of that plan we should not be cutting the least fortunate among us. We should not be cutting food stamps. We should not be cutting the other life lines, whether it is medical assistance or any of the other programs that are now in place to assist these people who have been so badly hurt.

I do not believe it makes any sense at this moment to cut the resources of the Federal Government when we already cannot come close to paying our bills.

The PRESIDING OFFICER. The Senator from Florida is recognized.

HURRICANE KATRINA

Mr. MARTINEZ. Mr. President, I rise today to reach out to my colleagues in the Gulf States and to all of the residents of Louisiana, Alabama, and Mississippi. The devastation and destruction experienced by Florida's neighbors is like nothing this country has ever experienced from a natural disaster.

The great State of Florida has had its own recent struggles to recover not only from the four hurricanes we experienced last year but from two already this year, Dennis, which hit Florida's panhandle, and Katrina, which first made landfall in Miami and Dade County before making its way over the Gulf of Mexico to continue on its path of destruction. As Floridians, we all know well the pain and destruction wrought by hurricanes, and we feel a special kinship for our brothers and sisters in Louisiana, Mississippi, and Alabama. We have a great sense of duty to help

our neighbors through this difficult time, just as they so selflessly helped us during our time of need last year.

We, as a nation, have all begun to appreciate how fragile our very existence is in the face of this incredible force of nature. The loss of life and the scope of the destruction are beyond our capacity to understand. The feeling of isolation, despair, desolation experienced by those in the wake of a storm, and their families, is beyond consolation.

Having only too recently been the recipient of our own neighbors' good will, comfort, and support in the wake of our own struggles, Floridians stand ready to respond in kind. Today the news reports that over 25,000 evacuees are expected in central Florida, bringing it close to the point of strain on the local resources because of that kind of activity. Thousands of Floridians are already helping. More are asking how they can help. Citizens have contributed to numerous nonprofit groups that in turn are sending truckloads of supplies to hurricane-damaged areas.

Our National Guard troops are now stationed in Mississippi, Louisiana, and Alabama, providing much needed manpower to the ongoing recovery efforts. Our law enforcement and fire department personnel have sacrificed time with their families so they can be in Louisiana, Alabama, and Mississippi providing emergency aid and security. Church groups have offered temporary housing, and schools in Florida have offered to take students displaced by the disaster.

I am proud of the way Floridians and all Americans have reached out in this great time of need for our country. We will continue to help our neighbors, continue to keep them in our prayers, and continue to mourn the loss of so many of our fellow Americans through such a powerful natural disaster.

While we certainly cannot avert our eyes and attention from the human suffering, we must also recognize the tremendous outpouring of love, support, and compassion directed to those who have lost so much. The American spirit of unity and survival is reflected in the response to the American Red Cross, the Office of Housing and Employment for the Displaced, the offer of neighboring public universities to accept students from Louisiana to avoid interruption in their education. These all serve to remind us that for all our differences, we are all one people, and we will take care of our own.

Many have raised legitimate concerns about the level of our preparedness as a nation for the disaster, but now is not the time for recrimination. The time for examination and for determining lessons learned will soon come, but for now we must not be distracted from the mission of delivering aid and comfort to those who so desperately are in need and we must begin the process of rebuilding.

The rise of rhetoric will not empty the flood waters, provide relief to the living, bury the dead or rebuild our cities. Together we can begin to restore hope to those where hope has been lost. Together we must move forward in good faith as one nation.

As we look to the future, we have a responsibility to examine our disaster readiness at every level of Government. When lives are at stake, there is no room for territorial or jurisdictional turf wars. We must make certain no lives are lost that might otherwise be saved with proper planning, training, and cooperation among Government agencies at every level. I look forward to working with my colleagues in the Congress to be certain that that goal is achieved.

Our country has been through very challenging times. We have suffered through terrorist attacks on our homeland, wars in Afghanistan and Iraq, and most recently Hurricane Katrina and surging oil prices. Yet through all of this, the American people have moved forward with optimism and determination. It is our way. We are a resilient people. Because of the incredible resiliency of the American people, we will recover from Katrina and we will be stronger and we will be better.

HONORING CHIEF JUSTICE WILLIAM H. REHNQUIST

Mr. MARTINEZ. Mr. President, I would be remiss if I did not take a moment to say what a great loss our country has experienced with the passing of our Chief Justice William Rehnquist. William Rehnquist was a man of deep integrity and honor, a true public servant. He served our country well, always keeping an eye toward tradition and working to bring constitutional reason to the complex questions of our nation. Our country is better for the guiding hand he placed on the Court. His resolute spirit will be missed.

Chief Justice Rehnquist's leadership brought the Court through three decades of very tumultuous times. September 17 of this year would mark the 29th year of his tenure as Chief Justice. This term exceeds that of every other Chief Justice in our nation's history, with the exception of Chief Justice John Marshall, who served for 34 years.

He led the judiciary with resolve and a steady hand. He will be greatly missed by his family, his colleagues, the Court, and by a grateful nation.

As we turn our attention in the coming weeks to the confirmation process to consider the President's nominee to serve as the next Chief Justice, it would be appropriate to pause and reflect on the service to our country provided by this man of exceptional intellect who served his Nation long and faithfully.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. DAYTON. Mr. President, I join with my colleague, the distinguished Senator from Florida, in expressing my personal condolences and those of my fellow Minnesotans to the family and friends of the former Chief Justice, and I share the sentiments in regard to his distinguished service to our nation.

HURRICANE KATRINA AND SOARING GAS PRICES

Mr. DAYTON. Mr. President, I also want to join with others of my colleagues today who have expressed the concerns, condolences, and sympathies to the victims of Hurricane Katrina, which has so horribly claimed so many of our fellow Americans' lives, families and friends, homes, businesses, farms, schools, and entire communities that are the worst victims of this unprecedented disaster. Our hearts go out to all of them. Our helping hands are being extended and must continue to be extended to them.

There are millions of other victims of this disaster, Americans nationwide whose economic well-being has been harmed by price increases and supply or service disruptions.

In my State of Minnesota, probably the worst economic damage and financial hardships have been caused by the skyrocketing prices for gasoline and other essential energy supplies. Even before Hurricane Katrina, those prices had been increasing sharply. In the 3 months from May 28 to August 28 of this year, the average price of regular unleaded gasoline throughout Minnesota has risen from $1.92 a gallon to $2.55 a gallon. That is an increase of 63 cents a gallon, a one-third increase in just 3 months.

Then, in 3 days last week, from August 29 to September 1, the average gasoline prices in Minnesota jumped another 46 cents a gallon, according to one Web site that has spot check reports from throughout the State. So in 3 months and 3 days, the average gasoline prices, according to this Web site, in Minnesota, jumped from $1.92 a gallon to $3.01 a gallon, a 57-percent increase. That is not as bad as some other parts of the country, but it is sure worse than bad enough for Minnesota.

I know from direct personal experience driving around northern Minnesota last week that actual prices were much higher, as high as $3.46 a gallon for regular unleaded gasoline, which was up almost $1 a gallon from 2 weeks before. Unfortunately, that up-to-date, accurate information is not available from the Energy Information Administration Web site, and that is one of the defects that needs to be remedied.

Most of Minnesota's oil and gasoline supplies originate from Canada, come in either by gasoline or oil pipelines and then refined within our State. So almost all of our price increases for gasoline and other energy products were not directly the result of Katrina's supply disruptions. Rather, they were the result of other people taking advantage of that disaster to take advantage of the people of Minnesota.

Last week, President Bush called it ''price gouging at the gasoline pump,'' and I agree with the President. President Bush also said that there should be zero tolerance for gasoline price gouging, similar to looting in New Orleans, and I agree with the President on that as well because price gouging has the same effect as looting or other kinds of stealing. It is robbing the people of Minnesota and elsewhere throughout this country by overcharging them for their essential energy needs.

Given the similarity of the gasoline price increases throughout Minnesota, I think there is a strong possibility of pricing collusion by the major oil suppliers and distributors that demands immediate investigation and, where called for, vigorous prosecution of violators. What they have done is not only immoral, it is also illegal under Federal law.

I have written the United States Attorney General and urged him to back up the President's strong words with his strong immediate action to investigate all indications of price gouging and/or pricing collusion of gasoline, diesel fuel, aviation fuel, farm fertilizers, natural gas, liquid petroleum gas, home heating oil, ethanol, and any and all other oil supplies.

At this time, I urge the President to release whatever supplies are necessary from our Nation's Strategic Petroleum Reserves to offset the loss of oil, gasoline, and other energy supplies resulting from Hurricane Katrina.

Last night, the Secretary of Energy told a number of us in the Senate, in a briefing, that gasoline prices have been stabilized. Well, with due respect, Mr. Secretary, I must say they have been stabilized far too high in Minnesota, if, in fact, they have been stabilized at all. Thus, whatever has been done so far is not enough. Gasoline prices are still unaffordably too high in Minnesota. Other energy prices are still unaffordably too high, and with the cold weather heating season soon upon Minnesotans and other Americans in the United States, it is imperative to act now and keep on doing whatever is necessary to get energy prices back down to pre-Katrina levels—which were still too high—and then deal with that continuing energy price crisis in Minnesota and other affected States and continue to do whatever is necessary to get those lower prices.

In the immediate term, we need to strive for lower energy prices, and we need executive action to prosecute price gouging, price collusion. We also, then, need, as a body of Congress, to do whatever is necessary to strengthen Federal legislation to prohibit and prevent this kind of economic looting of our fellow citizens.

A couple of my colleagues have announced, just in the last 2 days, their intentions to introduce legislation. Senator DORGAN of North Dakota intends to offer windfall profits tax legislation on U.S. oil companies and other energy suppliers. Senator CANTWELL of Washington has indicated her intention to offer legislation that would give the President additional powers to mitigate price increases in times of crisis.

I intend to introduce in the next 2 days, as soon as it is complete, legislation that would prevent and prosecute price gouging in energy and other essential commodities. In a nutshell, this legislation would make it illegal in any emergency situation to take advantage of consumers by raising energy prices or other essential commodity prices. It would give the U.S. Attorney General further authority to prosecute retail gasoline stations, oil companies, distributors—whoever is found to be in violation of this provision. It would require the Energy Information Administration to provide current prices for major metropolitan areas for every State and for our entire Nation on a daily basis so that we can evaluate those price increases so that citizens can know, in perspective, what they are being charged and how it compares with other parts of the country. They can then be our eyes and ears to report evidence of these rising prices that constitute price gouging, as the President said, at the gasoline pump.

We have witnessed once again, in the midst of this disaster affecting Southern United States, that such disasters bring out both the best and the worst of human nature. They bring out the best, as we have seen the courageous men and women of the National Guard, the medical personnel, and many others who are literally risking their own lives to save the lives of others. We have seen the best of human nature in the response of millions of Americans from all over the country who have contributed whatever they can and are offering to do more to alleviate this suffering.

Here in the Senate last week, and also in the House, we provided an additional $10.5 billion the President requested to continue emergency operations. All of us, including those at a meeting last night with a number of the Cabinet Secretaries, were asking the administration, What do you need us to do? Money? Authorizing legislation? Streamlining existing legislation? Tell us what we need to do in the Senate and House to expedite in the best possible ways the relief effort that must continue for months ahead.

This is not a Republican or Democratic disaster or Republican or Democratic response. It is an American disaster, and it is a response of all of us as Americans to our fellow citizens in need.

Unfortunately, there is another side to human nature, and that is what we must also address. It cannot be allowed. It certainly cannot be rewarded with profits to those who take advantage of the despair of their fellow citizens. Some cannot be allowed to cause even further economic hardship, even devastation, especially to those who can least afford the prices of energy essentials and other necessities of life. That is where our fellow citizens look to us to stand up on their behalf to prevent, prosecute, and to prohibit this kind of economic looting that the President called price gouging.

I support his statement. I urge the U.S. Attorney General to put action behind those words, and then I urge my colleagues to join with me in passing legislation to prohibit and prevent this from happening again and to prosecute those who are responsible for it.

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. REID. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRESSMAN JOHN LEWIS

Mr. REID. Mr. President, one of the pleasures I have as a Member of Congress, having served in the House and the Senate, is having the opportunity to meet people who are special, unique. During the time that I have had in Congress to meet some of these individuals, I have in my own frame of reference chosen a number of heroes. One of those heroes is a Congressman from the Fifth District of Georgia by the name of JOHN LEWIS.

At home last night, I read Newsweek magazine. I saw an opinion piece written by my hero, JOHN LEWIS. This appeared on page 52 of this week's Newsweek magazine, entitled ''Opinion: A Civil-rights Leader Mourns an African-American Population Left Behind.''

I will read what JOHN LEWIS said:

> I was headed to New Orleans as a Freedom Rider in May of 1961. It would've been my first visit, but we were arrested in Jackson, Miss., and never made it. In happier times, though, I have been able to visit New Orleans over the years. It's one of my favorite cities, one of the great Southern cities. The people are friendly, warm, helpful. In the old part of the city, there's so much history when you walk down Canal Street or Royal. One of my favorite places is a shop on Royal where they have lots of art posters by African-American artists. After Katrina, there's a loss of the music, the restaurants and the character in addition to the unbelievable loss of lives. Maybe we will never know the number of people who have been lost.
>
> It's very painful for me to watch and read about what is happening. I have a sense of righteous indignation. I think all Americans should rise up and speak out. It's not like 9/11 that just happened. We saw this in the making. The media told us for days this storm was coming and for years people have been telling us we need to do something to prepare. It took us so many days to make the full force of the government available afterwards.
>
> In 1957, during the crisis in Little Rock and President Dwight Eisenhower—maybe he was reluctant, maybe he had some reservations—but he put the full force of the government behind the decision to desegregate Central High. During the Freedom Rides, President

John Kennedy didn't hesitate to federalize the National Guard and put the whole city of Montgomery under martial law. It's baffling to me that we didn't have the ability or the will to do something much earlier. We still haven't had the passionate statement that should be made by officials in this administration.

It's so glaring that the great majority of people crying out for help are poor, they're black. There's a whole segment of society that's being left behind. When you tell people to evacuate, these people didn't have any way to leave. They didn't have any cars, any SUVs.

It's so strange that when we have something like this happening, the president gets two ex-presidents—his father and Bill Clinton—to raise money. What they propose to do is good and I appreciate all the work the private sector and the faith-based community are doing. But when we get ready to go to war, we don't go around soliciting resources with a bucket or an offering plate. We have the courage to come before Congress and debate the issue, authorize money. That's what we need to do here. By next year we'll have spent $400 to 500 billion in Afghanistan and Iraq. That money could be used to help rebuild the lives of people. If we fail to act as a nation, I don't think history will be kind to us.

We've got to do more than the $10 billion that Congress appropriated. We need a massive Marshall-type plan to rebuild New Orleans. But in rebuilding we should see this as an opportunity to rebuild urban America. New Orleans could be a model. There must be a commitment of billions and billions of dollars—maybe $50 to 100 billion. I think even in other urban centers, there are people who are just barely existing. We sing the song ''hope is on the way,'' but it's taking a long time before hope arrives. It becomes very discouraging where you see people dying—children, the elderly, the sick—the lack of food and water. I've cried a lot of tears the past few days as I watched television—to see some body lying dead outside the convention center. I went to Somalia in 1992 and I saw little babies dying before my eyes. This reminded me of Somalia. But this is America. We're not a third-world country. This is an embarrassment. It's a shame. It's a national disgrace.

John Lewis is the U.S. Congressman from the 5th District of Georgia.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING DAVE MATTIO

Mr. DURBIN. Mr. President, I rise today to honor Dave Mattio, Marian Catholic High School graduate and head coach of the Spartan football squad for 29 seasons.

The message that Coach Mattio instills in his players is ''energy and ownership'' and his accomplishments demonstrate the success of this motto.

Over the course of his 29 seasons with the Spartans, Coach Mattio has created a football program that remains among the most successful in the state of Illinois. Among his many accomplishments, Coach Mattio has seen hundreds of his players go on to play football in college and three go on to the National Football League.

Coach Mattio has led the Marian Catholic Spartans to a state championship and a Chicagoland Prep Bowl championship. He has also shown consistency, with teams qualifying for the playoffs 16 times and compiling winning records 26 of the last 29 seasons.

Coach Mattio's successes have been recognized many times by his peers. He was inducted into the Illinois High School Football Coaches Association Hall of Fame in 1997 as well as the Marian Catholic Alumni Association Hall of Fame in 1994. He was also named the Frank Leahy Prep Coach of the Year in 1994.

I congratulate Dave Mattio on his accomplishments as head coach of the Marian Catholic Spartans and wish him many more years of happiness and accomplishment, both on and off the football field.

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On August 15, 2004, Joel Robles was stabbed 20 times in Fresno, CA. The apparent motivation for the stabbing was that he was a transgendered woman. Robles' body was later found inside his apartment where he had died, according to police.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that are born out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

A FORGOTTEN WAR

Mr. LEAHY. Mr. President, I rise to speak of Chechnya, a remote part of the world where horrific crimes and suffering are occurring every day, that has faded from the newspapers and the minds of many of us here.

Contrary to the myth perpetrated by the Russian Government that the conflict is over and life in Chechnya is returning to normal, the Russian military and the militias they support continue to use brutal, even barbaric tactics, including extra-judicial executions, arbitrary detention, kidnappings, rape, and torture. Armed opposition forces are also terrifying innocent civilians with their indiscriminate attacks. There seems to be no end to this conflict or to the suffering of the Chechen people.

The Bush administration has been conspicuously silent about what is happening. One can only hope that President Bush has expressed alarm about the atrocities being committed by Russian soldiers in Chechnya in his meetings or conversations with President Putin, but there is no indication that if he has it has had any effect.

There is certainly no evidence that the administration has exerted any real pressure on President Putin to reign in the Russian military, presumably because it does not want to jeopardize Russia's support for U.S. operations in Iraq and combating international terrorism. But contrary to what the Russian Government and some in the Bush administration insist, the violence in Chechnya has far more to do with self-determination than with international terrorism. While acts of terrorism by all parties to the conflict remain common, most Chechen resistance fighters have taken up arms to seek revenge for the atrocities and impunity of Russian soldiers.

In each of the last 6 years, the Foreign Operations Appropriations Act has included a provision to withhold a portion of our assistance to the Russian Government unless the President certifies that international nongovernmental humanitarian organizations are provided full access to Chechnya. Every year, the Russian Government fails to comply.

In the Senate-passed version of the fiscal year 2006 Foreign Operations bill, we included $5 million for humanitarian, conflict mitigation, relief and recovery assistance for Chechnya, Ingushetia, and elsewhere in the North Caucasus region. This funding, in addition to the $5 million for this purpose in the fiscal year 2005 supplemental, will provide much needed relief and development assistance for civilians caught in the midst of this conflict.

But it is essential that this assistance be coupled with a strong message of concern and condemnation by the administration. The message should be loud and clear that war crimes by the Russian military, and by resistance fighters, must stop.

It is obvious that despite President Putin's rosy portrayal of the situation, there is no military solution to the Chechnyan conflict. The only hope for resolving it is through a process of demilitarization and political dialogue, and I suspect that will require the active and sustained participation of a credible third party, such as the United Nations. This is what the United States should be pressing for. It is long past time for the White House to stop giving the Russian Government a free pass on Chechnya.

THE FEDERAL JUDICIARY EMERGENCY SPECIAL SESSIONS ACT OF 2005

Mr. CORNYN Mr. President, I rise today as an original co-sponsor of the Federal Judiciary Emergency Special Sessions Act of 2005. I want to thank Chairman SPECTER, Ranking Member LEAHY and the other cosponsors for working on this legislation in an expedited fashion to respond to the unprecedented challenges facing the judiciary in Louisiana and Mississippi in the wake of Hurricane Katrina.

We have all witnessed over the past week the heart wrenching agony of those affected and displaced by Hurricane Katrina. An entire city has been devastated and will face an uphill battle to repair and replace the homes, buildings, and commerce that are so vital to New Orleans. Areas in Mississippi face similar challenges. I join all Americans in keeping those affected by this tragedy in our thoughts and prayers during these difficult times.

In times like these, the generosity of ordinary Americans emerges and shines bright. Once everyday working men and women learned of the plight of their Louisiana neighbors they set their lives on hold and committed themselves to helping those who are less fortunate. I have heard reports of citizens and churches from across the country organizing fundraising drives, collecting basic necessities for evacuees, and even renting U-Haul trucks to deliver those supplies to the needy.

I am especially proud of my friends and fellow citizens from Texas. Texas has opened its arms, as my State is known to do, and has taken in as many evacuees as it can handle. The Astrodome has virtually become a satellite city of New Orleans evacuees. Additionally, Texas residents have opened their homes to take in evacuees to provide some semblance of a normal life during their displacement.

Congress too will have responsibility. Last week the Congress passed an emergency relief bill to provide some immediate assistance to the area. And today, with this bill, the Congress continues to identify discreet, but critical areas, that are affected by the hurricane. And one of the areas that needs to be addressed is how the judiciary, from the prestigious Fifth Circuit Court of Appeals to the Federal district courts, bankruptcy courts and magistrate courts will function during this difficult time.

Our democracy depends on a functioning judiciary. The dedication of the men and women of the judiciary—from the trial courts to the appellate courts—who daily preside over important and difficult issues is essential to our democracy. Current law requires Federal courts to conduct business in a few select locations. This legislation makes sure that a Federal court, unable to hold proceedings in its normal location because of emergency circumstances, may hold court in another area.

It is important that as the rebuilding begins in New Orleans and other affected areas that our judicial system be open to anyone who may need its assistance. This legislation makes sure that the doors to the courthouse remain open even during catastrophic events.

I hope that the Senate and the House pass this legislation immediately and send it to the President as soon as possible.

I yield the floor.

WATER RESOURCES DEVELOPMENT ACT

Mr. INHOFE. Mr. President, section 403 of the Congressional Budget and Impoundment Control Act requires that a statement of the cost of the reported bill, prepared by the Congressional Budget Office, be included in the report. At the time of filing of the report, the statement was unavailable. The statement has since been received by the committee. I ask unanimous consent that the statement be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 728, Water Resources Development Act of 2005, As reported by the Senate Committee on Environment and Public Works on April 26, 2005

Summary

S. 728 would authorize the Army Corps of Engineers (Corps) to conduct water resource studies and undertake specified projects and programs for flood control, inland navigation, shoreline protection, and environmental restoration. The bill would authorize the agency to conduct studies on water resource needs, to complete feasibility studies for specified projects, and to convey ownership of certain Federal properties. Finally, the bill would extend, terminate, or modify existing authorizations for various water projects and would authorize new programs to develop water resources and protect the environment.

Assuming appropriation of the necessary amounts, including adjustments for increases in anticipated inflation, CBO estimates that implementing S. 728 would cost about $4.1 billion over the 2006–2010 period and an additional $7.6 billion over the 10 years after 2010. (Some construction costs and operations and maintenance would continue or occur after this period.)

S. 728 would allow the Corps to spend any proceeds that it collects from grazing fees, shoreline management permit fees, municipal and industrial water supply fees, recreational fees, and leases. In addition, the bill would allow the Federal Government's power marketing administrations (PMAs) to use proceeds from power sales to fund Corps expenses related to hydropower. S. 728 also would convey parcels of land to various non-Federal entities and would forgive the obligation of some local government agencies to pay certain project costs. Finally, the bill would allow the Corps to collect and spend fees collected for training courses and permit processing. CBO estimates that enacting those provisions would increase direct spending by $212 million in 2006, $1.1 billion over the 2006–2010 period, and $2.3 billion over the 2006–2015 period. Pursuant to section 407 of H. Con. Res. 95 (the Concurrent Resolution on the Budget, Fiscal Year 2006), CBO estimates that enacting S. 728 would cause an increase in direct spending greater than $5 billion in the 10-year period beginning in 2046. Enacting the bill would not affect revenues.

S. 728 contains no intergovernmental or private-sector mandates as defined in UMRA. Federal participation in water resources projects and programs authorized by this bill would benefit State, local, and tribal governments, and any costs to those governments to comply with the conditions of this Federal assistance would be incurred voluntarily. The bill also would benefit those governments by authorizing additional funds or reducing matching requirements for some specific projects.

Estimated Cost to the Federal Government

The estimated budgetary impact of S. 728 is shown in the following table. The costs of this legislation fall within budget functions 300 (natural resources and the environment) and 270 (energy).

TABLE 1. ESTIMATED BUDGETARY IMPACT OF S. 728 OVER THE 2006–2010 PERIOD

[By fiscal year, in millions of dollars]

	2006	2007	2008	2009	2010
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Estimated Authorization Level	902	864	861	857	884
Estimated Outlays	632	866	853	849	867
CHANGES IN DIRECT SPENDING					
Estimated Budget Authority	232	222	224	219	227
Estimated Outlays	212	218	223	219	227

Basis of Estimate

For this estimate, CBO assumes that S. 728 will be enacted near the beginning of fiscal year 2006 and that the necessary amounts will be appropriated for each fiscal year.

SPENDING SUBJECT TO APPROPRIATION

S. 728 would authorize new projects related to environmental restoration, shoreline protection, and navigation. This bill also would modify many existing Corps projects and programs by increasing the amounts authorized to be appropriated to construct or maintain them or by increasing the Federal share of project costs. Assuming appropriation of the necessary funds, CEO estimates that implementing this bill would cost $4.1 billion over the 2006–2010 period and an additional $7.6 billion over the 10 years after 2010. For ongoing construction costs of previously authorized projects, the Corps received a 2005 appropriation of about $1.8 billion, including funds from the Inland Waterway Trust Fund.

For new water projects specified in the bill, the Corps provided CBO with estimates

of annual budget authority needed to meet design and construction schedules. CBO adjusted those estimates to reflect the impact of anticipated inflation during the time between project authorization and appropriation of construction costs. Estimated outlays are based on historical spending rates for Corps projects.

Significant New Authorizations. S. 728 would authorize the Army Corps of Engineers to conduct water resource studies and undertake specified projects and programs for flood control, inland navigation, shoreline protection, and environmental restoration. For example, the bill includes authorizations for enhanced navigation improvements on the Upper Mississippi River at an estimated Federal cost of $1.8 billion and an ecosystem restoration project, also on the Upper Mississippi River, at an estimated Federal cost of $1.6 billion. Another large project authorized by this bill is the Indian River Lagoon project in the Florida Everglades at an estimated Federal cost of $605 million. Construction of those projects would likely take more than 15 years.

Deauthorizations. Title VI would withdraw the authority for the Corps to build 58 projects authorized in previous legislation. Based on information from the Corps, however, CBO does not expect that the agency would begin any work (under current law) for most of those projects over the next 5 years. Some of those projects do not have a local sponsor to pay nonFederal costs, others do not pass certain tests for economic viability, and still others do not pass certain tests for environmental protection. Consequently, CBO estimates that canceling the authority to build those projects would provide no significant savings over the next several years.

Future Corps Appropriations for Operations and Maintenance. As discussed below under ''Direct Spending,'' sections 2019 and 2020 would make about $175 million a year available for operations and maintenance at Corps facilities without further appropriation. In fiscal year 2005, the Corps received an appropriation of about $2 billion for operations and maintenance costs, including funds from the Harbor Maintenance Trust Fund. Enacting this bill could result in a reduction in future appropriations if the Congress chose to reduce total Corps spending below the level appropriated in 2005. In lieu of a reduction, however, the Congress could choose to continue Corps funding at current levels to provide funds for the backlog of the agency's maintenance needs. For this estimate, CBO assumes that future Corps appropriations would continue at current levels and that new spending authorized by the bill would be in addition to the current level of agency funding.

DIRECT SPENDING

Based on information from affected agencies, CBO estimates that enacting S. 728 would increase direct spending by about $212 million in 2006 and $2.3 billion over the 2006–2015 period. Table 2 presents the direct-spending components of the bill. Most of the direct spending under the bill would stem from provisions to allow for the spending of existing power revenues associated with Corps projects for facility planning, operation, maintenance, and upgrades without further appropriation. Under current law, those and other fees that would be made available for spending are deposited (as setting receipts) to the general fund of the Treasury.

Improvement of Water Management at Corps of Engineers Reservoirs. Section 2019 would allow the Corps to spend any proceeds collected from grazing fees, shoreline management permit fees, and municipal and industrial water supply fees. Under the bill, the Corps could spend such funds for operations and maintenance at its facilities. Based on information from the agency, CBO estimates that spending of such receipts would total $21 million in 2006 and 88 million over the 2006–2015 period.

Direct Funding of Corps Operations and Maintenance for Hydropower. Section 2020 would allow the Federal power marketing administrations to use proceeds from the sale of electricity to fund Corps expenses related to hydropower functions. Based on information from the PMAs, CBO expects that such direct funding would cost $142 million in 2006 and $1.5 billion over the 2006–2015 period, with additional costs after 2015. Currently, receipts collected by the PMAs for the sale of electricity and related services are deposited in the Treasury. Once such expenditures are directly funded, annual appropriations for the Corps could be reduced by a similar amount, or those funds could be spent on other unfunded Corps priorities.

The PMAs are required to set electricity rates at a level that recoups Federal costs. Such costs include expenses specific to maintaining hydropower facilities at Corps projects in addition to joint costs or those allocated between all functions at a project (recreation, environmental, flood control, etc.). This bill would specify that only costs allocated exclusively to electricity production could be funded with sales revenues.

Recreational Areas and Project Sites. Section 2004 would authorize spending of receipts from leases and fees at Corps recreational areas for operations and maintenance at recreation areas and project sites. Based on information from the Corps, CBO estimates that enacting this section would cost $41 million in 2006 and $507 million over the 2006–2015 period.

TABLE 2. CHANGES IN DIRECT SPENDING UNDER S. 728

[By fiscal year, in millions of dollars]

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
CHANGES IN DIRECT SPENDING										
Improvement of Water Management at Corps Reservoirs:										
Estimated Budget Authority	30	30	30	30	30	30	30	30	30	30
Estimated Outlays	21	27	30	30	30	30	30	30	30	30
Direct Funding of Operations and Maintenance for Hydropower:										
Estimated Budget Authority	142	140	142	144	145	148	149	152	154	159
Estimated Outlays	142	140	142	144	145	148	149	152	154	159
Spending of Lease Receipts:										
Estimated Budget Authority	10	10	10	10	10	10	10	10	10	10
Estimated Outlays	8	10	10	10	10	10	10	10	10	10
Recreation Fees:										
Estimated Budget Authority	42	42	42	42	42	42	42	42	42	42
Estimated Outlays	33	41	41	42	42	42	42	42	42	42
Land Conveyances and Other Direct Spending:										
Estimated Budget Authority	8	*	*	−7	*	*	*	*	*	*
Estimated Outlays	8	*	*	−7	*	*	*	*	*	*
Total Changes:										
Estimated Budget Authority	232	222	224	219	227	230	231	234	236	241
Estimated Outlays	212	218	223	219	227	230	231	234	236	241

NOTE: * = less than $500,000.

Spending of Corps Lease Receipts. This section would allow the Corps to spend money it collects from leases at recreational areas and project sites without further appropriation on operations and maintenance. Based on information from the Corps, CBO estimates that enacting this section would cost $8 million in 2006 and $98 million over the 2006–2015 period.

Spending of Recreation Fees. This section would direct the Corps to establish a new system of recreation fees, including charges for admission to Corps recreation sites and for the use of recreation facilities, visitor centers, equipment, and services. Under the bill, the new fees (which would be based on the value of the admission or service purchased) would replace charges authorized under more restrictive, existing laws. CBO estimates that, once the broader fee authority that would be provided by this section has been fully implemented, Corps offsetting receipts would increase by $12 million a year from the current annual level of about $42 million. (We expect that increases would initially be less because of delays in determining the market value of similar local recreation opportunities and establishing appropriate fee schedules for some recreation sites.) Because all amounts collected under the fee system would be available to the Corps without further appropriation, however, CBO estimates that enacting this provision would have a net cost of $33 million in 2006 and nearly $200 million over the 2006–2010 period. Over the 2006–2015, the total increase in net direct spending would be just over $400 million.

Various Land Conveyances. S. 728 would authorize the Corps to convey at fair market value 13 acres of land and the structures on the land, including a loading dock with mooring facilities, in Alabama. In addition, S. 728 would authorize the conveyance at fair market value 650 acres of Federal land at the Richard B. Russell Lake in South Carolina to the State. Based on information from the Corps, CBO estimates that the Federal Government would receive about $7 million in 2008 from those sales.

The bill also would convey certain Federal land in Alabama, Pennsylvania, Georgia, Oregon, Kansas, and Missouri. CBO estimates that those conveyances would have no significant impact on the Federal budget.

Arcadia Lake, Oklahoma. Section 3071 would eliminate the obligation of the city of Edmond, Oklahoma, to pay outstanding interest due on its water storage contract with the Corps. CBO estimates that this provision would result in a loss of receipts of about $8 million in 2006.

Waurika Lake Project. Section 3073 would eliminate the obligation of the Waurika Project Master Conservancy District in

Oklahoma to pay its outstanding debt related to the construction of a water conveyance project. Because of an accounting error, the Corps inadvertently undercharged the district for costs associated with a land purchase related to the water project in the early 1980's. Under terms of the construction contract, the district is required to pay all costs associated with building the project, including the full cost of the land purchases. CBO estimates that enacting this section would cost less than $200,000 a year over the 2006–2015 period.

Funding to Process Permits. Section 2017 would make permanent the Corps' current authority to accept and spend funds contributed by private firms to expedite the evaluation of permit applications submitted to the Corps. CBO estimates that the Corps would accept and spend less than $500,000 during each year of this extension and that the net budgetary impact of this provision would be negligible.

Training Funds. Section 2003 would allow the Corps to collect and spend fees collected from the private sector for training courses. CBO estimates that the Corps would accept and spend less than $500,000 annually and that the net budgetary impact would be negligible.

Estimated Long-Term Direct Spending Effects

Pursuant to section 407 of H. Con. Res. 95 (the Concurrent Resolution on the Budget, Fiscal Year 2006), CBO estimates that enacting S. 728 would cause an increase in direct spending greater than $5 billion in the 10-year period beginning in 2046. That estimate assumes that the bill's estimated direct spending cost of $241 million in 2015 would continue to increase over the next 40 years. Specifically, CBO assumes that the Corps' costs for operations and maintenance at PMA projects would increase at the rate of inflation projected for 2015 for this activity about 2.9 percent a year. That inflator reflects a weighted average of pay and nonpay components of Corps operations and maintenance activities. In addition, we assume that Corps collections from grazing, permit, water-use fees, and proceeds from the use of recreationsites would increase more slowly, near the observed historical rates of growth for such collections.

Intergovernmental and Private-Sector Impact

S. 728 contains no intergovernmental or private-sector mandates as defined in UMRA. Federal participation in water resources projects and programs authorized by this bill would benefit State, local, and tribal governments, and any costs to those governments to comply with the conditions of this Federal assistance would be incurred voluntarily. The bill also would benefit those governments by authorizing additional funds or reducing matching requirements for some specific projects.

Estimate Prepared By: Federal Costs: Julie Middleton, Lisa Cash Driskill, Deborah Reis, and Mike Waters; Impact on State, Local, and Tribal Governments: Marjorie Miller; Impact on the Private Sector: Selena Caldera.

Estimate Approved By: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

NUCLEAR SECURITY ACT

Mr. INHOFE. Mr. President, section 403 of the Congressional Budget and Impoundment Control Act requires that a statement of the cost of the reported bill, prepared by the Congressional Budget Office, be included in the report. At the time of filing of the report, the statement was unavailable. The statement has since been received by the committee. I ask unanimous consent that the statement be printed in the RECORD.

There being no objection, the material ordered to be printed in the RECORD, as follows:

S. 864, Nuclear Security Act of 2005, As reported by the Senate Committee on Environment and Public Works on July 1, 2005

Summary

S. 864 would amend the Atomic Energy Act of 1954 to establish several new programs designed to protect the nation's nuclear infrastructure. Based on information from the Nuclear Regulatory Commission (NRC), CBO estimates that implementing S. 864 would have a gross cost of $10 million in 2006 and $64 million over the 2006–2010 period. Under current law, the NRC is authorized to collect fees to offset 90 percent of most of its budget authority provided from the general fund (a portion of funds are provided from the Nuclear Waste Fund) in 2005 and 33 percent for each year after 2005. After accounting for those collections, CBO estimates that S. 864 would have a net cost of $5 million in 2006 and $41 million over the 2006–2010 period.

S. 864 would impose both intergovernmental and private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) by requiring expanded security procedures at certain nuclear facilities, new guidelines for tracking spent fuel rods and segments at nuclear power plants, and a mandatory tracking system for radiation sources in the United States. The bill also would impose a private-sector mandate on persons who import and export radiation sources by requiring them to meet new requirements. Finally, the bill would preempt State laws restricting the use and transport of certain firearms and may preempt State regulation of the disposal of certain types of byproduct material by transferring that authority to the NRC. CBO estimates that the aggregate cost of the mandates in the bill would be below the annual thresholds established in UMRA for intergovernmental mandates ($62 million in 2005, adjusted annually for inflation) and for private-sector mandates ($123 million in 2005, adjusted annually for inflation).

Estimated Cost to the Federal Government

The estimated budgetary impact of S. 864 is shown in the following table. The costs of this legislation fall within budget function 270 (energy).

[By fiscal year, in millions of dollars]

	2006	2007	2008	2009	2010
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Evaluation of Security-Response Plans:					
Estimated Authorization Level	.....	6	6	6	67
Estimated Outlays	5	5	6	6	6
Radiation Source Tracking System:					
Estimated Authorization Level	5	6	4	4	4
Estimated Outlays	4	5	4	4	4
Treatment of Radioactive Byproduct:					
Estimated Authorization Level	1	6	3	3	3
Estimated Outlays	1	4	3	3	3
Firearms Use:					
Estimated Authorization Level	1	0	0	0	0
Estimated Outlays	1	0	0	0	0
Gross Changes:					
Estimated Authorization Level	14	17	12	12	13
Estimated Outlays	10	15	13	13	13
NRC Fee Collection Offset[1]:					
Estimated Authorization Level	−5	−6	−4	−4	−4
Estimated Outlays	−5	−6	−4	−4	−4
Net Changes Under S. 864:	10	12	8	8	8
Estimated Outlays	5	9	9	9	8

[1] Under current law, collections are authorized at declining percentages of the NRC's budget (90 percent in 2005 and 33 percent after 2005). To estimate the net change in NRC costs under S. 864, that 33 percent rate was applied to the estimated cost of the programs under S. 864.

