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House of Representatives

The House met at 9:00 a.m.

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

Eternal God and Lord of history, each day this Nation seeks Your blessing that we may know the ways that are righteous and be protected from evil.

The revered Abraham Lincoln spoke of the ''mystic chords of memory.'' He was convinced that heroes and heroines of the past inspire people presently to make bold steps into the future.

Thus, Congress makes laws today by building upon the past.

Lord, for Lincoln, the profound obligation and duties of the Constitution were so strong that there is a link of the living with the dead and with the unborn of a new generation.

Fidelity to the Constitution is a guarantee to the future, because the living are determined ''that representative government of the people, by the people, for the people shall not perish from the earth.'' Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New Jersey (Mr. PALLONE) come forward and lead the House in the Pledge of Allegiance.

Mr. PALLONE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five 1-minutes on each side.

DEFICIT REDUCTION ACT

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

Ms. FOXX. Mr. Speaker, a debate is brewing in Congress that will have a significant impact on the future of this Nation. There are two clearly defined sides in this debate. On the one hand are fiscal conservatives such as myself who want to cut government spending and rein in the Federal deficit. On the other hand are folks who believe that more government spending is the answer to all our problems, and these folks will raise your taxes to pay for it.

In light of the high cost associated with hurricane relief, our budget's $35 billion savings package is simply not enough. The good news is that Congress now has the rare opportunity to rein in Federal spending by $50 billion and reform decades-old programs that are often duplicative and ineffective.

It is disappointing that many of my Democratic colleagues are fighting the Deficit Reduction Act. Even though they complain about the deficit, they would like to increase spending by billions of dollars. These Members have no plan to reduce the deficit. Their only answer is to raise taxes.

Mr. Speaker, the last thing we need is more of the old tax-and-spend mentality. The Deficit Reduction Act gives us an opportunity to streamline our government, reform ineffective programs, cut spending, and provide greater accountability. It is time for this important legislation to pass.

REPUBLICANS ARE NOT ADDRESSING THE DEFICIT

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

Mr. PALLONE. Mr. Speaker, House Republicans tout their budget bill as fiscally responsible, but the American people should not be deceived. It is nothing more than another attempt to cut taxes for the wealthiest few on the backs of America's college students and America's Medicaid and food stamp recipients.

The cuts House Republicans will attempt to bring to the House floor next week are nothing but cruel. It has only been 2 months, and Republicans have already forgotten about the poverty stricken people affected by Hurricane Katrina.

While Republicans cut $50 billion in Federal programs, they also give $70 billion in tax cuts to the wealthiest few. That means the Republican budget bill will increase the deficit by $20 billion. Again, increase the deficit. And Republicans call themselves fiscally responsible? Well, the American people will be watching next week, and they will not be deceived.

PROTECTING PATIENT PRIVACY

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

Mr. MURPHY. Mr. Speaker, nearly all Americans' personal health information remains at some risk. More than one in four health insurance plans and almost one in three care providers have indicated that they experience data security breaches of personal health information.

The problem is that only 43 percent of health care providers comply with Federal laws that protect an unauthorized disclosure of health information. As the U.S. slowly expands its use of electronic health records, Congress needs to shift from the current complaint-driven approach to enforcing privacy standards to proactively defending patients' personal information. Every American should be able to know that their medical records are secure.

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My legislation, H.R. 2234, would keep electronic medical records safe, ensure that patients have access to their own records, and notify them when information is accessed by an unauthorized user, thus reducing risk. Ensuring health data security is important for all Americans to have confidence in their hospital.

I would urge my colleagues to learn more about protecting patient privacy for the 21st century by visiting my Web site at murphy.house.gov.

BROWN STILL EMPLOYED BY DHS

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

Mr. EMANUEL. Mr. Speaker, it might shock everyone to know that former FEMA Director Michael Brown is still on the government's payroll. Michael Brown is still earning a $148,000 annual salary.

''Brownie, you're doing a heck of a job.''

Homeland Security Secretary Michael Chertoff agreed to extend Mr. Brown's contract for yet another 30 days.

Michael Brown's recent e-mails that have now been made public show he was more interested during the crisis in his dinner reservations and his attire than getting food, water, and medical supplies to those New Orleans residents, and yet he is still getting paid by the taxpayers.

We should not be shocked. This is accountability Bush style, and the only people that get fired by the President are those who tell the truth. Look at what happened with Michael Brown and look at what happened to General Shinseki who told the truth and who was fired.

Mr. Speaker, this administration gives a whole new meaning to job security. We can do better. It is time for new priorities. It is time for a change.

A VICTORY FOR ALL AMERICANS

(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, our country has been built by innovative men and women who have devoted their lives to owning their homes and businesses. As a former real estate attorney, I know firsthand that ownership is an important component of the American dream.

In June, the rights of property owners recently came under attack when the Supreme Court issued a decision giving local governments the power to seize private property from one private party and give it to another. By valuing potential tax revenues and economic development over the private rights of American citizens, the court delivered a dangerous decision that misinterprets our Constitution and threatens our core values.

Led by sponsor HENRY BONILLA and Chairman BOB GOODLATTE, the House of Representatives acted last night to restore power to American citizens. By passing the Private Property Rights Protection Act of 2005, Congress voted to ensure property owners truly have control over their homes, businesses, and organizations. This legislation is an important victory for all Americans.

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

JUSTIFYING WAR IN IRAQ

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

Mr. KUCINICH. One of the attempted false justifications for the war in Iraq was that Iraq was trying to get uranium from Niger to make nuclear weapons. This lie and the attempts to justify it are key to understanding not only the Libby indictments but to understanding why we are in Iraq.

Who forged the Niger documents? What role did Italian intelligence have in the forgeries? What role did the White House Iraq group have in falsely promoting the phony nuclear threat? Who forged the Niger documents? Who took us to war on false pretenses, sending thousands of our beloved soldiers to their deaths?

Sign House Resolution 505. Support that, because that requests the President and directs the Secretary of State to provide to the House of Representatives certain documents in their possession relating to the White House Iraq group.

TIME TO FORGIVE AND MOVE ON

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

Mr. GOHMERT. Mr. Speaker, there are some people that just cannot seem to get beyond these allegations about the President of the United States lying to us. Over and over we are told the President of the United States lied to us. But I am not sure that that is actually the case. There is evidence. Even Joe Wilson's initial oral report to his superiors indicated some support for that idea that Saddam was trying to get weapons of mass destruction. Perhaps, maybe the President lied to us. Maybe his wife, who reportedly said the same thing, maybe they did lie to us.

Maybe it is because of my Christian background that teaches forgiveness, but I say: In order for this country to move on, it is time to forgive President Bill Clinton if it was a lie and move on.

REPUBLICAN BUDGET PRIORITIES

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

Mr. DEFAZIO. Well, we have the newfound foe, fiscal conservatives on that side of the aisle. They control everything, the House, the White House, the Senate. They have increased the debt of the United States 62 percent in the last 5 years to $8 trillion, and now they want to cut spending.

Now, what spending are they targeting? Is it the big wasteful spending? No. It is duplicative programs like school lunch and breakfast. I guess those kids are taking two meals. Or student loans. I guess those kids are taking a double load of classes and paying too much. So they will cut $50 billion, and the next week they are going to cut taxes for those who earn over $300,000 a year by $70 billion.

Now, in their world, even though that is a $20 billion increase in the real deficit, they say, no, that is not an increase in the deficit, because those rich people, why, they are just going to trickle down on the rest of America. They are going to put the rest of us to work, and they are going to increase productivity, and some day that will increase Federal revenues because working people pay taxes, not rich people, in their world. This is a bizarre turn of events here in Washington, D.C., and their cuts and their tax cuts should be rejected.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 3057, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2006

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 532 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 532

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 3057) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mr. MILLER of Florida). The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 1 hour.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. LINCOLN DIAZ-BALART of Florida asked and was given permission to revise and extend his remarks.)

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, House Resolution

532 is a traditional standard rule for consideration of the conference report for the fiscal year 2006 Foreign Operations, Export Financing and Related Programs Appropriations Act. The rule waives all points of order against the conference report and against its consideration.

Mr. Speaker, the legislation before us today appropriates almost $21 billion. It is an increase of about actually over $1 billion for operations across the globe. The bill is fiscally sound. It has grown at a small, very small rate, while at the same time I think it is responsive to the needs, not only the national security interests or the foreign policy interests of the United States, but also it is responsive to the needs of millions plagued by disease and famine and disaster throughout the world.

H.R. 3057, for example, Mr. Speaker, bolsters the President's Millennium Challenge Corporation to nearly $1.8 billion. It is about a quarter of a billion more than last year. This is an expansion of assistance meant to help bring really economic security and the rule of law to some of the world's poorest countries by insisting on American aid going to countries where there is transparency for the aid that we send, not corruption.

□ 0915

It is an important initiative.

The Millennium Challenge provides assistance through a competitive selection process to developing nations that are genuinely in the path of political and economic reforms in three areas: ruling justly, in other words, treating their people decently; investing in people; and fostering economic freedom. Economic development genuinely succeeds when it is linked to free market economic and democratic principles and policies and where governments are committed to implementing reform measures when they are needed to achieve such goals.

Two years ago in the State of the Union address, President Bush announced the President's emergency plan for AIDS relief. It is the largest international health initiative in history initiated by a single government to address one disease. This legislation shows Congress's continued support to the fight against HIV/AIDS. It includes $2.8 billion, an increase of over $600 million over last year to continue the fight against HIV/AIDS, as well as tuberculosis and malaria.

The resolve of this Congress to help all those across the globe to fight this disease is strong and serious, as is the commitment of the President of the United States. In addition to funding, the Federal Government enlists the expertise of agencies, including the Food and Drug Administration, which assures that the medicines we send to the areas most affected by this horrible pandemic are safe and effective to help those with HIV/AIDS.

In other foreign assistance, H.R. 3057 funds the Andean Counterdrug Initiative at the President's request, $735 million, $9 million more than in 2005. Economic growth in the area since the start of Plan Colombia, for example, is proof that the assistance that we have provided Colombia has made a difference in that country.

I visited Colombia in April of last year. It was a great honor for me to do so. I have tens of thousands of distinguished constituents, very hard-working, honorable people from Colombia.

It was a pleasure to visit that country and to witness, Mr. Speaker, the extraordinary progress that the Colombian Government and the Colombian people have made against the narcoterrorists. They constantly reiterate, they did so during my visit and they have done so since and I know they have done so to countless colleagues in this House, they reiterate their gratitude to this Congress for the important assistance that the American people, the taxpayers of this country, through their Congress have provided them and continue to do so in their fight against narcoterrorism.

Now, we must not take progress in the Andean region for granted. If the United States turns its back on the region, a scenario may very well ensue that would require greater U.S. investment at a time when we have significant responsibilities worldwide.

The underlying legislation provides also $2.5 billion for military and economic assistance to Israel. We have to continue to ensure that our friends and allies remain secure; and, of course, we have no better friend, no better ally than Israel. We are committed to doing everything we can to see that Israel is safe and secure within its borders as it continues to move in this very difficult era toward the achievement of a lasting peace with all of its neighbors.

The conference report funds the President's request to fund the foreign military financing for Egypt at $1.3 billion. It provides almost half a billion dollars for economic assistance to Egypt, including assistance set to help with political reform programs and education assistance. Of course, that is a very, very important initiative that this country has been involved in for decades now.

I would like to thank Chairman LEWIS, who has worked very hard again, and Chairman KOLBE for their extraordinary leadership in moving this bill forward for our consideration today. I obviously support the conference report. I urge my colleagues to support both the rule and the underlying legislation, the conference report.

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

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

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, lately when Americans turn on the news at night, they do not see the government that they recognize. They hear about a war in the Middle East gone wrong, and they see suffering people left to fend for themselves in times of crisis. They learn more and more about a White House under siege, and they are forced to recognize the ugly truth that many of their congressional leaders are entangled in a web of corruption.

While the criticism is justified and the concerns are real, the failures do not define America. It is important to remember that in difficult times, especially in difficult times, we must always keep close, in spite of the challenges at home and abroad, and that no other nation has shined the light of freedom and liberty as brightly as we have here in our country. No nation in history has given so much and asked for so little in return.

That romantic and powerful notion of America as a force for good in a troubled world strikes at the very heart of what it means to be an American. It is that spirit which drives us as a Nation to create a government as good as its people, and today we take one step in helping to restore that feeling in America to embody the ideal of what we hold dear. It is a bill that will help Americans recognize their government once again.

The foreign operations bill funds a number of different foreign assistance agencies and international organizations and, as such, has become both a critical and effective tool for this democracy to spread democratic values and concern for human rights around the world. This is legislation that the American people can take great pride in.

After all, today you will generously give $2.82 billion to some of our noblest callings, such as easing the suffering of those around the world stricken by HIV/AIDS, tuberculosis, malaria, and particularly in Africa. $14 billion that Americans earned this year will be used to give foreign assistance.

These moneys will also help economic development in countries like Israel, Egypt, Afghanistan, Indonesia, Tibet, Colombia, and a number of other Eastern Bloc countries now struggling to become functioning democracies.

It further spends $1.6 billion to help fund many of the well-intentioned international financial institutions which the United States participates in, such as the World Bank, the African Development Fund, and the voluntary U.N. programs such as UNICEF and the U.N. Development Program. These American dollars will assist those struggling societies to build a better life for themselves and their families.

What we often fail to recognize is that foreign operations also help us here at home. The spending in the bill directly benefits our domestic economy. Through our many foreign assistance programs, we export American goods, American services and agricultural products all over the world. That means jobs for American families and a

brighter future for families across the world.

Of course, as with many complex pieces of legislation, I have some concerns with the conference report. Key among them is the Bush administration's insistence on maintaining a global gag rule which prevents critical family planning and health services aid from reaching the U.S. health clinics in underdeveloped and overpopulated countries where abortion counseling services are provided.

Clinics in overpopulated regions are not even allowed to take a public prochoice position, and the United Nations fund for Population Assistance Program, which provides critical family planning services abroad, has been unfairly targeted by such administration policy.

The UNFPA does not provide abortion services, but the program has been repeatedly denied critical U.S. funding by the Bush administration under the gag rule. As a result, thousands of women in overpopulated developing nations are without the health care and family planning resources each of us takes for granted here in America.

Thankfully, this conference report provides $34 million in funding for this important program. But antichoice House and Senate conferees stripped the language which would protect the funding from the gag rule, and as a result that money will most likely never reach those it was intended to help.

Despite these attempts to politicize the considerable aid this Nation provides abroad, this legislation, on the whole, serves an unqualified good for the people all over the world.

I would submit, though, that through the money we spend here today on foreign ops, we do a better job of spreading universal values of democracy and liberty and freedom than with the hundreds of billions of dollars we have spent on the war in Iraq.

By helping to improve the quality of life for people all over the world, we export the seeds of our American Dream; and by investing in international organizations that open markets, create trade, foster economic development and promote democracy, we create a rising tide that truly lifts all boats.

This is the way America spreads its values most effectively. By serving the world community and investing as both a partner and leader in the global community, we exemplify what it truly means to be American; and as a result, we provide a living example that the America we have long known is still standing tall.

These programs effectively address global challenges at their root source and seek to overcome those challenges the right way, by fostering hope and opportunity, rather than fear and hostility. They are the best ambassadors of the American spirit that we could ever hope to export. After all, what better way is there for us to spread democracy, freedom, and social justice than through the methods that have proven time and time again to actually work.

Therefore, I urge my colleagues to vote for this bill.

Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I want to commend Chairman KOLBE, Ranking Member Lowey, and their respective staffs for consistently working in a bipartisan fashion and trying year after year to bring before the House a bill that all Members can support.

For those of us who care in particular about the contributions made by the United States in reducing global poverty and hunger, increasing educational opportunities, access to health care and food security in some of the poorest places on this Earth, we very much appreciate the time and the effort that they invest in making sure that this bill responds to these needs and priorities.

I must express, however, Mr. Speaker, my regret that the final conference report did not include the Leahy-McConnell language dealing with the paramilitary demobilization taking place in Colombia. I recognize the language in the conference report is the result of some compromise, but it appears to me that the majority of compromising had to be done on the Senate side.

Mr. Speaker, I am very concerned about news reports that demobilized paramilitary groups are regrouping into Mafia-like criminal organizations. New paramilitary groups seem to be springing up like daisies and their ranks are often made up of newly demobilized paramilitary troops.

Like all Members of Congress who follow Colombia, I want the demobilization process to work. I want it to succeed. But the process is not helped when the Congress or the administration turns a blind eye to serious failings in its implementation, as has been done over and over and over again.

For these reasons, I believe that the certification provision on Colombia's demobilization process in this bill, even though it is watered down, I think is important and needs to be faithfully implemented.

Last night during the Rules Committee hearing, I was very reassured when Chairman KOLBE told me that his committee would be vigilant in monitoring the demobilization of Colombia's paramilitary organizations and in overseeing the implementation of the certification conditions contained in the bill.

But, Mr. Speaker, I have often raised on the floor of this House my concerns about the long-standing ties between Colombia's armed forces and paramilitary forces and drug traffickers. I have constantly been told by the administration, by the Colombian Government, and even by some Members of this House, that these allegations also simply are not true.

Well, last week, on October 28, the New York Times reported how the top two directors of Colombia's intelligence agency, commonly called their secret police, have been forced to resign because the attorney general's office has finally begun an investigation into how the 7,100-member agency has been engaged in a money-making operation to sell intelligence and surveillance equipment to right-wing paramilitary groups.

Mr. Speaker, I will include the New York Times article in the RECORD at the conclusion of my remarks.

Mr. Speaker, I am very concerned by a new wave of threats, disappearances and murders of Colombian trade unionists, human rights defenders, legal advocates and community leaders which appears to be under way.

□ 0930

The violence in Colombia appears to be sharply escalating once again. I would like to mention in particular the murder of Mr. Orlando Valencia, an Afro-Colombian community leader who was forcibly captured off the street by paramilitary forces shortly after he was first briefly detained and then released by the Colombian police on October 15, which shows you the collaboration between the security forces and paramilitaries. His tortured and mutilated body was found a few days later along the side of a local road.

At the time of his disappearance, I wrote to our embassy in Bogota, asking them to do all they could to find Mr. Valencia before he was killed; and I am still waiting for a response from our embassy to that letter.

So let me say to those who continue to champion billions of dollars in additional aid to the Colombian military and security forces, please pay attention not only to the spokespeople of the Colombian government but to the realities in that country. We should be more concerned. For all that we have invested in that country, we should expect better.

I want to thank the gentlewoman from New York for allowing me the time to express these concerns. I support the rule, and I will support the bill.

[From the New York Times, Oct. 28, 2005]

TWO TOP DIRECTORS LEAVE COLOMBIA'S SECRET POLICE AS SCANDAL MOUNTS

(By Juan Forero)

BOGOTÁ, COLOMBIA, Oct. 27.—The top two directors of Colombia's secret police were forced out this week as the government investigated allegations that the agency was mounting a money-making operation to sell intelligence and surveillance equipment to right-wing death squads.

The scandal at the agency, the Administrative Department of Security, comes as human rights groups and some legislators have exposed heightened paramilitary activity, including infiltrations of Congress and the attorney general's office. The paramilitaries also continue trafficking in cocaine, despite disarmament talks that underpin President Álvaro Uribe's effort to pacify Colombia with billions in American aid.

The 7,100-member intelligence agency has long been dogged by allegations that its

agents have worked with paramilitaries of the United Self-Defense Forces of Colombia, an illegal antiguerrilla organization that the State Department has branded a terrorist group. But the latest scandal has been especially explosive, coming amid international criticism that the government has been overly generous with paramilitaries who disarm by treating them leniently in prosecutions.

On Tuesday, after consultations with Mr. Uribe, Jorge Noguera, the director of the agency, resigned and its sub-director, José Miguel Narváez, was dismissed.

The agency's internal affairs unit and the attorney general's office are investigating whether the Special Intelligence Group, controlled by Enrique Ariza, a close ally of Mr. Noguera, had been planning to sell phone-tapping equipment to Javier Montañes, one of several powerful paramilitary commanders who could then use the system to monitor police and military activity.

Mr. Noguera denied the accusations, calling them part of a smear campaign.

Mr. Narváez said in an interview that he and Mr. Noguera were not involved in a conspiracy with the militias. But he said there were agents at the agency ''who veered away from their mission and may have committed crimes.''

The allegations are particularly grave because they add to a string of revelations of paramilitary influence in everything from local governments and the health care system to provincial lotteries. Indeed, a former official at the intelligence agency, Rafael García, has been under investigation for having erased computerized case files containing information on paramilitaries and drug traffickers.

''This is more serious because this is not just having sources on the inside and knowing when they're coming against you,'' said Sergio Jaramillo, a former Defense Ministry official, referring to infiltration of the intelligence agency. ''It is something closer, having active help.''

A political scientist who closely studies the paramilitaries, Mauricio Romero, said the disclosures also showed that the paramilitaries were ''not playing clean'' in peace talks.

''It would be understandable if they were at war with the state,'' said Mr. Romero, a professor at Rosario University in Bogotá. ''The fact that there is infiltration and that they are mounting a parallel intelligence system is a security problem not just for the state, but for society.''

Though the paramilitaries have demobilized thousands of fighters, they continue to wreak havoc.

On Saturday, Hernando Cadavid, who owned a flower farm next to Mr. Uribe's ranch in northern Colombia, was dragged from his farm and hacked to death with machetes by former paramilitaries. Investigators are trying to determine if the order came from Diego Fernando Murillo, a paramilitary boss recently jailed on Mr. Uribe's orders.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, we are also concerned about Colombia, and we are concerned about increased assistance from the terrorist network throughout the world, the Iranians, Chavez in Venezuela, Castro's Cuba. We are concerned about their support for the narcoterrorists in Colombia, and that is why it is so important to provide assistance to the democratically elected government of Colombia.

Mr. MCGOVERN. Mr. Speaker, will the gentleman yield?

Mr. LINCOLN DIAZ-BALART of Florida. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. Two things. Is the gentleman saying that the President of Venezuela is a terrorist?

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I am saying that it is a dictatorship. It is a dictatorship, a dictatorship that supports the regime in Iran publicly; a dictatorship, the regime in Caracas. The first foreign head of State to visit Saddam Hussein while Saddam Hussein was in power after the Gulf War of the 1990s was the President of Venezuela. So, yes, I am concerned about the President of Venezuela's links to terrorism and his assistance to the FARC guerillas in Colombia.

One of the reasons why we continue to help and assist the democratically elected government of Colombia, elected by an overwhelming majority of the Colombian people, is because they face multiple challenges. That is one of the reasons why, in a bipartisan fashion, this Congress continues to help the democratically elected government.

Mr. MCGOVERN. Mr. Speaker, if the gentleman will further yield, I appreciate his concerns about the violence by the FARC. I would also just appreciate it if he would also be concerned about the fact that we are supporting the Colombian military and security forces and they continue to be linked to right-wing paramilitary forces which commit crimes.

All I am simply saying is that we have certification language, we should enforce it and not continuously waive it because we want to continue to let the money flow. If we stand for human rights, then we need to put our actions where our rhetoric is, and we have not been doing that in Colombia.

Mr. LINCOLN DIAZ-BALART of Florida. Reclaiming my time, Mr. Speaker, we have certification language. We do not condone in any way terrorism from any source in Colombia. We have consistently had safeguards in our legislation to make sure that our assistance is not used by terrorists of any sort in Colombia, but I think that we have to keep our eye on the ball here, and that is that there is a democratically elected government challenged by narcoterrorists, heavily funded because of their trade in narcotics, their narcotrafficking, and that that government, that democratically elected government, is a friend of this country and merits our continued support.

So I am honestly very pleased that, in a bipartisan fashion, this Congress continues to support the democratically elected government of Colombia; and that is one of the great foreign policy initiatives, bipartisan foreign policy initiatives, by the way, that this country is engaged in, which is very connected to the security of this country in addition to the foreign policy objectives of this country.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

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

Mr. Speaker, there is much in this bill to support, and I rise in support of the rule and the bill. This is a bill which demonstrates America's capacity to be sensitive to the world, America's willingness to feed the hungry, to help those who are depressed and oppressed all around the world.

The heart of America is open to people everywhere. That is why it is such a tragedy that, while we simultaneously will pass this bill today, our country is involved in action in Iraq that is undermining all the goodwill that America creates with this bill. What an irony it is that we are here talking about the needs of people all over the globe and, at the same time, we are alienating people all over the globe by pursuing a war in Iraq, a country that did not attack us, based on false information from an administration that should have known better.

So, yes, we ought to support this rule and we ought to support the bill, because the word that ought to go out, far and wide, about the United States is that we care about suffering people, that we want to find a way of lifting up people everywhere, that we want to try to find a way of making this a better world. But, as we do that, we also need to be consistent. We need to remember that we are simultaneously pursuing a path in Iraq that is wrong. We need to take a new direction there so that we can bring America's aspirations to help the world in line with our policy everywhere.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it is my privilege to yield such time as he may consume to the chairman of the Rules Committee.

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

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule and the legislation itself.

I would like to begin by congratulating my very good friend from Arizona (Mr. KOLBE) and my friend from New York (Ms. Lowey) for working in a bipartisan way to ensure that we could get this conference report to the floor.

I also want to congratulate, of course, the leadership of the full committee. I see the gentleman from Wisconsin here and Chairman LEWIS, who I know have worked long and hard on these issues.

It is great that we are able to continue down this road of getting our work done when it comes to appropriations. That has been a high priority that Chairman LEWIS has established; and, obviously, what we are going through today is evidence of that.

I want to especially, as we look at what is a multi-billion-dollar piece of legislation designed to ensure the national security of the United States of America and our interests around the world, I would like to talk about a tiny

bit of money that is in here. It is a lot of money to me, it is a lot of money to us as individuals, it is $1 million, but in the big scheme of things, if you look at a $20 billion package, the $1 million is relatively small.

It has to do with funding for something known as the House Democracy Assistance Commission. This is a very, very important initiative that was launched by Speaker HASTERT and Minority Leader PELOSI to put us on the road towards assisting, from this institution, emerging parliaments around the world.

One of the things that we found in the aftermath of Iraq is that there has been really a tremendous expansion of democracy. We know that in this hemisphere, and I heard the gentleman from Massachusetts and the gentleman from Florida having an exchange about this hemisphere, and I cannot help but think about the fact that we need to herald, herald the fact that, as the Summit of the Americas is taking place in Argentina at the moment, there are 34 democratically elected leaders in this hemisphere, and that is something that is unprecedented, unprecedented. We never in the history of the world have seen this kind of expansion of pluralism in this hemisphere, but it is also taking place in other parts of the world. Hence, we put together this Democracy Assistance Commission.

I was very honored that the Speaker asked me to chair this, and I am joined by my very good friend from North Carolina (Mr. PRICE) who has worked on this. This is an idea that goes, frankly, all the way back to our former colleague, Doug Bereuter, who worked on this initiative.

What we are doing is, in the coming months, we are going to see members of parliaments from these new democracies, new parliaments coming to the United States and spending time in State capitals, working in congressional district offices, dealing with the wide range of issues that Members of the House of Representatives face. They are going to do that for 1 week.

Then, for a week, they are going to be coming to Washington, DC, and they are going to have an opportunity to focus attention on these very important issues of committee establishment, of budget process, oversight of the executive branch, things that we have a tendency to take for granted that these new democracies are just beginning to learn about.

One of those countries is the newest democracy on the face of the earth. It happens to be a country that just gained its independence 6 years ago from Indonesia: East Timor, a nation established in 1999. We also are going to include Indonesia. We are going to be including Kenya, the Republic of Georgia, Macedonia. Those are going to be the first five countries that we are going to include. So we will have roughly 10 parliamentarians from each of those five countries come to the United States and expend time and effort learning about this process, which we have a tendency to take for granted.

The gentleman from Arizona (Mr. KOLBE) is working very hard on this commission. We appreciate all the work that he has put into it, and we also appreciate the fact that he understands the importance of making sure that it succeeds.

This is all part of our quest to win the global war on terror. As has been pointed out time and time again, as we see the expansion, Mr. Speaker, of these democracies, we are in a position where we now have an opportunity to create a chance for people in these countries to succeed without resorting to terrible, terrible things.

So I congratulate my friends for this overall bill. I congratulate them and the bipartisan spirit in dealing with this appropriations process. I support the rule, and I look forward for voting for final passage on this very important conference report.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I rise to express my strong support for the fiscal year 2006 foreign operations conference report, which provides further foreign assistance to the Republic of Armenia, including $75 million in economic assistance. I would like to thank the House Appropriations Committee for its continued support of both Armenia and resolving the humanitarian situation in Nagorna-Karabakh.

Foreign Operations Subcommittee Chairman KOLBE and Ranking Democrat NITA LOWEY realize how important these funds are to Armenia and Nagorna-Karabakh, and I would like to thank them for their continued support.

I would also like to thank my friend and co-chair of the Armenian Caucus, the gentleman from Michigan (Mr. KNOLLENBERG), for his key support as a member of the subcommittee.

Mr. Speaker, it is very important that this House continue to recognize the plight of the victims of the Nagorna-Karabakh conflict. The conference committee included $3 million in humanitarian assistance to Nagorna-Karabakh. While the United States does not officially recognize the State of Nagorna-Karabakh, this assistance shows that the United States supports Nagorna-Karabakh as an Armenian enclave that needs our continued help.

It is also important to point out that the conference report maintains military assistance parity between Armenia and Azerbaijan, providing $5 million allocated to each country. By allocating equal levels of military and security assistance to both nations, the U.S. Government will preserve its credibility as an impartial and leading mediator in the continuing sensitive peace negotiations for the Nagorna-Karabakh conflict. Given the ongoing Azerbaijani blockades and threats to renew military aggression against Armenia and Karabakh, it is critically important that the administration continue to promote balanced short- and long-term policies that elevate regional cooperation and reduce the risk of conflict in the south Caucasus region.

Again, let me thank the members of the Appropriations Committee for their continued support for Armenia.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it is my privilege to yield 3 minutes to a great leader in this House, the distinguished gentleman from Indiana (Mr. PENCE).

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

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

Mr. Speaker, I rise in strong support of the rule supporting the conference report for Foreign Operations, Export Financing and Related Programs. It is an example of Congress demonstrating the ability to fund our national and international priorities in a fiscally responsible way, and I come to this floor to extol its virtues and urge all of my colleagues to support the rule and the underlying bill.

This legislation will fund the Nation's priorities in a meaningful way, addressing the AIDS pandemic, bringing innovative reforms to our foreign assistance programs and, of ultimate significance, supporting the global war on terror.

But specifically with regard to the internal mechanics of this legislation, I am particularly moved by the leadership of Chairman JERRY LEWIS of the Appropriations Committee and subcommittee chairman JIM KOLBE who, in an effort to ensure that this legislation was brought to this floor not only on time but on budget, are in the midst of an extraordinary effort to amend the Budget Act to embrace a new road map that will bring not only this bill but all of the appropriations to the $843 billion level embraced by this Congress this spring.

Many of us have expressed concerns in recent days that three of the four preceding conference reports that came to the floor did not conform precisely with the details of that spring-adopted budget.

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In response to that, the chairman of the Appropriations Committee shared with us and with other Members the road map to help us to achieve what will be, in a historic manner, a real cut to nonsecurity discretionary spending before Congress adjourns this year.

But in an effort to go one step further, the Appropriations Committee began the process this week of amending that road map into the Budget Act itself.

It is my understanding that the Budget Committee as well as many fiscal hawks in the Republican majority

have been moved by that leadership and see it as an example of the energetic, principled, executive renewed leadership in the Appropriations Committee under Chairman JERRY LEWIS.

Mr. Speaker, I rise in support of the rule. I urge all of my colleagues to support the rule and the underlying bill. I rise to give credit where credit is due, to Chairman JERRY LEWIS and Subcommittee Chairman JIM KOLBE, for a job well done, proving once again it is possible to fund the Nation's priorities on time, on budget, in a generous, but fiscally responsible, way.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I rise in support of the rule and in support of the conference report, the Foreign Operations and Export Financing and Related Programs Appropriations Act of 2006. At this time, I want to commend the chairman of the Foreign Operations Subcommittee for the very fair and bipartisan manner in which he has brought this bill forward. I will save my comments on the substance of the conference report for the general debate.

However, I do want to make clear that we had a tough job taking this bill through conference. The very low initial allocation in the House was compounded by a low conference allocation that cut the President's request by $2 billion. I would have preferred to increase funding levels for many of the important programs contained in this bill, including refugee assistance.

However, I do think this conference report represents a fair, bipartisan, bicameral compromise. The chairman conducted this process in an inclusive manner, and I do commend him for it. I urge my colleagues to support the rule and to support the conference report on H.R. 3057.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I thank the gentlewoman for yielding me the time and permitting me to speak on this legislation.

Mr. Speaker, I rise in support of the rule and of the underlying legislation. I want to highlight the $200 million that has been set aside for safe drinking water.

I must acknowledge not just the leadership of the gentleman from Arizona (Mr. KOLBE) and the gentlewoman from New York (Mrs. LOWEY), but the special interests of the Senate majority leader, BILL FRIST, with whom I have been working on efforts to increase our commitment to provide sanitation and safe drinking water around the world, a United States priority that we have undertaken together with the United Nations; but it is one where we have not yet backed that up with dollars and with an overall strategy.

Mr. Speaker, I am pleased that this bill is an important step towards meeting that obligation. I am pleased that next week it appears as we will be voting on legislation, the Paul Simon Water for the Poor Act, which will suggest that this will be a cornerstone in our foreign aid strategy.

At any given time, one-half of the people in the world who are sick are sick needlessly from waterborne diseases; and before I finish the 3 minutes that the gentlewoman has kindly allocated to me, more than 10 children will die from waterborne disease.

But the programs in this bill are more than just humanitarian efforts to reduce human suffering. As valuable as they are, they are cost-effective investments in shared prosperity, collective security, and a common future.

I hope that next year we will make it possible for the subcommittee to do its job easily and that the United States is not ranked 21st out of 22 donor countries in terms of how much we invest in ending global poverty compared to the size of our economy.

I hope, Mr. Speaker, additionally, that we are able to correct one area that is of deep concern to me, the loss of $50 million for the African Union Mission in Darfur, cut just at the point where security is getting worse, when the African Union is coming under attack, and the innocent people in Darfur are most in need of protection.

It troubles me deeply. However, overall I think the job that has been done by the subcommittee in fighting for our priorities and particularly in the renewed investment in safe drinking water and sanitation is to be commended. It will have a transformational effect, even this small amount. Bear in mind, Mr. Speaker, that if Americans would allocate just what we give each year for elective cosmetic surgery, or the Europeans would invest what they spend on perfume, we could meet the targets that the United States and the United Nations have set to reduce the scourge of unsafe drinking water and lack of sanitation.

I appreciate the work that is here. I look forward to supporting the bill.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. FARR).

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

Mr. Speaker, I want to thank Chairman KOLBE and Ranking Member LOWEY for increasing the amount of money that has been put into the alternative development program in Colombia. It is a program that gets people away from growing coca into growing alternative crops. And I stand in support of the rule on this bill.

I am a returned Peace Corps volunteer from Colombia and very much interested in building the capacity of local people to handle their own issues. If there is anything that we have learned from the Iraq war, it is the necessity to build local capacity for host country nationals to be able to run their own government and their own programs.

And if you have a lot of people that are displaced, meaning they have no place to live, no jobs, no schools, no infrastructure to support them, you have a lot of problems. So what you need to do is provide abilities for them to have, in the rural areas, good economic opportunity. You do that by providing a base of what we call alternative development of programs that will keep them economically viable and thus not pressured into growing illicit crops and things like that.

The committee in the House marked this with good money. The Senate raised it. And the conference committee brought it a little bit down, $5.5 million over last year's level. I really want to commend the committee for doing that.

I think, frankly, that we need to, as a Congress, really address how much money gets to these countries, rather than just gets to K Street and lobbyists that are doing reports and doing studies of countries, rather than really helping the money get down to the people. And this is one program that focuses on local issues and NGOs, nongovernmental organizations, rather than multimillion dollar contracts for U.S. contractors.

Building capacities is absolutely essential to survivability of a country. Now, one concern I have is that the report contains $20 million for demobilization activities from an unspecified account. I think it is great that we are helping with the demobilization of the paramilitaries and the FARC and other kinds of insurgents, terrorists in a sense; but I want to make sure that that demobilization money is not taken from the alternative crop money.

I would appreciate if the chairman in his remarks could, perhaps for the record, respond to what conditions have been put on that demobilization money when they decide what account to take it from.

Again, I want to thank the chairman and ranking member, and I really appreciate their efforts to look for how to make a saner and smarter world to live in, rather than just sticking to the old adage that we are going to give money to K Street and let them decide what are the priorities abroad.

Anything we can do to build the capacities of local countries to sustain themselves will make this world a much safer and saner place to live.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. KOLBE).

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

Mr. Speaker, I wanted to respond to the gentleman from California (Mr. FARR) and his comments about the demobilization funds that we have in the bill for Colombia.

The legislation provides that the funds can come from any place in the Act. I cannot guarantee where the administration might ask for those funds

to come from. However, the law would require that they consult with us and notify the subcommittee. And I can assure you that if they were to ask to take funds out of a program that is working and working well, such as the alternative development program in Colombia, we would object to such a request.

So it is very broad on where the money can come from. We have no assurances, I might add to the gentleman from California (Mr. FARR), that they are even going to request this money at all. But if they do, we will be watching very carefully as to where it would come from and make sure it is the appropriate place.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Speaker, I just want the gentleman to know I share the concerns of the chairman. I believe that we can have far greater impact in Colombia by investing in alternative livelihoods rather than forced eradication.

Mr. Speaker, I would be very reluctant to see funding for demobilization programs come at the expense of any alternative development programs, and I look forward to working with the chairman to ensure that this just does not happen.

I want to thank the gentleman from California (Mr. FARR) for raising these concerns.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I want to thank each and every distinguished Member of the House who has spoken this morning on this legislation. Obviously, this is, appropriately so, a tremendous amount, really a consensus, which is pleasing to see support for what we are doing as a Congress and as a government, as a Nation in this legislation.

I want to take one final moment, if I may, to explain a point that I made in response to a question to the gentleman from Massachusetts (Mr. MCGOVERN) when I said that it is my belief that the Government of Venezuela is a dictatorship.

Mr. Speaker, I would like to speak a second or a minute to explain why. Democracy, in order for it to exist, requires two fundamental pillars or legitimacies; the legitimacy of origin, which is obtained through free and fair elections, and the Government of Venezuela was elected. So it obviously had the legitimacy of origin.

But then I believe that for a government to be democratic, it has to have another form of legitimacy, which is legitimacy in its conduct in the process of governing. And if a government, even if democratically elected, represses the opposition, persecutes the opposition, represses the press, for example the free press, in my view, it loses that other legitimacy which is required, the legitimacy of conduct for a democracy to be a democracy.

Mr. Speaker, so I am convinced that the Government of Venezuela has lost its democratic legitimacy, and it is not a democracy. So I appreciate the opportunity to explain why I believe, as I stated before, that it is at this moment a dictatorship.

I thank the gentleman from Arizona (Mr. KOLBE) for his extraordinary work once again in bringing forward this legislation. He is one of the people that I greatly admire in this House.

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I urge all of our colleagues to support what we are doing, the very important step we are taking for our foreign policy interests and great humanitarian causes today in this legislation.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. KOLBE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include tabular and extraneous material on the conference report to accompany H.R. 3057.

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

There was no objection.

CONFERENCE REPORT ON H.R. 3057, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2006

Mr. KOLBE. Mr. Speaker, pursuant to House Resolution 532, I call up the conference report on the bill (H.R. 3057) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 532, the conference report is considered read.

(For conference report and statement, see proceedings of the House of November 2, 2005, at page H9499.)

The SPEAKER pro tempore. The gentleman from Arizona (Mr. KOLBE) and the gentlewoman from New York (Mrs. LOWEY) each will control 30 minutes.

The Chair recognizes the gentleman from Arizona.

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

Mr. Speaker, I am very pleased this morning to be able to bring before my colleagues in the House of Representatives the fiscal year 2006 Foreign Operations Appropriations Conference Report for the bill H.R. 3057.

There is no doubt that the conferees had a difficult challenge this year, working with an overall funding allocation that is almost $2 billion below the fiscal year 2006 request. This is nearly 10 percent less than the President asked for. Nonetheless, the conferees took on the challenge of making the hard choices necessary to meet budgetary realities while funding this country's top foreign policy priorities at responsible levels, levels that fulfill our foreign policy objectives.

The conference report continues strong and active oversight of the expenditure of taxpayers' dollars consistent with the mandate given to us by the United States taxpayers and the leadership of this committee and the Congress.

The conference report continues the Appropriations Committee's pursuit of accountability for the expenditure of tax dollars, in particular our foreign assistance program expenditures. The oversight of our primary agencies—State Department, Treasury Department and USAID—includes quarterly reporting of expenditures, consultation on major programmatic changes and limitation on expenditures until conditions on congressional notifications are met.

The conference agreement also establishes for the first time an independent inspector general for the Export Import Bank.

That, Mr. Speaker, is a very quick summary of the bill. Let me turn now to some of the highlights that are contained in the conference report.

First, with regard to overall funding, the fiscal year 2006 budget request for the foreign operations account or appropriations bill was $22.8 billion. As I already mentioned, the conference report funds our foreign assistance portfolio at $20.9 billion; $1.9 billion below what the President had asked for but $1.4 billion over the fiscal year 2005 conference agreement.

Emergency Plan for AIDS Relief. The conference report includes $2.8 million for the third year of the Emergency Plan for AIDS Relief. Here we are actually above the President's request by $268 million. This number is $629 million over the fiscal year 2005 level.

The conference report includes not less than $450 million, twice the amount requested by the President, for the U.S. contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria.

The Millennium Challenge Corporation, or MCC. This agreement funds the MCC at $1.77 billion, $270 million or 18 percent above the $1.5 billion provided in fiscal year 2005. We are, however, and this needs to be noted, significantly below the $3 billion requested by the President for this year.

Mr. Speaker, I happen to be a strong supporter of the Millennium Challenge Corporation. I was there when the President announced the idea for it. I helped draft the legislation which ultimately ended up in our bill. I am a big believer in this new concept of delivering foreign assistance. But we did

have limitations, and I think that what we have done is a responsible way for it to proceed and make sure that we have adequate funding to continue and expand the work of the Millennium Challenge Corporation.

The increase that we have for the MCC and the conference report comes because we recognize that the White House's top priority, and they communicated this with us, was the Millennium Challenge Corporation. But, as I said, our budgetary constraints left us with little ability to fully fund this important initiative.

Supporting the global war on terror. The agreement provides significant increases in our security assistance and anti-narcotics programs abroad for our allies in the war on terror. This includes fully funding the request for $2.3 billion for Israel and $1.8 billion for Egypt in economic and security assistance, and $300 million for Pakistan and military assistance.

Additionally, over $1.2 billion have been provided to the anti-narcotics and law enforcement accounts, $155 million above last year's levels. The conferees recognize that the illegal drug industry is not only a domestic issue facing the United States but one that funds international terrorism and organized crime, thereby threatening our borders.

Afghanistan. The agreement dramatically increases economic and counternarcotics/law enforcement assistance for Afghanistan at $665 million. That is $350 million above last year's level. This conference agreement fully funds the $430 million request for Economic Support Funds for Afghanistan, an increase of $205 million over the 2005 level. It provides $235 million for police and counternarcotics programs.

Importantly, the conference report includes new language that limits expenditure of about half of the ESF funds until the Secretary of State certifies to the committee that the government of Afghanistan at both the national and provincial levels is fully cooperating with the United States on narcotics eradication and interdiction efforts.

Iraq. In the case of Iraq, the conference agreement provides $61 million in ESF funds. The fiscal year 2006 request was for $458.5 from a variety of accounts to support activities in Iraq. This obviously is a very significant difference from what was requested. However, the committee noted that more than $3.5 billion of the $18.4 billion that was appropriated in 2003 for the Iraq Relief and Reconstruction Fund remains unobligated. The conferees did not think it was responsible to direct new taxpayer resources to Iraq at this time.

The conferees expect the administration to fund the remainder of its request for Iraq from the unobligated portions of the Iraq Relief and Reconstruction Fund, and we are convinced that the administration has the flexibility to do just that.

West Bank and Gaza. This agreement fully funds the request of $150 million for the West Bank and Gaza program, an increase of $75 million over the 2005 level, and retains the fiscal year 2005 prohibitions and restrictions on the expenditure of those funds, including the requirements for a GAO audit of U.S. assistance.

There is no request for direct cash assistance for the Palestinian Authority, and nothing in this conference report or accompanying statement of the managers provides for such assistance.

MDB oversight. The agreement includes a provision addressing anti-corruption measures for the World Bank and other reform provisions for all the multi-lateral development banks. It is our hope that these provisions will lead to greater transparency, less corruption, and more effective operations for our multi-lateral contributions to these institutions.

The Global Environmental Facility, or GEF. The agreements includes $80 million for the Global Environmental Facility. That is $27 million below the request, but it is a full $80 million more than was in the House-passed bill. The conferees were pleased to see that in the intervening months the Global Environmental Fund has agreed to establish a performance-based allocation system for the disbursement of funds, as it had committed to do in 2002.

Next year, my subcommittee will continue to conduct oversight of the GEF to monitor how the allocation system is implemented, but our inability to fund the full amount is simply a budgetary one, not because of any transgression on the part of the GEF.

There are many other items in the conference agreement that I do not have time to go into in detail, but let me just briefly touch on them.

$322 million for the Peace Corps. That is $5 million above last year.

$4.3 billion total for USAID, $121 million above the request and $93 million below last year's enacted level.

$440 million for bilateral international family planning programs, of which $34 million goes to the UNFPA.

The conference agreement does, however, retain current law on restriction and prohibitions on assistance, which I know will please some and make others very unhappy.

The conference report does not include the $100 million for conflict response funds that had been requested by the administration. We believe this is something that can be handled through reallocation of funds.

Let me close by thanking my ranking member, the gentlewoman from New York (Mrs. LOWEY), for her continued cooperation and commitment in producing a bipartisan conference agreement. I say with all the sincerity in the world, it is both an honor and pleasure to work with a legislator as dedicated and hardworking as the gentlewoman from New York (Mrs. LOWEY).

I also want to thank the ranking member, the gentleman from Wisconsin (Mr. OBEY), and my chairman, the gentleman from California (Mr. LEWIS), for the support that both of them have given in bringing the product which we bring to you today.

I want to thank the other members of the subcommittee, the minority side as well as the majority side, who served on this conference and helped us in our deliberations and were such active members of all of the hearings that we held during the course of this year. I think our conference agreement reflects the spirit of cooperation that has been the hallmark of this subcommittee.

Finally, let me extend my thanks to the staff of the Foreign Operations Subcommittee. On the House side, Alice Hogans, Rodney Bent, Rob Blair, Lori Maes, Betsy Phillips, Nisha Desai, as well as Sean Mulvaney from my staff and Beth Tritter from the gentlewoman from New York's (Mrs. LOWEY) staff.

On the Senate side, I want to thank Paul Grove, Tom Hawkins, Tim Rieser, Jennifer Park, Bob Lester and Harry Christy for the work they did in bringing this bill to where we are today.

This is a specially poignant moment for me and for the subcommittee as it will be the last time that Rodney Bent and Sean Mulvaney will be on the floor for one of our bills before they leave for different opportunities. While we wish them well in their new pursuits, they will be sorely missed by me and by the staff of the subcommittee. I thank them for what they have done through the years to help support the foreign policy of the United States.

Again, I thank my colleagues for their indulgence here. I thank them for the support they have given us. I urge my colleagues to vote in favor of the conference report.

FOREIGN OPERATIONS- EXPORT FINANCING- AND RELATED PROGRAMS APPROPRIATIONS - FY 2006 (H.R. 3057)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	Conference vs. Enacted
TITLE I - EXPORT AND INVESTMENT ASSISTANCE						
EXPORT-IMPORT BANK OF THE UNITED STATES						
Subsidy appropriation	59,322	186,500	125,000	125,000	100,000	+40,678
Administrative expenses	72,614	73,200	68,200	73,200	73,200	+586
Inspector General	---	1,000	---	1,000	1,000	+1,000
Negative subsidy	-33,000	-35,000	-35,000	-35,000	-35,000	-2,000
Total, Export-Import Bank of the United States	98,936	225,700	158,200	164,200	139,200	+40,264
OVERSEAS PRIVATE INVESTMENT CORPORATION						
Noncredit account:						
Administrative expenses	42,542	42,274	42,274	42,274	42,274	-268
Insurance fees and other offsetting collections	-278,000	-240,000	-240,000	-240,000	-240,000	+38,000
Subsidy appropriation	23,808	20,276	20,276	20,276	20,276	-3,532
Total, Overseas Private Investment Corporation	-211,650	-177,450	-177,450	-177,450	-177,450	+34,200
FUNDS APPROPRIATED TO THE PRESIDENT						
Trade and development agency	51,088	48,900	50,900	50,900	50,900	-188
Total, title I, Export and investment assistance	-61,626	97,150	31,650	37,650	12,650	+74,276
TITLE II - BILATERAL ECONOMIC ASSISTANCE						
FUNDS APPROPRIATED TO THE PRESIDENT						
United States Agency for International Development						
Child survival and health programs fund	1,537,600	1,251,500	1,497,000	1,659,000	1,585,000	+47,400
(Transfer out)	(-6,000)	---	(-6,000)	---	(-6,000)	---
Development assistance	1,448,320	1,103,233	1,460,000	1,675,000	1,524,000	+75,680
(Transfer out)	(-21,000)	(-21,000)	(-21,000)	(-21,000)	(-21,000)	---
(Transfer out)	(-24,000)	---	---	---	---	(+24,000)
International disaster assistance	367,040	655,500	356,000	400,000	365,000	-2,040
Emergency supplemental (P.L. 108-106)	---	---	---	---	---	---
International disaster and famine assistance (Emergency)	17,856	---	---	---	---	-17,856
(By transfer emergency appropriations)	---	---	---	---	---	---
(By transfer) (P.L. 108-106)	---	---	---	---	---	---
Emergency supplemental (P.L. 108-324)	100,000	---	---	---	---	-100,000
Emergency appropriations (P.L. 109-13)	90,000	---	---	---	---	-90,000
Subtotal, Disaster assistance	574,896	655,500	356,000	400,000	365,000	-209,896
Transition Initiatives	48,608	325,000	50,000	50,000	40,000	-8,608
Development Credit Authority:						
(By transfer)	(21,000)	(21,000)	(21,000)	(21,000)	(21,000)	---
Administrative expenses	7,936	8,000	8,000	8,000	8,000	+64
Subtotal, Development assistance	3,617,360	3,343,233	3,371,000	3,792,000	3,522,000	-95,360
Payment to the Foreign Service Retirement and Disability Fund	42,500	41,700	41,700	41,700	41,700	-800
Operating expenses of the U.S. Agency for International Development	613,056	680,735	630,000	620,000	630,000	+16,944
Emergency supplemental (P.L. 108-106)	---	---	---	---	---	---
(By transfer)	(6,000)	---	(6,000)	---	(6,000)	---
(By transfer)	(24,000)	---	---	---	---	(-24,000)
Emergency supplemental (P.L. 108-106) (Transfer to U.S. AID Office of Inspector General)	---	---	---	---	---	---
Emergency appropriations (P.L. 109-13)	24,400	---	---	---	---	-24,400
Subtotal, USAID	637,456	680,735	630,000	620,000	630,000	-7,456
Capital Investment Fund	58,528	77,700	77,700	77,700	70,000	+11,472
Emergency supplemental (P.L. 108-106)	---	---	---	---	---	---
Subtotal, Capital investment fund	58,528	77,700	77,700	77,700	70,000	+11,472

FOREIGN OPERATIONS- EXPORT FINANCING- AND RELATED PROGRAMS APPROPRIATIONS - FY 2006 (H.R. 3057)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	Conference vs. Enacted
Operating expenses of the U.S. Agency for International Development Office of Inspector General	34,720	36,000	36,000	36,000	36,000	+1,280
Emergency supplemental (P.L. 108-106)(By transfer)	---	---	---	---	---	---
Emergency appropriations (P.L. 109-13)	2,500	---	---	---	---	-2,500
Subtotal, Operating expenses	37,220	36,000	36,000	36,000	36,000	-1,220
Total, USAID	4,393,064	4,179,368	4,156,400	4,567,400	4,299,700	-93,364
Other Bilateral Economic Assistance						
Economic support fund:						
Israel	357,120	240,000	240,000	240,000	240,000	-117,120
Egypt	530,720	495,000	495,000	495,000	495,000	-35,720
Other	1,574,800	2,301,375	1,823,525	2,296,375	1,899,000	+324,200
Economic support fund (P.L. 108-106)	---	---	---	---	---	---
(By transfer emergency)	---	---	---	---	---	---
(Transfer out)	(-150,000)	---	---	(-10,000)	(-5,000)	(+145,000)
Emergency appropriations (P.L. 109-13)	1,433,600	---	---	---	---	-1,433,600
Iraqi Relief and Reconstruction Fund (by transfer)	---	---	---	---	(5,000)	(+5,000)
Subtotal, Economic support fund	3,896,240	3,036,375	2,558,525	3,031,375	2,634,000	-1,262,240
International Fund for Ireland	18,352	---	13,500	---	13,500	-4,852
Assistance for Eastern Europe and the Baltic States	393,427	382,000	357,000	395,000	361,000	-32,427
Assistance for the Independent States of the former Soviet Union	555,520	482,000	477,000	565,000	514,000	-41,520
Emergency appropriations (P.L. 109-13)	70,000	---	---	---	---	-70,000
Tsunami Recovery and Reconstruction Fund:						
Emergency supplemental (P.L. 109-13)	656,000	---	---	---	---	-656,000
(Transfer out emergency) (P.L. 109-13)	(-48,500)	---	---	---	---	(+48,500)
Total, Other Bilateral Economic Assistance	5,589,539	3,900,375	3,406,025	3,991,375	3,522,500	-2,067,039
INDEPENDENT AGENCIES						
Inter-American Foundation						
Appropriation	17,856	17,826	19,500	20,000	19,500	+1,644
African Development Foundation						
Appropriation	18,848	18,850	20,500	25,000	23,000	+4,152
Peace Corps						
Appropriation	317,440	345,000	325,000	320,000	322,000	+4,560
Millenium Challenge Corporation						
Appropriation	1,488,000	3,000,000	1,750,000	1,800,000	1,770,000	+282,000
Department of State						
Global HIV/AIDS initiative	1,373,920	1,970,000	1,920,000	2,020,000	1,995,000	+621,080
Democracy Fund	---	---	---	95,000	95,000	+95,000
(Transfer out)	---	---	---	(-80,000)	---	---
International narcotics control and law enforcement	326,189	523,874	442,400	523,874	477,200	+151,011
Emergency supplemental (P.L. 108-106)	---	---	---	---	---	---
Emergency appropriations (P.L. 109-13)	620,000	---	---	---	---	-620,000
Subtotal, Narcotics control	946,189	523,874	442,400	523,874	477,200	-468,989
Andean Counterdrug Initiative	725,152	734,500	734,500	734,500	734,500	+9,348
(By transfer)	---	---	---	---	---	---
Migration and refugee assistance	763,840	892,770	790,720	900,000	791,000	+27,160
Emergency appropriations (P.L. 109-13)	120,400	---	---	---	---	-120,400
United States Emergency Refugee and Migration Assistance Fund	29,760	40,000	30,000	40,000	30,000	+240
Nonproliferation, anti-terrorism, demining and related programs	398,784	440,100	400,350	445,100	410,100	+11,316
(By transfer)	---	---	---	---	---	---

FOREIGN OPERATIONS- EXPORT FINANCING- AND RELATED PROGRAMS APPROPRIATIONS - FY 2006 (H.R. 3057)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	Conference vs. Enacted
Emergency supplemental (P.L. 108-106)	---	---	---	---	---	---
Emergency appropriations (P.L. 109-13)	24,600	---	---	---	---	-24,600
Subtotal, Nonproliferation	423,384	440,100	400,350	445,100	410,100	-13,284
Conflict response fund	---	100,000	---	74,000	---	---
Subtotal, Department of State	4,382,645	4,701,244	4,317,970	4,832,474	4,532,800	+150,155
Department of the Treasury						
International Affairs Technical Assistance	18,848	20,000	20,000	20,000	20,000	+1,152
Debt restructuring	99,200	99,750	65,000	99,750	65,000	-34,200
Subtotal, Department of the Treasury	118,048	119,750	85,000	119,750	85,000	-33,048
Total, title II, Bilateral economic assistance	16,325,440	16,282,413	14,080,395	15,675,999	14,574,500	-1,750,940
Appropriations	(13,166,084)	(16,282,413)	(14,080,395)	(15,675,999)	(14,574,500)	(+1,408,416)
Emergency appropriations	(3,159,356)	---	---	---	---	(-3,159,356)
(By transfer)	(51,000)	(21,000)	(27,000)	(21,000)	(32,000)	(-19,000)
(By transfer emergency appropriations)	---	---	---	---	---	---
(Transfer out)	(-201,000)	(-21,000)	(-27,000)	(-111,000)	(-32,000)	(+169,000)
(Transfer out emergency appropriations)	(-48,500)	---	---	---	---	(+48,500)
TITLE III - MILITARY ASSISTANCE						
FUNDS APPROPRIATED TO THE PRESIDENT						
International Military Education and Training	89,012	86,744	86,744	86,744	86,744	-2,268
Foreign Military Financing Program:						
Grants:						
Israel	2,202,240	2,280,000	2,280,000	2,280,000	2,280,000	+77,760
Egypt	1,289,600	1,300,000	1,300,000	1,300,000	1,300,000	+10,400
Other	1,253,392	1,008,600	862,300	1,023,600	920,000	-333,392
Emergency supplemental (P.L. 108-106) (by transfer)	(150,000)	---	---	---	---	(-150,000)
Emergency appropriations (P.L. 109-13)	250,000	---	---	---	---	-250,000
Subtotal, Grants	4,995,232	4,588,600	4,442,300	4,603,600	4,500,000	-495,232
(Limitation on administrative expenses)	(40,000)	(42,500)	(41,600)	(42,500)	(41,600)	(+1,600)
Total, Foreign Military Financing	4,995,232	4,588,600	4,442,300	4,603,600	4,500,000	-495,232
Peacekeeping operations	103,168	195,800	177,800	195,800	175,000	+71,832
(Emergency appropriation)	74,400	---	---	---	---	-74,400
Emergency supplemental (P.L. 108-106)	---	---	---	---	---	---
Omnibus Appropriations (transfer from DoD) (P.L. 108-447) (Sec. 117)	(79,360)	---	---	---	---	(-79,360)
Emergency appropriations (P.L. 109-13)	240,000	---	---	---	---	-240,000
Emergency appropriations (P.L. 109-13) (by transfer emergency)	(50,000)	---	---	---	---	(-50,000)
Subtotal, Peacekeeping operations	417,568	195,800	177,800	195,800	175,000	-242,568
Total, title III, Military assistance	5,501,812	4,871,144	4,706,844	4,886,144	4,761,744	-740,068
Appropriations	(4,937,412)	(4,871,144)	(4,706,844)	(4,886,144)	(4,761,744)	(-175,668)
Emergency appropriations	(564,400)	---	---	---	---	(-564,400)
(By transfer)	(229,360)	---	---	---	---	(-229,360)
(Transfer out)	---	---	---	---	---	---
(Limitation on administrative expenses)	(40,000)	(42,500)	(41,600)	(42,500)	(41,600)	(+1,600)
TITLE IV - MULTILATERAL ECONOMIC ASSISTANCE						
FUNDS APPROPRIATED TO THE PRESIDENT						
International Financial Institutions						
World Bank Group						
Contribution to the International Bank for Reconstruction and Development:						
Global Environment Facility	106,640	107,500	---	107,500	80,000	-26,640

FOREIGN OPERATIONS- EXPORT FINANCING- AND RELATED PROGRAMS APPROPRIATIONS - FY 2006 (H.R. 3057)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	Conference vs. Enacted
Contribution to the International Development Association	843,200	950,000	950,000	900,000	950,000	+106,800
Contribution to Multilateral Investment Guarantee Agency	---	1,742	1,742	1,300	1,300	+1,300
(Limitation on callable capital subscriptions)	---	(8,127)	(8,127)	(8,127)	(8,127)	(+8,127)
Total, World Bank Group	949,840	1,059,242	951,742	1,008,800	1,031,300	+81,460
Contribution to the Inter-American Development Bank:						
Contribution to the Enterprise for the Americas Multilateral Investment Fund	10,912	1,742	1,742	3,742	1,742	-9,170
Inter-American Investment Corporation	---	1,742	1,742	1,500	1,742	+1,742
Contribution to the Asian Development Bank:						
Contribution to the Asian Development Fund	99,200	115,250	115,250	100,000	100,000	+800
Contribution to the African Development Bank:						
Paid-in capital	4,067	5,638	5,638	3,638	3,638	-429
(Limitation on callable capital subscriptions)	---	(88,334)	(88,334)	(88,334)	(88,334)	(+88,334)
Contribution to the African Development Fund	105,152	135,700	135,700	135,700	135,700	+30,548
Total, African Development Bank	109,219	141,338	141,338	139,338	139,338	+30,119
Contribution to the European Bank for Reconstruction and Development:						
Paid-in capital	35,148	1,016	1,016	1,016	1,016	-34,132
(Limitation on callable capital subscriptions)	(121,997)	(2,250)	(2,250)	(2,250)	(2,250)	(-119,747)
Contribution to the International Fund for Agricultural Development	14,880	15,000	15,000	15,000	15,000	+120
Total, International Financial Institutions	1,219,199	1,335,330	1,227,830	1,269,396	1,290,138	+70,939
International Organizations and Programs						
Appropriation	325,767	281,908	328,958	330,000	329,458	+3,691
Total, title IV, Multilateral economic assistance	1,544,966	1,617,238	1,556,788	1,599,396	1,619,596	+74,630
(Limitation on callable capital subscript)	(121,997)	(98,711)	(98,711)	(98,711)	(98,711)	(-23,286)
TITLE V - GENERAL PROVISIONS						
Expenditure transfer (Sec. 542)	---	---	---	---	---	---
Emergency appropriations (P.L. 109-13) (rescission)	-1,000,000	---	---	---	---	+1,000,000
Rescission	---	---	-64,000	---	---	---
Sec. 6083 unobligated balances	---	---	---	-100,000	---	---
Sec. 6084 Security in Asia	---	---	---	25,000	10,000	+10,000
Sec. 6093 Iraqi Relief and Reconstruction fund (by transfer)	---	---	---	(10,000)	---	---
Sec. 6098 U.S. Canada Alaska Railroad Commission (rescission)	---	---	---	-2,000	---	---
Foreign Military financing program (Sec. 6113) (by transfer)	---	---	---	(50,000)	---	---
Confilict Response fund (Sec. 6113) (transfer out)	---	---	---	(-50,000)	---	---
Child Survival and Health programs (Sec. 6118) (by transfer)	---	---	---	(100,000)	---	---
Economic Support fund (Sec. 6118) (transfer out)	---	---	---	(-100,000)	---	---
(Sec. 577)	---	---	---	---	---	---
Sudan (Sec. 569)	---	---	---	---	---	---
Total, title V, General Provisions	-1,000,000	---	-64,000	-77,000	10,000	+1,010,000
Appropriations	---	---	---	(-75,000)	(10,000)	(+10,000)
Rescissions	-1,000,000	---	-64,000	-2,000	---	+1,000,000
(By transfer)	---	---	---	(160,000)	---	---
(Transfer out)	---	---	---	(-150,000)	---	---
Grand total	22,310,592	22,867,945	20,311,677	22,122,189	20,978,490	-1,332,102
Appropriations	(19,586,836)	(22,867,945)	(20,375,677)	(22,124,189)	(20,978,490)	(+1,391,654)
Emergency appropriations	(3,723,756)	---	---	---	---	(-3,723,756)
Contingent emergency appropriations	---	---	---	---	---	---
Rescissions	-1,000,000	---	-64,000	-2,000	---	+1,000,000
(By transfer)	(280,360)	(21,000)	(27,000)	(181,000)	(32,000)	(-248,360)
(By transfer emergency appropriations)	(50,000)	---	---	---	---	(-50,000)
(Transfer out)	(-201,000)	(-21,000)	(-27,000)	(-261,000)	(-32,000)	(+169,000)
(Transfer out emergency appropriations)	(-48,500)	---	---	---	---	(+48,500)
(Limitation on administrative expenses)	(40,000)	(42,500)	(41,600)	(42,500)	(41,600)	(+1,600)
(Limitation on callable capital subscript)	(121,997)	(98,711)	(98,711)	(98,711)	(98,711)	(-23,286)
(Emergency Supplemental (P.L. 108-106))	(3,725,256)	---	---	---	---	(-3,725,256)

FOREIGN OPERATIONS- EXPORT FINANCING- AND RELATED PROGRAMS APPROPRIATIONS - FY 2006 (H.R. 3057)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	Conference vs. Enacted
CONGRESSIONAL BUDGET RECAP						
Scorekeeping adjustments:						
Czech loans	---	---	---	---	---	---
Emergency supplemental (P.L. 108-106)	---	---	---	---	---	---
Emergency appropriations	-3,725,256	---	---	---	---	+3,725,256
Contingent emergency appropriations	---	---	---	---	---	---
Adjustment to balance with CBO's ATB estimate	---	---	---	---	---	---
Total, adjustments	-3,725,256	---	---	---	---	+3,725,256
Total (including adjustments)	18,585,336	22,867,945	20,311,677	22,122,189	20,978,490	+2,393,154
Amounts in this bill	(22,310,592)	(22,867,945)	(20,311,677)	(22,122,189)	(20,978,490)	(-1,332,102)
Scorekeeping adjustments	(-3,725,256)	---	---	---	---	(+3,725,256)
Prior year outlays	---	---	---	---	---	---
Total mandatory and discretionary	18,585,336	22,867,945	20,311,677	22,122,189	20,978,490	+2,393,154
Mandatory	(42,500)	(41,700)	(41,700)	(41,700)	(41,700)	(-800)
Discretionary	(18,542,836)	(22,826,245)	(20,269,977)	(22,080,489)	(20,936,790)	(+2,393,954)
RECAP BY FUNCTION						
Mandatory	42,500	41,700	41,700	41,700	41,700	-800
Prior year outlays	---	---	---	---	---	---
Total, Mandatory	42,500	41,700	41,700	41,700	41,700	-800
Discretionary	18,542,836	22,826,245	20,269,977	22,080,489	20,936,790	+2,393,954
Prior year outlays	---	---	---	---	---	---
Total, Discretionary	18,542,836	22,826,245	20,269,977	22,080,489	20,936,790	+2,393,954
Grand total, Mandatory and Discretionary	18,585,336	22,867,945	20,311,677	22,122,189	20,978,490	+2,393,154
DISCRETIONARY 302(b) ALLOCATION						
302(b) allocation	19,386,000	---	20,270,000	31,671,000	20,937,000	+1,551,000
Over/under allocation	-843,164	22,826,245	-23	-9,590,511	-210	+842,954

Conference Report with Outlays
(Amounts in thousands)

		Budget Authority					Outlays					
		FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	
10000	TITLE I - EXPORT AND INVESTMENT ASSISTANCE											10000
10100	EXPORT-IMPORT BANK OF THE UNITED STATES											10100
10200	Subsidy appropriation	59,322	186,500	125,000	125,000	100,000	3,000	42,000	28,000	28,000	22,000	10200 150
10300	Administrative expenses	72,614	73,200	68,200	73,200	73,200	61,000	61,000	57,000	61,000	61,000	10300 150
10400	Inspector General	---	1,000	---	1,000	1,000	---	1,000	---	1,000	1,000	10400 150
10500	Negative subsidy	-33,000	-35,000	-35,000	-35,000	-35,000	-33,000	-35,000	-35,000	-35,000	-35,000	10500 150
10600	Total, Export-Import Bank of the United States	98,936	225,700	158,200	164,200	139,200	31,000	69,000	50,000	55,000	49,000	10600
10700	OVERSEAS PRIVATE INVESTMENT CORPORATION											10700
10800	Noncredit account:											10800
10900	Administrative expenses	42,542	42,274	42,274	42,274	42,274	37,000	36,000	36,000	36,000	36,000	10900 150
11000	Insurance fees and other offsetting collections	-278,000	-240,000	-240,000	-240,000	-240,000	-278,000	-240,000	-240,000	-240,000	-240,000	11000 150
11100	Subsidy appropriation	23,808	20,276	20,276	20,276	20,276	1,000	1,000	1,000	1,000	1,000	11100 150
11200	Total, Overseas Private Investment Corporation	-211,650	-177,450	-177,450	-177,450	-177,450	-240,000	-203,000	-203,000	-203,000	-203,000	11200
11300	FUNDS APPROPRIATED TO THE PRESIDENT											11300
11400	Trade and development agency	51,088	48,900	50,900	50,900	50,900	12,000	11,000	11,000	11,000	11,000	11400 150
11500	Total, title I, Export and investment assistance	-61,626	97,150	31,650	37,650	12,650	-197,000	-123,000	-142,000	-137,000	-143,000	11500

Conference Report with Outlays
(Amounts in thousands)

		Budget Authority					Outlays					
		FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	
11600	TITLE II - BILATERAL ECONOMIC ASSISTANCE											11600
11700	FUNDS APPROPRIATED TO THE PRESIDENT											11700
11800	United States Agency for International Development											11800
11900	Child survival and health programs fund	1,537,600	1,251,500	1,497,000	1,659,000	1,585,000	154,000	330,000	459,000	532,000	517,000	11900 150
12000	(Transfer out)	(-6,000)	---	(-6,000)	---	(-6,000)	-1,000	---	-1,000	---	-1,000	12000 150
12100	Development assistance	1,448,320	1,103,233	1,460,000	1,675,000	1,524,000	145,000	88,000	117,000	134,000	122,000	12100 150
12200	(Transfer out)	(-21,000)	(-21,000)	(-21,000)	(-21,000)	(-21,000)	-5,000	-2,000	-2,000	-2,000	-2,000	12200 150
12300	(Transfer out)	(-24,000)	---	---	---	---	---	---	---	---	---	12300 150
12400	International disaster assistance	367,040	655,500	356,000	400,000	365,000	92,000	247,000	89,000	100,000	91,000	12400 150
12500	Emergency supplemental (P.L. 108-106)	---	---	---	---	---	---	---	---	---	---	12500 150
12600	International disaster and famine assistance											12600
12700	(Emergency)	17,856	---	---	---	---	5,000	---	---	---	---	12700 150
12800	(By transfer emergency appropriations)	---	---	---	---	---	---	---	---	---	---	12800 150
12900	(By transfer) (P.L. 108-106)	---	---	---	---	---	---	---	---	---	---	12900 150
13000	Emergency supplemental (P.L. 108-324)	100,000	---	---	---	---	18,000	---	---	---	---	13000 150
13010	Emergency appropriations (P.L. 109-13)	90,000	---	---	---	---	5,000	---	---	---	---	13010 150
13100	Subtotal, Disaster assistance	574,896	655,500	356,000	400,000	365,000	120,000	247,000	89,000	100,000	91,000	13100
13200	Transition Initiatives	48,608	325,000	50,000	50,000	40,000	18,000	41,000	19,000	19,000	15,000	13200 150
13300	Development Credit Authority:											13300
13400	(By transfer)	(21,000)	(21,000)	(21,000)	(21,000)	(21,000)	3,000	3,000	3,000	3,000	3,000	13400 150
13500	Administrative expenses	7,936	8,000	8,000	8,000	8,000	6,000	6,000	6,000	6,000	6,000	13500 150
13600	Subtotal, Development assistance	3,617,360	3,343,233	3,371,000	3,792,000	3,522,000	440,000	713,000	690,000	792,000	751,000	13600
13700	Payment to the Foreign Service Retirement and											13700
13800	Disability Fund	42,500	41,700	41,700	41,700	41,700	43,000	42,000	42,000	42,000	42,000	13800 M
13900	Operating expenses of the U.S. Agency for											13900
14000	International Development	613,056	680,735	630,000	620,000	630,000	460,000	511,000	473,000	465,000	473,000	14000 150
14100	Emergency supplemental (P.L. 108-106)	---	---	---	---	---	---	---	---	---	---	14100 150
14200	(By transfer)	(6,000)	---	(6,000)	---	(6,000)	5,000	---	5,000	---	5,000	14200 150
14300	(By transfer)	(24,000)	---	---	---	---	18,000	---	---	---	---	14300 150
14400	Emergency supplemental (P.L. 108-106) (Transfer											14400
14500	to U.S. AID Office of Inspector General)	---	---	---	---	---	---	---	---	---	---	14500 150
14510	Emergency appropriations (P.L. 109-13)	24,400	---	---	---	---	4,000	---	---	---	---	14510 150
14600	Subtotal, USAID	637,456	680,735	630,000	620,000	630,000	487,000	511,000	478,000	465,000	478,000	14600

Conference Report with Outlays
(Amounts in thousands)

	Budget Authority					Outlays					
	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	
14700 Capital Investment Fund	58,528	77,700	77,700	77,700	70,000	7,000	62,000	62,000	62,000	56,000	14700 150
14800 Emergency supplemental (P.L. 108-106)	---	---	---	---	---	---	---	---	---	---	14800 150
14900 Subtotal, Capital investment fund	58,528	77,700	77,700	77,700	70,000	7,000	62,000	62,000	62,000	56,000	14900
15000 Operating expenses of the U.S. Agency for International Development Office of Inspector General											15000
15100	34,720	36,000	36,000	36,000	36,000	26,000	27,000	27,000	27,000	27,000	15100 150
15200 Emergency supplemental (P.L. 108-106)(By transfer)	---	---	---	---	---	---	---	---	---	---	15200 150
15210 Emergency appropriations (P.L. 109-13)	2,500	---	---	---	---	---	---	---	---	---	15210 150
15300 Subtotal, Operating expenses	37,220	36,000	36,000	36,000	36,000	26,000	27,000	27,000	27,000	27,000	15300
15400 Total, USAID	4,393,064	4,179,368	4,156,400	4,567,400	4,299,700	1,003,000	1,355,000	1,299,000	1,388,000	1,354,000	15400
15500 Other Bilateral Economic Assistance											15500
15600 Economic support fund:											15600
15700 Israel	357,120	240,000	240,000	240,000	240,000	357,000	240,000	240,000	240,000	240,000	15700 150
15800 Egypt	530,720	495,000	495,000	495,000	495,000	120,000	113,000	113,000	113,000	113,000	15800 150
15900 Other	1,574,800	2,301,375	1,823,525	2,296,375	1,899,000	362,000	527,000	418,000	526,000	435,000	15900 150
16000 Economic support fund (P.L. 108-106)	---	---	---	---	---	---	---	---	---	---	16000 150
16100 (By transfer emergency)	---	---	---	---	---	---	---	---	---	---	16100 150
16200 (Transfer out)	(-150,000)	---	---	(-10,000)	(-5,000)	-34,000	---	---	---	---	16200 150
16210 Emergency appropriations (P.L. 109-13)	1,433,600	---	---	---	---	75,000	---	---	---	---	16210 150
16250 Iraqi Relief and Reconstruction Fund (by transfer)	---	---	---	---	(5,000)	---	---	---	---	---	16250 150
16300 Subtotal, Economic support fund	3,896,240	3,036,375	2,558,525	3,031,375	2,634,000	880,000	880,000	771,000	879,000	788,000	16300
16400 International Fund for Ireland	18,352	---	13,500	---	13,500	4,000	---	3,000	---	3,000	16400 150
16500 Assistance for Eastern Europe and the Baltic States	393,427	382,000	357,000	395,000	361,000	40,000	57,000	54,000	59,000	54,000	16500 150
16600 Assistance for the Independent States of the former											16600
16700 Soviet Union	555,520	482,000	477,000	565,000	514,000	72,000	72,000	72,000	85,000	77,000	16700 150
16710 Emergency appropriations (P.L. 109-13)	70,000	---	---	---	---	2,000	---	---	---	---	16710 150
17210 Tsunami Recovery and Reconstruction Fund:											17210
17215 Emergency supplemental (P.L. 109-13)	656,000	---	---	---	---	72,000	---	---	---	---	17215 150
17220 (Transfer out emergency) (P.L. 109-13)	(-48,500)	---	---	---	---	-5,000	---	---	---	---	17220 150
17300 Total, Other Bilateral Economic Assistance	5,589,539	3,900,375	3,406,025	3,991,375	3,522,500	1,065,000	1,009,000	900,000	1,023,000	922,000	17300

Conference Report with Outlays
(Amounts in thousands)

		Budget Authority					Outlays					
		FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	
17400	INDEPENDENT AGENCIES											17400
17500	Inter-American Foundation											17500
17600	Appropriation	17,856	17,826	19,500	20,000	19,500	7,000	7,000	8,000	8,000	8,000	17600 150
17700	African Development Foundation											17700
17800	Appropriation	18,848	18,850	20,500	25,000	23,000	7,000	7,000	8,000	10,000	9,000	17800 150
17900	Peace Corps											17900
18000	Appropriation	317,440	345,000	325,000	320,000	322,000	248,000	269,000	253,000	250,000	251,000	18000 150
18200	Millenium Challenge Corporation											18200
18300	Appropriation	1,488,000	3,000,000	1,750,000	1,800,000	1,770,000	149,000	300,000	175,000	180,000	177,000	18300 150
18400	Department of State											18400
18500	Global HIV/AIDS initiative	1,373,920	1,970,000	1,920,000	2,020,000	1,995,000	138,000	287,000	372,000	337,000	380,000	18500 150
18660	Democracy Fund	---	---	---	95,000	95,000	---	---	---	28,000	24,000	18660 150
18675	(Transfer out)	---	---	---	(-80,000)	---	---	---	---	-32,000	---	18675 150
18700	International narcotics control and law enforcement	326,189	523,874	442,400	523,874	477,200	78,000	125,000	106,000	125,000	114,000	18700 150
18800	Emergency supplemental (P.L. 108-106)	---	---	---	---	---	---	---	---	---	---	18800 150
18810	Emergency appropriations (P.L. 109-13)	620,000	---	---	---	---	31,000	---	---	---	---	18810 150
18900	Subtotal, Narcotics control	946,189	523,874	442,400	523,874	477,200	109,000	125,000	106,000	125,000	114,000	18900
19000	Andean Counterdrug Initiative	725,152	734,500	734,500	734,500	734,500	72,000	73,000	73,000	73,000	73,000	19000 150
19100	(By transfer)	---	---	---	---	---	---	---	---	---	---	19100 150
19200	Migration and refugee assistance	763,840	892,770	790,720	900,000	791,000	527,000	616,000	546,000	621,000	546,000	19200 150
19210	Emergency appropriations (P.L. 109-13)	120,400	---	---	---	---	17,000	---	---	---	---	19210 150
19300	United States Emergency Refugee and Migration Assistance Fund	29,760	40,000	30,000	40,000	30,000	3,000	4,000	3,000	4,000	3,000	19300 19400 150
19500	Nonproliferation, anti-terrorism, demining and related programs	398,784	440,100	400,350	445,100	410,100	219,000	242,000	220,000	245,000	226,000	19500 19600 150
19700	(By transfer)	---	---	---	---	---	---	---	---	---	---	19700 150
19800	Emergency supplemental (P.L. 108-106)	---	---	---	---	---	---	---	---	---	---	19800 150
19810	Emergency appropriations (P.L. 109-13)	24,600	---	---	---	---	7,000	---	---	---	---	19810 150
19900	Subtotal, Nonproliferation	423,384	440,100	400,350	445,100	410,100	226,000	242,000	220,000	245,000	226,000	19900

Conference Report with Outlays
(Amounts in thousands)

		Budget Authority					Outlays					
		FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	
20000	Conflict response fund	---	100,000	---	74,000	---	---	38,000	---	28,000	---	20000 150
20100	Subtotal, Department of State	4,382,645	4,701,244	4,317,970	4,832,474	4,532,800	1,092,000	1,385,000	1,320,000	1,429,000	1,366,000	20100
20200	Department of the Treasury											20200
20300	International Affairs Technical Assistance	18,848	20,000	20,000	20,000	20,000	2,000	2,000	2,000	2,000	2,000	20300 150
20400	Debt restructuring	99,200	99,750	65,000	99,750	65,000	42,000	10,000	7,000	10,000	7,000	20400 150
20500	Subtotal, Department of the Treasury	118,048	119,750	85,000	119,750	85,000	44,000	12,000	9,000	12,000	9,000	20500
20600	Total, title II, Bilateral economic assistance	16,325,440	16,282,413	14,080,395	15,675,999	14,574,500	3,615,000	4,344,000	3,972,000	4,300,000	4,096,000	20600
20700	Appropriations	(13,166,084)	(16,282,413)	(14,080,395)	(15,675,999)	(14,574,500)	3,398,000	4,343,000	3,967,000	4,331,000	4,091,000	20700
20800	Emergency appropriations	(3,159,356)	---	---	---	---	236,000	---	---	---	---	20800
20900	(By transfer)	(51,000)	(21,000)	(27,000)	(21,000)	(32,000)	26,000	3,000	8,000	3,000	8,000	20900
21000	(By transfer emergency appropriations)	---	---	---	---	---	---	---	---	---	---	21000
21100	(Transfer out)	(-201,000)	(-21,000)	(-27,000)	(-111,000)	(-32,000)	-40,000	-2,000	-3,000	-34,000	-3,000	21100
21200	(Transfer out emergency appropriations)	(-48,500)	---	---	---	---	-5,000	---	---	---	---	21200

Conference Report with Outlays
(Amounts in thousands)

	Budget Authority					Outlays					
	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	
21300 TITLE III - MILITARY ASSISTANCE											21300
21400 FUNDS APPROPRIATED TO THE PRESIDENT											21400
21500 International Military Education and Training	89,012	86,744	86,744	86,744	86,744	42,000	41,000	41,000	41,000	41,000	21500 150
21600 Foreign Military Financing Program:											21600
21700 Grants:											21700
21800 Israel	2,202,240	2,280,000	2,280,000	2,280,000	2,280,000	2,202,000	2,280,000	2,280,000	2,280,000	2,280,000	21800 150
21900 Egypt	1,289,600	1,300,000	1,300,000	1,300,000	1,300,000	854,000	1,100,000	1,100,000	1,100,000	1,100,000	21900 150
22000 Other	1,253,392	1,008,600	862,300	1,023,600	920,000	121,000	193,000	164,000	196,000	215,000	22000 150
22100 Emergency supplemental (P.L. 108-106) (by											22100
22200 transfer)	(150,000)	---	---	---	---	15,000	---	---	---	---	22200 150
22310 Emergency appropriations (P.L. 109-13)	250,000	---	---	---	---	---	---	---	---	---	22310 150
22400 Subtotal, Grants	4,995,232	4,588,600	4,442,300	4,603,600	4,500,000	3,192,000	3,573,000	3,544,000	3,576,000	3,595,000	22400
22500 (Limitation on administrative expenses)	(40,000)	(42,500)	(41,600)	(42,500)	(41,600)	37,000	40,000	39,000	40,000	---	22500 150
22600 Total, Foreign Military Financing	4,995,232	4,588,600	4,442,300	4,603,600	4,500,000	3,229,000	3,613,000	3,583,000	3,616,000	3,595,000	22600
22800 Peacekeeping operations	103,168	195,800	177,800	195,800	175,000	60,000	114,000	103,000	114,000	102,000	22800 150
22900 (Emergency appropriation)	74,400	---	---	---	---	44,000	---	---	---	---	22900 150
23000 Emergency supplemental (P.L. 108-106)	---	---	---	---	---	---	---	---	---	---	23000 150
23100 Omnibus Appropriations (transfer from DoD)											23100
23200 (P.L. 108-447) (Sec. 117)	(79,360)	---	---	---	---	46,000	---	---	---	---	23200 150
23210 Emergency appropriations (P.L. 109-13)	240,000	---	---	---	---	---	---	---	---	---	23210 150
23215 Emergency appropriations (P.L. 109-13) (by											23215
23217 transfer emergency)	(50,000)	---	---	---	---	---	---	---	---	---	23217 150
23300 Subtotal, Peacekeeping operations	417,568	195,800	177,800	195,800	175,000	150,000	114,000	103,000	114,000	102,000	23300
23400 Total, title III, Military assistance	5,501,812	4,871,144	4,706,844	4,886,144	4,761,744	3,421,000	3,768,000	3,727,000	3,771,000	3,738,000	23400
23500 Appropriations	(4,937,412)	(4,871,144)	(4,706,844)	(4,886,144)	(4,761,744)	3,279,000	3,728,000	3,688,000	3,731,000	3,738,000	23500
23600 Emergency appropriations	(564,400)	---	---	---	---	44,000	---	---	---	---	23600
23700 (By transfer)	(229,360)	---	---	---	---	61,000	---	---	---	---	23700
23800 (Transfer out)	---	---	---	---	---	---	---	---	---	---	23800
23900 (Limitation on administrative expenses)	(40,000)	(42,500)	(41,600)	(42,500)	(41,600)	37,000	40,000	39,000	40,000	---	23900

Conference Report with Outlays
(Amounts in thousands)

	Budget Authority					Outlays					
	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	
24000 TITLE IV - MULTILATERAL ECONOMIC ASSISTANCE											24000
24100 FUNDS APPROPRIATED TO THE PRESIDENT											24100
24200 International Financial Institutions											24200
24300 World Bank Group											24300
24400 Contribution to the International Bank for											24400
24500 Reconstruction and Development:											24500
24600 Global Environment Facility	106,640	107,500	---	107,500	80,000	16,000	16,000	---	16,000	12,000	24600 150
24700 Contribution to the International Development											24700
24800 Association	843,200	950,000	950,000	900,000	950,000	67,000	76,000	76,000	72,000	76,000	24800 150
24900 Contribution to Multilateral Investment Guarantee											24900
25000 Agency	---	1,742	1,742	1,300	1,300	---	2,000	2,000	1,000	1,000	25000 150
25100 (Limitation on callable capital subscriptions)	---	(8,127)	(8,127)	(8,127)	(8,127)	---	---	---	---	---	25100 150
25300 Total, World Bank Group	949,840	1,059,242	951,742	1,008,800	1,031,300	83,000	94,000	78,000	89,000	89,000	25300
25400 Contribution to the Inter-American Development Bank:											25400
25500 Contribution to the Enterprise for the Americas											25500
25600 Multilateral Investment Fund	10,912	1,742	1,742	3,742	1,742	---	---	---	---	---	25600 150
25700 Inter-American Investment Corporation	---	1,742	1,742	1,500	1,742	---	---	---	---	---	25700 150
25800 Contribution to the Asian Development Bank:											25800
25900 Contribution to the Asian Development Fund	99,200	115,250	115,250	100,000	100,000	17,000	20,000	20,000	17,000	17,000	25900 150
26200 Contribution to the African Development Bank:											26200
26300 Paid-in capital	4,067	5,638	5,638	3,638	3,638	4,000	6,000	6,000	4,000	4,000	26300 150
26400 (Limitation on callable capital subscriptions)	---	(88,334)	(88,334)	(88,334)	(88,334)	---	---	---	---	---	26400 150
26500 Contribution to the African Development Fund	105,152	135,700	135,700	135,700	135,700	2,000	3,000	3,000	3,000	3,000	26500 150
26600 Total, African Development Bank	109,219	141,338	141,338	139,338	139,338	6,000	9,000	9,000	7,000	7,000	26600
26700 Contribution to the European Bank for Reconstruction											26700
26800 and Development:											26800
26900 Paid-in capital	35,148	1,016	1,016	1,016	1,016	18,000	1,000	1,000	1,000	1,000	26900 150
27000 (Limitation on callable capital subscriptions)	(121,997)	(2,250)	(2,250)	(2,250)	(2,250)	---	---	---	---	---	27000 150
27100 Contribution to the International Fund for											27100
27200 Agricultural Development	14,880	15,000	15,000	15,000	15,000	4,000	8,000	8,000	8,000	8,000	27200 150
27400 Total, International Financial Institutions	1,219,199	1,335,330	1,227,830	1,269,396	1,290,138	128,000	132,000	116,000	122,000	122,000	27400

Conference Report with Outlays
(Amounts in thousands)

		Budget Authority					Outlays					
		FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	
27600	International Organizations and Programs											27600
27700	Appropriation	325,767	281,908	328,958	330,000	329,458	296,000	257,000	299,000	300,000	299,000	27700 150
27800	Total, title IV, Multilateral economic											27800
27900	assistance	1,544,966	1,617,238	1,556,788	1,599,396	1,619,596	424,000	389,000	415,000	422,000	421,000	27900
28100	(Limitation on callable capital subscript)	(121,997)	(98,711)	(98,711)	(98,711)	(98,711)	---	---	---	---	---	28100

Conference Report with Outlays
(Amounts in thousands)

		Budget Authority					Outlays					
		FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	
28200	TITLE V - GENERAL PROVISIONS											28200
28300	Expenditure transfer (Sec. 542)	---	---	---	---	---	---	63,000	45,000	---	---	28300 150
28310	Emergency appropriations (P.L. 109-13) (rescission)	-1,000,000	---	---	---	---	---	---	---	---	---	28310 150
28315	Rescission	---	---	-64,000	---	---	---	---	-4,000	---	---	28315 150
28322	Sec. 6083 unobligated balances	---	---	---	-100,000	---	---	---	---	-24,000	---	28322 150
28325	Sec. 6084 Security in Asia	---	---	---	25,000	10,000	---	---	---	5,000	2,000	28325 150
28327	Sec. 6093 Iraqi Relief and Reconstruction fund											28327
28328	(by transfer)	---	---	---	(10,000)	---	---	---	---	---	---	28328 150
28330	Sec. 6098 U.S. Canada Alaska Railroad Commission											28330
28335	(rescission)	---	---	---	-2,000	---	---	---	---	-2,000	---	28335 150
28340	Foreign Military financing program (Sec. 6113)											28340
28342	(by transfer)	---	---	---	(50,000)	---	---	---	---	10,000	---	28342
28344	Conflict Response fund (Sec. 6113) (transfer out)	---	---	---	(-50,000)	---	---	---	---	-19,000	---	28344
28350	Child Survival and Health programs (Sec. 6118)											28350
28352	(by transfer)	---	---	---	(100,000)	---	---	---	---	---	---	28352
28354	Economic Support fund (Sec. 6118) (transfer out)	---	---	---	(-100,000)	---	---	---	---	-23,000	---	28354
28356	(Sec. 577)	---	---	---	---	---	---	---	---	---	45,000	28356 150
28360	Sudan (Sec. 569)	---	---	---	---	---	---	---	---	---	5,000	28360 150
28390	Total, title V, General Provisions	-1,000,000	---	-64,000	-77,000	10,000	---	63,000	41,000	-53,000	52,000	28390
28392	Appropriations	---	---	---	(-75,000)	(10,000)	---	63,000	45,000	-19,000	52,000	28392
28393	Rescissions	-1,000,000	---	-64,000	-2,000	---	---	---	-4,000	-2,000	---	28393
28394	(By transfer)	---	---	---	(160,000)	---	---	---	---	10,000	---	28394
28396	(Transfer out)	---	---	---	(-150,000)	---	---	---	---	-42,000	---	28396
28400	Grand total	22,310,592	22,867,945	20,311,677	22,122,189	20,978,490	7,263,000	8,441,000	8,013,000	8,303,000	8,164,000	28400
28500	Appropriations	(19,586,836)	(22,867,945)	(20,375,677)	(22,124,189)	(20,978,490)	6,904,000	8,400,000	7,973,000	8,328,000	8,159,000	28500
28600	Emergency appropriations	(3,723,756)	---	---	---	---	280,000	---	---	---	---	28600
28700	Contingent emergency appropriations	---	---	---	---	---	---	---	---	---	---	28700
28750	Rescissions	-1,000,000	---	-64,000	-2,000	---	---	---	-4,000	-2,000	---	28750
28800	(By transfer)	(280,360)	(21,000)	(27,000)	(181,000)	(32,000)	87,000	3,000	8,000	13,000	8,000	28800
28900	(By transfer emergency appropriations)	(50,000)	---	---	---	---	---	---	---	---	---	28900
29000	(Transfer out)	(-201,000)	(-21,000)	(-27,000)	(-261,000)	(-32,000)	-40,000	-2,000	-3,000	-76,000	-3,000	29000
29100	(Transfer out emergency appropriations)	(-48,500)	---	---	---	---	-5,000	---	---	---	---	29100
29200	(Limitation on administrative expenses)	(40,000)	(42,500)	(41,600)	(42,500)	(41,600)	37,000	40,000	39,000	40,000	---	29200
29300	(Limitation on callable capital subscript)	(121,997)	(98,711)	(98,711)	(98,711)	(98,711)	---	---	---	---	---	29300
29320	(Emergency Supplemental (P.L. 108-106))	(3,725,256)	---	---	---	---	275,000	---	---	---	---	29320

Conference Report with Outlays
(Amounts in thousands)

		Budget Authority					Outlays					
		FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	
29590	CONGRESSIONAL BUDGET RECAP											29590
29600	Scorekeeping adjustments:											29600
29700	Czech loans	---	---	---	---	---	---	---	---	---	---	29700 150
29800	Emergency supplemental (P.L. 108-106)	---	---	---	---	---	---	---	---	---	---	29800 150
29950	Emergency appropriations	-3,725,256	---	---	---	---	-275,000	---	---	---	---	29950 150
30000	Contingent emergency appropriations	---	---	---	---	---	---	---	---	---	---	30000 150
30100	Adjustment to balance with CBO's ATB estimate	---	---	---	---	---	-2,000	---	---	---	---	30100 150
30200	Total, adjustments	-3,725,256	---	---	---	---	-277,000	---	---	---	---	30200
30300	Total (including adjustments)	18,585,336	22,867,945	20,311,677	22,122,189	20,978,490	26,799,000	25,532,000	25,104,000	28,711,000	25,255,000	30300
30400	Amounts in this bill	(22,310,592)	(22,867,945)	(20,311,677)	(22,122,189)	(20,978,490)	7,263,000	8,441,000	8,013,000	8,303,000	8,164,000	30400
30500	Scorekeeping adjustments	(-3,725,256)	---	---	---	---	-277,000	---	---	---	---	30500
30600	Prior year outlays	---	---	---	---	---	19,813,000	17,091,000	17,091,000	20,408,000	17,091,000	30600
30700	Total mandatory and discretionary	18,585,336	22,867,945	20,311,677	22,122,189	20,978,490	26,799,000	25,532,000	25,104,000	28,711,000	25,255,000	30700
30800	Mandatory	(42,500)	(41,700)	(41,700)	(41,700)	(41,700)	43,000	42,000	42,000	42,000	42,000	30800
30900	Discretionary	(18,542,836)	(22,826,245)	(20,269,977)	(22,080,489)	(20,936,790)	26,756,000	25,490,000	25,062,000	28,669,000	25,213,000	30900
31000	RECAP BY FUNCTION											31000
31100	Mandatory	42,500	41,700	41,700	41,700	41,700	43,000	42,000	42,000	42,000	42,000	31100
31200	Prior year outlays	---	---	---	---	---	---	---	---	---	---	31200
31300	Total, Mandatory	42,500	41,700	41,700	41,700	41,700	43,000	42,000	42,000	42,000	42,000	31300
31400	Discretionary	18,542,836	22,826,245	20,269,977	22,080,489	20,936,790	6,943,000	8,399,000	7,971,000	8,261,000	8,122,000	31400
31500	Prior year outlays	---	---	---	---	---	19,813,000	17,091,000	17,091,000	20,408,000	17,091,000	31500
31600	Total, Discretionary	18,542,836	22,826,245	20,269,977	22,080,489	20,936,790	26,756,000	25,490,000	25,062,000	28,669,000	25,213,000	31600
31700	Grand total, Mandatory and Discretionary	18,585,336	22,867,945	20,311,677	22,122,189	20,978,490	26,799,000	25,532,000	25,104,000	28,711,000	25,255,000	31700

Conference Report with Outlays
(Amounts in thousands)

	Budget Authority					Outlays					
	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	
31800 DISCRETIONARY 302(b) ALLOCATION											31800
32100 302(b) allocation	19,386,000	---	20,270,000	31,671,000	20,937,000	---	---	25,080,000	34,827,000	25,080,000	32100 150
32300 Over/under allocation	-843,164	22,826,245	-23	-9,590,511	-210	26,756,000	25,490,000	-18,000	-6,158,000	133,000	32300

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

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

Mr. Speaker, I rise in strong support of this conference report; and I urge my colleagues to support it. I want to thank Chairman KOLBE and our colleagues in the Senate for working with me to craft what I believe represents a good bipartisan and bicameral compromise.

This bill demonstrates the commitment of Congress to our Nation's foreign assistance programs and puts foreign assistance where it should be, alongside diplomacy and defense as a pillar of U.S. national security strategy.

In light of our conference allocation, which cuts nearly $2 billion from the President's request, we have put together a very good bill.