NOTE: Details may not sum to totals because of rounding.

Basis of Estimate

For this estimate, CBO assumes that the bill will be enacted near the start of fiscal year 2006, that the necessary amounts will be appropriated for each year, and that outlays will occur at historical rates for similar programs.

S. 864 would require the NRC to update and adopt rulemakings and programs related to security at the nation's nuclear power plants. The bill would set new criteria for preparing and evaluating security response plans at nuclear facilities, require a tracking system for radiation sources, and set requirements for the transport and disposal of radioactive byproduct material, firearms use by certain security personnel, background checks for certain security personnel, and guidelines for tracking the location of spent fuel rods. Under current law, the NRC is authorized to collect annual fees to offset 90 percent of most of its general fund appropriation. When this authority expires at the end of fiscal year 2005, the NRC will be authorized to collect annual user fees from its licensees of up to only 33 percent of its budget.

Based on information from the NRC, CBO estimates that implementing S. 864 would have a gross cost of $64 million over the 2006–2010 period, assuming appropriation of the necessary amounts. After accounting for offsetting collections, CBO estimates that S.

864 would have a net cost of $41 million over the 2006–2010 period.

EVALUATION OF SECURITY-RESPONSE PLANS

S. 864 would require the NRC to evaluate the security response plans at designated nuclear facilities at least once every 3 years. The evaluations would simulate the threats that nuclear facilities must be able to defend against. We expect that the NRC would use contractors to conduct mock exercises known as force-on-force. Under S. 864, the NRC also would revise its ''design basis threats'' or the attack scenario nuclear facilities must be capable of defeating. Based on information from the NRC, CBO estimates that the NRC would incur a gross cost of about $5 million in 2006 and $27 million over the 2006–2010 period to revise those requirements.

RADIATION SOURCE TRACKING SYSTEM

Under S. 864, the NRC would have to establish a system for tracking radiation sources in the United States that is compatible with the Secretary of Transportation's tracking system of radiation shipments. S. 864 also would establish a task force on radiation source protection and security to recommend measures to protect radiation sources from potential terrorist threats. The bill also would require the National Academy of Sciences to conduct a study on the industrial, research, and commercial uses for radiation sources. Based on information from the NRC, CBO estimates that this program would have a gross cost of $4 million in 2006 and $21 million over the 2006–2010 period.

TREATMENT OF RADIOACTIVE BYPRODUCT MATERIAL

S. 864 would establish regulations for the transport and disposal of radioactive byproduct material and expand the definition of radioactive byproduct material to include naturally occurring or accelerator-produced radioactive material (known as NARM). Under current law, 35 States have entered into agreements with the NRC that authorize them to treat and dispose of certain radioactive byproduct materials, including NARM. S. 864 would require the NRC to prepare a transition plan for States to transfer regulatory authority over NARM byproducts to the NRC. CBO estimates that the NRC would incur a gross cost of $14 million over the 2006–2010 period to oversee disposal of NARM in the 15 States without waste disposal agreements with the NRC. Under the bill, those States may opt to obtain a waiver allowing them to retain oversight of NARM disposal. In that event, NRC costs would be lower.

FIREARMS USE AND BACKGROUND CHECKS

S. 864 would authorize the NRC to permit certain security employees at nuclear facilities to use several types of firearms and would establish guidelines for checking the background of those security personnel. Based on information from the NRC, CBO estimates that the one-time cost of establishing those procedures would be about $1 million in 2006.

Intergovernmental and Private-Sector Impact

S. 864 would impose both intergovernmental and private-sector mandates as defined in UMRA by:

Increasing costs borne by licensees to pay for fingerprint checks by increasing the number of individuals requiring background checks;

Requiring certain nuclear sites to correct any security defects identified during NRC's force-on-force security evaluations;

Establishing new guidelines for tracking and controlling individual spent fuel rods and segments by nuclear power plants; and

Requiring NRC licensees that possess or transport certain radiation sources to identify those sources and report any loss or change in the location to the NRC.

The bill also would impose an additional private-sector mandate on individuals who import and export radiation sources by requiring them to meet new requirements. The bill would impose an additional intergovernmental mandate by preempting State laws restricting the use and transport of certain firearms, and may preempt State regulation of the disposal of certain types of byproduct material by transferring that authority to the NRC. CBO estimates that the aggregate cost of the mandates in the bill would be below the annual thresholds established in UMRA for intergovernmental mandates ($62 million in 2005, adjusted annually for inflation) and for private-sector mandates ($123 million in 2005, adjusted annually for inflation).

REQUIREMENTS ON NRC LICENSEES

Additional Fee for Background Checks. Section 103 would require fingerprinting of additional individuals connected with nuclear facilities (public and private) as part of criminal background checks done through the U.S. Attorney General's Office. The cost of the government background checks would be borne directly by licensees. The duty to pay the increased cost would be both a private-sector and intergovernmental mandate under UMRA, but because the cost of each background check is small and many persons associated with nuclear facilities have already undergone background checks, CBO estimates that the aggregate cost of the mandate would be small.

Security Evaluations. Section 104 would require the NRC to conduct security-response evaluations at certain nuclear facilities. Those evaluations would include force-on-force exercises and would require facilities to remedy any defects. Given that NRC is already conducting those evaluations, CBO estimates that the incremental costs of such legislated requirements would be minimal.

New Tracking System for Spent Fuels Rods and Segments. Section 109 would require NRC to establish uniform guidelines for tracking and controlling spent fuel rods and segments at nuclear power plants. Current NRC regulations include similar guidelines for tracking and controlling spent fuel rods and segments, and CBO estimates that any additional cost to NRC licensees resulting from this provision would be minimal.

New Tracking System for Radiation Sources. Section 201 would direct the NRC to establish a mandatory tracking system for category 1 and 2 radiation sources (as defined by the International Atomic Energy Agency) in the United States. Category 1 and 2 radiation sources are held by both public and private NRC licensees and are used for medical and industrial purposes. The tracking system would include identification by serial number, reporting of changes in ownership or location of radiation sources, reporting of lost sources, and reporting through a secure Internet connection. According to the NRC, identification of radiation sources already is being done to some extent, and the agency expects to take on most of the cost of creating the tracking system. Based on this information, CBO expects that, while there would be some personnel costs for certain NRC licensees to comply with the monitoring and reporting requirements of the new tracking system, any additional costs would be small.

REQUIREMENTS ON IMPORTERS AND EXPORTERS OF RADIATION SOURCES

Section 201 would prohibit the import and export of radiation sources in the United States unless certain requirements are met. The bill would require that exporters of radiation sources verify that the recipient country may receive and possess the radiation source and has the capability to securely manage the source; send notice to the recipient country prior to shipment; and obtain notification upon receipt of the shipment. Importers of radiation sources would be required to prove that they are lawfully authorized by the NRC to receive the radiation source. Those requirements would constitute private-sector mandates under UMRA. However, the costs of those mandates would be small. According to NRC, similar regulations already have been proposed by the agency. An analysis of those proposed regulations by the Office of Management and Budget indicates that the aggregate cost to all importers and exporters would be approximately $130,000 annually.

PREEMPTIONS OF STATE LAWS AND REGULATIONS

Authorization of Firearm Possession. Section 102 would preempt State laws restricting the use and transport of certain firearms. That provision would expand existing NRC authority that allows the agency to authorize certain security employees to use and transport several types of firearms, regardless of State or local regulations. Such a preemption would not impose significant costs on State or local governments.

Waste Disposal Provisions. Depending on future action by the NRC, section 202 could preempt State regulation of the disposal of certain types of radioactive byproduct material. Specifically, this section of the bill would transfer regulatory authority for the disposal of naturally occurring and accelerator-produced radioactive byproduct material to the NRC. Currently, States have this authority by default because the NRC does not expressly regulate such material. For those States with direct agreements with the NRC (agreement States), the authority to regulate the disposal of NARM would be returned to the State per those agreements. However, in non-agreement States, that authority would remain with the NRC. NRC sources have expressed an intent to maintain the status quo across all States for the disposal of NARM, and therefore, CBO estimates that the costs of this potential preemption would be insignificant.

Previous CBO Estimate

On April 19, 2005, CBO transmitted a cost estimate for H.R. 1640, the Energy Policy Act of 2005, as ordered reported by the House Committee on Energy and Commerce on April 13, 2005. S. 864 includes provisions similar to sections 662 through 665 of H.R. 1640. The estimated costs for those similar provisions are identical.

Estimate Prepared By: Federal Costs: Lisa Cash Driskill and Jimin Chung; Impact on State, Local, and Tribal Governments: Lisa Ramirez-Branum and Ian Rudge; Impact on the Private Sector: Selena Caldera.

Estimate Approved By: Peter Fontaine, Deputy Assistant Director for Budget Analysis.

NUCLEAR FEES REAUTHORIZATION ACT

Mr. INHOFE. Mr. President, section 403 of the Congressional Budget and Impoundment Control Act requires that a statement of the cost of the reported bill, prepared by the Congressional Budget Office, be included in the report. At the time of filing of the report, the statement was unavailable. The statement has since been received by the committee. I ask unanimous consent that the statement be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 858, Nuclear Fees Reauthorization Act of 2005, As ordered reported by the Senate Committee on Environment and Public Works on June 8, 2005

Summary

CBO estimates that the net cost of implementing S. 858 would be $2 million in fiscal year 2006 and about $10 million over the 2006–2010 period, assuming appropriation of the necessary amounts. Enacting the bill would not affect direct spending or revenues.

Under current law, the Nuclear Regulatory Commission (NRC) is authorized to collect annual fees to offset about 90 percent of its general fund appropriation. If that authority is allowed to expire at the end of fiscal year 2005, the NRC would be authorized to collect only 33 percent of its budget through user fees. S. 858 would extend the NRC's current authority to charge annual fees to offset 90 percent of most of its general fund appropriation through 2011 and also would prohibit amounts appropriated to the NRC for certain specified homeland security activities to be offset with user fees. The fees that NRC collects are classified as offsetting collections (a credit against discretionary spending) because they are explicitly tied to the level of annual discretionary appropriations for the agency.

S. 858 also would authorize the NRC to establish several new initiatives with higher education institutions to enhance employee recruitment. The programs would provide support, such as grants, loans, and equipment to higher education institutions for NRC-related curricula, and for scholarships and fellowships to students potentially seeking careers at NRC. S. 858 also would authorize funding for promotional items used in recruitment, reimbursement of travel expenses for students working with the NRC, medical costs of overseas NRC employees, and mentoring, training, and research programs at Hispanic-serving, historically black, and tribally controlled colleges or universities.

S. 858 contains both an intergovernmental and private-sector mandate as defined in the Unfunded Mandates Reform Act (UMRA). CBO estimates that the costs of the intergovernmental mandate would not exceed the threshold ($62 million in 2005, adjusted annually for inflation) established in that act. CBO cannot determine whether the costs of the private-sector mandate would exceed the annual threshold established in UMRA ($123 million in 2005, adjusted annually for inflation) because UMRA does not specify how CBO should measure the costs of extending an existing mandate. Depending on how they are measured, the costs to the private sector could exceed the threshold.

Estimated Cost to the Federal Government

The estimated budgetary impact of S. 858 is shown in the following table. The costs of this legislation fall within budget function 270 (energy).

[By fiscal year, in millions of dollars]

	2006	2007	2008	2009	2010
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Higher Education and Recruitment Programs.					
Estimated Authorization Level	1	6	6	6	6
Estimated Outlays	1	4	5	6	6
NRC Fee Collection Offset [1].					
Estimated Authorization Level.					
Estimated Outlays	−1	−5	−5	−5	−5
NRC Cost Recovery from Government Agencies.					
Estimated Authorization Level	2	2	2	2	2
Estimated Outlays	2	2	2	2	2
Total Net Change in Discretionary Spending Under S. 858.					
Estimated Authorization Level	2	3	3	3	3
Estimated Outlays	2	1	2	3	3

[1] Under current law, collections are authorized at declining percentages of the NRC's budget (90 percent in 2005 and 33 percent after 2005). S. 858 would authorize a 90 percent collection for 2006 to 2011. To estimate the net change in NRC costs under S. 858, 90 percent was applied to the estimated cost of higher education and recruitment programs as authorized by S. 858.

Basis of Estimate

For this estimate, CBO assumes that the bill will be enacted near the start of fiscal year 2006, that the necessary amounts will be appropriated for each year, and that outlays will occur at historical rates.

S. 858 would establish new initiatives with higher education institutions and recruitment efforts at the NRC. The bill would make changes to the NRC's authority to collect fees to offset its appropriations. Based on information from the NRC, CBO estimates that the net cost of implementing S. 858 would be $2 million in 2006 and about $10 million over the 2006–2010 period. All budget effects of the bill would be subject to appropriation action.

HIGHER EDUCATION AND RECRUITMENT PROGRAMS

S. 858 would establish new NRC programs with colleges and universities to enhance employee recruitment. The programs would provide grants, loans, and equipment to higher education institutions for NRC-related curriculum and scholarships and fellowships to students with prospects of future employment at NRC. S. 858 also would authorize funding for promotional items used in recruitment, travel expenses reimbursement for students working with the NRC, medical cost coverage of overseas NRC employees, and various mentoring, training, and research programs at Hispanic-serving, historically black, and tribally controlled colleges or universities. Based on information from the NRC, CBO estimates that implementing higher education and recruitment programs would have a gross cost of $1 million in 2006 and $22 million over the 2006–2010 period. Under S. 858, the NRC would recover 90 percent of these costs through fees that are credited against its annual appropriations.

NRC FEES

Under current law, the NRC is authorized to offset 90 percent of most of its budget authority in 2005 and 33 percent for each year after 2005. In 2005, the NRC received a gross appropriation from the general fund of $601 million to be offset by an estimated $541 million from the collection of fees. Such fees are classified as offsetting collections a form of discretionary spending. As is the case under current law for 2005, S. 858 would set fee collection at 90 percent of most of the agency's budget authority provided from the general fund (a portion of funds are provided from the Nuclear Waste Fund) for each year from 2006 through 2011. Under S. 858, the NRC also would be prohibited from recovering costs for certain homeland security activities. For example, for 2006, the NRC requested $31 million for homeland security activities that would no longer be offset by user fees under this bill.

By continuing to authorize fee collections at 90 percent of NRC's annual general fund appropriation, S. 858 would lead to the collection of approximately $550 million in fees in 2006. In contrast, if that 90 percent fee-collection authority were not extended, the portion of spending recoverable through fees would drop to 33 percent, and the amount of fees collected would fall to about $200 million in 2006. Those estimates assume that NRC funding in 2006 is equal to the amounts provided in 2005 with an adjustment for inflation.

NRC COST RECOVERY

Under current law, the NRC collects fees from its private licensees that offset its annual appropriation. Such fee collection includes the cost of issuing licenses to some government agencies. S. 858 would require that government agencies pay their licensing and regulatory activity fees, rather than the private sector.

Currently, the NRC charges private licensees about $2 million per year for licenses issued to government agencies. Under S. 858, those license fees would come from appropriated funds rather than the private sector; thus, the government would incur a net cost relative to current law to pay them. We estimate that such additional costs would be $2 million in 2006 and $10 million over the 2006–2010 period.

Intergovernmental and Private-Sector Impact

Under current law, the NRC is authorized to collect annual fees from its licensees (public and private) to offset 90 percent of a major portion of its general fund appropriation. CBO estimates that those collections will amount to an estimated $541 million in fiscal year 2005. Those fee collections include the cost of issuing licenses to some Federal agencies. The NRC's authority to collect that level of fees expires at the end of fiscal year 2005. When that authority expires, the NRC will be authorized to collect annual fees up to only 33 percent of its budget. S. 858 would extend the NRC's current authority to charge annual fees to offset 90 percent of its net appropriation through 2011. The duty to pay such fees would be a mandate as defined in UMRA.

The total amount of fees collected under this provision would depend on the level of future appropriations. Assuming appropriations in the amount authorized for 2005, CBO estimates that extending the fees would result in additional collections of more than $300 million in 2006 from industries regulated by the NRC (primarily electric utilities) and similar amounts for fiscal years 2007 through 2010. CBO estimates that most of the annual fees would be paid by private, investor-owned nuclear utilities (less than 5 percent would be paid by nonFederal, publicly owned utilities).

In the case of a mandate that has not yet expired, UMRA does not specify whether CBO should measure the cost of the extension relative to the mandate's current costs or assume that the mandate will expire and that it must measure the costs of the mandate's extension as if the requirement were new. Measured against the costs that would

be incurred if current law remains in place and the annual fee declines, the total cost to the private sector of extending this mandate would be close to $300 million annually, beginning in fiscal year 2006. Measured that way, the cost of the mandate would exceed the annual threshold for the private sector as defined in UMRA. By contrast, measured against the fees paid for fiscal year 2005, the mandate would impose no additional costs on the private sector because the fees under the bill would not differ much from those currently in effect. In any case, CBO estimates that the total costs to State, local, and tribal governments would be small relative to the threshold for intergovernmental mandates.

Estimate Prepared By: Federal Costs: Lisa Cash Driskill and Jimin Chung; Impact on State, Local, and Tribal Governments: Lisa Ramirez-Branun; Impact on the Private Sector: Selena Calera.

Estimate Approved By: Peter Fontaine, Deputy Assistant Director for Budget Analysis.

DEATH OF MO MOWLAM

Mr. KENNEDY. Mr. President, last month, sadly, Mo Mowlam, Great Britain's former Secretary of State for Northern Ireland, died after a long and courageous battle with cancer. Mo will long be remembered for her leadership at a critical moment in the history of Northern Ireland. I first met her when she was a member of the Labour Party and her party was in opposition in Parliament. I was delighted when Prime Minister Blair came to power and named her Secretary of State for Northern Ireland. She was a breath of fresh air and quickly won over nearly every Irish American she met. She was exceedingly effective and was the right person for the job at the right time in Northern Ireland. With her remarkable abilities, she created the conditions that led to the historic Good Friday Agreement in 1998. Mo was fair, intelligent, and willing to take risks for peace.

On a personal note, my wife, Vicki, and I will always warmly recall our visit with Mo, and her husband, Jon Norton, at Hillsborough in Northern Ireland in January 1998.

Irish Senator Martin Mansergh, himself a key player in the Northern Ireland peace process, recently wrote a well-deserved tribute to Mo in the Irish Times, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Irish Times, Aug. 27, 2005]

MO WAS WILLING TO DIRTY HER HANDS FOR PEACE

(By Martin Mansergh)

A first memory of Mo Mowlam is of a young, newly elected MP accompanying, as deputy, the British Labour Party's Northern Ireland spokesman Kevin McNamara to an Anglo-Irish conference in Ditchley Park, Oxfordshire.

The British have an inexhaustible belief in country house diplomacy to solve problems like Northern Ireland in an atmosphere cut off from the modem world. Its efficacy was not evident on that occasion.

When John Smith died tragically in 1994, Mo Mowlam, a fellow north of England MP, was a principal lieutenant of Tony Blair in his leadership campaign. Her reward in being appointed Northern Ireland spokeswoman marked a shift away from the moderate pro-nationalist stance of McNamara and Labour's formal policy through the 1980s of Irish unity by consent.

Whether Labour would ever have been active persuaders for unity is doubtful. That policy was devised as a means of containing pressure from the Labour left for ''troops out'' and British withdrawal. By 1994, after the Downing Street Declaration, Labour adjusted its position to broad bipartisanship with the John Major government, both on constitutional principles and tactics.

Mo Mowlam did her homework while in opposition, studying the issues, attending conferences, meeting different parties, and acting as conduit to Tony Blair. Unwilling to open any flank for attack that might endanger election victory, Labour refrained from criticising the Tory mishandling of the peace process which contributed to, even if it was not responsible for, the breakdown of the first ceasefire. Labour kept its powder dry, and by the 1997 general election had become almost as acceptable to unionism as the outgoing Conservative administration.

Mo Mowlam became Northern Ireland Secretary of State, and held office during the crucial 12-month period that began with restoration of the IRA ceasefire in July 1997. With Irish help, Labour worked round the demand for immediate decommissioning that was a roadblock to progress at that stage.

She kept her cool in the conference room in July 1997 and gave nothing away when Conor Cruise O'Brien, sitting alongside Robert McCartney on the UKUP delegation, sought formal repudiation of more radical views she had once held on Ireland. Further negotiations at Stormont created conditions of engagement from late September in multi-party talks chaired by former U.S. Senator George Mitchell that included Ulster Unionists, loyalists and Sinn Féin, as well as the SDLP, Alliance and Women's Coalition.

As incoming Secretary of State, she made every attempt to be even-handed, and was prepared to be as sympathetic and receptive to unionist as to nationalist and republican views. Her eventual decision to let the Drumcree parade through in 1997 (for the last time) was evidence of that.

Much of the comment about her focuses more on style than substance. Her casual manner and outspoken language were something that not all British civil servants, used to the traditional patrician style exemplified by Sir Patrick Mayhew, appreciated. The Irish delegation had few problems on that front, though occasionally she made even Ray Burke look fastidious.

She was a culture shock to the Ulster Unionist Party, as to some extent was Liz O'Donnell. If Mo Mowlam ended up closer to nationalists, it was because unionists left her little choice, by increasingly refusing to deal substantively with her.

They bypassed her with impunity, by constant recourse to No 10 Downing Street—if not Tony Blair himself, his diplomatic adviser John Holmes, who provided reassuring continuity for them from John Major's time.

Nevertheless, with the help of minister of state Paul Murphy, and partnered on the Irish side by David Andrews, she kept the talks on the road over a difficult eight-month period, even if many strategic negotiations also took place between Downing Street, the NIO, the Taoiseach's Office, Foreign Affairs and Justice. Mo Mowlam made an important and courageous decision to go into the Maze to see loyalist prisoners, when their ceasefire appeared to be collapsing in January 1998, following several murders.

Not only did she hold the ring, albeit with difficulty, but it was the moment the British system realised that agreement would only happen if it involved a radical programme to release paramilitary prisoners, however awful their convictions. She well understood that to obtain peace one had to be prepared to get one's hands dirty.

In the last hours of the Good Friday negotiations, she sat with the Taoiseach Bertie Ahern (and this columnist) listening interminably to some 77 unsatisfied demands by Sinn Féin, all requiring answers, not least to satisfy large backroom teams.

While the Government had always striven for agreement bringing everyone present on board, the point had been reached, where, if necessary, continued Government credibility would have required agreement without Sinn Féin (already geared to campaign against changes to Articles 2 and 3).

Mo Mowlam, like the Taoiseach, favoured retaining a special electoral system, which would, most likely, have secured a place in the Assembly for both the Women's Coalition and the loyalists. The loyalist parties mistakenly believed they did not need such arrangements to stay out of the cold, creating problems to this day.

The Good Friday agreement is Britain's finest achievement so far in relation to Ireland. Mo Mowlam is entitled to full credit for her part in that, as the following Labour Party conference affirmed with thunderous applause. It is almost always a mistake for a minister to challenge the prime minister, and she was easily undermined by those who coveted her post for Peter Mandelson. His main positive contribution, in late 1999, was to persuade Ulster Unionists to let the institutions start, however temporarily.

Apart from her deserved place in British Labour Party folklore, Mo Mowlam's courage and down-to-earth approach will ensure that she long retains a warm place in the memory of most Irish people.

COMMEMORATION OF 50TH ANNIVERSARY OF THE GREAT LAKES COMMISSION

Mr. LEVIN. Mr. President, this year marks the 50th anniversary of the Great Lakes Commission. The Great Lakes Commission is a bi-national agency working to improve the Great Lakes and the region. The Commission promotes the orderly and comprehensive development, use and conservation of the Great Lakes basin, its tributaries and the St. Lawrence River. Its members include the eight Great Lakes States, Illinois, Indiana, Michigan, Minnesota, Ohio, New York, Pennsylvania and Wisconsin, with associate member status for the Canadian provinces of Quebec and Ontario.

Since its establishment in 1955, the Great Lakes Commission has been a pioneer in applying principles of sustainability to the natural resources of the Great Lakes basin and St. Lawrence River. The Commission promotes the paired goals of environmental protection and economic improvement and has built its reputation on an integrated and objective approach to public policy issues and opportunities.

When the Great Lakes Commission was founded in 1955, the Great Lakes region was about to gain greater regional and economic importance; St.

Lawrence Seaway was close to completion. With a greater influx of commercial activity along the waters, there was a collaborative desire in the region to form an organization whose task would be to promote the development, use and conservation of the Great Lakes Basin while making it possible for the States to derive maximum benefit from its resources. Additionally, the Commission was to serve as an advisory agency of the States and Federal Government. In 1954, at the Great Lakes Seaway and Water Resources Conference the notion of creating a State and provincial compact was discussed. In the following year, the eight Great Lakes States all passed legislation to establish the Commission.

Congressional ratification did not come until 1968 after jurisdiction over the type of consultation the Commission would be able to provide to both the U.S. and Canada had been addressed.

Over the years, the Great Lakes Commission has been responsible for providing a unified voice, quality research, and sound advice for the Great Lakes region. Among its accomplishments are the establishments the Great Lakes Regional Water Use Database, the Great Lakes Basin Program for Soil Erosion and Sediment Control, the Great Lakes Information Network, the Michigan Water Corps, and Great Lakes St. Lawrence Mayors' Conference. I would just like to share briefly with my colleagues a bit about these great programs.

In 1988, the Great Lakes Regional Water Use Database was one of the first compilations of its sort. It provides a comprehensive collection of information on the region's water use, including reports, charts and other publications. Today, it is just one of many database and monitoring programs initiated by the Great Lakes Commission.

The Great Lakes Basin Program for Soil Erosion and Sediment Control works in partnership with the U.S. Department of Agriculture, the EPA and the U.S. Army Corps of Engineers. It was created in 1991 to prevent further soil erosion and sedimentation from damaging the Great Lakes waters by using educational and financial tools. This program has already saved more than 650,000 tons of soil and prevented 487 tons of nitrogen and 674 tons of phosphorus from flowing into the waterways.

The Great Lakes Information Network is an online database that combines economic, environmental, travel, and educational information about the Great Lakes. It is a premier search engine on information regarding the region and has won numerous awards. The Commission's work to establish and maintain such a network is invaluable to those who need data and research on the Great Lakes.

Recently, the Michigan Clean Water Corps has also joined the long list of successful programs supported by the Great Lakes Commission. The Clean Water Corps was established in 2003 by executive order from Governor Jennifer Granholm to work in partnership with the Huron River Watershed Council and the Michigan Department of Environmental Quality. The goal of the Corps is to provide volunteers with training to monitor and distribute information on the water quality of the waters around Michigan and to provide educational tools to assist in creating an informed public.

In 1987, the Commission brought together the regional mayors to meet about Great Lakes issues for the first time. The Commission helped promote the idea that the mayors in the Great Lakes region could unite and be a driving political force. This annual conference also provides a forum for the mayors of the Great Lakes region to share ideas to address the area's problems.

These are just a few of the programs that the Great Lakes Commission oversees and implements. As they continue these initiatives in the coming years, they will also focus more on sustainability and growth.

The Great Lakes Commission is vital for the health and future of the Great Lakes. I would like to thank the Great Lakes Commission for the wonderful work they have done over the past 50 years and congratulate them on reaching this milestone. I hope that my colleagues will join me in expressing that appreciation.

ADDITIONAL STATEMENTS

IN REMEMBRANCE OF BENJAMIN AARON BENJAMIN

• Mr. LEVIN. Mr. President, I would like to take this opportunity to pay tribute to Benjamin Aaron Benjamin, a great musician and teacher, who passed away at the age of 40 on May 22, 2005. Mr. Benjamin was well respected in the Detroit community and dedicated his life to sharing the gift of music with others. He will be sorely missed by those whose lives he has touched.

Benjamin Aaron Benjamin, who learned to play the piano at a very young age, was born in Stamford, CT on March 8, 1965, to James and Rebekah Benjamin. He attended the Hart School of Music and was a concert pianist who devoted much of his time to instilling in children his love of music. He founded the Benjamin Conservatory of Music in 2002 to provide music education to the people of the greater Detroit area.

He is mourned by his family, former students, and many people across my home State of Michigan. Benjamin is survived by his parents, his daughter, Yasmine, and his seven siblings: James, John, Mark, Richard, Chandler, Grace, and Myah.

This is, indeed, a great loss to all who knew him and to those who have benefitted from his talent and love of music. I know my colleagues will join me in paying tribute to the life and work of Benjamin Aaron Benjamin. I hope his family takes comfort in knowing that his legacy will be passed on through the music he loved so much and by the many whose lives have been enriched by his efforts.•

TRIBUTE TO MR. J. GEORGE MITNICK

• Mr. SHELBY. Mr. President, I rise today to pay tribute to a good friend, George Mitnick, who I have known for more than a quarter-century. He passed away on August 6, 2005, at the age of 87, and I would like to take this opportunity to honor his life.

A devoted family man, George was married for 61 years to Willine Engel Mitnick. Together, they raised two daughters, Ronne Mitnick Hess and Karen Mitnick. He and his wife resided in Jasper, AL, until his passing.

George was born in Hartford, CT, on December 21, 1917, and attended college at the University of Connecticut. Upon graduation, he enlisted in the military and served in World War II. He was a captain in the 65th Infantry Division in the European Theatre and received two Bronze Stars for his service.

George Mitnick was very devoted to charitable efforts, making generous contributions in money, time and energy. Some of those organizations included United Cerebral Palsy and the United States Holocaust Memorial Museum in Washington, DC. In addition, much of his philanthropic work was aimed at young people. Both the Mitnick Fellowship Fund and the Mitnick Wilderness Boot Camp helped youth in Alabama.

Well known as a business leader, he was a co-founder of Top Dollar Stores in the 1950s. The company, which expanded to over 250 stores, was acquired by Sav-A-Stop Company, and George served on the company's board of directors and on its executive committee. He also served as a director of the First National Bank of Jasper and First Commercial Bankshares.

George was very active in civic, professional and political organizations. He was committed to making a difference across the State of Alabama, dedicating much of his time to community organizations. He served as president of the Alabama Retail Association, the Jasper Chamber of Commerce and the Jasper Rotary Club. He was instrumental in founding the Walker Area Community Foundation and the Walker College Civic Concert Association.

He served on a number of boards including the Northwest Alabama Mental Health Center, the Walker County Association of Retarded Citizens, Walker Junior College and Walker Regional Medical Center. He was also very involved in the political process, playing an integral role in Americans for Good Government.

Active in the Jewish community in Alabama and across the nation, George

served as president of the Temple Emanu-El in Jasper, AL and the Walker County Lodge of B'nai B'rith. In 2003, he was named ''Man of the Year'' by the American Israel Public Affairs Committee, where he also served as a member of the executive board.

George Mitnick gave of himself so selflessly to the Jasper community and the State of Alabama. We are better off for having him a part of our State and our country, and I am fortunate to have known him and called him a friend. My deepest sympathies are extended to his wife, Willine, and his daughters, Karen and Ronne. May this tribute, in a small way, honor his life and memory.●

TRIBUTE TO GENERAL JOHN W. HANDY

● Mr. CHAMBLISS. Mr. President, it is my honor and privilege today to pay tribute to a leader and warrior, General John W. handy, Commander, United States Transportation Command, USTRANSCOM, and Commander, Air Mobility Command, AMC. General Handy is retiring after honorably serving this great Nation for over 38 years.

General Handy was commissioned in the U.S. Air Force in 1967 and received his pilot wings in 1968. He has accumulated over 5,000 hours piloting just about every mobility aircraft in the U.S. Air Force, to include the C–7A Caribou, the C–130 Hercules, the C–141 Starlifter, the C–37 Gulfstream V, the C–9 Nightingale, the KC–10 Extender, and the Nation's newest mobility airlifter, the C–17 Globemaster III. His hands/on performance, sound judgment, and expertise have made him an exceptional Air Force leader.

General Handy commanded the 21st Air Force at McGuire Air Force Base. He created and commanded AMC's Tanker Airlift Control Center. He also commanded two airlift wings and a maintenance squadron. He previously served as the Director of Operations and Logistics for USTRANSCOM; the Air Force's Director of Programs and Evaluations; the Deputy Chief of Staff, Installations and Logistics, Headquarters U.S. Air Force, Washington, DC; and Vice Chief of Staff, Headquarters U.S. Air Force, Washington, D.C. It is clear that General Handy is the preeminent mobility and logistics expert in the Department of Defense.

In November 2001, General Handy assumed command of USTRANSCOM at Scott Air Force Base, Illinois, responsible for executing mobility combat operations through three component commands: The Air Force's AMC, the Navy's Military Sealift Command, MSC, and the Army's Military Surface Deployment and Distribution Command, SDDC. General Handy has had the unique distinction of simultaneously commanding both USTRANSCOM and its air component command, AMC. USTRANSCOM provides the synchronized transportation, distribution, and sustainment which projects and maintains our national power. As a global combatant commander, General Handy has made supporting the American warfighter his top priority.

Since the tragic events of 11 September 2001, USTRANSCOM, under General Handy's leadership, has moved over 2.4 million passengers, 6.4 million short tons of cargo, and 2.8 billion gallons of fuel in support of the Global War on Terrorism, including Operation Noble Eagle, Operation Enduring Freedom, and Operation Iraqi Freedom. To put this in perspective, the passenger movement is equivalent to moving the entire population of Kansas while the cargo movement is equivalent to moving over 70 Washington monuments halfway around the world. General Handy, an avid NASCAR racing fan, is fond of stating the amount of fuel moved could run the NEXTEL Cup Series for the next 19,473 years.

America truly has a military deployment and distribution system that is unmatched anywhere in the world. America's military might moves with USTRANSCOM, but so too does its heart. As quick as we are to defend this great Nation, Americans are just as quick to assist those in need; and when we do, we turn to the remarkable capabilities of USTRANSCOM. Under General Handy's command, USTRANSCOM has provided humanitarian relief to hurricane victims in the United States, earthquake victims in Iran, and tsunami victims in South Asia, just to name a few. The medicines, supplies, equipment, and personnel that USTRANSCOM delivered to these and other natural disasters ultimately saved lives and eased human suffering.

In addition to conducting the largest military movement since World War II and providing unparalleled humanitarian relief, General Handy has made it a priority to transform our Nation's deployment and distribution system, ensuring our ability to project national power where needed with the greatest speed and agility, the highest efficiency, and the most reliable level of trust and accuracy. As the USTRANSCOM commander, General Handy actively took on the role of the distribution process owner for DOD, charged with improving efficiency and interoperability across the entire DOD supply chain. His initiative to develop Joint Deployment and Distribution Operations Centers JDDOCs, in each of the regional combatant commands continues to improve combat capability and save valuable resources. Regional combatant commanders can now plug into the DOD supply chain system, track their requirements, and prioritize their actions. The net result is that troops and equipment are now arriving to the battlefield faster and at less cost. While meeting the needs of the warfighter, General Handy's distribution process owner improvements have saved almost one-half billion dollars in the global war on terror.

General Handy will be the first to tell you he did not accomplish these feats alone. General Handy has led the way in seeking collaborative joint solutions to today's complex combat issues. Those who worked for him and with him, military and civilians from every branch of Service, will miss his leadership and mentorship. They will miss the stories and humor he used to get his message across. In Congress, we will miss his straightforward approach and sound counsel. The Nation will miss his devotion to duty, ceaseless drive for improvement, and unwavering support to our warfighters.

General Handy will be remembered as the man who brilliantly led our Nation's mobility forces during the global war on terrorism. I know we speak on behalf of our colleagues and a grateful Nation in saying thank you to General Handy and his wife, Mickey, for their years of service and sacrifice. We wish General Handy and his wife, Mickey, all the best in future endeavors and pray that those who follow in your footsteps may continue the legacy of unprecedented support to our great Nation. Good luck and Godspeed.●

HONORING THE EMPLOYEES OF THE MOTHER'S COOKIE COMPANY AND WAMZ–FM RADIO IN LOUISVILLE, KY

● Mr. BUNNING. Mr. President, I wish to recognize the employees of the Mother's Cookie Company and WAMZ–FM Radio in Louisville, KY, for their commitment to philanthropy through their participation in a charity softball game to benefit St. Jude Children's Research Hospital.

The employees from Mother's Cookie Company assembled a team to take on the WAMZ–FM Hamz softball team. For the past 2 years, this Louisville radio station has assembled players to compete against area businesses willing to provide a location, umpires, and players to raise money to benefit the St. Jude Children's Hospital. While the team from Mother's Cookies lost a close game by a score of 7–8, they won big raising money for St. Jude's Children's hospital. Their donation of $1,264.65 was the largest single game donation generated this season.

I believe the employees of these two companies in Louisville are examples of how every American can contribute to the care and maintenance of community by participating in activities that bring people together, and unselfishly dedicating their time and resources to a worthy cause. Companies that give back to the community and employees who share their time with others form the backbone of the American economy, and are the foundation of a strong neighborhood. The men and women who work at the Mother's Cookie Company not only took the time to raise money for medical research, but also bake more than 60 percent of the Girl Scout cookies in America throughout the year.

I commend the employees of Mother's Cookie Company and WAMZ–FM Radio in Louisville, KY, for their dedication to community service. They are an inspiration to the citizens of Kentucky, and I thank them for their generosity.●

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INHOFE, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 1265. A bill to make grants and loans available to States and other organizations to strengthen the economy, public health, and environment of the United States by reducing emissions from diesel engines (Rept. No. 109–133).

By Mr. ENZI, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 1021. A bill to reauthorize the Workforce Investment Act of 1998, and for other purposes (Rept. No. 109–134).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. CANTWELL (for herself and Mr. BROWNBACK):

S. 1618. A bill to regulate international marriage broker activity in the United States, to provide for certain protections for individuals who utilize the services of international marriage brokers, and for other purposes; to the Committee on the Judiciary.

By Mr. LAUTENBERG:

S. 1619. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to require local educational agencies and schools to implement integrated pest management systems to minimize the use of pesticides in schools and to provide parents, guardians, and employees with notice of the use of pesticides in schools, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. REID (for Mr. CORZINE (for himself, Mr. REID, Mrs. CLINTON, Mr. BROWNBACK, Mr. DODD, Mr. KENNEDY, Mr. LAUTENBERG, Mr. LIEBERMAN, and Mr. FEINGOLD)):

S. 1620. A bill to provide the nonimmigrant spouses and children of nonimmigrant aliens who perished in the September 11, 2001, terrorist attacks an opportunity to adjust their status to that of an alien lawfully admitted for permanent residence, and for other purposes; to the Committee on the Judiciary.