□ 1015

While I would have liked to see us maintain the Senate's level of funding for HIV/AIDS, TB and malaria, I am pleased that we have been able to increase funding by $125 million above the House level and $268 million above the President's request, including $450 million for the Global Fund.

I am also pleased that the conference agreement provides $440 million for bilateral international family planning programs and $34 million for the UNFPA. I am disappointed, however, that we could not retain commonsense provisions passed by the Senate that would have repealed the global gag rule and modified the Kemp-Kasten restriction. These provisions would have helped our programs be more responsive to the need for family planning assistance around the world.

I appreciate that the conference report includes increases over the request, the House-passed level and the fiscal year 2005 level for Development Assistance, including a $65 million increase in funding for basic education. Since Chairman KOLBE and I began working together, we have quadrupled funding for basic education, and I am delighted that the Senate agreed to include the House-passed level for this valuable priority.

The agreement fully funds our commitments to Israel and other Middle Eastern countries and provides increases for programs designed to mitigate ongoing conflicts. I am pleased that we retained the Obey amendment earmarking assistance for democracy and education programs in Egypt. We must use every tool at our disposal to encourage the government of Egypt to make greater strides in reforming its political process, and I think this bill sends that message.

I am greatly concerned about the impact of the October 6 earthquake on the people of Pakistan, and I think it important that we stand by Pakistan in this time of need. While this bill does not contain new funds for earthquake relief, I appreciate the inclusion of language in the Statement of Managers recognizing the need for additional funds and setting forth the expectation that some of the $600 million provided in this bill may be reprogrammed to meet relief and reconstruction needs.

I do feel that the bill has a few shortcomings. One is the funding for the Global Environmental Facility. Since the GEF recently adopted the management and transparency reforms advocated by the United States, I do feel we should have done our part by fully funding the fiscal year 2006 request. However, I understand that budgetary constraints limited our contribution to $80 million, and I hope that we can strive for full funding in fiscal year 2007.

I also regret that, while we fulfilled the administration's request for Sudan, the bill does not contain funding added by Senator CORZINE on the Senate floor for the African Union peacekeeping mission in Darfur. I hope that the administration will seek these funds at the earliest possible moment and any subsequent request for funding or reprogramming in this fiscal year.

Finally, I am pleased that we were able to achieve compromise language placing restrictions on military assistance for Indonesia and paramilitary demobilization assistance for Colombia. While I would have preferred the more robust Senate language on these issues, I believe the compromises we have reached address the concerns of all interested parties.

Finally, I want to thank again Chairman KOLBE for his hard work on this bill, his commitment on this bill. I really deeply appreciate the close working relationship which we have enjoyed throughout the years. It has really been a pleasure for me to work on these very important issues in this bill with him.

I also want to thank the members of my subcommittee for their commitment to the issues that we worked so hard on included in this bill.

I want to thank Chairman LEWIS and Ranking Member OBEY for their commitment and their cooperation in working on this bill and, of course, the staff.

Chairman KOLBE has an outstanding staff. Betsy Phillips, Alice Hogans, Rodney Bent, Rob Blair, Lori Maes, and Sean Mulvaney have been wonderful partners in this process; and we will miss a few of them who are moving on. Good luck to them.

Of course, our outstanding minority staff, it is always a pleasure for me to work with Nisha Desai and Beth Tritter. I thank them for their hard work as well.

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

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

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 7 minutes to the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member of the full Committee on Appropriations.

Mr. OBEY. Mr. Speaker, I thank the gentlewoman for the time.

Mr. Speaker, I intend to vote for this bill; but I want to make a few observations, some of which I find to be quite ironic in the process.

I want to congratulate the chairman of the subcommittee. He has done his usual workman-like job. He is a first-rate public servant, and I appreciate the bipartisan and nonideological tone that he brings to his work. That is fully appropriate to the nature of the bill that he brings to this House.

But I must confess a sense of irony. This Congress has already voted to provide $1.2 trillion in tax cuts for millionaires over the next decade. It has voted to provide more than $250 billion in spending for the war in Iraq; and yet, there are a number of Members of this body who begrudge the fact that in this bill you would find roughly $15 billion to be spent on what I would call the tools of peace and mercy: peace because I think economic assistance to the poverty stricken parts of the world help create conditions that avoid war, and mercy because I think a good portion of this bill could be called the most important pro-life bill that we vote on each year.

Literally in the hour that it took to deal with the rule, you will have had several hundred children in this world die, and that is no accident. A lot of it occurs simply because of the negligence of the developed world, and I would like to think that that would rapidly change; but I do not expect to see it, unfortunately.

The New York Times wrote an editorial this morning suggesting that this bill be vetoed because this bill provides $2 billion or so less than the President supposedly requested to attack poverty problems in the Third World. I agree with the concerns expressed in that New York Times editorial; and I would say, imagine how different the world would be if instead of spending $250 billion on the dumbest war in American history, at least since the War of 1812, imagine how changed the world would be if we led the world and provided just 10 percent that amount each year to see that by the end of the next decade we could deliver clean drinking water to every single human being on this planet.

Imagine how the world's attitude toward the United States would change. I doubt very much that you would see some of the poll responses that we see these days where a majority of people in all too many countries consider America to be a threat, unfortunately, rather than a friend. I think the view of the United States is unjustified; but nonetheless, that is the way a lot of people think around the world, and it is in very large part because we put so much money into an action like Iraq and put so little money into helping people achieve the basic necessities of life.

But I do not think that this bill can be blamed for the fact that we fall

short of the President's budget for economic and anti-poverty help. What I do not understand is why anybody takes the President's budget seriously on this, because the President knew full well that while he was asking for this money, he knew full well that his allies in Congress would never allow that kind of an increase in foreign assistance as long as they were gleefully cutting aid to children under Medicaid, as long as they were gleefully about to take 300,000 American families off food stamps, as long as they were gleefully cutting children off the SCHIP welfare rolls in this country. They knew that public opinion would not tolerate providing large increases even for starving people around the world.

So in that sense, I think the New York Times editorial is aiming at the wrong target. It is not the fault of the gentleman from Arizona or the gentlewoman from New York. It is not the fault of this committee that these misbegotten priorities are being carried out. It is the fault of the Republican Party leadership in this country, led by President Bush and the leadership in this House.

I want to say one other thing. We saw yesterday headlines about the fact that $100 million was being surreptitiously spent by this administration to develop secret detention centers where torture is performed around the world. What is ironic is this bill contains $21.5 million in appropriations for the victims of the torture. How hypocritical it must seem for the United States to provide money for the victims of torture at the same time that we allow torture to go on in our name around the world. Do we really want to have people every time they hear the words George W. Bush, do we really want them to think in their minds George W. Pinochet? I do not; but, unfortunately, that is what you are going to trigger in people's minds around the world.

I hope that this Congress will live up to its responsibilities to end that practice by supporting the McCain amendment on the Defense bill. I hope that when that Defense bill leaves the House and goes to the White House that it contains that provision, despite the White House's threat of a veto, despite the action of the Secretary of Defense in opposing the McCain amendment. It is a moral imperative that we adopt that amendment on the Defense bill. Otherwise, the $21 million in this bill for victims of torture is a joke and a sham.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Pennsylvania (Mr. FATTAH), the newest member of our subcommittee.

Mr. FATTAH. Mr. Speaker, let me thank the ranking member, the gentlewoman from New York, for her cooperation in yielding me this time.

I want to rise just to say that it has been a pleasure to work on this bill. There is a lot of good in it, and I want to highlight a particular part thereof and thank the ranking member and the chairman and the staffs of the two sides for working with me on an initiative to work to clean up the blood supply in sub-Saharan Africa where millions of people have contracted HIV through tainted blood transfusions.

We have an initiative in the report that accompanies the bill that would provide millions to focus in on pediatrics, transfusions first and foremost, but also to require a group of entities and agencies, including the World Health Organization, the CDC and the National Institutes of Health, to develop a nonincremental approach and plan within 180 days to clean up the blood supply throughout sub-Saharan Africa and put an appropriate emphasis on saving millions of lives that needlessly are being lost through HIV because of blood transfusions that otherwise could be safe.

So I just want to thank the leadership of the subcommittee, the chair and ranking member and staff, for their cooperation.

There are other important initiatives in the bill in terms of clean water programs in Africa, some $15 million; and there are other things that are not, I think, given appropriate notice because of some of the larger items in the bill; but I think that these are very, very important. I just want the record to be clear that I thank the ranking member and the chair for their cooperation and will continue to want to build on these efforts because we can save millions of lives.

Mr. KOLBE. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. BEAUPREZ).

Mr. BEAUPREZ. Mr. Speaker, I thank the chairman for the time, and I commend Chairman KOLBE for bringing this conference report to the floor; and I rise in full support of it.

U.S. foreign aid helps promote economic development and strengthens democracy certainly around the world.

□ 1030

That being said, Mr. Speaker, our foreign aid and our Nation's gift to our friends around the world should not be taken for granted. We are not obliged to give foreign aid, and I believe the countries that receive that foreign aid should be held to certain standards, particularly living up to extradition agreements our country has made with them.

Included in this bill is a provision, section 581 specifically, that is going to help return cop killers to the U.S. to stand trial. For years, cop killers have been finding safe haven by fleeing the U.S. after committing their unthinkable crimes.

This problem came to my attention in May of this year when Denver Police Officer Donnie Young was allegedly executed by Raul Gomez-Garcia. After killing Detective Young and shooting and wounding his partner, Gomez-Garcia immediately fled to Mexico where he has since been tracked down and arrested.

Gomez-Garcia's extradition back to the United States is now pending, but only because Denver DA Mitch Morissey made the only choice available to him, and that is to seek a lesser plea bargain sentence. The United States should not be forced to plea bargain with other countries, nor should full justice be denied family members of assassinated cops. This appropriations bill will help us put an end to rewarding foreign nations with foreign aid that provide safe haven to cop killers.

Again, I urge its adoption and I commend Chairman KOLBE and the ranking member for bringing this to the floor, and Chairman LEWIS and the full committee for the great work they have done on all our appropriations bills in this Congress.

Mrs. LOWEY. Mr. Speaker, I am very pleased to yield 3 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, first let me thank the gentlewoman for yielding me this time and Chairman KOLBE for his leadership. I want to thank both my colleagues for working each and every year to create a bipartisan bill that I think is worthy of our support.

I also would like to thank our staffs for working diligently and for their commitment to the issues which are in this bill, and especially I would like to thank Aysha and Christos on my staff who have worked tirelessly on these amendments.

I am very pleased that the Lee amendment to ban the sale and transfer of excess weapons for use by the Haitian National Police and the State Department accountability report of the police involvement in criminal activity were included in this bill. Specifically, my amendment prohibits all arms transfers and sales by the State Department for use by the Haitian National Police and requires an investigation into implications of senior and rank-and-file members in corruption, kidnappings, and narcotics trafficking, as documented by the State Department's International Narcotics Control Strategy reports.

Additionally, not later than 60 days after the enactment, the State Department will report to Congress their findings on the investigations into police abuse, including whether any United States-supplied or -provided weapons or ammunition were used during massacres perpetrated by the Haitian National Police. Now, I expect these restrictions would apply to any money designated for Haiti, including the funding in the Foreign Military Financing Program, the International Military Education and Training, and the International Narcotic Control and Law Enforcement programs.

This amendment is very necessary in the effort to restore democracy in Haiti. Haiti desperately needs humanitarian assistance; however, nonhumanitarian assistance, like weapons and arms, only exacerbates Haiti's

struggle with violence and criminal activity within the Haitian National Police Force and throughout the population.

Mr. Speaker, disarmament is impossible if we are complicit in sending arms to the country. With crime uncontrollable, human rights a distant goal, and elections on the horizon, it is unconscionable that the United States would support the sale and free transfer of arms. That is why I am pleased that the Foreign Ops conferees agreed to limiting the transfer and sale of U.S.-based arms to Haiti. It is necessary to help the curbing of growing violence and to support an environment for peaceful and free elections.

I also appreciate the efforts by Chairman KOLBE and Ranking Member LOWEY to get $2.82 billion in this bill for our global HIV and AIDS programs, including $450 million for the Global Fund to fight HIV and AIDS, tuberculosis and malaria. While I believe, like many, that this number could be and should have been at least $150 million higher to match the Senate funding level, $2.8 billion is a step in the right direction.

Finally, I would like to say that I think our overall foreign aid budget should be significantly increased to alleviate poverty throughout the world.

Mrs. LOWEY. Mr. Speaker, I am very pleased to yield 2½ minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentlewoman from New York for yielding me this time and for her leadership, along with that of the chairman of the subcommittee, for the collaborative efforts in improving America's foreign policy.

This bill, more than any other I think, sets the tone and the pathway for Americans yet not born. Our relationships around the world help us to create a harmonious world, if that is possible, and one that applauds democracy and looks toward the United States in a collaborative and friendly manner.

I rise as well to thank the committee for its work in Haiti and particularly the dollars that will be utilized for a speedy and transparent election. In a delegation that I joined just a few weeks ago, we met with the interim prime minister, interim president of Haiti, to talk about the importance of secure elections, to talk about the importance of releasing political prisoners and allowing those individuals who are seeking to run for the highest office in Haiti to be allowed to be on the ballot. These dollars for Haitian elections are absolutely imperative, but also the instructions, if you will, the cajoling of the government to ensure that there are safe and free elections.

We all have watched the horror in Pakistan as now the mounting numbers rise to upwards of 80,000 people that may be dead. Some of the areas are impassable and it is hard for aid to reach those areas, but there are still people there who will be subjected to the bitter cold. I applaud the language that is in the legislation as given to me by Congresswoman LOWEY that suggests we should be concerned about the devastation and as well to seek to reprogram a number of dollars, particularly possibly dollars from the $300 million in economic assistance. I would ask the State Department and the President, working with the Pakistani Government, to move those dollars as quickly as possible to begin to solve the problem of the bitter cold and the lack of housing.

And might I also ask for support in the Millennium Fund. I had hoped that the Millennium Fund could have been higher, but I am grateful for the work that has been done in that area. And I also join the ranking member of the full committee in the hope that the torture amendment will be considered, because I believe the torture amendment equates to a dignified American foreign policy.

Let me simply close by saying that there is certainly good dollars in the Global Fund and work on the malaria and tuberculosis dollars; but I hope as we look to the future we can raise those dollars, because that speaks to the quality of life for people who cannot speak for themselves or help themselves.

Again, I thank the chairman and the ranking member for the work they have done on this legislation.

Mr. Speaker, I rise in support of the Conference Report to H. R. 3057, the Foreign Operations Appropriations Act for FY 2006. In so doing, I congratulate the chairman and ranking member of the full committee as well as the chairman and madam ranking member of the subcommittee for their diligence in pulling together a comprehensive compromise among the many global initiatives—which is no simple challenge.

While I shudder to see 20 percent of the $20 billion allocated for military assistance compared to a little over 1 percent to fight global HIV/AIDS, I am pleased to see the commitment shown by both Chambers to play a key role in the relief and reconstruction of Pakistan, India, and other Himalayan areas affected by the massive earthquake. In particular, I applaud the $365 million outlay for "International Disaster and Famine Assistance" account and the $300,000 outlay to Pakistan in the "Economic Support Fund" account.

As we are all fully aware, on Saturday, October 8, 2005, an earthquake registering a 7.6 magnitude struck Pakistan with the epicenter being near Muzaffarabad, the capital of Pakistani Kashmir. This earthquake was the strongest to hit the region in a century and has severely stretched the resources of the Pakistani Government. In addition, according to the most recent reports, the death total has exceeded 73,000. Unfortunately, the mountainous terrain coupled with the approach of winter and bad weather has drastically halted relief operations to the tens of thousands of injured survivors and the estimated two million people who have been left homeless.

In addition to the massive destruction of homes, the earthquake has also damaged sanitation systems, destroyed hospitals and left many victims with no access to clean drinking water; thus, making survivors more vulnerable to disease. Due to these conditions, measles and waterborne diseases such as cholera and diarrhea could spread quickly among survivors. Measles, deadly for children, are already endemic in the region and only 60 percent of the children are protected. Interestingly enough, it has been reported by the United Nations that donor fatigue is part of the problem in a year plagued by tsunamis, hurricanes and famine. Sixty countries pledged $1.3 billion in assistance to Pakistan, but that aid is not necessarily cash or readily available.

In closing let me note that we must continue to support the relief efforts in Pakistan. So much more needs to be done during this tragic time.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 2½ minutes to the gentlewoman from California (Ms. WATSON).

Ms. WATSON. Mr. Speaker, I thank the gentlewoman from New York for yielding me this time, and I rise in support of H.R. 3057, the foreign operations appropriations legislation, and specifically I want to thank the conference committee for including language I authored which would authorize the appropriation of $5 million to the Department of State to combat piracy in countries that are not members of the Organization of Economic Cooperation and Development.

According to recent figures from the International Intellectual Property Association, worldwide motion picture piracy losses each year are estimated to be between $3 billion and $4 billion. More than 52 million illegal optical disks of the Motion Picture Association of America's member companies were seized worldwide during 2004, a result of 41,000 raids and more than 65,000 investigations.

Our government continues to work to secure legal protections for American-produced intellectual property. The State Department works with numerous countries to improve their legal codes and law enforcement training and to enforce intellectual property protections. However, in order for such efforts to be more effective, we must provide adequate funding and tools to engage foreign governments and convince them of the needs to enforce these laws.

That is why I am especially pleased that the final conference report has specifically included authorization language for a new program to combat piracy in non-OECD countries. It would provide equipment and training for judges and prosecutors, law enforcement officials, and assist other governments in complying with international copyright and intellectual property treaties and agreements.

Although the bill earmarks $5 million for existing appropriations for international narcotics control and law enforcement, I am hopeful that the money will enable the International

Narcotics and Law Enforcement Affairs Bureau to strengthen its existing work. Furthermore, I hope the Bureau of Economic and Business Affairs will be able to receive the funding under the newly authorized programs in future years.

In conclusion, I want to note that this sensible bipartisan language has been adopted in this House three times, and I thank the ranking member and the chair.

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

Mr. KOLBE. Mr. Speaker, to close, I yield such time as he may consume to the chairman of the full committee.

Mr. LEWIS of California. Mr. Speaker, I very much appreciate the chairman yielding me a brief amount of time. I am not rising actually to close, but rather to say to the body how much I believe both the ranking member and I very much appreciate the tone that has been set by the leadership of the gentlewoman from New York and the gentleman from Arizona.

The bill that was passed through our process last year, the bill this year reflects absolutely the best of our work in the Appropriations Committee on a bill that is perhaps as important as any of our subcommittee reports. This bill reflects our effort by way of both Houses to support foreign policy that in the long term reflects America's interest in the world.

There is absolutely no question that the assistance that goes forward with these bills and through this effort has a huge impact upon providing a positive slant to America's voice in the world. I could not feel more strongly than I do that foreign affairs should be handled in a nonpartisan way, and this bill is the first bill in my memory that had the signature of every member of the conference committee from both bodies, Democrat and Republican alike. It is incredible to see us move in the direction of actually have the House recognize how important foreign assistance is and foreign affairs is in terms of America's interest in this complex and shrinking world.

So congratulations is long overdue for the work of this very fine staff, but most important the leadership of Mrs. LOWEY and the leadership of my friend, JIM KOLBE, making a real difference on behalf of this changing and complex circumstance that we are responsible to play a leading role in.

The President should recognize just how important this tool will be as he goes forward in trying to have our voice have the impact we must have in the world.

Mr. KOLBE. Mr. Speaker, I thank the gentleman from California for his kind remarks, and I urge all the Members to support this conference report which has been crafted.

Ms. KILPATRICK of Michigan. Mr. Speaker, I rise in support of H.R. 3057, the Foreign Operations Appropriations Act for 2006. I want to commend Chairman KOLBE and Ranking Member LOWEY for their tireless efforts. As a conferee on this bill, and as a member of the Subcommittee, I wanted to ensure that H.R. 3057 addressed global needs that often go unheeded or are under-funded.

I am particularly pleased with funding levels for HIV/AIDS, which include $2.8 billion in funding. The bill provides $350 million for bilateral HIV/AIDS and $243 million for Malaria and Tuberculosis programs. I am also pleased that I was able to work with Chairman KOLBE and Ranking Member LOWEY to insert language that supports funding through USAID to provide medical and programmatic initiatives related to HIV/AIDS in Nigeria.

Additionally, H.R. 3057 doubles funding to support aid to the Palestinians for development programs. The bill provides funding for debt restructuring for Heavily Indebted Poor Countries, HIPC, and provides $110 million for the Middle East Partnership Initiative, MEPI, and $390 million for humanitarian efforts supported by non-governmental organization, NGOs, in Sudan.

Finally, this bill provides essential funding to two of our staunchest allies in the ongoing war against terrorism, Egypt and Jordan, both of which are countries involved in promoting economic and political reform that will lead to freer and more transparent democratic societies.

Clearly, H.R. 3057 is the best bill we could fashion within very tight budget constraints. I am pleased to offer my support to H.R. 3057 and urge my colleagues to support this bill.

Mr. FARR. Mr. Speaker, I am very pleased that the Fiscal Year 2006 Foreign Operations Conference Report includes over $131 million for alternative development and institution building in Colombia. These funds will help foster both economic and social development and create more stability in Colombia.

A key element to fostering a secure Colombia is creating growth and stability in the neglected rural areas. The government of Colombia must develop and implement a comprehensive rural development policy. I would like to thank the Chairman and Ranking Member for the language in the House report that calls on USAID to report to Congress about the concrete steps the Colombian government is taking to develop a rural development strategy. This report will provide a blueprint for what the Colombian government must promote development in rural areas—and how future U.S. assistance should complement those goals.

Mr. SCHIFF. Mr. Speaker, I strongly support the conference report and congratulate the Chair and Ranking Member of the Subcommittee on Foreign Operations for their leadership in crafting this important legislation and for their work in ensuring that crucial national security priorities are appropriately funded.

Even as our troops are still engaged in combat in Afghanistan and Iraq, new challenges to our Nation's security and diplomatic interests are emerging. This bill does a good job of meeting these challenges within the confines of an extremely tight budgetary environment.

I am particularly pleased that the conference agreement includes $75 million in assistance to Armenia and $3 million for Nagorno Karabagh. The conferees also agreed to maintain the military assistance parity between Armenia and Azerbaijan by approving $5 million in Foreign Military Financing, FMF, and $750,000 in International Military Education and Training, IMET, for both countries. Through these appropriations, the conferees have continued to advance the political and economic development of the Caucasus, while also increasing stability in the region.

I was also heartened to see that the conferees continued this country's longstanding support for our democratic ally Israel by providing $2.5 billion in assistance for Israel, including $2.3 billion for military grants, and $240 million in economic assistance.

At the same time, the Congress has wisely met the president's request for $150 million for development programs for Palestinians in the West Bank and Gaza, $75 million more than the current level. Only by helping the Palestinian people to break the cycle of poverty and hopelessness can we hope to realize the vision of a two-state solution to decades of conflict between Israel and the Palestinians. I believe that it is wise that our assistance to the Palestinians goes to private voluntary organizations (20 percent) or to contractors (80 percent), all of which are selected and monitored by USAID. While I hope that Abu Mazen will be able to end the corruption in the PA, I think that it is prudent that the U.S. forego direct transfers to the PA until there is greater transparency and accountability.

This has been a difficult year for our relationship with Egypt. Even as Cairo has proven a valuable partner in helping to facilitate the Israeli pullout from Gaza, the country's moves towards democracy have been halting. I think that this bill properly funds our priorities by appropriating $1.8 billion in aid for Egypt—$1.3 billion for military grants, and $495 million in economic assistance with $50 million of the economic assistance directed to programs that promote democracy and human rights, and $50 million be for education, including $5 million for scholarships for disadvantaged Egyptian students.

At a time when the United States is viewed with skepticism and outright hostility in many parts of the world, foreign assistance and disaster relief is one of the most effective ways to change negative views of our country. In the wake of the tsunami last December and the October 8 earthquake in Pakistan, the generosity of the American people has been a strong force for advancing our national interests abroad, even as we wrestled with the aftermath of a devastating series of hurricanes here at home.

As the Congress and the President begin to work on the Fiscal Year 2007 budget for foreign operations, I hope that we will remember that feeding the hungry, healing the sick and helping those left homeless by nature's fury can play an important role in making the United States more secure and more respected by the rest of the world.

Again, I thank my colleagues for their work on this important legislation and offer my wholehearted support.

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

The SPEAKER pro tempore (Mr. TERRY). Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 358, nays 39, not voting 36, as follows:

[Roll No. 569]

YEAS—358

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Barton (TX)
Bass
Bean
Beauprez
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boucher
Boustany
Bradley (NH)
Brown (OH)
Brown (SC)
Brown, Corrine
Burgess
Burton (IN)
Butterfield
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Frelinghuysen
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Hall
Harman
Harris
Hart
Hastings (WA)
Hayworth
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
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
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Nussle
Oberstar
Obey
Olver
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Royce
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Strickland
Stupak
Sweeney
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—39

Bartlett (MD)
Berry
Cubin
Davis, Jo Ann
DeFazio
Duncan
Flake
Franks (AZ)
Gibbons
Goode
Goodlatte
Graves
Green (WI)
Gutknecht
Hayes
Hefley
Hensarling
Hostettler
Hulshof
Jenkins
Jones (NC)
Keller
Lucas
Melancon
Miller (FL)
Moran (KS)
Otter
Paul
Petri
Rahall
Rohrabacher
Ryun (KS)
Sensenbrenner
Stark
Stearns
Tancredo
Tanner
Taylor (MS)
Westmoreland

NOT VOTING—36

Baker
Becerra
Boehlert
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown-Waite, Ginny
Buyer
Calvert
Davis (FL)
Dicks
Emerson
Filner
Ford
Gallegly
Gutierrez
Hastings (FL)
Hinchey
Hoyer
Issa
Kind
McMorris
Miller, Gary
Norwood
Nunes
Ortiz
Osborne
Poe
Pombo
Roybal-Allard
Ryan (WI)
Schiff
Sullivan
Thompson (MS)
Tiahrt

□ 1113

Mr. GOODLATTE and Mr. WESTMORELAND changed their vote from ''yea'' to ''nay.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. OSBORNE. Mr. Speaker, due to obligations in my district, I was unable to vote on the Conference Report on H.R. 3057, the Foreign Operations, Export Financing and Related Programs Appropriations Act for Fiscal Year 2006. However, had I been present, I would have voted "yea" on the Conference Report on H.R. 3057.

Mrs. EMERSON. Mr. Speaker, due to an unavoidable scheduling conflict, I was unable to vote on the Conference Report on H.R. 3057, the Foreign Operations, Export Financing and Related Programs Appropriations Act for Fiscal Year 2006. Had I been present, I would have voted "yea."

Mr. TIAHRT. Mr. Speaker, on November 4, I missed rollcall vote No. 569. Rollcall vote No. 569 was on agreeing to the conference report making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2006, and for other purposes. Had I been present, I would have voted "yea."

Mr. NUNES. Mr. Speaker, on the legislative day of Friday, November 4, 2005, I was unavoidably detained with family matters and was unable to cast a vote on rollcall vote No. 569. Had I been present, I would have voted "yea" on this vote.

Mr. ORTIZ. Mr. Speaker, due to important business in my district, I was unable to vote during the following rollcall votes. Had I been present, I would have voted as indicated below:

Rollcall vote No. 569, "yea."

Mr. FILNER. Mr. Speaker, on rollcall No. 569, on H.R. 3057, I was in my Congressional District on official business. Had I been present, I would have voted "yea."

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this chamber today. I would like the RECORD to show that, had I been present, I would have voted "yea" on rollcall vote No. 569.

Stated against:

Mr. POMBO. Mr. Speaker, I missed recorded votes today in order to be with my family in California for an unexpected family emergency. I would like my intentions made known for my constituents in the 11th district. Had I been present, I would have voted "no" on rollcall No. 569, the Conference Report on H.R. 3057—Foreign Operations, Export Financing and Related Programs Appropriations Act for Fiscal Year 2006.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3304

Mr. KUHL of New York. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 3304.

The SPEAKER pro tempore (Mr. LUCAS). Is there objection to the request of the gentleman from New York?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4011

Mr. BUTTERFIELD. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 4011.

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

There was no objection.

□ 1115

AMENDMENT PROCESS FOR H.R. 1751, SECURE ACCESS TO JUSTICE AND COURT PROTECTION ACT OF 2005

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

Mr. DREIER. Mr. Speaker, the Rules Committee may meet next week to grant a rule which could limit the amendment process for floor consideration of H.R. 1751, the Secure Access to Justice and Court Protection Act of 2005.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief

explanation of the amendment to the Rules Committee in room H–312 of the Capitol by 12 noon on Tuesday, November 8, 2005. Members should draft their amendments to the bill as ordered reported by the Judiciary Committee on October 27, 2005, which is expected to be filed with the House next week. Members are also advised that the text should be available for their review on the Web sites of both the Judiciary Committee and the Rules Committee by this afternoon, November 4.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format and should check with the Office of the Parliamentarian to be certain that their amendments comply with the rules of the House.

LEGISLATIVE PROGRAM

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

Mr. LEWIS of Georgia. Mr. Speaker, I yield to my friend and colleague, the chairman of the Rules Committee, to inquire about the schedule for next week.

Mr. DREIER. I thank the gentleman for yielding. Obviously, the House has completed its work for the day and for the week.

We will convene at 12:30 on Monday for morning hour and at 2 p.m. for legislative business. We will consider several measures under suspension of the rules. A final list of those measures to be scheduled will be getting to Members' offices by the end of the day. Any votes that may be called on those measures will be rolled until 6:30 Monday afternoon or early Monday evening.

For Tuesday and the balance of the week, if the gentleman will continue to yield, the House will consider additional legislation under suspension of the rules, as well as two measures, the one I just mentioned, H.R. 1751, and I announced the filing of amendments for that, and also the Deficit Reduction Act of 2005, which is much talked about here. We also anticipate that the House will next week consider additional appropriations conference reports as they become available.

On Friday, we will not be in session, as Members know, so that there will be an opportunity for all of us to participate in Veterans' Day ceremonies that take place in our districts.

Mr. Speaker, I thank my friend for yielding; and I would be happy to entertain any questions he might have.

Mr. LEWIS of Georgia. Mr. Speaker, next Tuesday is Election Day in many States and localities around the country. Given that we are scheduled to be in session and voting, how do you think votes might be structured that day in order to accommodate Members who have elections in their States?

Mr. DREIER. Mr. Speaker, if the gentleman will yield, I will tell my colleagues that the State I represent is nearly 3,000 miles away, and we are having a very important election in our State. I have voted by absentee ballot. I did that just this week and sent my ballot in.

We have a great deal of work to do, not only on Tuesday but next week, so we will be meeting here, and we have the items that I mentioned, the measures that will be considered under suspension, we have the very important Secure Access to Justice and Court Protection Act that needs to be considered, and we just have to proceed with our work.

So let me say that we do want every Member to participate in those elections, but I suspect that, in light of the fact that we will have so much work to do here, that Members should plan to be in Washington during the day on Tuesday.

Mr. LEWIS of Georgia. Mr. Speaker, could the chairman tell me what appropriations conference reports we might expect to see on the floor next week?

Mr. DREIER. Mr. Speaker, if the gentleman will yield, as I said in my remarks earlier today, the chairman of the Appropriations Committee, the gentleman from California (Mr. LEWIS), has done an absolutely phenomenonal job in moving these measures through. As you know, we have just voted on the foreign operations appropriations bill conference report, and we have three conference groups that are continuing to meet on Energy and Water, the Science, State, Justice, and Commerce appropriation bill, and the Military Quality of Life appropriations conference report.

From the conversation I have had with the chairman of the committee, it is his hope that we have those three measures up for consideration at some point next week.

Mr. LEWIS of Georgia. Does the gentleman have any idea of which days they may go to conference?

Mr. DREIER. All three of those bills that I mentioned, the Energy and Water conference report and the Science, State, Justice, and Commerce conference report, and Military Quality of Life, they are all in conference as we speak. It is our hope that those conferences will be completed and those conference reports will be filed in the House. We cannot anticipate exactly when their work will be completed. We just want it to happen as expeditiously as possible.

Mr. LEWIS of Georgia. Mr. Chairman, on which day next week might we consider the budget reconciliation bill that calls for more than $50 billion in mandatory spending cuts?

Mr. DREIER. Mr. Speaker, if the gentleman will yield, as I think the gentleman heard in my announcement, I announced that it is our anticipation, we anticipate that we will consider what we call the Deficit Reduction Act of 2005, and it is a measure which we will be working on next week.

Late next week or the middle to the latter part of next week, we anticipate a vote here in the House on that very important measure that is designed to try and reduce the deficit and reform government and ensure that we can do the very important work that the American people sent us here to do.

Mr. LEWIS of Georgia. Is the gentleman suggesting that we not call it mandatory spending cuts? You are calling it reduction, budget reduction?

Mr. DREIER. Mr. Speaker, if the gentleman will yield, what this deals with is mandatory spending, and what this deals with is the deficit challenge which Democrats and Republicans regularly decry here, and we are trying to focus on the reduction of the deficit, and that is the reason that we are appropriately referring to this as the Deficit Reduction Act.

Mr. LEWIS of Georgia. Mr. Speaker, I thank the chairman.

I would further like to inquire about the majority plan to extend the Terrorism Risk Insurance Act. This is an important issue that has had broad bipartisan support in the past, and action is needed because it is scheduled to expire on December 31.

Mr. DREIER. Mr. Speaker, I will say that this very important legislation, which I personally support, is at this moment being discussed by the leadership of the Financial Services Committee. They are working with the Department of the Treasury and Members in the leadership of the Banking Committee on the other side of the aisle, and we do hope very much that we will be able to put together a legislative package that can be considered before that very important December 31 date to which my friend referred.

Mr. LEWIS of Georgia. Mr. Speaker, I really want to thank the gentleman for being patient. I understand that our Financial Services Committee Democrats stand ready to work on a bipartisan basis on this, and they have asked for a markup as soon as possible. Since time is running out, I would like to ask my colleague why we could not simply take up H.R. 1153, a bill that is a largely bipartisan product that the Financial Services Committee reported last fall, but never acted upon.

Mr. DREIER. Mr. Speaker, if the gentleman will yield, I would say that we are taking that into consideration. We do not have it scheduled at this moment, but I appreciate my friend's raising this issue, and we will certainly take it under advisement and look at your recommendation, I hope from your perspective, favorably.

Mr. LEWIS of Georgia. Mr. Speaker, I thank the gentleman from California.

ADJOURNMENT TO MONDAY, NOVEMBER, 7, 2005

Mr. DREIER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debate.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. DREIER. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

REPUBLICAN BUDGET CUTS

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

Ms. WOOLSEY. Mr. Speaker, I am appalled by the cruel and short-sighted leadership the Republican Party is giving us in planning to ram through this reconciliation next week. They want to provide an additional $70 billion to $100 billion in tax cuts for the privileged and the powerful and their Fortune 500 corporate benefactors. In order to pay for this, they plan to cut $4.9 billion from child support programs that help collect money from deadbeat dads; $14.5 billion from student aid programs, $9.5 billion in Medicaid, and they even want to cut tens of millions of dollars from low-income energy assistance.

Mr. Speaker, you will hear more from the Progressive Caucus, more from the Democratic Party next week about just how unfair these cuts will be to real moderate-income people and the very poor people in this country and how much they will benefit the very, very wealthy people in this country.

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.

THE BUDGET

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, well, next week the Republicans have discovered that we are awash in a sea of red ink, supposedly. Under the Bush watch, with the Republicans in charge of both Houses of Congress, the national debt has increased by 62 percent, to $8 trillion in 5 short years, quite an accomplishment. We are borrowing $1.3 billion a day to run the government. If we eliminated everything the government does except for homeland security and defense, we would still have a deficit.

□ 1130

They say they are going to make some infinitesimal cuts and little phony baloney and that is fiscal responsibility. Let us talk about what they are proposing to cut.

Well, the biggest whack they are taking is at students. They do not know any students who have to borrow money or get scholarships to go to school. Why, the children of the rich, they just write out a check and pay cash; they are legacy students at the best schools. $14.3 billion of additional costs on students who want to borrow a little money to get a better education and get ahead, doubling the origination fee, costing them as much as $6,000 over the life of their loans.

Kids are graduating with mountains of debt. That is a responsible cut, according to the Republicans. Well then there are those little guys in the elementary and secondary schools who are eating too much. They are eating too much. They are going to cut back on the school nutrition program and the breakfast program and the eligibility of poor kids to eat.

They are just eating too much. They do not know anybody who is hungry in this country. And then the phony baloney. I am on the Resources Committee. They are assuming over $3 billion for leasing the Alaska National Wildlife Refuge, 50 times as much per acre as the Naval Petroleum Reserve was just leased for, where there is known oil, in an area where there is no known oil.

So we got phony baloney and mean spirited cuts. Now, why? Are they really fiscally responsible? Well, this would be a big, you know, almost one-tenth of 1 percent of the projected deficit over the next 5 years. I guess that is better than nothing. Except that there are ways to make much bigger cuts. We could roll back the 2001–2003 tax cuts for the wealthiest 1 percent, those who earn over $350,000 a year. That would bring in $327 billion, six times what they are pretending to save here.

We could do away with some offshore tax shelters, $65 billion more than what they are talking about here. We could cancel the President's mission to Mars. That is $1 trillion over the next 20 years, $100 billion to go back to the Moon again. That would save twice as much money. No, those things go after the powerful special interests or the contributor class, and God forbid they should take them on.

But they can get the little kids in the schools and take the food off their plates. They can go off the students struggling to rise up or stay in the middle class and double their origination fees for their loans.

But they will not make these kinds of real cuts, ones that would hit at those who earn over $300,000 a year or hit at the powerful special interests who are, you know, who are involved in the Federal contracting with NASA.

And then there is waste and abuse. What about the waste and abuse? Apparently, the Bush administration, Brownie is still writing, Brownie, you are doing a heck of a job. He is still on the Federal payroll for $150,000, and he is letting out contracts, such as a contract, put a blue tarp on a roof. A lot of people in Oregon do that when they find out they got a leak when it starts to rain, they go up, climb up on the roof, put up a tarp. The tarp costs $8.

Well, the Federal Government is paying a contractor $2,500 to put blue tarps per roof down there in the Southeast, yet another great job by heck-of-a-job Brownie, who is still pulling down $150,000 a year from the Federal taxpayers.

So there is a little waste, fraud, and abuse that they can go after. No. But these are the big contractors, Fluor and others, who are benefiting and profiting immensely from gouging the Federal taxpayer.

So we should have real fiscal responsibility; but they have no sense of it, because the real money goes to the powerful and the special interests in this country. They are the ones looting the Federal Treasury, and they have the gall to come to the floor of the House and say it is the Democrats. You have been in charge for 5 years. Five years. The Presidency, the House, and the Senate for almost that whole time, and you have increased the debt by 62 percent.

You have done nothing about the waste, fraud and abuse. In fact, it has gotten worse on your watch, and now you want to stick it to the kids who want to get an education and to hungry children and primary and secondary schools and pretend you are going to sell leases for a heck of a lot more than you will.

You should be ashamed. The sea of red ink spreads, and it grows deeper. Most Americans are drowning, but the yachts of the wealthy are floating high.

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.)

PROPOSED LETTER TO THE PRESIDENT

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

Ms. WOOLSEY. Mr. Speaker, today I would like to share a letter that I will be sending to President Bush next week. I hope that all of my colleagues will join me in signing this important letter, because it is time for Congress to end the war in Iraq and bring the troops home.

Here is the letter: Dear Mr. President. Despite 2½ years of warfare, including the deaths of over 2,000 soldiers and injuries to 15,000 others, Iraq remains as unstable as it was when you

declared an end to major combat operations in May of 2003.

We need to face the fact that the situation in Iraq is not improving, nor will it improve as long as our troops remain there. Because the presence of over 160,000 soldiers in Iraq and on Iraqi soil is the main catalyst fueling Iraq's insurgency. The time is long overdue for the U.S. to change course in Iraq and bring our troops home.

To transition from war to peace, we recommend that your administration immediately make four pivotal policy changes in Iraq. First: engage in greater multilateral cooperation with our allies. Second: pursue diplomatic nonmilitary initiatives. Third: prepare for a robust post-conflict reconciliation process. And, fourth: withdraw the U.S. armed Forces. Multilateral cooperation.

The United States must engage the international community, including the U.N. and NATO, to establish a multinational interim security force for Iraq. The Department of Peacekeeping Operations at the United Nations, for example, is well suited for this task.

Diplomatic nonmilitary initiatives. The U.S. must pursue a diplomatic offensive, shifting its role from that of Iraq's military occupier to its reconstruction partner. This means giving Iraq back to the Iraqi people, working with them to rebuild their economic and physical infrastructure and creating Iraqi jobs.

The U.S. must also engage the United Nations to oversee Iraq's economic and humanitarian needs, renounce any desire to control Iraqi oil, and ensure that the United States does not maintain lasting military bases in Iraq.

Post-conflict reconciliation. Establish an international peace commission to oversee Iraq's post-war reconciliations. This group would include members of the global community who have experience in international peacebuilding and conflict resolution and would be tasked with coordinating peace talks between Iraq's various factions.

Withdrawal of the U.S. Armed Forces. The cost of the war in Iraq, both human and financial, has been staggering. Tragically, the American and Iraqi lives lost and the billions of dollars spent have failed to actually make our country safer from the threat of international terrorism. To end the war in Iraq, save lives, and prevent the U.S. from spiraling even further into debt, the U.S. must withdraw its Armed Forces now.

Mr. President, after Iraq holds it's December parliamentary elections, the country's leaders will be responsible for charting Iraq's course. The international community, including the United States, can then provide nonmilitaristic support to ensure the sufficiency of Iraq.

We look forward to your response to our recommendations, and we would welcome the opportunity to discuss them with you further. Mr. Speaker, I will send this letter to the President in the coming days. Not only is it long overdue from the Bush administration to end the war in Iraq; it is long overdue for this body, the Congress of America, to do our part in ending the war in Iraq.

I urge all of my colleagues to lend their signatures to this timely, important letter.

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

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

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

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

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

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

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

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

HURRICANE WILMA VICTIMS NEED HELP IN SOUTH FLORIDA

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. Mr. Speaker, this afternoon all across south Florida, there are thousands of people whose homes have been condemned. They have been condemned following a category 3 hurricane called Hurricane Wilma.

Subsequently in the last few days, it has been pouring rain. I went door to door in my district over the weekend and met hundreds of men and women in their 80s and 90s stuck in their apartments with no power. At one point, I came upon a 93-year-old women in her kitchen with her 90-year-old next-door neighbor who were looking with despair at an MRE, trying to figure out how to get it open, put it together, and get it heating so that they could have the first hot food, something resembling hot food, that they had had in 5 days.

I literally had to help them with the print on the instructions that was this big, try to figure out how to put that meal together without burning themselves, because as soon as you put the water in the meal, it starts to immediately heat up.

This was not an isolated incident. In the 2 days after that, those women and the other senior citizens that I represent in the Sunrise Lakes Condominium were told that they needed to leave their apartments because after the rain, the leaking through their condominium roof was so bad that their apartments were uninhabitable.

They are now in an elementary school with no shower, with a makeshift shower that was put together with two porta-potties shoved next to each other and plastic sheeting taped up with a hose stuck over the top so that they could bathe. We are talking about men and women in their upper 80s and 90s.

Hurricane Wilma has caused tremendous suffering in south Florida, and there has not been enough national attention on the plight of my constituents and the constituents of my south Florida colleagues. We need to make sure that we are able to provide the help and assistance that they so desperately need.

There is need across this country, and next week we are going to add insult to injury and apply a manmade disaster in the form of the budget reconciliation, which is Washington-speak for budget cuts. There are going to be proposed housing cuts, Medicare cuts, food stamps, school lunches. Between Katrina and Wilma, and all of the suffering going on across this country, now is not the time to add more harm and do more damage to people who are badly in need.

Mr. Speaker, we need to do right by Americans, not pull the rug out from under them. I urge my colleagues to make sure that we provide the badly needed assistance, both to victims of Hurricane Katrina on the gulf coast and to victims of Katrina from south Florida.

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

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Ohio (Mr. RYAN) is recognized for 60 minutes as the designee of the minority leader.

Mr. RYAN of Ohio. Mr. Speaker, I appreciate the opportunity to be back here on the House floor on behalf of the 30-Something Working Group. We have been coming to the floor, Mr. Speaker, now for a couple of years weekly; and over the past several months we have turned it into a nightly, and sometimes bi-nightly, event, where we come down

here and we talk about what is going on in the Nation's capital.

We do not only talk about what is going on with regard to people who are our age, within the 30-Something Working Group, although the original mission of our group was to explain and to lay out the facts for people who are in our generation, in their 30s with families, and how the decisions that are being made here affect that group of people.

Since then, we have broadened this really to touch on all of the issues, because it seemed as we got further and further into the budget cuts, the tax program that the Republicans have, the war, the inability to address the natural disasters, we have broadened our mission to deal with all of these issues, because all of these issues hit home to not only people who are in their 30s but people across the country.

□ 1145

We have come to find that the decisions over the past several years that we have been here, the gentleman from Florida (Mr. MEEK) and I are on our third year. The gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) is a freshman member. But over the past several years we have seen up close and certainly personal the absolute failure of the Republican party and their ability to govern, the total and complete incompetence.

This is not a party issue. The only reason we have to talk about parties is because the Republicans control the House. They control the Senate. They control the White House. And when you are running $500 billion deficits a year, you are spending $1.5 billion a week in Iraq, creating a welfare state there, you are cutting taxes on people who make billions of dollars a year here in the U.S., you take public tax money and you give it, to the tune of $16 billion in the last few months, this Congress has taken taxes from average, middle-class people. You sent it down here, Mr. Speaker. The average people sent it down here.

And this Republican Congress and Republican Senate and Republican President give that tax money, $16 billion worth, to the oil industry. The most profitable industry in the world right now is the oil industry, and public tax money is going to subsidize the oil industry.

Then our friends in the Republican party go down the ''shake-down street,'' K Street, where all the lobbyists are. Anyone who has been to Washington, you go to K Street, that is where the big major lobby firms are. The Republicans then, after giving the public tax money in subsidies to the oil companies, they go out to ''shake-down street'' and they shake down the lobbyists for money. So the lobbyists then give the money to the Republican party so they can spend it on their campaigns. And we have a big hole here because the only group missing in this equation is the American people, the American people.

Mr. Speaker, I yield to the gentleman from Florida (Mr. MEEK).

Mr. MEEK of Florida. Let me share something very quick, because I want to make sure that Members, staff, everyone understands what is going on, Mr. Speaker. The gentleman from Ohio (Mr. RYAN) is hitting the nail right on the head, hitting it with the hammer right on the head like a good carpenter.

I can tell you what is happening now in Washington, D.C., is unprecedented in history of the United States of America. Let me say it again. What is happening now in the United States as it relates to its governance, I am not saying the everyday Americans, because folks are waking up and going to work every day. Small businesses are going to open their stores to be able to bring about the kind of commerce they need in their local communities. Kids are waking up, going to school to hopefully educate themselves. But as it relates to governance we are falling short.

We are robbing, a couple of years ago we could say future generations, I would say we are robbing Americans in the present. So when these kinds of activities that we are talking about taking place under light and under camera, then I am very concerned about what is going on in the back halls of Congress.

Now I am going to tell you right now, it is not the Meek report. It is not the Ryan report. It not the Wasserman Schultz report. This is what is happening in our country right now. We have fiscal responsibility used as some sort of whim word or some sort of punchline. It is not being used in a way that it should be used.

It is not saying to billionaires, no, we cannot give you another tax break because we have a war going on, as a matter of fact, two. We have three natural disasters that have hit our country in an unprecedented way. We have Medicare that some here in this Congress on the majority side want to cut. So we have to say no to the special interests.

Also, I am going to tell you, and I just want to make sure that folks understand what we are talking about. It is unprecedented as it relates to a lack of governance in the history of the country.

Now I am just going to point out just a few things here, and the gentleman from Ohio (Mr. RYAN), you can continue or we can move on to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ). But I can tell you this, USA Today, I did not print this. The gentleman did not print this. ''Outing of a CIA agent.''

Ms. WASSERMAN SCHULTZ. One of our third-party validators.

Mr. MEEK of Florida. One of our third-party validators.

''Outing of CIA agent. Louisiana can't pay Katrina and Rita bills.'' But, meanwhile, folks are running around cutting the very programs that help folks in Louisiana and Mississippi and other affected areas, in South Florida as it relates to Wilma and others, cutting programs that will help the very people that State is trying to use.