By Ms. COLLINS (for herself, Mr. WARNER, and Ms. LANDRIEU):

S. 1621. A bill to amend the Internal Revenue Code of 1986 to increase the above-the-line deduction for teacher classroom supplies and to expand such deduction to include qualified professional development expenses; to the Committee on Finance.

By Mrs. CLINTON (for herself, Ms. MIKULSKI, Mr. HARKIN, Mr. LAUTENBERG, Mr. JEFFORDS, Mr. REED, Mr. SALAZAR, Mr. OBAMA, and Mrs. BOXER):

S. 1622. A bill to establish a congressional commission to examine the Federal, State, and local response to the devastation wrought by Hurricane Katrina in the Gulf Region of the United States especially in the States of Louisiana, Mississippi, Alabama and other areas impacted in the aftermath and make immediate corrective measures to improve such responses in the future; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LAUTENBERG:

S. 1623. A bill to suspend temporarily the duty on Lewatit; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 1624. A bill to suspend temporarily the duty on certain chemicals; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 1625. A bill to extend the temporary suspension of duty on certain ion-exchange resins; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 1626. A bill to suspend temporarily the duty on certain vinyl chloride-vinyl acetate copolymers; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. BIDEN):

S. 1627. A bill to authorize the Secretary of the Interior to conduct a special resources study to evaluate resources along the coastal region of the State of Delaware and to determine the suitability and feasibility of establishing a unit of the National Park System in Delaware; to the Committee on Energy and Natural Resources.

By Mr. MARTINEZ (for himself and Mr. VITTER):

S. 1628. A bill to provide the Secretary of Education with waiver authority for students who are eligible for Federal Pell Grants and are adversely affected by a natural disaster; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEVIN:

S. 1629. A bill to provide the President with authority to temporarily freeze the price of gasoline and other refined products; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. OBAMA:

S. 1630. A bill to direct the Secretary of Homeland Security to establish the National Emergency Family Locator System; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DORGAN (for himself, Mr. DODD, and Mrs. BOXER):

S. 1631. A bill to amend the Internal Revenue Code of 1986 to impose a temporary windfall profit tax on crude oil and to rebate the tax collected back to the American consumer, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. FRIST (for himself, Mr. REID, Mr. MCCONNELL, Mr. DURBIN, Mr. SPECTER, Mr. LEAHY, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. ALLEN, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWNBACK, Mr. BUNNING, Mr. BURNS, Mr. BURR, Mr. BYRD, Ms. CANTWELL, Mr. CARPER, Mr. CHAFEE, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COBURN, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORNYN, Mr. CORZINE, Mr. CRAIG, Mr. CRAPO, Mr. DAYTON, Mr. DEMINT, Mr. DEWINE, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MARTINEZ, Mr. MCCAIN, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. OBAMA, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. TALENT, Mr. THOMAS, Mr. THUNE, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, and Mr. WYDEN):

S. Res. 234. A resolution relative to the death of William H. Rehnquist, Chief Justice of the United States; considered and agreed to.

By Mr. LOTT (for himself, Mr. DODD, Mr. COCHRAN, Ms. LANDRIEU, Mr. VITTER, Mr. SHELBY, Mr. SESSIONS, Mr. FRIST, Mr. REID, Mr. DOMENICI, Mr. ALLARD, Mr. KOHL, Mr. KYL, Mr. AKAKA, Mr. GREGG, Mr. KENNEDY, Mr. ALEXANDER, Mr. MARTINEZ, Ms. MURKOWSKI, Ms. COLLINS, Mr. ENZI, Mr. THOMAS, Mr. CHAMBLISS, Mr. CARPER, Mr. DORGAN, Mr. LAUTENBERG, Mr. CORZINE, Mr. REED, Mr. LIEBERMAN, Mr. DEWINE, Mrs. HUTCHISON, Mr. DAYTON, Mr. JEFFORDS, Mr. THUNE, Mr. ALLEN, Mr. DEMINT, Mr. COBURN, Mr. BURR, Ms. STABENOW, Mr. PRYOR, Mr. BINGAMAN, Mr. HAGEL, Mr. SANTORUM, Mr. SALAZAR, Mr. STEVENS, Mr. ROBERTS, Mr. TALENT, Mr. KERRY, Mrs. LINCOLN, Mr. HARKIN, Mr. COLEMAN, Mrs. DOLE, and Ms. CANTWELL):

S. Res. 235. A resolution to permit the solicitation of donations in Senate buildings for the relief of victims of Hurricane Katrina; considered and agreed to.

ADDITIONAL COSPONSORS

S. 103

At the request of Mrs. FEINSTEIN, the names of the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Connecticut (Mr. DODD) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of S. 103, a bill to respond to the illegal production, distribution, and use of methamphetamine in the United States, and for other purposes.

S. 337

At the request of Mr. GRAHAM, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 337, a bill to amend title 10, United States Code, to revise the age and service requirements for eligibility to receive retired pay for non-regular service, to expand certain authorities to provide health care benefits for Reserves and their families, and for other purposes.

S. 406

At the request of Ms. SNOWE, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 406, a bill to amend title I of the

Employee Retirement Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees.

S. 420

At the request of Mr. KYL, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 420, a bill to make the repeal of the estate tax permanent.

S. 511

At the request of Mr. DEMINT, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 511, a bill to provide that the approved application under the Federal Food, Drug, and Cosmetic Act for the drug commonly known as RU–486 is deemed to have been withdrawn, to provide for the review by the Comptroller General of the United States of the process by which the Food and Drug Administration approved such drug, and for other purposes.

S. 601

At the request of Mr. CONRAD, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Idaho (Mr. CRAIG) were added as cosponsors of S. 601, a bill to amend the Internal Revenue Code of 1986 to include combat pay in determining an allowable contribution to an individual retirement plan.

S. 738

At the request of Mr. SPECTER, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 738, a bill to provide relief for the cotton shirt industry.

S. 772

At the request of Mr. CORNYN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 772, a bill to amend the Internal Revenue Code of 1986 to expand workplace health incentives by equalizing the tax consequences of employee athletic facility use.

S. 889

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 889, a bill to amend title 49, United States Code, to require phased increases in the fuel efficiency standards applicable to light trucks, to require fuel economy standards for automobiles up to 10,000 pounds gross vehicle weight, to increase the fuel economy of the Federal fleet of vehicles, and for other purposes.

S. 935

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 935, a bill to regulate .50 caliber sniper weapons designed for the taking of human life and the destruction of materiel, including armored vehicles and components of the Nation's critical infrastructure.

S. 958

At the request of Mr. SARBANES, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 958, a bill to amend the National Trails System Act to designate the Star-Spangled Banner Trail in the States of Maryland and Virginia and the District of Columbia as a National Historic Trail.

S. 970

At the request of Mrs. CLINTON, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 970, a bill to establish the African Burial Ground National Historic Site and the African Burial Ground International Memorial Museum in New York, New York, and for other purposes.

S. 1004

At the request of Mr. ALLEN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1004, a bill to provide the Federal Trade Commission with the resources necessary to protect users of the Internet from the unfair and deceptive acts and practices associated with spyware, and for other purposes.

S. 1014

At the request of Ms. SNOWE, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. 1014, a bill to provide additional relief for small business owners ordered to active duty as members of reserve components of the Armed Forces, and for other purposes.

S. 1120

At the request of Mr. DURBIN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1120, a bill to reduce hunger in the United States by half by 2010, and for other purposes.

S. 1123

At the request of Mr. LEVIN, the names of the Senator from Ohio (Mr. VOINOVICH) and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of S. 1123, a bill to suspend temporarily the duty on certain microphones used in automotive interiors.

S. 1244

At the request of Mr. GRASSLEY, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 1244, a bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term needs.

S. 1272

At the request of Mr. NELSON of Nebraska, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1272, a bill to amend title 46, United States Code, and title II of the Social Security Act to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

S. 1367

At the request of Mr. ALEXANDER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1367, a bill to provide for recruiting, selecting, training, and supporting a national teacher corps in underserved communities.

S. 1388

At the request of Ms. SNOWE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1388, a bill to amend chapter 6 of title 5, United States Code (commonly known as the Regulatory Flexibility Act), to ensure complete analysis of potential impacts on small entities of rules, and for other purposes.

S. 1438

At the request of Mr. THOMAS, his name was added as a cosponsor of S. 1438, a bill to provide for immigration reform.

S. 1442

At the request of Mrs. CLINTON, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1442, a bill to amend the Public Health Service Act to establish a Coordinated Environmental Health Network, and for other purposes.

S. 1462

At the request of Mr. BROWNBACK, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1462, a bill to promote peace and accountability in Sudan, and for other purposes.

S. 1465

At the request of Mr. LAUTENBERG, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 1465, a bill to strengthen programs relating to ocean, coastal, and Great Lakes science training by providing coordination of efforts, greater interagency cooperation, and the strengthening and expansion of related programs administered by the National Oceanic and Atmospheric Administration, and to diversify the ocean, coastal, and Great Lakes science community by attracting underrepresented groups.

S. 1496

At the request of Mr. CRAPO, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1496, a bill to direct the Secretary of the Interior to conduct a pilot program under which up to 15 States may issue electronic Federal migratory bird hunting stamps.

S. 1504

At the request of Mr. ENSIGN, the name of the Senator from South Carolina (Mr. DEMINT) was withdrawn as a cosponsor of S. 1504, a bill to establish a market driven telecommunications marketplace, to eliminate government managed competition of existing communication service, and to provide parity between functionally equivalent services.

S. 1580

At the request of Mr. AKAKA, the names of the Senator from Maryland

(Mr. SARBANES), the Senator from California (Mrs. BOXER) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 1580, a bill to improve the health of minority individuals.

S. 1615

At the request of Mrs. CLINTON, the names of the Senator from Rhode Island (Mr. REED), the Senator from California (Mrs. BOXER) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 1615, a bill to establish the Federal Emergency Management Agency as an independent agency, and for other purposes.

S. RES. 184

At the request of Mr. SANTORUM, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. Res. 184, a resolution expressing the sense of the Senate regarding manifestations of anti-Semitism by United Nations member states and urging action against anti-Semitism by United Nations officials, United Nations member states, and the Government of the United States, and for other purposes.

S. RES. 204

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. Res. 204, a resolution recognizing the 75th anniversary of the American Academy of Pediatrics and supporting the mission and goals of the organization.

S. RES. 225

At the request of Mrs. MURRAY, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. Res. 225, a resolution designating the month of November 2005 as the ''Month of Global Health''.

S. RES. 227

At the request of Mr. DEWINE, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. Res. 227, a resolution pledging continued support for international hunger relief efforts and expressing the sense of the Senate that the United States Government should use resources and diplomatic leverage to secure food aid for countries that are in need of further assistance to prevent acute and chronic hunger.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LAUTENBERG:

S. 1619. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to require local educational agencies and schools to implement integrated pest management systems to minimize the use of pesticides in schools and to provide parents, guardians, and employees with notice of the use of pesticides in schools, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. LAUTENBERG. Mr. President, I rise today to introduce legislation that will help protect our children from the harmful health effects of pesticides. This legislation, a companion bill to Congressman RUSH HOLT's School Environment Protection Act, SEPA, addresses the need for States and local education agencies to protect schoolchildren and school staff from exposure to harmful chemicals in school buildings and on school grounds.

According to the Environmental Protection Agency, EPA, children face higher risks than adults from pesticides because their systems are still developing, and therefore not as capable of detoxification. Pesticide exposure can adversely affect a child's neurological, respiratory, immune, and endocrine systems and has been linked to exacerbated asthma symptoms.

In July of this year, the Journal of the American Medical Association released a study which confirmed that pesticide exposure at schools causes acute illnesses in school employees and students. The study recommends that integrated pest management programs, designed to require less, if any, chemical pesticide application, be used in schools to help keep our children safe and healthy.

Safe alternatives to the use of dangerous chemical pesticides exist. This bill would require all schools, local education agencies, and States to develop school pest management plans that emphasize these safe alternatives, minimizing health damage from pesticides and minimizing economic damage by pests at the same time. This legislation would encourage schools to use techniques that attempt to move away from chemical pesticides where possible, that are proven to be safe and effective, and that involve proper timing and notification of students, families, and school employees in cases when pesticides cannot be avoided.

This bill builds the foundation for a strong working relationship between the Environmental Protection Agency, EPA, and State and local agencies so that they may solve this problem together. The EPA is called upon to develop guidelines with State and local education agencies for school pest management plans. Local education agencies would be required to develop and implement school pest management plans that comply. The EPA would continue to offer program assistance after such plans are implemented.

The Senate passed a similar version of this bill in the 107th Congress, but the full Congress has been slow to act. I sincerely hope that Congress finally acts on this important issue. We must take the advice of scientists, especially considering the ever-growing body of knowledge concerning the effects of harmful chemicals on children, and pass the School Environment Protection Act. Children have the right to learn in a healthy atmosphere. Parents and guardians have the right to know whether their children are to be exposed to toxic chemicals and take mitigating steps. I urge all my colleagues to support the School Environmental Protection Act.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1619

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 ''School Environment Protection Act of 2005''.

SEC. 2. FINDINGS.

Congress finds that—

(1) in 1992, the National Parent Teacher Association passed a resolution calling for the reduced use of pesticides in schools and calling on policymakers to consider all possible alternatives before using any pesticides;

(2) the National Education Association and many other national public interest organizations have announced support for reducing or eliminating pesticide use in schools;

(3) childhood cancer is continuing to increase at the alarming rate of 1 percent per year;

(4) the overall incidence of childhood cancer increased 10 percent between 1974 and 1991, making cancer the leading cause of childhood death from disease;

(5) approximately 4,800,000 children in the United States under the age of 18 have asthma, the most common chronic illness in children, and the incidence of asthma is on the rise;

(6) children are more susceptible to hazardous impacts from pesticides than are adults;

(7) numerous scientific studies have linked both cancer and asthma to pesticide exposure;

(8) the Environmental Protection Agency has recommended the use of an integrated pest management system by local educational agencies, which emphasizes nonchemical ways of reducing pests, such as sanitation and maintenance;

(9) integrated pest management—

(A) promotes nonchemical methods of pest prevention and management using least toxic pesticides after all other methods have been exhausted; and

(B) requires a notification process by which each student, parent, guardian, staff member, and teacher shall be notified of a pesticide application;

(10) parents and guardians have a right to know that there is an integrated pest management system in their children's schools;

(11) an integrated pest management system provides long-term health and economic benefits; and

(12) parents and guardians wish to and have a right to be notified in advance of any use of a pesticide in their children's schools.

SEC. 3. INTEGRATED PEST MANAGEMENT SYSTEMS FOR SCHOOLS.

The Federal Insecticide, Fungicide, and Rodenticide Act is amended—

(1) by redesignating sections 34 and 35 (7 U.S.C. 136x, 136y) as sections 35 and 36, respectively; and

(2) by inserting after section 33 (7 U.S.C. 136w–8) the following:

''SEC. 34. INTEGRATED PEST MANAGEMENT SYSTEMS FOR SCHOOLS.

''(a) DEFINITIONS.—In this section:

''(1) BOARD.—The term 'Board' means the National School Integrated Pest Management Advisory Board established under subsection (c).

''(2) CONTACT PERSON.—The term 'contact person' means an individual who is—

''(A) knowledgeable about integrated pest management systems; and

''(B) designated by a local educational agency as the contact person under subsection (f).

''(3) CRACK AND CREVICE TREATMENT.—The term 'crack and crevice treatment' means the application of small quantities of a pesticide in a building into openings such as those commonly found at expansion joints, between levels of construction, and between equipment and floors.

''(4) EMERGENCY.—The term 'emergency' means an urgent need to mitigate or eliminate a pest that threatens the health or safety of a student or staff member.

''(5) FUND.—The term 'Fund' means the Integrated Pest Management Trust Fund established under subsection (m).

''(6) INTEGRATED PEST MANAGEMENT SYSTEM.—The term 'integrated pest management system' means a managed pest control system that—

''(A) eliminates or mitigates economic, health, and aesthetic damage caused by pests;

''(B) uses—

''(i) integrated methods;

''(ii) site or pest inspections;

''(iii) pest population monitoring;

''(iv) an evaluation of the need for pest control; and

''(v) 1 or more pest control methods, including sanitation, structural repair, mechanical and biological controls, other nonchemical methods, and (if nontoxic options are unreasonable and have been exhausted) least toxic pesticides; and

''(C) minimizes—

''(i) the use of pesticides; and

''(ii) the risk to human health and the environment associated with pesticide applications.

''(7) LEAST TOXIC PESTICIDES.—

''(A) IN GENERAL.—The term 'least toxic pesticides' means—

''(i) boric acid and disodium octoborate tetrahydrate;

''(ii) silica gels;

''(iii) diatomaceous earth;

''(iv) nonvolatile insect and rodent baits in tamper resistant containers or for crack and crevice treatment only;

''(v) microbe-based insecticides;

''(vi) botanical insecticides (not including synthetic pyrethroids) without toxic synergists;

''(vii) biological, living control agents; and

''(viii) materials for which the inert ingredients are nontoxic and disclosed.

''(B) EXCLUSIONS.—The term 'least toxic pesticides' does not include a pesticide that is determined by the Administrator to be an acutely or moderately toxic pesticide, carcinogen, mutagen, teratogen, reproductive toxin, developmental neurotoxin, endocrine disrupter, or immune system toxin, and any application of the pesticide using a broadcast spray, dust, tenting, fogging, or baseboard spray application.

''(8) LIST.—The term 'list' means the list of least toxic pesticides established under subsection (d).

''(9) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' has the meaning given the term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

''(10) PERSON.—The term 'person' means—

''(A) an individual that attends, has children enrolled in, works at, or uses a school;

''(B) a resident of a school district; and

''(C) any other individual that may be affected by pest management activities of a school.

''(11) OFFICIAL.—The term 'official' means the official appointed by the Administrator under subsection (e).

''(12) PESTICIDE.—

''(A) IN GENERAL.—The term 'pesticide' means any substance or mixture of substances, including herbicides and bait stations, intended for—

''(i) preventing, destroying, repelling, or mitigating any pest;

''(ii) use as a plant regulator, defoliant, or desiccant; or

''(iii) use as a spray adjuvant such as a wetting agent or adhesive.

''(B) EXCLUSION.—The term 'pesticide' does not include antimicrobial agents such as disinfectants or deodorizers used for cleaning products.

''(13) SCHOOL.—The term 'school' means a public—

''(A) elementary school (as defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801));

''(B) secondary school (as defined in section 14101 of that Act); or

''(C) kindergarten or nursery school.

''(14) SCHOOL GROUNDS.—

''(A) IN GENERAL.—The term 'school grounds' means the area outside of the school buildings controlled, managed, or owned by the school or school district.

''(B) INCLUSIONS.—The term 'school grounds' includes a lawn, playground, sports field, and any other property or facility controlled, managed, or owned by a school.

''(15) SPACE SPRAYING.—

''(A) IN GENERAL.—The term 'space spraying' means application of a pesticide by discharge into the air throughout an inside area.

''(B) INCLUSION.—The term 'space spraying' includes the application of a pesticide using a broadcast spray, dust, tenting, or fogging.

''(C) EXCLUSION.—The term 'space spraying' does not include crack and crevice treatment.

''(16) STAFF MEMBER.—

''(A) IN GENERAL.—The term 'staff member' means an employee of a school or local educational agency.

''(B) INCLUSIONS.—The term 'staff member' includes an administrator, teacher, and other person that is regularly employed by a school or local educational agency.

''(C) EXCLUSIONS.—The term 'staff member' does not include—

''(i) an employee hired by a school, local educational agency, or State to apply a pesticide; or

''(ii) a person assisting in the application of a pesticide.

''(17) STATE EDUCATIONAL AGENCY.—The term 'State educational agency' has the meaning given the term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

''(18) UNIVERSAL NOTIFICATION.—The term 'universal notification' means notice provided by a local educational agency or school to—

''(A) all parents or guardians of children attending the school; and

''(B) staff members of the school or local educational agency.

''(b) INTEGRATED PEST MANAGEMENT SYSTEMS.—

''(1) IN GENERAL.—The Administrator, in consultation with the Secretary of Education, shall establish a National School Integrated Pest Management Advisory System to develop and update uniform standards and criteria for implementing integrated pest management systems in schools.

''(2) IMPLEMENTATION.—Not later than 18 months after the date of enactment of this subsection, each local educational agency of a school district shall develop and implement in each of the schools in the school district an integrated pest management system that complies with this section.

''(3) STATE PROGRAMS.—If, on the date of enactment of this section, a State maintains an integrated pest management system that meets the standards and criteria established under paragraph (1) (as determined by the Board), a local educational agency in the State may continue to implement the system in a school or in the school district in accordance with paragraph (2).

''(4) APPLICATION TO SCHOOLS AND SCHOOL GROUNDS.—The requirements of this section that apply to a school, including the requirement to implement an integrated management system, apply to pesticide application in a school building and on the school grounds.

''(5) APPLICATION OF PESTICIDES WHEN SCHOOLS IN USE.—A school shall prohibit—

''(A) the application of a pesticide when a school or a school ground is occupied or in use; or

''(B) the use of an area or room treated by a pesticide, other than a least toxic pesticide, during the 24-hour period beginning at the end of the treatment.

''(c) NATIONAL SCHOOL INTEGRATED PEST MANAGEMENT ADVISORY BOARD.—

''(1) IN GENERAL.—The Administrator, in consultation with the Secretary of Education, shall establish a National School Integrated Pest Management Advisory Board to—

''(A) establish uniform standards and criteria for developing integrated pest management systems and policies in schools;

''(B) develop standards for the use of least toxic pesticides in schools; and

''(C) advise the Administrator on any other aspects of the implementation of this section.

''(2) COMPOSITION OF BOARD.—The Board shall be composed of 12 members and include 1 representative from each of the following groups:

''(A) Parents.

''(B) Public health care professionals.

''(C) Medical professionals.

''(D) State integrated pest management system coordinators.

''(E) Independent integrated pest management specialists that have carried out school integrated pest management programs.

''(F) Environmental advocacy groups.

''(G) Children's health advocacy groups.

''(H) Trade organization for pest control operators.

''(I) Teachers and staff members.

''(J) School maintenance staff.

''(K) School administrators.

''(L) School board members.

''(3) APPOINTMENT.—Not later than 180 days after the date of enactment of this section, the Administrator shall appoint members of the Board from nominations received from Parent Teacher Associations, school districts, States, and other interested persons and organizations.

''(4) TERM.—

''(A) IN GENERAL.—A member of the Board shall serve for a term of 5 years, except that the Administrator may shorten the terms of the original members of the Board in order to provide for a staggered term of appointment for all members of the Board.

''(B) CONSECUTIVE TERMS.—Subject to subparagraph (C), a member of the Board shall not serve consecutive terms unless the term of the member has been reduced by the Administrator.

''(C) MAXIMUM TERM.—In no event may a member of the Board serve for more than 6 consecutive years.

''(5) MEETINGS.—The Administrator shall convene—

''(A) an initial meeting of the Board not later than 60 days after the appointment of the members; and

''(B) subsequent meetings on a periodic basis, but not less often than 2 times each year.

''(6) COMPENSATION.—A member of the Board shall serve without compensation, but may be reimbursed by the Administrator for expenses (in accordance with section 5703 of title 5, United States Code) incurred in performing duties as a member of the Board.

''(7) CHAIRPERSON.—The Board shall select a Chairperson for the Board.

''(8) QUORUM.—A majority of the members of the Board shall constitute a quorum for the purpose of conducting business.

''(9) DECISIVE VOTES.—Two-thirds of the votes cast at a meeting of the Board at which a quorum is present shall be decisive for any motion.

''(10) ADMINISTRATION.—The Administrator—

''(A) shall—

''(i) authorize the Board to hire a staff director; and

''(ii) detail staff of the Environmental Protection Agency, or allow for the hiring of staff for the Board; and

''(B) subject to the availability of appropriations, may pay necessary expenses incurred by the Board in carrying out this subtitle, as determined appropriate by the Administrator.

''(11) RESPONSIBILITIES OF THE BOARD.—

''(A) IN GENERAL.—The Board shall provide recommendations to the Administrator regarding the implementation of this section.

''(B) LIST OF LEAST TOXIC PESTICIDES.—Not later than 1 year after the initial meeting of the Board, the Board shall—

''(i) review implementation of this section (including use of least toxic pesticides); and

''(ii) review and make recommendations to the Administrator with respect to new proposed active and inert ingredients or proposed amendments to the list in accordance with subsection (d).

''(C) TECHNICAL ADVISORY PANELS.—

''(i) IN GENERAL.—The Board shall convene technical advisory panels to provide scientific evaluations of the materials considered for inclusion on the list.

''(ii) COMPOSITION.—A panel described in clause (i) shall include experts on integrated pest management, children's health, entomology, health sciences, and other relevant disciplines.

''(D) SPECIAL REVIEW.—

''(i) IN GENERAL.—Not later than 2 years after the initial meeting of the Board, the Board shall review, with the assistance of a technical advisory panel, pesticides used in school buildings and on school grounds for their acute toxicity and chronic effects, including cancer, mutations, birth defects, reproductive dysfunction, neurological and immune system effects, and endocrine system disruption.

''(ii) DETERMINATION.—The Board—

''(I) shall determine whether the use of pesticides described in clause (i) may endanger the health of children; and

''(II) may recommend to the Administrator restrictions on pesticide use in school buildings and on school grounds.

''(12) REQUIREMENTS.—In establishing the proposed list, the Board shall—

''(A) review available information from the Environmental Protection Agency, the National Institute of Environmental Health Studies, medical and scientific literature, and such other sources as appropriate, concerning the potential for adverse human and environmental effects of substances considered for inclusion in the proposed list; and

''(B) cooperate with manufacturers of substances considered for inclusion in the proposed list to obtain a complete list of ingredients and determine that such substances contain inert ingredients that are generally recognized as safe.

''(13) PETITIONS.—The Board shall establish procedures under which individuals may petition the Board for the purpose of evaluating substances for inclusion on the list.

''(14) PERIODIC REVIEW.—

''(A) IN GENERAL.—The Board shall review each substance included on the list at least once during each 5-year period beginning on—

''(i) the date that the substance was initially included on the list; or

''(ii) the date of the last review of the substance under this subsection.

''(B) SUBMISSION TO ADMINISTRATOR.—The Board shall submit the results of a review under subparagraph (A) to the Administrator with a recommendation as to whether the substance should continue to be included on the list.

''(15) CONFIDENTIALITY.—Any business sensitive material obtained by the Board in carrying out this section shall be treated as confidential business information by the Board and shall not be released to the public.

''(d) LIST OF LEAST TOXIC PESTICIDES; PESTICIDE REVIEW.—

''(1) IN GENERAL.—The Board shall recommend to the Administrator a list of least toxic pesticides (including the pesticides described in subsection (a)(7)) that may be used as least toxic pesticides, any restrictions on the use of the listed pesticides, and any recommendations regarding restrictions on all other pesticides, in accordance with this section.

''(2) PROCEDURE FOR EVALUATING PESTICIDE USE.—

''(A) LIST OF LEAST TOXIC PESTICIDES.—

''(i) IN GENERAL.—The Administrator shall establish a list of least toxic pesticides that may be used in school buildings and on school grounds, including any restrictions on the use of the pesticides, that is based on the list prepared by the Board.

''(ii) REGULATORY REVIEW.—The Administrator shall initiate regulatory review of all other pesticides recommended for restriction by the Board.

''(B) RECOMMENDATIONS.—Not later than 1 year after receiving the proposed list and restrictions, and recommended restrictions on all other pesticides from the Board, the Administrator shall—

''(i) publish the proposed list and restrictions and all other proposed pesticide restrictions in the Federal Register and seek public comment on the proposed proposals; and

''(ii) after evaluating all comments received concerning the proposed list and restrictions, but not later than 1 year after the close of the period during which public comments are accepted, publish the final list and restrictions in the Federal Register, together with a discussion of comments received.

''(C) FINDINGS.—Not later than 2 years after publication of the final list and restrictions, the Administrator shall make a determination and issue findings on whether use of registered pesticides in school buildings and on school grounds may endanger the health of children.

''(D) NOTICE AND COMMENT.—

''(i) IN GENERAL.—Prior to establishing or making amendments to the list, the Administrator shall publish the proposed list or any proposed amendments to the list in the Federal Register and seek public comment on the proposals.

''(ii) RECOMMENDATIONS.—The Administrator shall include in any publication described in clause (i) any changes or amendments to the proposed list that are recommended to and by the Administrator.

''(E) PUBLICATION OF LIST.—After evaluating all comments received concerning the proposed list or proposed amendments to the list, the Administrator shall publish the final list in the Federal Register, together with a description of comments received.

''(e) OFFICE OF PESTICIDE PROGRAMS.—

''(1) ESTABLISHMENT.—The Administrator shall appoint an official for school pest management within the Office of Pesticide Programs of the Environmental Protection Agency to coordinate the development and implementation of integrated pest management systems in schools.

''(2) DUTIES.—The official shall—

''(A) coordinate the development of school integrated pest management systems and policies;

''(B) consult with schools concerning—

''(i) issues related to the integrated pest management systems of schools;

''(ii) the use of least toxic pesticides; and

''(iii) the registration of pesticides, and amendments to the registrations, as the registrations and amendments relate to the use of integrated pest management systems in schools; and

''(C) support and provide technical assistance to the Board.

''(f) CONTACT PERSON.—

''(1) IN GENERAL.—Each local educational agency of a school district shall designate a contact person for carrying out an integrated pest management system in schools in the school district.

''(2) DUTIES.—The contact person of a school district shall—

''(A) maintain information about pesticide applications inside and outside schools within the school district, in school buildings, and on school grounds;

''(B) act as a contact for inquiries about the integrated pest management system;

''(C) maintain material safety data sheets and labels for all pesticides that may be used in the school district;

''(D) be informed of Federal and State chemical health and safety information and contact information;

''(E) maintain scheduling of all pesticide usage for schools in the school district;

''(F) maintain contact with Federal and State integrated pest management system experts; and

''(G) obtain periodic updates and training from State integrated pest management system experts.

''(3) PESTICIDE USE DATA.—A local educational agency of a school district shall—

''(A) maintain all pesticide use data for each school in the school district; and

''(B) on request, make the data available to the public for review.

''(g) NOTICE OF INTEGRATED PEST MANAGEMENT SYSTEM.—

''(1) IN GENERAL.—At the beginning of each school year, each local educational agency or school of a school district shall include a notice of the integrated pest management system of the school district in school calendars or other forms of universal notification.

''(2) CONTENTS.—The notice shall include a description of—

''(A) the integrated pest management system of the school district;

''(B) any pesticide (including any least toxic pesticide) or bait station that may be used in a school building or on a school ground as part of the integrated pest management system;

''(C) the name, address, and telephone number of the contact person of the school district;

''(D) a statement that—

''(i) the contact person maintains the product label and material safety data sheet of each pesticide (including each least toxic pesticide) and bait station that may be used by a school in buildings or on school grounds;

''(ii) the label and data sheet is available for review by a parent, guardian, staff member, or student attending the school; and

''(iii) the contact person is available to parents, guardians, and staff members for information and comment; and

''(E) the time and place of any meetings that will be held under subsection (g)(1).

''(3) USE OF PESTICIDES.—A local educational agency or school may use a pesticide during a school year only if the use of the pesticide has been disclosed in the notice required under paragraph (1) at the beginning of the school year.

''(4) NEW EMPLOYEES AND STUDENTS.—After the beginning of each school year, a local educational agency or school of a school district shall provide the notice required under this subsection to—

''(A) each new staff member who is employed during the school year; and

''(B) the parent or guardian of each new student enrolled during the school year.

''(h) USE OF PESTICIDES.—

''(1) IN GENERAL.—If a local educational agency or school determines that a pest in the school or on school grounds cannot be controlled after having used the integrated pest management system of the school or school district and least toxic pesticides, the school may use a pesticide (other than space spraying of the pesticide) to control the pest in accordance with this subsection.

''(2) PRIOR NOTIFICATION OF PARENTS, GUARDIANS, AND STAFF MEMBERS.—

''(A) IN GENERAL.—Subject to paragraphs (4) and (5), not less than 72 hours before a pesticide (other than a least toxic pesticide) is used by a school, the school shall provide to a parent or guardian of each student enrolled at the school and each staff member of the school, notice that includes—

''(i) the common name, trade name, and Environmental Protection Agency registration number of the pesticide;

''(ii) a description of the location of the application of the pesticide;

''(iii) a description of the date and time of application, except that, in the case of outdoor pesticide applications, 1 notice shall include 3 dates, in chronological order, that the outdoor pesticide applications may take place if the preceding date is canceled;

''(iv) a statement that The Office of Pesticide Programs of the United States Environmental Protection Agency has stated: 'Where possible, persons who potentially are sensitive, such as pregnant women and infants (less than 2 years old), should avoid any unnecessary pesticide exposure.';

''(v) a description of potential adverse effects of the pesticide based on the material safety data sheet of the pesticide;

''(vi) a description of the reasons for the application of the pesticide;

''(vii) the name and telephone number of the contact person of the school district; and

''(viii) any additional warning information related to the pesticide.

''(B) METHOD OF NOTIFICATION.—The school may provide the notice required by subparagraph (A) by—

''(i) written notice sent home with the student and provided to the staff member;

''(ii) a telephone call;

''(iii) direct contact; or

''(iv) written notice mailed at least 1 week before the application.

''(C) REISSUANCE.—If the date of the application of the pesticide needs to be extended beyond the period required for notice under this paragraph, the school shall reissue the notice under this paragraph for the new date of application.

''(3) POSTING OF SIGNS.—

''(A) IN GENERAL.—Subject to paragraphs (4) and (5), at least 72 hours before a pesticide (other than a least toxic pesticide) is used by a school, the school shall post a sign that provides notice of the application of the pesticide—

''(i) in a prominent place that is in or adjacent to the location to be treated; and

''(ii) at each entrance to the building or school ground to be treated.

''(B) ADMINISTRATION.—A sign required under subparagraph (A) for the application of a pesticide shall—

''(i) remain posted for at least 72 hours after the end of the treatment;

''(ii) be at least 8½ inches by 11 inches; and

''(iii) state the same information as that required for prior notification of the application under paragraph (2).

''(C) OUTDOOR PESTICIDE APPLICATIONS.—

''(i) IN GENERAL.—In the case of outdoor pesticide applications, each sign shall include 3 dates, in chronological order, that the outdoor pesticide application may take place if the preceding date is canceled due to weather.

''(ii) DURATION OF POSTING.—A sign described in clause (i) shall be posted after an outdoor pesticide application in accordance with subparagraph (B).

''(4) ADMINISTRATION.—

''(A) APPLICATORS.—Paragraphs (2) and (3) shall apply to any person that applies a pesticide in a school or on a school ground, including a custodian, staff member, or commercial applicator.

''(B) TIME OF YEAR.—Paragraphs (2) and (3) shall apply to a school—

''(i) during the school year; and

''(ii) during holidays and the summer months, if the school is in use, with notice provided to all staff members and the parents or guardians of the students that are using the school in an authorized manner.

''(5) EMERGENCIES.—

''(A) IN GENERAL.—A school may apply a pesticide (other than a least toxic pesticide) in the school or on school grounds without complying with paragraphs (2) and (3) in an emergency, subject to subparagraph (B).

''(B) SUBSEQUENT NOTIFICATION OF PARENTS, GUARDIANS, AND STAFF MEMBERS.—Not later than the earlier of the time that is 24 hours after a school applies a pesticide under this paragraph or on the morning of the next school day, the school shall provide to each parent or guardian of a student enrolled at the school, and staff member of the school, notice of the application of the pesticide for emergency pest control that includes—

''(i) the information required for a notice under paragraph (2)(A);

''(ii) a description of the problem and the factors that qualified the problem as an emergency that threatened the health or safety of a student or staff member; and

''(iii) a description of the steps the school will take in the future to avoid emergency application of a pesticide under this paragraph.

''(C) METHOD OF NOTIFICATION.—The school may provide the notice required by subparagraph (B) by—

''(i) written notice sent home with the student and provided to the staff member;

''(ii) a telephone call; or

''(iii) direct contact.

''(D) POSTING OF SIGNS.—A school applying a pesticide under this paragraph shall post a sign warning of the pesticide application in accordance with paragraph (3).

''(E) MODIFICATION OF INTEGRATED PEST MANAGEMENT PLANS.—If a school in a school district applies a pesticide under this paragraph, the local educational agency of the school district shall modify the integrated pest management plan of the school district to minimize the future applications of pesticides under this paragraph.

''(6) DRIFT OF PESTICIDES ONTO SCHOOL GROUND.—Each local educational agency, State pesticide lead agency, and the Administrator are encouraged to—

''(A) identify sources of pesticides that drift from treated land to school grounds of the educational agency; and

''(B) take steps necessary to create an indoor and outdoor school environment that are protected from pesticides described in subparagraph (A).

''(i) MEETINGS.—

''(1) IN GENERAL.—Before the beginning of a school year, at the beginning of each new calendar year, and at a regularly scheduled meeting of a school board, each local educational agency shall provide an opportunity for the contact person designated under subsection (d) to receive and address public comments regarding the integrated pest management system of the school district.

''(2) EMERGENCY MEETINGS.—An emergency meeting of a school board to address a pesticide application may be called under locally appropriate procedures for convening emergency meetings.

''(j) INVESTIGATIONS AND ORDERS.—

''(1) IN GENERAL.—Not later than 60 days after receiving a complaint of a violation of this section, the Administrator shall—

''(A) conduct an investigation of the complaint;

''(B) determine whether it is reasonable to believe the complaint has merit; and

''(C) notify the complainant and the person alleged to have committed the violation of the findings of the Administrator.

''(2) PRELIMINARY ORDER.—If the Administrator determines it is reasonable to believe a violation occurred, the Administrator shall issue a preliminary order (that includes findings) to impose the penalty described in subsection (j).

''(3) OBJECTIONS TO PRELIMINARY ORDER.—

''(A) IN GENERAL.—Not later than 30 days after the preliminary order is issued under paragraph (2), the complainant and the person alleged to have committed the violation may—

''(i) file objections to the preliminary order (including findings); and

''(ii) request a hearing on the record.

''(B) FINAL ORDER.—If a hearing is not requested within 30 days after the preliminary order is issued, the preliminary order shall be final and not subject to judicial review.

''(4) HEARING.—A hearing under this subsection shall be conducted expeditiously.

''(5) FINAL ORDER.—Not later than 120 days after the end of the hearing, the Administrator shall issue a final order.

''(6) SETTLEMENT AGREEMENT.—Before the final order is issued, the proceeding may be terminated by a settlement agreement, which shall remain open, entered into by the Administrator, the complainant, and the person alleged to have committed the violation.

''(7) COSTS.—

''(A) IN GENERAL.—If the Administrator issues a final order against a school or school district for violation of this section and the complainant requests, the Administrator may assess against the person against whom the order is issued the costs (including attorney's fees) reasonably incurred by the complainant in bringing the complaint.

''(B) AMOUNT.—The Administrator shall determine the amount of the costs that were reasonably incurred by the complainant.

''(8) JUDICIAL REVIEW AND VENUE.—

''(A) IN GENERAL.—A person adversely affected by an order issued after a hearing under this subsection may file a petition for review not later than 60 days after the date that the order is issued, in a district court of the United States or other United States court for any district in which a local educational agency or school is found, resides, or transacts business.

''(B) TIMING.—The review shall be heard and decided expeditiously.

''(C) COLLATERAL REVIEW.—An order of the Administrator subject to review under this paragraph shall not be subject to judicial review in a criminal or other civil proceeding.

''(k) CIVIL PENALTY.—

''(1) IN GENERAL.—Any local educational agency, school, or person that violates this section may be assessed a civil penalty by the Administrator under subsections (h) and (i), respectively, of not more than $10,000 for each offense.

''(2) TRANSFER TO TRUST FUND.—Except as provided in subsection (i)(4)(B), civil penalties collected under paragraph (1) shall be deposited in the Fund.

''(l) INTEGRATED PEST MANAGEMENT TRUST FUND.—

''(1) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the 'Integrated Pest Management Trust Fund', consisting of—

''(A) amounts deposited in the Fund under subsection (j)(2);

''(B) amounts transferred to the Secretary of the Treasury for deposit into the Fund under paragraph (5); and

''(C) any interest earned on investment of amounts in the Fund under paragraph (3).

''(2) EXPENDITURES FROM FUND.—

''(A) IN GENERAL.—Subject to subparagraph (B), on request by the Administrator, the Secretary of the Treasury shall transfer from the Fund to the Administrator, without further appropriation, such amounts as the Secretary determines are necessary to provide funds to each State educational agency of a State, in proportion to the amount of civil penalties collected in the State under subsection (j)(1), to carry out education, training, propagation, and development activities under integrated pest management systems of schools in the State to remedy the harmful effects of actions taken by the persons that paid the civil penalties.

''(B) ADMINISTRATIVE EXPENSES.—An amount not to exceed 6 percent of the amounts in the Fund shall be available for each fiscal year to pay the administrative expenses necessary to carry out this subsection.

''(3) INVESTMENT OF AMOUNTS.—

''(A) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary of the Treasury, required to meet current withdrawals. Investments may be made only in interest-bearing obligations of the United States.

''(B) ACQUISITION OF OBLIGATIONS.—For the purpose of investments under subparagraph (A), obligations may be acquired—

''(i) on original issue at the issue price; or

''(ii) by purchase of outstanding obligations at the market price.

''(C) SALE OF OBLIGATIONS.—Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

''(D) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

''(4) TRANSFERS OF AMOUNTS.—

''(A) IN GENERAL.—The amounts required to be transferred to the Fund under this subsection shall be transferred at least monthly from the general fund of the Treasury to the Fund on the basis of estimates made by the Secretary of the Treasury.

''(B) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

''(5) ACCEPTANCE AND USE OF DONATIONS.—The Secretary may accept and use donations to carry out paragraph (2)(A). Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit into the Fund.

''(m) EMPLOYEE PROTECTION.—

''(1) IN GENERAL.—No local educational agency, school, or person may harass, prosecute, hold liable, or discriminate against any employee or other person because the employee or other person—

''(A) is assisting or demonstrating an intent to assist in achieving compliance with this section (including any regulation);

''(B) is refusing to violate or assist in the violation of this section (including any regulation); or

''(C) has commenced, caused to be commenced, or is about to commence a proceeding, has testified or is about to testify at a proceeding, or has assisted or participated or is about to participate in any manner in such a proceeding or in any other action to carry out this section.

''(2) COMPLAINTS.—Not later than 1 year after an alleged violation occurred, an employee or other person alleging a violation of this section, or another person at the request of the employee, may file a complaint with the Administrator.

''(3) REMEDIAL ACTION.—If the Administrator decides, on the basis of a complaint, that a local educational agency, school, or person violated paragraph (1), the Administrator shall order the local educational agency, school, or person to—

''(A) take affirmative action to abate the violation;

''(B) reinstate the complainant to the former position with the same pay and terms and privileges of employment; and

''(C) pay compensatory damages, including back pay.

''(n) GRANTS.—

''(1) IN GENERAL.—The Administrator, in consultation with the Secretary of Education, shall provide grants to local educational agencies to develop and implement integrated pest management systems in schools in the school district of the local educational agencies.

''(2) AMOUNT.—The amount of a grant provided to a local educational agency of a school district under paragraph (1) shall be based on the ratio that the number of students enrolled in schools in the school district bears to the total number of students enrolled in schools in all school districts in the United States.

''(o) RELATIONSHIP TO STATE AND LOCAL REQUIREMENTS.—This section (including regulations promulgated under this section) shall not preempt requirements imposed on local educational agencies and schools related to the use of integrated pest management by State or local law (including regulations) that are more stringent than the requirements imposed under this section.

''(p) REGULATIONS.—Subject to subsection (m), the Administrator shall promulgate such regulations as are necessary to carry out this section.

''(q) RESTRICTION ON PESTICIDE USE.—Not later than 6 years after the date of enactment of this section, no pesticide, other than a pesticide that is defined as a least toxic pesticide under this subsection, shall be used in a school or on school grounds unless the Administrator has met the deadlines and requirements of this section.

''(r) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $7,000,000 for each of fiscal years 2006 through 2010.''.

SEC. 4. CONFORMING AMENDMENT.

The table of contents in section 1(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. prec. 121) is amended by striking the items relating to sections 34 and 35 and inserting the following:

''Sec. 34. Integrated pest management systems for schools.
- ''(a) Definitions.
  - ''(1) Board.
  - ''(2) Contact person.
  - ''(3) Crack and crevice treatment.
  - ''(4) Emergency.
  - ''(5) Fund.
  - ''(6) Integrated pest management system.
  - ''(7) Least toxic pesticides.
  - ''(8) List.
  - ''(9) Local educational agency.
  - ''(10) Official.
  - ''(11) Person.
  - ''(12) Pesticide.
  - ''(13) School.
  - ''(14) School ground.
  - ''(15) Space spraying.
  - ''(16) Staff member.
  - ''(17) State educational agency.
  - ''(18) Universal notification.
- ''(b) Integrated pest management systems.
  - ''(1) In general.
  - ''(2) Implementation.
  - ''(3) State programs.
  - ''(4) Application to schools and school grounds.
  - ''(5) Application of pesticides when schools in use.
- ''(c) National School Integrated Pest Management Advisory Board
  - ''(1) In general.
  - ''(2) Composition of Board.
  - ''(3) Appointment.
  - ''(4) Term.
  - ''(5) Meetings.
  - ''(6) Compensation.
  - ''(7) Chairperson.
  - ''(8) Quorum.
  - ''(9) Decisive votes.
  - ''(10) Administration.
  - ''(11) Responsibilities of the Board.
  - ''(12) Requirements.
  - ''(13) Petitions.
  - ''(14) Periodic review.
  - ''(15) Confidentiality.
- ''(d) List of Least Toxic Pesticides.
  - ''(1) In general.
  - ''(2) Procedure for evaluating pesticide use.
- ''(e) Office of Pesticide Programs.
  - ''(1) Establishment.
  - ''(2) Duties.
- ''(f) Contact person.
  - ''(1) In general.
  - ''(2) Duties.
  - ''(3) Pesticide use data.
- ''(g) Notice of Integrated Pest Management System.
  - ''(1) In general.
  - ''(2) Contents.
  - ''(3) Use of pesticides.
  - ''(4) New employees and students.
- ''(h) Use of pesticides.
  - ''(1) In general.
  - ''(2) Prior notification of parents, guardians, and staff members.
  - ''(3) Posting of signs.
  - ''(4) Administration.
  - ''(5) Emergencies.
  - ''(6) Drift of pesticides onto school ground.
- ''(i) Meetings.
  - ''(1) In general.
  - ''(2) Emergency meetings.
- ''(j) Investigations and orders.
  - ''(1) In general.
  - ''(2) Preliminary order.
  - ''(3) Objections to preliminary order.
  - ''(4) Hearing.
  - ''(5) Final order.
  - ''(6) Settlement agreement.
  - ''(7) Costs.
  - ''(8) Judicial review and venue.
- ''(k) Civil penalty.
  - ''(1) In general.

''(2) Transfer to Trust Fund.
''(l) Integrated Pest Management Trust Fund.
''(1) Establishment.
''(2) Expenditures from Fund.
''(3) Investment of amounts.
''(4) Transfers of amounts.
''(5) Acceptance and use of donations.
''(m) Employee protection.
''(1) In general.
''(2) Complaints.
''(3) Remedial action.
''(n) Grants.
''(1) In general.
''(2) Amount.
''(o) Relationship to State and local requirements.
''(p) Regulations.
''(q) Restriction on pesticide use.
''(r) Authorization of appropriations.
''Sec. 35. Severability.
''Sec. 36. Authorization of appropriations.''.

SEC. 5. EFFECTIVE DATE.

This Act and the amendments made by this Act take effect on October 1, 2005.

By Mr. REID (for Mr. CORZINE (for himself, Mr. REID, Mrs. CLINTON, Mr. BROWNBACK, Mr. DODD, Mr. KENNEDY, Mr. LAUTENBERG, Mr. LIEBERMAN, and Mr. FEINGOLD)):

S. 1620. A bill to provide the nonimmigrant spouses and children of nonimmigrant aliens who perished in the September 11, 2001, terrorist attacks an opportunity to adjust their status to that of an alien lawfully admitted for permanent residence, and for other purposes; to the Committee on the Judiciary.

Mr. CORZINE. Mr. President, I rise today to introduce the September 11 Family Humanitarian Relief and Patriotism Act and to urge all of my colleagues to support this important legislation.

On September 11, 2001, the world we live in was torn apart. Each of us, no matter where we lived, shared in the overwhelming sense of loss and grief. We shared our grief with the victims, their loved ones, and their friends. And each of us joined together in the midst of the devastation to unite as Americans and to show the terrorists that we will not be divided.

At that time of grief, we stood together as families, as communities, and as one Nation. We were all personally touched by this outrageous crime. And we stood together to show the terrorists that although they might destroy our buildings, they could never destroy the foundation of our democracy.

Over the years our Nation has matured, and we have become a vast melting pot of cultures and of people, joining together to create the America of today that we love and cherish.

The terrorists sought to destroy our great Nation and the very values upon which our country was built. But they were sorely mistaken. No matter how hard they try, they will never force us to turn our back on our values.

And that means that we can never turn our back on the victims of the terrorist attacks or on their family members. On September 11, almost three thousand people were killed. Many of the victims left behind husbands, wives, sons, and daughters. We cannot turn our back on them. We can not allow these attacks, and the terrorists who perpetrated them, to undercut the love of freedom, justice, and community that makes us who we are.

Terrorists did not distinguish nondocumented immigrants from documented immigrants or natural born citizens on September 11. On that date, we were all Americans, attacked by a determined enemy who sought to break our spirit and destroy our way of life.

That is why I have joined with my colleagues to introduce this legislation, which will provide legal recognition and protection to family members of non-citizen victims of the September 11 terrorist attacks.

Many of our immigrant residents lost loved ones that day, and no person who has faced such personal heartache and hardship at the hands of terrorists should be forced to face deportation.

Moreover, these family members should be permitted to remain here to visit the memorials that are presently being built in New York and other locations to honor the victims who perished in the terrorist attacks. In many cases, these memorials will be all that husbands, wives, and children, have left to remember their loved ones.

This bipartisan bill will end deportation procedures, and allow husbands, wives, sons, and daughters of non-citizen victims killed in New York, Pennsylvania and Virginia nearly four years ago to apply for green cards that will allow them to become permanent legal residents. The act will apply to dependents of the deceased victims of the September 11, 2001 terrorist attacks as determined by the September 11 Victims Compensation Fund.

The USA Patriot Act initially allowed many of these individuals to stay in the country. However, that provision expired on September 10, 2002. Moreover, many others were never protected by the Patriot Act legislation. All of these individuals today face the prospect of deportation.

Although our government has not moved forward with deportation procedures, the status of these families, who have already been through so much, remains uncertain. This Act would provide the permanent relief these families need and deserve.

And so I ask all of my colleagues to join me in supporting this legislation and in demonstrating to the spouses and children of the non-citizen victims of September 11 that we are all Americans.

By Ms. COLLINS (for herself, Mr. WARNER, and Ms. LANDRIEU):

S. 1621. A bill to amend the Internal Revenue Code of 1986 to increase the above-the-line deduction for teacher classroom supplies and to expand such deduction to include qualified professional development expenses; to the Committee on Finance.

Ms. COLLINS. Mr. President, I am pleased to introduce today the teacher tax act of 2005, which I am offering along with my good friends, Senator WARNER and Senator LANDRIEU. Our bill increases to $400, and makes permanent, the tax deduction available to teachers who incur out-of-pocket expenses to purchase classroom supplies. It would also allow this above-the-line deduction for expenses related to professional development.

This bill builds upon the $250 tax deduction established by legislation we authored in 2001, which became law as part of that year's tax relief package. The Tax relief provided by that bill was later extended through the end of this year.

Increasing the deduction for teachers who buy classroom supplies is warranted by the facts. So often teachers in Maine, and throughout the country, spend their own money to improve the classroom experiences of their students. While many of us are familiar with the National Education Association's estimate that teachers spend, on average, $400 a year on classroom supplies, other surveys show that they are spending even more than that. Indeed, I have spoken to dozens of teachers in my home State who tell me they routinely spend far in excess of the $250 deduction limit—a few even as much as $1,000—on materials they use in their classrooms. At every school I visit, I find teachers who are spending their own money to improve the educational experiences of their students by supplementing classroom supplies. One such teacher is Debra Walker, who teaches kindergarten and first grade in the town of Milo, ME. She has taught for more than 25 years. Year after year, she spends hundreds of dollars on books, bulletin boards, computer software, crayons, construction paper, tissue paper, stamps and inkpads. She even donated her own family computer for use by her class. She described it well by saying, ''These are the extras that are needed to make learning fun for children and to create a stimulating learning environment.''

Another example is Tyler Nutter, a middle school math and reading teacher from North Berwick, ME. After teaching for just two years, Tyler incurred substantial ''startup'' fees as he built his own collection of needed teaching supplies. In his first years on the job, he spent well over $500 out-of-pocket each year, purchasing books and other materials that are essential to his teaching program. This tax deduction is, in Tyler's words, ''a nice recognition of the contributions that many teachers have made.''

It is important that this deduction also be available to teachers who incur expenses for professional development. While this tax relief provides modest assistance to educators, it is my view that students are its ultimate beneficiaries. Studies consistently show that well-qualified teachers, and involved parents, are the most important

contributors to student success. Educators themselves understand just how important professional development is to their ability to make a positive impact in the classroom. Teachers in Maine repeatedly tell me that they need, and want, more professional development. But tight school budgets often make funds to support this development impossible to get. By making professional development expenses deductible, this bill will help teachers take that additional course or pursue that advanced degree that will make them even better at what they love to do.

The teacher tax relief we have made available since 2001 is a step in the right direction. Increasing that deduction, and making it permanent, would be a small but appropriate means of recognizing our teachers for a job well done.

Mr. WARNER. Mr. President, I rise today in support, once again, of America's teachers by joining with Senator COLLINS in introducing the Teacher Tax Relief Act of 2005.

Senator COLLINS and I have worked closely for some time now in support of legislation to provide our teachers with tax relief in recognition of the many out-of-pocket expenses they incur as part of their profession. In the 107th Congress, we were successful in providing much needed tax relief for our Nations' teachers with passage of H.R. 3090, the Job Creation and Worker Assistance Act of 2002.

This legislation, which was signed into law by President Bush, included the Collins-Warner Teacher Tax Relief Act of 2001 provisions that provided a $250 above the line deduction for educators who incur out-of-pocket expenses for supplies they bring into the classroom to better the education of their students. These important provisions provided almost half a billion dollars' worth of tax relief to teachers all across America in 2002 and 2003.

In the 108th Congress we were able to successfully extend the provisions of the Teacher Tax Relief Act for 2004 and 2005.

While these provisions will provide substantial relief to America's teachers, our work is not yet complete.

It is now estimated that the average teacher spends $521 out of their own pocket each year on classroom materials—materials such as pens, pencils and books. First year teachers spend even more, averaging $701 a year on classroom expenses.

Why do they do this? Simply because school budgets are not adequate to meet the costs of education. Our teachers dip into their own pocket to better the education of America's youth.

Moreover, in addition to spending substantial money on classroom supplies, many teachers spend even more money out of their own pocket on professional development. Such expenses include tuition, fees, books, and supplies associated with courses that help our teachers become even better instructors.

The fact is that these out-of-pocket costs place lasting financial burdens on our teachers. This is one reason our teachers are leaving the profession. Little wonder that our country is in the midst of a teacher shortage.

Without a doubt the Teacher Tax Relief Act of 2001 took a step forward in helping to alleviate the Nation's teaching shortage by providing a $250 above the line deduction for classroom expenses.

However, it is clear that our teachers are spending much more than $250 a year out of their own pocket to better the education of our children.

Accordingly, Senator COLLINS and I have joined together to take another step forward by introducing the Teacher Tax Relief Act of 2005.

This legislation will build upon current law in three ways. The legislation will: (1) Increase the above-the-line deduction, as President Bush has called for, from $250 allowed under current law to $400; (2) allow educators to include professional development costs within that $400 deduction. Under current law, up to $250 is deductible but only for classroom expenses; and (3) make the teacher tax relief provisions in the law permanent. Current law sunsets the Collins/Warner provisions after 2005.

Our teachers have made a personal commitment to educate the next generation and to strengthen America. And, in my view, the Federal Government should recognize the many sacrifices our teachers make in their career.

The Teacher Tax Relief Act of 2005 is another step forward in providing our educators with the recognition they deserve.

By Mr. CARPER (for himself and Mr. BIDEN):

S. 1627. A bill to authorize the Secretary of the Interior to conduct a special resources study to evaluate resources along the coastal region of the State of Delaware and to determine the suitability and feasibility of establishing a unit of the National Park System in Delaware; to the Committee on Environment and Public Works.

Mr. CARPER. Mr. President, some folks were looking for a place to go on summer vacation on the Internet. A lot of people go to national parks. A couple of summers ago, my family and I went to Alaska and visited Denali, a national park bigger than my State. We had a wonderful time in Alaska. But if you go to the national park Web site, you can find national parks to visit in 49 States. There is one State that has no national park. It is my State.

I am reintroducing legislation Senator BIDEN and I introduced at the end of the last Congress. We will reintroduce that so we get our State on the road to having our own national park and providing people around the country and the world the opportunity to learn about our coastal heritage, which included the landing of the first Swedes and Finns when they came to America. They landed in Wilmington, DE, to establish the colony of New Sweden. I don't think the Finns called it that, but the Swedes did. We want to have a national park of our own that would include that discovery, commemorate that discovery.

Our bill authorizes the National Park Service to conduct a Special Resource Study of Delaware's coastal region. This study is the first step toward establishing the first national park in Delaware.

Delaware's coastal region is rich in historical sites, parks, and wildlife areas. This Special Resource Study will trace the various threads that make up the fabric of Delaware, which are an ideal microcosm for the tapestry of America. Together, these sites highlight the threads of history, heritage, commerce, and nature. The result would be a national park highlighting America's history, cultural heritage, commercial progress and natural beauty.

The study would be anchored on Fort Christina and the 7th Street Peninsula in Wilmington. It would extend south from there to include old New Castle and points along Delaware's coast in Kent and Sussex Counties, which have been the location of many significant events throughout America's history.

This proposed study will help encapsulate the human and natural activity that has occurred along our coast that has helped create the very fabric of our society.

I am confident this study will prove that a national park highlighting Delaware's rich coastal heritage would be a very appropriate and fitting addition to the National Park system. Our national park would demonstrate that coastal regions like those found in Delaware are a vital part of America's past, present, and future.

Delaware is first in so many ways, but it is the only state without a national park. Every year, millions of Americans plan their vacations around our nation's national park system. They log onto the Park Service web site and search for ideas for their family vacations. Right now, that search will turn up nothing for Delaware. With a national park unit here in Delaware, that will change.

In the future, those families will be considering a trip to Delaware to visit our national park. Those trips will be a significant boost to our economy and will teach new generations of Americans about Delaware's rich cultural heritage.

I have described to you today a vision resulting from the hard work of many dedicated Delawareans. Today, I take the next step in making their vision a reality.

I believe this is an exciting proposal and one that, when incorporated into the National Park System, will become an important element in preserving the wonderful human and natural history presented by our coastal region.

By Mr. LEVIN:

S. 1629. A bill to provide the President with authority to temporarily freeze the price of gasoline and other refined products; to the Committee on Banking, Housing, and Urban Affairs.

Mr. LEVIN. Mr. President, today I am introducing legislation to give the President the temporary authority to freeze the price of gasoline and other petroleum products at their levels just prior to the devastation wrought by Hurricane Katrina on the Gulf Coast of the United States. This authority would expire once supplies of these products have been restored to their pre-hurricane levels.

Our topmost priority, of course, must be to provide immediate aid directly to the victims of this immense tragedy. Hundreds of thousands of people have been driven from their homes. Thousands may have died. The destruction along the Gulf Coast is extensive, and much of New Orleans is still submerged. We must continue to place the highest priority on providing food, clothing, and shelter for the people displaced by the hurricane.

At the same time, we must start to take measures to address other consequences of the damage caused by Katrina. Katrina has damaged a number of oil refineries along the Gulf Coast, knocking out about ten percent of our daily gasoline production. Current estimates are that it will take several months before production is restored to pre-hurricane levels.

Gasoline prices have skyrocketed in the wake of Katrina. Last Friday, the average price for a gallon of regular gasoline in Michigan reached $3.13. Today the national average is about $3.05 per gallon. These prices are record highs in the United States. Even adjusted for inflation, these prices are higher than they were during the energy crises of the 1970s, when high energy prices helped push the economy into a recession.

For most people, driving the car each day is not a luxury but a necessity. Millions of Americans depend upon affordable gasoline and other petroleum products for essential goods and services, including transportation to and from work, schools, grocery stores, and medical care; home heating oil; jet fuel for the other airlines; and a host of other daily needs.

Most people cannot drive less to get to work, school, or to buy groceries, so they are forced to pay whatever the oil companies charge for gasoline. In the language of economics, demand for gasoline is largely inelastic. Higher prices will not lead to a reduction in demand, or an increase in speed of repairs, since pre-Katrina production and profits were already at record levels and were more than sufficient to provide a major incentive to speed up repairs.

Moreover, the massive and unjustified gasoline price increases of the last week will not bring on more supply—only more profits for oil companies, as well as severe hardships for millions of Americans. Higher prices will not bring on additional supply, in the short term, only more profits for the oil companies and more pain for consumers.

I do not favor price controls when the market is working properly. In a properly functioning market, prices are set by the law of supply and demand.

However, in the current situation, we do not have a properly functioning market. Part of the market infrastructure has been physically destroyed by Hurricane Katrina. Price cannot play its normal role under the laws of supply and demand because increasing prices cannot produce either an increase in supply short-term or a significant reduction in demand. In a largely inelastic market, like our gasoline markets, where people depend upon gasoline for life's necessities, and cannot significantly reduce their consumption, increasing prices in the aftermath of a disaster serve no function other than to enrich the sellers at the expense of the buyers.

At a time of national crisis and tragedy, it is unseemly for a few to gain huge profits at the expense of everyone else. In the wake of the hurricane, millions of Americans are opening their hearts and homes to aid to the victims of the hurricane. It is unfair for a few to gain huge profits while many others are sacrificing.

A frequent comment in recent discussions about the effectiveness of price controls is ''Price controls didn't work in the 1970s.'' However, price controls in the 1970s were imposed for long periods of time, several years in fact. In the current situation, we are talking about a much shorter period of freeze—indeed I am urging a temporary freeze until supplies are restored to pre-hurricane levels. Until then, the market cannot function properly: supply cannot be increased no matter how high the price. Hence, the experience of the 1970s is not relevant to the current situation.

Under the bill I am introducing, once the market is restored to its pre-hurricane condition, the authority in this bill to freeze prices would expire.

There is a recent precedent for this action. In 2001, the Federal Energy Regulatory Commission imposed price caps on the wholesale price of electricity in California and other western markets in times when demand outstripped supply. FERC found the market was ''dysfunctional'' under these circumstances and price controls were necessary to provide ''just and reasonable'' rates for consumers.

President Bush supported FERC's price controls in the California electricity market. In so doing, the President referred to FERC's action as a ''market-based mitigation plan'' rather than price controls. Whatever the name, however, the effect was the same: when supply was inadequate to meet demand, the FERC stepped in to cap prices to keep rates just and reasonable.

The legislation I am introducing would provide the President with the authority to temporarily freeze the price of gasoline and other refined products at or below the levels that prevailed before Hurricane Katrina hit the Gulf Coast of the United States. This authority would terminate when the President determines that the domestic supply of refined petroleum products meets or exceeds the level of domestic supply before Hurricane Katrina.

I ask unanimous consent that the text of this bill be printed in the RECORD. I urge my colleagues to support this legislation.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1629

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 ''Hurricane Katrina Emergency Temporary Energy Price Freeze Act of 2005.''

SEC. 2. FINDINGS.

(a) The Congress hereby finds that—

(1) Hurricane Katrina has caused extensive damage to petroleum production, refining and transportation facilities, and extensive damage to port facilities and electricity generation facilities, causing additional shutdowns of refineries and loss of transportation capacity for petroleum products;

(2) the shutdown of refineries and reduction in transportation capacity for petroleum products caused by Hurricane Katrina has led to massive price increases for petroleum products throughout the United States;

(3) these massive price increases have caused severe hardships for millions of Americans who depend upon affordable and adequate supplies of gasoline and petroleum products for transportation and other daily necessities; and

(4) these massive price increases threaten the availability and affordability of many products in interstate commerce.

(b) To address these problems caused by Hurricane Katrina, the President should temporarily freeze the price of gasoline and other petroleum products to reduce the burden on millions of Americans and interstate commerce from rapidly increasing prices of gasoline and other petroleum products.

SEC. 3. PRESIDENTIAL AUTHORITY TO FREEZE PRICES.

(a) The President is authorized to issue such orders and regulations to temporarily freeze wholesale and retail prices of gasoline and other petroleum products at or below the levels prevailing on August 27, 2005. Such orders and regulations may provide for the making of such adjustments as may be necessary to prevent any gross inequities.

(b) The President may delegate the performance of any function under this Act to such officers, departments, and agencies of the United States.

SEC. 4. ENFORCEMENT.

(a) Whoever willfully violates any order or regulation under this section shall be fined an amount up to three times the amount of the gain from such violation.

(b) The President, or any person delegated authority under this Act by the President, shall have authority to seek a temporary or permanent injunction in the proper United States district court to prevent or halt violations of orders or regulations issued under this Act.

SEC. 5. TERMINATION OF AUTHORITY.

The authority under this Act shall terminate upon a finding by the President that the

domestic supply of petroleum products meets or exceeds the level of domestic supply as of August 27, 2005.

By Mr. OBAMA:

S. 1630. A bill to direct the Secretary of Homeland Security to establish the National Emergency Family Locator System; to the Committee on Homeland Security and Governmental Affairs.

Mr. OBAMA. Mr. President, today I introduce a bill to provide some assistance to those tens of thousands of Americans who have found themselves in one of the worst nightmares I can imagine—they are separated from their spouses, their children, and their parents. These Americans are struggling to locate their loved ones displaced by the horrors of Hurricane Katrina. They are searching the Astrodome, combing the Internet, hoping that their family members have survived the storm and will get in touch with them. A similar plight is faced by those victims who have weathered the storm and want to tell their family and friends that they are okay.

I have received dozens of calls to my offices in Illinois from constituents asking my caseworkers to help them locate their relatives lost in the Gulf Coast. Greta from Chicago was looking for her Aunt Perra Lee. John from Romeoville was looking for his children and grandchildren in Biloxi. The calls kept coming, but my staff could only point these constituents to various nonprofit organizations doing their best to provide locator services. There was no centralized Federal Government system in place to deal with this issue. Such a system should be in place.

The government must provide these people with a means to let their families know that they are out of harm's way. Various non-profit organizations and news services have done a stellar job at using the Internet to connect displaced people with their families. Our government, through the Department of Homeland Security, should synthesize the best aspects of these services, so that after an emergency, displaced individuals can call one phone number or go to one website, and post their location and condition. Family members and law enforcement officials should be able use this same secure, centralized system to check the status of missing loved ones.

I am introducing a bill—the National Emergency Family Locator System Act that will instruct the Department of Homeland Security to create such a system. I hope that the next time our country experiences a disaster like Katrina, this system will provide worried families with some sense of relief.

I hope my colleagues will support this legislation and I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection the bill was ordered to be printed in the RECORD, as follow:

S. 1630

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Emergency Family Locator Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(2) EMERGENCY.—The term ''emergency'' has the meaning given the term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

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

(4) SYSTEM.—The term ''System'' means the National Emergency Family Locator System established under section 3(a).

SEC. 3. NATIONAL EMERGENCY FAMILY LOCATOR SYSTEM.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish within the Department the National Family Locator System.

(b) PURPOSES.—The purposes of the System are—

(1) to enable individuals displaced by an emergency to provide to the Department the name and location of the displaced individuals and any other relevant information using the telephone, the Internet, and other means determined to be appropriate by the Secretary; and

(2) to enable the Department—

(A) to compile the information collected under paragraph (1); and

(B) to provide the information collected and compiled under the System to the family members of the displaced individuals and law enforcement officials.

(c) CONSIDERATIONS.—In establishing the System under subsection (a), the Secretary shall take into account and, to the maximum extent practicable, incorporate into the System—

(1) intermediary-based locator systems such as the National Next of Kin Registry; and

(2) information from existing family locator databases, such as the Family News Network of the International Committee of the Red Cross.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 234—RELATIVE TO THE DEATH OF WILLIAM H. REHNQUIST, CHIEF JUSTICE OF THE UNITED STATES

Mr. FRIST (for himself, Mr. REID, Mr. MCCONNELL, Mr. DURBIN, Mr. SPECTER, Mr. LEAHY, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. ALLEN, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWNBACK, Mr. BUNNING, Mr. BURNS, Mr. BURR, Mr. BYRD, Ms. CANTWELL, Mr. CARPER, Mr. CHAFEE, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COBURN, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORNYN, Mr. CORZINE, Mr. CRAIG, Mr. CRAPO, Mrs. DAYTON, Mr. DEMINT, Mr. DEWINE, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MARTINEZ, Mr. MCCAIN, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. OBAMA, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. TALENT, Mr. THOMAS, Mr. THUNE, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 234

Whereas William H. Rehnquist, the late Chief Justice of the United States, was born in Milwaukee, Wisconsin, to William Benjamin Rehnquist and Margery Peck Rehnquist and raised in Shorewood, Wisconsin;

Whereas a young William H. Rehnquist served our Nation during the Second World War in the United States Army Air Force at home and abroad from 1943 to 1946;

Whereas William H. Rehnquist enrolled in Stanford University, where he earned a bachelor's and master's degree in political science and was elected to Phi Beta Kappa;

Whereas William H. Rehnquist earned a second master's degree in government from Harvard University;

Whereas William H. Rehnquist graduated first in a very impressive class, including his future Supreme Court colleague, Sandra Day O'Connor, from Stanford University's School of Law;

Whereas William H. Rehnquist began his legal career by serving as a law clerk to Supreme Court Justice Robert Jackson;

Whereas William H. Rehnquist married the late Natalie Cornell, and they raised 3 children, James, Janet, and Nancy;

Whereas William H. Rehnquist was an accomplished attorney, having practiced law for 16 years in Phoenix, Arizona;

Whereas President Richard Nixon selected William H. Rehnquist to serve as Assistant Attorney General for the Office of Legal Counsel of the Department of Justice;

Whereas President Richard Nixon also nominated William H. Rehnquist to serve as an Associate Justice on the Supreme Court of the United States;

Whereas President Ronald Reagan nominated William H. Rehnquist to serve as the sixteenth Chief Justice of the United States;

Whereas William H. Rehnquist had a profound love for history and respect for the arts and served as Chancellor of the Smithsonian Institution for 19 years;

Whereas William H. Rehnquist was a skilled writer and avid historian and authored several books on Supreme Court history and the American legal system;

Whereas William H. Rehnquist was a man of enormous intellect and great common sense, a combination that was reflected in the clarity of his opinions;

Whereas William H. Rehnquist's record illustrates his unwavering commitment to judicial restraint, judicial independence, and the rule of law;

Whereas, under his firm leadership and superb managerial skills, William H. Rehnquist efficiently managed the Supreme Court of the United States for 19 years;

Whereas leaders of both political parties agree that William H. Rehnquist served with honor and integrity in his role as the second Chief Justice of the United States to preside over a presidential impeachment trial, respecting the institutional domain of the Senate and its processes, procedures, and traditions;

Whereas, as the leader of the Supreme Court, William H. Rehnquist was highly regarded by all of his colleagues, including those with differing judicial philosophies;

Whereas his former colleagues have described William H. Rehnquist as a ''splendid administrator'', ''the most efficient manager'', ''a great Chief Justice'', ''meticulously fair'', and the ''most all-around successful'' Chief Justice;

Whereas William H. Rehnquist served with distinction on the Supreme Court of the United States for over 14 years as an Associate Justice and 19 years as the Chief Justice, more than 33 years in all;

Whereas William H. Rehnquist was the fourth longest serving Chief Justice of the United States;

Whereas William H. Rehnquist was 1 of our Nation's most influential and memorable Chief Justices;

Whereas William H. Rehnquist was the embodiment of the ideal qualities of a judge, fair, impartial, open minded, and above all committed to the Constitution and the rule of law;

Whereas William H. Rehnquist will be remembered as 1 of the greatest Chief Justices of the United States;

Whereas William H. Rehnquist passed away on September 3, 2005, surrounded by his loving family; and

Whereas our Nation is deeply indebted to William H. Rehnquist, a truly distinguished American: Now, therefore, be it

Resolved, That the Senate—

(1) extends its heartfelt sympathy to the family and friends of William H. Rehnquist;

(2) acknowledges William H. Rehnquist's life-long service to the United States of America as a World War II veteran, a talented attorney, a dedicated public servant, a brilliant jurist, and one of our Nation's greatest Chief Justices; and

(3) commends William H. Rehnquist for his 33 year tenure on the Supreme Court of the United States and his many accomplishments as Chief Justice of the United States.

SENATE RESOLUTION 235—TO PERMIT THE SOLICITATION OF DONATIONS IN SENATE BUILDINGS FOR THE RELIEF OF VICTIMS OF HURRICANE KATRINA

Mr. LOTT (for himself, Mr. DODD, Mr. COCHRAN, Ms. LANDRIEU, Mr. VITTER, Mr. SHELBY, Mr. SESSIONS, Mr. FRIST, Mr. REID, Mr. DOMENICI, Mr. ALLARD, Mr. KOHL, Mr. KYL, Mr. AKAKA, Mr. GREGG, Mr. KENNEDY, Mr. ALEXANDER, Mr. MARTINEZ, Ms. MURKOWSKI, Ms. COLLINS, Mr. ENZI, Mr. THOMAS, Mr. CHAMBLISS, Mr. CARPER, Mr. DORGAN, Mr. LAUTENBERG, Mr. CORZINE, Mr. REED, Mr. LIEBERMAN, Mr. DEWINE, Mrs. HUTCHISON, Mr. DAYTON, Mr. JEFFORDS, Mr. THUNE, Mr. ALLEN, Mr. DEMINT, Mr. COBURN, Mr. BURR, Ms. STABENOW, Mr. PRYOR, Mr. BINGAMAN, Mr. HAGEL, Mr. SANTORUM, Mr. SALAZAR, Mr. STEVENS, Mr. ROBERTS, Mr. TALENT, Mr. KERRY, Mrs. LINCOLN, Mr. HARKIN, Mr. COLEMAN, Mrs. DOLE, and Ms. CANTWELL) submitted the following resolution; which was considered and agreed to:

S. RES. 235

Resolved,

SECTION 1. SOLICITATION FOR HURRICANE KATRINA RELIEF.

Notwithstanding any other provision of the rules or regulations of the Senate—

(1) a Senator or employee of the Senate may solicit another Senator or employee of the Senate within Senate buildings for nonmonetary donations for the relief of victims of Hurricane Katrina; and

(2) a Senator or employee of the Senate may work with a nonprofit organization with respect to the delivery of donations described in paragraph (1).

AUTHORITY FOR COMMITTEES TO MEET

SELECT COMMITTEE ON INTELLIGENCE

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 7, 2005 at 1:30 p.m. to hold a briefing.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMITTING SOLICITATION OF DONATIONS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to consideration of S. Res. 235, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 235) to permit the solicitation of donations in Senate buildings for the relief of victims of Hurricane Katrina.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, the ranking member of the Senate Rules Committee, Senator DODD, and 47 other Senators and I today submitted a resolution that would allow Senators and Senate staff to make donations of food, clothing, medical supplies, and other needed materials for victims of Hurricane Katrina.

Current Senate regulations prohibit any soliciting within Senate buildings. This resolution suspends these regulations for noncash solicitations among the Senate family. It is my hope this resolution will demonstrate the generosity of Senators and staff and will help ease the suffering of the millions of people along the Gulf whose lives have been devastated by this unprecedented disaster.

But I think we can do more at this time of crisis. I believe Senators should be able to use Senate facilities to encourage all of our constituents and friends to donate to charities that are working 24 hours a day to help alleviate the suffering caused by the hurricane, and I intend to introduce legislation that will facilitate that effort.

This is a modest effort at time of great suffering. We need to do more right now and not allow inflexible rules to prevent us from helping our citizens at a time of crisis.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 235) was agreed to, as follows:

S. RES. 235

Resolved,

SECTION 1. SOLICITATION FOR HURRICANE KATRINA RELIEF.