The Washington Times, let me take this little promo off here. Washington Times, a conservative paper here in Washington, D.C. It talks about issues that are coming before the Congress, and it talks about the other issues that are taking place in Capitol Hill, maybe not on the front page but within the paper talking about indictments and hearings.

The Washington Post, a big front-page picture. Not about some sort of program or some sort of way that we are helping middle-class families, not talking about bringing the costs down of gas or heating oil or anything like that. No, it talks about the fact that the popularity, 58 percent in a poll questioned the integrity of the President of the United States.

Now I am not one to question the integrity of the President of the United States, but I can tell you this: That it is interesting that individuals can out or in said indictment, out CIA agents and then forget about it. Oh, like I said last night, I was going to get a cup of coffee, and I walked over—I cannot remember when I outed the CIA agent.

The bottom line is something is very wrong as it relates to what is going on in this country, as it relates to governance.

The New York Times, the same. You can pick up a paper, the Members when they fly back to their districts, since we finished our business for this week, they can pick up the papers and find the same thing. We cannot explain ourselves or spin ourselves out of this situation. This Congress is rated below, 35, 31 percent. Who is counting at this particular time? But I can tell you something is very wrong.

We have to rise up and provide the leadership. That is why we come to this floor. We challenge the majority side to stand up and govern. And the reason why we have this kind of atmosphere in Washington is because we have not called these individuals out on the carpet. Need it be executive branch, Federal agencies, those that are taking the American people's tax dollars and doing what they may.

$14 billion yesterday in the Budget Committee and a hike in fees in students loans, in student assistance at a time when we are talking about providing jobs. So I am just going to say that we need to be alarmed by some of this. We need to be able to let folks know that we are about changing this kind of atmosphere here in Washington, D.C.

Ms. WASSERMAN SCHULTZ. The gentleman is absolutely right.

The gentleman talked about, he started his last couple of minutes talking about the precedent-setting activity in this administration. To take that a step further, let us talk about just how precedent setting this administration is.

They are certainly precedent setting in terms of ethical lapses, in terms of corruption and cronyism and the lack of confidence.

You have literally, with the indictment of Mr. Libby on Friday, the first White House official to be indicted in 130 years. Now, throughout our lifetime, throughout our lifetime and the lifetime of our generation here in the 30-Something Working Group, you go through probably our earliest memory of our administration would be Nixon. We were young kids during the Nixon administration, but obviously that was a pretty significant scandal.

Then you move forward. Nothing too terrible in the Ford administration. People obviously had some deep concerns or over Mr. Carter administration but nothing ethical to speak of. Obviously, with Iran Contra and the Reagan administration and the number of officials who were investigated and subpoenaed there were deep concerns, but no one indicted from the White House.

The same thing with President Clinton. No indictments of people in the White House. Definitely some questions, but now we reach the Bush administration.

Does the gentleman from Ohio (Mr. RYAN) have the chart with him from the other day where we can put it up and show people and the Speaker what the President said during his campaign? Is that with us?

As we are getting it, if you recall, the President when he was a candidate for President talked about how he was going to transform the standards of ethics of the White House and that anyone working in his administration was going to be held to the highest of standards. That it was not just going to be whether they have actually broke the law, but the standard, and here it is.

President Bush's promise that he made as a candidate that, ''In my administration we will ask not only what is legal but what is right. Not just what the lawyers allow but what the public deserves.''

Well, I do not know, I guess prevarication is just a common practice. It is just part of their culture, part of their culture of corruption and cronyism and incompetence.

Mr. RYAN of Ohio. A double standard for people working in their administration.

Ms. WASSERMAN SCHULTZ. Right. I guess they believe they can say anything they want to. They do not have to follow it, and there would be no consequences. But, see, unfortunately for them, fortunately for the American people, the American people get it now. They are on to them.

Let us talk about the Washington Post poll, and I know we will have an opportunity to put this up in poster form probably next week, but one of the questions that the Washington Post/ABC News poll asked was, Please tell me whether the following statement applies to Bush or not: He is honest and trustworthy. In May of 2004, 53 percent of the American people answered that question yes and 45 percent said no. Now 40 percent think he is honest and trustworthy, and 58 percent say he is not.

I think that is in part because you can tell a lot about a person by the people they surround themselves with. Right now, let us look at who is surrounding the President of the United States or who previously was surrounding him.

You have Mr. Libby, who was indicted on Friday; and, of course, it is not confirmed unless and until he is convicted. He is not guilty of a crime yet. But he was indicted. The first official in the White House in 130 years. The President said if somebody committed a crime they will no longer work in his administration.

The gentleman from Ohio (Mr. RYAN) I know will probably talk a few minutes about the difference in the shifting sands of the President's statements. But you have Mr. Rove who increasingly it has become clear, as clear as a bell, that he absolutely was directly involved in outing a covert CIA agent, directly involved, yet he is still in the White House with the highest security clearance, access to the most top secret information.

It is easy to see why 58 percent of the American people do not think the President is honest and trustworthy. Because if you take it a step further, the same Washington Post/ABC News poll says it has been reported that another subject of the investigation has been Karl Rove, who has been a close advisor to Bush.

The question was, Given what you have heard or read, do you think Rove did anything wrong in connection with this case or not? If yes, do you think he did something unethical but not illegal or did you think that he did something illegal? Forty-nine percent of the American people answered that question that he did something wrong for sure. Of the 49 percent, 26 percent believe he did something illegal and 23 percent think he did something unethical. Forty-nine percent of people asked believe that Karl Rove did something either illegal or unethical, and 59 percent of the people believe that he should resign from the White House.

Now, is President Bush so incompetent that he is not able to cope without Mr. Rove by his side? I do not know. Generally, I expect that, I know I surround myself with a number of competent people. You make sure you put together a team of people that does not rise and fall on one person and their knowledge and ability to assist you.

Mr. MEEK of Florida. I can tell the gentlewoman that, as it relates to national security, protection of our homeland and as it pertains to this case, you have the question of a CIA clandestine agent whose job was charged with finding out more or tracking down possible chemical weapons that can be used, weapons of mass destruction that can be used against the United States of America.

□ 1200

Now, Mr. Speaker, we are in the minority, and that means that the majority, which is the Republican majority, has the responsibility of governance, has the responsibility because they have the committee chairmanships. They have the Speakership. They have all of the leadership, and I will say at least I am not even going to talk about the Speakership or the leadership. I am going to talk about the committee chairpersons that have the responsibility to protect and have direct oversight over the Federal Government, making sure that we keep children, women, men, everyday Americans, safe.

What are we doing as Democrats? What we have done, not only have we put light on what is wrong as it relates to outing CIA agents, but also, there was a letter written today by four of our ranking members. A ranking member, I want to make sure I explain, that is the highest ranking Democratic Member on the said committees of jurisdiction or concern over a particular issue, in this case, security clearance.

This letter went to the associate director of division of security, and it is questioning Mr. Rove's security clearance. This did not come from the chairmen of the committees, did not come from any person of power on the majority side. This came from the minority side, on the Democratic side; and it is done by very fine Members, the ranking member of the Committee on Energy and Commerce, Mr. JOHN DINGELL; the ranking member of the Appropriations Committee, Ranking Member DAVID OBEY; also, Defense appropriations, veteran, marine, Mr. JOHN MURTHA from Pennsylvania; and also the Armed Services ranking member that we serve with, Mr. IKE SKELTON of the Armed Services Committee. They questioned the security clearance of Mr. Rove.

What the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) just finished saying is the fact that no one is that important when it is a question of outing a CIA agent and others for political gain. So that is what we are doing right now.

Mr. RYAN of Ohio. Mr. Speaker, that is exactly the point that I think that we have been trying to make here in the 30-something group. You cannot put your political party above the interests of the country; and if you out a CIA agent because it may benefit your political party, you are wrong. You are wrong. You cannot do that because it weakens the country; and you did not just out her. You outed every contact she has made in the last 20 years. You outed the front company in Boston that the CIA had. They had a front company. They talked about her being at the Belgium University. So any

American now at the University of Belgium is now suspect if they have any contacts.

This has ramifications well beyond what the average person could even understand, well beyond what we could even understand, because this woman was working on behalf of the United States of America and the one quote that sticks with me is the one CIA operative that said, outing a CIA agent is the moral equivalent of outing a military unit in a forward area. So in Baghdad, they are over there, it would be like Karl Rove or Scooter Libby saying to the insurgency in Iraq, the Marines are coming right over there in about a half an hour; that is where they are coming. That would be unacceptable.

But in the covert world, that is exactly what Karl Rove and Scooter Libby and all the minions over in the executive branch did. It was a coordinated effort to out this woman because they did not like what her husband was saying about the war, and that is wrong. That is wrong.

If you do not believe us, because we love our third-party validators, this is Melissa who was a 14-year covert CIA agent. She says, We are talking about lies and we are talking about capabilities. We do our work, we risk our lives, we risk lives of our agents in order to protect our country; and when something like this happens, it cuts to the very core of what we do. We are not being undermined by the North Koreans. We are not being undermined by the Russians. We are being undermined by officials in our own government. That I find galling.

Could you imagine being a CIA operative somewhere in the world right now and you think, do they got my back in D.C.? Do they got my back? Or are you afraid that if I get caught up in the wrong political debate, somehow I may get outed by my own government?

That is what this is all about, and to have the kind of deceit and lies take place out of the executive branch, let us just look at this.

Official A in the indictment, now we are not making this up. This is right out of the indictment for Scooter Libby. Official A, which the administration has admitted is Karl Rove, on July 10 of 2003, the middle of the summer, Official A, which is Karl Rove, advised Scooter Libby of a conversation that he had earlier that week with Bob Novak, the columnist, in which Wilson's wife was discussed as a CIA employee involved in Wilson's trip. Libby was advised by Official A, by Karl Rove, that Novak would be writing a story about Wilson's wife.

So Karl Rove told Scooter Libby in July of 2003 that Novak was going to be writing a story.

Now, September of 2003, a couple of months later, Karl Rove says to ABC News to the question Andrea Owen asked, Did you ever have any knowledge of the CIA agent or did you leak the name of the CIA agent to the press? Any knowledge or did you leak it. Karl Rove said no. He lied to the American people. He did not lie to Andrea Owen. He lied to the American people. We know from the indictment he told Scooter Libby Novak was going to write about it, and 2 months later he says he does not know anything about it.

Then he does a CNN interview just July of this year; and he says, I will repeat what I said to ABC News when this whole thing broke some number of months ago. I did not know her name, and I did not leak her name.

Well, if you go back to the indictment, Official A, who is Karl Rove, advised Libby of the conversation that Novak would be writing a story about Wilson's wife. He lied. Now, he is in the White House making decisions on behalf of the United States of America.

Mr. MEEK of Florida. Highest security clearance.

Mr. RYAN of Ohio. We cannot have it, unacceptable behavior, unbecoming of a White House official.

Then I am going to wrap this up. I am going to go right through this so we can get everybody involved here.

Then not only did Karl Rove and Libby lie to the American people, they lied to Scott McClellan, because he came out 2 months after the indictment and said what everyone already knew, and McClellan says, Those individuals, Rove, Libby, Abrams, assured me they were not involved with this. Another lie.

Now we have to change our language a bit to respect the rules of the House and respect the office which we are about to discuss.

This is out of the indictment. On or about June 12, 2003, that same summer that we were just talking about, Libby was advised by the Vice President of the United States that Wilson's wife worked at the CIA in the counterproliferation division. Libby understood that the Vice President had learned this information from the CIA.

Mr. MEEK of Florida. Mr. Speaker, just a second. I just want to make sure you identify who Mr. Libby is.

Mr. RYAN of Ohio. Scooter Libby was the chief of staff of the Vice President of the United States who has been indicted under five counts: two counts of making false statements, two counts of perjury and one count of obstruction of justice. So the Vice President on June 12 told Mr. Libby about Joe Wilson's wife. Then 2 months later, in September, the Vice President is on Tim Russert. Okay.

Mr. MEEK of Florida. Sunday news show.

Mr. RYAN of Ohio. The big time, the prime time.

Mr. MEEK of Florida. ''Meet the Press,'' syndicated affiliates, one of the most respected journalists in Washington, D.C.

Mr. RYAN of Ohio. Tim Russert, son of Big Russ, Buffalo, Ohio, John Carroll graduate.

Mr. Russert says to the Vice President, this is 2 months after the Vice President told Libby about Joe Wilson's wife. Russert says, Joe Wilson says he came back from Niger and said that, in fact, he could not find any documentation that in fact Niger had sent uranium to Iraq or engaged in that activity and reported it back to the proper channels.

Question: Were you briefed on his findings in February-March of 2003?

Vice President CHENEY: No, I do not know Joe Wilson. I have never met Joe Wilson.

Now, talk about what is the meaning of ''is'' is. I mean, give me a break.

Ms. WASSERMAN SCHULTZ. Black and white.

Mr. RYAN of Ohio. Two months earlier, the VP told Scooter Libby about Joe Wilson's wife; and then he says 2 months later, to Tim Russert, I do not know Joe Wilson.

Mr. MEEK of Florida. How do we know that? From the notes of the chief of staff of the Vice President of the United States that said the Vice President told him in the indictment. I mean, that is not what we are saying.

Mr. RYAN of Ohio. It is not us.

Mr. MEEK of Florida. You talk about third-party validators, but if I may for a moment, the reason why the alleged activities that have been identified in this indictment and alleged activities that are in the stacks of these papers today, just today, this is not papers from the week or the month or over the past year. That is just today, and I cannot even hold up the number of papers. We could not even bring them all down here to the floor. There are just too many. Mr. Speaker, I do not know how it would look if I rolled in a cart of the newspapers that are reporting what we are saying.

I can tell you this, it even comes back here to this Congress. The fact that we are not carrying out our oversight responsibilities and we are not calling this administration into check and balance as it relates to oversight, this is the reason why this activity is going on.

I just want to share some frustration here with trying to get information from the majority side of what happened in the Clinton administration as it relates to subpoenas and what has happened in the Bush administration as it relates to subpoenas because, Mr. Speaker, I do not just want to come to the floor and say there were a plethora, a number of subpoenas that went to the Clinton administration for far less, for far less, and now we have the outing of CIA agents. We have the possibility of some hanky-panky with the intelligence that was given to the Congress of the United States. We have the possibility of other questionable activities out of this White House and from this administration, and there are not any committee chairmen that are running around saying we are going to subpoena this person, we are going to put them under oath, and they are going to come before this Congress and they are going to respond.

Let me just mention something here. September 16 of this year, I put one of my best staff people on this. I was standing there and I told him, I said, listen, I want you to make a request to the Congressional Research Service, which is the service that we use here in the Congress to give us the facts that we need to know as it relates to putting together legislation coming to the floor, sharing with the Members, with the American people, and I want you to find out how many subpoenas were issued from not the Senate but the House of Representatives during the 8 years of the Clinton administration versus the going-on-now 5 years of the Bush administration from this Congress.

That was September 16. He makes a request. We call over to the Congressional Research Service. God bless them. I like them. Okay. These are the nicest people, Mr. Speaker, that are involved in this whole atmosphere here in Washington, D.C. They are over at the Library of Congress. Some of these folks have been there 30-plus years. Some of them are very young, bright, intelligent folks. I mean, all of them are. They are the nicest people. They come over and they brief us. They shudder. They are concerned, because they said, whoa, you are asking for something and we have to go over there and ask them, okay, the very same government that we are dealing with here.

They go over, and I continue to call because usually it takes one or two days to get this kind of information. We call back between the 9th and the 16th. The Congressional Research Service spoke to the office of general counsel and was told the records are not complete.

Now, let me tell you something. The records are not complete of what? Wait. The subpoenas were given out. Obviously, the House general counsel had to have something to do with the subpoenas being issued.

Ms. WASSERMAN SCHULTZ. You mean to tell me they did not keep track? They do not have a file?

Mr. MEEK of Florida. It gets better. Let me just tell you. Because it is so detailed between September 19 and September 29, the Congressional Research Service spoke to four House committees and was given the following response.

□ 1215

This is when you talk about the Potomac two step here. Someone is asking for records. Oh, my God. Well, people would assume here in the Congress that records is one of the things that we do so we know what we have done in the past, so that either we can do better in the future or not make the same mistake in the future. But here is the response: The committee does not have records. That was the first one. The other one: Committee does not have records of previous Congresses.

Ms. WASSERMAN SCHULTZ. Wait. They do not keep records of previous Congresses?

Mr. MEEK of Florida. So we do not know what is going on under this majority.

Mr. MEEK of Florida. The next one is: The committee is not sure they have those records. They could be archived. And the fourth one: The committee does not have records for previous years, and previous records may be at the National Archives.

Now I am going to put the majority on notice right now. If those subpoenas, which I believe were sent out and issued under the Clinton administration, are in this Capitol, and I do not know of any subpoenas, but if they are out there, and I am going to give them the benefit of the doubt, if they are in this building, somebody better get an intern and run them over to the National Archives because we are on our way over there.

This issue of covering up this whole thing, this thing of I got your back if you have mine, enough of it. People want change. We are trying to bring about that change, and we are being stymied. We are being locked out of information.

One Member said, this is the people's House. I question that at this time. I question that because I think, and I am coming in for a landing here, I think there are some people that are very, very worried about the facts we are bringing to light to the American people and to Members of Congress, letting them know that we know what is going on in the back halls of Congress.

Right now, like I said before, as it relates to governance, the country is going through some hard times; and there are some folks on the majority side that are not willing to govern on behalf of the very Americans that sent us here to represent them.

In this House, we have to be elected. Not one Member of this House has been appointed. In the Senate, you can be appointed by a Governor if someone leaves early in their term. But in the House there has to be a special election. So whether it is Democrat or Republican, you are elected. There is one Independent. By virtue of the fact we have been elected to come here, we have been federalized to make sure we stand up on behalf of everyday Americans.

So the hypocrisy that is going on in the House as relates to oversight, I am saying this on behalf of CIA agents right now worrying about whether their government is going to out them, and I am saying this on behalf of national security, which I serve on two committees which deal with this very issue.

Our integrity and how other countries see us and how individuals that want to go into the clandestine service, that want to serve in the CIA, I want them, I want the best and brightest to come, but I do not want them to think or anyone in the State Department to think if they get on the opposite side of an administration that they will go after their wife.

We have not even talked about that. Because Ambassador Wilson had something to say outside of what was on the script of the White House, and they could not get him because he is a person that dotted his I's and crossed his T's, they decided to go after his wife. We are going to go after your wife.

To women in this country, you need to be concerned about that. Someone cannot get to your husband, but they are going to come after you. We need to disabuse ourselves of that.

Ms. WASSERMAN SCHULTZ. Well, you bet your sweet bippy they are worried. They are worried you are asking for those documents. Because there are those on the other side of the aisle that would try to lead people to believe that we are just a bunch of malcontent Democrats who are standing on the floor complaining about something inconsequential. It is just the same old, same old. Not true.

Look at the reasoning and the motivation that was behind the outing of a covert CIA agent and of the planning and machinations that were going on in the White House to conceal and deceive the American people about what their plans were. It was all about making sure that they could have their way in going to war in Iraq. That is what it all boiled down to. And the consequences of that motivation are that now we have more than 2,000 American soldiers, men and women, who are dead, who lost their lives because this administration was hell-bent on being right, facts be damned.

It made no difference to them that all the evidence mounting showed that they were wrong, that there were no weapons of mass destruction. It was obvious there was no other reason to go into Iraq other than the President and his people decided we should, long before September 11. With all the documentation that has come out now pointing to the fact that, soon after the President was elected in 2000, it had been decided that they were going to go to war in Iraq, and what they have been doing for the last few years leading up to our entering Iraq and since then is assembling the facts around their decision.

Then subsequent to our entry into Iraq and it being discovered there were no weapons of mass destruction, in part because Joe Wilson went there to Niger and demonstrated factually that that was not the case, subsequently they have had to prevaricate. They have had to lie, because, oops, it was shown that not only were they wrong but they were deceitful.

Can you think of any more heinous an act than deceiving the American people and the world on the ultimate sacrifice that Americans are asked to make for their country?

Mr. RYAN of Ohio. If the gentlewoman would yield, that is a tremendous point. They have deceived and misled the American people. Then, when the Democrats want to change things and try to take things in a new

direction, people say, well, we were all dealing with the same intelligence. So we say, well, let us go and look at the intelligence. When we say let us try to fix this problem together in a bipartisan way, because there is so much at stake here, we get stymied.

Senator REID had to shut the Senate down the other day on behalf of the American people so that we could get a good, solid overview of the intelligence. We are not saying this just to say it.

Ms. WASSERMAN SCHULTZ. They have no respect for the American people. They have no respect for the American people. When you are willing to do anything and say anything to have your way, regardless of the consequences, that demonstrates that you have no respect for the people that you represent, for the people that sent you to Washington to do right by them.

As elected officials, the three of us and all our colleagues here who serve in this Chamber, who have stood for office, most of us many times, what we are doing when we go and put our name on that ballot and ask people to support us, we are asking them to put their faith and their trust in us. We are telling them that we respect their opinion, that we will honor their opinion.

People in America do not expect to always agree with what we do here. I know there are people in my district who sometimes agree with me and sometimes they do not agree with me. But what they have told me, and I know each of my colleagues have heard this same thing, they have told me, Debbie, I do not always agree with you, but at least I know you are up there fighting for what you believe in. I know that you have the utmost integrity. I know I can put my faith and trust in you and that you are always going to look me in the eye and tell me exactly how things are and tell me the truth.

There is no one in America that the President can look in the eye and say he has told them the truth. Because, although he specifically has not been accused of anything illegal, he specifically has not been accused of anything illegal, you are a reflection of the people you surround yourself with. And, essentially, by allowing Karl Rove to remain in the White House and by hanging on to his staff that have been accused of unethical behavior—

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DENT). The Chair must remind all Members that remarks in debate may not engage in personal offense toward the President by accusation or insinuation of wrongdoing.

The gentlewoman may proceed.

Ms. WASSERMAN SCHULTZ. Forgive me, Mr. Speaker, but there are times when this is so outrageous and the conduct that is going on in this administration is so outrageous that it is difficult to contain myself and it is difficult to keep that outrage bottled up inside.

Because that is what we have been asking for weeks now. Where is the outrage? Where is the outrage from the Republican leadership in this Chamber? They certainly had plenty of outrage during the previous administration.

Mr. RYAN of Ohio. If the gentlewoman will yield, this is not personal. Let us be absolutely clear about this. This is business. This is about the business of the American people.

When we have the Chief of Staff of the Vice President lie to a Grand Jury on two counts and of perjury, two counts of false statements to Federal agents and of obstruction of justice; when we have the Deputy Chief of Staff of the President lie to the American people on two separate occasions; when we have the Vice President of the United States knowingly make a comment to Scooter Libby that he knows about the ambassador's wife and then goes on Meet the Press and says he does not know, this is not about Democrat and Republican, this is about the future of the country.

This country is going in the wrong direction, and every ounce of energy in the White House is geared towards covering up the outing of a CIA agent. So this is not personal. This is about the 700,000 people we each represent and the 300 million people that are in this country. It is about the wage gap, the gap between rich and poor, the increased number of poor people in our society and the lack of an adequate response to the greatest natural disaster in the history of the country. That is about executing our constitutional obligation, our constitutional responsibility.

This is this is not personal, Mr. Speaker. This is not personal. This is about us as elected representatives in the United States Congress, who swear to uphold the Constitution, wanting to take the country in a new direction, wanting to change the way business is done down here and to get rid of the corruption and the cronyism and the incompetent leadership. That is what this whole thing is about. It is not personal.

Mr. MEEK of Florida. If the gentleman will yield, I can tell you why this is not personal. It is not personal for this Congress and it is not personal for the leadership, but it is personal to the American people. We have taxpayer dollars we are trying to nickel and dime. We want to nickel and dime Medicare, we want to nickel and dime Medicaid, we want to nickel and dime free and reduced lunches for poor people here in this country, and then we want to get excited about possibly saying something about someone in power?

We respect the rules of this House. We appreciate the integrity that is in the rules of this House. We do not want to abuse the rules of this House. But as it relates to the majority leadership and the majority on the other side and the majority in the Senate and as it relates to the White House, I want them to live by the same rules that everyday Americans have to live by.

I want it to be personal for them just like it is personal for the person that can only afford to put $10 in their gas tank because they do not even know what it means to have their gas tank full because gas prices are so high.

I want the folks that get driven around this place, that are being chauffeured around here in cars that do not know what it means not to put a debit card into a gas pump but only be able to get $15 out, I want them to feel it just as personally.

I want them to feel personally what the mother who has to think about whether her son, who is living in the heart of America, and she may very well be in a trailer park, and because I was federalized, I represent her, too. I want them to feel personally the decision she is going to have to make when the budget is passed by this Republican majority controlled Congress cutting free and reduced lunches. That is personal. That is personal.

So I could care less about the folks of power and influence and what they say and how they do it. We are going to stay within the rules. We are going to stay within the rules, but I want to make sure that folks understand that we have individuals out in this country that are suffering, white, black, Native American, Hispanic.

Ms. WASSERMAN SCHULTZ. Asian.

Mr. MEEK of Florida. And Asian. They are suffering, and we have to give them voice. We have to give them voice, sure, when we start outing CIA agents, when we start seeing the majority side looking the other way. Even though they know what is going, they are not going to look because their friends are there and they do not want to do that.

In the Clinton administration, Democrats called the administration officials out on things that they were doing that was wrong.

□ 1230

That is our responsibility in the Constitution of these United States.

So when the gentleman from Ohio speaks of not putting party over country, I think that if we were to look at what we do now and what we have done in the past, we have always put country over party. The everyday Republican does not want his government operated by what the national GOP leadership says that it should be, that we need to do that and do this, but they are messing with the lives of everyday Americans. They do not endorse that.

So the problem here in this House is that we are sharing that information with the American people. We are not over at the Democratic National Committee sitting there sharing it with Democrats only. We are here sharing it with the American people; and we are letting the Members of this House, the majority and the minority, know that we all must go see the wizard and get some courage and some heart and

stand up to some of these very few individuals that are in the minority on the majority side that are running and pulling the sticks behind the curtains on behalf of the American people. Now, that is personal.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, will the gentleman yield?

Mr. RYAN of Ohio. I yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, what it boils done to is that here in the House the rules hem us in, and we have to talk around a lot of what we might like to say more directly, but the American people elected us to speak truth to power. I mean, that is the bottom line. We could not have more power in the White House than there is right now, and they exercise every bit of it. They exercise every bit of it, regardless of the consequences, regardless of the plight of the people whose decisions they affect. There are so many examples of how what we are doing on this floor allows us to reveal that truth.

The gentleman from Ohio (Mr. RYAN) has a chart right there that will help us ferret out a little bit of that truth.

Mr. RYAN of Ohio. Mr. Speaker, reclaiming my time, our friend from Florida was talking about what is going on and how personal this is.

I mean, we have an obligation here. What is going on today is the Republican majority has created a welfare state. They have created a welfare state. They have created a welfare state here in the United States, but the welfare state is for a very small group, corporations. Sixteen billion dollars in the last few months of corporate welfare went to the oil companies, the most profitable quarters they have had in decades; and public tax money was given to the tune of $16 billion to subsidize them. Pharmaceutical companies have gotten over $100 billion in average people's tax money, sent down here. The Republican majority gave it to the pharmaceutical companies. So we have a welfare state in the United States of America.

But we also are creating a welfare state in Iraq. While we are cutting free and reduced lunch and Medicaid and Medicare, health care programs for United States citizens, we have opened up 110 primary health care centers in Iraq. We have educated 2,000 health officials. Three point two million kids in Iraq have been vaccinated. We have rehabbed 2,717 schools and trained 36,000 teachers.

Now maybe we should be doing this because we invaded the country and bombed the heck out of it. So maybe we should be doing it. But when they are giving billions to the wealthiest corporations in the country and they are cutting free and reduced lunch for kids and they are doubling the cost of college tuition and raising the fees for student loans to the tune of $5,000 over the life of the loan, they are doing what is best for the Republican Party and they are doing the absolute worst thing they could possibly do for the United States of America.

And let me tell the my colleagues why, Mr. Speaker. The Chinese government in the country of China produced 600,000 engineers last year. We produced 70,000, half of those engineers foreign born. How are we going to stimulate our economy, create new jobs, innovate the new technologies that are needed to be innovated so that we could keep on the cutting edge of a vibrant global economy if we are not investing into the very people who are going to create that wealth? We cannot ask poor, unhealthy, uneducated kids to go into the workforce and create wealth for us. But yet we are making the investment in Iraq and we are giving away billions in tax dollars to the oil companies and to the pharmaceutical companies.

That system is corrupt. That is a corrupt system. Corrupt. And the way it is being administered and the way government is being administered is at a level of incompetence that we have never really ever seen. With the war, the execution of the aftermath of the war, the rehab, the nation building, complete incompetence on behalf of the guys who wear the suits and ties. Complete incompetence.

The response to Katrina, the highest level of incompetence possible because they put people in charge of FEMA who were political cronies, and the level of cronyism in this administration is really higher than we have really ever seen. And they are not cronies because they know the administration. They are cronies because they get the job and they are not competent.

We all know if one gets a political job and they get to hire people that they are going to hire people they know because this is a business about loyalty. But we also have to hire people who are competent. And Mr. Brown, Brownie, ran an Arabian horse show or something like that, and then he is in charge of FEMA, the point person for emergencies in the United States?

Now this could have very well been a terrorist attack. There could have been explosives. There could have been bombs on the levees instead of a Category 4 hurricane. And our response would have had to have been the same, and it was not a good response. It was not an adequate response.

So the level of incompetency here is unreal. It is a corrupt system that takes care of corporations and ignores every other American. I just want to tell my colleagues it would be nice if someone on the other side, if someone in the Republican Party, would just stand up and take responsibility. We get lectured all the time about personal responsibility. Please someone stand up and take responsibility, because they are weakening the country. They are weakening the country. And we have a constitutional obligation to try to offer solutions.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. RYAN of Ohio. No.

Mr. DREIER. Will the gentleman yield as I prepare to take responsibility?

Mr. RYAN of Ohio. No, you guys have the floor all the time.

Mr. DREIER. Mr. Speaker, I will take responsibility, and I am looking forward to it in just a couple of minutes.

Mr. RYAN of Ohio. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding to me.

I simply would like to say that when it comes to the issue of taking responsibility, we clearly are going to respond to the kinds of outrageous things that we have been hearing for the last few minutes about the state of the U.S. economy, about where we are headed as a Nation and about the kinds of challenges that we have and, quite frankly, about our desire to work in a bipartisan way to address these issues. So I am proud to take responsibility for these very important things.

Mr. RYAN of Ohio. Mr. Speaker, reclaiming my time, will the gentleman be willing to support an independent commission for Katrina, a bipartisan commission?

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. RYAN of Ohio. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding to me.

Let me just say right now we are very proud of the fact that we have put into place a committee that the Speaker of the House has established which has been interviewing, in fact, among others, Mike Brown, the gentleman just mentioned by my friend.

Mr. RYAN of Ohio. Mr. Speaker, reclaiming my time.

The SPEAKER pro tempore (Mr. DENT). The gentleman from Ohio controls the time.

Mr. RYAN of Ohio. Mr. Speaker, we want a commitment from the gentleman, if he is willing to take responsibility, to establish with us a bipartisan committee like the 9/11 Commission to oversee Katrina in which Democrats and Republicans both would agree and both have equal power in the commission like the 9/11 Commission.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. RYAN of Ohio. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, that is basically what has happened with the establishment of the committee which was put into place which was modeled after the committees that have looked at the October Surprise, that have looked at Iran-Contra, other issues that have come forward. We tried to put together a bicameral committee that was focused on it.

Mr. RYAN of Ohio. Mr. Speaker, reclaiming my time, I appreciate that, but the bottom line is this, my good friend from California: Your committee is controlled by the majority party. It

is not a bipartisan equal commission like the 9/11 Commission. The 9/11 Commission was the most successful commission we have had in trying to address a major terrorist attack in the United States. Let us put a bipartisan commission together and look at Katrina.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. RYAN of Ohio. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, let me just say to my friend that I believe that what we should do is we should take our constitutional responsibility, our constitutionally mandated responsibility according to Article I, Section 8 of the Constitution, for oversight of the executive branch. We should pursue that as vigorously as we possibly can.

And I will say to my friend, that if, in fact, after doing that, having Democrats and Republicans work in a bipartisan way on the commission that the gentleman from Virginia (Mr. TOM DAVIS) is chairing, if we do not see the kind of information that we knew, if we do not see the kind of scrutiny that we all believe should be applied in looking at the aftermath of Hurricane Katrina, I will support the gentleman's motion of putting together that bipartisan commission.

Mr. RYAN of Ohio. Reclaiming my time, you are leaving all of the decision-making power in the hands of the 11 Republican Members.

Mr. DREIER. Let me just say, no, we are not doing that.

The SPEAKER pro tempore. The gentleman from Ohio controls the time.

Mr. RYAN of Ohio. Mr. Speaker, reclaiming my time, the way the committee is set up right now, there are 11 Republicans and there are 9 Democrats on the committee. The Democratic Party cannot subpoena a witness without the support of the Republican Party. We cannot subpoena the documents. We cannot get the kind of information that we need without the approval of the majority party, and you are asking the American people to trust the Republican Party, the same people that appointed Brownie to run FEMA, and he is still on the payroll.

Mr. DREIER. Will the gentleman yield?

Mr. RYAN of Ohio. I yield to the gentleman.

Mr. DREIER. I am happy to respond to that by saying very simply that it is not the work of the Republicans or the Democrats. It is the work of the committee. It is up to the committee to make a determination as to whether or not someone was subpoenaed.

Now you have referred to him, using the same terminology that the President referred to Michael Brown as, which I understand is ''Brownie.'' Did he or did he not appear before that bipartisan committee that was established by Speaker HASTERT?

Mr. RYAN of Ohio. Mr. Speaker, reclaiming my time, he did. But the same party that is overseeing him has left this man on the payroll making $148,000 a year.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, will the gentleman yield?

Mr. RYAN of Ohio. I yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, with all due respect to the gentleman from California, you are the chairman of the Rules Committee. You spend as much time restricting the Democrats' ability to offer amendments and act in a bipartisan fashion and provide input to the policies that are forced through this Congress than anyone else in this Chamber. There is absolutely no bipartisan effort made here.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. RYAN of Ohio. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding to me.

Let me just say that that is completely untrue. Of the amendments that have been made in order in this Congress, 161 of the amendments reported out of the Rules Committee have been either Democratic amendments or bipartisan amendments; 143 of the amendments have been Republican amendments. More amendments have been made in order that were either bipartisan or offered by Democrats than Republicans. So it is a specious argument that my friend has made.

Mr. RYAN of Ohio. Mr. Speaker, reclaiming my time, we are getting into some procedural stuff here, but the Republican Party does not need to offer amendments because they get everything they want into the bill during the committee process. They offer it. They do not need to offer amendments.

□ 1245

THE FAVORABLE ECONOMIC GROWTH IN AMERICA

The SPEAKER pro tempore (Mr. DENT). Under the Speaker's announced policy of January 4, 2005, the gentleman from California (Mr. DREIER) is recognized for 60 minutes as the designee of the majority leader.

Mr. DREIER. Mr. Speaker, I have taken this Special Order out to talk about a number of very specific issues, and I would like to begin by referencing an article that I read earlier this week in Agence France, the publication, and that article had to do with the issue of outsourcing.

Mr. Speaker, a year ago at this time we had people in the mainstream media, we had commentators all over the United States referring to the issue of outsourcing. There was a sense somehow that Americans were losing their jobs en mass. Why? Because their jobs were all going to Mexico, their jobs were all going to other countries in Latin America, their jobs were all going to China, their jobs were going to India, their jobs were going to Pakistan; and we have continued to hear time and time again that the issue of outsourcing is one which is wiping out and devastating the U.S. economy.

Well, this article to which I have referred was reporting the fact that outsourcing, outsourcing, has actually created a net increase in jobs here in the United States. This report found that offshore outsourcing resulted in the creation of more than 419,000 jobs, compared to the 162,000 technology jobs that have been displaced from the United States. So when people look at the fact that, yes, some jobs have gone overseas, they forget to look at the fact that we have had a surge in job creation that is in fact a by-product of so-called outsourcing. The chief economist at Global Insight said no one is denying that there are job losses, but the net effect is that you create more jobs than you lose.

So I think it is a very important point, Mr. Speaker. My friends who were just talking on the other side of the aisle are among those who cry the loudest when they refer to this issue of outsourcing. Again, we are not saying there has not been some displacement. Change is inevitable. But one of the arguments I like to make on this, Mr. Speaker, is that the United States of America is providing the global leadership that we need when it comes not only militarily and geopolitically, but economically; and if we do not shape that global economy, the United States of America will be shaped by it.

So when we have hand-wringing over outsourcing, we, of course, are saddened that anyone would possibly see the shift of a job. But as the chief economist at Global Insight said, no one is denying that there are job losses, but the net effect is that you create more jobs. That report concluded that the net benefit to the U.S. gross domestic product from outsourcing and a stronger economy was over $68 billion in 2005 alone, $68 billion. By 2010, this net effect will rise to over $147 billion.

Now, I am pointing to this issue, Mr. Speaker, because of the fact that I have listened to these arguments that are being made by my friends on the other side of the aisle that the United States of America is going to hell in a handbasket, is basically what they are arguing, and that the United States economy is devastated, we are not competitive, we are not creating jobs.

Mr. Speaker, I wonder what kind of world I am living in when elected representatives of the American people can come to that kind of conclusion. It is absolutely preposterous. It is outrageous that anyone could come to a conclusion like that.

Why? A week ago today, Mr. Speaker, a week ago today we got the report that the U.S. economy in the last quarter grew at a rate of 3.8 percent, 3.8 percent GDP growth. That is a very impressive figure, a very impressive figure by any standard. But it is an incredible figure when you look at what it was up against.

One of the worst days in our Nation's history will have been just 2 months

ago when we saw what has been described as the worst natural disaster to ever hit the United States, that being, of course, Hurricane Katrina. Then we have seen Hurricane Rita and Hurricane Wilma. And what happened when these disasters hit, and our thoughts and prayers continues to be with all of those who were victimized by those horrible natural disasters, but when we heard the news and saw the pictures of this devastation, what was the sense that most people had? This is going to be a solid blow at the U.S. economy. It is going to really, really hurt the U.S. economy.

The projections were that as soon as numbers began to come in on the issue of the impact of Hurricane Katrina, there would be a net job loss in the United States of 200,000, maybe even higher than that.

Then we got the report from the payroll survey. Tragically, 35,000 was the net job loss, according to the payroll survey. That is not great news. But when you look at the fact that we had just shouldered the worst natural disaster in our Nation's history, it was incredibly positive news.

Then when you look at the household survey, which is a much better gauge, a much better gauge because it takes into account small businessmen and -women, those who are self-employed, a lot of people in especially the biotech industry who are not included in the traditional establishment payroll survey, the household survey found a great surge of about a quarter of a million net jobs gained during that period of time since Hurricane Katrina.

So as I listen to my colleagues say that we are running the United States of America into the ground and that our country is in deep trouble, it is just a mischaracterization. I know we have challenges. I read the newspaper. I watch television. I experience going to California, listening and talking to people from all across this country, looking at our challenges internationally, looking at what is going on in Iraq, looking at the fact that we are daily fighting the global war on terror. I recognize that we have serious problems.

But, Mr. Speaker, one of the most important things that we can do in dealing with every single one of those problems is make sure the U.S. economy continues to grow.

The other day I shared an anecdote of an experience I had just a few weeks after Hurricane Katrina hit. I was visiting my family in my original hometown of Kansas City, Missouri, and was out having lunch on a Sunday. I talked to one of the people working there, and I said, Well, how has business been? And this man said to me, I don't know. I have only worked here for a few days.

I said, Oh, really? Okay.

He said, I was the chef at Brennan's in New Orleans, and my entire family has been able to move here to Kansas City, Missouri. We are staying with other family members. We like it here. I have this job here now, and we are very grateful for that. The point being that the overall strength of the U.S. economy has been able to deal with the challenge of 1.2 million of our fellow Americans who were displaced and devastated by these natural disasters.

So that is why I argue, Mr. Speaker, that as we look at how we deal with the aftermath of the hurricane, the single most important thing we can do for everyone involved is to ensure that we continue the growth of the U.S. economy.

Now, thinking back to some of the arguments I heard just a few minutes ago from my colleagues on the other side of the aisle, they were talking about our deficit reduction bill we are going to be voting on here next week.

Mr. Speaker, we are going to be voting on that measure. Why? Because we know very well that reforming government, doing everything that we can to reform our Nation's government, to ensure that those who are truly in need are able to receive the assistance necessary, but at the same time making sure that those who are not truly in need and those who do not qualify, those who abuse the system, areas where we see waste and fraud, that we tackle those.

Mr. Speaker, we are poised with the deficit reduction bill that we are going to work on next week to do just that.

I listened to my friend on the other side of the aisle talk about the fact that we are going to be throwing starving people out into the streets, preventing people from getting educations and doing all of these things. Once again, nothing could be further from the truth.

We are looking at the issue of Medicaid, a program that is designed to provide health care for those who are truly in need. They will be talking about this over the weekend and next week as the debate proceeds on our Deficit Reduction Act, and they will say that we want to pull the rug out from under people who are very much in need.

Mr. Speaker, while I believe sincerely as a Republican that the Federal Government should be the last source to which people look for assistance, we do have a Medicaid program that is in place, and not one of us wants to do anything to see someone who is desperately in need hurt. But when we have those who are not desperately in need, who abuse the system, it is something that needs to be addressed; and that is exactly what this legislation is all about.

My friend, the gentleman from Texas (Mr. BARTON) who chairs the Energy and Commerce Committee, has gone into great detail, and he will next week, about the Medicaid provisions. They came from his committee.

Right now, the rate of growth of spending in the area of Medicaid is 7.3 percent a year. By looking at these reforms, the measure that we are going to be voting on next week will provide an increase in Medicaid spending of 7 percent. Not 7.3 percent, 7 percent. Three-tenths of one percent. That simply is slowing the rate of growth of spending in this program. So the notion that somehow we want to turn our backs on people who are in need is just plain wrong and inaccurate.

Now, in looking at these reforms, what do we want to do? We want to take issues like asset dumping. Asset dumping is a scenario whereby people will take their home, which has a great deal of value, and they will get rid of that home. Why? So that they can qualify for this Medicare program that is designed to assist the indigent, the very poor. Having someone with an asset of half a million dollars benefit from basically a welfare program was never the intent of the Medicaid program at all, but there are people who are doing that now. So it is our goal to ensure that people who are truly, truly in need, will be the ones who receive this much-needed assistance.

Mr. Speaker, a lot is going to be said about these issues; and I believe when we look at our Deficit Reduction Act, our goal is, as I like to say, Mr. Speaker, not simply to try and reduce spending by $50 billion, if that is what the number ends up being. Of course, those are savings for the American people. Our goal is to try to work and bring the deficit down. Democrats and Republicans alike decry deficit spending. That is something that is great. That is something we want to work on in a bipartisan way. That is what this Deficit Reduction Act is about. I hope Democrats will join with us in support of this measure to reduce the deficit by passing the Deficit Reduction Act.

It is not simply about dollars; it is about the reach of the Federal Government. I have been listening over the last few days to some horror stories of the kinds of things that the government does. Many of those things discourage individual initiative and responsibility.

It brought to mind for me 1996 and 1997 when we were working very hard to pass important welfare reform. We know, Mr. Speaker, that we have seen a generational cycle of welfare, going back to the much lauded and very well intended Great Society of Lyndon Baines Johnson. We have seen trillions of dollars, trillions of dollars, spent on perpetuating the welfare state, and yet the level of poverty has continued in this country in many areas. Why? Because it has been a generational cycle of welfare.

So in 1996 and 1997, we began the effort to alter that, to change that generational cycle of dependence; and we passed welfare reform.

I can remember instances where people who have been receiving for generations welfare, they have been discouraged from working because of their dependence on Federal Government assistance, that many of these people were, because of our reforms, able to move to the working side of the economy rather than being on the receiving

side of the economy; and, Mr. Speaker, they have been able to be self-sufficient, they have been able to support their families.

But the most important thing, the most important thing, and I will never forget a woman from Long Beach, California, that talked about this, she had the pride back that she had lost. She had the pride back that she had lost for generations because of the fact that she was now able to be on the productive side of the U.S. economy.

□ 1300

Mr. Speaker, I think that we should do all that we can to continue encourage more and more Americans to be on the productive side of the economy. And I have to say that we have the highest number of Americans working today. One hundred forty-two million Americans are working. Never before in the United States of America have we had so many Americans who are working. We have what has been traditionally considered to be full employment.

The news just came out: The unemployment rate remains steady at 5.1 percent. Well, that 5.1 percent is lower than the average rate for unemployment through the decade of the 1970s, the 1980s, and the much-heralded 1990s.

Years ago, full employment for the United States was considered to be 6 percent. If you had a 6 percent unemployment rate, it basically meant that every American who wanted to work and could work was working. Today, we have a 5.1 percent unemployment rate. So this notion that somehow the U.S. economy has gone to hell in a hand basket is again just plain wrong. You cannot only anecdotally but you can factually look at this.

That is not to say that there are not people in the United States who are facing challenges, who are facing problems, who are facing difficulties. That has existed since the beginning of time, and we will always be expending time and effort trying to encourage people to work for themselves, and we will constantly try to put into place policies that will assist people in that goal of trying to be self-sufficient and to work and all.

Mr. Speaker, as I look at these challenges, what is it that we can do to keep this economy growing? Well, there are a lot of things that we can do. Making sure that we make permanent those important, important measures that repeal the marriage tax penalty, that provides for the per child tax credit, a critically important thing, and at the same time recognize that we must have growth-oriented tax cuts.

Now, as I stand here in this well, I am thinking about just the last few years when Members on the other side of the aisle said to us: If we cut taxes, the U.S. economy is going to go right down the drain and the U.S. budget deficit, our Federal deficit, will go sky high.

Mr. Speaker, we have cut taxes, we have put into place the very, very important growth-oriented tax cuts for dividends and capital gains, and what is it that has happened? We have seen a surge of revenues, to the point where the Federal budget deficit has been improving. We have gotten basically a $108 billion spending reduction by virtue of the fact that the increased flow of revenues to the Federal Treasury has reduced the Federal deficit from the February projection by $108 billion.

Now that came as a shock to many people, and unfortunately many of my friends on the other side of the aisle have failed to even recognize that. When they said, if you cut taxes, the economy will go into the tank and the deficit will go sky high, the exact opposite has happened. Our economy has surged to this very low unemployment rate, virtually full employment, tremendous numbers of jobs being created, fewer people on welfare and depending on the government for their sources of survival, and a reduction in the deficit itself.

So these are things that, frankly, are real, Mr. Speaker. These are things that are out there, and these are things that the American people should understand.

We will next week vote on this deficit reduction measure, and it will be mischaracterized. But, Mr. Speaker, the deficit reduction measure that we are putting into place designed to decrease the size of our deficit, cut Federal spending, and diminish that cycle of dependence on government and the reach of government is absolutely critical to our goal of sustaining economic growth. All of the benefits to which I referred over the last few minutes are there because of the strong economy, and next week's vote for deficit reduction will be a vote that will play a big role in seeing the U.S. economy continue to move boldly and dynamically into the 21st century.

Now, Mr. Speaker, there is another aspect of economic growth that I think is very important. At this moment, the President of the United States and 34, all 34 of the democratically elected leaders in this hemisphere are in Argentina at the very important meeting of the Summit of the Americas. President Bush is there talking about a very important component of U.S. economic growth, and that happens to be the goal of establishing a free trade area of Americas within this hemisphere.

Back in November of 1979, when Ronald Reagan announced that he was a candidate for the President of the United States, he envisaged this accord of free trade among all the Americas; and he was laughed at by many. Just the notion of establishing a free trade agreement with Canada, with Mexico was something people thought impossible.

Mr. Speaker, it did take a long period of time, but we in 1993 did pass the North American Free Trade Agreement. We just 3 months ago passed the Central American Free Trade Agreement, building on the success of the North American Free Trade Agreement.

And I know that my friends on the other side of the aisle will say the North American Free Trade Agreement has devastated the economy. Every ailment, every ailment of society, every single problem that we face is because of the North American Free Trade Agreement. I hear that constantly. Again, it is important to look at the numbers.

The top priority for us: Border security, and national security. Border security is a very important part of national security. Economic growth in Latin America is essential to our stemming the flow of people coming illegally from Latin America and other parts of the world into the United States. Mr. Speaker, were it not for the North American Free Trade Agreement, more than a few people have told me that the problem of illegal immigration would be twice as bad as it is today were it not for the North American Free Trade Agreement.