Notwithstanding any other provision of the rules or regulations of the Senate—

(1) a Senator or employee of the Senate may solicit another Senator or employee of the Senate within Senate buildings for nonmonetary donations for the relief of victims of Hurricane Katrina; and

(2) a Senator or employee of the Senate may work with a nonprofit organization with respect to the delivery of donations described in paragraph (1).

UNANIMOUS CONSENT AGREEMENT—H.R. 2862

Mr. FRIST. Mr. President, I ask unanimous consent that following morning business on Thursday, September 8, the Senate proceed to the immediate consideration of Calendar No. 137, H.R. 2862. I further ask that the committee-reported substitute be agreed to as original text for the purposes of further amendment, with no points of order waived by virtue of this agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, SEPTEMBER 8, 2005

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, September 8. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved and the Senate proceed to a period for morning business for up to 60 minutes, with the first 30 minutes under the control of the minority leader or his designee and the final 30 minutes under the control of the majority leader or his designee; provided that following morning business, the Senate proceed to the consideration of H.R. 2862, the Commerce, Justice, Science appropriations bill as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. Mr. President, tomorrow the Senate will turn to the Commerce,

Justice, Science appropriations bill. The managers will be ready to go through amendments and expedite consideration of this important bill. I encourage our colleagues who may have amendments to work with the managers tomorrow morning in order to schedule consideration.

In addition to that measure, we anticipate a further supplemental appropriations bill to arrive from the House. We will need to act quickly on that emergency funding to continue our efforts in our Southern Gulf States. Therefore, there will be votes during Thursday's session of the Senate, and I will announce Friday's voting schedule tomorrow once we can gauge our progress.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. FRIST. If there is no further business to come before the Senate, I ask that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:01 p.m., adjourned until Thursday, September 8, 2005, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate Friday, July 29, 2005:

DEPARTMENT OF STATE

FRANCIS JOSEPH RICCIARDONE, JR., OF NEW HAMPSHIRE, TO BE AMBASSADOR TO THE ARAB REPUBLIC OF EGYPT.

EXTENSIONS OF REMARKS

CONGRATULATIONS TO SHARDAY M. BROWN, RECIPIENT OF THE PRESIDENTIAL FREEDOM SCHOLARSHIP

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. BURGESS. Mr. Speaker, I rise today to recognize the superior academic performance of Sharday M. Brown, a recipient of this year's Presidential Freedom Scholarship. Thirteen students in the 26th Congressional District are receiving this special recognition.

This award recognizes outstanding service and citizenship initiatives by the students who were nominated, and provides an opportunity to acknowledge their leadership. Administered by Learn and Serve America, the scholarship provides $500 in Federal funds, matched with $500 from a community organization or business obtained for the student by their high school or Boys and Girls Club. Winners must have completed at least 100 hours of community service, either through a school-based service-learning program or independently through service at a nonprofit or faith-based organization.

Sharday is a member of the Boys and Girls Club of Cooke County Teen Center. This organization also contributed matching funds worth $500.

Over 38,000 students to date have received this award and I extend my sincere congratulations to Sharday M. Brown for being one of them. This student's contribution and services should serve as inspiration to those who wish to make a positive difference in the lives of others.

RECOGNIZING IAN LEWIS HENDERSON FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Ian Lewis Henderson of Kansas City, Missouri, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and in earning the most prestigious award of Eagle Scout. Ian will receive his Eagle at a Court of Honor on September 18 at Pine Ridge Presbyterian Church.

Ian has been very active with his troop, participating in many scout activities. Over the years Ian has been involved with scouting, he has earned numerous merit badges and has served in leadership positions within his troop.

Mr. Speaker, I proudly ask you to join me in commending Ian Lewis Henderson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout. It is an honor to represent Eagle Scout Henderson in the United States Congress.

CONGRATULATING BILL STRAUB AND DEBRA MEADE

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate Bill Straub and Debra Meade for their many years of hard work and support toward the game of shooting, throughout the entire State of Pennsylvania.

Bill and Debra have dedicated themselves to the game of shooting by holding several positions at the Pennsylvania Skeet Shooting Association (PSSA). Over the years, both Debra and Bill have occupied various offices at the PSSA, including Director, President, and Vice President. Currently, Bill is the Shoot Manager of the PA State Skeet Championships and Debbie holds the office of Secretary/Treasurer at the PSSA.

The pair has also been very active in the National Skeet Shooting Association, both serving as Directors. Bill and Debra have left their mark on the sport in their own right. Bill has been named to the All American Skeet and PA State Skeet Teams, as well as earning an induction into to the PA Skeet Shooting Association's Hall of Fame. Debra, who has shot nearly 100,000 skeet targets, has garnered numerous accolades and Lady Championship Victories throughout her career.

I ask my colleagues in the United States House of Representatives to join me in honoring Bill and Debra. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute such dedicated citizens as Bill Straub and Debra Meade.

CONGRATULATING THE ORANGE LITTLE LEAGUE SOFTBALL TEAM ON THEIR TRIP TO THE 2005 LITTLE LEAGUE SOFTBALL WORLD SERIES

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Ms. DELAURO. Mr. Speaker, it is with great pride and my sincere congratulations that I rise today to join the community of Orange, Connecticut to celebrate the achievements of the Orange Little League All-Star Softball Team. The team and their coaches recently returned from Portland, Oregon where they went to the Championship game in the 2005 Little League Softball World Series. Though they did not win their final game, they represented Orange and the State of Connecticut well and I am honored to have this opportunity to extend my sincere congratulations to them for this wonderful effort!

The Orange All-Star Softball Team, made up of eleven- and twelve-year-old girls, were undefeated and won the State Championship for the opportunity to play in the World Series. Throughout their regular season, the girls not only defeated every challenger they faced, but, more importantly, they learned one of life's most valuable lessons—teamwork. Softball, like all sports, teaches us the value of teamwork, practice, camaraderie, and commitment to excellence. These skills will serve these young people well as they begin to make a difference in the world. Working together, they have already accomplished so much. I have no doubt that each of these young women will enjoy great success in all of their future endeavors.

At only eleven and twelve years old, each of these girls has demonstrated remarkable talent and a unique passion for the game. However, it has been under the guidance of their coaches that their skills have been developed and sharpened. It is with great pleasure that I also recognize Ken Slowik and the entire coaching staff—all of whom have worked hard to give these young people the chance to play! Without their efforts, the success of the Orange All-Stars would not be possible.

It was wonderful to see the Orange community come together in support of these young women and today's parade is yet another example of the excitement and enthusiasm that this community and its residents have shown the Orange Little League All-Star Softball Team. I am honored to stand with them today in extending my sincere congratulations to you for your outstanding team work and on your first-rate season. Win or lose, you have made us all proud!

TRIBUTE TO SPEAKIN' OUT WEEKLY NEWS

HON. ROBERT E. (BUD) CRAMER, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. CRAMER. Mr. Speaker, I rise today to pay tribute to Speakin' Out Weekly News on its twenty-fifth anniversary.

Speakin' Out is published in my Congressional District and has become the longest running African-American owned newspaper in North Alabama and the Tennessee Valley.

Mr. Speaker, the story behind Speakin' Out is an inspiration to entrepreneurs in Alabama and across the country. In 1980, my friend William Smothers published the first issue of Speakin' Out. It was published on his kitchen table in the City of Decatur with a meager budget of $800.

Speakin' Out quickly grew from its humble beginnings. It soon moved out of the kitchen

and into its first office located on the corner of Lee and Bank Street in Decatur, changing its format from a magazine to a tabloid newspaper.

In 1983, Speakin' Out News merged with The Weekly News, published by Professor L.C. Jamar, Sr., and changed the company name to Speakin' Out Weekly News. Following the merger, Speakin' Out Weekly News relocated its office to Huntsville, Ala. The format was again changed from a tabloid to a broad sheet newspaper and remains so today.

From its inception, Speakin' Out covered politics, the arts, business, and health issues. The editorial content was geared toward the African American community. Its unique opinions and balanced reporting has helped attract a large subscriber base. In fact, the newspaper currently boasts a weekly readership in excess of 80,000.

Furthermore, Speakin' Out has established itself as a community partner in North Alabama. It hosts and sponsors numerous events each year. Speakin' Out has also established the North Alabama Journalism Center, its nonprofit entity, serving as an educational and professional haven for students with an interest in communications. The center collaborates with surrounding colleges and universities to provide a venue for students to gain practical instruction. The center also offers an after school tutorial program, Starting Smarter, for students K–12.

Mr. Speaker, Speakin' Out Weekly News has given a voice to African-Americans in my community and has established itself as a reliable source of community events, news, and opinions. I appreciate the publication's impartial reporting, the hard work of its reporters, and its strong commitment to our community.

Mr. Speaker, over the weekend of August 13th and 14th, Speakin' Out held a community wide celebration in honor of its silver anniversary. I rise today to join them in their celebration and to congratulate them on this exciting milestone.

IN RECOGNITION OF JAMES BRAZELTON

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. CARDOZA. Mr. Speaker, I rise today to recognize the contributions of my friend Jim Brazelton, who recently retired from his position as Stanislaus County District Attorney.

Jim began his career as a military policeman assigned to the White House Security Detail. In 1963, he joined the City of Bakersfield Police Department where he served as a patrolman, motorcycle officer and detective. Five years later, Jim accepted a position with the City of Orange's police department where he worked his way through the ranks of patrolman, detective, watch commander, SWAT Commander and Sergeant. During his time there, he attended Western State University's College of Law in Anaheim, California. Upon graduating in 1974, Jim left the department and practiced law for the next 11 years.

In 1985, Jim came to the Stanislaus County District Attorney's Office where he served in the felony trial division. As Senior Deputy District Attorney, he was responsible for the prosecution of many high-profile homicide cases. In January of 1993, Jim was named Chief Deputy District Attorney for the Felony Superior Court Division. In August of 1995, he was named Chief Deputy District Attorney of Administration.

In March 1996, Jim was appointed by the Stanislaus County Supervisors to fill the unexpired term of the retiring District Attorney. District Attorney Brazelton ran unopposed in the 1998 and 2002 elections.

In addition to his duties as District Attorney, Jim is a member of the local Police Officer's Association, where he has served both on the board and as president, as well as the Stanislaus County Association of Law Enforcement Executives where he served as president in 2000. In 2001, he was appointed by State Attorney General Bill Lockyer to serve on his Blue Ribbon SWAT Team Practices Commission. He has served as a member of the Board of Directors for the California District Attorneys Association, was on their Capital Litigation Committee for several years, and often lectures at their conferences.

For the past several years, Jim has been an active and valued member of several worthwhile community organizations. He was an Executive Board member of Fight Crime-Invest in Kids and is on the board of the Carol Sund/Carrington Memorial Reward Foundation.

District Attorney James Brazelton has been dedicated to public safety and service for more than 40 years. For the past 20 years, he has vigorously and effectively sought to protect the citizens of Stanislaus County and to ensure justice for the victims of crime. I ask my colleagues in the House to join me in thanking Mr. Brazelton for his dedicated service to the public and wish him the very best in the years to come.

CONGRATULATIONS TO TALIAH C. LAWSON, RECIPIENT OF THE PRESIDENTIAL FREEDOM SCHOLARSHIP

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. BURGESS. Mr. Speaker, I rise today to recognize the superior academic performance of Taliah C. Lawson, a recipient of this year's Presidential Freedom Scholarship. Thirteen students in the 26th Congressional District are receiving this special recognition.

This award recognizes outstanding service and citizenship initiatives by the students who were nominated, and provides an opportunity to acknowledge their leadership. Administered by Learn and Serve America, the scholarship provides $500 in Federal funds, matched with $500 from a community organization or business obtained for the student by their high school or Boys and Girls Club. Winners must have completed at least 100 hours of community service, either through a school-based service learning program or independently through service at a nonprofit or faith-based organization.

Taliah is a member of the Boys and Girls Club of Cooke County Teen Center. This organization also contributed matching funds worth $500.

Over 38,000 students to date have received this award and I extend my sincere congratulations to Taliah C. Lawson for being one of them. This student's contribution and services should serve as inspiration to those who wish to make a positive difference in the lives of others.

RECOGNIZING HELEN AND HARRY DANKS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize two outstanding constituents of Missouri's Sixth Congressional District: Helen and Harry Danks of Grundy County, Missouri. Helen and Harry will celebrate their 60th Wedding Anniversary on December 23, 2005.

Helen and Harry Danks were married on December 23, 1945 in Memphis, Tennessee. At the time, Harry was serving our country at Millington Naval Air Station in Millington, Tennessee and Helen was working at the Oak Ridge Bomb Plant in Oak Ridge, Tennessee. Incidentally, Helen worked at Oak Ridge Bomb Plant at the same time that Fat Man and Little Boy were made.

Helen and Harry Danks have been outstanding citizens of Grundy County and Northwest Missouri. They have operated the family farm for over 50 years, and are dedicated and active members of their church and community.

Mr. Speaker, I proudly ask you to join me in recognizing Helen and Harry Danks. Their marriage of 60 years is inspirational, and I am honored to represent them in the United States Congress.

CONGRATULATING STEPFAMILY ASSOCIATION OF AMERICA

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate the Stepfamily Association of America (SAA) and recognize their efforts as they celebrate their annual Stepfamily Day on September 16, 2005.

Over the past nine years the SAA, our Nation's largest stepfamily organization, has worked diligently to provide outreach to stepfamilies and to those who work with them. The SAA offers information, education, and support to stepfamilies across the country to ensure that they have the proper tools to build and maintain strong families.

I ask my colleagues in the United States House of Representatives to join me in honoring the SAA and to acknowledge the annual Stepfamily Day. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute an organization like the Stepfamily Association of America.

HONORING THE VOLUNTEER FIRE DEPARTMENT OF PROSPECT AS THEY CELEBRATE THEIR 60TH ANNIVERSARY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Ms. DELAURO. Mr. Speaker, it is with great pleasure that I rise today to extend my sincere congratulations to Chief Robert Chatfield and all of the members of the Volunteer Fire Department of Prospect, past and present, as they celebrate their 60th Anniversary. This is a milestone for this wonderful organization and I am proud to have this opportunity to honor their outstanding work on behalf of the Prospect community.

The men and women who serve as firefighters face risks that few of us can comprehend. Each day, they must be ready to perform under intense pressure—literally in life or death situations as we have all witnessed in recent days. Few things are more important than feeling safe in our homes and workplaces. Our firefighters provide us with that peace of mind. Their commitment and dedication cannot be questioned and our thanks can never repay those who put their lives on the line to ensure our safety.

Since its incorporation in September of 1945, the Volunteer Fire Department of Prospect has grown from a small building with just two bays to a multi-million dollar state-of-the-art facility which houses 10 bays. The Department serves a community of over 9,000, responding to an estimated 270 fire calls and nearly 600 medical calls annually. Though it is fully dependent on volunteers, there is never a shortage of responders to a call. Though much has changed in the six decades since its inception, the one thing that has not is the reliability and consistency of those who volunteer to serve.

I have always held a deep admiration for those who serve as firefighters—each day facing new challenges and seemingly overwhelming responsibility. It takes an exceptional combination of bravery, compassion, and generosity to serve as a volunteer firefighter. In its 60 years of history, nearly 800 individuals have served in the Department. Every member of the Prospect Volunteer Department has demonstrated a unique commitment and dedication to public service throughout their careers. From the training they must receive to the responsibility of responding to emergencies to the generous fundraising efforts for the Department, they have willingly devoted themselves to their community.

Too often we take for granted the courageous work of our country's firefighters. I would like to take this opportunity to thank all of those Prospect residents who have volunteered their time and efforts to the Department. I am proud to recognize and commend the commitment the Volunteer Fire Department of Prospect has made to protect Prospect for 60 years. To reach such an anniversary is a testament to the generosity and civic mindedness of the resident volunteers and the Town of Prospect. My sincere congratulations to you on this very special occasion!

TRIBUTE TO STATE REPRESENTATIVE NELSON R. STARKEY

HON. ROBERT E. (BUD) CRAMER, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. CRAMER. Mr. Speaker, I rise today to pay tribute to Alabama State Representative Nelson R. Starkey. Representative Starkey has represented the City of Florence in the Alabama State Legislature since 1978. He plans to retire from public service at the conclusion of his current legislative term in 2006.

I consider it a privilege to have worked with Representative Starkey on a wide variety of issues facing Northwest Alabama. He has done a great deal to help further the quality of life for all individuals in our community. He is most well known for his strong advocacy for increased Alabama school funding.

During his many years of service in the State House, Representative Starkey was elected by his peers to numerous legislative leadership positions. For eight years, he was the Chairman of the House Democratic Caucus and the Joint Highway Committee. He also served as Chairman of the Local Government Committee for four years and Chairman of the State Administration Committee.

Mr. Speaker, Representative Starkey is well respected throughout our local community and the entire State of Alabama. In 1993, he was chosen by the Montgomery Advertiser to receive the Meritorious Public Service Award. This honor was based on his reputation for integrity, effectiveness, vision, trustworthiness, commitment and diligence.

Mr. Speaker, on Tuesday August 23rd, the North Alabama community gathered to honor and celebrate all of Representative Starkey's achievements. I rise today, to join in their celebration and to thank Representative Starkey for his many years of dedicated service.

STATEMENT ON MARIA C. RAMOS

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. CARDOZA. Mr. Speaker, I rise today to honor Maria C. Ramos. Ms. Ramos has dedicated her life to educating others and serving her community and country. Maria is retiring after dedicating the past 30 years to serving her community. Maria's efforts to better her community and country will be sorely missed.

Born in Mexico, Ms. Ramos moved to Oakland when she was 14 years old. Since then, she has selflessly devoted much of her life to giving back to the place that has afforded her such an opportunity to succeed.

Maria has, for more than 30 years, worked tirelessly as an educator to ensure that those children would have the same opportunities to succeed as she had. She started working at St. Gertrude's School in 1974, where she served as a bilingual assistant and has since gone on to serve at Marshall Junior High and many other schools in the Stockton Unified School District.

In addition to her longstanding commitment to education, Maria is involved in countless social and political organizations. She serves on numerous boards, including the California State Employees Association, the Democratic Central Committee, the Californians for Justice Committee, the 17th Assembly District Committee, and Comerciantes Unidas, to name just a few.

It is my distinct honor and privilege to call Maria Ramos a friend and to have the opportunity to recognize her longstanding commitment to education and service to her community.

Though her selfless devotion will be missed by all of us in the community, I'm sure her family looks forward to spending more time with her and she certainly deserves some time off.

I am delighted to recognize her service and retirement after 30 years as I wish my very best in the many years to come.

CONGRATULATIONS TO TIFFANY A. MCBATH, RECIPIENT OF THE PRESIDENTIAL FREEDOM SCHOLARSHIP

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. BURGESS. Mr. Speaker, I rise today to recognize the superior academic performance of Tiffany A. McBath, a recipient of this year's Presidential Freedom Scholarship. Thirteen students in the 26th Congressional District are receiving this special recognition.

This award recognizes outstanding service and citizenship initiatives by the students who were nominated, and provides an opportunity to acknowledge their leadership. Administered by Learn and Serve America, the scholarship provides $500 in Federal funds, matched with $500 from a community organization or business obtained for the student by their high school or Boys and Girls Club. Winners must have completed at least 100 hours of community service, either through a school-based service-learning program or independently through service at a nonprofit or faith-based organization.

Tiffany is a member of the Boys and Girls Club of Cooke County Teen Center. This organization also contributed matching funds worth $500.

Over 38,000 students to date have received this award and I extend my sincere congratulations to Tiffany A. McBath for being one of them. This student's contribution and services should serve as inspiration to those who wish to make a positive difference in the lives of others.

RECOGNIZING ALEX Q. NEWMASTER FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Alex Q. Newmaster, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, and in earning the most prestigious award of Eagle Scout.

Alex has been very active with his troop, participating in many scout activities. Over the many years Alex has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Alex Q. Newmaster for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO THE LAFAYETTE LITTLE LEAGUE TEAM

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. BOUSTANY. Mr. Speaker, I rise today in recognition of the achievements of the Lafayette Little League team. This group of young men embarked on a journey at the beginning of this summer that took them over 2,000 miles and ended at the Little League World Series in Williamsport, Pennsylvania.

This team won the Louisiana State championship in August. They then won the Southwest Regional title in Waco, Texas. And then they inspired millions of Americans with two heart-stopping come-from-behind wins en route to the semifinals of the U.S. bracket of the Little League World Series.

Their success on the field earned these ''Comeback Cajuns'' a finish in this country's top four and the world's top eight teams. When they were eliminated from competition by Ewa Beach, Hawaii—which eventually claimed the world championship—the squad was one of only five teams still alive out of over 70,000 that began Little League postseason play.

These twelve young men exemplify the ideals of Little League Baseball—character, courage, and loyalty. I honor them today for their superb play on the field and their magnificent sportsmanship.

Andrew Stevenson, Connor Toups, Andreas Duplantis, Sam Scofield, Patrick Foreman, Ryan Bergeron, Jace Conrad, Brenn Conrad, Tyler Douglas, Jordan Romero, Alex Stringer, and Alex Miller.

And their coaches, Mike Conrad, Mark Toups, and Ken Douglas.

I am proud of the way they represented our State, our hometown, and themselves.

THE PASSING OF ERIKA HILLS

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Ms. PELOSI. Mr. Speaker, it is with great personal sorrow that I come to the floor of the House to remember my friend Erika Hills, who died tragically in an automobile accident in Napa Valley on August 17th. Today, her family and friends are gathering in Grace Cathedral in San Francisco to mourn her passing. I extend my deepest sympathy to her husband Austin, her sons Austin and Justin, her father Dr. Max Brunar, and her siblings Dieter Mascen and Eva Pongraz of Graz, Austria. Her death leaves a void in our lives but her bright light will remain in our hearts forever.

A home design expert, she had owned an antique shop in St. Helena, California. Her husband Austin Hills is a founder and partner in Napa Valley's Grgich Hills Cellar in Rutherford, California, and a descendent of the Hills Bros. Coffee family.

Erika's exuberance was contagious and elevated all the causes she championed. She and her husband were active supporters of the arts; the San Francisco Symphony, the San Francisco Opera and the Museum of Modem Art. She was generous with her time and her resources and dedicated herself to helping people less fortunate than she.

Erika served on numerous boards and volunteered in many charitable organizations. Her support extended from the cultural life of the San Francisco Bay Area to Roots of Peace, an international humanitarian organization that works to eradicate land mines, returning the land to agricultural use.

Most recently she served on the advisory council of the Land Trust of Napa County, Cal Performances in Berkeley, and the Seven Tepees Youth Program that helps underprivileged children with their education. She and her husband were founding members of the Copia center for wine and food in Napa.

Erika will be missed by all of us fortunate enough to have been touched by her life. Her joy, her generosity, as well as her concern for children around the world, will long be remembered by all who knew her.

I know I speak for all my constituents when I extend condolences to Austin, Austin Jr. and Justin for their heartbreaking loss. My thoughts and prayers and those of my husband Paul and the entire Pelosi family are with her loved ones at this sad time.

JEWISH COMMUNITY SUPPORT FOR ISRAEL'S DISENGAGEMENT

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. FRANK of Massachusetts. Mr. Speaker, just before we adjourned, the Jewish Community Relations Council of Greater Boston issued a very thoughtful statement in support of the disengagement by Israel from the Gaza Strip, and the dismantling by the Israeli government of Israeli settlements in that area.

Mr. Speaker, this was a very wrenching process for many in Israel, and the willingness of the government of Israel—supported by a majority of the people of Israel—to engage in this withdrawal with all of its difficult emotional strains speaks highly of that country's willingness to take steps for peace. The withdrawal from Gaza should not be the last action taken in this process, but it is unreasonable to expect that they will be able to take further actions in the absence of a showing by the Palestinian Authority of its willingness and ability to respond in kind to this disengagement.

The statement of the JCRC is a first-rate statement of what should be done going forward, and it is an appropriate expression of support of a majority of the Jewish Community of Greater Boston for a peace process that is thoughtful, balanced and prudent. I ask that this important statement be printed here.

JEWISH COMMUNITY EXPRESSES SUPPORT FOR ISRAEL'S DISENGAGEMENT PLAN

July 19, 2005.

Nancy K. Kaufman, Executive Director and Susan A. Calechman, President of the Jewish Community Relations Council of Greater Boston issued the following statement today regarding Israel's plans to disengage from the Gaza Strip and communities in northern Samaria.

''The JCRC fully supports Prime Minister Sharon and the government of Israel as they begin implementation of the Gaza disengagement plan. Israel's vigorous democracy is taking bold and courageous risks in an effort to protect her security and to renew the process of resolving the Israeli-Palestinian conflict. We also support the Israeli government's effort to resolve the conflict through a negotiated two-state solution as expressed in the Road Map. Final borders and other final status issues must be left to the parties themselves to negotiate in a peace process free from violence and the threat of violence.

Disengagement will only lead to a peaceful outcome if there is a commitment on the part of the Palestinian leadership to put an end to terrorism. We call upon the Palestinian Authority (PA) to disarm the terrorist groups and their infrastructure. This includes removal of existing stockpiles of weapons and preventing such stockpiles from being rebuilt; preventing the smuggling of weapons; closing of clandestine weapons manufacturing and preventing attacks, especially during the engagement process. The future of peace, and the stability of the PA itself, is fully dependent on it taking this action.

We recognize the profound sacrifices being made by the families who are being relocated, some after living in their homes for nearly 30 years. The loss of their homes, synagogues, farms, businesses and schools is an immense sacrifice which should be recognized with efforts made to bridge any gaps that develop among Israelis as a result of this effort.

We condemn the rhetoric of a tiny extremist fringe that promotes violence as a response to policies undertaken by the democratically elected Israeli government. At the same time, the rights of free speech and lawful dissent which are basic and indispensable in a democratic society must be protected. It is critically important that those with differing views of the peace process condemn explicit hate speech, venomous language, and threatening words. It is also important that discussion among all the conflicting viewpoints be created to promote an atmosphere in which differences can be expressed with civility and respect.

We call the U.S. Government to continue its work with Israeli and Palestinian leaders to ensure that all commitments are met and that a resolution to this conflict leads to a secure peace for both sides.

HONORING U.S. ARMY SPC. ALVIN K. BEAN UPON HIS RECEIPT OF THE ARMY COMMENDATION MEDAL

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. HIGGINS. Mr. Speaker, I rise today to honor the exemplary community service of Alvin K. Bean, a resident of Chautauqua County, Town of Panama, upon receiving the Army Commendation Medal with valor device

for a January 6 rescue mission as part of Operation Iraqi Freedom.

The award was given on March 15, 2005. Spc. Bean was honored for his gallant actions during the rescue mission of an M2 Bradley that had received a devastating hit by an explosive device. The United States Army praised Bean saying he showed no regard for his own safety and placed the recovery of the M2 Bradley fighting vehicle before himself.

Mr. Bean has donated countless hours towards improving his community. He is hard working and dedicated. His leadership and generosity sets an example for us all. That is why, Mr. Speaker, I honor him today.

CONGRATULATING THE PRESIDENTIAL FREEDOM SCHOLARSHIP RECIPIENT ASHLEY K. THARAYIL

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. BURGESS. Mr. Speaker, I rise today to recognize the superior academic performance of Ashley K. Tharayil, a recipient of this year's Presidential Freedom Scholarship. Thirteen students in the 26th Congressional District are receiving this special recognition.

This award recognizes outstanding service and citizenship initiatives by the students, who were nominated, and provides an opportunity to acknowledge their leadership. Administered by Learn and Serve America, the scholarship provides $500 in Federal funds, matched with $500 from a community organization or business obtained for the student by their high school or Boys and Girls Club. Winners must have completed at least 100 hours of community service, either through a school-based service-learning program or independently through service at a nonprofit or faith-based organization.

Ashley is currently a junior at North Hills School and the organization matching her $500 in Federal funds is the North Hills School—Volunteers in Partnership.

Over 38,000 students to date have received this award and I extend my sincere congratulations to Ashley K. Tharayil for being one of them. This student's contribution and services should serve as inspiration to those who wish to make a positive difference in the lives of others.

RECOGNIZING JOHN ROBERT MOHR FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize John Robert Mohr, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 214, and in earning the most prestigious award of Eagle Scout.

John has been very active with his troop, participating in many scout activities. Over the many years John has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

For his Eagle Project, John designed and built a wheeled oak cabinet for storing toys and a matching oak table custom built for small children for the daycare center at his local church, Saint James Catholic Church.

Mr. Speaker, I proudly ask you to join me in commending John Robert Mohr for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRATULATING LAWRENCE COUNTY ECONOMIC DEVELOPMENT CORPORATION

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate the Lawrence County Economic Development Corporation (LCEDC), on the 50th anniversary of the founding of the corporation.

Over the past 50 years the LCEDC has worked diligently to promote business growth and help foster ideal climates for commerce development. The corporation has also worked tirelessly with local business leaders and government officials throughout the community, to create jobs for the citizens of the greater Lawrence county region. I recognize the LCEDC for all of their hard work and dedication to cultivating small businesses which serve as the backbone of the American economy.

I ask my colleagues in the United States House of Representatives to join me in honoring the 50th anniversary of the LCEDC. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute such a principled organization as the Lawrence County Economic Development Corporation.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT TO MEET IMMEDIATE NEEDS ARISING FROM THE CONSEQUENCES OF HURRICANE KATRINA, 2005

SPEECH OF

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 2, 2005

Mr. COSTELLO. Mr. Speaker, I want to take this opportunity to express my support for this critical funding to address the enormous needs that exist along the Gulf Coast following the devastation of Hurricane Katrina. I also want to express my heartfelt condolences to the victims, both living and dead, of this storm. While this country has encountered many natural disasters, few in memory have produced the scenes of destruction and human need that we are seeing daily from the region. This $10 billion we are approving today is what I expect to be a very small portion of the actual cost of the rescue and evacuation efforts in New Orleans and the gulf area, and is a first step in a process that could take years to complete. I commend Speaker HASTERT and Leader PELOSI for acting quickly to pass this legislation.

As we always do, the people of the United States are rallying to support their fellow citizens during this time of crisis. I want to thank all of the volunteers that are heading to the region and all of the people around the country that have reached into their pocketbooks or in some other way are sending aid. This help is essential and greatly appreciated.

While there are questions being asked about why it has taken so long to get food and water to those who are stranded, now is not the time to point fingers or assign blame. There will be plenty of time to assess the government's response after the rescue and evacuation process has been completed. Let's get the job done and then make the necessary assessment.

Another painful effect of the storm is the steep rise in gasoline prices. Increased prices are hammering working families with little to no relief in sight. The Federal Government can do very little other than releasing the oil from the Strategic Petroleum Reserve and prosecuting price gouging. It comes down to supply and demand. Demand remains high and the supply has been significantly reduced by Hurricane Katrina. We must continue to work diligently to repair the oil platforms and refineries that have been damaged, and Congress will—with the state attorneys general—keep a close eye on any potential price gouging.

Mr. Speaker, I again want to thank the leadership of the House for considering this legislation during this special session today. I know that we will continue to work on a bipartisan basis to fully address the needs of the communities that have been so horribly afflicted by Hurricane Katrina.

UNITED STATES TRADE RIGHTS ENFORCEMENT ACT

SPEECH OF

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 27, 2005

Mr. CARDIN. Mr. Speaker, I would like to address some of the comments made during the colloquy between the gentleman from Pennsylvania, Mr. ENGLISH, and the gentlemen from Utah, Mr. BISHOP, regarding H.R. 3283. In particular, I would like to respond to my colleagues' assertions concerning the application of section 3(b)(2) of the Act, which states that when applying the U.S. countervailing duty law to nonmarket economies, the Department of Commerce "shall ensure that . . . the application [of the law] is consistent with the international obligations of the United States." Mr. Speaker, despite my colleagues' efforts to provide reassurance about this provision, I remain deeply concerned following their exchange—and in some ways, even more so.

First, the exchange between Mr. BISHOP and Mr. ENGLISH provides no comfort to those like me that have raised concerns that section 3(b)(2) of the Act will have a chilling effect on the application of U.S. countervailing duty law. The provision clearly creates a special burden on the U.S. Department of Commerce in

cases involving subsidies in nonmarket economy countries like China by requiring Commerce to make a determination about the WTO consistency of the law prior to applying it.

In every other trade remedy case, the Department of Commerce must apply U.S. law as enacted by Congress. The law is presumed to be consistent with WTO obligations unless the WTO finds otherwise.

Under Mr. ENGLISH's bill, Commerce could not apply countervailing duty laws to China and other nonmarket economies to the fullest extent authorized by Congress, but rather could apply the law only to the extent to which Commerce makes a separate determination that the law would pass muster in the WTO. As a result, it is likely that Commerce would not apply the law as intended by Congress, thereby denying American workers and businesses a remedy authorized by both WTO rules and U.S. law.

Second, and even more importantly, section 3(b)(2) of the English bill raises Constitutional issues. After the provision has been applied in a CVD investigation and were a WTO panel to rule against some aspect of the provision, the English bill would create the first directive under U.S. law that WTO decisions are to be self-implementing.

The English bill creates this self-implementing provision by directing Commerce to "ensure that the application [of the provision] is consistent" with WTO rules. In all other cases under U.S. AD/CVD law, the Uruguay Round Agreements Act of 1994 (section 129) creates a procedure for congressional consultation prior to Commerce or USTR taking any action to alter U.S. law, regulation or practice. While Congress technically would not have to approve a change to regulation or practice, in practice, neither the Clinton nor Bush administrations has ever even suggested that it would make such a change absent (bicameral and bipartisan) congressional approval.

The inclusion language in the English bill authorizing, if not directing, Commerce to change regulation or practice even absent Congressional approval undermines the broader statutory scheme carefully established in 1994, shifts the balance of action for implementing WTO decisions that affect one provision of the AD/CVD laws toward the Administration, and erodes further congressional authority over the unfair trade laws.

In simple terms, section 3(b)(2) of the English bill authorizes Commerce to take action to align U.S. law with the decisions of a WTO panel or Appellate Body—without the assent of Congress as provided under existing U.S. law (in the case of Commerce, changes to regulation or practice).

Mr. Speaker, section 3(b)(2) of H.R. 3283 is bad policy and may be unconstitutional as a matter of law. By requiring the Department of Commerce to ensure WTO compliance before acting on Chinese subsidies, the bill would prevent the Administration from vigorously enforcing our trade laws. In addition, the provision violates traditional notions of separation of powers by specifically directing the Department of Commerce to take steps to alter the application of U.S. law without an act of Congress.

JAKE STOWERS' DEDICATION TO PINELLAS COUNTY'S ENVIRONMENTAL STEWARDSHIP

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. YOUNG of Florida. Mr. Speaker, Pinellas County, Florida, which I have the privilege to represent, is Florida's most densely populated county. You would not know it though because our county commissioners have done an outstanding job over the years in preserving park lands and greenways for our residents and visitors to enjoy Florida's natural beauty.

At the point of that effort has been Pinellas County's Assistant Administrator Jake Stowers, who has poured his life and soul for more than 30 years into giving our urban community an abundance of green spaces and outdoor recreational opportunities. As Jake said in a recent interview by the publication Bay Soundings, "I can have you in the woods in 15 minutes." And he's right.

The National Association of Counties and the Trust for Public Land recognized Pinellas County's efforts this spring by presenting it with the prestigious County Leadership in Conservation award at a national convention in our Nation's Capital.

Following my remarks, I would like to include for my colleagues a profile of Jake Stowers from the spring 2005 edition of Bay Soundings. It includes information about Pinellas County's unique commitment, under Jake's leadership, to preserving our county's environment. The county is home to a 47-mile urban trail called the Pinellas Trail, 4,200 acres of parkland, 14,000 acres of preserves including the recently completed 8,000-acre Booker Creek Preserve, and Fort DeSoto Park, which this year was ranked as our nation's most beautiful beach. Along with the members of the Pinellas County Board of County Commissioners, Jake has had a hand in every one of those projects.

Mr. Speaker, Jake Stowers is a case study of what love and passion for your job will yield, in this case for the greater good of an entire community. It has been a real pleasure to work with Jake on a number of projects over the years and I know the people of Pinellas County will greatly miss him when he retires next year. However, the legacy of his lifelong work will live on for generations of future Pinellas County residents and visitors.

[Bay Soundings, Spring 2005]

JAKE STOWERS: DESIGNING WITH NATURE

(By Mary Kelley Hoppe)

Jake Stowers has a passion for livable communities, places you can work and call home and still be able to get away from it all without leaving town.

He found his patch of paradise in Pinellas County, where he was born and raised near Safety Harbor. Home today is along an intercoastal waterway in Largo, where he lives with his wife, Jo, and two sons.

Just as a wellspring of environmental consciousness in the 1970s was sparking a wave of landmark federal clean water and air legislation, Stowers began his career with Pinellas County as an urban forester. His initial plans to study law were scrubbed after a wildlife biologist at the University of Florida fueled his appetite for field work. After graduating with a degree in forestry, he went on to receive a masters degree in agriculture with a forestry focus.

On a summer internship with the Department of the Interior in Gainesville, Stowers studied ways to keep hungry migratory blackbirds out of crop farms. Following a short stint as Ft. Lauderdale's first urban forester, he headed back home to Pinellas County and a job that allowed him to pursue what has become a life-long passion, infusing a growth-hungry county with green spaces and corridors for wildlife and folks seeking escape from the urban jungle.

"I can have you in woods in 15 minutes," boasts Stowers, an avid angler and hunter whose dad taught him to flyfish. Indeed, Florida's most densely packed county harbors a remarkably rich number of natural getaways accessible within a quick drive. Along with a 47-mile urban trail that runs north and south, Pinellas County has 4,200 acres of parkland and 14,000 acres of preserves including the more than 8,000-acre Brooker Creek Preserve completed last year. Fort DeSoto Park at the county's southernmost tip is the top ranked beach in the continental U.S.

When Stowers retires next year as assistant county administrator, he'll leave an indelible mark as a catalyst and champion for environmental stewardship and balanced growth. While quick to credit county commissioners and residents who have repeatedly supported conservation efforts at the ballot box, he's lauded as the go-to person who has helped steer, nudge and implement numerous environmental initiatives and policies.

For the past 30-plus years, he has worked behind the scenes to facilitate conservation land purchases, establish an environmental trust fund that's leveraged millions of federal dollars, and craft smart growth policies—at the bidding of and, simultaneously influencing, the county commissioners he serves.

"Jake is such an incredible asset," says County Commissioner Susan Latvala, who recently returned from Washington, D.C. where Pinellas County's environmental initiatives were recognized with a prestigious award for County Leadership in Conservation from the Trust for Public Land and the National Association of Counties (NACo). "His knowledge, love and passion for the environment are contagious," she adds.

Almost everyone can recall a favorite book that had a major impact on their lives. For Stowers, it was "Design with Nature" by Ian McHarg, hailed as one of America's most influential landscape architects. McHarg's book, published in 1969, placed landscape architects at the center of an emerging environmental movement. Long before words like watersheds and impervious surface became important in planning cities and buildings, it was the first to discuss what we now call sprawl and advocate a means for sustainable urban development. The message was this, says Stowers: "Let the natural systems guide you in designing where to build on a property." McHarg's ideas made a lasting impression.

As an urban forester starting in 1974, Stowers worked to strengthen local ordinances that spelled out how sites should be developed. Once the county determined the land use, "our job was figuring out 'how do I build it in the best way,'" he said. "We'd literally go out and walk the woods, putting stakes in the ground," trying to steer builders clear of the wetland fringe. "Early on it was very contentious, but developers came to see it as part and parcel of developing wisely."

A county charette completed just before Stowers came on board earmarked environmentally sensitive lands for preservation.

The seminal document became a roadmap for county commissioners in the decades to come. Their commitment coupled with behind-the-scenes work by Stowers and others paid off. To date, all but one of the 162 properties flagged in the charette have been purchased, notes Latvala.

Stowers rose to become assistant director of a fledgling environmental management department guiding it through a period of significant growth. ''I kind of inherited Jake,'' said former director Steve Peacock, now with Florida Design Consultants. ''It was one of the best things to happen to me and the organization.''

The two were involved in the county's aggressive land-buying campaign to acquire lands that would ultimately form the 8,300-acre Brooker Creek Preserve, a vast wilderness area located in the northeast corner of Pinellas County. The land was snatched up in parcels with earliest purchases targeted to protect groundwater quality and waters flowing into Lake Tarpon. Adoption of the county's growth management plan in 1989 encouraged expansion of the conservation lands around that area. A Penny for Pinellas sales tax and state Preservation 2000 funds provided additional funds.

''Once we had the land, we needed to let people come in and the concept of environmental education centers evolved,'' Stowers says. ''It was the commitment of the county commissioners to build these that became instrumental in passing the second penny tax.''

''He's a rainmaker,'' says former County Commissioner Sallie Parks. ''Jake was always good at understanding where there were areas for compromise.''

Most weekends find Stowers out on the water. Fort DeSoto and Weedon Island are favorite boating destinations, but the quiet stretches of Tampa Bay's Braden and Hillsborough rivers hold special charms. ''I can take a fly rod and popping bug or a spider and catch bluegill all day,'' says Stowers.

Fishing is a family affair, exercised every chance they get. Stowers recalls a trip deep into the Alaskan wilderness where the family spent time with Apabaskan Indians, whose poverty failed to dim their joy for the land and fishing. ''We try to build those kind of cultural experiences in whenever we can,'' he says.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT TO MEET IMMEDIATE NEEDS ARISING FROM THE CONSEQUENCES OF HURRICANE KATRINA, 2005

SPEECH OF

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 2, 2005

Ms. SLAUGHTER. Mr. Speaker, our thoughts and prayers go out to all those affected by the devastating destruction of Hurricane Katrina. I know that the American people are a generous people. I know that the men and women of this Nation feel the suffering of their fellow citizens, and will continue to stand with them in any way that they can.

We are here today to discuss what our government must do in the wake of this disaster. The emergency appropriations bill set to be passed this afternoon is a step in the right direction. Everyone in this chamber realizes that more money—much more—will be needed in the days and months ahead. I'm confident that this Congress won't think twice about doing everything necessary to meet the critical needs of the desperate citizens in the affected regions of our country.

The shock and grief which has rightly motivated this degree of Federal support is, however, already giving way to anger. Over the past 4 years, a great portion of our national discourse has focused on preparedness. Members of Congress have created new government entities, spent billions upon billions of dollars on them, and spoken at great length about the need for our country to be perpetually vigilant and always ready to respond to any disaster which could befall it.

It is therefore not surprising that the loss of life produced by this hurricane—perhaps four times as great as the human cost of September 11, 2001—has incensed our citizens and shocked observers around the world. It has revealed that we are still unable to respond to homeland disasters in the fast and aggressive manner required.

But as is often the case, what has happened in the Gulf States has also revealed what can only be described as a skewed set of national priorities. Simply put, this was a tragedy which didn't have to happen. People at all levels of government have known for years that New Orleans was a greatly vulnerable city. In fact, in 2001, the Federal Emergency Management Agency produced a list of the worst disasters which could confront our country. A hurricane striking New Orleans was at the top of that list.

And so, it would be reasonable to expect that during the years leading up to this past week, local, State, and Federal Governments would have been doing everything within their power to prepare a complete and carefully planned strategy for how to deal with the aftermath of such an event.

They didn't. It was obvious that we still are not ready to evacuate a large number of people from their homes to safety quickly and effectively. This failing is a danger to all Americans, and must be corrected immediately.

But what is worse, our government spent the last few years actually undermining our readiness for disaster prevention in New Orleans and the surrounding region. Federal funds for flood control projects in that city have faced massive recent budget cuts. To cite but one example: The U.S. Army Corps of Engineers, which has so valiantly struggled against the rising floodwaters this week, had to struggle previously against an 80 percent cut of its funding for New Orleans in 2004. Predictably, one of the major motivators of cuts like these was the spiraling costs of American military operations in Iraq, which continue to siphon off tens of billions of dollars from domestic programs.

The natural defenses of New Orleans faced an assault as well. In 2003, the current Administration reversed a previous commitment to defending coastal wetlands which would have helped to mitigate the effect of storms on the Gulf coast. Instead, the areas were opened up for rapid development.

Nor were the people of the region given the tools they needed for survival. Poverty in America has been increasing year after year. Now, 12.7 percent of our population lives in poverty—that's four million more people than in 2001. As is overwhelmingly obvious, those damaged the most by Hurricane Katrina were some of our country's poorest citizens. Before the storm hit, they were out of direct communication with authorities. They had no means to evacuate themselves or their families. And during the critical hours when wealthier residents were fleeing, the poorest were left alone to fend for themselves.

It is true that the devastation vested upon New Orleans and the Gulf region was the product of an act of nature. But its severity was greatly exacerbated by a combination of a lack of vision by our leaders and a failure to properly prioritize our Nation's energies and resources. Despite all the talk to the contrary, our government has viewed elective foreign wars as more important than having a real system in place here at home which can respond to any contingency. It hasn't seriously worked to address the poverty which makes millions of people all the more vulnerable to disasters. And it has seen commercial activity as simply being more valuable than defending the naturally existent barriers to disaster which we should be perfectly willing to save.

If anything positive can come from this, I hope it's a wake up call. This week, our failures had horrific consequences for millions of people, and they were especially devastating for just those men and women our society should be focused on the most: the poor, the elderly, the sick, the needy, the displaced, and the homeless. We must meet these serious problems head on and work to solve them. Our errors should not be covered up with political grand standing and slaps on the back. This failure must not be swept under the rug. If we don't learn from this horrible, horrible mistake, I fear we will repeat it, at a new point in time, and at a new place on the map.

This Congress must do what is right for the people of this Nation. They will be watching.

CONGRATULATIONS TO WANDA SAMEK

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. BURGESS. Mr. Speaker, I rise today to congratulate Wanda Samek on her installation as President of the National Society of Accountants. Entering into this role serves as a symbol of Mrs. Samek's ongoing devotion and commitment to the organization.

During her affiliation with the National Society of Accountants, Mrs. Samek has held numerous leadership positions, chairing various committees and task forces. In addition, she has received multiple honors, such as being named Accountant of the Year in 1994, winning the Golden Quill Award in 1998, and the President's Award in 2003. For her tireless service and dedication, Mrs. Samek was presented in 1996 with the Society's most prestigious accolade, the Distinguished Service Award.

Within her new role as president, Mrs. Samek will provide leadership to the National Society of Accountants by serving as chairman of the organization's Board of Directors and its Executive Committee which is responsible for monitoring and implementing investment policy. During her tenure, she will also be presiding over many meetings of the association. In addition, she will deliver the annual message of the National Society to its National Council of Delegates, providing them

with an update on the organization's progress and growth.

It is with great honor that I stand here today and recognize Wanda Samek. Her inauguration as president of the National Society of Accountants is a testament to her commitment to the association and her professional career. I am honored to congratulate a constituent from my district on attaining this well-deserved position.

RECOGNIZING JEREMY CHRISTOPHER WOOD FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Jeremy Christopher Wood of Kansas City, Missouri, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and in earning the most prestigious award of Eagle Scout. Jeremy will receive his Eagle at a Court of Honor on September 18 at Pine Ridge Presbyterian Church.

Jeremy has been very active with his troop, participating in many scout activities. Over the years Jeremy has been involved with scouting he has earned numerous merit badges and has served in leadership positions within his troop.

Mr. Speaker, I proudly ask you to join me in commending Jeremy Christopher Wood for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout. It is an honor to represent Eagle Scout Wood in the United States Congress.

CONGRATULATING THE SRI CHINMOY MARATHON TEAM

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate the Sri Chinmoy Marathon Team for their organization and participation of the World Harmony Run 2005.

Commencing April 16, the World Harmony Run seeks to advance international camaraderie through bringing together runners from more than seventy countries and all fifty states. The goal of this event is to promote genuine goodwill and understanding of cultures through a 10,000 mile trek that will come to an end on August 14th. This event was inspired by Sri Chinmoy in 1987 through his vision of sport as a means of furthering international harmony.

I ask my colleagues in the United States House of Representatives to join me in honoring the participants of the World Harmony Run 2005. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute the diligent work of the many volunteers involved in World Harmony Run 2005 and the members of the Sri Chinmoy Marathon Team.

PERSONAL EXPLANATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mrs. MALONEY. Mr. Speaker, on September 6, 2005, I was unavoidably detained and missed rollcall votes numbered 454 and 455. Rollcall vote 454 was on the motion to suspend the rules and agree to, H. Res. 360, commemorating the 60th anniversary of V–J Day and the end of World War II in the Pacific. Rollcall vote 455 was on the motion to suspend the rules and agree to, S.J. Res. 19, a joint resolution calling upon the President to issue a proclamation recognizing the 30th anniversary of the Helsinki Final Act.

Had I been present I would have voted "yea" on rollcall votes 454 and 455.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT TO MEET IMMEDIATE NEEDS ARISING FROM THE CONSEQUENCES OF HURRICANE KATRINA, 2005

SPEECH OF

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Friday, September 2, 2005

Mr. CASTLE. Mr. Speaker, I rise today in support of H.R. 3645 to provide emergency supplemental appropriations to meet the immediate needs arising from the consequences of Hurricane Katrina. But more importantly, I rise today in support of the hundreds of thousands of men, women and children who are suffering throughout the Gulf Coast States as a result of what has been called our Nation's greatest natural disaster, Hurricane Katrina. I know I speak for all of my colleagues when I say our prayers are with each and everyone of them as they struggle through these extremely difficult and life threatening times.

The supplemental legislation we are approving today is absolutely critical to continue the infusion of federal funding into this area. News agencies have reported the cost of this disaster to be around $500 million a day. The $10.5 billion in federal funding we are approving today should be viewed as a down payment in terms of funding and resources to come in the following months. I am confident these resources will be used efficiently and effectively, helping those most in need and importantly, helping to support emergency protective measures as well as debris removal and rehabilitation.

The Federal Emergency Management Agency should be recognized for its response to this disaster and their organization of food, water, medical supplies, generators, shelter and other items to help those who have been displaced due to Hurricane Katrina. And the Department of Defense and National Guard should be recognized for the deployment of military personnel who are helping communities respond to this crisis.

I know personally that every State is pooling their resources and is doing all it can to help these victims in the Gulf Coast area. For example in my home State of Delaware, we have deployed National Guard troops and planes to help at Ground Zero and in the surrounding disaster areas; Delaware State University is waiving tuition for Tulane University students to attend class; my office is working with the Food Bank of Delaware to start a Hunger Drive for those in need; local schools are collecting monetary donations to send to the victims; and, Delmarva Power is sending workers to restore electricity in the region. But I am confident we can reach even deeper and partner together to help our fellow Americans.

It is always in times of tragedy—like the terrorist attacks of September 11, 2001 or the Tsunami this past December in Southeast Asia—where human decency and patriotism is front and center. We need to muster the same resources and patriotism and provide the same help to the victims of Hurricane Katrina.

I am hopeful the Federal Government will continue to respond in a way that is appropriate, action oriented and immediate to the Gulf Coast Region. As I have said, the funding we are approving today, is just the beginning. I expect a more comprehensive package to reach the House Floor in the coming weeks, once more precise estimates are understood.

These are very sad and trying times. May God Bless those in need and their families.

FRANCHISING APPRECIATION DAY

HON. RICHARD H. BAKER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. BAKER. Mr. Speaker, I rise today to welcome over 300 franchisee, franchisor, and franchise supplier members of the International Franchise Association who are visiting Washington on September 13 as part of "Franchise Appreciation Day," the IFA's annual fly-in to the Nation's Capital.

As I am sure my colleagues are aware, the IFA is the world's oldest and largest trade association representing the franchise community with a membership roster that includes more than 1,000 franchisors, 8,000 franchisees and 400 suppliers.

Franchising is a driving force of our economy and generates $1.53 trillion in economic output and one-of-every-seven jobs in the Nation's private-sector economy, according to a study conducted for the IFA Educational Foundation by PricewaterhouseCoopers. The "Economic Impact of Franchised Businesses" study found that there are more than 760,000 franchised small businesses in the U.S., generating more than 18 million jobs.

Those statistics are impressive enough on their own, but of particular concern and interest to me is the initiative the International Franchise Association has taken to help our veterans move from their service in the armed forces into the world of franchise ownership. Through the Veterans Transition Franchise Initiative, commonly known as "VetFran," 360 veterans have been assisted in purchasing their own franchise small business, and 120 more are in various stages of negotiation.

VetFran was established by Don Dwyer, the late founder of The Dwyer Group and an IFA leader, during Operation Desert Storm. It was re-initiated following the September 11, 2001, terrorist attacks. The program requires that participating franchisors offer veterans their "best deal" through discounts or other incentives that are determined by each company,

and more than 150 franchise companies that are members of IFA participate.

These businesses provide a great public service to our veterans and our communities, and I would like their names to be officially entered into the CONGRESSIONAL RECORD so that their good work may be officially recognized. I also would like the RECORD to include a list of the businesses started in 45 states.

It is inspiring to me to see these companies step up, put their resources on the line and help our veterans. I think it is important to note that these are not Federal dollars—these are private-sector dollars, and I think this program is a model that should be followed and supported by others.

I would also like to add that the good work of this program has been recognized by the U.S. Dept. of Veterans Affairs, which recently recognized IFA with a Support Sector Champion Award for expanding business opportunities for veterans; the U.S. Small Business Administration and the Veterans Corporation.

Those who know me know that I am no stranger to helping veterans, and earlier this year, I introduced legislation that would ease the way for more U.S. veterans to buy a franchised business.

The ''Veterans Self-Employment Act'' would establish a five-year pilot program that would allow American service members, veterans, national guardsmen, reservists, and qualified others to use some of their Veterans Administration educational assistance to defray training costs associated with obtaining a franchised small business.

Acquiring a franchise is a great way for people to gain the skills they need to successfully open and operate a business, but it often requires ''basic training'' in business education—customer service, daily operations management, business computer systems, inventory control, costing and pricing, and meeting regulatory obligations—as well as specialized training for the goods, services, policies, and practices of the individual franchise system.

The legislation I introduced is endorsed by the International Franchise Association, and I urge my colleagues to support this bill that would help to turn more proud veterans into proud business owners.

When franchise leaders and small business men and women visit us on Franchise Appreciation Day, September 13, I have no doubt that my colleagues will join me in making them feel welcome and discuss public-policy issues that will help franchising to continue to boost the nation's economy, and help our men and women who have fought so valiantly to protect our freedoms. IFA Member Franchisors Participating in the VetFran Program include:

1–800–DryClean, 1–800–Got–Junk, 2 Scoops Café, @Wireless, @WORK Franchise, @WORK HelpingHands Services, @WORK Medical Services, @WORK Personnel Services, A-Pro Services, Action International, AeroWest Services, AIM Mail Centers, Aire Serv Heating & Air Conditioning, All American Specialty Restaurants, All Tune & Lube, Allegra Print & Imaging, Alta Mere Window Tinting and Auto Alarms, American Leak Detection, American Poolplayers Association, American Wholesale Thermographers, AmeriSpec Home Inspection Service, Bark Busters, Baskin-Robbins, Batteries Plus, Bevinco's, Big L's-Friendly Computers, Big O Tires, Blimpie's Subs & Salads, Brightscape Investment Centers, Camp Bow Wow, Candy Bouquet, Cardsmart Retail Corporation, Cartridge World North America, Carvel Corporation, Case Handyman Services, CGI International, Checkers Drive-In Restaurants, Children's Orchard, CHIP The Child I.D. Program of America, The Cleaning Authority, CM IT Solutions, The Coffee Beanery, College Nannies & Tutors, ComForcare Senior Services, Comfort Keepers, Computer Renaissance, ComputerTots/Computer Explorers, Concerto Networks, Cookies by Design/Cookie Bouquet, Copy Club, Cottman Transmissions Systems, Coverall Cleaning Concepts, Creative Colors International, Crestcom International, Cruise Holidays, Cruise One, D'Angelo Sandwich Shops, DreamMaker Bath & Kitchen, Dunkin' Donuts, Edible Arrangements, The Entrepreneur's Source, Expense Reduction Analysts, Expense Reduction Consulting, Expetec Technology Services, Express Personnel Services, ExxonMobil Corporation, Fantastic Sam's, Fastframe USA, The Filta Group, Foodnet, Foot Solutions, Furniture Medic, Geeks on Call, Glass Doctor, Gold's Gym International, Gymboree Play & Music, Handyman Matters Franchise Corp., Happy & Healthy Products, Have Signs Will Travel, i9 Sports, Inspect-It 1st Franchising Corp., Island Ink-Jet Systems, Jet Black International, Juice It Up Franchise Corp., KaBloom Franchising Corp., Kitchen Tune-Up, Kwik Kopy Business Centers, Labor Finders, Lawn Doctor, Learning Express Toys, Leather Medic, Lentz USA Service Center, Liberty Tax Service, Link Staffing Services, Maid Brigade, MaidPro, Marble Slab Creamery, Marco's Pizza, Matco Tools, Maui Wowi Smoothies, Meineke Car Care Centers, Merry Maids, L.P., Milex, Tune-Up and Brakes, Molly Maid, Money Mailer, Mr. Appliance, Mr. Electric, Mr. Handyman, Mr. Rooter Plumbing, Mr. Transmission, Multistate Transmissions, Navis Pack & Ship Centers, Netspace, Open Works, Outdoor Lighting Perspectives, Parcel Plus, The Philly Franchising Company, Planet Beach Franchising Corp., Positive Changes Hypnosis, PostalAnnex+, Postal Connections of America, PostNet, Precision Tune Auto Care, Puroclean, Rainbow Int'l Restoration and Cleaning, Ritter's Frozen Custard, Safe Kids Cards, Sarah Adult Day Services, The Screen Machine, SealMaster, Sears Carpet & Upholstery Care, ServiceMaster Clean, Siegel Capital, Snelling Personnel Services, Sparkle Wash, Sport Clips, The Sports Section, Spring-Green Lawn Care Corp., Sunbelt Business Brokers, TeamLogic IT, Togo's Eatery, Travel Lines Express, TruFoods, TurboHaul, Two Men And A Truck, The UPS Store, Vanguard Cleaning Systems, Victory Lane Quick Oil Change, Virginia Barbecue Franchise Co., Wild Bird Centers of America, WineStyles, Wing Zone, Wireless Zone, World Inspection Network, Zoup! Systems.

Franchised Businesses Established Through the VetFran Program include:

Alabama: Birmingham: Meineke, Decatur: Vanguard Cleaning Systems, Robertsdale: Merry Maids.

Alaska: Anchorage: American Poolplayers, MBE/UPS Store.

Arizona: Gilbert: DreamMaker Bath & Kitchen, Lake Havasu: MBE/UPS Store, Maricopa: World Inspection Network, Mesa: Expetec, Peoria: Coffee Beanery, Phoenix: Foot Solutions, Molly Maid, World Inspection Network, Scottsdale: PostNet, Show Low: Aire Serv Heating & Air Conditioning, Vail: KaBloom Franchising Corp.

Arkansas: Little Rock: Cleaning Authority, Rogers: PostNet, Siloam Springs: PostNet, Springdale: PostNet.

California: Anaheim: Navis Pack & Ship Centers, Angel Camp: Mr. Rooter, Antelope: MBE/UPS Store, Auburn: PostalAnnex+, Chula Vista: MBE/UPS Store, PostNet, Corte Madera: 1–800 Dry-Clean, Crona: PostNet, Encinitas: Mr. Handyman, Fair Oaks: PostNet, Fallbrook: DreamMaker Bath & Kitchen, Granada Hills: MBE/UPS Store, Hayward: PostNet, Hesperia: World Inspection Network, Huntington Beach: MBE/UPS Store, Imperial: Rainbow Int'l Restoration & Cleaning, La Habra: Cm IT Solutions, Laguna Hills: MBE/UPS Store, Laguna Niguel: Mr. Handyman, Lakeside: MBE/UPS Store, Los Angeles: 1–800–Got Junk, Meineke, Morgan Hills: World Inspection Network, Mountain View: Mr. Handyman, Newark: Cartridge World, Orange: Express Personnel, Pacifica: Molly Maid, Pasadena: MBE/UPS Store, San Diego: Concerto Network, PostalAnnex+, Santa Ana: MBE/UPS Store, Suisun City: MBE/UPS Store, Upland: World Inspection Network.

Colorado: Colorado Springs: Meineke, PostalAnnex+, Ranbor Int'l Restoration & Cleaning, Sears Carpet & Upholstery Care, Denver: Meineke Car Care Centers, Fort Collins: Expetec, Longmont: Mr. Electric, Loveland: MBE/UPS Store, Parker: PostNet, Superior: MBE/UPS Store, Rainbow Int'l Restoration & Cleaning.

Connecticut: Orange: MBE/UPS Store, Southbury: FastFrame USA.

District of Columbia: Washington: Meineke Car Care Centers, Safe Kids Card.

Florida: Apollo Beach: MBE/UPS Store, Charlotte: Mr. Appliance, Groveland: DreamMaker Bath & Kitchen, Inverness: MBE/UPS Store, Jacksonville: Cleaning Authority, Mr. Appliance, Melbourne: Creative Colors, Miami: MBE/UPS Store, Naples: Coffee Beanery, Ocqla: Lentz USA Service Centers, Orlando: Matco Tools, Meineke Car Care Centers, Vanguard Cleaning Systems, Pompano Beach: MBE/UPS Store, Santa Rosa Beach: MBE/UPS Store, St. Charlotte: Glass Doctor, St. Petersburg: Express Personnel, Tampa: Geeks on Call, Titusville: MBE/UPS Store.

Georgia: Athens: Merry Maids, Atlanta: Comfort Keepers, Geeks on Call, Gold's Gym, MBE/UPS Store, Meinke Car Care Centers, Carrollton: MBE/UPS Store, Dacula: FastFrame USA, Dallas: MBE/UPS Store, Douglasville: Mr. Appliance, Fairburn: The Sports Section, Hiram: MBE/UPS Store, Savannah: MBE/UPS Store, Woodstock: MBE/UPS Store.

Hawaii: Lihue: MBE/UPS Store.

Idaho: Boise: DreamMaker Bath & Kitchen, Mr. Appliance.

Illinois: Cary: Sport Clips, Champaign/Urbana: Meineke Car Care Centers, Chicago: Expetec; Meineke Car Care Centers, Geneva: Navis Pack & Ship Centers, Homewood: Aire Serv Heating & Air Conditioning, N. Aurora: Molly Maid, Ottawa: MBE/UPS Store, Sycamore: Vanguard Cleaning Systems.

Indiana: Evansville: MBE/UPS Store, Indianapolis: Outdoor Lighting Perspectives, Ritter's Frozen Custard, Merillville: BE/UPS Store.

Iowa: Ankeny: MBE/UPS Store, Council Bluffs: MBE/UPS Store, Pleasant Hill: World Inspection Network.

Kansas: Kansas City: 1–800–Got Junk, Navis Pack & Ship Centers, Olathe: MBE/UPS Store.

Kentucky: Georgetown: MBE/UPS Store, Lexington: MBE/UPS Store, Louisville: Sport Clips, Richmond: Comfort Keepers.

Louisiana: Hammond: Mr. Appliance, Kenner: DreamMaker Bath & Kitchen.

Maryland: Baltimore: Meineke Car Care Centers, Edgewater: MBE/UPS Store, Largo: Wireless Zone, Perry Hall: MBE/UPS Store.

Massachusetts: Boston: FastFrame USA, Gold's Gym, East Falmouth: MBE/UPS Store, Falmouth: Mr. Rooter, Rowley: MBE/UPS Store.

Michigan: Berkley: Coffee Beanery, Clinton Township: MBE/UPS Store, Mr. Handyman, Wayne: MBE/UPS Store.

Minnesota: Minneapolis: Two Men And A Truck, Ramsey: DreamMaker Bath & Kitchen.

Mississippi: Gulfport: American Poolplayers, Ridgeland: FastFrame USA.

Missouri: Centralia: Mr. Appliance, Creve Coeur: MBE/UPS Store, Eureka: MBE/UPS Store, Fenton: World Inspection Network, Hattiesburg: Coffee Beanery, Independence: MBE/UPS Store, Maplewood: Vanguard Cleaning Systems, Raytown: MBE/UPS Store, St. Charles: MBE/UPS Store, St. Louis: Meineke Car Care Centers.

Montana: Billings: Meineke Car Care Centers.

Nebraska: Omaha: World Inspection Network.

Nevada: Carson City: FastFrame USA, Mr. Appliance, Henderson: World Inspection Network, Las Vegas: MBE/UPS Store, Reno: PostNet, Sparks: PostNet.

New Hampshire: Manchester: Express Personnel.

New Jersey: Barnegat: Expetec, Bergenfield: Molly Maid, Bloomfield: Merry Maids, Flemington: Mr. Electric, Highland Park: MBE/UPS Store, Maplewood: Concerto Network, Middlesex/Somerset: Meineke Car Care Centers, Oakridge: Coffee Beanery, Toms River: Cleaning Authority, Trenton: Matco Tools, Woolwich Twpk: PostalAnnex+.

New Mexico: Roswell: MBE/UPS Store, Santa Fe: Glass Doctor.

New York: Brooklyn: MBE/UPS Store, Great Neck: Molly Maid, Macedon: Happy & Healthy Products, Seldon: MBE/UPS Store, Staten Island: MBE/UPS Store, Syosset: MBE/UPS Store, Williamsville: MBE/UPS Store.

North Carolina: Charlotte: Geeks on Call, Fayetteville: Sears Carpet & Upholstery Care, Greensboro: Molly Maid, Navis Pack & Ship Centers, Raleigh: DreamMaker Bath & Kitchen, MBE/UPS Store, Meineke Car Care Centers, Rocky Mount: Mr. Appliance, Williamston: PostNet, Wilmington: Candy Bouquet.

North Dakota: Fargo/Moorehead: Meineke Car Care Centers.

Ohio: Ashland: MBE/UPS Store, Canton: Maid Brigade, Cincinnati: i9 Sports, Columbus: FastFrame USA, Dayton: AmeriSpec Home Inspection Service, Franklin: MBE/UPS Store, Strongsville: FastFrame USA, Waterford: Mr. Rooter, Westerville: PostNet.

Oklahoma: Tulsa MBE/UPS Store, Tutle: Mr. Handyman.

Oregon: Eugene: PostNet, Woodbum: PostNet.

Pennsylvania: Allentown: 1–800–Got Junk, Express Personnel, Collegeville: Expetec, Hollidaysburg: Aire Serv Heating & Air Conditioning, Lansdale: Sparkle Wash, Lebanon: Safe Kids Card, Lower Burrell: Mr. Appliance, Palmyra: MBE/UPS Store, Philadelphia: Geeks on Call, i9 Sports, Pittsburgh: Concerto Network, MBE/UPS Store, Two Men and a Truck, Richboro: MBE/UPS Store, State College: Express Personnel, York: Candy Bouquet.

Rhode Island: Warwick: Expetec.

South Carolina: Beaufort: MBE/UPS Store, Charleston: Concerto Network, Greenville: Cleaning Authority, Moncks Comer: DreamMaker Bath & Kitchen, Mount Pleasant: Safe Kids Card, Ocean Isle: Mr. Appliance, Sumter: Comfort Keepers.

Tennessee: Chattanooga: Sport Clips, Germantown: FastFrame USA, Jackson: DreamMaker Bath & Kitchen, Nashville: Expetec, Vanguard Cleaning Systems, World Inspection Network.

Texas: Amarillo: Mr. Electric, Bailey: Safe Kids Card, Baytown: Express Personnel, Beaumont: MBE/UPS Store, Boerne: Candy Bouquet, College Station: DreamMaker Bath & Kitchen, Mr. Electric, Cypress: MBE/UPS Store, Dallas: Meineke Car Care Centers, Garland: MBE/UPS Store, Houston: KaBloom Franchising, MBE/UPS Store, Ritter's Frozen Custard, Safe Kids Card, Vanguard Cleaning Systems League City: MBE/UPS Store, Mansfield: Safe Kids Card, Midland: MBE/UPS Store, New Braunfels: Cartridge World, Round Rock: Mr. Electric, San Antonio: MBE/UPS Store, Texarkana: MBE/UPS Store, The Colony: Molly Maid, The Woodlands: PostNet, Victoria: Coffee Beanery, Waco: Mr. Appliance.

Utah: Herriman: MBE/UPS Store, Riverton: PostalAnnex+, Salt Lake City: Navis Pack & Ship Centers, Saratoga Springs: PostNet.

Virginia: Bristow: PostNet, Chantilly: Expetec, Charlottesville: Matco Tools, Sport Clips, Fredericksburg: 1–800–Got Junk, New Castle: Glass Doctor, Portsmouth: MBE/UPS Store, Roanoke: Precision Tune Auto Care, Rockingham: County Meineke Car Care Centers, Virginia Beach: 1–800–Got Junk, PostNet, Wireless Zone.

Washington: Burlington: MBE/UPS Store, Mills Creek: Comfort Keepers, North Bend: DreamMaker Bath & Kitchen, Spokane: Molly Maid, Spokane Valley: MBE/UPS Store, Walla Walla: American Poolplayers Association.

West Virginia: Huntington: Mr. Electric.

Wisconsin: Green Bay: i9 Sports, Milwaukee: 1–800–Got Junk, Muskego: Expetec, Stevens Point: MBE/UPS Store, Superior: MBE/UPS Store.

CONGRATULATIONS TO VELMA LORNE

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. BURGESS. Mr. Speaker, I rise today to congratulate Velma Lorne for being a recipient of the "Unsung Hero" Award, presented by the Texas Public Employees Association. Mrs. Lorne was one of eleven people to receive the honor out of approximately three hundred nominees.

Velma Lorne has been a corrections officer in Texas for nearly three decades. During her tenure with the Denton and Gainesville State Schools, she has been the recipient of many accolades, including being named Employee of the Year in 1988.

This award represents the varied activities that Mrs. Lorne devotes herself to within Gainesville State School. She goes beyond her daily duties to help fellow employees with transportation to and from the facility as well as providing meals for State School functions. In addition, she is actively involved in annual fundraising efforts for the United Way among State School employees.

It is a great honor to stand here today and congratulate Velma Lorne for winning the "Unsung Hero" Award. This is an honor that is well deserved by Mrs. Lorne, as she has served as a hero to many Texas youth throughout her career of selfless service.

RECOGNIZING NICHOLAS WILLIAM WINDHORST FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Nicholas William Windhorst of Kansas City, Missouri, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and in earning the most prestigious award of Eagle Scout. Nicholas will receive his Eagle at a Court of Honor on September 18 at Pine Ridge Presbyterian Church.

Nicholas has been very active with his troop, participating in many scout activities. Over the years Nicholas has been involved with scouting he has earned numerous merit badges and has served in leadership positions within his troop.

Mr. Speaker, I proudly ask you to join me in commending Nicholas William Windhorst for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout. It is an honor to represent Eagle Scout Windhorst in the United States Congress.

CONGRATULATING THE PARKVIEW VOLUNTEER FIRE DEPARTMENT

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Ms. HART Mr. Speaker, I would like to take this opportunity to congratulate the Parkview Volunteer Fire Department, PVFD, of O'Hara Township on their 75th anniversary of service.

Over the past 75 years the PVFD has maintained its missions of protecting the residents of O'Hara Township. Serving nearly 9,000 people and roughly 150 businesses, the PVFD has established a tremendous amount of respect among the community for their public service. Since 1930 the PVFD has developed, maintained, and strengthened a strong mutual trust and open communications between the fire department and the community in which it protects.

I ask my colleagues in the United States House of Representatives to join me in honoring the 75th anniversary of the Parkview Volunteer Fire Department. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute such principled public servants as the Parkview Volunteer Fire Department.

350th ANNIVERSARY OF JEWISH LIFE IN AMERICA

HON. STEVE CHABOT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. CHABOT. Mr. Speaker, in 2003, along with our former colleague Congressman Rob Portman, I introduced House Concurrent Resolution 106, recognizing the 350th anniversary of Jewish communal life in North America. H. Con. Res. 106 was adopted by unanimous vote. An identical resolution was introduced in the other body by Senators DEWINE and VOINOVICH and was adopted as well.

Today, I would like to insert in the CONGRESSIONAL RECORD a Rabbinical Resolution issued by the Presidents of the Central Conference of American Rabbis, the Rabbinical Assembly, the Rabbinical Council of America,

and the Reconstructionist Rabbinical Association commemorating the 350th anniversary of Jewish life in America and proclaiming the period from September 2004 to September 2005 "to be one of special thanksgiving, prayer, study, reflection and celebration."

The resolution follows.

CELEBRATE 350—JEWISH LIFE IN AMERICA, 1654–2004

Let it be known that in Elul 5764 (September 2004) the Jewish community of the United States began a year long commemoration marking the 350th Anniversary of Jewish settlement in this country.

With the help of God and under the protection of the Constitution of the United States, we have lived and prospered in this land. We have been an integral part of American life. We have worked with all other Americans in the never-ending effort to keep secure the democratic way of life. Our ancient prophetic ideals and the teachings of our sages serve as cornerstones of this nation's values. Our work, our hopes, and above all, our living religion have been among our proudest offerings to the American community.

In some lands across the seas the Jewish people have felt the searing flame of prejudice, persecution and death. The American Jew has had the sad yet inspiring opportunity to bring comfort to the oppressed, the joyous opportunity to participate in the reconstitution of the Jewish state on the ancient soil of Israel, and the inescapable and ennobling responsibility to mend the broken places in our world.

Even as we have worked for the well-being of our people abroad, the Jewish people in America have struggled to preserve our noble heritage, our historic traditions, our ancient teachings, our ethics, and our spiritual ideals in the free climate of our nation.

Mindful of our manifold blessings and with deep gratitude in our hearts to the God of Israel, Who, in 1954, led our forebears to the shores of this great new land,

We have proclaimed the period from Elul 5764 (September 2004) through Elul 5765 (September 2005) to be one of special thanksgiving, prayer, study, reflection and celebration to mark the 350th Anniversary of Jewish Communal Life in America.

We call on all American Jewry to participate in the observance of this anniversary; to thank God for the bountiful blessings that have been bestowed on us in this remarkable land. Let us express our collective hope that peace, security, and prosperity will reign in our nation for all. May the principles of freedom and liberty that have been the lodestar values of this great Republic continue to radiate their blessings on our nation.

RABBI HARRY DANZIGER,
President, Central Conference of American Rabbis.
RABBI PERRY RAPHAEL RANK,
President, Rabbinical Assembly.
RABBI DALE POLAKOFF,
President, Rabbinical Council of America.
RABBI BRANT ROSEN,
President, Reconstructionist Rabbinical Association.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT TO MEET IMMEDIATE NEEDS ARISING FROM THE CONSEQUENCES OF HURRICANE KATRINA, 2005

SPEECH OF

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 2, 2005

Mr. BACA. Mr. Speaker, for more than a week we have all watched television coverage of Hurricane Katrina, transfixed by the devastating impact of the storm on the Gulf Coast, especially in and around New Orleans. Although the full extent of the damage is not yet known, it is clear that thousands of Americans have died, and many more have been injured, shaken and displaced. The wind, rain and flooding has destroyed homes, businesses, farms and crops, causing immeasurable suffering.

The destruction has significantly scarred the people and the economy of the region and even beyond. Rebuilding the area's infrastructure will probably take years. Rebuilding the lives of our fellow Americans will also take time and require assistance.

Many people in Louisiana, Mississippi, and Alabama lack basics such as food, water, clothing, sleeping materials, medicine and first aid. We must help provide for their critical immediate needs so they can survive.

I am heartened that my constituents in the Inland Empire of California have heeded the call to help. I am not surprised by our response; however, because I already know that our communities are generous. We have shown great compassion responding to those in need, as we did following September 11th and other tragedies affecting people thousands of miles away. And we must do so again when so many Americans are suffering.

My immediate concern has been the effort to rescue and assist the victims of Hurricane Katrina, making sure that we do all we can to help those in need.

Congress is taking a first step by approving more than $10 billion of funding for emergency assistance to help. We all recognize that the costs of rescue, recovery and rebuilding will be substantially higher, and I am confident that Congress, and the American people, will support additional funding.

However, we in Congress must also focus on determining what needs to be done to minimize devastation from future natural disasters or other emergencies. So we must ask difficult questions about the Federal Government's preparation and planning prior to the storm and the response following it.

One of the fundamental responsibilities of government is to protect our citizens. So we must investigate fully whether the Administration did all it could have, and should have, to protect Americans.

Katrina was a powerful and deadly natural disaster, but we must ask whether hundreds, maybe even thousands of Americans, died because of the failure of officials to prepare and respond effectively.

IN HONOR OF RECORDING ARTS DAY

HON. MARY BONO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mrs. BONO. Mr. Speaker, I would like to pay special recognition to the first ever Recording Arts Day on Capitol Hill.