I know how serious it is. I am privileged to represent California here and will tell you that the problem of illegal immigration is a very, very important issue for us to address. And we are addressing it. I have legislation, H.R. 98, that calls for the establishment of a counterfeit-proof Social Security card so that the magnet of jobs that draws people illegally into the United States will not be able to be utilized because people will have a counterfeit-proof Social Security card, rather than using the 94 different documents that today are used by people here illegally, fraudulently in cases, to get jobs.

Making sure that we do all that we can to continue to see the economy in this hemisphere grow is important. That is what President Bush is doing right now. As we see that growth, economic growth in Latin America, again, that will help us deal with the problem of border security.

People come to this country, 98 percent of them at least, for one reason and one reason only, looking for jobs, looking to feed their families. We all know that. Everyone acknowledges that. So if we can see job opportunities throughout Latin America, it will lead people to do what they would rather do and that is stay in their home countries.

So what has happened now? Because of the trade that we have seen take place between our two countries, we have seen the economies of both Mexico and other countries in Latin America and the United States grow. In fact, a third of $1 trillion in cross-border trade takes place between Mexico and the United States.

I know that there has been this constant sense that there are only very rich or very poor in Mexico. You are either a multi-billionaire or you are impoverished. Not many people recognize, Mr. Speaker, that the middle-class population in Mexico is larger than the entire Canadian population, and it is

growing. There are more people moving into that middle class in Mexico, and that is in large part because of the trade relationship between the United States and Mexico and the elimination of tariff and non-tariff barriers that are taking place within the region with things like passage of the Central American Free Trade Agreement.

Mr. Speaker, as you look at the challenges that we have here at home, it really sickens me that people mischaracterize the positive things that have taken place. I do not diminish the problems that we have in any way. I do not diminish them at all. But I will say that we do have a lot that needs to be done, but we also have a lot of great things that have been done. It is imperative that, as we deal with these challenges that are out there, that we do not in fact eliminate the very positive steps that have been taken to see us have the success that we are enjoying in the global war on terror, see us enjoy the kind of prosperity that is enjoyed across the United States of America.

With that, Mr. Speaker, let me say that I look forward anxiously to our passage of the Deficit Reduction Act next week, and I hope the Democrats will join with us in that goal.

30–SOMETHING WORKING GROUP

The SPEAKER pro tempore (Mr. DENT). 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, we want to thank the democratic leadership for allowing us to be here and for this hour, and we want to continue talking about the issues that we were talking about in the hour before the last one, the issues that are facing Americans. As you know, within our working group we talk about what we are doing and what the other side is doing or not doing and how we want to put this country and build a partnership, put it on a new direction. The only way we will be able to do that is making sure that we are able to get some of the ideas on this side of the aisle to the forefront, make sure that we work in a bipartisan way.

Mr. Speaker, with all due respect, I must say that that is not happening right now on a lot of the major issues, issues that are facing everyday Americans, issues as it relates to the budget that is coming to this floor next week. I can tell you that this so-called budget was put together on the backs of everyday working Americans. Some may say that it was in light of making sure that we can respond to Hurricane Katrina and the gulf coast, but cutting the very assistance that these individuals need is almost like saying I am going to take $5 out of this pocket and then I am going to try to put it, the same $5 I took out of your pocket, and put it in your left pocket and we are done. That is not good enough.

I think it is very, very important to also be mindful of the fact: If the job is so good here in Congress, if we are doing everything that we are supposed to do as it relates to the American people and they feel so good about the economy, they feel so good about security, they feel so good about health care, they feel so good about the environment, then why do American people, poll after poll polls this Congress at a 35 percent approval rating? Thirty-five percent.

I mean, if I was to call down to my district and they were to take a poll on how they felt about me and it was 35 percent, that means that I need to start doing something right for me to be reelected to this Congress.

So when we start, our friends on the opposite side of the side come in and say, well, we are doing a great job and I do not know what the problem, and folks are saying that we are not, and I hope our friends on the other side starts to join us. I can tell you right now, I do not want to join anything where the American people feel that you are doing a great job by 35 percent. That is not a team I want to be on.

If I am going to go join a team or be a part of something, I am going to be a part of a winning team. I am going to be a part of a team that is going to make sure that we stand up on behalf of everyday Americans, that makes sure that we do not have States out there with over $85 billion in deficits, deficits that they have to clear up, they have to balance, unlike this Congress.

Mr. Speaker, I want to remind the Members, last night I brought this chart out and I just want to remind once again, because I want to make sure that Members understand, American people understand, Mr. Speaker, this is not the doing of the Democrats. This is the doing of the Republican majority. Forty-two Presidents. Forty-two. And this is from the U.S. Department of Treasury. This is not the Kendrick Meek Report. U.S. Department of Treasury of the United States of America, in case anyone gets confused. Forty-two Presidents, all the way from the Whig Party before we had Republicans and Democrats. Since 1776 to the year 2000, Democrats and Republicans, Whig Party and other parties alike, 42 Presidents only borrowed $1.01 trillion from foreign nations, from foreign countries. One, one President with the majority here in this House, Republican majority and in the Senate, has trumped 42 Presidents, 42 Presidents, $1.05 trillion and counting.

□ 1315

So we bring to the floor the issues at hand. These issues are real, and it is the reality of America right now. And so when our friends on the other side start saying, I do not know what is going on, I have a job, I think everybody else does, I think everything is okay, somebody needs to go out and tell the American people that it is okay, because they do not think it is okay.

Thirty-five percent of Americans feel that we are doing an okay job. What does that mean? That means a number of Americans feel that we are not doing the job that we are supposed to be doing, whatever that may be.

I just want to go back again, Mr. Speaker, in case a Member was walking around, had a phone call or something, did not quite understand. Forty-two Presidents, you name it, they are here, 1776 to 2000, 224 years, 224 years. In the 224 years, they did not borrow from foreign governments as much as one President and the majority Republicans here in this House have done.

The President did not do it on his own. 224 years, Mr. Speaker, World War I, World War II, Vietnam, Korea, other crises in the country, depressions, you name it. Things that my grandmother and my father told me about took place in the time of these 42 Presidents.

Under this one President, one majority, they helped us get to this number. So you know, the facts may hurt. The facts hurt. The facts hurt. The facts hurt when you sit down at the dining room table trying to figure out how you are going to get past this month dealing with the money that you are making.

Now, how are you going to get past this month? Those are hard facts. Well, the hard facts are, like it or not, it is not, you know, not the 30-something Working Group; it is not, you know, the Democrats. It is prepared and served by the majority here in this House, and the majority in the Senate and the White House; and that is a fact, Jack.

I do not care. You can go and use big words, you can go around, read reports that someone gave you that kind of paint the pot black with the fact that a lot of people out there use a lot of numbers, charts and graphs; but the bottom line is we are borrowing our country away to foreign nations.

Then we want to call a budget up on the backs of the very people that we say that we are trying to help

Mr. RYAN of Ohio. And the money we are borrowing, this is the ultimate irony of the whole deal, and this is why we say that I did not hear our friend, the gentleman from California (Mr. DREIER), when he was down here take responsibility for that. It was conspicuously absent from the argument.

The most ironic piece of this whole ordeal is that that money that we are borrowing from China and Saudi Arabia and Japan is going to fund $16 billion in subsidies to the oil companies. That money that we are borrowing from China is going to subsidize the pharmaceutical industry to the tune of $100 billion.

So the MO of the Republican majority is to go borrow money from the Chinese and take that money and give it to corporate America, and then go to corporate America and shake them

down, go out to shakedown street on K Street, shake down corporate America for campaign contributions to run the election, and the group that is absent here, the American people.

Ms. WASSERMAN SCHULTZ. Our good friend, the gentleman from California (Mr. DREIER), was defending the Republican leadership's position here that they are committed to cutting the deficit, and that that is, you know, a major reason why next week they are going to rain down these horrendous terrible cuts in the budget on the people who are the most in need.

I was not very good at math when I was younger. But you know, the most simplistic mathematical calculation would tell you that if they are going to cut $50 billion out of the budget next week, yet still provide $70 billion worth of tax cuts, than I guess I just wonder how they are going to reduce the deficit when you are still adding $20 billion to it.

I mean, and then that is to say nothing of the fact that when you cut the budget, you are doing nothing to reduce the deficit. That is just what is so mind-boggling.

I think if we can, I would like to translate, because words like deficit and reconciliation and big Washington-speak words like that are sometimes hard for regular folks in our districts to understand, so let us talk about what this reconciliation budget-cut document that we are going to take up next week, what it really means for people.

In the Agriculture Committee, they voted to cut $844 million from the food stamp program, which would kick 300,000 families out of the program and leave 40,000 children ineligible for free school lunches. Now, that is not whining. That means a little boy or little girl is going to have a grumbly tummy day after day.

Do you know what it feels like? I know what it feels like to not have anything in my tummy. I do not have anything in my tummy right now. But I have the ability to go out and buy a sandwich. People who get free and reduced school lunches do not have that luxury.

Mr. MEEK of Florida. These are children. It goes beyond empty tummies. It goes down to kids prepared and ready to learn regardless of their economic background. It is not their fault. It is not their fault that they are in a poor household and they are eligible, eligible because the Federal Government has found, and an education committee and all of these folks came about during a time here in this Congress and said, you know, kids that are coming to school hungry, we cannot actually teach them in the way that we want to. They are thinking about food. We need them thinking about preparing themselves to become the next workforce here in America.

Mr. RYAN of Ohio. The next entrepreneur, the next business person, the next person that is going to go out and create wealth. And that is the whole thing with the Democrats. We are trying to convince the Republican Party that together America can do better for all of us.

Ms. WASSERMAN SCHULTZ. Where is their moral outrage? Where are their morals? That is what I want to know. I am a mom. I have three little kids. The gentleman from Florida (Mr. MEEK) has two young children.

Can you imagine a circumstance where you would allow your children to go hungry if you could do something about it? Our role here as Members of Congress, we are supposed to look out for the people who cannot look out for themselves. That is what government is for.

Children are our most vulnerable citizens. Laws are written and government exists so that we can take care of kids because they cannot make their parents earn enough money to be able to pay for their breakfast and their lunch. That is where we come in. That is where government fills in for the individuals, society.

It is not fathomable to me. When I gave birth to my children, my life transformed overnight. Overnight. In a matter of hours. And my whole life became not about me any more, or my day-to-day needs; but about their day-to-day needs. That is why we are here, because we are supposed to be taking care of the needs of people who cannot do it for themselves

Mr. RYAN of Ohio. I think there is a tremendous, huge magnificent moral component to this that our friends who in many instances invoke their religion to pass legislation tend to forget when it is dealing with the poor in our society. They forget their religion. But there is also an economic argument here.

We talked in the last hour about the Chinese producing 600,000 engineers. And the country of India, producing 350,000 engineers, and the United States only producing 70,000 engineers. The reason the Democrats are fighting for the free and reduced lunch program and student loans and increased funding for Pell grants and Medicaid is because we need healthy educated kids so that they can go to college and become engineers and create wealth so that we can keep this great democracy alive.

This is not just a moral argument. It is. But it is not just a moral argument. This is an economic argument. Who do we suppose is going to come up with the next alternative energy source? Who do we suppose is going to come up with the next great invention that is going to lead to more manufacturing in the United States of America, if we are not educating everybody?

In our cities, my friends, when we have 75 percent of our kids who live in our cities living in poverty, they are never going to be on the economic playing field for us. And we need 11 on both sides of the ball, my good friend. We need linebackers and cornerbacks and strong safeties and linemen. We need quarterbacks and running backs and tight ends. And when they only educate half, you are losing, you are walking onto the field with only half a team.

Mr. MEEK of Florida. I can tell the gentleman that when we start talking about what is happening here, and I think the problem here within the Beltway, the fact that we are here on this floor, or there is a report in the newspaper, whichever newspaper it may be, they do not know what they are talking about, because the majority sees everything in their world, everything is fine.

I am going to tell you the reason why we are here, Mr. Speaker, is Republicans permitted Democrats to offer only 4 percent of the amendments submitted to major legislation in the 108th Congress. And when this Congress is over, and we get the statistics on that, we will probably find the same. On prescription drugs, the energy bill and the tax bill, only 4 percent. So much for bipartisanship.

To shift the debate, for example, in the summer, the Republicans brought the consideration of amendments that drastically shaped three important measures before Congress. When you start looking at the issue of CAFTA, medical malpractice, and the Chinese trade, these amendments were not even allowed to be heard on the floor, or were limited and restricted. We are talking about bipartisanship. We talked about the Katrina Commission in the hour before last.

They do not want an independent commission like the 9/11 commission that the country was pleased with because it was bipartisan, and it was out of the reach of this Congress. They know the reason why we passed the 9/11 bill is because we had an independent 9/11 Commission that was able to have equal subpoena power, getting the facts.

Guess what? Democrats, Republicans, Independents, those who do not even vote in this country applauded it, the work that that entity, the 9/11 Commission, brought about. So to say that we have a partisan commission here in the House of Representatives does not serve the American people in the way that they should be served. We talked about that for months.

Right now I want to yield to you, because we do have a special guest here with us, and a great Member of this House. I want to you introduce him

Mr. RYAN of Ohio. I would like to introduce one of my mentors in Congress, the gentleman from Connecticut (Mr. LARSON), an outstanding leader on a variety of issues, a recent Member of the Ways and Members Committee, a former quarterback at East Hartford High School.

Mr. LARSON of Connecticut. Mr. Speaker, let me thank the gentlemen from Ohio (Mr. RYAN) for yielding me time and the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) and her colleague, the gentleman from Florida (Mr. MEEK) as well.

Mr. Speaker, you know, constituents back in my district have written us. And they have talked about listening to your voices, because truly you have struck a cord with America. More often than not, we go home and we hear from people, why are the Democrats not speaking out, or we do not seem to hear the Democratic message.

Well, frankly, in a one-party town, where the Presidency and all of the attendant agencies are controlled by the Republicans, where the House has been in control by the Republicans for more than a decade and where they control the Senate and are now putting a further ideological grip on the Supreme Court, it is in fact a one-party town.

As the gentleman from Florida (Mr. MEEK) pointed out, when Democrats even try to get an amendment put to the floor, the heavy-handed Republican majority makes sure that no issues of consequence are voted on in this Chamber.

Time and time again, the Democratic message is squelched. You have used the analogy, I have heard throughout, of football. And sometimes when people ask about the Democratic message, the best offense is a good defense.

□ 1330

What stands between this ownership society juggernaut of privatization that they want to foist on the American public is the gentlewoman from California (Ms. PELOSI) and the Democratic party. However underfinanced, however squashed by the heavy-handed Republican majority, we continue to speak out in our only venue that we can, the public venue; and that is why people from my district have applauded the efforts that all of you have made.

You know, Roosevelt said it best of our colleagues, They are frozen in the ice of their own indifference. It is that indifference that troubles the American people. You have pointed out how we are basically prevented from working in a bipartisan fashion. But what is even more disturbing is when you reach out to this administration, whether you are mothers and fathers waiting outside in Crawford, Texas, and you find there is indifference to your sons and daughters who have given up their lives, or whether you are on the rooftops of New Orleans and there is indifference to your pleas for help, or whether you have to go to Canada to get prescription drugs because there is indifference to the kind of need that you have, indifference to the kind of energy needs that you will have this winter, it is that indifference that has consumed this body.

But because of voices like yours, and I commend each and every one of you, the American public is listening, and there will be a change in the ballot box come 2006 because this message is going to be heard.

Yes, we are on the defensive because we have to deal with this enormous juggernaut in Orwellian fashion that continues to perpetrate its message, a false message, a message of false hope and false opportunity, and the only push-back that they are getting are from the voices of Democrats like yourself.

I commend each and every one of you, and I thank you for your continued efforts on this floor.

Mr. Speaker, I yield to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank the gentleman from Connecticut (Mr. LARSON). He is incredibly eloquent, and I tremor following that eloquence.

I want to just follow up with some specifics, because our good friend from California (Mr. DREIER) was here earlier challenging our description of our inability to make an impact and offer our ideas here. He described this mythological bipartisan process. Well, let us counter some of the facts he threw out there.

There have been 85 pieces of legislation that have had rules applied to them. For those who are listening that do not know what that means, we have restrictions placed on our ability as Members to offer amendments and offer our own ideas and help shape legislation every time, almost every time a bill is introduced on the floor. There have been 85 such bills that have been introduced.

Of those, 38 of them have had restrictive rules, meaning the Committee on Rules decides which, if any, amendments we are going to be allowed to offer. Fifteen of those rules, 15 individual pieces of legislation, have been entirely closed, meaning no Member is allow to offer any amendments whatsoever. Three additional closed rules were added into an entirely separate bill. Of the 85 pieces of legislation that have come on this floor that have had rules apply to them, there has only been one substantive bill that had an open rule, meaning any Member can offer, meaning any Member elected in our own right, each by the same 633,000 people that we all represent, only one substantive bill has had an open rule where we can offer any amendment and any idea that we would like to offer.

Mr. LARSON of Connecticut. Mr. Speaker, it is also the gentlewoman from Florida's (Ms. WASSERMAN SCHULTZ) voice that stood out almost singularly when again the heavy-handed control of this Republican-dominated majority tried to foist the Terry Schiavo incident upon us. I thank the gentlewoman for your strong voice at that time. It was resounding all across this Nation. It was picked up by the Hartford Current editorial board, to name just a few of the people it has impacted.

The gentlewoman is right. It is not only specifically we can cite but it is the anecdotes that we can understand. I waited in the Rules Committee until 4 o'clock in the morning to try to get a bill that would provide for the Secretary of Health and Human Services to be able to do the same thing that every other nation does for its seniors, and that is to negotiate directly with the pharmaceutical companies.

There is no way on that Medicare bill that that is not a germane piece of legislation, but it was denied access to the floor because of the power of its ideas.

When the gentleman from California (Mr. DREIER) suggests that we do not have ideas, we have many ideas. The ideas are squashed by the heavy-handed Republican majority here. So, therefore, there was not a vote that had taken place that would allow the Secretary of Health and Human Services to negotiate directly with pharmaceutical companies so that our senior citizens could get the same kind of benefits and discounts, frankly, that the veterans do through the VA administration here.

But in the first 100 days the Democrats take back this Chamber, that is the kind of change the American public can expect to see; and that is why I am so proud of your efforts that you have been doing on a regular basis on this floor. Believe me, it is working. Because people are hearing all across this country. We refuse to be drowned out by the Republican majority and their Republican message machine, a network that is vast and large. And whether it is Pat Robertson's 700 Club or whether it is Rush Limbaugh or Cal Thomas or whether it is the Kato Institute or the Heritage Foundation or all the other entities that converge in synchronized and coordinated fashion to try to stifle your voice, you have stood up and spoke for America. God bless you. God bless America.

Mr. RYAN of Ohio. Mr. Speaker, I appreciate what the gentleman just said. I did not know the gentleman was the one who tried to offer the amendment. It is good for the 30–Somethings to understand to put a face with the idea.

That idea to just negotiate down drug prices on a $700 billion prescription drug bill, now that may save 10 percent, that may save 20 percent, some people would say that would save 30 percent. Let us say, for the sake of argument, that we could save 20 percent of a $700 billion bill. That is $140 billion that we would have here to either return back to the middle class in the form of middle-class tax cuts or to fully fund student loans or to fully fund the Pell grant or No Child Left Behind. $140 billion goes a pretty long way, and that is what the Democrats want to do.

We have a Member here who is willing to sit in committee until 4:00 in the morning to try to get that provision tacked on to the bill, and you get shot down.

But we are here to say that we are fighting on behalf, and I was telling my friend, the gentleman from Florida (Mr. MEEK), earlier, there is an old Irish saying, Is this a private fight or can anyone get in it? And I believe that is what the mentality of the 30–Something group. We are ready to scrap

here. We are not going to sit back and let anyone push us around and let anyone tell us that we do not have ideas. Because we do have ideas. And just because the Republican majority does not like them, just because it may be contrary to their fund-raising opportunities, that does not mean we are going to stop.

I have to go catch a plane, and I am sorry about that because I would love to sit here and continue this discussion. But let me say, in closing, that the Democratic party wants to take this country into a new direction. We want to change the way things are going in Washington right now, and that is part of what this is all about. We also want to say to the American people that when you put us in charge, we are going to put the interests of the country before the interests of our own party.

The system that we just talked about where the pharmaceutical companies are getting middle-class taxes, they come to Washington and it returns to the oil companies and to the pharmaceutical companies, that system is inherently corrupt. And that when our Republican majority friends appoint someone who is in charge of an Arabian horses outfit to run FEMA, we are going to end the cronyism, and we are going to end the incompetence and the incompetent way they govern. We want to take the country in a new direction.

I thank my friends. I thank my friends. I thank my friends.

Mr. MEEK of Florida. I want to say to the gentleman from Ohio (Mr. RYAN) and the gentleman from Connecticut (Mr. LARSON) as they depart, I just want to say what they are saying is right on. We do not have to be concerned with what outside people and outside groups say and do. We must be concerned about what our colleagues are doing or not doing on the other side. I think it is very important for us to remember that.

Talking about this budget is something that really needs review. And I encourage the American people, I also encourage Members to figure out what is in it and what is not in it. The cuts that are being made in the budget, well, let us just call it what it is.

Let me ask the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), I know she has a third-party validator, the cuts that are in this budget, in the light of hurricane relief, the cuts that are being made are really to clear the way for the $106 billion tax cut mainly for special interests and billionaires in this country on the backs of Medicare, on the backs of Medicaid, on the backs of free and reduced lunch for children.

And the reason why they were on the backs of those, and some may call it dependency, I call it making sure that the seniors can get their prescription drugs. I call it making sure that children that happen to be born into a poor community and in a poor family and a struggling family that is trying to make way to get a hot meal in the morning, to be able to get lunch, I guess left up to the majority since there is something about this dependency thing that is going on, I guess it is okay to have 60 percent of the kids eating lunch and 40 percent of the kids looking outside of the lunchroom inside wanting lunch but they cannot have it.

I guess it is okay to have those kids then to go to the classroom for the second half of the education day in front of a teacher hungry, while the other half of the class are picking their teeth from the lunch that they are able to afford because the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) is able to provide that for her children and I am able to provide it.

So I guess those of us that have, we are going to be okay. It is just those other folk out there making up beds, popping sheets in hotels and driving cabs around here, good luck to them.

I guess when faith-based organizations in my district and throughout this country are trying to do all they can to hold this thing together, providing after-school programs with parishioners, giving money to fill the gap that is no longer being filled because we have cut the local commitment in juvenile justice and prevention programs. When we say ''prevention'' we are talking about programs. We are talking about programs that help young children stay out of trouble, homework centers. All of those activities that we have put in Leave No Child Behind and will not fund those, Mr. Speaker. We will not fund those. I guess that is a dependency for after-school homework.

But guess what? We have a nice cozy jail cell if someone was to step out of line. So I think it is important for us to remember that this is very, very serious.

Now there was an amendment in committee by the Democrats that said that, okay, let us talk about the tax cuts so we can expose the real reason why we are going through this exercise. Let us talk about the tax cuts for the special interests and billionaires first. Let us bring that up first and make that a part of this budget and reflect it and put it out front so everyone can see it.

But the majority did not want that to happen because it just would have been too easy for the folks back home. So say, okay, you are raising fees on students, our future workforce, by $5,000 apiece, to the tune of $14 billion. And then you turn around and this particular industry is receiving a $10 billion, what you call, ''incentive,'' we call tax cut, even though they have record profits to go out and find oil off the coast of Florida. Yeah, that is the ticket. That is. And that is actually happening.

So that is why it is important that we come to this floor every time we get the opportunity, within the frame of the rules, Mr. Speaker, to share with the Members on the majority side that we know what they are doing, and the American people know what they are doing, and that is why the American people see this Congress on the approval end at 35 percent. We did not do the poll. That is what the American people are saying. It is not only Democrats, it is Independents, Republicans and others.

So we are here to make sure that all Americans know exactly what is going on and let the chips fall where they may and make sure everyone understands and we have transparency in this process.

□ 1345

Ms. WASSERMAN SCHULTZ. What we are here going to say is that the emperor truly does have not clothes. If you remember that story, everyone in the kingdom in that story refused to acknowledge that the emperor was buck naked because they were worried about the consequences. They wanted to make sure that nothing happened to them. Well, we are not afraid. We are not afraid.

It needs to be highlighted and underscored. What they are doing to the American people needs to be brought out, and we are saying do not believe us. This is not what KENDRICK MEEK and DEBBIE WASSERMAN SCHULTZ are saying or TIM RYAN or any of the other Members that have come to this floor to share angst and concern.

We are saying look at the third party validators that we have saying the exact same thing. We are saying look at the religious leaders who are urging and who just yesterday came to the Congress to urge the congressional leadership not to put forth these drastic cuts that are going to hurt people.

This is from today's Washington Post. This is not a quotation from someone else. This is in the story on the budget cuts. It says, With so many controversial provisions, the House measure is forcing Republican leaders to scramble for support in what could be the most difficult vote of the year. Well, I would agree. This should be the most difficult vote of the year. When you are cutting people's food stamps, when you are cutting their children's ability to get free and reduced lunch, when you are cutting $4.9 billion from child support programs that help people collect money from deadbeat dads, yeah, I would guess that is a tough vote. Lord, I would hope so.

It goes on to say, Some Republican moderates are balking at cuts to anti-poverty programs, especially in light of the $70 billion tax cut that could come to a vote soon after the budget bill, more than wiping out that bill's deficit reduction.

Well, here it is. It is not what DEBBIE WASSERMAN SCHULTZ and KENDRICK MEEK are saying. The article describing the budget cuts, the reconciliation bill, specifically says that there is no deficit reduction in what they are doing. What they are doing is to try to preserve the tax cuts for the wealthy,

make sure that their right wing, that their right flank does not go absolutely ballistic, because that wing of the party does not care about taking care of people. They are trying to make sure they preserve what they have and what the upper echelon has.

Let us talk about because if you do not believe the Washington Post, you think it is paper that is off the mark, let us just go through what some of our religious leaders are saying. We are not talking about liberal religious leaders or progressive religious leaders. We are talking about mainstream religious leadership that came here yesterday and joined in prayer at the Capitol.

They included Reverend Dr. Bob Edgar, who is the general secretary of the National Council of Churches of the United States; Jim Wallis of Sojourners magazine; Rabbi David Saperstein of the Religious Action Center; and Eleanor Giddings Ivory of the Presbyterian Church. Let me go through a couple of things that they said in urging the Republican leadership not to do this, not to harm and cause harm to the people that this budget will affect.

Reverend Jim Wallis: ''As this moral battle for the budget unfolds, I am calling on Members of Congress, some of whom make much out of their faith, to start some Bible studies before they cast votes to cut food stamps, Medicaid, child care and more that hurt the weakest in our Nation.''

Rabbi David Saperstein: The budget reconciliation package with its $50 billion in program cuts and $70 billion tax cuts giveaway is morally unjustifiable.

Reverend Eleanor Giddings Ivory of the Presbyterian Church: I am here today to express concern for the Federal budget reconciliation packages under consideration in the House and the Senate. Our Nation is about to balance its budget on the backs of the poor. Is that a moral thing to do? Clearly the answer is, no, it is not.

Let me just tell you, I was so moved by Rabbi Saperstein's comments in their effort yesterday. He, as is the practice of many of our religious colleagues on both sides of the aisle but particularly because the Republican leadership and its Members like to use their faith so often to underscore how they have injected values into government, Rabbi Saperstein urged our colleagues and said that they ought to remember that the Bible urges us to ''deal thy bread to the hungry,'' not ''steal thy bread from the hungry.'' He asked us to remember Proverbs' stern warning: ''Do not steal from the weak because he is weak and do not oppress the poor in the gate.''

I could go on, but there have been many more than just the religious leaders that were here yesterday who have urged this Congress not to take these actions. It not only will harm people, cause grave harm for people who have already been on the brink, it will not improve anything. It does not reduce our deficit. It does not improve our economy. It only brings harm, and I think if we are going to subscribe to anything it is the physician's oath. That should be something we live by, which is first do no harm. When we get here, we should commit to doing no harm, and it appears unfortunately as though the Republican leadership came here to do the opposite.

Mr. MEEK of Florida. Mr. Speaker, I think it is very evident that nowhere in this budget is it talking about cuts in tax breaks to special interests. There is nothing in here that says that we are going to make sure that we tell billionaires that we have some things that we need to do here in this government and we can no longer give them that tax break. We are not saying it to special interests, but we are saying it to those who cannot fight for themselves.

We are saying it to not only students, but we are saying to parents that if the majority side have their way, they need to go out and meet with their college fund adviser because you will be paying more for higher education so that your children will be able to be a part of this workforce or what is left of it and has not gone to China and other countries.

I think it is also important to understand that child support, like Ms. WASSERMAN SCHULTZ said, has been cut in this budget, and now over on the Ways and Means on the committee side is $8 billion as it relates to the cuts over 5 years. The cuts come where? Human services, child support and foster care.

So I want to warn States, including my State in Florida, I want to warn you, you are going to have to deal with enforcement of making sure that single moms are able to get money from deadbeat dads or vice versa. You are going to be responsible as it relates to kids that are orphans to find some sort of shelter when they have to go into a foster home environment because the Federal Government, we are not partners with you anymore because we are trying to clear the way so that we can keep our promise to billionaires and special interests here in Washington, D.C.

I want to also put the States on warning, every State, red, blue or purple, I am giving you forewarning that you are going to see the largest what we call devolution of taxation in the history of this country, where we back out of the responsibility of being a part of making sure that we have vibrant communities and making sure that we treat people like they are supposed to be treated because you are going to have to make the cuts because you have to balance. You have to balance your budget.

So what we hand down with the philosophy that if you are middle income in this country, if you are not a billionaire or a millionaire, good luck. Good luck on health care because we do not have health care, real health care here in the United States.

There is story after story about small businesses telling folks to go sign up for Medicaid because they cannot afford to give them real health care. Sign up for Medicaid.

But guess what, I want to say this to the small businesses. There is a $10 billion cut in this budget. So, guess what, that option is no longer going to be there if the Republican majority has their way. If they continue to have their way, it is okay for them to go into what is left of a poverty, if you want to call it, health care program out there for people that need health care to be able to make sure that they provide tax cuts, not for you, small business person, not for you, company of 100 or 200 people or company of 500 people, not for you, Republican, Democrat or Independent, but for the individuals that have the ear apparently of the majority at this particular time.

We know that this is the people's House, and I have said it before and I will say it again. It is supposed to be the people's House and we are the only body here in Congress, the Senate you can be appointed if it is in midterm, but only in the House of Representatives is it that you have to be elected. That is in every State, and no one can touch that. If a Member was to say I resign today or I am moving on to something or I am appointed to this position, you do not see someone here tomorrow. There is a special election set, and the local people in that district will vote to replace that individual that left Congress. So I think you could not get closer to the people of the United States than we should be here in the Congress, and I will tell you this, that I am very, very concerned about what is being done here in Washington, D.C., right now.

I am going to just show this quick chart because I showed it at the beginning, but I just want to keep reminding folks. Folks feel that, oh, they are alarmists. Some people walking around here in the Capitol, they are saying something and what is the problem. What is the problem? There is no problem. What are you talking about? Things are great. You know, I had lunch today, did you?

But when it comes down to security and financial security, 42 Presidents, and I am going to say it again and I am going to keep saying it, 42 Presidents, $1.0 trillion loaned from foreign holdings, and this is from the U.S. Department of Treasury that we have gone to other countries to borrow money, World War I, World War II, you name it, Depression, all 42 Presidents, one President $1.05 trillion in 4 years.

Ms. WASSERMAN SCHULTZ. That is combined.

Mr. MEEK of Florida. All of these Presidents combined could not do as much as this administration has done as it relates to borrowing from foreign countries to support mainly tax cuts that we cannot afford for billionaires and millionaires and special interests. I could see if it was something where there was billions of dollars going into U.S. cities and to rural America to

build economic development, to be able to help farmers that are trying to compete with foreign countries, thanks to us, okay, or thanks to the majority.

I can see if we were going into schools and saying that we are going to be the leaders of the world in educating engineers, that we are going to have science and math and we are going to lead the world in education. I could see that.

I can see if we had real homeland security where our border would be protected and that we would have the enforcement officers out there with the tools that they need to make sure it is protected and have a process to be able to deal with the issue of illegal immigrations and even if they are in this country, I can see if those dollars went towards that.

I can see if we said we want to deal with energy with those dollars, Mr. Speaker, to be able to say that we want to pull back on our dependency on oil and that we will use alternative energy sources. I can see that.

But I do not see people coming to the floor and saying, well, on behalf of the economy, billionaires need another tax break, millionaires need another tax break, this special interest group with record profits, unprecedented history of these oil companies, that we need to give them additional billions of dollars in taxpayers' money to go out and do what they should be doing with their profits anyway. You get a small business that makes a profit, some of that goes towards a security fund and some of that goes towards what? Growing their business. No, no, no, not in this majority, no, no. You get the profit and then you come over here to the Congress and you get the taxpayer money to go out and do the things that you should be doing in the first place.

It does not make sense, Mr. Speaker, and I do not care who says different. I do not care if the chairman of the basket weaving committee was to come to this floor and say what is the problem. What is the problem? We have enough baskets. What are you complaining about. Well, there is a lot to complain about, and there is a lot to let the Members know and the American people know that we are willing to lead in the area of individuals who are not leading in right now on the majority side as it relates to energy, as it relates to making sure that we have a health care plan here, making sure prescription drugs are affordable for Americans, making sure that our men and women in Iraq have what they need.

□ 1400

And let me just mention something for a minute, since I mentioned Iraq. The bottom line is that on the majority side and the President you start saying, okay, let us talk about Iraq. All right, we had bad intelligence, and that is a big question right now. We do not know if the Congress was given bad intelligence or not, but there is very little that is happening on that. And thanks to the Democrats in the Senate that pushed a——

Ms. WASSERMAN SCHULTZ. If the gentleman will yield before we branch off to Iraq just for a second.

Mr. MEEK of Florida. I am coming right back. I am not going into Iraq. This is an example.

That is fine that the Senate came together, three Democrats, three Republicans, who will come together with a report on the intelligence piece. Okay. Okay.

Do we have a strategy for success? Well, we do not have that answer. Do we have a strategy of when we will be able to have American men and women come back home? Well, you know, we are fighting a war against terror, a global war, and we have got to go after the terrorists. Okay. But what is our strategy? Well, we do not have one.

So we are spending billions and billions of dollars of the taxpayers' money in Iraq at this particular time. And it is not about the troops; it is about some other things that we are trying to accomplish.

What is the strategy? Well, there is no strategy, and why are you asking, by the way. Why are you asking what is the strategy?

I am on the Armed Services Committee, and folks say, do we have an exit strategy? Democrats and Republicans have asked that. And I want to say that on the minority, the majority of the minority of the members over there, in the majority, have asked that question, along with several members on the Democratic side, because we want to know exactly where we are going. Are we going to be in Iraq as long as there is a small insurgency?

So that is the issue when it comes down to oversight and governance and making sure that we do what we need to do. So I just wanted to mention that because the ideas that we have, the ideas as relates to pay-as-you-go, the ideas as relates to being energy efficient by 2010, 2012, those ideas cannot surface in this Congress because the majority has their foot on those ideas.

So when folks come to the floor and say what is the problem, I guarantee when that budget comes up next week, and there is talk on the other side of, I wish our friends on the Democratic side would join us in this budget resolution that is coming to the floor, well, I have to say this to the Republican majority: I hope that Republicans join you on it, because that seems to be a problem, Mr. Speaker.

Every time there is a major bill that comes to the floor and it is a 15-minute vote, that 15-minute vote turns into a 2-hour vote. Why does it turn into a 2-hour vote? Not because Members cannot make it from their offices to the floor. No, it boils down to whose arm can be twisted, who can be pushed into a corner, and who can be pushed into voting for an unjust budget to clear the way for special interests and for billionaires.

So, Mr. Speaker, if someone wants to impress the American people that the budget is so good, let us follow the House rules and do the vote in 15 minutes. Do the vote and do not have the Members standing here at 3 a.m. in the morning saying, well, Mr. Speaker, they said it was a 15-minute vote and we are now on 90 minutes. When are we closing the board?

I think the reason why the voting board was not closed, and probably will not be closed next week, is that as long as the majority is not getting their way, they are going to change the spirit of the rules of the House of Representatives, and that is the problem too.

Ms. WASSERMAN SCHULTZ. You know, I have been seriously considering coming to the Chamber next Friday in my pajamas, given the track record of controversial votes, where they make their Members, the Republican leadership makes their Members puke blood in not allowing them to decide what to do, to stand on the courage of their convictions. They keep the board open, and we watch it light up like a Christmas tree up there, red to green, green to red. It is just unbelievable.

Sometimes I think the board is malfunctioning. Maybe it is not functioning. Maybe we should get an electrician in here. Maybe we should have the electrician check the wiring behind the Republican Members' names and their lights, because they do not seem to be able to pick one and have it stay there. Every time they have to cast a controversial vote, it goes from no to yes, then yes to no; or they do not appear to be able to turn their own light on for a very long time, because they cannot decide. Is it that they cannot decide?

I just want to make sure, because it is deeply concerning to me that they would not know when they came to the floor how to vote on a bill that is going to cut food stamps, that is going to cut financial aid, that cuts access to affordable energy, that allows drilling around the entire coastline of the United States of America where it is not currently allowed. So there has to be something wrong with the wiring.

Next week, I am going to be here in my pajamas and a teddy bear with a nice cup of coffee because we are really going to have to settle in for a long night. It is not going to be a normal 15-minute or a normal 5-minute vote, because I think the wiring under that board is going to go haywire next week. They are clearly not going to get their way right away because this is going to be a gut-wrenching angst-ridden vote. Woe to the Member on their side that does not vote how the leadership wants them to.

Sometimes when we talk in trillions and billions and millions it is a hard concept for people to understand. I know it is hard for me. A trillion is such a huge number. An $8 trillion deficit is what we are in the middle of

right now. That is a huge number. I sometimes cannot understand how big that number is. It is also hard to understand what an $844 million cut from the food stamp program is, or the kind of cuts they are going to be passing down in this budget reconciliation document that is going to affect affordable housing.

I want to show this picture. This picture is of me standing in the apartment of one of my constituents whose roof caved in on her during Hurricane Wilma. These are the people that, on top of what they have already gone through, on top of what they have already gone through, now we are going to cut the budget that funds the very programs that exist to help them.

There are people in dire straits in south Florida after Hurricane Wilma and in the gulf coast region after Katrina. There are people who before the hurricanes hit were in dire straits. This is what the problem really looks like for people. These people cannot live in homes like this because this home was condemned. Obviously, nobody can live in the apartment in this picture, and I wish that there was only one that looked like this in south Florida. This is the plight that we are putting people through.

Before we give out the Web site, I want to close by saying that we are in the middle of adding ''C'' after ''C'': with the culture of corruption, cronyism, and the lack of confidence that the American people have in their government, and now we have the coverup Congress. That is what came to light here this week. We have repeatedly asked for investigations, that this leadership stand up and do what is right. And Leader PELOSI has tried to get them to do that, and they have unanimously rejected that.

We are going to continue to come back to this floor and stand up for the American people, and I look forward to continuing this dialogue with my colleague.

Mr. MEEK of Florida. Just to add to what I was saying before the gentlewoman made her statements, October 7 the board was open for 40 minutes to pass the ''energy bill,'' as relates to home heating. Special interests were able to get their profits out of that. The board was open for 40 minutes, even though it was a 5-minute vote.

November 22, 2003, broke the record here in the House of Representatives by holding the vote open. It was originally set for 15 minutes but lasted over 3 hours into the middle of the night. It was obvious on the prescription drug bill that it was a failing bill, but it took 3 hours for the majority to get their way.

The reason why there are two dates on this, July 27 and 28, is because the board was left open, the voting board was left open for an hour, well past the 15-minute voting time on CAFTA, which actually passed by 227 to 215. So when the majority says I wish the Democrats would join us, I wish that the Republicans would join the Republicans on it, because they know exactly what is not happening.

I want to give our Web site out here. It is 30somethingdems@mail.house.gov. That is 30somethingdems@mail.house.gov. We want to make sure that everyone knows exactly what is going on here in Washington, D.C.

Mr. Speaker, I want to thank my colleague from Florida, as well as the gentleman from Connecticut (Mr. LARSON) and the gentleman from Ohio (Mr. RYAN), who joined us here today; and we will continue to work hard not only to bring fresh ideas to the floor but to make sure that we point out where the inequities are within our own institution.

COMMUNICATION FROM THE HONORABLE ROBERT W. NEY, MEMBER OF CONGRESS

The SPEAKER pro tempore (Mr. DENT) laid before the House the following communication from the Honorable ROBERT W. NEY, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 4, 2005.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that my office has been served with a grand jury subpoena, issued by the U.S. District Court for the District of Columbia and directed to the ''Custodian of Records,'' for documents and testimony.

I will make the determinations required by Rule VIII.

Sincerely,

ROBERT W. NEY,
Member of Congress.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agreed to the following resolution:

S. RES. 300

In the Senate of the United States, November 3, 2005.

Whereas Henry Ku'ualoha Giugni was born on January 11, 1925, in Honolulu, Hawai'i;

Whereas Henry Giugni served with distinction in the United States Army, after enlisting at the age of 16 after the attacks on Pearl Harbor, and served in combat at the Battle of Guadalcanal during World War II;

Whereas Henry Giugni began his service in the Senate in 1963 as Senior Executive Assistant and Chief of Staff to Senator Daniel K. Inouye;

Whereas Henry Giugni served as Sergeant-at-Arms from 1987 until 1990;

Whereas Henry Giugni was the first person of color and first Polynesian to be appointed to be the Sergeant-at-Arms;

Whereas Henry Giugni promoted minorities and women by appointing the first minority, an African American, to lead the Sergeant-at-Arms' Service Department, and was the first to assign women to the Capitol Police plain-clothes unit;

Whereas Henry Giugni's special interest in people with disabilities resulted in a major expansion of the Special Services Office, which now conducts tours of the U.S. Capitol for the blind, deaf, and wheelchair-bound, and publishes Senate maps and documents in Braille;

Whereas in 2003, Henry Giugni received an Honorary Doctorate of Humane Letters for the University of Hawai'i at Hilo in recognition of his extraordinary contributions to Hawai'i and the Nation;

Whereas Henry Giugni carried Hawai'i's flag while marching with Dr. Martin Luther King for civil rights in Selma, Alabama;

Whereas Henry Giugni presided over the inauguration of President George H.W. Bush, and escorted numerous foreign dignitaries, including Nelson Mandela, Margaret Thatcher, and Vaclav Havel when they visited the United States Capitol; and

Whereas on November 3, 2005, Henry Giugni passed away at the age of 80; Now therefore be it

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Henry Giugni.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of Henry Giugni.

The message also announced that pursuant to section 1928a–1928d of title 22, United States Code, as amended, the Chair on behalf of the Vice President, appoints the following Senators to the Senate Delegation to the Nato Parliamentary Assembly in Copenhagen, Denmark, November 11–14, 2005, during the One Hundred Ninth Congress:

The Senator from Mississippi (Mr. LOTT).

The Senator from Colorado (Mr. ALLARD)

The Senator from Alabama (Mr. SESSIONS).

The Senator from Kentucky (Mr. BUNNING).

The Senator from Ohio (Mr. VOINOVICH).

The message also announced that pursuant to Public Law 107–273, the Chair, on behalf of the Majority Leader, announces the appointment of the following individual to serve as a member of the Antitrust Modernization Commission:

Makan Delrahim of the District of Columbia.

DIFFERENCES BETWEEN REPUBLICANS AND DEMOCRATS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from New Mexico (Mr. PEARCE) is recognized for 60 minutes.

Mr. PEARCE. Mr. Speaker, I appreciate the opportunity to address the body. We are at a time right now where literally the stakes of America lie in the balance. Our future is going to be determined by our actions today.

Many people often ask me exactly what is the difference between the two approaches, and I will tell you that there are significant differences between the Republican and Democrat approach in Congress. Dennis Prager, a

talk show host and author from California, has really summarized those very well; and I will quote from him, but these words express the beliefs of many.

The differences between this side of the aisle and that side of the aisle are important and substantial.

One party believes in American exceptionalism on a national stage, that the United States has better values than any other country. The other believes in the United Nations, the acceptance of all countries' values.

One party believes in universal morality, that is the ultimate good and evil that exists in society and the necessity to choose between them, and that that decision between good and evil should determine the international authority. The other believes the UNiversal law; that whatever the U.N. decides should be determining our international law.

I will tell you, Mr. Speaker, that that is playing out right now in the United Nations, as we see the head of the United Nations, Kofi Annan, mired in corruption with his own son and with close allies of his in the bureaucracy indicted and involved, and yet we are not hearing one word about that corruption and that involvement from any of our friends on the other side of the aisle in this body.

One party believes that race is irrelevant. One party believes that race is the defining of the human being. I will tell you that race has no characteristic. Character has characteristics. And when we begin to understand that we judge people by their character and not by their race, we are going to be a better country for that.

One party believes in powerful government. One party believes in individual liberty.

One party believes in individual responsibility. One believes society is responsible for individual actions.

We often hear the words that poverty causes crime. If poverty causes crime, then affluence causes kindness. If you want to see that in play, you would look at the most heinous of the drug lords in central and South America, people who are rolling in billions of dollars and yet have an evil intent toward everyone around them and toward everyone in society.

I will tell you that poverty does not cause crime; character causes crime. If you do not have a certain level of income, you are determined to be morally retarded by our friends on the other side of the aisle. And I will tell you that that is one of the biggest insults we can give to people of low income.

One party believes that while compassion is important, standards are more important. One believes compassion is more important than standards. The only people held morally responsible today are white Christian males. In macro-life, society, standards must be more important than compassion. In your personal life, we allow compassion to rule. But when we begin to deal with compassion from the government, someone is always disadvantaged.

□ 1415

One party believes the Boy Scouts are the greatest blessing in America. One believes they are a curse and working daily to undermine the capability of the Boy Scouts to deliver their message and their program.

One party standard bearer believes that the greatest threat to humanity is environmental degradation. One believes that the greatest threat is human evil.

One party believes in secular government. One party believe in secular society. There is a huge difference between a secular government and a secular society. Government without religion or society without religion, if we are without religion as a society, where do we get the moral values that will compel us to follow laws and to act within the bounds of human behavior?

One party believes that Judeo-Christian values and God are what makes society tick. One believes that all values in society are equal, and that is played out in the moral relativism that we see declaring that even in the United Nations we cannot get a definition of what a terrorist state is because all societies are deemed to be equal. They will not condemn any other society in the U.N., and I will tell the Members that that value plays out inside this country, also.

One party believes in the value of Europe. One party believes in the values of Texas. One party regards the Lone Ranger as a moral model. One regards the Lone Ranger as an arrogant unilateralist.

Mr. Speaker, we are faced in these times with extraordinary difficulties. I would remind this body that just as late as 1999 we began to experience tremendous economic difficulties in this country. They were brought on by the collapse of the dot com industry. That was an industry that had built up the prices of its stock so that stocks that had no product, they had no sales, they had no net income, those prices had escalated from zero and $1 all the way to $200 and $300 per share. That was a fictional amount, but our economy experienced a surge in the late 1990s.

Then in 1999 and 2000, while President Clinton was still in office, we had the dot burst of the dot com bubble. That created a recession inside our economy that began to persist. We were just about to work our way out from underneath that economic burden when 9/11 came along. That shocked us again into deep recession.

Once again, the Bush administration, having inherited the dot com collapse, which collapsed before they came to office, and then faced with the economic pressures of the 9/11 catastrophe, fought its way back. And still we were about to come out from underneath those two deep shocks to our economy when we had companies like Global Crossing, which defrauded the Nation out of millions and the chairman of the Democratic Party, on a small investment, made $18 million.

That corporate culture of misleading and pulling money out of stocks and giving it to individuals, that Enron-Global-Crossing-WorldCom then created an even deeper shock into the economy because people began to pull their money out of the stock market and began to put their money into very safe investments but pulling it away from companies where they could grow and expand.

So those three deep shocks were facing this administration almost from the day that they took office, and still we did things as Republicans which caused the economy to turn around. We passed the individual tax cuts. The Governor of New Mexico, a widely respected Hispanic Democrat Governor of New Mexico, stated most clearly when he was lobbying for tax cuts inside the State, he said, and his words are very true, that tax cuts create jobs.