The Recording Arts and Sciences Congressional Caucus, working with The Recording Academy®, has sought to include the voice of artists and other professionals in policymaking decisions. Over the course of the year, Members of Congress have reached out to members of the recording arts community in hopes of working together on many critical issues facing this industry. Today, musicians, songwriters, singers, producers and other key members of The Recording Academy® will visit Members of Congress on the Hill to share their experiences and raise awareness on matters of importance to them.

Those participating in Recording Arts Day will focus on a variety of issues, including protecting intellectual property rights, bolstering music education and emphasizing the importance of music preservation. It is through the private and public sectors working together on these causes that we can nurture future artists and support music, one of this county's greatest and largest exports.

Under the leadership of Recording Academy® President Neil Portnow, The Recording Academy® has greatly increased its presence on Capitol Hill. Mr. Portnow realizes how critical it is for artists to engage in policymaking and sees it as the responsibility of artists and others to educate and influence actions affecting them.

I would also like to commend the Recording Academy's Daryl Friedman, Vice President of Advocacy and Government Affairs, for helping to organize Recording Arts Day. Thanks to his efforts, this promises to be a very successful and informative day.

Mr. Speaker, I would once again like to recognize Recording Arts Day and hope this inaugural event becomes an annual tradition.

IN MEMORY OF SPECIALIST ERNEST DALLAS, JR.

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. BURGESS. Mr. Speaker, I rise today in memory of Army Specialist Ernest Dallas, Jr., from the 26th Congressional District of Texas, for serving our country during Iraqi Freedom. SPC Dallas died July 24, 2005 with three other soldiers when a roadside bomb exploded next to their Bradley Fighting Vehicle. SPC Dallas was assigned as a scout in the 3rd Armored Cavalry Regiment in Baghdad. He was 21 years old.

I would like to recognize and celebrate Army Specialist Ernest Dallas, Jr.'s life today. SPC Dallas, a Fred Moore High School graduate, enlisted for a three-year hitch in November 2003, because he wanted to serve his country and felt he needed the training to meet his future goals. A loving family member, Specialist

Dallas took time to phone home to get caught up with his family and hear news from Texas.

He was a dedicated solider who earned the respect of those around him. Sergeant Frederick Wysingle, who recruited SPC Dallas in July 2003, said he was the perfect soldier. He was proud of the work he was doing and had just relayed to his family news that his platoon had recently curbed insurgent activity in Iraq. Promoted two months prior to his death from private first class, his promotion was made official two days after he died.

Just a few weeks prior to his death, Army Specialist Ernest Dallas, Jr. sent an engagement ring to his girlfriend. He was truly a solider who understood his duty, and planned for a future beyond his service to his country.

It was my honor to represent Army Specialist Ernest Dallas, Jr., and I extend my deepest sympathies to his family and friends. He will be deeply missed and his service was greatly appreciated.

RECOGNIZING BRANDON JAMES MYNATT FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Brandon James Mynatt of Kansas City, Missouri, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and in earning the most prestigious award of Eagle Scout. Brandon will receive his Eagle at a Court of Honor on September 18 at Pine Ridge Presbyterian Church.

Brandon has been very active with his troop, participating in many scout activities. Over the years Brandon has been involved with scouting he has earned numerous merit badges and has served in leadership positions within his troop.

Mr. Speaker, I proudly ask you to join me in commending Brandon James Mynatt for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout. It is an honor to represent Eagle Scout Mynatt in the United States Congress.

CONGRATULATING THE LAWRENCE COUNTY BUILDERS ASSOCIATION

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate the Lawrence County Builders Association (LCBA), on the 25th anniversary of its founding.

Over the past 25 years the LCBA has worked diligently to provide support services to its builder and associate members. This nonprofit trade association has also worked tirelessly with the National Association of Home Builders and Pennsylvania Builders Association to create a positive regulatory and legislative environment to keep housing and general construction affordable. I recognize the LCBA for all of their hard work and dedication to education and professional development for all of its members.

I ask my colleagues in the United States House of Representatives to join me in honoring the 25th anniversary of the LCBA. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute such a principled organization as the Lawrence County Builders Association.

HONORING THE LIFE OF PFC RAMON A. VILLATORO, JR.

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. COSTA. Mr. Speaker, I rise today to honor and remember the life of Private First Class Ramon A. Villatoro, Jr., who lost his life supporting Operation Iraqi Freedom.

Mr. Villatoro, 19, joined the United States Army on July 24, 2004. He attended Basic Training and Advanced Individual Training at Fort Knox, Kentucky. Shortly thereafter, he reported to his first assignment at the Replacement Detachment. Within a few days, Mr. Villatoro's leadership and dedication was recognized and he was assigned to the K Troop, 3rd Squadron, and 3rd Armored Cavalry Regiment on January 7, 2005. Mr. Villatoro was committed to his role in his Primary Military Occupational Specialty, as a 19D, Cavalry Scout.

Mr. Villatoro was deployed to protect our country in Operation Iraqi Freedom on March 3, 2005. Prior to leaving on his envoy to Iraq, Mr. Villatoro was promoted to Private First Class (PFC). Unfortunately, Mr. Villatoro's tour in Iraq ended when an improvised explosive device detonated near his military vehicle on July 24, 2005.

Mr. Villatoro's strength of character and valor earned him well-deserved recognition, including: Army Good Conduct Medal (Posthumous); National Defense Service Medal; Iraq Campaign Medal; Global War on Terrorism Service Medal; Army Service Ribbon, Combat Action Badge (Posthumous). He also received the Bronze Star Medal (Posthumous); and the Weapons Qualification Badge, which certified him as an expert in certain rifle weaponry. Finally, Mr. Villatoro was awarded a Purple Heart, currently the oldest military decoration in the world, awarded to members of the armed forces who are wounded or killed in the line of action.

Surviving Mr. Villatoro is his wife of eight months, Amanda Villatoro. Mrs. Villatoro is expecting their first child in three months. Also surviving Mr. Villatoro is his family, all of whom reside in Bakersfield, CA.

I would like to extend my heartfelt sympathy and condolences, to Mr. Villatoro's family, for the loss of his life. His loss symbolizes the ultimate sacrifice one can make for his country. His service represented his commitment to protect his family, community, and our Nation. Mr. Villatoro's dedication to the principles of freedom and democracy will serve as an example to all of us, for generations to come.

COMMENDING THE PUERTO RICAN DAY PARADE STEERING COMMITTEE

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. HIGGINS. Mr. Speaker, I first would like to extend my thanks towards the committee, for inviting me to partake in today's celebration.

Since its inception, The Puerto Rican Day Parade of WNY, Inc, has brought the history and heritage of Hispanics to the forefront of this areas long standing cultural legacy. The Puerto Rican Day Parade allows people from all over western New York to come and enjoy themselves as they preserve a part of there culture.

This parade does not only supply this community with a day long celebration of beauty and pride, but empowers the community by celebrating the history of Puerto Rico.

And lastly the parade supplies a positive outlook for this community. This parade is a example of how prosperous a future the Hispanic community has, and its prominent role in the direction of western New York.

Thanks to the selfless and tireless efforts of this committee, for the last 3 years the Puerto Rican community has had the ability to collectively share and embrace there heritage right here in Buffalo.

I, Congressman BRIAN HIGGINS, on behalf of the 27th Congressional District, would like to show my gratitude towards the committee.

PERSONAL EXPLANATION

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. GALLEGLY. Mr. Speaker, on Tuesday, September 6, 2005, I was unable to vote on the motion to suspend the rules and agree to H. Res. 360, commemorating the 60th anniversary of V–J Day and the end of World War II in the Pacific (rollcall vote 454); and on the motion to suspend the rules and pass as amended, S.J. Res. 19, Calling on the President to issue a proclamation recognizing the 30th anniversary of the Helsinki Final Act (rollcall vote 455). Had I been present, I would have voted ''yea'' on both measures.

IN MEMORY OF THOMAS HERRION

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. BURGESS. Mr. Speaker, I rise today to give tribute to Thomas Herrion, from Fort Worth, Texas, and his passion for life. He died at the tender age of 23 after collapsing in the San Francisco 49ers locker room following a National Football League exhibition game.

Thomas was one of seven children growing up in south Fort Worth. He often played the drums at church where his father was the minister. While attending Polytechnic High School,

he was a 4-year starter for the football team, a center for the basketball team, and competed in discus and the shot-put on the track team. When he wasn't competing or studying, he worked to help support his family. After high school, he went on to play for Kilgore Junior College and the University of Utah.

Thomas will be remembered as a hard worker and someone who lived his life to the fullest. He always had a bright personality that made everyone laugh, and he had passion for life and infused this zeal into everything he did. His ultimate dream, after finishing his NFL career, was to return home to Fort Worth and help his community. Thomas wanted to get his teaching degree and coach football. First in his heart was his mother—he wanted to always be there for her and planned to her the house of her dreams.

I extend my condolences to the family and friends of Thomas Herrion. His legacy will serve as an inspiration those who strive to achieve their dreams and live life to the fullest.

RECOGNIZING GREGORY ALLAN POLITTE FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Gregory Allan Politte of Kansas City, Missouri, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and in earning the most prestigious award of Eagle Scout. Gregory will receive his Eagle at a Court of Honor on September 18 at Pine Ridge Presbyterian Church.

Gregory has been very active with his troop, participating in many scout activities. Over the years Gregory has been involved with scouting he has earned numerous merit badges and has served in leadership positions within his troop.

Mr. Speaker, I proudly ask you to join me in commending Gregory Allan Politte for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout. It is an honor to represent Eagle Scout Politte in the United States Congress.

CONGRATULATING THE ADULT LITERACY LAWRENCE COUNTY ON ITS 25TH ANNIVERSARY

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate the Adult Literacy Lawrence County (ALLC), on the 25th anniversary of its founding.

Over the past 25 years the ALLC has worked diligently to provide support services to adults that struggle to read. This organization was launched when New Castle Public Library's director, Ms. Roux, heard Al Bennett of the U.S. Dept. of Education speak about libraries taking responsibility for developing literacy programs. Securing non-profit status in 1996, the ALLC officially became a community-based organization.

This non-profit organization has worked tirelessly to create a positive environment to meet the changing needs of the community. The agency offers tutoring, ABE and GED, family literacy, and computer literacy components. From July 1, 2004 through June 30, 2005 more than 240 adults participated in one or more ALLC program components. Additionally 1,048 children read more than 5,000 books as they competed for a ride in the Summer Reading Kickoff Parade. It is with great pleasure that I recognize the ALLC for all of their hard work and dedication to continued education and literacy competence of its community members.

I ask my colleagues in the United States House of Representatives to join me in honoring the 25th anniversary of the ALLC. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute such a principled organization as the Adult Literacy Lawrence County.

TRIBUTE TO J. ROBERTS DAILEY

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. PENCE. Mr. Speaker, the State of Indiana lost a pillar of the political community last month. On Saturday, August 13, J. Roberts Dailey passed away at Westminster Village, a retirement home in Muncie, Indiana.

J. Roberts Dailey was a leader of unparalleled reputation in public service. His tenure in the Indiana General Assembly where he served as Speaker of the House was marked by the consistent pursuit of principle and the interests of the people of Indiana.

Bob Dailey entered politics in 1952, serving 2 years on the Delaware County Council. He was a precinct committeeman between 1958 and 1978 and was Delaware County's GOP finance chairman between 1963 and 1978. He had been a delegate to every Republican state convention since 1954.

Dailey, a real estate agent, was first elected to the Legislature in 1976 before being elevated to Speaker in 1980.

In 1992, Dailey received one of Ball State University's highest honors, the Medal of Distinction for leadership and service to the state and university.

Six years later, he was named chairman of the Christian Coalition of Indiana, a state affiliate of the national organization that was a trailblazer in conservative Christian politics.

As he was to an entire generation of aspiring Hoosier leaders, Bob Dailey was my friend, a mentor and a true role model. He will be missed by our community and our state, but his example of integrity, faith and conservative leadership will continue to challenge and inspire future leaders for generations to come.

Mr. Speaker, on behalf of the entire State of Indiana, I extend heartfelt sympathies over the loss of J. Roberts Dailey.

Indiana will never forget Speaker Dailey.

CONGRATULATIONS ON THE BURLINGTON ELECTRIC DEPARTMENT'S 100TH ANNIVERSARY

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. SANDERS. Mr. Speaker, I am pleased to celebrate the 100th anniversary of the city of Burlington Electric Department. What an incredible achievement!

One of the great experiences I had as Mayor was seeing, close up, how much it mattered to Burlington's citizens that we had public power, and not a for-profit corporation, delivering the electricity our city's households and businesses need. The results are clear. Burlington today has some of the lowest electric bills in the state. And that is no small matter when families are hard pressed by increasing gasoline and fuel oil prices, and the difficult economy that is faced by so many.

When the goal of a department is to provide the best quality service at the lowest possible cost, rather than huge profits and big CEO compensation packages, amazing things can happen. Through innovative and creative management and by utilizing aggressive energy efficiency measures, electricity use in Burlington is 1 percent below what it was in 1989—saving Burlington customers some $6.7 million a year. Burlington is using less power at a time of economic growth—a remarkable achievement. Since 1995 average rates have decreased by 17 percent. Clearly there is something very right about the Burlington Electric Department which the rest of Vermont and America can learn from.

Several years ago I brought a number of the most innovative electric departments in the country together for a meeting in Washington. I was very proud that the BED showed itself to be one of the very best in the nation. Given the major energy crisis that our country now faces, I am confident that BED will continue to come forward with bold and innovative ideas to protect our rate-payers and our environment.

Whether it is in the normal operation of business, or dealing with power outages from an ice storm or a blizzard, the employees of Burlington Electric serve the people of Burlington with real dedication. Whatever the job is, they get it done.

To Mayor Clavelle, Barbara Grimes, BED's General Manager; to the Electric Commission; and the City Council; and most especially to the men and women who not only work for the Electric Department but make it work for all of Burlington:

Congratulations on BED's hundredth anniversary.

CONGRATULATIONS TO MEGAN ELIZABETH DAY, RECIPIENT OF THE PRESIDENTIAL FREEDOM SCHOLARSHIP

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. BURGESS. Mr. Speaker, I rise today to recognize the superior academic performance

of Megan Elizabeth Day, a recipient of this year's Presidential Freedom Scholarship. Thirteen students in the 26th Congressional District are receiving this special recognition.

This award recognizes outstanding service and citizenship initiatives by the students who were nominated, and provides an opportunity to acknowledge their leadership. Administered by Learn and Serve America, the scholarship provides $500 in Federal funds, matched with $500 from a community organization or business obtained for the student by their high school or Boys and Girls Club. Winners must have completed at least 100 hours of community service, either through a school-based service-learning program or independently through service at a nonprofit or faith-based organization.

Megan is a recent graduate of Bethesda Christian School. The Whitney Masonic Lodge #355 is matching her $500 in Federal funds.

Over 38,000 students to date have received this award and I extend my sincere congratulations to Megan Elizabeth Day for being one of them. This student's contribution and services should serve as inspiration to those who wish to make a positive difference in the lives of others.

RECOGNIZING BRENT TRAUGOTT SAVING FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Brent Traugott Saving of Kansas City, Missouri, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and in earning the most prestigious award of Eagle Scout. Brent will receive his Eagle at a Court of Honor on September 18 at Pine Ridge Presbyterian Church.

Brent has been very active with his troop, participating in many scout activities. Over the years Brent has been involved with scouting he has earned numerous merit badges and has served in leadership positions within his troop.

Mr. Speaker, I proudly ask you to join me in commending Brent Traugott Saving for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout. It is an honor to represent Eagle Scout Saving in the United States Congress.

A TRIBUTE TO INTERPRINT, INC. UNDER THE LEADERSHIP OF WILLIAM M. HINES, SR.

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. OLVER. Mr. Speaker, I rise to commend the outstanding community service of Interprint, Inc., which for 20 years, under the direction of William M. Hines, Sr., has continually made social responsibility and community involvement a hallmark of the company. Mr. Hines recognizes the importance of building and maintaining a community presence which has become a keystone of Interprint, Inc.'s success as well as the City of Pittsfield.

Recently, Mr. Hines has chaired a number of specialty events for the American Red Cross—Berkshire County Chapter (2003–2004), including the 2004 Fashion Show, which raised $10,000 to help disaster victims of Berkshire County.

In addition, Interprint, Inc. has always been a pacesetter company for the Berkshire United Way Annual Fund Drive which supports the enhancement of the quality of life in our community through the support of non-profit human service organizations and their programs. Interprint also has supported the American Heart Association as a sponsor for the Heart Ball in 2003 and 2004 and the American Heart Walk in 2004. Mr. Hines was also involved with the Capital Fund Drive for Kid's Place in 1997 raising funds to provide an interdisciplinary, cooperative team approach to address the needs of children subjected to violence. The center provides a safe, caring, home-like atmosphere that coordinates the combined knowledge of law enforcement, social service, medical, prosecutorial, and mental health agencies to ensure an effective response to childhood trauma.

Finally, I commend Interprint, Inc. on its 20th Anniversary, September 15, 2005, for the many years of community service that it has contributed to Berkshire County. I look forward to the many years ahead that Interprint, Inc. will continue to be a productive and contributing member of the surrounding community.

TRIBUTE TO JAMES DELMAR ELLIS

HON. BOB BEAUPREZ

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. BEAUPREZ. Mr. Speaker, I rise today to pay tribute to James Delmar Ellis, a marshal for the Brighton Colorado Police Force. While Night Marshal Ellis was making his rounds in downtown Brighton on March 6, 1908 at 2:20 a.m., he encountered three men. When he was ordered to throw up his hands and halt, Ellis refused and one of the three opened fire. Ellis, though hit, gallantly returned fire then made his way to a telephone office for help. In a short time, two local doctors arrived but Marshal Ellis's condition was assessed as grave and was placed on a train to Denver but died en-route at the young age of twenty-five.

The investigation of the event revealed that the three men were attempting to break into the United States Post office located in Brighton.

Marshal James Delmar Ellis died serving the people of Brighton. In May of 2005 his name was added to the Roll Call of Fallen Officers at the National Law Enforcement Officer's Memorial in Washington, D.C.

Mr. Speaker, I ask my colleagues to join me in paying tribute to Marshal Ellis and all of our nations' fallen officers by honoring those who made the ultimate sacrifice to protect our communities.

CONGRATULATIONS TO BRIAN ROBERSON, RECIPIENT OF THE PRESIDENTIAL FREEDOM SCHOLARSHIP

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. BURGESS. Mr. Speaker, I rise today to recognize the superior academic performance of Brian Roberson, a recipient of this year's Presidential Freedom Scholarship. Thirteen students in the 26th Congressional District are receiving this special recognition.

This award recognizes outstanding service and citizenship initiatives by the students, who were nominated, and provides an opportunity to acknowledge their leadership. Administered by Learn and Serve America, the scholarship provides $500 in Federal funds, matched with $500 from a community organization or business obtained for the student by their high school or Boys and Girls Club. Winners must have completed at least 100 hours of community service, either through a school-based service-learning program or independently through service at a nonprofit or faith-based organization.

Brian is a member at the Technology Center Boys and Girls Club. This organization also contributed the matching funds worth $500.

Over 38,000 students to date have received this award and I extend my sincere congratulations to Brian Roberson for being one of them. This student's contribution and services should serve as inspiration to those who wish to make a positive difference in the lives of others.

RECOGNIZING SHAWN PATRICK BURT FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Shawn Patrick Burt of Kansas City, MO, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and in earning the most prestigious award of Eagle Scout. Shawn will receive his Eagle at a Court of Honor on September 18 at Pine Ridge Presbyterian Church.

Shawn has been very active with his troop, participating in many scout activities. Over the years Shawn has been involved with scouting he has earned numerous merit badges and has served in leadership positions within his troop.

Mr. Speaker, I proudly ask you to join me in commending Shawn Patrick Burt for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout. It is an honor to represent Eagle Scout Burt in the United States Congress.

HONORING THE 322ND MEDICAL BATTALION OF THE 97TH INFANTRY DIVISION IN WWII

HON. LINCOLN DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. DAVIS. Mr. Speaker, at a time when we are humbled and saddened by the devastation caused by Hurricane Katrina along the Gulf Coast, I would like to take a few minutes to salute and honor the men of the 322nd Medical Battalion of the 97th Infantry Division. They served during World War II and are meeting in Nashville, Tennessee on September 17, 2005 for a reunion.

After completing training in Texas, Louisiana, and Missouri, the 97th Infantry Division was sent to Camp San Luis Obispo, California to receive amphibious training in preparation for deployment to the Pacific for operations against the Japanese. In the fall of 1944, the Division was notified that it would be sent to the Far East in December. However, with the high number of American casualties during the Battle of the Bulge, the 97th was ordered to the European Theatre of Operations for the final assault on Nazi Germany.

They arrived in Europe in March of 1945 and participated in the reduction of the Ruhr pocket. The 97th captured Solingen and Düsseldorf as well as other small towns in Germany. Later, the 97th was transferred to Patton's 3rd Army where they participated in the liberation of Czechoslovakia. The 97th Infantry was credited with firing the last official shot in the European Theatre of Operations during World War II.

After the surrender of Germany, the 97th returned to the States and in September left for the Pacific where they had been scheduled to take part in the invasion of Japan before the Japanese formally surrendered on September 2, 1945. The 97th went on to perform occupation duty in Japan until its final deactivation in March of 1946.

These brave young men not only helped to finalize the end of the war against Nazi Germany but went on to begin the peace process in Japan. I salute them for a ''job well done.''

RECOGNIZING BILL STIGLITZ AS THE 101ST PRESIDENT OF THE INDEPENDENT INSURANCE AGENTS & BROKERS OF AMERICA

HON. ANNE M. NORTHUP

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mrs. NORTHUP. Mr. Speaker, I rise today to congratulate Mr. William G. Stiglitz III, on his selection as the 101st president of the Independent Insurance Agents & Brokers of America, IIABA. Bill has been an important part of Louisville's business community for the past 35 years and I pause today to congratulate him on this honor.

Bill prepared for his professional career by attending Centre College, from which he graduated in 1968. Upon completion of his studies, Bill served in the U.S. Army, including 14 months in Vietnam with the 35th Engineer Battalion. In 1970, Bill joined his uncle, English Miller, at the insurance firm of Miller & Scholtz. During Bill's career in Louisville, he has been a leader in his industry and within our community. In 1987, he served as the president of the Independent Insurance Agents of Kentucky. Bill has also served as president of the Leukemia Society of Kentucky. Bill and his wife Pat have two children, Garrett and Kate.

Mr. Speaker, I rise to congratulate Bill on this honor. I wish him the best of luck during his term as president of the IIABA.

TRIBUTE TO CHARLES E. ''TED'' HERGET, JR.

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. CARDIN. Mr. Speaker, I rise today to pay special tribute to Charles ''Ted'' Herget, Jr., a Baltimore businessman and philanthropist who has served on the Villa Julie College Board of Trustees since 1975, and has chaired the Board since 2002. In his 30 years of service to Villa Julie, Ted Herget has been instrumental in helping build the college into a highly regarded institution of higher learning in the Baltimore area.

In those first years, Villa Julie was a young institution that awarded only associate degrees. Since then, its 400 students have grown to approximately 2,500 students, and Villa Julie now confers four-year degrees, specializing in career-focused and adult-accelerated programs.

As co-founder and principal of Asset Strategy Consultants, Ted Herget has used his financial acumen to benefit Villa Julie College. He was the first chairman of the finance committee and in that role stressed the need to invest the college's money for the future. He also helped to develop the benefit structure and retirement plans that are still in place.

In addition to his work with Villa Julie, Ted Herget has a long history of civic leadership. He has served on numerous boards in the Baltimore metropolitan area and is recognized as a committed and dedicated community leader.

Mr. Speaker, I call upon my colleagues to join me in applauding the enormous impact that Ted Herget has had on the success and growth of Villa Julie College. Many people are responsible for Villa Julie's achievements, but Ted Herget certainly tops the list.

PERSONAL EXPLANATION

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. McDERMOTT. Mr. Speaker, I missed votes on Tuesday, September 6, 2005. Had I been able to, I would have voted ''yea'' on H. Res. 360, rollcall vote No. 454, and ''yea'' S.J. Res. 19, rollcall vote No. 455.

INTRODUCTION OF THE ANTI-PRICE GOUGING ACT OF 2005

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. CONYERS. Mr. Speaker, today I am introducing the Anti-Price Gouging Act of 2005, legislation that makes price gouging during a time of a national disaster a Federal crime. I am joined by Representatives DEBBIE WASSERMAN SCHULTZ, LINDA SÁNCHEZ, JERROLD NADLER, MARTIN MEEHAN, SHEILA JACKSON-LEE, BENNIE THOMPSON, WILLIAM JEFFERSON, ADAM SCHIFF, JOE CROWLEY, WILLIAM DELAHUNT, ZOE LOFGREN, GENE TAYLOR, CHRIS VAN HOLLEN, DIANE WATSON, BOBBY SCOTT, ED CASE, BERNIE SANDERS, MIKE CAPUANO, DENNIS KUCINICH, BOB FILNER, DAN BOREN, JIM MCDERMOTT, GEORGE MILLER, JOHN LARSON, AL GREEN, JULIA CARSON, CAROLYN KILPATRICK, CAROLYN MALONEY, EMANUEL CLEAVER, ANTHONY WEINER, BARBARA LEE, BETTY MCCOLLUM, LUCILLE ROYBAL-ALLARD, JAY INSLEE, and JOSÉ SERRANO.

Every time a major disaster occurs, we are confronted with scarcity of resources that often results in exorbitant prices for necessary resources such as gas, food and water. While some adjustment to prices may be necessary, unconscionable increases in price are unfair and harmful to consumers, who, at a time of national disaster, are already dealing with significant personal losses. It is unconscionable for the same gasoline that sold for $2.50 per gallon on one day, to be marked up to $3.50 on the next day. Similarly, a hotel room that was promised at $80 per night on the phone; should not be raised $200 per night upon arrival. These instances of price gouging have been occurring throughout the country, even in areas far removed from the direct damage caused by Hurricane Katrina.

Currently, at least 13 States—Alabama, Arkansas, Florida, Georgia, Indiana, Louisiana, Mississippi, New York, North Carolina, South Carolina, Tennessee, Virginia and West Virginia—have laws that specifically address price gouging in the event of a declared emergency. Unfortunately, there is no Federal statute addressing the issue.

When we have unprecedented natural disasters, such as Hurricane Katrina, and price gouging that harms consumers across the Nation, we need Federal law enforcement available to support the States. As a result, the Anti-Price Gouging Act of 2005 would make it a violation of the Antitrust Laws for a supplier to charge unconscionable prices for necessary goods or services once a state of emergency has been declared by the President.

This legislation is not only extremely important now, at a time of national disaster, but it is also mindful that we cannot sit around and wait for disaster to strike before putting in place mechanisms that will help consumers in their times of need. I hope the Congress moves quickly to enact the Anti-Price Gouging Act of 2005.

RECOGNITION OF PASTOR LEONARD P. BUELOW

HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. GREEN of Wisconsin. Mr. Speaker, it is my honor to recognize before this House Pastor Leonard P. Buelow in observance of his 50th year in active ministry. Pastor Buelow's service and commitment to his congregations over the last 50 years has been both admirable and inspirational. He continues to serve his parishioners with the same dedication and enthusiasm as he did when he was first ordained.

Pastor Buelow began his career in the Christian ministry by attending and graduating from Concordia Seminary in Springfield, IL, in 1954. He was ordained on September 11, 1955, and went on to serve the congregation of St. James Lutheran Church of Shawano, WI, until 1965. Then, from 1965 to 1992, Pastor Buelow led the congregation of the Redeemer Lutheran Church of Green Bay, WI. Following his service at Redeemer Lutheran, he went on to found Christ the King Evangelical Lutheran Church in Green Bay, WI, where he continues to serve as their full-time minister. During his tenure with these congregations, Pastor Buelow has earned the reputation of being a true leader of the church and a tireless servant of God.

Mr. Speaker, it is my pleasure to recognize Pastor Leonard P. Buelow for his years of dedicated service to the church and his congregation. His guidance and compassion will continue to be cherished for many years to come.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT TO MEET IMMEDIATE NEEDS ARISING FROM THE CONSEQUENCES OF HURRICANE KATRINA, 2005

SPEECH OF

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, September 2, 2005

Mr. CLEAVER. Mr. Speaker, my heart and my prayers go out to all those caught in the path of Hurricane Katrina and the conditions they are suffering in its wake. Katrina was a hurricane of biblical proportions that has left thousands of people without food, clean water, shelter and medicine, particularly those people stranded in New Orleans where conditions are absolutely unlivable and public safety is virtually nonexistent. They have waited for days hoping for at least some sort of information about when they might get to escape their ravaged city and where they will go next.

With the chaos and looting that has ensued in New Orleans, it is critical that our government get in there and provide the necessary relief—not tomorrow, not next week, but right now. People are dying on the streets; the President and the Federal Government cannot afford to waste another minute.

It is inexcusable that the President and his administration did not act more swiftly to provide the basic necessities of survival to the victims, nor did they act swiftly to ensure the City's public safety. As the richest nation in the world and the world's only superpower, we ought to be ashamed. With so many troops abroad in Iraq attempting to secure a whole nation, it is inexcusable that we cannot secure one city on our own shores.

That is why I am pleased that Congress acted quickly today to pass legislation providing $10.5 billion in emergency funds for the relief and recovery from Hurricane Katrina. The Supplemental Appropriations Act will deliver $10 billion in emergency aid for FEMA and $500 million for the Department of Defense.

However, this is only a down payment. FEMA is currently spending $500 million a day and under this scenario, the $10 billion for FEMA will provide only another 20 days as they continue to assess the needs of the devastated communities.

It could take months for families to find homes and establish some sort of normalcy in their day-to-day life, and I call on the President and the Federal Government to remain committed to helping people rebuild their lives.

Each of us has in some way been personally touched by this horrific tragedy. For my wife Dianne and I, it was waiting for our youngest son, Evan, to make his way to our house after escaping the disaster of New Orleans. We were further touched as we learned that a family member of a parishioner at the Church I pastor, St. James United Methodist, was given refuge by a kind elderly couple after being stranded in a home surrounded by water. Fortunately, the Coast Guard rescued them all on Sunday morning. All of us have a duty to reach out to those in greatest need.

Americans will stand strong together to help our brothers and sisters in their time of dire need, and the Kansas City area is no exception. Children's Mercy Hospital has already opened their doors to twenty-four sick children and their families flown in from New Orleans by the Missouri Air National Guard, and the Red Cross has raised hundreds of thousands of dollars from Kansas Citians. The outpouring of support from across the country has been phenomenal, and I am confident that our citizens will remain resolute until the job is done.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT TO MEET IMMEDIATE NEEDS ARISING FROM THE CONSEQUENCES OF HURRICANE KATRINA, 2005

SPEECH OF

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, September 2, 2005

Mr. MCDERMOTT. Mr. Speaker, last Monday, August 29th, Hurricane Katrina hit Louisiana and Mississippi as a Category 4 storm, with winds of over 140 miles per hour. We all know the aftermath of that terrible storm: thousands dead, more than a million refugees, billions of dollars in damage, and a major American city rendered uninhabitable. The greatest tragedy of all is that, for the most part, this could have been avoided.

The President told us that he didn't "think anyone anticipated the breach of the levees," a misinformed statement at best. New Orleans is the only major American city below sea level, and the Federal Government was well aware of the flooding threat to the city in the event of a hurricane. Just last July, the Federal Emergency Management Agency (FEMA) conducted a five-day hurricane exercise simulating the effects that a powerful storm would have on New Orleans. During the apocalyptic simulation, 120 mile per hour wind gusts and 20 inches of rain combined to top the levees, forcing the evacuation of more than one million residents.

Yet despite the lessons learned from that exercise the Bush administration stunningly neglected to heed the threat.

The President slashed funding for the Southeast Louisiana Urban Flood Control Project (SELA), the U.S. Army Corps of Engineers' project to control flooding in the New Orleans area, to $10.4 million, one-sixth of what local officials had said they needed. Funding for Army Corps projects have been cut across the board for the last few years by this administration and this Congress, whose reckless tax-cutting, combined with funding cuts and National Guard deployments to Iraq, have sharply increased vulnerability to natural disaster in this country. It is worth noting that more than 7,000 soldiers from the Louisiana and Mississippi National Guard are stationed in Iraq, including more than 3,000 from the 256th Brigade Combat Team based in New Orleans.

Even as the hurricane was hitting land as a Category 4 storm, the administration failed to mobilize help. Dr. Max Mayfield, Director of the National Hurricane Center, said that both Homeland Security Secretary Michael Chertoff and FEMA Director Mike Brown were made aware of the storm's potential in the days leading up to its landfall, yet it took until Friday, September 2nd, four days after the storm hit, for any meaningful National Guard presence to arrive to relieve the burden on local Guard units, bring about law and order, and ease suffering. The first 72 hours after a disaster are the most important in terms of saving lives, and this administration completely failed in that regard.

Sadly, the 200,000 or so people who did not evacuate the city in time were overwhelmingly those who were too poor, old, or sick to leave. It is they who have suffered the most from the gross Federal Government incompetence before, during, and after the storm.

HONORING WILLIAM THOMAS "KETER" BETTS

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Ms. LEE. Mr. Speaker, Mr. CONYERS and I rise today to honor the extraordinary life and achievements of one of the great artistic voices of our time, William Thomas "Keter" Betts of Silver Spring, Maryland. A legend in the world of jazz for over 50 years, Keter was not only a bassist of incomparable talent, but an original artist, devoted teacher, and wonderful friend. He passed away in Maryland on August 6, 2005 at the age of 77.

Keter Betts was born in 1928 in Port Chester, New York. He discovered music as a child when one day, while running an errand for his

mother, he encountered a parade and was so fascinated by the music that he followed it all over town. It was not long before he began practicing on a small drum, and eventually moved on to playing on a full set. However, in his late teens he tired of carrying his drum set up and down the stairs of his apartment building, so in 1946 he switched to bass.

When he was only 19, Keter landed his first professional gig, playing for thirteen weeks in Washington, DC with saxophonist Carmen Leggio. He toured the country from 1949 through 1956, working with jazz singer Dinah Washington during the latter five years of the tour. Keter than teamed up with Charlie Byrd and Woody Herman to tour Europe and South America, before joining Ella Fitzgerald for a short tour that was the beginning of the twenty-four-year working partnership the two would share.

Over the years Keter played with many more jazz greats, such as Count Basie, Cannonball Adderly, Nat Adderly, Stan Getz, Kenny Burrell and Louis Bellson, playing venues all over the world. He was a member of the Smithsonian Jazz Masterworks Big Band and was inducted into the Washington Area Music Association Hall of Fame. And after playing on more than 100 recordings, Keter finally released his first solo album, Bass, Buddies & Blues in 1998, and soon followed it up with Bass, Buddies, Blues Beauty Too.

In addition to performing, Keter was a longtime instructor of music at Howard University in Washington, DC beginning in 1963. He also impacted his community as an educator through his commitment to instructing young people through various programs such as the Washington Performing Arts Society's Concerts in Schools and Prince George's County's Arts Alive.

Keter Betts is widely considered to be the most accomplished and highly respected bassist in jazz history. Keter's life and music impacted countless members of younger generations not only because of the excellence and originality he brought to his art, but because of his incredible wisdom, his insight, and his firm belief that every artist must strive to be unique and find his or her true voice.

Today Keter's family and friends will come together to celebrate his impact not only on the world of jazz, but on the innumerable lives he touched and artistic journeys he inspired. On behalf of the 9th Congressional District of California and the 14th Congressional District of Michigan, we salute and thank Keter Betts for his invaluable contributions to jazz music, our country and our world.

U.S. ARMY SPC. LAURO DeLEON

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. CUELLAR. Mr. Speaker, I rise today to honor U.S. Army Spc. Lauro DeLeon, who died one year ago while serving as part of Operation Iraqi Freedom.

Lauro joined the Army Reserves before graduating from Floresville (Texas) High School in 2003, seeing the military as a way of financing a college education. He then enrolled at Palo Alto College that fall to pursue a degree in business, but soon learned he had been called up for active duty.

Lauro went to Baghdad as part of Operation Iraqi Freedom in February 2004. The Mojadi army was attacking the city, and Lauro's unit was stuck in camp for three days before making its way out of Baghdad.

During that summer of 2004, Lauro surprised his family with a return home as part of a two-week leave from the Army which he won in a lottery. Lauro, a good Christian man from a good Christian family, prayed that he would be granted the opportunity to go home to his family, and his number was the last one called.

Lauro then returned to Iraq to serve with the 644th Transportation Company. On September 8, 2004, the truck Lauro was driving went over an explosive device, killing Lauro and putting the soldier with him in critical condition.

While in Iraq, both Lauro and his mother, Grace Lopez, read a chapter a day from the Bible. She passed along a message that helped Lauro make it through the tough times: ''Fear is not of God; whenever you start feeling fear, tell God to remove it.'' It is this faith that carried Lauro through the war, and it is this faith that continues to carry his family after his passing.

Along with all of our fallen servicemen and women, Lauro DeLeon has honored our nation by making the greatest sacrifice of all. It is the least we can do to offer these words of remembrance today. As always, our prayers remain with Lauro, his family, and all those representing our country in our Armed Forces.

CONFERENCE REPORT ON H.R. 6, ENERGY POLICY ACT OF 2005

SPEECH OF

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 28, 2005

Mr. BARTON of Texas. Mr. Speaker, one of the features of H.R. 6 that will make a material difference in the protection of groundwater are the provisions making key reforms to the Leaking Underground Storage Tank (LUST) program. The lack of serious attention to leaking tanks has been one of the main causes of groundwater and drinking water contamination by fuel and fuel additives. I applaud our Subcommittee Chairman, PAUL GILLMOR, who authored the LUST provisions in H.R. 6 and that I have enthusiastically included in this legislation. In addition, I agree with and support his interpretation of these provisions, as outlined in his Extension of Remarks that appeared in the CONGRESSIONAL RECORD on July 28, 2005, on pages H6964–H6966. There are two specific provisions that deserve special mention.