Now that is the question as we go in toward the end of this year, whether or not we are going to let ourselves understand the economic principles and try to achieve growth to where our kids continue to have jobs to go to or if we are going to listen to the other side and say that these tax cuts are just tax cuts for the wealthy. That is the discussion going on now. Do we want a vibrant, growing economy, or do we want to listen to our friends over here harangue about policies of which they appear to not have much understanding of? Who is going to win this economic struggle for the future of the country? That is the question that is involved right now.

I will tell the Members that if we are not dedicated to the principle of building this economic strength back into the economy, we are going to find after January 1, all the tax cuts were temporarily extending until January 1, and they roll out and become noneffective on January 1. If we do not do something about that, I will tell the Members that we are going to find the deep shocks into our economy that are going to penalize all of us.

We are finding, also, that the policies of our friends from decades of obstructing industries in this country that we are harvesting the benefits of those policies of obstructing. For instance, drilling. Are have constantly hearing from our friends that you will not drill here, you will not drill there, you will not drill anywhere. So today we have $70 and we have got $14 gas.

Now what does that mean? The $14 gas is compared with normally $2. One does not have to really understand gas much. Just think about the relationship between 2 and 14, and one will begin to understand the economics that face us. This winter, because of past policies, we are going to reap the benefits of those obstructions to drilling that our friends on the other side of the aisle have thrown up.

We have made decisions not to drill in ANWR, we have made decisions not to drill on the Outer Continental Shelf, and we have made decisions to not drill in the Rocky Mountain regions of the country where tremendous trillions of cubic feet of gas are available. And the losers are going to be the American public and the consumer.

But, long term, we are going to continue losing because our jobs are moving overseas. When we are paying $14 for natural gas in this country and because gas is not easily transported, the pricing tends to be national in scale rather than international. We are paying $14 in this country, and yet many of our friends around the world are paying under $4. Some places pay as little as $1.

One can imagine that if one is a plastics manufacturer here in this country or a chemical manufacturer or a fertilizer manufacturer that they are paying $14 and they could locate a plant where they are paying $1. Common sense and business sense will tell us that there is great incentive for people to go where the $1 gas is, but, when they do that, they are going to take the jobs and the manufacturing facilities and they will never come back to this country because we will never be able to get our price down to where the foreign nations have it. They have such a low relative wage that we are never going to compete dollar for dollar. So once we allow those plants to move overseas, then we will have lost that segment of our economy.

I will tell the Members that that is where the real threat for America lies, in the loss of that economic structure, that economic base for this country.

The future of our children is at stake. Those of us who are baby boomers like myself, I think during the next 10 years we can see that slow deterioration of our economic base. But it is when it is dissipated that our children and grandchildren are going to reap the very sad rewards of policies that our friends on the other side of the aisle, with good intentions and good hearts, have foisted on the American public.

Today, the debate in this country is about the future of this country. President Bush and his administration have steadfastly moved us into pro-competitive, pro-business environments, and our friends here in Congress have constantly criticized that, have constantly thrown up roadblocks to that and have constantly had no suggestions of their own.

Mr. Speaker, I would like to just close today by saying that this is a very important time in our Nation's history. We are fighting basically three deep struggles right now. We are fighting an economic struggle that is worldwide. The worldwide economy has taken traction. Jobs can be here or jobs can be in other countries with equal facility. Investment capital can move up and move to wherever those capitals would want to go. There are absolutely no restrictions. The Internet makes it possible to move one's money literally overnight. So we have an economic struggle where we are competing with low-price, high-quality competition in our labor market.

So the economic challenge is one, but we are also facing a challenge of military circumstances. The war on terror is absolute. It will be fought. It is just a question of whether it will be fought in this country or in the homeland of the terrorists. For myself, I always vote to take the battle to the terrorists there.

We did not invite 9/11 into this country. It came without provocation and with no warning. We are either going to continue seeing that escalation of terrorist attacks inside this country or we are going to find that we will encounter the terrorists and defeat them on their own ground. And I will tell the Members that as long as people are willing to cut off the heads of individuals who are private, nonmilitary citizens, without provocation, that there is no negotiating with that kind of a person. It is a fight to the death, and the more terrorists that we kill and capture and put into prison, the more safe that our streets will be for the kids who are walking on the streets just intending to go to school on certain days.

So we have got the economic struggle going on. We have then the war on terror. But we also have a tremendous social struggle going on where we are trying to determine the values of this country.

Again, my introduction differentiated between the two parties and the approaches to the values. I am not saying that everyone in America agrees with our friends on the other side of the aisle, even if they are in the Democrat Party, but I will say that the leadership here in this Nation is willing to talk fiction and talk nonanswers and throw obstructions into the way of good, hard-nosed policies which guarantee our future, and for that they will be eternally accountable.

They talk about corruption, and yet they fail to mention that the only person in prison today is actually one of their members who came in in my class last year. Only one person. And yet they are sending phone messages and they are sending radio commercials, bank phone calls into many Republican districts saying you should give back that money. Theirs is the side with answers to give, and yet I never hear those questions about their own people. Their agenda is a political one. It is designed to gain back political power at the expense of the Nation. It is a day that they should not be proud of.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Ms. PELOSI) for today.

Mr. KIND (at the request of Ms. PELOSI) for today.

Mr. ORTIZ (at the request of Ms. PELOSI) for today.

Mr. OSBORNE (at the request of Mr. BLUNT) for today on account of official business in the district.

Mr. POE (at the request of Mr. BLUNT) for today on account of official business.

Mr. RYAN of Wisconsin (at the request of Mr. BLUNT) for today on account of a family medical emergency.

Mrs. EMERSON (at the request of Mr. BLUNT) for today on account of official business.

Mr. GARY G. MILLER of California (at the request of Mr. BLUNT) for today on account of illness.

Miss MCMORRIS (at the request of Mr. BLUNT) for today on account of business in her district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DEFAZIO) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Ms. WASSERMAN SCHULTZ, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

(The following Members (at the request of Mr. SESSIONS) to revise and extend their remarks and include extraneous material:)

Mr. LEWIS of California, for 5 minutes, November 7.

Mr. MCCAUL of Texas, for 5 minutes, today.

ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2744. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

ADJOURNMENT

Mr. PEARCE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until Monday, November 7, 2005, at 12:30 p.m., for morning hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4971. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Red River, Mile Marker 73 to Mile Marker 76, in the vicinity of the #2 John Overton Lock and Dam [COTP New Orleans-04-042] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4972. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulf Intracoastal Waterway, Mile Marker 11.8 to Mile Marker 12, West of the Harvey Lock, in the vicinity of Crown Point, LA [COTP New Orleans-04-043] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4973. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Mississippi River, Mile Marker 95.0 to Mile Marker 96.0, Above Head of Passes, in the vicinity of Algiers Point, New Orleans, LA [COTP New Orleans-04-044] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4974. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Treasure Chest Casino, Lake Pontchartrain, Kenner, LA [COTP New Orleans-04-045] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4975. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Indian Beach, Lake Pontchatrain, Bonnabel, LA [COTP New Orleans-04-046] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4976. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Mississippi River, Mile 94.0 to Mile 96.0, in the vicinity of Aquarium of America's, New Orleans, LA, [COTP New Orleans-04-047] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4977. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulf Intracoastal Waterway, Mile Marker 11.8 to Mile Marker 12, West of Harvey Lock, in the vicinity of Crown Point, LA [COTP New Orleans-05-001] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4978. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Inner Harbor Navigational Canal, 500 yards North and South of Mile Marker 1.7, in the vicinity of the Florida Avenue Bridge, New Orleans, LA [COTP New Orleans-05-002] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4979. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Mississippi River, Mile Marker 0.0 to Mile Marker 5.0, in the vicinity of Cupits Gap, New Orleans, LA [COTP New Orleans-05-003] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4980. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; High Water, Lower Mississippi River Mile Marker 223 to Mile Marker 241, Baton Rouge, LA [COTP New Orleans-05-004] (RIN: 2115-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4981. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Mississippi River, Mile Marker 115.0 to Mile Marker 119.0, in the vicinity of the Luling Bridge, New Orleans, LA [COTP New Orleans-05-005] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4982. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Mississippi River, Head of Passes, Mile Marker 440 to Mile Marker 435, in the vicinity of the Highway 80 Bridge, Vicksburg, MS [COTP New Orleans-05-006] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4983. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Mississippi River, Miles 93.0 to 96.0, Above Head of Passes, New Orleans, LA [COTP New Orleans-05-007] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4984. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Harvey Canal, Mile Marker 3.0 to Mile Marker 2.6 West of Harvey Lock, in the vicinity of the LaPalco Bridge, New Orleans, LA [COTP New Orleans-05-008] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4985. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Mississippi River, Above Head of Passes, Mile Marker 440 to Mile Marker 435, in the vicinity of the Highway 80 Bridge, Vicksburg, MS [COTP New Orleans-05-009] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4986. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Mississippi River, Above Head of Passes, Mile Marker 1.0 to Mile Marker 3.0, extending the entire width of the river, Pilottown, LA [COTP New Orleans-05-010] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4987. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Lincoln, NE [Docket No. FAA-2005-21707; Airspace Docket No.[05-ACE-22] received October 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4988. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule — Service of Process on Foreign Manufacturers and Importers [Docket No. NHTSA-2005-21972] (RIN: 2127-AJ69) received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4989. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Seat Belt Assemblies [Docket No. NHTSA 2005-22052] (RIN: 2127-AI38) received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4990. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Golovin, AK [Docket No. FAA-2005-21448; Airspace Docket No. 05-AAL-16] received October 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4991. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Aeropatiale Model ATR42-500 Airplanes [Docket No. FAA-2005-20406; Directorate Identifier 2002-NM-242-AD; Amendment 39-14270; AD 2005-19-05] (RIN: 2120-AA64) received September 30, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4992. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 777-200 and -300 Series Airplanes [Docket No. FAA-2005-20475; Directorate Identifier 2004-NM-157-AD; Amendment 39-14250; AD 2005-18-10] (RIN: 2120-AA64) received September 30, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4993. 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-110P1 and EMB-110P2 Airplanes [Docket No. FAA-2005-21302; Directorate Identifier 2004-NM-189-AD; Amendment 39-14267; AD 2005-19-02] (RIN: 2120-AA64) received September 30, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4994. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautics S.A. (EMBRAER) Model ERJ 170 Airplanes [Docket No. FAA-2005-21345; Directorate Identifier 2005-NM-005-AD; Amendment 39-14266; AD 2005-19-01] (RIN: 2120-AA64) received September 30, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4995. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A340-200 and -300 Series Airplanes [Docket No. FAA-

2005-20405; Directorate Identifier 2002-NM-243-AD; Amendment 39-14269; AD 2005-19-04] (RIN: 2120-AA64) received September 30, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4996. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-600, -700, -700C, -800, and -900 Series Airplanes [Docket No. FAA-2004-19750; Directorate Identifier 2003-NM-192-AD; Amendment 39-14264; AD 2005-18-23] (RIN: 2120-AA64) received September 30, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4997. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAe Systems (Operations) Limited Model ATP Airplanes [Docket No. FAA-2005-20404; Directorate Identifier 2005-NM-018-AD; Amendment 39-14268; AD 2005-19-03] (RIN: 2120-AA64) received September 30, 3005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4998. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc RB211 Trent 875, 877, 884, 884B, 892, 892B, and 895 Series Turbofan Engines [Docket No. 2001-NE-17-AD; Amendment 39-14265; AD 2005-01-15R1] (RIN: 2120-AA64) received September 30, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4999. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Raytheon Aircraft Company Model 390 Premier 1Airplanes [Docket No. FAA-2005-21239; Directorate Identifier 2005-CE-27-AD; Amendment 39-14263; AD 2005-18-22] (RIN: 2120-AA64) received September 30, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5000. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Raytheon Aircraft Company Models 1900, 1900C, 1900C (C-12J), and 1900D Airplanes [Docket No. FAA-2005-22332; Directorate Identifier 2005-CE-46-AD; Amendment 39-14262; AD 2005-18-21] (RIN: 2120-AA64) received September 30, 3005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5001. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Raytheon Aircraft Company Model 390 Airplanes [Docket No. FAA-2005-21410; Directorate Identifier 2005-CE-31-AD; Amendment 39-14272; AD 2005-19-07] (RIN: 2120-AA64) received Septemebr 30, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5002. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747SR, and 747SP Series Airplanes [Docket No. FAA-2005-22413; Directorate Identifier 2005-NM-167-AD; Amendment 39-14271; AD 2005-19-06] (RIN: 2120-AA64) received September 30, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 2830. Referral to the Committee on Ways and Means extended for a period ending not later than November 18, 2005.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. KENNEDY of Minnesota (for himself and Ms. MCCOLLUM of Minnesota):

H.R. 4231. A bill to ensure that any affordable housing assistance program of Fannie Mae or Freddie Mac allows participation by nonprofit organizations that engage in voter registration activities required under State law; to the Committee on Financial Services.

By Mr. MCGOVERN (for himself, Mr. LEWIS of Georgia, Ms. SCHAKOWSKY, Mr. PAYNE, Mr. FRANK of Massachusetts, Mr. SERRANO, Ms. VELÁZQUEZ, Ms. WOOLSEY, Mr. STARK, Ms. WATERS, Mr. KUCINICH, Ms. KILPATRICK of Michigan, and Ms. LEE):

H.R. 4232. A bill to prohibit the use of funds to deploy United States Armed Forces to Iraq; to the Committee on Armed Services, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KENNEDY of Minnesota (for himself and Ms. MILLENDER-MCDONALD):

H.R. 4233. A bill to allow a custodial parent a refundable credit for unpaid child support payments and to require a parent who is chronically delinquent in child support to include the amount of the unpaid obligation in gross income; to the Committee on Ways and Means.

By Ms. VELÁZQUEZ:

H.R. 4234. A bill to provide for the relief, recovery, and expansion of small business concerns affected by Hurricane Katrina through technical assistance, access to capital, and expanded Federal contracting opportunities, and for other purposes; to the Committee on Small Business.

By Mr. HEFLEY (for himself and Mr. BEAUPREZ):

H.R. 4235. A bill to designate certain National Forest System lands in the Pike and San Isabel National Forests and certain lands in the Royal Gorge Resource Area of the Bureau of Land Management in the State of Colorado as wilderness, and for other purposes; to the Committee on Resources.

By Mr. CHOCOLA (for himself, Mr. POMEROY, Mr. HERGER, Mr. RAMSTAD, Mr. NUSSLE, Mr. ENGLISH of Pennsylvania, Mr. WELLER, Mr. HULSHOF, Mr. LEWIS of Kentucky, Mr. FOLEY, Mr. BEAUPREZ, and Mr. LUCAS):

H.R. 4236. A bill to amend the Internal Revenue Code of 1986 to treat certain farming business machinery and equipment as 5-year property for purposes of depreciation; to the Committee on Ways and Means.

By Mr. DAVIS of Illinois:

H.R. 4237. A bill to ensure that local governments can function in the case of a declared emergency or major disaster; to the Committee on Transportation and Infrastructure.

By Mr. MCCAUL of Texas (for himself, Mr. REYES, Mr. CUELLAR, Mr. DANIEL E. LUNGREN of California, Ms. GRANGER, and Mr. PEARCE):

H.R. 4238. A bill to provide for enhanced border security enforcement and detention facilities, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETRI (for himself, Mr. ISSA, Mr. MCCOTTER, Mr. CANNON, Mr. BONILLA, Mr. CUNNINGHAM, Mr. CALVERT, Mr. OTTER, Mr. BOREN, Mrs. BLACKBURN, Mr. DOOLITTLE, and Mr. SENSENBRENNER):

H.R. 4239. A bill to provide the Department of Justice the necessary authority to apprehend, prosecute, and convict individuals committing animal enterprise terror; to the Committee on the Judiciary.

By Mr. KENNEDY of Minnesota:

H.J. Res. 71. A joint resolution proposing an amendment to the Constitution of the United States to authorize the President to reduce or disapprove any appropriation in any bill presented by Congress; to the Committee on the Judiciary.

By Mr. BURGESS:

H. Con. Res. 290. Concurrent resolution honoring the goals and ideals of National Nurse Practitioners Week; to the Committee on Energy and Commerce.

By Mr. RENZI (for himself, Mr. UDALL of New Mexico, and Mr. COLE of Oklahoma):

H. Con. Res. 291. Concurrent resolution honoring the service of American Indians in the Armed Forces; to the Committee on Armed Services.

By Mr. BURGESS (for himself, Mr. KING of Iowa, Mr. AKIN, Mr. BOUSTANY, Mr. BURTON of Indiana, Mr. CANTOR, Mr. CARTER, Mr. CHOCOLA, Mr. COLE of Oklahoma, Mr. CONAWAY, Mr. CUELLAR, Mr. CULBERSON, Mr. ISSA, Mr. FEENEY, Mr. FRANKS of Arizona, Mr. GALLEGLY, Mr. GINGREY, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. JINDAL, Mr. DANIEL E. LUNGREN of California, Mrs. MUSGRAVE, Mr. PITTS, Mr. RYAN of Wisconsin, Mr. SAXTON, Mr. SESSIONS, Mr. SHADEGG, Mr. WESTMORELAND, and Mr. WILSON of South Carolina):

H. Res. 534. A resolution recognizing the importance and credibility of an independent Iraqi judiciary in the formation of a new and democratic Iraq; to the Committee on International Relations.

By Mr. ENGEL (for himself, Mr. LEWIS of Georgia, Mr. LANTOS, Mr. ACKERMAN, Ms. WASSERMAN SCHULTZ, Mr. WAXMAN, and Ms. ROS-LEHTINEN):

H. Res. 535. A resolution honoring the life, legacy, and example of Israeli Prime Minister Yitzhak Rabin on the tenth anniversary of his death; to the Committee on International Relations.

By Mr. PAYNE (for himself, Mr. JEFFERSON, Mr. TANCREDO, Mr. RANGEL, Ms. KILPATRICK of Michigan, Mr. BISHOP of Georgia, Ms. CARSON, Ms. CORRINE BROWN of Florida, Mr. TOWNS, Ms. MCCOLLUM of Minnesota, Mr. MEEKS of New York, Mr. LEWIS of Georgia, Mr. WYNN, Mr. BUTTERFIELD, Mr. LANTOS, Mr. BRADY of Pennsylvania, Mr. OWENS, and Ms. WATERS):

H. Res. 536. A resolution expressing condolences to the people and Government of Nigeria for the loss of life suffered in the crash of

a Nigerian passenger jet on October 22 and the tragic death of Stella Obasanjo, wife of Nigerian President Olusegun Obasanjo, at a hospital in Spain on October 23, 2005; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 282: Mrs. TAUSCHER and Ms. ROYBAL-ALLARD.

H.R. 376: Mr. MORAN of Kansas.

H.R. 501: Ms. ZOE LOFGREN of California.

H.R. 602: Mr. GIBBONS.

H.R. 657: Ms. DEGETTE and Ms. SOLIS.

H.R. 690: Mr. CASTLE.

H.R. 703: Mr. PAUL.

H.R. 759: Mr. EMANUEL.

H.R. 944: Mr. SIMMONS.

H.R. 972: Mr. GEORGE MILLER of California and Mr. BISHOP of Georgia.

H.R. 998: Mr. GILLMOR and Mr. JACKSON of Illinois.

H.R. 1108: Mr. MCHUGH.

H.R. 1141: Mr. SAXTON.

H.R. 1227: Mr. MCCOTTER.

H.R. 1246: Mr. MARKEY.

H.R. 1333: Mr. PEARCE and Mr. ANDREWS.

H.R. 1337: Ms. HARRIS.

H.R. 1405: Mr. BROWN of Ohio.

H.R. 1415: Mr. VAN HOLLEN.

H.R. 1424: Mr. MCINTYRE.

H.R. 1578: Mr. WESTMORELAND, Mr. LEWIS of Georgia, Mr. FEENEY, Ms. VELÁZQUEZ, Mr. FRANK of Massachusetts, Mrs. MCCARTHY, Ms. BERKLEY, and Mr. HENSARLING.

H.R. 1597: Mr. GRIJALVA, Mr. SANDERS, and Mr. CONYERS.

H.R. 1704: Ms. WATERS.

H.R. 1707: Mr. SERRANO, Mr. LEACH, Mr. ANDREWS, Mr. ENGLISH of Pennsylvania, Mr. PAYNE, Mr. OBERSTAR, Mr. NADLER, Mr. KIND, Mr. ABERCROMBIE, Mr. LEVIN, Ms. LINDA T. SÁNCHEZ of California, Ms. LEE, Mr. CHANDLER, Mr. MENENDEZ, and Mr. MCNULTY.

H.R. 2206: Mr. NEAL of Massachusetts, Mr. ALEXANDER, and Ms. SCHAKOWSKY.

H.R. 2328: Mr. WILSON of South Carolina and Mr. PASTOR.

H.R. 2335: Mr. BOOZMAN.

H.R. 2356: Mrs. MCCARTHY, Mr. HIGGINS, Mr. LOBIONDO, Mrs. MALONEY, and Mr. WYNN.

H.R. 2378: Mr. ROSS.

H.R. 2386: Mrs. WILSON of New Mexico and Mr. MARSHALL.

H.R. 2391: Mr. OLVER.

H.R. 2642: Mr. DICKS.

H.R. 2671: Mr. BARROW and Mr. ENGEL.

H.R. 2717: Mr. BLUMENAUER, Mr. BISHOP of Georgia, and Mr. LYNCH.

H.R. 2725: Mr. CALVERT.

H.R. 2792: Mr. FRANK of Massachusetts.

H.R. 2872: Mr. BOOZMAN, Mrs. Schmidt, Mr. MATHESON, Mr. BOUSTANY, Mr. RENZI, Mr. PITTS, Mr. DICKS, Mr. GOODE, Mr. MCHUGH, Ms. SLAUGHTER, Ms. WATSON, Mr. PLATTS, Mr. HOBSON, Mr. BAIRD, and Mr. SCOTT of Virginia.

H.R. 2962: Mr. LAHOOD.

H.R. 3095: Mr. MCCOTTER and Mr. DUNCAN.

H.R. 3111: Mr. ROYCE.

H.R. 3127: Mr. MILLER of North Carolina, Ms. DELAURO, and Mr. SHAW.

H.R. 3137: Mr. NEUGEBAUER and Mr. FORTENBERRY.

H.R. 3145: Mr. MURPHY, Mr. KUHL of New York, Mr. FITZPATRICK of Pennsylvania, Mr. FORTUÑO, and Mr. SCHWARZ of Michigan.

H.R. 3151: Mr. ALLEN.

H.R. 3248: Ms. HERSETH, Mrs. DAVIS of California, Mr. RENZI, and Mr. HOLT.

H.R. 3307: Ms. HOOLEY.

H.R. 3333: Mr. MARCHANT.

H.R. 3373: Ms. GINNY BROWN-WAITE of Florida, Mr. JENKINS, Mr. HONDA, Mr. GIBBONS, and Mr. REICHERT.

H.R. 3478: Mr. UDALL of Colorado, Mr. SMITH of Washington, Mr. BARROW, Mr. EMANUEL, Mr. FRANKS of Arizona, Mr. CALVERT, Mr. BRADY of Pennsylvania, and Mr. EVANS.

H.R. 3492: Mr. WAXMAN, Mr. UDALL of New Mexico, and Mr. STARK.

H.R. 3559: Mr. MCGOVERN, Mr. GORDON, Mr. KENNEDY of Rhode Island, and Mr. LANGEVIN.

H.R. 3604: Ms. ROYBAL-ALLARD.

H.R. 3630: Mr. BILIRAKIS.

H.R. 3774: Mr. WYNN.

H.R. 3778: Ms. WOOLSEY.

H.R. 3804: Mr. BERMAN.

H.R. 3858: Mr. WOLF and Mr. OLVER.

H.R. 3882: Mr. RYAN of Ohio.

H.R. 3907: Mr. GARY G. MILLER of California.

H.R. 3917: Ms. SOLIS.

H.R. 3936: Mr. CARDOZA, Mr. BROWN of Ohio, Mr. HIGGINS, Mrs. DAVIS of California, Mr. WEXLER, Mr. ROTHMAN, Ms. KAPTUR, Mr. ROSS, Mr. SERRANO, Mr. INSLEE, Mr. TOWNS, Mr. BRADY of Pennsylvania, Mr. LYNCH, Mr. OLVER, Mr. LANTOS, Ms. DELAURO, and Mr. CROWLEY.

H.R. 3960: Mr. MILLER of Florida, Mr. RADANOVICH, and Ms. GINNY BROWN-WAITE of Florida.

H.R. 3979: Mr. ACKERMAN and Mr. GENE GREEN of Texas.

H.R. 3998: Mr. THOMPSON of Mississippi.

H.R. 4034: Mrs. MUSGRAVE.

H.R. 4047: Mr. FOLEY.

H.R. 4052: Mr. HOLDEN, Mr. MORAN of Virginia, Mr. OWENS, and Ms. DEGETTE.

H.R. 4081: Mrs. MUSGRAVE.

H.R. 4092: Ms. BALDWIN, Mr. BARROW, Ms. BERKLEY, Mr. BISHOP of Georgia, Mr. BISHOP of New York, Ms. BORDALLO, Mr. BOREN, Mr. BRADY of Pennsylvania, Ms. CORRINE BROWN of Florida, Mr. BROWN of Ohio, Mr. CARDOZA, Mr. CARNAHAN, Mr. CLEAVER, Mr. COSTELLO, Mr. CROWLEY, Mr. CUELLAR, Mr. DAVIS of Alabama, Mr. DAVIS of Illinois, Mr. DAVIS of Tennessee, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELAURO, Mr. DINGELL, Mr. DOYLE, Mr. EDWARDS, Mr. EMANUEL, Mr. EVANS, Mr. FARR, Mr. FORD, Mr. AL GREEN of Texas, Mr. GUTIERREZ, Ms. HARMAN, Mr. HIGGINS, Mr. HINCHEY, Mr. HINOJOSA, Mr. HOLDEN, Mr. HONDA, Mr. HOYER, Mr. ISRAEL, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Mr. KANJORSKI, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Ms. KILPATRICK of Michigan, Mr. KIND, Mr. KIRK, Mr. KUCINICH, Mr. LANTOS, Mr. LARSON of Connecticut, Ms. LEE, Mr. LIPINSKI, Mrs. MALONEY, Mr. MARSHALL, Ms. MATSUI, Mrs. MCCARTHY, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MCNULTY, Mr. MICHAUD, Ms. MILLENDER-MCDONALD, Mr. MILLER of North Carolina, Mr. MOLLOHAN, Mr. MOORE of Kansas, Mr. MURTHA, Mr. OBERSTAR, Mr. OLVER, Mr. PAYNE, Mr. POMEROY, Mr. RANGEL, Mr. ROTHMAN, Mr. RUSH, Mr. RYAN of Ohio, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SCHWARTZ of Pennsylvania, Mr. SERRANO, Mr. SHERMAN, Mr. SKELTON, Ms. SLAUGHTER, Mr. SNYDER, Mr. STRICKLAND, Mr. STUPAK, Mrs. TAUSCHER, Mr. THOMPSON of Mississippi, Mr. UDALL of Colorado, Mr. VAN HOLLEN, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Ms. WATSON, Mr. WEINER, Mr. WELDON of Pennsylvania, Mr. WEXLER, and Ms. WOOLSEY.

H.R. 4096: Mr. WILSON of South Carolina, Ms. HARRIS, Mr. BOOZMAN, Mr. FORD, Mrs. MUSGRAVE, Mrs. MCCARTHY, and Mrs. DRAKE.

H.R. 4099: Mr. MARCHANT.

H.R. 4110: Mr. RAHALL.

H.R. 4145: Mr. COOPER, Mr. CUELLAR, Mr. REYES, and Ms. SCHWARTZ of Pennsylvania.

H.R. 4156: Mr. DAVIS of Florida, Mr. RUPPERSBERGER, Mr. BARROW, Mr. MORAN of Virginia, and Mr. HONDA.

H.R. 4179: Mr. WALDEN of Oregon.

H.R. 4188: Mr. GEORGE MILLER of California and Mr. EVANS.

H.R. 4214: Mr. HENSARLING.

H.R. 4222: Mr. GEORGE MILLER of California, Mr. CROWLEY, and Mr. MEEKS of New York.

H. Con. Res. 42: Mr. TIBERI and Mr. SHIMKUS.

H. Con. Res. 173: Mr. DAVIS of Tennessee, Ms. ROS-LEHTINEN, and Mr. LATOURETTE.

H. Con. Res. 190: Mr. JINDAL.

H. Con. Res. 197: Ms. MOORE of Wisconsin.

H. Con. Res. 210: Mrs. DRAKE, Mr. GUTIERREZ, Mr. SHUSTER, Mrs. DAVIS of California, Ms. MILLENDER-MCDONALD, Mr. MENENDEZ, Mr. GUTKNECHT, Mrs. JONES of Ohio, Mr. ABERCROMBIE, Mr. LATHAM, and Mr. GARY G. MILLER of California.

H. Con. Res. 260: Mr. FITZPATRICK of Pennsylvania, Mr. CARDIN, Mr. WEINER, and Mr. AL GREEN of Texas.

H. Con. Res. 273: Mr. HOLDEN, Mr. BARROW, Mr. SHAW, and Mr. JACKSON of Illinois.

H. Con. Res. 284: Mr. CARDOZA, Mr. SAXTON, Mr. BURTON of Indiana, Ms. HARRIS, Mr. BERMAN, and Ms. BERKLEY.

H. Con. Res. 285: Mr. PLATTS, Mr. GILLMOR, Mr. BLUMENAUER, Mr. FORTUÑO, Mr. BOEHNER, and Mr. HYDE.

H. Con. Res. 289: Mr. ORTIZ, Mr. LARSEN of Washington, Mr. STRICKLAND, Mr. DICKS, Mr. BUTTERFIELD, Ms. BALDWIN, Ms. KAPTUR, Mr. DAVIS of Florida, Ms. DELAURO, Mr. BAIRD, Mr. SAXTON, Mr. MARKEY, Mr. CARDOZA, Mr. DELAHUNT, Mr. SKELTON, Mr. GENE GREEN of Texas, Ms. DEGETTE, Mr. ENGEL, Mr. PALLONE, Mr. COSTA, Mr. MORAN of Virginia, Mr. LANGEVIN, Mr. CROWLEY, Mr. SERRANO, Ms. SCHWARTZ of Pennsylvania, Mr. ROSS, Mr. GONZALEZ, Ms. JACKSON-LEE of Texas, Mr. KUCINICH, Mr. ISRAEL, Mr. SMITH of New Jersey, Mr. UDALL of Colorado, Mr. NADLER, Mr. FITZPATRICK of Pennsylvania, and Mr. KENNEDY of Rhode Island.

H. Res. 123: Mr. BISHOP of Georgia.

H. Res. 196: Mr. BISHOP of Georgia, Ms. MILLENDER-MCDONALD, and Ms. SCHAKOWSKY.

H. Res. 411: Mr. FILNER.

H. Res. 466: Ms. WATERS.

H. Res. 479: Mr. CHABOT, Mr. CROWLEY, Mr. GRIJALVA, Mrs. MCCARTHY, Mr. MCCOTTER, Mr. RYAN of Ohio, Mr. SCHIFF, Ms. WATSON, and Mr. WEXLER.

H. Res. 487: Ms. HARRIS, Mr. GARY G. MILLER of California, and Mrs. DRAKE.

H. Res. 489: Mr. BAIRD, Mr. SALAZAR, Mrs. TAUSCHER, Mr. FARR, Mr. RUPPERSBERGER, and Mr. FERGUSON.

H. Res. 495: Mr. TOM DAVIS of Virginia, Mr. HOLT, and Mr. ROHRABACHER.

H. Res. 500: Mr. BISHOP of Georgia, Mr. EVANS, Mr. SHAYS, Mr. RUPPERSBERGER, Mr. BOUSTANY, Mr. SPRATT, Mr. PAYNE, Ms. SCHAKOWSKY, Mr. WELDON of Florida, Ms. CORRINE BROWN of Florida, Mr. BRADY of Pennsylvania, Mr. ORTIZ, Mr. CROWLEY, and Mr. NEAL of Massachusetts.

H. Res. 504: Mr. BISHOP of Georgia and Mr. BOUSTANY.

H. Res. 505: Mr. BECERRA, Mr. CAPUANO, Mr. CUMMINGS, Mr. GUTIERREZ, Mrs. JONES of Ohio, Mr. MCGOVERN, Mr. PAYNE, Mr. TOWNS, Ms. MILLENDER-MCDONALD, Mr. THOMPSON of California, Ms. VELÁZQUEZ, Mr. RAHALL, Ms. MOORE of Wisconsin, Mr. SANDERS, Ms. SLAUGHTER, Ms. SOLIS, Mr. INSLEE, Mr. DOGGETT, Mr. VAN HOLLEN, Ms. MCCOLLUM of Minnesota, Mrs. NAPOLITANO, Mr. LEWIS of Georgia, Mr. FARR, Mr. HONDA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. STRICKLAND, Mr. SABO, Ms. SCHAKOWSKY, Mr. PASCRELL, Mr. TIERNEY, Mr. KENNEDY of Rhode Island, and Mr. OWENS.

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. 3304: Mr. KUHL of New York.

H.R. 4011: Mr. BUTTERFIELD.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

Vol. 151 WASHINGTON, FRIDAY, NOVEMBER 4, 2005 No. 145

Senate

The Senate met at 9:30 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.

Almighty God, who lays up the deep in storehouses, help us to never turn Your glory to shame. Lord, the hearts of world leaders are in Your hands and Your power guides the Nation.

Today, we thank You for Your infinite wisdom. Each day You demonstrate to us that Your way leads to life and joy. You are at work, bringing answers and insight to those who seek You.

Inspire our Senators to seek Your wisdom. As they wrestle with complex issues, guide their minds. May the wisdom of sacrificial love influence their deliberation.

And Lord, we ask You to comfort the family of Henry Giugni, the former Senate Sergeant at Arms.

We pray in Your blessed 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.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1042, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1042) to authorize appropriations for fiscal year 2006 for the military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Today we resume consideration of the Defense authorization bill. Under the agreement reached on October 26, we have a limitation of amendments and debate to Defense authorization. Chairman WARNER and Senator LEVIN are here today and are prepared for Members to come to the floor to offer their defense-related amendments. I noted last night there will be no rollcall votes today, and we will delay votes until Monday at approximately 5:30. We will announce later on how many votes Senators can expect on Monday.

Finally, I do want to thank everybody for their participation and cooperation over the course of yesterday's session, a lengthy session. I think it was 22 consecutive rollcall votes. We didn't have any scheduled breaks and things went very smoothly. Indeed, we were able to meet our goal of 6 o'clock last night to allow Senators to attend what was a wonderful event where we had over 50 former Senators—men and women who had served in this body in the past—come back and join us for a bipartisan event last night. It would not have been possible without the patience of Senators and the efforts of so many staff members who worked so hard to bring that deficit reduction bill to completion by a vote of 52 to 47.

BUDGET RECONCILIATION

This was an important piece of fiscal legislation; I think clearly the most important piece of fiscal legislation over the course of the year, a bill that was called the deficit reduction bill because almost $35 billion in savings does go down directly to reduce the deficit. That is a period of 4 years, $35 billion. Over 10 years, it would be right at $100 billion.

A number of people have said, well, spending cuts that we put in yesterday don't go far enough, and I would not disagree with that statement. The deficit reduction package we passed last night, however, was a major and important first step forward in reining in what has become out-of-control Federal spending, so I congratulate our colleagues.

I also thank the committee chairmen one more time for their hard work and leadership, both sides of the aisle working together. There was in many instances bipartisan support for their recommendations. In particular, I thank the chairman of the Budget Committee, Chairman JUDD GREGG, for his strong leadership. I also thank Senator MCCONNELL, our assistant Republican leader, for his deft handling of the process yesterday, keeping us on track to success.

The Senate staffers, several of them were thanked last night. And there are so many, I always hesitate to start naming them, but in truth, as always, they are the ones who give the discipline to the engine that makes it possible: Kyle Simmons, Scott Gudes, Bill Hoagland, Sharon Soderstrom, Eric Ueland, all deserve special recognition for their tireless efforts in bringing that bill to completion.

By rallying our resources and our will, last night the Senate passed the first spending reduction bill in 8 years. It was last in 1997 that such a reconciliation on the spending side was passed. We took a tough look at the budget, and we came up with a strong package of fiscally responsible savings. And it is worth reflecting where we were even just 10 months ago. We tend to focus so much on minute to minute here and day to day here, but if we look back 10 months ago when the President submitted his budget proposal, at that

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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time the projected deficit was well past $400 billion and on its way up to $500 billion. Critics had bet against the majority's success. They said we could never pass a budget and be able to drive down the deficit, and we have proved those critics wrong. Not only have smart progrowth fiscal policies cut the deficit by $100 billion but direct action in the Senate yesterday cut the bottom line by another $35 billion. Our GDP growth rate is strong right now, in the last quarter, 3.7 percent, with over 4 million jobs created since May, about 15, 16 months ago.

Hurricane Katrina hit and we know hit hard, but not even Hurricane Katrina could knock our economy off track. As Alan Greenspan told the Joint Economic Committee yesterday, the economic fundamentals remain firm.

The Republican-led Senate has defied the critics at every turn. They said we could not pass a budget resolution, and we passed a budget resolution. They said we could not pass the 12 appropriations bills on this floor, and we did. We passed the PATRIOT Act, we passed the bankruptcy bill, we passed the class action bill, we passed the highway bill, we passed the Energy bill, we passed the gun liability reform bill—all this year, but we have a lot more to do.

Yesterday, I should add, as part of that deficit reduction bill, we passed exploration in ANWR which will help reduce our dependence on foreign oil. It will strengthen our domestic supplies, again a real tribute to this body. Meanwhile, throughout the fall we have tackled relief and recovery for the victims of Katrina and we have continued to support our troops in the war on terror. We will be doing our Defense authorization bill shortly, again, to focus on continued aggressive support of the troops.

So despite all of the naysayers and sometimes pessimistic attitudes as to what is going on, we are moving this country forward in a positive and a constructive way.

Some have called the deficit reduction package yesterday immoral, and it really does bother me when people use words like that because, to me, what is immoral is saddling future generations with huge debt. What is immoral is ducking or hiding from today's challenges with inaction or empty platitudes or barriers to progress. What is immoral, to me, is proposing more debt while accusing others of being fiscally irresponsible.

During the budget process, the other side proposed spending amendments, and we saw much of it on our spending speedometer—spendometer, I guess we call it—of over $460 billion. The other side proposed over $460 billion in increased spending. And who would pay for this? I guess their answer would be raising taxes. It is unacceptable. We have a different approach, an approach that strengthens our economic growth, strengthens our national security, that delivers real relief, real relief to American families.

The deficit reduction package we passed last night will drive down the deficit. It will increase America's energy supply. It will help students and families meet the cost of college tuition. It will take critical steps to protect America's retirees, a huge victory for the American people. We support real, measurable solutions and will continue moving America forward. Our goal is to strengthen America's families and secure America's future.

We have a lot more work to do, Mr. President. Next week we have some of the world's top oil executives coming to Washington to explain why gas prices are going so high, above $3, and why oil and home heating oil prices are so high, and at the same time, we are seeing these record profits going into their coffers.

The question that our constituents ask, and we ask, is Why? And those executives will have that opportunity to explain, and we will get to the bottom of it.

We also plan to continue our work on the nomination of Judge Samuel Alito to the Supreme Court of the United States. The chairman and ranking member of the Judiciary Committee announced a schedule yesterday that does provide the strongest platform for Judge Alito to argue and to explain and describe the judicial restraint, the crux of his philosophy, and he will be confirmed by January 20.

Finally, we will continue to address the pressing issues the American people sent us to Washington to resolve after the first of the year, issues such as border security and immigration.

As I mentioned last night, we had a wonderful occasion in terms of having a bipartisan reunion with one out of every three former Senators who are still alive in our midst last night. Most all of our colleagues were there sharing stories, sharing intergenerational stories which did remind us what a powerful institution this is, the legacy that it leaves, the important role it plays as the world's greatest deliberative body. It was a reminder to all of us serving in this Senate it is an honor and it is a privilege.

I look forward to continue working in a bipartisan way to deliver bold and innovative solutions to keep this great country moving forward.

Mr. NELSON of Florida. Will the majority leader yield for a question?

Mr. FRIST. Be happy to.

Mr. NELSON of Florida. I thank the majority leader for making reference to Hurricanes Katrina and Rita, and I just wanted to remind our distinguished majority leader that Hurricane Wilma, which hit the State of Florida, hit at a point on the southwest coast picking up steam as it crossed the Everglades so that the back end of the hurricane gave a huge punch to the southeast coast where we have 20,000 structures uninhabitable and where the winds were clocked at Lake Okeechobee at 150 miles an hour. That is a category 5. So I just don't want us to forget Hurricane Wilma and the people who are suffering in Florida at this time.

Would the majority leader just keep that in mind as we address these problems?

Mr. FRIST. Mr. President, that is very well said. I think the description and comments by the Senator from Florida demonstrate our responsibility to respond appropriately and smartly to natural disasters. If we look at our response to hurricanes and natural disasters in the past, I think we have done so.

It is sometimes frustrating because we cannot do everything, and a lot of people think the Federal Government has a responsibility to come in and solve all the problems.

Our challenge in responding to all these natural disasters is to respond quickly, responsibly, smartly, working hand in hand with the locals.

I very much appreciate the Senator's attention to one other natural disaster we must face.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The Democratic leader.

DEFICIT REDUCTION BILL

Mr. REID. Mr. President, with regard to the deficit reduction bill, you can have a cow and put a sign on him saying he is a horse, but he is still a cow. I think we would be better informed if we called this the bait-and-switch bill. How do you call a bill deficit reduction when it raises the deficit in 1 year by $30 billion? How do you call a bill a deficit reduction bill when it increases the deficit? If there was ever an Orwellian pronouncement, that is it. I guess if you keep saying deficit reduction, some people are going to believe it is deficit reduction. It increases the deficit.

This could have been a good week for the American people. It could have been a week Republicans joined Democrats and finally addressed priorities of working families. The polls around the country today make a pronouncement: President Bush's approval rating is 35 percent. Do you think it could be because we are trying to call a bill a deficit reduction bill that isn't one? How does the majority feel they can do that? The American people can see through that: A deficit reduction bill that increases the deficit $30 billion, and the Republicans are bragging about increasing the deficit? They think they can get around that by calling it a deficit reduction bill? No wonder this White House has an approval rating of 35 percent.

This week could have been a week we agreed to do something about the record debt. It could have been the week we addressed the needs of middle-class families. The rich are getting richer, the poor are getting poorer. The middle class is being squeezed between declining incomes, rising prices of health care, college tuition, gas, and heat.

It could have been the week we finally got serious about helping our

brothers and sisters in the gulf coast. We can hear pronouncements from the Republican majority that the response to these disasters has been excellent. Prove that to the American people with the developments after Katrina.

Listen to the radio. I listened to public radio this morning, and they had a segment on about what is happening to the people in Louisiana. They cannot go to school; there are no schools there.

This could have been the week we finally got serious about the gulf coast, and we have not. That is the kind of week that we Democrats hoped to have. The record will show we fought for multiple amendments that would have helped working Americans.

Let me take a comment on the so-called spendometer. One of the Senators brought that in the other day, and I commented on it. All the amendments that have been offered by the Democrats, with rare exception, have all been pursuant to Senator CONRAD's pay-as-you-go amendment that he offered; that is, we had offsets. They did not increase the debt.

This spendometer is as phony as this deficit reduction bill. We could have, if we had followed the direction of the amendments we offered—there was one by Senator BILL NELSON to keep Medicare premiums from increasing. That was defeated on a party-line vote. The Republicans beat us on that. Senator MURRAY offered an amendment to protect prescription drug coverage for many of our Nation's seniors. That was defeated on a straight party-line vote. Senator LINCOLN tried to provide emergency health care for survivors of Katrina. That was defeated on a straight party-line vote. Senator JACK REED tried to ensure an adequate supply of housing, and that was defeated on a straight party-line vote. Finally, Senator CANTWELL had an amendment to protect the Arctic National Wildlife Refuge in Alaska from oil drilling. We fought for these amendments on this side of the aisle. We reached out to the other side and asked: Join us, please join us, because we understand that together America can do better.

I believe the Republicans have misplaced priorities. Unfortunately, the good week we could have given the American people turned into a great week for special interests.

My distinguished friend, the majority leader, talks about all these great accomplishments we have had this past year. I am not going to talk about every one of the items he mentioned, but I will talk about the Energy bill.

The Energy bill did nothing to help the American consumer. All it did was give a big sop to the already fat and beefy oil industry. They had $100 billion in profits this year. I don't think it was much of an Energy bill. I really do believe we can do better.

The Republican budget we focused on this week cuts $27 billion from Medicare and Medicaid. It cuts housing, it cuts support for our farmers, and then turns around and spends billions on tax breaks for special interests and multimillionaires. The big tax cuts are going to come the week after next. We will wind up with $30 billion, if things go as has been indicated by the Finance Committee. I hope we can do better than that.

Let's take a look at the tax breaks. Those who make over $1 million will see a benefit of about $35,000. Those with incomes of between $50,000 and $200,000 will see a benefit of $112, and those with incomes of less than $50,000, the benefit will be $6.

Can't we do better than that? Yes.

Let's look at the lucrative benefits we handed out to the oil and gas industry in the Energy bill I spoke about earlier and, of course, opening the pristine Arctic National Wildlife Refuge to drilling. It takes our country in the wrong direction. We should diversify, becoming less dependent on oil as an energy source. We didn't do that in this legislation.

Finally, let's look at what we didn't do this week. We didn't do anything. Very minimally did we do anything to help those people who are the survivors and those who were devastated along the gulf coast. We didn't do anything to reduce energy prices. We didn't do anything to deal with the pension crisis we are facing in America. We did nothing to deal with the health care crisis we are facing in America. We have not passed the Terrorism Reinsurance Act.

I think most Senators have gotten calls from major companies who can't build. I got a call yesterday from one major hotel owner who has hotels all over the world who said they have in Las Vegas four properties they want to build and they cannot build them. They cannot get anybody to give them the insurance.

We have 2 weeks before our next recess, and we have much to accomplish. The American people are counting on us, and we on this side of the aisle, the Democrats, are going to do everything we can to not let them down. Just because you call something a Deficit Reduction Act doesn't mean it reduces the deficit, by definition of a Republican-controlled Washington.

The PRESIDING OFFICER (Mr. ISAKSON). The Senator from Virginia.

Mr. WARNER. Mr. President, parliamentary inquiry: Is the Senate now on the Defense bill?

The PRESIDING OFFICER. The Senator is correct. Will the Senator permit the Chair to make an announcement?

Pursuant to the order of October 26, all amendments previously pending to this measure are withdrawn.

The list of withdrawn amendments is as follows:

Withdrawn:

Inhofe amendment No. 1311, to protect the economic and energy security of the United States.

Inhofe/Kyl amendment No. 1313, to require an annual report on the use of United States funds with respect to the activities and management of the International Committee of the Red Cross.

Ensign amendment No. 1374, to require a report on the use of riot control agents.

Ensign amendment No. 1375, to require a report on the costs incurred by the Department of Defense in implementing or supporting resolutions of the United Nations Security Council.

Durbin amendment No. 1379, to require certain dietary supplement manufacturers to report certain serious adverse events.

Hutchison/Nelson (FL) amendment No. 1357, to express the sense of the Senate with regard to manned space flight.

Thune amendment No. 1389, to postpone the 2005 round of defense base closure and realignment.

Kennedy amendment No. 1415, to transfer funds authorized to be appropriated to the Department of Energy for the National Nuclear Security Administration for weapons activities and available for the Robust Nuclear Earth Penetrator to the Army National Guard, Washington, District of Columbia, chapter.

Allard/McConnell amendment No. 1418, to require life cycle cost estimates for the destruction of lethal chemical munitions under the Assembled Chemical Weapons Alternatives program.

Allard/Salazar amendment No. 1419, to authorize a program to provide health, medical, and life insurance benefits to workers at the Rocky Flats Environmental Technology Site, Colorado, who would otherwise fail to qualify for such benefits because of an early physical completion date.

Dorgan amendment No. 1426, to express the sense of the Senate on the declassification and release to the public of certain portions of the Report of the Joint Inquiry into the Terrorist Attacks of September 11, 2001, and to urge the President to release information regarding sources of foreign support for the hijackers involved in the terrorist attacks of September 11, 2001.

Dorgan amendment No. 1429, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism.

Salazar amendment No. 1421, to rename the death gratuity payable for deaths of members of the Armed Forces as fallen hero compensation.