First, in order to avoid the creation of unfunded mandates, the reference to Section 9508(c)(1) of the Internal Revenue Code in the newly created section 9014(2) of the Solid Waste Disposal Act should be considered to mean Section 9508(c) of the Internal Revenue Code in order to reflect changes made to Title XIII, Subtitle F, Section 1362. This Section of H.R. 6 creates a new Section 6430 at the end of Subchapter B of Chapter 65. It amends Section 9508(c) by striking the existing subsection 9508(c)(2) and renumbering subsection 9508(c)(1) as subsection 9508(c). As the chief author of this bill, it was never my intent to see LUST defunded and this instance should not be interpreted nor construed as nothing more than a drafting error since the historical construct and intent of the provisions in section 9014(2) of the Solid Waste Disposal Act are consistent with past versions addressing authorizations of appropriations under Subtitle I of the Solid Waste Disposal Act. Should it be necessary, I intend to immediately pursue statutory changes necessary to ensure proper use of collected transportation fuel taxes in the LUST program under the Solid Waste Disposal Act.

Second, Section 1530 on Title XV addresses additional methods to protect groundwater, including state requirements on the use of secondarily contained underground storage tank systems or conversely requiring states to use installer and manufacturer requirements. If a state chooses secondary containment, then any new installation of an underground storage tank that is within 1,000 feet of community water system or potable water well must be secondarily contained. In addition, any tank or piping that is replaced on an underground storage tank that is within 1,000 feet of a community water system or potable water well must be secondarily contained. Repairs to an underground storage tank system, as defined by the Environmental Protection Agency (EPA), do not trigger any secondary containment requirements and gasoline dispensers must also be addressed as part of the secondary containment strategy. If, however, a state chooses installer and manufacturer certification, as well as financial responsibility requirements, this section requires tank installers and manufacturers to follow professional guidelines for tank products or comply with one of the new statutory requirements that are similar to subsections (d) and (e) of 40 CFR 280.20. In addition, this section requires installers and manufacturers to maintain evidence of financial assurance to help pay corrective action costs that are directly relatable to a faulty tank part or installation. The lone exception to the financial assurance requirement is where a tank owner or operator, who already maintains evidence of financial responsibility under Section 9003 of the Solid Waste Disposal Act, is also the installer or manufacturer of the underground storage tank. I want to make clear that with respect to the financial responsibility option, the conference report references the existing financial responsibility authority contained in section 9003(d) of the Solid Waste Disposal Act that applies to owners and operators, and as such, it is the intent of this legislation that all of the authorities and flexibilities contained in 9003(d) apply to underground storage tank installers and manufacturers in the same way that they currently apply to owners and operators of underground storage tanks.

H.R. 6 also adds a new section 3022 to Title XXX of the Energy Policy Act of 1992. The new section states: ''It is the sense of Congress that Federal agencies conducting assessments of risks to human health and the environment from energy technology, production, transport, transmission, distribution, storage, use, or conservation activities shall use sound and objective scientific practices in assessing such risks, shall consider the best available science (including peer reviewed studies), and shall include a description of the

weight of the scientific evidence concerning such risks.''.

For too long, documents and studies have been produced that do not reflect science, but rather a given policy bias mixed with elements of science. These documents and studies are then paraded forward as if they are risk assessments. This sense of Congress specifically finds such an approach unacceptable. I want to note that use of the weight of the scientific evidence is a specific recommendation in the 1997 Final Report of the Presidential/Congressional Commission on Risk Assessment and Risk Management. On page 4 of that report the Commission states: ''A good risk management decision . . . is based on a careful analysis of the weight of scientific evidence that supports conclusions about a problem's potential risks to human health and the environment.'' On page 23 of that report the Commission states: ''Making judgments about risk on the basis of scientific information is called 'evaluating the weight of the evidence.' . . . . It is important that risk assessors respect the objective scientific basis of risk and procedures for making inferences in the absence of adequate data.'' On page 38 of that report the Commission states: ''Risk assessors and economists are responsible for providing decision-makers with the best technical information available or reasonably attainable, including evaluations of the weight of the evidence that supports different assumptions and conclusions.

It is important the Federal agencies conform their risk assessment practices to these principles.

HURRICANE KATRINA

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. LANTOS. Mr. Speaker, the disaster along our Gulf Coast has wrought heartbreaking devastation on a scale too staggering to comprehend. I rise to join my colleagues in extending deepest sympathies to all those who have been struck by this catastrophe. Our hearts go out to all those who are suffering.

First and foremost, we must provide effective and immediate relief to our neighbors who are the victims of this tragedy. Federal authorities must render all assistance necessary in this overwhelming national crisis.

Congress has already taken the needed steps to ensure that funds are available for assistance. This is only the beginning of relief, and when more is needed, we will provide whatever is required.

We in the San Francisco Bay Area know first hand the impact of natural disaster, and we stand ready to help. I am encouraged by the support being shown by people in the Bay Area. Emergency volunteers have been dispatched. Hundreds of survivors will be housed in San Francisco's St. Mary's Cathedral. California schools are opening their doors as well: In my district, Notre Dame de Namur University in Belmont has offered to take in 50 displaced students. The California State Universities, the University of California at Berkeley, and Stanford are accepting others. Many people have given, and will continue to give, to established relief agencies at this critical time.

As the Ranking Member of the House International Relations Committee, I also want to express my deep gratitude and appreciation to our friends in the world community who have pledged to help. Secretary General Kofi Annan has acknowledged American generosity in helping others, and he has graciously offered the assistance of the United Nations in our time of need. The leaders of a broad array of countries have expressed their condolences and extended offers of aid.

All Americans can be proud of the hard and sometime heart-rending work being done by local, state and federal emergency workers now on the scene of the disaster. But it seemed that immediate emergency action arrived in slow motion last week when it was so desperately needed. Those who were watching the news reports, as well as those who were hurting in the midst of the devastation, were united in one question: Why did the rescue efforts take so long? Now other questions are beginning to arise. We must answer them in order to do better in the event of another emergency. Even the President indicates that the response to this one has been less than acceptable.

When the Department of Homeland Security (DHS) was formed in 2002, I voiced concern about folding into it the Federal Emergency Management Agency (FEMA). After failing to adequately respond to Hurricane Hugo in 1989 and Hurricane Andrew in 1992, FEMA had reestablished itself as a singularly responsive federal agency by clearly defining its mission and aggressively pursing it. It was not helpful to change its structure and culture only a few years later in order to fit into the massive and newly created Department.

I believe our primary purpose in establishing the DHS was to better protect the nation through better prevention and response to catastrophe. We have yet to demonstrate improved prevention, and in this case our response has been pathetically sluggish. Confusion and lack of leadership dominate our efforts. I call on President Bush to take swift action to relieve FEMA Director Michael Brown of his duties.

I also join with Ranking Members WAXMAN, OBERSTAR, and THOMPSON in requesting that the committees of jurisdiction, the Committee on Government Reform, the Committee on Transportation and Infrastructure, and the Committee on Homeland Security, conduct hearings on the questions raised in responding to Hurricane Katrina.

And finally, I advocate the establishment of a blue ribbon, non-partisan committee on the scope and with the clout of the 9–11 Commission to prepare a long-range and thorough investigation into this matter, in order to lay out the lessons learned. We need to find out what went wrong, what went right, and what we can do how we can do to brace for a future disaster. We need to ensure that a similar natural event, or even a major terrorist attack, is not made any worse by our own failure to respond with speed, efficiency, and real compassion rather than rhetoric.

Mr. Speaker, let's work together to help our neighbors and friends whose lives stood in the path of destruction. And let's do a better job of shielding our nation against such events.

REMEMBERING THE LIFE OF CUBAN BOLLERO SINGER IBRAHIM FERRER

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. RANGEL. Mr. Speaker, I rise today to recognize the life and legacy of legendary Cuban musician Ibrahim Ferrer, who died Saturday August 6, after suffering multiple organ failure.

Ibrahim Ferrer was at the center of the Buena Vista Social Club, a phenomenon that brought long delayed international fame to a group of older Cuban musicians thanks to a Grammy-winning 1997 album produced by Ry Cooder and a subsequent film by Wim Wenders, both by that name. Besides offering American audiences a musician's-eye view of Cuba, the film created a recognition of Mr. Ferrer as an unlikely musical icon.

Mr. Ferrer's story is particularly inspiring to me because it speaks to the limitless possibilities of talent and chance. He was a gifted musician but of all the larger-than-life personalities that make up the Buena Vista Social Club, Ibrahim Ferrer seemed the least likely to emerge as an international superstar. Yet within three years of his first international tours with the Afro-Cuban All Stars outside of Cuba in 1996, Mr. Ferrer was filling the world's great venues and receiving rapturous ovations from audiences for whom he had become the embodiment—the heart and soul—of the multi-million-selling Buena Vista phenomenon.

Mr. Ferrer, a bolero singer who was compared to Nat King Cole, was born in Santiago in eastern Cuba on February 20, 1927, and began singing professionally in 1941. In the 1950s, he was an established singer who performed with well-known Cuban bands, including that of the legendary Benny More. But sadly, Ferrer was a forgotten name by the mid–1990s, supplementing a meager state pension by shining shoes. He was lifted from obscurity by the 1997 Buena Vista Social Club recording brought together by Texas guitarist Ry Cooder that shot a group of vintage Cuban musicians to international fame and an unexpected second career.

Mr. Ferrer was a man who was full of life and energy. Even in his seventies he could still salsa dance with the best of them. He was a musical powerhouse and an animated figure that clearly enjoyed performing Cuba's traditional ''son'' music of the 1940s and 1950s for new generations of fans.

I extend my condolences to his lovely wife and six children. Mr. Ferrer and his music are truly an inspiration to both Cubans and people throughout the world. His life and music are a testament to the vibrancy and resilience of Cuban people.

Creating some of Cuba's most rhythmic and dynamic music, Mr. Ferrer accomplished an enormous feat because despite the constraints of the U.S. embargo, his music was able to break through and Americans responded to it with overwhelming enthusiasm. His life legacy as a musician demonstrate the kind of beauty and musical genius that can come out of a relationship with Cuba and it is my hope that the failed U.S. embargo against Cuba will be lifted soon to permit the enrichment of an enhanced cultural exchange to the benefit of the people

of Cuba and the U.S. Mr. Ferrer paved the way for generations of Cuban singers to come and it is my hope that their music will continue to reach the hearts of Americans and people throughout the world.

I would like to submit for the RECORD an obituary from the August 8th edition of the New York Times.

[From the New York Times, August 8, 2005]

IBRAHIM FERRER, 78, CUBAN SINGER IN ''BUENA VISTA SOCIAL CLUB,'' DIES

(By Ben Ratliff)

Ibrahim Ferrer, the Cuban singer whose life included one of popular music's most triumphant second acts, died on Saturday in Havana. He was 78. The cause was multiple organ failure, his manger, Carmen Romero, announced.

Mr. Ferrer was at the center of the Buena Vista Social Club, a phenomenon that brought long-delayed international fame to a group of older Cuban musicians thanks to a Grammy-winning 1997 album produced by Ry Cooder and a subsequent film by Wim Wenders, both by that name. Besides offering American audiences a musician's-eye view of Cuba, the film set up Mr. Ferrer as a particularly sympathetic figure—tall, distinguished and lively, an excellent bolero singer who used space and silence in his relaxed elegant delivery to increase the drama, a man who had been rolled over by history and was now simply trying to enjoy an absurdly lucky situation.

At the time that he war enticed out of retirement to make the album, Mr. Ferrer was living on a small state pension and shining shoes in Havana for extra money.

He was not interested in recording anymore; he had retired from singing in 1991.

''An angel came and picked me up and said, 'Chico, come and do this record,' ''he said in 1998. ''I didn't want to do it, because I had given up on music.''

Born in 1927 at a social club dance in the eastern city of Santiago de Cuba—his mother went into labor on a night out—Mr. Ferrer's first professional involvement with music came at age 13, a year after he became an orphan, when he joined a band, Los Jóvenes del Son.

Later he sang with groups that included Conjunto Sorpresa, the Orquesta Chepín Chovén (with which he had a local hit, ''El Platanal de Bartolo,'' in 1955) and the Beny Moré orchestra, with which he was a background vocalist; in 1953 he began working with Pacho Alonso's band, Maravilla de Beltrán, in Santiago. The band later moved from Santiago to Havana and called itself Los Bocucos.

For most of his career Mr. Ferrer generally sang uptempo numbers, guarachas and sones, not the slow romantic boleros, even though he loved them. But his chance finally came on ''The Buena Vista Social Club,'' when Mr. Cooder and Juan de Marcos González, the album's musical director, persuaded him to sing songs like ''Dos Gardenias,'' which he had learned decades before when singing with Moré.

In 1998, the Cuban Egrem label released ''Tierra Caliente,'' an album of older songs he had made with Los Bocucos. In 1999 the British World Circuit label (with Nonesuch in the United States) released Mr. Ferrer's first solo album, and in 2003 his second, ''Buenos Hermanos''; both were produced by Mr. Cooder. In ''Buenos Hermanos'' Mr. Cooder took more artistic liberties, stirring the very un-Cuban accordion and the gospel singing group the Blind Boys of Alabama into the mix.

Though by this time he was in his 70's, Mr. Ferrer won a Latin Grammy for Best New Artist in 2000. ''Buenos Hermanos'' won a Grammy for Best Traditional Tropical Latin Album of 2003, but Mr. Ferrer was denied a visa to enter the United States for the awards ceremony last year.

His last performance in New York was in April 2003. He was on a European tour in the week leading up to his death.

Mr. Ferrer is survived by his wife, Caridad Díaz, 6 children, 14 grandchildren and 4 great grandchildren, Ms. Romero said.

TO COMMEMORATE THE 60TH ANNIVERSARY OF THE SAN LORENZO HOMES ASSOCIATION

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. STARK. Mr. Speaker, on Saturday, September 10, 2005, the San Lorenzo Homes Association in San Lorenzo, California will celebrate 60 years as one of the oldest homeowners' associations in the United States.

During World War II, thousands came to the San Francisco Bay Area to work in the shipyards. In response to the need for housing, David D. Bohannon purchased rich farmland south of the San Lorenzo Creek where abundant fruit and vegetable crops were grown.

On May 18, 1944, builders broke ground on the first home in the Village tracts, which launched the wartime construction of the planned community. Bohannon applied a mass production method, the reverse of the normal prefab process, by moving the factory to the housing site. Each worker was trained to do a single part of the job. The assembled houses rolled off the line at the rate of one every seven hours.

The first houses had a ''war worker's room'' with a separate entrance to help meet the housing shortage. The 1945 three-bedroom homes were priced at $5,950. Some rented for $55 per month. With the slogan ''Every Lot a Garden Spot'' and In-Door-Outdoor Living, San Lorenzo Village grew at the rate of 1,329 houses per project.

Land was set aside for schools, churches, stores, parks, restaurants, a movie theater and the Nimtez Freeway, which was built in 1953. The construction headquarters was turned into a playground, community hall and the San Lorenzo Homeowners' Association offices.

The Association is controlled by a board of directors elected annually on staggered terms of three years each. The first meeting was held on April 5, 1945. After a few months, with the number of homes increasing so rapidly, it became apparent that it was necessary to have paid employees to devote their full time to Homes' Association work.

Through the years, the Association, with its volunteer Board of Directors and professional management, has been successful in ensuring the appearance, safety, and financial accountability of San Lorenzo Village.

Since 1945, San Lorenzo Village has grown from its original 1,329 homes to 5,686. The value of San Lorenzo Village homes has increased over eight thousand percent over the past sixty years.

I have a personal connection to the San Lorenzo Homes Association. My wife, Deborah Roderick Stark, was born in San Lorenzo and her parents, Frank and Mary Roderick, are long-time residents and members of the Association.

On behalf of the Roderick and Stark families, I applaud the exemplary contributions of the San Lorenzo Homes Association. The Association has demonstrated its leadership to maintain the integrity of this planned community and its commitment to quality service delivery to meet the needs of Village residents.

IN CELEBRATION OF 43 YEARS OF JAMAICAN INDEPENDENCE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. RANGEL. Mr. Speaker, I rise today to recognize the tremendous contributions that Jamaican Americans have made to our society and to join with them in celebrating their 43rd anniversary of independent rule on August 6, 2005.

Jamaicans have been immigrating to the United States for centuries and have undeniably left their mark on cities throughout our Nation. Their contributions can be seen at the center of our neighborhoods and industries, everywhere from New York to California. They are skilled business people, engineers, doctors, lawyers, and have produced some of our Nation's greatest leaders including former Secretary of State, General Colin Powell, and basketball star Patrick Ewing.

Despite the many challenges that this group has faced both in Jamaica and the U.S. they continue to hold fast to the Jamaican spirit of perseverance and continue in an extraordinary way to defy the odds. Theirs is a history of an effort that while marked with a host of successes and some failures, just like all nations, has shown that Jamaica is in a much better position today than when it became the first English-speaking Caribbean nation to assume the responsibility of nationhood.

Jamaica's record has proven that a relatively small but powerful nation can take charge of its own affairs and be a vital and vibrant member of the international community. Instead of tearing itself apart as other developing and developed nations have done, Jamaica and Jamaicans have held firm through thick and thin.

Having earned its place among the best-known developing countries at the United Nations, whether in international diplomacy, culture or excellence in sports Jamaica has been able to move far forward. Today, its people enjoy some of the longest life spans in the Western Hemisphere, about 74 years, poverty has dropped dramatically in recent years, educational opportunities continue to escalate, demonstrating the nation's commitment to invest in its people's future.

Jamaica has come so very far in the last 43 years and I look forward to its continued growth and prosperity in the future. Jamaica and Jamaicans will always hold a special place in my heart. It is impossible to imagine New York or Harlem without the contributions of Jamaicans. They are an ever-present and important part of our community from whom a great deal of our Nation's diversity is derived.

I would like to submit the following statement from Jamaican Prime Minister P.J. Patterson to commemorate this historic occasion.

INDEPENDENCE DAY MESSAGE FROM THE MOST HON. P.J. PATTERSON, ON, PC, QC, MP PRIME MINISTER

AUGUST 6, 2005

My Fellow Jamaicans:

Every year at this time we pause to reflect on the progress we have made as a people in this great country we call home. In our National Anthem, we ask for the blessings and guidance of the Eternal Father on this land.

We know so well that God helps those who help themselves, but that none but ourselves can free our minds. We realize that it is by our own efforts we can rid ourselves not only from the obstacles of the past, but also dissipate the inertia that would prevent us from overcoming present difficulties. We have to create our own path to the future of which we dream—the future which we would want our children and their children to inherit.

More and more we have come to appreciate that Independence is not simply a single event that took place in August 1962 but a process which allows us to build a nation for ourselves.

Our Founding Fathers based the pursuit of Independence on the firm conviction that we can be the creators of our own destiny. In this changed, and still rapidly changing world of this twenty-first century, it becomes even more urgent that we hold on to that conviction.

We are, after all, a people of proven grit and resilience whether we reside at home or abroad. We must use these attributes to creatively explore our potential and the opportunities that exist for economic, social and spiritual growth and development. To do otherwise, is a defiance of commonsense and a devaluation of the gift of life we have been given.

Fellow Jamaicans:

You have a right to expect from your leaders and the society at large: proper healthcare; affordable housing; a sound education that can facilitate and ease the journey from childhood to adulthood.

You are right to expect opportunities for gainful employment which is sustained and adequate to meet the vicissitudes of life.

And it is right that you should want to have the assurance of individual safety and collective security since all such rights herald the great freedoms from hunger, from ignorance, from disease and from fear.

But none of these can be achieved without the strategic alliances we must make between each other with all the caring, trust and compassion that a civilized society demands of all who inhabit it.

Forty three years in the life of a nation is short compared to the four and more centuries of degradation and deprivation. Through the struggles, the wisdom, foresight and example of our Founding Fathers, we have developed, and continue to develop, even greater self-esteem and self-confidence.

We have seen over the years that, despite the challenges and inherited disadvantages, we are not only fit to rule ourselves but also able to make a remarkable contribution on the regional and international stage.

In today's competitive global economy comparative advantage rests on intellectual skills and the mastery of technology. It is for this reason, that I have been stressing the importance of investing in our human resources—in ourselves—through education.

Today, education is the most effective means of shaping values, attitudes, behaviours and skills. Education is the key driver of economic transformation. It is our solemn responsibility to equip the future generation with the thinking skills that will assure their individual growth and development and the creation of a habitable society.

It is for this reason, that I have been stressing the importance of investing in our human resources—in our young students and adults—through education and training.

To do so, we are harnessing the resources to create an education system that is viable and relevant in the global marketplace.

The challenge is immense!

It is indeed a challenge for all Jamaicans: civil society; our private sector; the Church; the family in whatever form; our energetic and talented youth population; our workers and their trade unions; and, of course, our elected representatives.

Let us view ourselves as custodians of our nation's resources which we must invest in a broader purpose—the betterment of all our people.

This is a time for both celebration and renewal.

On this 43rd anniversary of our Independence, I once again summon every Jamaican in town or country, at home or overseas, to re-commit yourselves to giving to this our beloved country the loyalty, caring, dedication it so richly deserves from us all.

I wish everyone a peaceful and reflective Independence.

May God bless us all and bless Jamaica, this beautiful land we love.

IN REMEMBRANCE OF ROSALIE S. OBARA

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. CASTLE. Mr. Speaker, it is with great respect, admiration and much sorrow that I rise today to remember the life of Rosalie S. Obara. Rosalie was elected to the office of New Castle County Clerk of the Peace for a record seven terms, serving from 1969 to 1996. She loved life and took great pleasure in giving back to the community that brought her so much happiness. She was also indispensable to my own career, lending a helping hand in many elections.

In the 1930's, Rosalie moved to Delaware, where she would raise four kids with her husband Frank J. Obara, a former City Council President. During her seven terms as Clerk of the Peace, she would perform over 15,400 marriages.

In addition to her professional success, Rosalie left an indelible mark on her community. She was the co-founder and one-time president of the Americans of Polish Descent Cultural Society, as well as an officer with the Council of Polish Societies and Clubs of Delaware. Rosalie was also very active in her church, St. Hedwig, and served the Republican Party as a member of the State Committee and the New Castle County Republican Women's Club.

During her lifetime, Rosalie was the recipient of numerous honors, including the Order of the First State, the highest honor given by the State of Delaware. During the Eisenhower administration, she joined Mamie Eisenhower for tea in the White House. Rosalie will be remembered for her class and dignity.

In closing Mr. Speaker, I would like to point to a 1996 quote from Rosalie that sums up her American Dream story, "I'm the daughter of immigrants. I survived the Depression. I had a limited education, but I made something of myself . . . I am glad I was able to help others." Rosalie Obara can rest in peace knowing that she was always able to help others with grace and elegance.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT TO MEET IMMEDIATE NEEDS ARISING FROM THE CONSEQUENCES OF HURRICANE KATRINA, 2005

SPEECH OF

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 2, 2005

Mr. ACKERMAN. Mr. Speaker, I'm sure this is politically incorrect, but watching the President fly into the disaster area left by Hurricane Katrina and declare that the director of FEMA has done a good job should cause everyone of us to scream out "the President has no clue." As has become painfully obvious, the Bush administration's response to this fearsome natural disaster has been woefully late and utterly inadequate.

Mr. Speaker, this is not meant to be a partisan attack; it's important to remember that not all criticism of the President is for political advantage. Indeed one of the principal duties of the Congress, and one we have been shamefully inattentive to, is oversight of the executive branch and its utilization of taxpayer resources. And if there is no criticism of the disastrous response to this disaster, then we have no right to expect that this administration, or some later administration, will not similarly mishandle the future challenges our Nation is sure to face.

Americans rightfully should have expected that by now, every region of this country, every metropolitan area, every great city, would have a comprehensive disaster response and evacuation plan. It should not require a disaster or a cataclysm, or worse, a terrorist attack, nor should it be a mystery, or an improvisational effort to figure out how to preserve hospital and medical services, to know which facilities will be needed to provide emergency shelters, or to determine how food, water, medicine, blankets and cots and other essentials are going to be sent to designated distribution sites in the fastest, most efficient way.

It should be obvious, even to those who have habitually failed or refused to see the obvious, that once again, there is no plan. By diffidence and incompetence the Bush administration has lost the battle for New Orleans. We in this House need to ensure that we don't lose the battle for the survival of America.

Mr. Speaker, I never take joy in publicly criticizing my President, but questions about the failure of his leadership in the planning and implementation of rescue efforts—whether now or when the dust settles—have to be asked. If a country knows they're going to be attacked, whether by Mother Nature or by terrorists, they must be prepared. It is all too apparent that the federal government was not prepared for Hurricane Katrina. Sufficient troops and ample disaster relief supplies should have been on the ground in advance of the storm, and there should have been clear plans for additional resources to be brought in within a reasonable amount of time.

Moreover, in light of the vast scale of the devastation, and the immediacy of need, where was the innovative spirit and can-do attitude we Americans are so rightly famous for? Why not contract with Greyhound and America's other bus companies and use them to

make short runs to nearby safe railroad terminals so hurricane survivors could have been more quickly relocated to safer out-lying areas on trains? Couldn't a system like this have transported more people to safe ground quicker? Wasn't there some way to free up the too few school buses which were forced to drive to cities far away and make return trips with nobody on board? Couldn't those same vehicles have been used to bring in bottled water, food, emergency supplies and medicine?

Mr. Speaker, what on earth has the Federal Government been doing since 9/11 to prepare for a disaster striking a major American city? With all the Federal agencies, the massive homeland security bureaucracy, and all the many czars, bosses and chiefs, there is still no national or regional master plan to evacuate people, to rapidly bring in relief and to adequately deal with a large scale emergency of this nature. Where has all the money and effort gone? What have the taxpayers got for their hard earned money? All the money for Homeland Security, what has it bought us? Where is the coordination? Where is the Federal-State-local partnership? Have we learned nothing about disaster response from 9/11?

Is there a plan in place for how to deal with the profiteers when the resettling and rebuilding begins? Is there a plan to address the spike in oil prices? Do we even have a system to help our fellow Americans in finding friends and loved ones? Is our government even capable of putting together a list of the lost, missing, found and deceased?

Of course, right now, the Government must devote its energy to rescue efforts and to beginning the recovery of the affected region. And, once again, we cannot adequately thank all those first responders and rescue workers who have once again shown the kind of steadfast bravery that makes us proud to be Americans. We will never be able to repay their heroism adequately or thank them for all the lives they've already saved.

But as the crisis passes, Mr. Speaker, we cannot and we must not ignore how the Federal Government failed to protect the health and safety of its citizens. If the measure of a great nation is how it deals with its weakest and neediest citizens, then Hurricane Katrina has revealed some very unpleasant truths. How we deal with those truths will show what kind of nation we really are.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, September 8, 2005 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 12

12 noon
Judiciary
To hold hearings to examine the nomination of John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States.
SR–325

SEPTEMBER 13

9:30 a.m.
Judiciary
To continue hearings to examine the nomination of John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States.
SH–216

10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine the financial services industry's responsibilities and role in preventing identity theft and protecting sensitive financial information.
SD–538

Homeland Security and Governmental Affairs
To hold hearings to examine the nominations of John R. Fisher, to be an Associate Judge of the District of Columbia Court of Appeals, Juliet JoAnn McKenna, to be an Associate Judge of the Superior Court of the District of Columbia, Colleen Duffy Kiko, of Virginia, to be General Counsel of the Federal Labor Relations Authority, and Mary M. Rose, of North Carolina, to be a Member of the Merit Systems Protection Board.
SD–342

SEPTEMBER 14

9:30 a.m.
Judiciary
To continue hearings to examine the nomination of John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States.
SH–216

10 a.m.
Energy and Natural Resources
Business meeting to consider pending calendar business.
SD–366

Homeland Security and Governmental Affairs
To hold hearings to examine recovering from Hurricane Katrina.
SD–342

SEPTEMBER 15

9:30 a.m.
Judiciary
To continue hearings to examine the nomination of John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States.
SH–216

SEPTEMBER 20

10 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans Affairs to examine the legislative presentation of the American Legion.
345 CHOB

SEPTEMBER 21

9:30 a.m.
Indian Affairs
To hold an oversight hearing to examine Indian gaming.
Room to be announced

10 a.m.
Agriculture, Nutrition, and Forestry
Forestry, Conservation, and Rural Revitalization Subcommittee
To hold an oversight hearing to examine the Forest and Rangeland Research Program of the USDA Forest Service.
SR–328A

SEPTEMBER 28

2:30 p.m.
Indian Affairs
To hold an oversight hearing to examine Indian housing.
SR–485

SEPTEMBER 29

10 a.m.
Indian Affairs
To hold hearings to examine proposed Duck Valley Reservation, Shoshone Paiute Tribes, Water Rights Settlement.
SR–485

CANCELLATIONS

SEPTEMBER 14

9:30 a.m.
Judiciary
To hold hearings to examine able danger and intelligence information sharing.
SD–226

POSTPONEMENTS

SEPTEMBER 13

9:30 a.m.
Judiciary
To hold hearings to examine prisoner reentry.
SD–226

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S9693–S9739

Measures Introduced: Fourteen bills and two resolutions were introduced, as follows: S. 1618–1631, and S. Res. 234–235. **Page S9727**

Measures Reported:

S. 1265, to make grants and loans available to States and other organizations to strengthen the economy, public health, and environment of the United States by reducing emissions from diesel engines, with an amendment in the nature of a substitute. (S. Rept. No. 109–133)

S. 1021, to reauthorize the Workforce Investment Act of 1998, with an amendment in the nature of a substitute. (S. Rept. No. 109–134) **Page S9727**

Measures Passed:

Honoring Chief Justice William H. Rehnquist: By a unanimous vote of 95 yeas (Vote No. 222), Senate agreed to S. Res. 234, relative to the death of William H. Rehnquist, Chief Justice of the United States. **Pages S9707–08**

Permitting Solicitation of Donations: Senate agreed to S. Res. 235, to permit the solicitation of donations in Senate buildings for the relief of victims of Hurricane Katrina. **Page S9738**

Science, State, Justice, Commerce Appropriations—Agreement: A unanimous-consent agreement was reached providing that on Thursday, September 8, 2005, following morning business, Senate begin consideration of H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and that the committee-reported amendment in the nature of a substitute be agreed to as original text for the purposes of further amendment with no points of order waived. **Page S9738**

Nominations Confirmed: Senate confirmed the following nomination on Friday, July 29, 2005:

Francis Joseph Ricciardone, Jr., of New Hampshire, to be Ambassador to the Arab Republic of Egypt. **Page S9739**

Additional Cosponsors: **Pages S9727–29**

Statements on Introduced Bills/Resolutions: **Pages S9729–38**

Additional Statements: **Pages S9725–27**

Authority for Committees to Meet: **Page S9738**

Record Votes: One record vote was taken today. (Total—222) **Page S9708**

Adjournment: Senate convened at 10:30 a.m., and adjourned at 6:01 p.m., until 9:30 a.m., on Thursday, September 8, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on pages S9738–39.)

Committee Meetings

(Committees not listed did not meet)

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 31 public bills, H.R. 3664–3694; 1 private bill, H.R. 3695; and 8 resolutions, H. Con. Res. 234–236; and H. Res. 425, 427–431, were introduced. **Pages H7741–44**

Additional Cosponsors: Pages H7742–44

Reports Filed: Report was filed today as follows:

H. Res. 426, providing for consideration of motions to suspend the rules (Rept. 109–217). Page H7741

Speaker: Read a letter from the Speaker wherein he appointed Representative Simpson to act as Speaker pro tempore for today. Page H7675

Honoring and recognizing the distinguished service, career, and achievements of Chief Justice William Hubbs Rehnquist upon his death—Order of Business: The House agreed that it shall be in order at any time to consider in the House H. Res. 423; the resolution shall be considered as read; the previous question shall be considered as ordered on the resolution to its adoption without intervening motion or demand for division of the question except: (1) One hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit. Pages H7677–78

Honoring and recognizing the distinguished service, career, and achievements of Chief Justice William Hubbs Rehnquist upon his death: The House agreed to H. Res. 423, honoring and recognizing the distinguished service, career, and achievements of Chief Justice William Hubbs Rehnquist upon his death. Pages H7678–81

Expressing the condolences of the Nation to the victims of Hurricane Katrina—Order of Business: The House agreed that it shall be in order at any time to consider in the House H. Res. 425; the resolution shall be considered as read; the previous question shall be considered as ordered on the resolution to its adoption without intervening motion or demand for division of the question except: (1) One hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure; and (2) one motion to recommit. Page H7681

Expressing the condolences of the Nation to the victims of Hurricane Katrina: The House agreed to H. Res. 425, expressing the condolences of the Nation to the victims of Hurricane Katrina, commending the resiliency of the people of the States of Louisiana, Mississippi, and Alabama, and committing to stand by them in the relief and recovery effort. Pages H7681–89

Recess: The House recessed at 11:53 a.m. and reconvened at 4:30 p.m. Page H7689

Suspensions: The House agreed to suspend the rules and pass the following measures:

Federal Judiciary Emergency Special Sessions Act: H.R. 3650, to allow United States courts to conduct business during emergency conditions, by a ⅔ yea-and-nay vote of 409 yeas with none voting "nay", Roll No. 456; and Pages H7689–92, H7695–96

Pell Grant Hurricane and Disaster Relief Act: H.R. 3169, amended, providing the Secretary of Education with waiver authority for students who are eligible for Pell Grants who are adversely affected by a natural disaster, by a ⅔ yea-and-nay vote of 412 yeas with none voting "nay", Roll No. 457. Pages H7692–95, H7696

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H7695–96 and H7696. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:58 p.m.

Committee Meetings

KELO V. CITY OF NEW LONDON SUPREME COURT DECISION; STRENGTHENING THE OWNERSHIP OF PRIVATE PROPERTY ACT

Committee on Agriculture: Held a hearing to review the Kelo v. City of New London U.S. Supreme Court decision and H.R. 3405, Strengthening the Ownership of Private Property Act of 2005. Testimony was heard from Representatives Bonilla and Waters; and public witnesses.

IRAQ RECONSTRUCTION

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing, and Related Programs held a hearing on Iraq Reconstruction. Testimony was heard from the following officials of the Department of State: Ambassador James Jeffrey, Senior Advisor on Iraq to the Secretary; and James Kunder, Assistant Administrator for Asia and the Near East, U.S. Agency for International Development; and Stuart W. Bowen, Jr., Special Inspector General for Iraq Reconstruction.

KATRINA RECOVERY

Committee on Energy and Commerce: Held a hearing on Recovering from Katrina. Testimony was heard from Governor Haley Barbour of Mississippi; Scott A. Angelle, Secretary, Department of Natural Resources, on behalf of Kathleen Blanco, Governor of Louisiana; the following officials of the Department of Energy: David K. Garman, Under Secretary, Energy, Science and Environment; and Guy F. Caruso, Administrator, Energy Information Administration;

John H. Seessel, Associate General Counsel for Energy, FTC; Kenneth P. Moran, Acting Director, Office of Homeland Security, Enforcement Bureau, FCC; and public witnesses.

WOMEN AND CANCER

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled ''Women and Cancer—Where Are We in Prevention, Early Detection and Treatment of Gynecologic Cancers?'' Testimony was heard from the following officials of the Department of Health and Human Services: Edward L. Trimble, M.D., Head of the Surgery Section, Division of Cancer Treatment and Diagnosis, National Cancer Institute; Ed Thompson, M.D., Chief of Public Health Practice, Centers for Disease Control and Prevention; and Richard Pazdur, M.D., Director, Division of Oncology Drug Products, Center for Drug Evaluation and Research, FDA; and public witnesses.

LONDON BOMBINGS

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity held a hearing entitled ''The London Bombings: Protecting Civilian Targets from Terrorist Attacks.'' Testimony was heard from public witnesses.

CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Committee on Rules: Committee granted, by voice vote, a rule providing that suspensions will be in order at any time on the legislative day of Thursday, September 8, 2005. The rule provides that the Speaker or his designee will consult with the Minority Leader or her designee on any suspension considered under the rule. Testimony was heard from Representative Obey.

COMMITTEE MEETINGS FOR THURSDAY, SEPTEMBER 8, 2005

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the Commodity Futures Modernization Act of 2000 and recent market developments, 10 a.m., SD–538.

Committee on Foreign Relations: to hold hearings to examine the nominations of Robert A. Mosbacher, of Texas, to be President of the Overseas Private Investment Corporation, Robert B. Holland III, of Texas, to be United States Executive Director of the International Bank for Reconstruction and Development, and Jan E. Boyer, of Texas, to be United States Alternate Executive Director of the Inter-American Development Bank, 2 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: committee will meet to discuss rebuilding lives and communities regarding Hurricane Katrina, 10 a.m., SD–106.

Full Committee, business meeting to consider S. 1614, to extend the authorization of programs under the Higher Education Act of 1965, and proposed Defined Benefit Security Act of 2005, 3 p.m., SD–106.

Committee on the Judiciary: business meeting to consider pending calendar business, 9:30 a.m., SD–226.

House

Committee on Energy and Commerce, hearing on Medicaid: Empowering Beneficiaries on the Road to Reform, 10 a.m., 2123 Rayburn.

Subcommittee on Environment and Hazardous Materials, hearing entitled ''Electronic Waste: An Examination of Current Activity, Implications for Environmental Stewardship, and the Proper Federal Role,'' 1 p.m., 2322 Rayburn.

Committee on Homeland Security, Subcommittee on Prevention of Nuclear and Biological Attack, hearing entitled ''WMD Terrorism and Proliferant States,'' 11 a.m., 2261 Rayburn.

Committee on International Relations, hearing entitled ''The U.S. and India: An Emerging Entente?'' 10:30 a.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Courts, the Internet, and Intellectual Property, oversight hearing entitled ''Review of U.S. Patent and Trademark Office operations, including analysis of Government Accountability Office, Inspector General, and National Academy of Public Administration Reports,'' 1 p.m., 2141 Rayburn.

Committee on Small Business, Subcommittee on Workforce, Empowerment, and Government Programs, hearing entitled ''Freedom in the Workplace-An Examination of a National Right to Work Law,'' 10 a.m., 311 Cannon.

Committee on Veterans' Affairs, Subcommittee on Economic Opportunity, to mark up H.R. 3665, Veterans Housing Improvement Act of 2005, 3:30 p.m., 334 Cannon.

Permanent Select Committee on Intelligence, executive, Briefing on Global Updates/Hotspots, 9 a.m., H–405 Capitol.

Next Meeting of the SENATE

9:30 a.m., Thursday, September 8

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 60 minutes), Senate will begin consideration of H.R. 2862, Science, State, Justice, Commerce Appropriations.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, September 8

House Chamber

Program for Thursday: Consideration of H.R. 3673, making emergency supplemental appropriations for 2005.

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