Salazar amendment No. 1422, to provide that certain local educational agencies shall be eligible to receive a fiscal year 2005 payment under section 8002 or 8003 of the Elementary and Secondary Education Act of 1965.

Salazar/Reed amendment No. 1423, to provide for Department of Defense support of certain Paralympic sporting events.

Collins (for THUNE) amendment No. 1489, to postpone the 2005 round of defense base closure and realignment.

Collins (for THUNE) amendment No. 1490, to require the Secretary of the Air Force to develop and implement a national space radar system capable of employing at least two frequencies.

Collins (for THUNE) amendment No. 1491, to prevent retaliation against a member of the Armed Forces for providing testimony about the military value of a military installation.

Reed (for LEVIN) amendment No. 1492, to make available, with an offset, an additional $50,000,000, for Operation and Maintenance for Cooperative Threat Reduction.

Hatch amendment No. 1516, to express the sense of the Senate regarding the investment of funds as called for in the Depot Maintenance Strategy and Master Plan of the Air Force.

Inhofe amendment No. 1476, to express the sense of Congress that the President should

take immediate steps to establish a plan to implement the recommendations of the 2004 Report to Congress of the United States-China Economic and Security Review Commission.

Allard amendment No. 1383, to establish a program for the management of post-project completion retirement benefits for employees at Department of Energy project completion sites.

Allard/Salazar amendment No. 1506, to authorize the Secretary of Energy to purchase certain essential mineral rights and resolve natural resource damage liability claims.

McCain modified amendment No. 1557, to provide for uniform standards for the interrogation of persons under the detention of the Department of Defense.

Warner amendment No. 1566, to provide for uniform standards and procedures for the interrogation of persons under the detention of the Department of Defense.

McCain modified amendment No. 1556, to prohibit cruel, inhuman, or degrading treatment or punishment of persons under the custody or control of the United States Government.

Stabenow/Johnson amendment No. 1435, to ensure that future funding for health care for veterans takes into account changes in population and inflation.

Murray amendment No. 1348, to amend the assistance to local educational agencies with significant enrollment changes in military dependent students due to force structure changes, troop relocations, creation of new units, and realignment under BRAC.

Murray amendment No. 1349, to facilitate the availability of child care for the children of members of the Armed Forces on active duty in connection with Operation Enduring Freedom or Operation Iraqi Freedom and to assist school districts serving large numbers or percentages of military dependent children affected by the war in Iraq or Afghanistan, or by other Department of Defense personnel decisions.

Levin amendment No. 1494, to establish a national commission on policies and practices on the treatment of detainees since September 11, 2001.

Hutchison amendment No. 1477, to make oral and maxillofacial surgeons eligible for special pay for Reserve health professionals in critically short wartime specialties.

Graham/McCain modified amendment No. 1505, to authorize the President to utilize the Combatant Status Review Tribunals and Annual Review Board to determine the status of detainees held at Guantanamo Bay, Cuba.

Nelson (FL) amendment No. 762, to repeal the requirement for the reduction of certain Survivor Benefit Plan annuities by the amount of dependency and indemnity compensation and to modify the effective date for paid-up coverage under the Survivor Benefit Plan.

Durbin amendment No. 1428, to authorize the Secretary of the Air Force to enter into agreements with St. Clair County, Illinois, for the purpose of constructing joint administrative and operations structures at Scott Air Force Base, Illinois.

Durbin amendment No. 1571, to ensure that a Federal employee who takes leave without pay in order to perform service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred.

Levin amendment No. 1496, to prohibit the use of funds for normalizing relations with Libya pending resolution with Libya of certain claims relating to the bombing of the LaBelle Discotheque in Berlin, Germany.

Levin amendment No. 1497, to establish limitations on excess charges under time-and-materials contracts and labor-hour contracts of the Department of Defense.

Levin (for HARKIN/DORGAN) amendment No. 1425, relating to the American Forces Network.

Mr. WARNER. Mr. President, now that we are on the bill, it is my intention to eventually deliver an opening statement, but in courtesy to our colleague from Florida—and I believe he will be followed by Senator MCCAIN to be followed by Senator ALLARD—I think we ought to proceed immediately to the amendments. Senator LEVIN and I will be on the floor to assist all Senators who wish to bring any matters to the attention of the Senate.

Mr. President, I ask unanimous consent that the Senator from Florida, Mr. NELSON, be recognized for 15 minutes, to be followed by the Senator from Arizona, Mr. MCCAIN, for such time as he requires, to be followed by the Senator from Colorado, Mr. ALLARD, to be followed on this side of the aisle—we are trying to alternate—with such amendments as Senator LEVIN may recommend.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Florida is recognized.

AMENDMENT NO. 2424

Mr. NELSON of Florida. Mr. President, I call up amendment No. 2424.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Florida [Mr. NELSON], for himself, Mr. HAGEL, Mr. CORZINE, Mr. NELSON of Nebraska, Mr. SMITH, Ms. CANTWELL, Mr. DAYTON, Mr. KERRY, Ms. LANDRIEU, Ms. MIKULSKI, Mrs. MURRAY, Ms. STABENOW, Mrs. BOXER, Mr. PRYOR, Mr. DURBIN, Mr. JEFFORDS, Mr. JOHNSON, and Mr. SALAZAR, proposes an amendment numbered 2424.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To repeal the requirement for the reduction of certain Survivor Benefit Plan annuities by the amount of dependency and indemnity compensation and to modify the effective date for paid-up coverage under the Survivor Benefit Plan)

At the end of subtitle D of title VI, add the following:

SEC. 642. REPEAL OF REQUIREMENT OF REDUCTION OF SBP SURVIVOR ANNUITIES BY DEPENDENCY AND INDEMNITY COMPENSATION.

(a) REPEAL.—Subchapter II of chapter 73 of title 10, United States Code is amended—

(1) in section 1450(c)(1), by inserting after ''to whom section 1448 of this title applies'' the following: ''(except in the case of a death as described in subsection (d) or (f) of such section)''; and

(2) in section 1451(c)—

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(b) PROHIBITION ON RETROACTIVE BENEFITS.—No benefits may be paid to any person for any period before the effective date provided under subsection (e) by reason of the amendments made by subsection (a).

(c) PROHIBITION ON RECOUPMENT OF CERTAIN AMOUNTS PREVIOUSLY REFUNDED TO SBP RECIPIENTS.—A surviving spouse who is or has been in receipt of an annuity under the Survivor Benefit Plan under subchapter II of chapter 73 of title 10, United States Code, that is in effect before the effective date provided under subsection (e) and that is adjusted by reason of the amendments made by subsection (a) and who has received a refund of retired pay under section 1450(e) of title 10, United States Code, shall not be required to repay such refund to the United States.

(d) RECONSIDERATION OF OPTIONAL ANNUITY.—Section 1448(d)(2) of title 10, United States Code, is amended by adding at the end the following new sentences: ''The surviving spouse, however, may elect to terminate an annuity under this subparagraph in accordance with regulations prescribed by the Secretary concerned. Upon such an election, payment of an annuity to dependent children under this subparagraph shall terminate effective on the first day of the first month that begins after the date on which the Secretary concerned receives notice of the election, and, beginning on that day, an annuity shall be paid to the surviving spouse under paragraph (1) instead.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the later of—

(1) the first day of the first month that begins after the date of the enactment of this Act; or

(2) the first day of the fiscal year that begins in the calendar year in which this Act is enacted.

SEC. 643. EFFECTIVE DATE FOR PAID-UP COVERAGE UNDER SURVIVOR BENEFIT PLAN.

Section 1452(j) of title 10, United States Code, is amended by striking ''October 1, 2008'' and inserting ''October 1, 2005''.

Mr. NELSON of Florida. Mr. President, this is a very serious amendment to this Defense authorization bill, but I am compelled to add a couple of words to the colloquy that I had with the distinguished majority leader regarding the hurricanes.

In the huge tragedy that occurred with Hurricane Katrina and the continuing observations of the reconstruction efforts, attention has been lost to the severe losses that have occurred in the last week and a half in my State of Florida with a hurricane that hit with the force of a category 3 on the southeast coast of Florida and parts of that area having had winds of a category 5, with 20,000 residences lost.

We have now under consideration in the Department of Commerce appropriations subcommittee conference committee deliberations additional personnel for the National Hurricane Center, which hopefully the Senate's position will be taken which provides that additional personnel. But one huge, potential downfall is that we need some kind of backup for the high-flying jet, the G–4, the Gulfstream-4, that measures the steering currents that is owned by NOAA.

In the middle of this storm, that jet had to go down for maintenance. Lord knows what would happen if that jet had an accident and could not fly. The accuracy of our predictions of where

the hurricane is going is 25 percent greater by being able to fly at 41,000 feet measuring those steering currents.

It is my hope that we can see coming out of the Senate a provision for a backup for NOAA, perhaps a jet shared with another agency, such as the Air Force or NASA, but that would give us that protection, and that accuracy, as we know all too well, is so important to warn people in the accurate path of that storm because then prediction becomes a matter of life and death.

Mr. President, I am honored today to speak about an amendment that is necessary to fix a longstanding problem in our military survivor's benefit system. The system in place right now, even with the important changes we have made recently, does not take care of our military widows and the surviving children in the way it should, and we should act now to correct this deficiency.

We don't have to go any further than the Good Book to remind us that one of our greatest obligations is to take care of the widows and the orphans.

That is what we have. This amendment will protect the benefit of widows and orphans of our 100-percent disabled military retirees and those who die on active duty.

I will give some background on how this problem developed. Back in 1972, Congress established the military Survivor Benefit Plan—SBP for short—to provide retirees' survivors an annuity to protect their income. If we have a military retiree and they are deceased, we want to protect the income of their survivors. This benefit plan is a voluntary program, and it is purchased by the retiree or it is issued automatically in the case of servicemembers who are active duty and who die on active duty.

Retired servicemembers pay for this benefit from their retired pay. Then upon their death, their spouse or dependent children can receive up to 55 percent of their retired pay as an annuity. So it is a plan that has been in place since 1972 which the retired military person can purchase, and they do.

Surviving spouses or dependent children of service-connected 100-percent disabled retirees or those who die on active duty are also entitled to dependency and indemnity compensation under the Department of Veterans Affairs. This is a separate program. So these surviving spouses or dependent children of service-connected disabled veterans are entitled to indemnity compensation.

So there are two different laws, two different eligibilities, but watch what happens under current law. The annuity paid by the Survivor Benefit Plan and received by a surviving widow or a child, what they pay for on the pie chart that is in red, this is already paid for for the surviving widow or the child. Under current law, they are also entitled, as a service-connected disability, to that under the Veterans' Administration. Under current law, one offsets the other. So what happens is the amount of the SBP is reduced by the amount of the DIC under current law, and a big slice of the pie, almost half of it, is lost when, in fact, the survivor is entitled under the law to both. So this big slice shows what they are losing.

I wish to introduce my colleagues to Jennifer McCollum. She is from Jacksonville, FL. This is her with her son and a photo of her husband, a U.S. marine who was killed in 2002 while deployed in support of the war on terror. Jennifer was 4 months pregnant when he was killed, and now she has realized that her survivor benefits are being taken away by that offset that I just described. That is what this amendment is going to stop. Jennifer's situation is unacceptable, and we have to fix it for the sake of the widows and the orphans.

I do not know of any other annuity program in the Government or private sector that is permitted to offset, terminate, or reduce payments because of disability payments a beneficiary may receive from another plan or program. That is the necessity for this amendment I am offering today.

It also makes effective immediately a change to the military SBP program that was enacted back in 1999. The Congress has already agreed that military retirees who have reached the age of 70 and paid their SBP premiums for 30 years should stop paying a premium. We agreed back in 1999 that when a person reached the age of 70 and they had paid their SBP premiums for 30 years, they ought to stop paying a premium. But what happened? Recently, we delayed the effective date for this relief until 2008.

The program began over 30 years ago. Under current law, people who signed up at the beginning must pay long beyond the 30 years that Congress intended. Do my colleagues know who this group is largely made up of? It is made up of World War II veterans. We call them the ''greatest generation.'' Well, what it creates is the ''greatest generation'' tax in SBP, and we should not be delaying their relief any further.

This chart is going to give an example of the ''greatest generation'' tax. A lieutenant colonel or a commander in the Navy who joined SBP in 1972 when it began has paid 33 years and will continue to pay under the current law until 2008, for a total of 36 years. But someone of the same rank who retired 6 years later also will stop paying in 2008 under the current law, but they will have paid less. The older retiree will have paid 30 percent more over that time period.

Of course, many of those fighting men and women are going to pass away by then and never enjoy the paid-up status that Congress intended for them. This amendment I am offering today will fix the SBP system to make sure it provides what Congress intended for our military retirees.

The United States owes its continued strength and protection to generations of soldiers, sailors, airmen, and marines who have sacrificed throughout our history to keep us free. We owe them and those they leave behind a lot—no less than a President who suffered through war, President Lincoln, instructed us that ours is an obligation to care for him who shall have borne the battle and for his widow and for his orphan. Too often, we have fallen short of this care. I believe we must meet this obligation with the same sense of honor as the service they and their families have rendered.

We need to continue to do right by those who have given this Nation their all and especially for their loved ones they leave to us for our care. Remember the instructions of the Good Book: The greatest obligation is to take care of the widows and the orphans.

I reserve the remainder of my time.

Mr. WARNER. Mr. President, I am opposed to Senator BILL NELSON's amendment, and I intend to introduce a second degree amendment that would give the Commission on Veterans' Disability Benefits, which Congress established to study survivor benefits, the opportunity to complete its work before further changes are made to the Survivor Benefit Plan, or SBP.

I oppose Senator NELSON's amendment, because this blue ribbon Commission on Veterans' Disability Benefits has been established, is currently at work examining this issue, and, I believe, will provide vitally needed facts and recommendations regarding veterans' benefits.

The commission includes two Medal of Honor winners, two Distinguished Service Cross winners, and 6 winners of the Silver Star. They can be relied on to provide a comprehensive study. The commission was established to help the Congress, DOD, and the Veterans Administration determine what steps should be taken to best assist disabled veterans and their families. We should not implement another change to the SBP until the Commission completes its work.

Let's remember that in last year's Defense Authorization Act, the Senate significantly improved benefits provided under the SBP. Congress directed the elimination of the so-called ''2-tier'' system which reduced the monthly SBP annuity when the survivor reached age 62. This was a significant change that works to the benefit of military retirees and their spouses. We should stop and allow an assessment by the commission of the effect of that change before we conclude that the SBP is in need of change.

Here is another consideration: Senator NELSON's amendment does not take into account the great improvements in death benefits for military survivors that have been enacted this year. There has been an increase in the death gratuity—from $12,000 to $100,000—and an increase from $250,000 to $400,000 in the Servicemembers' Group Life Insurance, or SGLI. These changes clearly are substantial, and

they have improved the quality of life for many of the survivors who my friend, Senator NELSON, advocates for today. There have been various other benefits implemented for retirees and their survivors since 2001.

I ask unanimous consent to have a list of these legislative improvements printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL DEFENSE AUTHORIZATION ACT (NDAA) AND OTHER LEISLATION IN SUPPORT OF RETIREES AND MILITARY SURVIVORS

NDAA FY 2001—TRICARE for Life Benefit for Military Retirees (overage of 65 and their Families.—Under this program, TRICARE pays what Medicare does not pay, and a highly valuable pharmacy benefit at minimal cost.

NDAA FY 2002—Extension of Survivor Benefit Program SBP to All Active Duty Members.—This legislation gave SBP coverage, at no cost, to all military members' survivors who die on active duty.

NDAA FY 2003—Special Compensation for Certain Combat-Related Disabled Uniform Services Retirees (''Purple Heart Plus'').—This afforded additional monetary monthly compensation for any disabled military retiree whose condition was the result of a wound or injury for which the Purple Heart was awarded, and also for retirees with combat-related disabling conditions rated at 60 percent or greater.

NDAA FY 2004—Elimination of prohibition on concurrent receipt.—This legislation (phased in through 2014) permits receipt of military retired pay and veterans' disability compensation. It provides additional payments for all disabled military retirees who have a rated disability of 50% or greater.

NDAA FY 2005—Survivor Benefit Plan Improvements.—Eliminated SBP ''two tier'' system (phased over three years) which will result in no reduction in monthly annuity when survivor becomes eligible for Social Security at age 62. Also directed an ''open season for one year'' that will enable retirees to opt in to SBP under prescribed conditions.

NDAA FY 2005—Accelerated Concurrent Receipt for 100 Percent Disabled.—This amendment eliminated the phase in period for collection of both military retired pay and veterans' disability compensation for individuals who have been rated at 100 percent disabled.

Emergency Supplemental FY 2005—Increased Death Gratuity.—This legislation approved payments of $238,000 to survivors of military personnel who died from combat-related causes retroactive to October 7, 2001, the beginning of Operation Enduring Freedom. This increased benefit is part of S. 1042.

Emergency Supplemental FY 2005—Increased SGLI.—This legislation, which has been made permanent by the Veterans' Committee, increased the maximum amount of Servicemembers' Group Life Insurance (SGLI) available from $250,000 to $400,000. Additionally, a Traumatic Injury Protection Program (TIPP) has been authorized that will provide lump sum payments of up to $50,000 to certain wounded and injured military personnel.

Commission on Veterans' Disability Compensation Established.—The 13 member Congressionally-chartered Commission begins its work.

Mr. WARNER. Mr President, the Department of Defense has opposed Senator NELSON's proposal.

I ask unanimous consent that the DOD points of opposition be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ELIMINATION OF SURVIVOR BENEFIT PROGRAM DEPENDENCY AND INDEMNITY COMPENSATION

DOD POSITION: OPPOSE

The Department opposes eliminating the Survivor Benefit Plan (SBP) and Dependency and Indemnity Compensation (DIC) offset.

SBP and DIC for active duty deaths are fully funded by the Government. The offset of DIC from SBP avoids the duplication of Government benefits. Since retirees pay premiums to cover a portion of SBP funding, those premiums attributed to the reduction for DIC are returned to the beneficiary, generally in a lump-sum payment.

The policy is consistent with the private sector. In 2004, the Department contracted with the SAG Corporation to conduct a comprehensive review of military death benefits and compare them to other public and private sector benefits.

Their study found the SBP/IDIC offset to be consistent with the benefits offered by other employers. When more than one annuity is available to survivors, the survivors must generally choose one, or the annuities are sequential (one commences when the other stops).

An active duty election exists. The National Defense Authorization Act of Fiscal Year 2004 authorizes survivors of members who die on active duty who have children to elect to have the SBP paid to the children. Thus, for Service members who die on active duty, survivors have the option to pay DIC to the spouse and SBP in the children's name.

Eliminating the SBP offset for all widows entitled to DIC would cost the Military Retirement Fund more than $5 billion over 10 years.

The Department opposes costly efforts that serve to duplicate benefits.

Mr. WARNER. Mr. President, finally we can't ignore the cost of this amendment. CBO estimates the cost of Senator NELSON's changes to the SBP as $903 million in Fiscal Year 2006 and $9.3 billion over 10 years. This is all mandatory spending for which there is no provision in the budget resolution and no offset in the legislation before us.

I urge my colleagues to support my second degree amendment and look to the Commission on Veterans' Disability Benefits before we implement any further changes to the Survivor Benefit Plan.

The PRESIDING OFFICER. The Senator from Arizona.

AMENDMENT NO. 2425

Mr. MCCAIN. Mr. President, I have an amendment at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The pending amendments are set aside.

The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], proposes an amendment numbered 2425.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: Relating to persons under the detention, custody, or control of the United States Government)

At the end of subtitle G of title X, add the following:

SEC. 1073. UNIFORM STANDARDS FOR THE INTERROGATION OF PERSONS UNDER THE DETENTION OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—No person in the custody or under the effective control of the Department of Defense or under detention in a Department of Defense facility shall be subject to any treatment or technique of interrogation not authorized by and listed in the United States Army Field Manual on Intelligence Interrogation.

(b) APPLICABILITY.—Subsection (a) shall not apply to with respect to any person in the custody or under the effective control of the Department of Defense pursuant to a criminal law or immigration law of the United States.

(c) CONSTRUCTION.—Nothing in this section shall be construed to affect the rights under the United States Constitution of any person in the custody or under the physical jurisdiction of the United States.

SEC. 1074. PROHIBITION ON CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT OF PERSONS UNDER CUSTODY OR CONTROL OF THE UNITED STATES GOVERNMENT.

(a) IN GENERAL.—No individual in the custody or under the physical control of the United States Government, regardless of nationality or physical location, shall be subject to cruel, inhuman, or degrading treatment or punishment.

(b) CONSTRUCTION.—Nothing in this section shall be construed to impose any geographical limitation on the applicability of the prohibition against cruel, inhuman, or degrading treatment or punishment under this section.

(c) LIMITATION ON SUPERSEDURE.—The provisions of this section shall not be superseded, except by a provision of law enacted after the date of the enactment of this Act which specifically repeals, modifies, or supersedes the provisions of this section.

(d) CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT DEFINED.—In this section, the term ''cruel, inhuman, or degrading treatment or punishment'' means the cruel, unusual, and inhumane treatment or punishment prohibited by the Fifth, Eighth, and Fourteenth Amendments to the Constitution of the United States, as defined in the United States Reservations, Declarations and Understandings to the United Nations Convention Against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment done at New York, December 10, 1984.

Mr. MCCAIN. Mr. President, I ask unanimous consent that at the conclusion of my remarks, letters from the Navy League of the United States and from Abraham Sofaer of the Hoover Institution to PATRICK LEAHY, which I think are important documents as far as constitutional aspects of this issue, be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MCCAIN. Mr. President, this amendment is identical to the one that was adopted by a vote of 90 to 9 on the appropriations bill, and it does the following: Establishes the Army Field Manual as the uniform standard for the interrogation of Department of Defense detainees and, two, prohibits cruel, inhumane, and degrading treatment of persons in the detention of the U.S. Government.

Because of the extraordinary support for this legislation and its importance

to our men and women in uniform, it is imperative that these provisions remain on the appropriations measure which is now in conference, although I understand the conferees have not been appointed on the House side.

There is a rumor that with the inclusion in the authorizing bill, then an argument will be made to have it taken out of the appropriations bill, and then the authorizing bill would never reach agreement in conference. That is a bit Machiavellian. Most of all, it is very important because it thwarts the will of 90 Members of the Senate, an overwhelming majority of the House of Representatives, and an overwhelming majority of the American people.

I hope very sincerely that the inclusion of this provision on the authorization bill, which is important in the authorizing process, does not in any way give an excuse to have it removed from the appropriations bill.

I commend Congressman MURTHA for his leadership and efforts to date to offer a motion to instruct conferees to keep this amendment intact without modification. I hope that no one seeks procedural maneuvers to thwart the overwhelming majorities in both Chambers.

I thank the leadership of the Armed Services Committee, particularly our leader Senator WARNER, as well as the ranking Democrat, Senator LEVIN, who have provided guidance, leadership, and encouragement on this very important issue. I am very grateful for their leadership.

Let me be clear.

Mr. WARNER. Will the Senator yield?

Mr. MCCAIN. I would be glad to yield.

Mr. WARNER. I ask unanimous consent to be an original cosponsor, as I have been consistently on the Senator's amendments. He will recall that our first meeting was when I was Secretary of the Navy when he returned from Vietnam. So our relationship on this issue has a long history, and I firmly believe it is in the best interest of the Department of Defense that this manual be the guide for our men and women of the U.S. military. I commend the Senator.

Mr. MCCAIN. I thank the Senator. I ask unanimous consent that both Senator WARNER and Senator LEVIN be added as original cosponsors of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. I thank my dear friend. Maybe he does not want me to recall that was 32 years ago when we first had the opportunity of knowing each other, where I served under, with many layers in between, then Secretary of the Navy Senator WARNER. I remember the many kindnesses he extended to me and my friends who had returned at that time. I also recall—and I do not want to take too much time of this body—that Senator WARNER at that time had to make a very tough decision about a couple of people who had not performed to the standards we expected in that environment in Hanoi. Sometimes tough decisions have to be made, and I think Senator WARNER made a very correct decision at that time.

I might add, he has not aged a bit since that moment when I first saw him on my return.

Mr. WARNER. Mr. President, I think the RECORD should also reflect that in the course of my service as Under Secretary and Secretary of the Navy, I had the great privilege of working with the Senator's father, a naval officer without peer, distinction and achievement. He was commander in chief of all forces Pacific during several of those critical years in Vietnam when the Senator was incarcerated.

Mr. MCCAIN. I thank my friend.

Mr. President, I say again on this issue, No. 1, it is not going away. It is not going away. If, through some parliamentary maneuver, temporarily the will of the majority of both Houses, both bicameral and bipartisan, is thwarted, it will be on every vehicle that goes through this body because you cannot override the majority of the American people and their elected representatives in a functioning democracy.

No one wants this issue to go away more than I. This issue is incredibly harmful to the United States of America and our image throughout the world. The article on the front page of the Washington Post the day before yesterday, describing prison systems that are run by the CIA—the CIA wasn't set up to run prisons.

I point out there is no nation in the world that faces a greater threat of terrorist attacks on a day-to-day basis than the State of Israel. The State of Israel Supreme Court decided, and its military and civil Government has implemented, a prohibition against cruel and inhumane treatment and torture, and they do not practice it. They do practice interrogation and, through various techniques—many of which I am sure are classified—that are not violations of the rules laid down by their Supreme Court, they obtain information, valuable and necessary information.

Why is it some people feel we should carve out an exemption for a branch of our Government to practice cruel and inhumane treatment or even torture? Let me tell you what the consequence of that is, in case of another war. If we get in another war and one of our men or women in the armed services is captured, they will be turned over to the secret police because they will use the same rationale that is being argued by the proponents for the continuation of cruel and inhumane treatment and torture, that they have to have this information. We all know we need intelligence. We all know it is vital. We know how important it is. But to do differently not only offends our values as Americans but undermines our war efforts because abuse of prisoners harms, not helps, us in the war against terror.

First, subjecting prisoners to abuse leads to bad intelligence because under torture a detainee will tell his interrogator anything to make the pain stop. Second, mistreatment of our prisoners endangers U.S. troops who might be captured by the enemy, if not in this war then in the next. And third, prisoner abuses exact on us a terrible toll in the war of ideas because inevitably these abuses become public, as was revealed—or at least a prison system was revealed; I don't know what goes on in them—on the front page of one of our major newspapers.

If we inflict this cruel and inhumane treatment, the cruel actions of a few darken the reputation of our country in the eyes of millions. American values should win against all others in any war of ideas, and we cannot let prisoner abuse tarnish our image.

Yet reports of detainee abuse continue to emerge, in large part because of confusion in the field as to what is permitted and what is not. That is why part of this amendment would establish the Army Field Manual as the uniform standard for the interrogation of Department of Defense detainees—so there is no confusion. Confusion about the rules results in abuses in the field and that is not just my opinion, but it is the opinion of GEN Colin Powell, GEN Joseph Hoar, GEN John Shalikashvili, RADM John Hutson, RADM Don Guter, and many others, those who have had the experience of being involved with treatment of detainees/POWs. These and other distinguished officers believe the abuses at Abu Ghraib, Guantanamo, and elsewhere took place in part because our soldiers received ambiguous instructions.

My friend from South Carolina is very aware and may chronicle the development of these guidelines for treatment of prisoners which was done without the consent of the military uniformed lawyers, and then a couple of months later, because of how outrageous they were, they had to be retracted. It is still not clear. It is still not clear what the practices are that are sanctioned in treatment of prisoners.

The second part of this amendment is a prohibition against cruel, inhumane, and degrading treatment. If that doesn't sound new, that is because it is not. The prohibition has been a longstanding principle in both law and policy in the United States. To mention a few examples: The prohibitions are contained in the Universal Declaration of Human Rights; the International Covenant on Civil and Political Rights, to which the U.S. is a signatory; and the binding Convention Against Torture, negotiated by the Reagan administration and ratified by the Senate.

Nevertheless, the administration has held that the prohibition does not legally apply to foreigners held overseas. They can, apparently, be treated inhumanely. That means America is the only country in the world that asserts a legal right to engage in cruel

and inhumane treatment. How far have we come?

What this also means is confusion about the rules becomes rampant again. With this simple amendment we can restore clarity on a simple and fundamental question: Does America treat people inhumanely? My answer is no, and from all I have seen, America's answer has always been no.

I noted this for my colleagues' consideration when I mentioned this earlier. While the State of Israel is no stranger to terrorist attacks, in 1999 the Israeli Supreme Court issued a unanimous decision to this effect—it contained words we may wish to reflect on today. I quote from the Israeli Supreme Court:

> A democratic, freedom-loving society does not accept that investigators use any means for the purpose of uncovering the truth. The rules pertaining to investigations are important to a democratic state. They reflect its character.

As I have said many times in response to a few Members of the Senate: It is not about them; it is about us.

Let there be no question about America's character. In deciding these rules, each Member of this body has a vital role. Under article I, section 8 of the U.S. Constitution, the Congress has the responsibility for making—I quote from the U.S. Constitution: '' . . . rules concerning captures on land and water.'' Not the executive branch, not the courts, but Congress.

Our brave men and women in the field need clarity. America needs to show the world that the terrible photos and stories of prison abuse are a thing of the past. Let's step up to this responsibility and speak clearly on this critical issue.

We should do it not because we wish to coddle terrorists; we should do it not because we view them as anything but evil and terrible; we should do it because we are Americans and because we hold ourselves to humane standards of treatment of people, no matter how evil or terrible they may be. America stands for a moral mission, one of freedom and democracy and human rights at home and abroad. We are better than these terrorists—and we will win. I have said it before, but it bears repeating: The enemy we fight has no respect for human life or human rights. They do not deserve our sympathy. But this isn't about who they are, it is about who we are. These are the values that distinguish us from our enemies, and we can never allow our enemies to take those values away.

I hope we could adopt this by voice vote at the appropriate time. Since we voted recently by a vote of 90 to 9, I don't see any reason why we should force people to be on record again.

Again, my heartfelt thanks to both Senator WARNER and Senator LEVIN. I hope we can make this issue go away so we can begin repairing the image of the United States of America throughout the world and still carry on a very effective intelligence capability this Nation so badly needs.

I thank my colleague.

EXHIBIT 1

NAVY LEAGUE
OF THE UNITED STATES,
Arlington, VA, November 1, 2005.

Hon. C.W. BILL YOUNG,
Chairman, House Appropriations Subcommittee on Defense, Washington, DC.

DEAR CHAIRMAN YOUNG: On behalf of the more than 65,000 members of the Navy League of the United States, I want to express our support for Sections 8154 and 8155 in the Senate's version of H.R. 2863, the Defense Appropriations Act of Fiscal Year 2006. These legislative provisions establish the U.S. Army Field Manual on Interrogations and the Convention Against Torture as the uniform standard for interrogation of individuals detained by the Department of Defense, and prohibit degrading treatment of detainees.

We encourage you to support adoption of Sections 8154 and 8155 in conference negotiations on H.R. 2863. America's hard-earned reputation for respect of the rule of law and human dignity is an integral part of our greatness as a Nation. The world will judge us by our actions, and our troops have a proven record of excellence. Establishing a written standard for interrogation will only underscore this superb record. The Navy League is proud to align itself with the position of numerous credible voices in support of this action.

On behalf of the men and women of the sea services, for whom the Navy League has advocated for more than 100 years, thank you for your consideration of this important concern.

Sincerely,

JOHN A. PANNETON.

HOOVER INSTITUTION,
Stanford, CA, January 21, 2005.

Hon. PATRICK J. LEAHY,
Committee on the Judiciary,
U.S. Senate, Washington, DC.

DEAR SENATOR LEAHY: I have read your letter of January 19, 2005, and am prepared to provide my views to you on the issue you raised

First, I must disassociate myself from those who have attacked Alberto R. Gonzales in connection with issues related to the Torture Convention. I support his appointment and urge you to vote for his confirmation. Judge Gonzales has relied on the opinions of other attorneys on this and other issues, and a distinction must be maintained concerning those opinions and his own considered judgments. Moreover, attorneys acting ethically and in good faith can reach different conclusions on issues. It is unhelpful in developing national policy when personal attacks are launched on those with whom we disagree, despite ample grounds for professional differences.

Second, I have read some but not all the documents to which you refer in your letter, and given the time available have relied on the material quoted in your letter and on my recollection with regard to the intentions of the Bush Administration in submitting the Convention for ratification.

Third, the issue in your letter, as you state, is not whether acts amounting to torture under the Convention are forbidden in areas within the jurisdiction of the US, but to which the Eighth Amendment would not apply. As I understand it, Judge Gonzales has made clear that he believes the Torture Convention and U.S. law require the U.S. government to undertake to prevent and to punish acts amounting to torture committed by US officials anywhere in the world.

Having made these disclaimers, I do not hesitate to say that I disagree with the merits and wisdom of the conclusion reached by the Department of Justice and cited in the response of Judge Gonzales concerning the geographic reach of Article 16 of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Article 16 on its face limits the obligation of the United States to undertake to prevent cruel, inhuman, or degrading acts not amounting to torture to ''territory under its jurisdiction.'' Within such territory, the US is obliged to undertake to prevent such ''other'' acts, even if they do not amount to torture.

As you state in your letter, the Senate agreed to ratify the Torture Convention at the urging of the Reagan and Bush Administrations, and one of its reservations was that in applying Article 16 the US government would not be obliged to undertake to enforce its provisions, anywhere, in a manner inconsistent with the US interpretation of its almost identically worded Eighth Amendment prohibiting cruel and unusual punishment. As I testified at the time, in writing and orally, the purpose of this reservation was to prevent any tribunal or state from claiming that the US would have to follow a different and broader meaning of the language of Article 16 than the meaning of those same words in the Eighth Amendment. The words of the reservation support this understanding, in that they relate to the meaning of the terms involved, not to their geographic application: ''the United States considers itself bound by the obligation under article 16 . . . only insofar as the term 'cruel, inhuman or degrading treatment or punishment' means the cruel, unusual and inhumane treatment or punishment prohibited by the Fifth, Eighth, and/or Fourteenth Amendments. . . .'' (Emphasis added.) The Department of Justice at the time characterized this reservation as ''modest,'' and explained its purpose as being to use established meanings under the Eighth Amendment instead of the Treaty's vague terms that had not yet evolved under international law. No evidence of which I am aware indicates that the reservation was intended to enable the US to refuse to enforce Article 16 in any territory ''under its jurisdiction.''

The Department of Justice contends, as I understand it, that Article 16 has no application outside the territory of the US, because the Supreme Court has interpreted the Eighth Amendment to be inapplicable beyond our territorial limits. The Department reasons that since the Senate reservation limited enforcement of Article 16 to the US understanding of the Eighth Amendment's language, and since the Supreme Court has concluded that the Eighth Amendment is inapplicable beyond US territory, Article 16 itself is inapplicable beyond US territory. On the basis of my understanding of the purposes of the Convention, and of the purpose of the reservation related to Article 16 and the Eighth Amendment, I disagree with the Department's view and would urge the Attorney General Designate to accept a different view.

The US has been in the vanguard of efforts to protect human rights within the US and abroad. As President Bush has repeatedly affirmed, the dignity and equality of all human beings stems from natural law, i.e. the principle that the Creator of life has endowed us all equally with the right to be protected from abhorrent conduct. We agreed in the Torture Convention that all humans should be protected against official acts amounting to torture, or ''other acts'' covered by Article 16, and we undertook to ''take effective legislative, administrative, judicial or other measures to prevent acts of torture'' and the other acts covered by Article 16, when they occur ''in any territory''

under US jurisdiction. Article 2 of the Treaty requires us to take measures against acts of torture in territory under our jurisdiction, and we understand this to mean any territory, not just the territory of the US to which the Eighth Amendment is applicable. Since the underlying objective is the same everywhere—to prevent official acts of torture, cruelty, or other abuse covered by the meanings of the words involved which are within our legal capacity to prevent—no good reason can be given to conclude that the geographic scope of the words in Article 16 should be narrower than the geographic scope of the same words in Article 2.

In conclusion, the reference in the reservation to the Eighth Amendment's language was intended to prevent inconsistent interpretation of our obligations under Article 16, not to excuse us from abiding by its obligations within the ''territory'' to which it applies by its terms, i.e., territory that is within the jurisdiction of the United States. To interpret it to limit our obligation under Article 16 would arguably allow US officials to act inconsistently with the Treaty—and inconsistently with the Eighth Amendment—in parts of the world in which we have jurisdiction to prevent them from doing so. Judge Gonzales said in his testimony that ''we want to be in compliance, as a substantive matter under the Fifth, Eighth and Fourteenth Amendment.'' I imagine that he and any other person who shares the President's beliefs would not condone or seek to protect any official from the full, potential consequences of behavior so offensive as to violate the cruel and unusual punishment clause in any place where the US has jurisdiction to prevent and punish such conduct.

I hope that these views are helpful to you and the Committee.

Sincerely,

ABE SOFAER.

Mr. WARNER. Mr. President, with regard to the McCain amendment on which I spoke in favor, I have an obligation as manager of the bill to present views of those who differ in some respects with Senator MCCAIN and myself.

I ask unanimous consent that the remarks made by Mr. Stephen Hadley, National Security Adviser to the President, on Wednesday, November 2, be printed in the RECORD. The material is taken directly from a transcript, which I presume is authentic.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PRESS BRIEFING WITH NATIONAL SECURITY ADVISOR STEPHEN HADLEY

Q. Can I ask you a quick one on another subject? Why does the administration feel it's necessary to maintain a network of secret detention centers around the world, out of sight of the Congress and the American people, and out of reach of American law and values?

Mr. HADLEY: There have been some press reports this morning that have touched on that subject. And as you can appreciate, they raise some issues about possible intelligence operations. And as you know, we don't talk about intelligence operations from this podium.

Q. Don't they also raise issue of our values and our reputation in the world?

Mr. HADLEY: Right, and I think the President has been pretty clear on that, that while we have to do what we—do what is necessary to defend the country against terrorists attacks and to win the war on terror, the President has been very clear that we're going to do that in a way that is consistent with our values. And that is why he's been very clear that the United States will not torture. The United States will conduct its activities in compliance with law and international obligations.

And in some of the issues involving detainees and the like, as you know, where they have been allegations that people have not met the standard the President has set, there have been investigations, and they have been of two forms. There are over a dozen investigations that have been done in the Department of Defense to find out what has been going on. Two things have happened as a result. There have been revisions of procedures and practices to ensure that the standard the President set is met; and then there have been investigations, prosecutions, and people punished for the failure to meet those standards. So we think that, consistent with the President's guidance, we are both protecting the country against the terrorists and doing it in a way that is consistent with our values and principles.

Q. If I could just press you on that, how do those self-correcting mechanism that affirm our values and laws, how do they work if the sites are secret to begin with?

Mr. HADLEY: Well, the fact that they are secret, assuming there are such sites, does not mean that simply because something is—and some people say that the test of your principles are what you do when no one is looking. And the President has insisted that whether it is in the public, or is in the private, the same principles will apply, and the same principles will be respected. And to the extent people do not meet up, measure up to those principles, there will be accountability and responsibility.

Mr. WARNER. Mr. President, before we move to a vote, I see another colleague who may wish to speak to this issue, the distinguished Senator from South Carolina, who has been very much a part of the integral working group of Senator MCCAIN, myself, and the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. GRAHAM. I echo the general themes of Senator MCCAIN. This is an important event in the war on terror. He described very well that this is about us, not the terrorists. The terrorists are not having this debate in their world. There is not much debate going on about how they should behave toward innocent people, how they should behave toward people under their control. We know how they behave.

The war is about, Is that a justified way of doing business? The answer is, No.

Everyone condemns what they do, everyone who believes in freedom. This war is about two sets of values, theirs and ours. As we adjust in the war on terror, I think we have to understand that adjustment is necessary, but the adjustments cannot equate to eroding what we are fighting for. I am all for the PATRIOT Act. I think it has been very good that we adjust the way we have electronic surveillance. I think it has been very good that we allow the intelligence community and domestic law enforcement personnel to talk to each other about what is going on in the terrorist world. We are knocking some walls down with the PATRIOT Act that have made us less secure.

We are adjusting our military policy. We are adjusting our legal positions to adopt to a war that is new and different. Here is the new and different part about it: The enemy we are fighting is nontraditional in terms of the Geneva Conventions. I think the President instinctively got it right, right after 9/11. He made a declaration that al-Qaida members are not going to be treated under the Geneva Conventions, considered Geneva Conventions qualified. He was right because al-Qaida is not a standing army. It is a group of terrorists who are not fighting for a nation. They don't wear a uniform. They randomly attack civilians. To give them Geneva Conventions protection would be undermining the purpose of the Geneva Conventions that rewards people for playing fair.

The Geneva Conventions has within it reporting requirements and other devices that I think would undermine the war on terror. Some people that we catch, senior al-Qaida operatives or associates of al-Qaida, we don't want the world and their fellow terrorists to know we have them. Under the Geneva Conventions it would require reporting.

Here is what we are trying to do, with Senator MCCAIN's amendment. Even though they are not Geneva Conventions qualified, the President said they will be treated humanely. We have had interrogation techniques in the past for enemy combatants, people who do not fall under the Geneva Conventions, but they have never been in one source document. The Army Field Manual is an attempt on our part to provide clarity to the troops.

I have gone with the chairman to Guantanamo Bay and I asked the question to the interrogators: Is there anything in the Army Field Manual that would prevent you from getting good intelligence, being involved in interrogations that would be fruitful to protect our Nation? They said no. They don't see the Army Field Manual as written or being drafted or revised as an impediment to doing their jobs.

So what is the upside? The upside is the people in the Department of Defense—who may find themselves in a situation where they will have a group of prisoners, detainees, some Geneva Conventions qualified, some not—will have a source document. The reason we are doing this amendment is right after 9/11 there was an attempt by the Department of Justice to cut corners, in my opinion, to give strained legal reasoning to the Convention on Torture, trying to define what torture is in a way that would get our own people in trouble.

The idea that you could actually break bones and that not be torture under the convention, that it would have to be a near-death experience—that gets us in a very dangerous area about physical abuse. The point we were trying to make, and the uniformed JAGs were trying to make, is when you start that reasoning, you have to understand there are other

laws on the books that govern our military.

The Uniform Code of Military Justice has a whole section about what is in bounds and out of bounds when it comes to detainees and how you treat detainees. It has an assault provision, making it a crime for a military member to degrade or assault someone in our charge.

The concern of the JAGs is that this new interpretation of the Convention on Torture allowing certain activity would put military personnel in jeopardy of being court martialed because of other laws on the books. Now is the time to reconcile this. Now is the time to come up with a standard that looks at every legal source of who we are and how we behave. The Army Field Manual will be one-stop shopping.

It will have interrogation techniques classified and unclassified that will be a roadmap of how we handle people at the Department of Defense who are non-Geneva qualified. It is the best thing we can do for the troops. Everybody is for the troops. We should be for the troops. If you are for the troops, I believe the best thing you can for them is to give them clarity so they will not run afoul of our values and our laws. It is the best thing we can do to help them as they execute this war on terror when it comes to interrogating people.

The second part of Senator MCCAIN's amendment is equally important but for a different reason. Abu Ghraib happened. Things happen on our watch in war that we are not proud of. But that happens in every war. The fact that some people make mistakes, some people commit crimes, some people go too far, is a part of war. How you deal with it is really about you.

What has made us different is that we hold our own people accountable, and we don't let the end justify the means. We have been doing that for a very long time because we are trying to set a value system in place that will be good for the world. And when we take someone who is a member of the military and prosecute them for abusing a prisoner, that is different in a lot of places in this world. If we are prosecuting people for abusing prisoners, the worst thing we could do is confuse people about what is in bounds and what is out of bounds. That is why the Army Field Manual is necessary. But the statement Senator MCCAIN is making about treating people humanely and cruel and unusual punishment interrogation techniques being out of bounds applies to everybody in the Government.

I believe we have to make a decision soon that that is what we are going to do for many years to come. The war on terror is going to be a long, hard road. We are going to be constantly asked to adapt to win the war. The question is, Should we sometimes set aside exceptions that are totally different than the way we have lived our lives for 200 years to win this war? My answer is, Absolutely not, because this war is not about taking down a capital, sinking a navy, or capturing an army; this war is about tolerance, values, religion, and respect for human rights. This war is truly about character.

I believe with all my heart and all my soul that what happened in Abu Ghraib is an aberration in terms of the men and women in the military. It doesn't reflect on who they are and what they believe. But it has done great damage to this country. To the terrorists, they are not the audience; it is those millions of people out there who are looking at democracy, checking under the hood, and trying to figure out which way to go.

As a nation, we need to say as strongly as we can that no terrorist will have a safe haven. We are coming after you. We are going to fight you to the death. But if we capture a terrorist, we will want good information. We want to try them for their crimes, but once we have them in our charge, then it becomes about us because if you do not practice what you preach, your children will go astray if you are a parent. If you do not practice what you preach, your value set that has made you a great nation, standing out in a world in a unique way—you will tarnish who you are. The only way we are going to win this war is to have American values shine brightly. And character is about doing the right thing when nobody watches.

I am hopeful that we can have a compromise and accommodation between the executive branch and the legislative branch on this issue; that we can have a policy statement that if you are in the hands of the CIA or a non-DOD agency, you can be interrogated aggressively, but you will be treated with a value set that this country has been fighting for in the past and is fighting for now. As the President reaffirmed just days ago, no matter where the prison is, no matter whether it is a prison known or unknown, American values follow that prisoner. That is what it has to be.

Can we do better language? Maybe. I am certainly openminded to working on language that makes who we are crystal clear. But I will not entertain a retreat. I will not entertain an exception that washes away what we have been standing for and fighting for and what over 2,000 young men and women have died for.

The courts are confused. The courts are crying out for congressional involvement. The executive branch is trying to adapt. I really do believe that the best thing we could do for this President and all future Presidents is for the Congress to get into the game and be an ally on how you detain, interrogate, and prosecute enemy combatants. That is missing. We have been AWOL. It is now time for us to step up to the plate and exercise our constitutional responsibility—not to weaken the Presidency but to make the executive branch stronger in the eyes of the courts.

If you had a policy that was signed off on by the Congress, signed off on by the executive branch, I am totally convinced that the judicial side of our Government would be much more deferential. They are telling us that. What benefit would that be? We could go to the world, and this President and the next could say that America at every level of Government is united. We are going to have aggressive interrogation techniques, we are going to detain people who are enemy combatants, and we are going to take them off the battlefield. And some of them are going to stand trial for their crimes. But we are going to do it together, and we are going to do it within our values. That would be the strongest message we could extend to the world. It would be the right message to send to our own troops. If we do not get this right now, people after us are going to pay a heavy price.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. WARNER. Mr. President, I followed that statement with great care. I commend the Senator. I think he articulated the key issues. He used the word ''compromise'' and keeping an open mind.

I wish to assure those who are following this that our group that supports Senator MCCAIN's amendment have taken careful consideration of the continuing need to collect our intelligence, first and foremost to protect our troops and, of course, first and foremost to protect our citizens back here in this Nation from terrorists or other attacks.

It is a balanced approach that we have tried to take on this, a careful one, thoughtfully moving each step of the way and entertaining carefully the views of others who have views different from our own.

Mr. KENNEDY. Mr. President, the war against terrorism is as much as a contest of values and ideals as it is a military conflict. In this struggle, America should lead as it always has, setting an example by treating others as we would want to be treated ourselves, even in times of war.

This golden rule has been tarnished and abandoned by the Bush administration. As a result, for much of the world, the American face in the war on terror is represented by images of torture and abuse. The ''anything goes'' attitude at the highest levels of the Bush White House has made the war on terror much harder to win. And it has placed our own soldiers at risk throughout the globe, should they be captured.

How can we demand that the rest of the world abide by standards of common decency when we abuse prisoners ourselves?

So I come to the floor today in strong support of the McCain amendment to protect American honor by ensuring clear rules for the interrogation

of prisoners. This common sense proposal ensures that we have one standard of interrogation for our Government, and it makes sure the rules are clear so that our interrogators and case officers know what the limits are.

Before September 11, 2001, everyone knew what the limits were. They were clearly laid out in the Army Field Manual, our laws, and our treaty obligations. Yet this administration began systematically taking those rules apart.

COL. Larry Wilkerson, the chief of staff to Secretary Powell, said on NPR yesterday, ''The Secretary of Defense, under cover of the Vice President's office began to create an environment . . . of allowing the President in his capacity as Commander-in-Chief to deviate from the Geneva Conventions.''

William Taft, the State Department legal advisor in President Bush's first term, knew the consequences of that fundamental shift. In an address at American University, he said that the decision to violate international standards ''unhinged those responsible for the treatment of the detainees . . . from the legal guidelines for interrogation . . . embodied in the Army Field Manual for decades. Set adrift in uncharted waters and under pressure from their leaders to develop information on the plans and practices of al Qaeda, it was predictable that those managing the interrogation would eventually go too far.''

The Judge Advocate Generals from the Air Force, Navy, Army and Marines—in other words, the chief lawyers for every one of the uniformed services—warned that the adoption of interrogation policies contrary to the Geneva Conventions would result in grave harms. These are all professional military lawyers who have dedicated their lives and distinguished careers to serving the men and women in uniform and protecting their Nation. In an extraordinary set of memos they strongly opposed the legal theories foisted on them by the administration's lawyers. The JAGS warned that the policies would harm not only our efforts to stop terrorism, but would also put U.S. forces at risk who were themselves detained in this and future conflicts. One legal scholar called the administration's case some of the worst legal reasoning he had ever seen.

As Air Force Major General Jack Rives said: ''We need to consider the overall impact of approving extreme interrogation techniques as giving official approval and legal sanction to the application of interrogation techniques that U.S. forces have consistently been trained are unlawful.''

Yet; despite the condemnation of these new interrogation policies by experienced diplomatic and military personnel alike, the administration persists in pursuing these disturbing practices. Just last week, Vice President CHENEY himself suggested that the CIA should be exempt from the prohibitions against cruel, inhuman, and degrading treatment. As of this week, it is clear why. The CIA apparently is holding more than a hundred detainees in secret prisons around the world to interrogate them with the techniques roundly rejected by the military lawyers.

This is unacceptable. In America, no one is above the law. There is no reason the CIA—or any other agency of our government—should be immune from American norms and standards of conduct.

This amendment will make our message clear. As Americans, not only do we fight for our ideals, but we live by them. We can no longer tolerate ambiguity when it comes to the very standards we are trying to enforce around the world.

In the first gulf war, our compliance with the Geneva Conventions—the international gold standard for treatment of captives—was called ''the best of any nation in any conflict in the history of the Conventions'' by the International Red Cross, the organization charged with overseeing compliance with the conventions.

There are good reasons that we should abide by the Geneva Conventions. They protect our own troops. The Conventions require that all captured combatants or prisoners of war must be visited by the Red Cross to help assure the world that their treatment is humane. The International Red Cross visited U.S. servicemen held prisoner in Kosovo in the 1990s. They visited our troops held in the first gulf war.

As Milt Bearden, a former CIA official, wrote in this morning's New York Times, ''the treatment of prisoners generally reaches symmetry in any war.'' In other words, if we abuse prisoners in a war, others will abuse our soldiers if they are taken prisoner.

As Mr. Bearden pointed out, our actions make a difference, even in extreme situations. He wrote, ''The policy of three presidents—Jimmy Carter, Ronald Reagan, and George H.W. Bush—was that both the Afghan mujahedeen insurgents we supported and their Soviet adversaries would be treated within the precepts of the Geneva Conventions when taken prisoner. I can state without reservation that the United States used its influence consistently to promote that policy, with overwhelmingly positive results.''

Sadly, our treatment of detainees at Abu Ghraib, in Afghanistan, Guantanamo, and other sites, makes it far more difficult for us to guarantee the protections of the Geneva Conventions for our military if they are captured, and degrades the international consensus against such abuse.

America must lead by example. After the abuse of the detainees at Abu Ghraib, President Bush said, ''Their treatment does not reflect the nature of the American people. That is not the way we do things in America.''

Let's make the President's bold words into a reality and adopt the McCain amendment.

Mr. President, I ask unanimous consent that full text of Mr. Bearden's op-ed be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Nov. 4, 2005]

WHEN THE C.I.A. PLAYED BY THE RULES

(By Milt Bearden)

Today the Supreme Court justices are expected to debate whether they will hear a case involving a Yemeni named Salim Ahmed Hamdan, who is accused of being Osama bin Laden's driver. A federal appeals court found that Mr. Hamdan, who was captured in Afghanistan in 2001 and is being held at Guantanamo Bay in Cuba, was not entitled to the protections of the Geneva Conventions; he has appealed to the high court.

If the court does not choose to review the appellate court's decision, and then overturn it, America's national security will be endangered. I say that based on my experience as the senior American intelligence officer during the final three years of the Soviet occupation of Afghanistan (1986 to 1989). And I also feel that our intelligence agencies and military commanders should make clear to the Bush administration that our country's most fundamental commitments of humanitarian treatment have long been extended to the Afghan battlefield.

The policy of three presidents—Jimmy Carter, Ronald Reagan and George H. W. Bush—was that both the Afghan mujahedeen insurgents we supported and their Soviet adversaries would be treated within the precepts of the Geneva Conventions when taken prisoner. I can state without reservation that the United States used its influence consistently to promote that policy—with overwhelmingly positive results.

When in Pakistan, I oversaw America's covert support to the Afghan resistance that had begun in December 1979. Throughout that war, countless thousands of Afghan insurgents fell into the hands of Soviet forces; a far smaller number of Soviet soldiers were taken prisoner by the Afghan irregulars. I urged the Afghans, the Pakistani officers who supported them, and the politicians on both sides of the ''zero line'' (the Afghan border with Pakistan) that all combatants taken prisoner deserved the protection of the Geneva Conventions. My most effective argument was founded on reciprocity—that the treatment of prisoners generally reaches symmetry in any war.

The Afghan war was exceptionally brutal, with more than a million Afghans killed, a million and a half wounded, and three million more driven into exile by the Soviet invaders (who had 15,000 of their own killed). Early in the conflict, the Afghans were brutal to their prisoners, using them as beasts of burden and objects of amusement in traditional knife play; the Soviets responded in kind. But as American involvement deepened, the Afghans were persuaded to change that behavior; at the same time, the Soviet troops, too, began treating their prisoners in accordance with international protocols.

One incident in particular drives home the wisdom of this policy. In early August 1988, I was informed that a Soviet Su–25 ground attack aircraft had been brought down, lightly damaged, that day by antiaircraft fire in eastern Afghanistan. Was I interested in ''buying'' it?

I was delighted. An Su–25, a superb plane often called the Frogfoot, would nicely augment the equipment the United States had been collecting from the Afghan battlefield over the previous decade. After a little haggling, I agreed to give the Afghan guerrillas eight Toyota pickup trucks and a few rocket

launchers in exchange. Almost as an afterthought, the Afghans told me they had also taken the pilot, a silver-haired colonel. Was I interested?

I was, indeed, interested. I remembered that just after I arrived in Pakistan, I was shown a photograph of a Soviet pilot in a silver flight suit, up to his waist in snow, skin burned by the relentless sun, with a bullet hole in the side of his head. His Tokarev semi-automatic pistol was still clutched in his hand. He had killed himself rather than be captured by insurgents. Back then, Soviet pilots had it particularly rough when captured.

I had made it clear from that moment that American policy was that captured pilots be treated as prisoners of war under international agreements, and that I would offer rewards for any pilots used in prisoner exchanges, repatriated to the Soviet Union, or, if they so desired, resettled in the West.

I threw in another couple of Toyotas and the pilot came with his downed aircraft in a sort of package deal. The colonel was handed over to the Pakistanis—not wanting to create an incident, I stayed clear of him, though I did make sure he knew that a condominium in Phoenix, or wherever, was an option open to him. He eventually chose to return to the Soviet Union, where he was hailed as a national hero. Part of the swap, though, was the extraction of certain guarantees from the Soviet commanders that their treatment of Afghan prisoners would reach ''symmetry'' of a sort with the treatment of that pilot.

The story didn't end there, however. The next time I saw that colonel he was on TV, helping beat back the 1991 coup against Mikhail Gorbachev. He soon became Boris Yeltsin's vice president, then turned on Mr. Yeltsin in 1993. His name is Aleksandr Rutskoi, and he remains a voice for democracy and one of President Vladimir Putin's leading critics.

There are two salient points here. First, the present war in Afghanistan must be seen as part of a struggle that has been under way for more than a quarter-century. The Afghan insurgents themselves are not likely to distinguish to any large degree the differences between being taken prisoner by the Soviets in Mazar-i-Sharif in 1985 or by the Americans in the same tortured city in 2005.

The second thing being missed, or more likely ignored, is that there was an American policy toward insurgents taken prisoner by the Soviets in Afghanistan during the Soviet occupation. That policy was to urge both sides toward accepting that the Geneva Conventions applied, and to reach a point where each side treated its prisoners within established rules. In the case of Colonel Rutskoi, a graphic point was made to both sides.

It is a point that has become muddied in the Hamdan case. The issue is not whether Mr. Hamdan is a Qaeda terrorist, but whether as a captive of the United States he should be treated under the traditional rules of the Afghan conflict—that is, under international norms. A unilateral change in those rules dictated by America—the latest in the line of foreign powers to find themselves in Afghanistan—is not only unseemly, but would also put our troops there and elsewhere in the struggle against terrorism in harm's way.

The questions of applicability and enforcement of the Geneva Conventions posed by the Hamdan case should not go unanswered by the Supreme Court. We are a better nation than that.

The PRESIDING OFFICER. All time is yielded.

The question is on agreeing to the amendment.

The amendment (No. 2425) was agreed to.

Mr. WARNER. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WARNER. Mr. President, we had announced earlier—I see my distinguished colleague, a member of the Armed Services Committee, Senator REED—that we would move to Senator ALLARD and then follow with the Senator from Rhode Island, Senator REED.

AMENDMENT NO. 2423

Mr. ALLARD. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant clerk read as follows:

The Senator from Colorado [Mr. ALLARD] proposes an amendment numbered 2423.

Mr. ALLARD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To authorize a program to provide health, medical, and life insurance benefits to workers at the Rocky Flats Environmental Technology Site, Colorado, who would otherwise fail to qualify for such benefits because of an early physical completion date)

On page 378, between lines 10 and 11, insert the following:

SEC. 3114. RETIREMENT BENEFITS FOR WORKERS AT ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE, COLORADO.

(a) PROGRAM AUTHORIZED.—Subject to the availability of funds under subsection (d), the Secretary of Energy shall establish a program for the purposes of providing health, medical, and life insurance benefits to workers at the Rocky Flats Environmental Technology Site, Colorado (in this section referred to as the ''Site''), who do not qualify for such benefits because the physical completion date was achieved before December 15, 2006.

(b) ELIGIBILITY FOR BENEFITS.—A worker at the Site is eligible for health, medical, and life insurance benefits under the program described in subsection (a) if the employee—

(1) was employed by the Department of Energy, or by contract or first or second tier subcontract to perform cleanup, security, or administrative duties or responsibilities at the Site on September 29, 2003; and

(2) would have achieved applicable eligibility requirements for health, medical, and life insurance benefits as defined in the Site retirement benefit plan documents if the physical completion date had been achieved on December 15, 2006, as specified in the Site project completion contract.

(c) DEFINITIONS.—In this section:

(1) HEALTH, MEDICAL, AND LIFE INSURANCE BENEFITS.—The term ''health, medical, and life insurance benefits'' means those benefits that workers at the Site are eligible for through collective bargaining agreements, projects, or contracts for work scope.

(2) PHYSICAL COMPLETION DATE.—The term ''physical completion date'' means the date the Site contractor has completed all services required by the Site project completion contract other than close-out tasks and services related to plan sponsorship and management of post-project completion retirement benefits.

(3) PLAN SPONSORSHIP AND PROGRAM MANAGEMENT OF POST-PROJECT COMPLETION RETIREMENT BENEFITS.—The term ''plan sponsorship and program management of post-project completion retirement benefits'' means those duties and responsibilities that are necessary to execute, and are consistent with, the terms and legal responsibilities of the instrument under which the post-project completion retirement benefits are provided to workers at the Site.

(d) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated to the Secretary of Energy in fiscal year 2006 for the Rocky Flats Environmental Technology Site, $15,000,000 shall be made available to the Secretary to carry out the program described in subsection (a).

Mr. ALLARD. Mr. President, I rise today to discuss the incredible achievements of the workers at the Department of Energy's Rocky Flats Environmental Technology Site and to offer an amendment on the behalf of these workers.

Rocky Flats is located just a few miles northwest of Denver, Co, and for over four decades, this facility was the Department of Energy's dedicated site for manufacturing plutonium pits for the U.S. nuclear weapons stockpile. This highly classified production facility was run by over 8,000 Coloradoans who worked day and night for most of the cold war and used some of the most dangerous substances known to man, including plutonium, beryllium, and uranium.

The workers at Rocky Flats were devoted to their job and believed in their mission. They risked their lives on a daily basis, but did so with the knowledge that their efforts were contributing to the security of our Nation.

When plutonium pit production ended in 1991, it was unclear what role these workers would play in the cleanup of Rocky Flats. They could have walked away from the job. Yet the workers at Rocky Flats were not ready to quit. They saw a new challenge in front of them—the cleanup of Rocky Flats.

Their task was anything but simple. Five large plutonium processing facilities, encompassing over a million square feet, were highly contaminated with dangerous radioactive material. The contamination was so severe that these buildings were ranked among the top 10 most contaminated facilities in the Department of Energy nuclear weapons complex.

I, however, had faith in the workers at Rocky Flats. I am pleased that the workers at Rocky Flats have not disappointed us. The cleanup at Rocky Flats was declared completed on October 12 of this year, a full year and 3 months ahead of schedule.

We must keep in mind that most of these workers had to literally develop an entire new skill set. They went from manufacturing plutonium pits to dismantling over 1,400 highly radioactive gloveboxes.

They tore down buildings while wearing stiff environmental protection suits. They cleaned up rooms that were so contaminated that they were forced

to use the highest level of respiratory protection available.

Listen to some of the Rocky Flats workers' accomplishments:

All weapons grade plutonium was removed in 2003.

More than 1,400 contaminated glove boxes and hundreds of process tanks have been removed.

More than 400,000 cubic meters of low-level radioactive waste has been removed.

All 802 facilities have been demolished.

All four uranium production facilities have been demolished.

All five plutonium production facilities have been demolished.

All 360 sites of soil contamination have been remediated.

The last shipment of transuranic waste was shipped this past April.

Completion of the cleanup—1 year and 3 months ahead of schedule.

Just as important, these workers were extraordinarily productive even though they knew they were essentially working themselves out of a job. With the completion of the cleanup and the closure of Rocky Flats, they knew they would have to find employment elsewhere. There was no guarantee for a new job.

Despite knowing they were going to lose their jobs, the workers at Rocky Flats remained highly motivated and totally committed to their cleanup mission.

Given the sacrifice and dedication demonstrated by these workers, you would think assisting those workers who lose their retirement benefits because of the early completion of the cleanup would be a top priority for the Department of Energy. After all, these workers saved the Department billions upon billions in cleanup costs.

Last year, however, it became clear that the cleanup at Rocky Flats would be completed much earlier than anyone expected. The workers were supportive of early closure, but were concerned that some of their colleagues would lose retirement benefits because of early closure.

I shared their concern and requested in last year's Defense authorization bill that the Department of Energy provide Congress with a report on the number of workers who would not receive retirement benefits and the cost of providing these benefits. After a lengthy delay, the Department of Energy reported that about 29 workers at three cleanup sites would not receive pension and/or lifetime medical benefits because of the closure, and the cost of providing benefits to these workers, according to DOE's report, was just over $12 million.

To my dismay, the Department of Energy report was woefully incomplete. I was informed later at least 50 workers would have qualified for retirement benefits had the Department of Energy bothered to include those workers who had already been laid off because of the accelerated closure schedule. This means as many as 75 workers at Rocky Flats will lose their pension, medical benefits or, in some cases, both because they worked faster, less expensively, and achieved more than they were supposed to. They not only worked themselves out of a job, but they also worked themselves out of retirement benefits and, most importantly, medical care.

Workers such as Doug Woodard and Leo Chavez now find themselves with either severely reduced benefits or no benefits at all. Doug started work at Rocky Flats all the way into 1982 and was responsible for monitoring radiation contamination at the site. He missed qualifying for medical benefits by less than 2 months. For Leo Chavez, who worked at Rocky Flats for 17 years, DOE's treatment was even worse. The Department of Energy thanked him for his service and showed him the door 6 working days before he qualified for lifetime medical benefits—I repeat, just 6 days before he qualified to medical benefits.

Sadly, the Department of Energy has failed to step up to the plate and help these workers who did so much to save American taxpayers so much money. Instead, the Department of Energy has played the numbers game with these workers. The Department argues that the contract signed with the workers already provided sufficient incentives, and those individuals already received an additional year of service time. Yet the Department will not bring up the numbers that matter most.

Here are a couple of examples. We saved over $35 billion, the amount of money the Department of Energy in 1995 thought would be needed to clean up Rocky Flats. That was with the 60-year cleanup schedule. Then we came in with a plan to dramatically shorten that length of time by one-tenth. The amount of money the American people saved when employees at Rocky Flats agreed in 1999 to accelerate the cleanup at Rocky Flats was $28 billion.

Now, $600 million exists. That is the amount of money the American taxpayer saved on top of the $28 billion because the workers at Rocky Flats exceeded even the accelerated cleanup schedule by over a year.

The Department of Energy does not talk about the hundreds of millions the American people will save when workers at the Savannah River, Hanford, and Idaho cleanup sites see they will not be punished for accelerating their cleanup activities. Many of the workers at Rocky Flats have served our Nation for over two decades. They have risked their lives, day in and day out, first by building nuclear weapons components and then by cleaning up some of the most contaminated buildings in the world. All they have asked for in return is to be treated with fairness and respect. To the great disappointment of the workers at Rocky Flats, the Department of Energy has no intentions of keeping its end of the bargain. These workers would have received their retirement benefits had the cleanup continued to 2035, as originally predicted. More importantly, these workers would have received their retirement benefits had the cleanup continued to December 15 of 2006, a little over a year, as the site cleanup contract specified. By accelerating the cleanup by over a year and saving the American taxpayer over $600 million, many of these workers will be left without the medical, health, and life insurance benefits they deserve and have earned.

The Department's refusal to provide these benefits has ramifications far beyond Rocky Flats. Because Rocky Flats is the first major DOE cleanup clean site, workers at other sites around the country are watching to see how the Department of Energy treats the workers at Rocky Flats. Unfortunately, they have seen how the Department of Energy has failed to step up and provide retirement benefits to those who have earned it. The workers at other sites now have no incentive to accelerate cleanup. The question is, why should they? The Department of Energy hasn't lifted a finger to help the workers at Rocky Flats. It would be foolish for the workers at other sites, such as Hanford and Santa Ana River, to think the DOE would act fairly with them.

To me, the Department's decision is penny wise and pound foolish. By refusing to provide these benefits, the Department saves money in the short term. Yet by discouraging the workers from supporting acceleration, the Department is going to cost the American taxpayer billions in additional funding in the long run.

To correct this mistake, I offer an amendment that will provide some of the benefits to those workers who will have lost them because of early closure. I am pleased my colleague from Colorado, Senator SALAZAR, has agreed to cosponsor this important amendment. This amendment is limited and narrowly focused. It provides health, medical, and a life insurance benefits to those workers who would have qualified had the site remained open until December 15, 2006, the date of the site cleanup contract. This amendment does not add to the budget. In fact, all it does is direct that a very small portion of the money already provided in this bill for Rocky Flats be used to help those workers.

To be clear, these benefits are not an additional bonus for a job well done, nor is it a going away present for two decades of service. The benefits—the health, medical, and life insurance benefits—are what these workers have already earned, nothing more and nothing less.

Some might suggest these workers already received a bonus and a year's worth of service time as part of their contract. Yet by closing a year early, the Department of Energy has taken many of the bonuses away from the workers, including the year of service time promised to them.

The workers at Rocky Flats are ordinary people who achieved some extraordinary goals. They made the impossible possible. We, in this Senate, have an obligation to correct the injustice being perpetrated by the Department of Energy. In my view, it is time for this Senate to correct this mistake.

I have, in the Senate, a number of illustrations to share with Members of the Senate. This is a picture of Rocky Flats in 1955. The whole area was covered with construction. Most believed at that time it would take 70 years and cost the American taxpayer $35 billion to clean up Rocky Flats. The Department of Energy found several buildings in this complex to be among the most contaminated in the country. Building 771, in particular, was dubbed by the national media as the most dangerous building in Colorado.

Now I will proceed to some of the challenges we had. This picture reflects the glove boxes. The most dangerous task the workers at Rocky Flats had was to dismantle and eventually ship out over 1,400 highly contaminated glove boxes. The workers placed their hands in the gloves and worked with the contaminated material inside the boxes to break these down and eventually ship them out. It was a real challenge. They had been used primarily to fashion the plutonium pits and other nuclear weapon components. Obviously, they were highly contaminated. Eventually, they had to be shipped out as a whole unit in order to dismantle these glove boxes.

The next illustration is the cleanup and demolishing of buildings at Rocky Flats, another dangerous task. The actual demolishing of the buildings and structures of Rocky Flats occurred with some very contaminated buildings. Specialized machinery had to be brought in and extra care had to be used to ensure the safety of all involved, as well as to prevent radiation exposure. The workers had to learn how to work in a new way in these cleanup processes. They had to use many techniques to protect themselves in buildings in which the very same workers had been working not too long before, building triggers for the same nuclear weapons.

The next illustration is Rocky Flats in 2005. I want the Members to compare the two illustrations. This is Rocky Flats before cleanup; this is Rocky Flats after cleanup. We are getting back to the prairie and the plains in Colorado. We have a great view of the mountains, with no buildings. This is Rocky Flats 2 weeks ago. There are no buildings, no waste deposits, no fences, not even asphalt. All this remains an open space.

The workers at Rocky Flats achieved this. They should be proud about saving the American taxpayer over $600 million. They completed the mission a year and 3 months ahead of schedule. They worked safely and in a manner that we can all be proud.

To give an idea of the kind of people we are talking about, here are some of the workers at Rocky Flats. This is a group of them. They are ordinary people. They performed their duties with professionalism and extraordinary competence. They made the impossible possible and achieved more than we ever expected. They deserve the benefits they would have received had they not worked as hard or had they waited until the date specified in the site cleanup time practice. They saved the American people over $600 million. It is the least we can do to provide them with the benefits they have earned.

I remind the Senate, it is time to act, it is time to correct this mistake.

I yield the floor and I reserve the balance of my time.

The PRESIDING OFFICER. The Senator reserves the balance of his time.

Under the unanimous consent, the Chair recognizes the Senator from Alabama.

Mr. SESSIONS. Mr. President, I see Senator REED is here. I will make a few comments on Senator ALLARD's amendment if that is all right. I ask the unanimous consent be modified to the extent that I be allowed to speak for a few minutes now and that Senator REED then be recognized immediately thereafter.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I thank Senator ALLARD for his leadership in the Senate, his superb leadership on the Committee on Armed Services. We miss him. But he is also on the very important Committee on Appropriations. I am sure he had a painful decision to make, but I am sure it is a decision in which his constituents will join in his decision to leave us and go to Committee on Appropriations.

The Senator knows this issue because he dealt with it for so many years. In particular, he used to chair the subcommittee that I now chair that deals with the issue. He has been committed to dealing with and promptly and effectively eliminating the difficulties at Rocky Flats. Our country is in his debt and the debt of those people who have helped make the cleanup possible. Therefore, the Senator knows why I am most reluctant to oppose his amendment as written, but I must do so. I share a few thoughts about it.

The amendment reaches into a relationship between contract employees for the Government who were performing environmental cleanup and their employer, which was a private contractor, Kaiser Hill. Kaiser Hill won this contract with the Department of Energy to perform the cleanup work. They hired people under certain terms and agreements in a negotiated contract with their employees. They were hired under that basis.

So, in effect, the Government is undertaking now to modify, amend, alter, and fund additional moneys that relate to that contract between the contractor and the employees. It directs the Secretary of Energy to instruct Kaiser Hill to grant retirement and health benefits to employees which those employees would have earned if the cleanup had taken longer than it actually did.

The cleanup of Rocky Flats did not take as long as some predicted, but everyone knew this was a contract that would end promptly or at least at a certain date in the future. It came in quicker, for which everyone is delighted. But there was no doubt people knew it was not a permanent, lifetime contract.

So Rocky Flats is no more. Our country is the better for it. If you go to the site, you will see, as Senator ALLARD has shown, an empty space on that Colorado plateau. The workers for the most part have dispersed and gone on to other jobs. Many Government contracts complete early or do not run as long as originally anticipated. That is a fact. We cannot start down the road of altering the benefits of contractor workers when this happens, particularly when we have a contract that we know is not going to be for an extended period of time.

Also, I would call to the attention of all our Members that the Government and the contractor were not unaware of this problem, and they advanced 1 full year of credit toward retirement and health care benefits for every employee who was terminated. They also realized at some point that the contract was going to be terminated early.

So union negotiations took place, and an agreement was reached. It was agreed that,based on the termination date, additional funds would be paid to compensate the employees. As I understand it, $4,200 turned out to be the bonus, the incentive package, payment that they received as a result of completing the contract early. In other words, it gave them cash money they could use as a benefit or money they could utilize to transition to another employer.

The Department of Energy is very concerned that this amendment alters the bargain struck between Kaiser Hill and its employees. Most of the Kaiser Hill employees were covered under collective bargaining agreements, and staggered layoffs were anticipated as the cleanup neared.

I would like to offer, Mr. President, for the RECORD, and do offer for the RECORD, a summary of the benefits that were made available to the employees as a result of the anticipated early termination of this contract. I ask unanimous consent that summary be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ROCKY FLATS EMPLOYEE BENEFIT INITIATIVES

The Department of Energy has instituted, through its closure contractors, numerous incentives to reward employees for accelerating closure. Rocky Flats-Kaiser Hill has implemented many benefit initiatives and has dedicated a significant percentage of their fee to support closure. The following lists the initiatives:

Retirement Plan Improvements—A ''Rule of 70'' was put in place that allows a laid off

employee to retire if their age and years of service equal at least 70 and the employee is less than age 50. This was reduced from the ''Rule of 80.'' This reduction results in an investment of tens of millions of dollars in additional retirement benefits provided to workers. The Rule of 70 allows employees access to retiree medical coverage. Upon layoff, they will be eligible for a reduced pension benefit which they have the option of taking in a lump sum distribution.

Robust Workforce Transition Program—This program was implemented to provide many services, including an onsite Career Transition Center, job search training, resume development, counseling, job fairs, and financial planning. Approximately 2000–2500 people took advantage of this program over the last two years.

Severance Pay for Steelworkers—Lump sum severance pay was provided for steelworkers. Workers receive one week severance pay for every year of service up to 20 years plus an additional lump sum amount. 313 workers received a $5,000 lump sum payment and 358 workers received $7,000. (The amount was increased in October 2004).

Bonuses—880 steelworkers received up to $4,200 in performance bonuses. 365 salaried employees receive several thousands in bonuses as well. On-the-spot bonuses are also provided.

Improved Savings Plan—The 401(k) program was revised to allow hourly steelworkers employees immediate plan participation, and a Company match after 1 year of service. This of course is in addition to traditional pension program.

Enhanced Tuition Reimbursement Program—This program provides funds for education and retraining in non site specific careers for employees. This is available for two years after an employee is terminated.

Entrepreneurial Resource Program—This program provides up to $5000 assistance for new business endeavors.

Leave Incentives—This program removes caps on paid leave accrual, which allows employees to bank unused vacation time; this provides employees with the opportunity to build an additional financial cushion.

Relocation Incentives—This is provided for those who relocate to another DOE site. Actual cost or $5,000 is available. This is available for two years after an employee is terminated.

Mr. SESSIONS. Mr. President, I say this: This was anticipated. Compensation for early termination was negotiated and agreed upon. And at whatever date you choose, some will be out of it, and some will be in it.

So I note this: In the Deficit Reduction Act we just completed yesterday, we had a lot of talk about the fiscal situation in which this country finds itself. There was debate about the hard choices we face as a nation so we do not burden our children and grandchildren with obligations that, in retrospect, were not wise.

I respect my colleague from Colorado as much as I respect any Senator in the Senate. I commend the workers at Rocky Flats for what has been achieved. I am proud of that. But I believe, as we face this amendment as written, the concerns of the Department of Energy are legitimate, principled concerns. They are not skinflinty concerns, mean-spirited concerns, but a genuine concern that this is not a road we need to go down.

What if we agree to build so many aircraft and we cut that number in half? We do that every day. The number of ships, contracts are terminated based on the terms of those contracts, and closure penalties are paid, and we go on. We do not need to have the politicians come in and redo those.

So I respect my colleague from Colorado. As written, I am of the belief the Department of Energy's concerns are justified; therefore, I must reject and ask my colleagues to not support this amendment.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Alabama yields the floor.

The Senator from Colorado.

Mr. ALLARD. Mr. President, I would like to respond briefly, if I may.

First of all, I would like to state for the record, I was the chairman of the Strategic Subcommittee on Armed Services before my good friend and colleague from Alabama took over that responsibility. I congratulate him for a job well done. There are some very difficult issues relating to cleanup. Rocky Flats is the first major nuclear facility in the country that has been cleaned up. This program has not been moved forward like it should be moving forward. I think it is important we leave a good taste with the workers because workers at other plants are obviously going to be watching what happens at Rocky Flats.

I would like to comment, the $15 million we have in here does not add to the spending picture. It is out of the savings that comes from early closure, which is about $600 million. So you can bring it down to about $575 million. I think that is still a pretty good savings.

My point is, workers at these other nuclear sites, they will be less willing to buy into these incentive contracts if they feel somehow or other the members cannot get health insurance and life insurance. We already have limited this amendment. We limit it to health insurance.

How would you like to be a citizen out there shopping for health insurance, being exposed to radiation to one degree or another for 15 years? Insurance companies do not insure those kinds of risks. So it is tough. For life insurance, it is the same thing because the incidence of cancer and everything is well known. It is elevated whenever there is increased exposure to radiation, particularly in the amounts we are talking about being handled out there in Rocky Flats. They do not care whether it is a little amount of exposure or a lot of exposure. A little amount of exposure would not be a problem with a lot of them, but it is the same concern that comes out of the insurance company; they do not try to differentiate.

So we have workers out there, and we are just talking about their health insurance and life insurance. I think that it is a small price to pay to be fair to these workers.

My hope is we can continue to negotiate with the Department of Energy. I hope we continue to negotiate with the staff and my good friend from Alabama. Perhaps maybe we can tighten this down if we have to, but we have already tightened it down a lot. We have it listed to a very specific group of employees from certain dates. We have tightened it down just to insurance and health benefits and nothing else. But we will look and work with them to see if perhaps maybe we can find a different way so we do not set a precedent. I am sensitive to that, that we do not set an unfair precedent. But we have to be fair to the workers, too.

I thank the Armed Services Committee and my good friend from Alabama. I know they have some real concerns. They have shown a willingness to want to work with us, so I thank them for that gesture.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I say to my colleague, maybe there is something that can be worked out. I look forward to continuing discussions.

I yield the floor.

The PRESIDING OFFICER. The Senator yields the floor.

Does the Senator from Colorado yield back?

Mr. ALLARD. I yield the floor, Mr. President.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 2427

Mr. REED. Mr. President, I send an amendment to the desk on behalf of myself and Senator LEVIN.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Mr. LEVIN, for himself and Mr. REED, proposes an amendment numbered 2427.

Mr. REED. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To make available, with an offset, an additional $50,000,000 for Operation and Maintenance for Cooperative Threat Reduction)

At the end of subtitle C of title II, add the following:

SEC. 330. ADDITIONAL AMOUNT FOR COOPERATIVE THREAT REDUCTION PROGRAMS.

(a) INCREASED AMOUNT FOR OPERATION AND MAINTENANCE, COOPERATIVE THREAT REDUCTION PROGRAMS.—The amount authorized to be appropriated by section 301(19) for the Cooperative Threat Reduction programs is hereby increased by $50,000,000.

(b) OFFSET.—Of the amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation, Defense-wide activities, is hereby reduced by $50,000,000, with the amount of the reduction to be allocated as follows:

(1) The amount available in Program Element 0603882C for long lead procurement of Ground-Based Interceptors is hereby reduced by $30,000,000.

(2) The amount available for initial construction of associated silos is hereby reduced by $20,000,000.

Mr. REED. Mr. President, I ask unanimous consent that Senator KERRY, Senator FEINGOLD, and Senator LAUTENBERG be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, we have spent the last several days making difficult decisions about national priorities with respect to spending. We also have to continue to make these difficult decisions within the context of the Defense bill.

The amendment I propose today, along with Senator LEVIN and my colleagues, would transfer $50 million from the Missile Defense Program to the Cooperative Threat Reduction Program. I believe this amendment properly reallocates scarce resources so we can deal with an immediate threat. That immediate threat is the proliferation of nuclear materials and nuclear weapons.

When President Bush first took office in 2001, he made missile defense one of his highest priorities. Since fiscal year 2002, approximately $45 billion has been spent on missile defense. In fact, this represents a huge amount. If you look back to 1984, when President Reagan began the search for a strategic defense initiative—we have spent, since President Bush took office, half again the amount of money that was spent from 1984 to 2002. This has been a huge program.

It has been named as a priority by the President. In fact, the Missile Defense Agency, as a result, rushed to field a system—any system—in fact, a system that many claim—and it seems to be the case—does not work very well.

So last year, six ground-based interceptors were placed in silos at Fort Greely in Alaska. Two interceptors were placed in silos in Vandenberg Air Force Base. In September 2004, President Bush declared that this missile system was operational. A seventh interceptor was put in place at Fort Greely last month.

Now, one of the critical aspects of declaring a system operational, it seems to me, is successful testing. Unfortunately, this element—successful testing—seems to be absent from the present ground-based system. In fact, it is highly questionable whether this is at all operational.

In missile defense, interceptor tests are critical, and they should involve a real missile intercepting a real target. These tests are the only means to truly assess whether a missile defense system has a chance to work against an enemy missile.

The first intercept flight test of the system was conducted in December 2002, and it was a failure. Over the next 2 years, seven other planned tests that were contemplated were canceled because of technical reasons. In December 2004, 3 months after the missile defense system was declared operational—3 months after we supposedly had a working system—the Missile Defense Agency conducted only the second integrated flight test on this multibillion dollar system. It failed. On February 14, 2005, there was another integrated flight test, and it, too, failed.

After three consecutive failures, Lieutenant General Obering, the Director of the Missile Defense Agency, established an Independent Review Team to examine test failures and recommend steps for improving the test program. The team made some interesting observations. The team's report stated:

> With the focus on rapid deployment of the Ground-based Midcourse Defense system, there was not always adequate opportunity to fully ground test the system prior to each flight attempt.

The team also found:

> Schedule has been the key challenge that drives daily decision making in the program.

What you have here today has been a rush to failure, a succession of flight test failures, a premature declaration of operational characteristics of the system. No one will argue that the development, in a deliberate way and in a technically feasible way, of a missile defense system is not a good thing for the country, but what has happened over the last several years has been this rush to failure.

In addition to the evaluation team I previously mentioned, General Obering requested RADM Kate Paige to direct a Mission Readiness Task Force to study the review team's recommendations and put the program on a path to success.

This task force made the following recommendation:

> There will be a significant increase in ground testing of all systems, components and processes before resuming flight testing. Contractors will be held accountable for their performance. The first flight test will not be an intercept test and the first intercept test will not take place for more than a year.

I commend General Obering and the Missile Defense Agency for implementing these recommendations, for realistically assessing their technical capacity, for realistically beginning to test on the ground before they fly, for doing the things that are both prudent and necessary in this regard. The next interceptor flight test is not scheduled until a year from now, so we will not know until fiscal year 2007 whether the problems that led to the past test failures have been fixed.

Let me evaluate where we are. We presently have nine interceptors in the ground, but we do not know if they will work because we have not had a fully successful flight test. In addition, the administration has requested and Congress has provided most of the money for 30 more interceptors. So we have nine in the ground which we have not adequately tested, and we have also, through the President's request and the majority's concurrence, purchased 30 more of these interceptors. Yet in the President's fiscal year 2006 budget request, he requested long lead funding for an additional 10 operational interceptors. These are in addition to 30 interceptors we are already buying on top of the 9 we have in the ground, all of which have not been adequately tested.

Furthermore, it must be noted there is also the issue of production rate capacity. Production rate capacity for the interceptor is 1 per month, or 12 per year. That means the Defense Department is seeking funding for more missiles than can be built in 1 year.

As we all know, this is an annual authorization process. There is no need to pay for more interceptors than can be built in 1 year, especially when there is no guarantee that any of them will work in operational circumstances.

At this point the responsible thing to do is to slow down funding and reallocate the money to a more pressing threat. That is what this amendment does. This amendment takes $30 million from the long lead procurement for more interceptors and $20 million for funding for initial construction of silos to house these interceptors and increases funding for the Cooperative Threat Reduction Program by $50 million. As we all know, the goal of the Cooperative Threat Reduction Program is to eliminate the threat of unsecured nuclear material from falling into the wrong hands.

A 2001 task force, chaired by former Senator Howard Baker and former White House Counsel Lloyd Cutler, studied nonproliferation programs for almost a year and concluded:

> The most urgent unmet national security threat to the U.S. today is the danger that weapons of mass destruction or weapons-usable material in Russia could be stolen and sold to terrorists or hostile nation states and used against American troops abroad or citizens at home.

That was before September 11. Certainly since September 11, this warning is much more ominous and should be much more closely followed.

It is estimated that Russia has approximately 16,000 nuclear weapons stored at 150 to 210 sites. Only about 25 percent of these sites have received any upgrades for security in the past 5 years. At the rate planned in the fiscal year 2006 budget request, it would be around 2011 or 2012 before work at only a portion of the sites would be completed to bring them up to the levels of security and safety that we would feel confident this nuclear material would not be stolen, misplaced, or somehow diverted into the wrong hands.

Because of the agreement between President Putin and President Bush at the February summit in Bratislava, we have a unique opportunity to improve security at an additional 15 sites. The problem, of course, is funding. The cost of securing these 15 sites is $350 million, funding that is not in this budget. This project deserves top priority. This amendment provides some funding—not complete funding—$50 million toward securing nuclear material.

As I have said before, I support the concept and, deployment of a system

that has been tested and truly works for national missile defense. I think it is a system we should pursue. But I also believe the Missile Defense Agency is more than adequately funded for its fiscal year 2006 mission, and some money can and should be diverted to more pressing needs without harming this missile defense program.

This amendment does not affect the funding or deployment of the first 30 ground-based interceptors. They will continue to be built and deployed. Again, this is all in a situation in which we haven't had a truly effective, complete flight test of even the first missiles we have acquired.

This amendment does not touch $53 million included in the bill for long lead funding for eight test missiles. It is essential to produce these missiles for testing.

This amendment simply takes into account that only 12 interceptors can be produced in a year so the funding for the 6 that cannot be used should be reallocated to the dire threat of nuclear proliferation so that no one, no terrorist, can obtain nuclear material or a nuclear device because we have been negligent in securing those materials along with other countries, and use those weapons against our soldiers in the field or citizens here at home.

We have an obligation. The most existential threat that faces this country is a terrorist, nonstate actor obtaining a nuclear device, surreptitiously moving into the United States or some other area of vital interest to the United States, and detonating that device. The more we do to resist and thwart that threat, the more we are responding to the true threats that confront this country.

I retain the remainder of my time.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I will speak in opposition to this amendment, but to accommodate a colleague who has remained on the floor, I yield such time as the distinguished Senator from Colorado, a former member of our committee, former expert on our committee on this subject, needs.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Mr. President, I miss the leadership on the committee and the committee. I like to stay involved in many of the issues the committee is still working on because of the importance of the many military installations in my own State and because it is good for the country.

I have some problems with the amendment proposed by Senators LEVIN and REED. The first is it is reducing a program that has already been reduced at $1 billion by the Department of Defense for fiscal year 2006 and over a longer period of time, from 2006 to 2007, for a total of up to $5 billion in this very vital program for our Nation's security.

The other concern I have is, the money they are taking here is going to another program that hasn't spent all the money we gave it last fiscal year. I don't see a need, when they haven't spent all their money in the previous year.

I talk about the program itself because I think sometimes this amendment brings up where we are going in missile defense and some of the questions there. I understand the amendment eliminates $30 million for long lead funding for ground-based interceptor missile defense and then $20 million for associated silo construction. Currently, we have nine ground based-interceptors emplaced to protect the United States against a long-term limited ballistic missile attack. The $50 million is supposed to be transferred to what we call the Cooperative Threat Reduction Program, which is fully funded in the bill we have before us and is $7 million more than we had last year. My understanding is the same program last year had $107 million in unobligated funds remaining after the 2005 fiscal year. So an additional $1.6 billion is funded for DOE nonproliferation programs in addition to this. I think we have put plenty of money in that area.

We do have a need in missile defense, and we should not back away from our plan or obligation to develop missile defense because of threats that we potentially could have from countries such as North Korea and Iran, for example. This amendment unnecessarily delays by 1 year the fielding of the ground-based interceptors scheduled for 2009. We simply cannot afford to delay it any more because we do have real and imminent dangers as based on the testimony from General Cartwright, Commander of the U.S. Strategic Command. I do believe North Korea is a threat. We have already had testimony a number of years back from the Director of Intelligence that missiles launched out of Korea have the capability of reaching our west coast. Now North Korea is ready to flight test another ICBM that many of us feel—and we have been informed—will reach the United States. Iran may have such a capability in 2015, according to the DIA. So we are facing a real threat.

We have already acted on this issue in the Defense appropriations bill. The long lead funding for ground-based interceptors 31 through 40 was included in this year's fiscal year 2006 Defense appropriations bill. And in the report language, the bill added $200 million to the budget request ''to maintain the production schedule for ground-based interceptors.''

With this amendment, we are backing off of that commitment we put in the appropriations bill. I don't think we should run counter to the Defense appropriations bill.

Mr. WARNER. Mr. President, I thank the Senator for bringing that point up. He is on that committee.

Mr. ALLARD. I am.

Mr. WARNER. Therefore, you were participating at the time this took place.

Mr. ALLARD. That is correct.

Mr. WARNER. And were the Senate to accede to the Reed amendment, it would, in effect, be overruling or reversing what the Appropriations Committee, through the conference report, will presumably bring before the Senate in a matter of days.

Mr. ALLARD. That is right. We would be reversing the Senate action on that. I appreciate the chairman emphasizing that point.

I do think it is important that we move ahead. Myself and two other members on the Armed Services Committee made a special trip out to the southern part of the test bed. We went to where they were launching the target missile. We have had a few failures, but you learn from failures. Our testing is not intended to be 100 percent successful. It is spiral development. We are pushing the system to its limits. Occasionally you learn from failures. We have had four successful prototype launches, and of the operationally configured booster we now have, we have had three successful flights. One of the problems we have in some of these tests is the target we were supposed to be launching wasn't launching. So we made a special trip to look at what was happening with missile defense in the southern part of the test bed.

I have to tell you, it is very impressive. There are three aspects to it. There is short range, midrange and long range. The role of the naval forces in this program is very impressive. Ground forces are coming along. Now we are working on some of the longer range missiles through the Air Force. I was impressed.

The target missile, unfortunately, the first time it didn't launch was because of a computer glitch. That has been corrected. The second one was because you had the wrong part in the wrong place and the arms, when they were supposed to retract for the missile, didn't come back all the way so the missile didn't launch. This was human error, things that were errors that should not have happened. They have been corrected. It didn't have to do with new technology. It is things we have had. We have been launching for years missiles out of silos, and this was the wrong part in the wrong place at the wrong time so launch did not occur.

We have run into these kind of things. Hopefully, they don't happen again. Fundamentally, the technology is there. We need to rely on it. The threat is there, and we need to be prepared for it.

I rise in opposition to the Levin-Reed amendment and thank Chairman WARNER for giving me an opportunity to make a few comments in this regard.

Mr. WARNER. Mr. President, we thank our former member, the Senator from Colorado.

Would the Chair kindly advise the managers as to the time remaining on both sides for this amendment?

The PRESIDING OFFICER. There is 22 minutes remaining in opposition and 20 minutes in favor.

Mr. WARNER. Mr. President, at this time I would like to grant time to our distinguished colleague from Alabama, a member of the Armed Services Committee, bearing in mind it is the desire of the manager to leave time for Monday. There are other colleagues on our side who wish to speak in opposition. We are pleased he will take the time to join us.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I ask unanimous consent that I be notified at 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I oppose this amendment that would eliminate $50 million in long lead funding for missiles 31 to 40 of the ground-based interceptor, a key component of the missile defense system protecting the United States against limited long-range ballistic missile attack. Senators LEVIN and REED have argued these funds would be better spent on the Department of Defense Cooperative Threat Reduction Program, but it is already fully funded at $415 million.

I don't believe they have spent all of their previous appropriations, and we are being asked to make a choice between these two issues.

In addition to authorizing the requested $415 million for the Department of Defense Cooperative Threat Reduction Program, the bill provides $1.6 billion for the Department of Energy nonproliferation programs. We have a lot of money being spent in these issues. These accounts are fully funded. They were not reduced. They do not need additional funding, especially not by taking money from our ballistic missile defense system.

While CTR is fully funded, it is important, please, to note that the Department of Defense, in its last-minute preparations of the 2006 budget, bit the bullet. They had some tough decisions to make, and they made a decision that I regretted but one I guess I would acknowledge and yield to, to make significant cuts in our missile defense program.

This year's request represents a $1 billion reduction, while the Missile Defense Agency has programmed a $5 billion overall reduction in years 2006 through 2011. So the Department of Defense did not reduce the Cooperative Threat Reduction Program and fully funded it, but they did make cuts in missile defense of a significant amount.

The $50 million identified as an offset for this amendment specifically targets the long-lead funding for ground-based interceptor missiles 31 through 40 and associated silo construction. These missiles are scheduled for manufacture in 2007, in the 2007 timeframe, for deployment in 2009 and 2010 to actually be deployed. Eliminating these funds would delay fielding this important defensive capability even while our intelligence and military officials tell us there is a near-term threat. Additionally, the amendment would cause a break in the GBI ground-based interceptor production line that would cost some $270 million to restart, according to General Obering.

I want to make that clear. This is the problem we are dealing with. We have cut that budget significantly. We have tightened up the missile defense budget. We have reduced it $1 billion a year, $5 billion in 5 years, but if we cut it any more, as this amendment suggests, we will break the production line that is ongoing today because if a manufacturer can't keep his employees producing at least a minimum number of missiles, then the assembly line breaks, and under the contracts and other ramifications, General Obering has estimated that it would cost some $270 million to restart that line.

The sponsors of this amendment argue that these missiles have not been sufficiently proven through operational testing, and they point to recent test difficulties as evidence that further procurement of GBIs is unwise at this time.

While I believe the GMD system requires additional testing—we are going to have additional testing, we must have additional testing—I would argue that the Missile Defense Agency has conducted sufficient ground and flight intercept testing over the past 5 years to provide the confidence necessary to acquire the basic ground-based interceptors on the current schedule.

I would point out that in fiscal year 2004, the annual report to Congress by the Director of Operational Test and Evaluation notes that ''the test bed architecture is now in place and should have some limited capability to defend against a threat missile from North Korea.''

The independent review team, established by the Missile Defense Agency to investigate the test problems, found that recent test problems are attributable to quality control factors rather than the basic technology necessary to hit a missile with a missile. In fact, it has been proven. For example, between 2001 and 2002, MDA conducted four out of five successful intercept tests using a GBI prototype, while in 2003 and 2004, MDA conducted three successful test flights with the GBI booster.

According to the director of MDA, it is unlikely we will discover something in our testing in the next year or 2 that would require any major redesign of the system.

With respect to the threat that we face, General Cartwright, the commander of the U.S. Strategic Command, has testified before the Armed Services Committee that ''we have a realistic threat. We have an imperative.''

The Director of Central Intelligence has testified that the North Korean Taepo Dong 2 missile is capable of reaching the United States with a nuclear warhead and that North Korea could resume flight testing at any time.

The Director of the Defense Intelligence Agency confirmed this assessment as recently as April 28 in a hearing before the Senate Armed Services Committee, and he has testified separately that Iran will have the capability to develop an intercontinental missile by 2015.

In closing, I ask for your support for the continuing production of the GBIs through missile No. 40 by defeating this amendment. The GBI production line has been stretched to the limit by slowing production to some 8 to 10 missiles a year, the result of Congressional actions last year. Moreover, General Obering recently announced plans to divert another four operational GBIs. Denying additional funding for additional missiles will break the assembly line.

Mr. President, I would oppose this amendment. I respect my colleagues but feel that we should not break the assembly line at the time.

I yield the floor.

Mr. WARNER. Mr. President, speaking on my time under my control on this amendment, I wish to express my opposition to this Levin-Reid amendment would transfer $50 million from the Ground-based Midcourse Defense, GMD, program to the Cooperative Threat Reduction Program. The impact of this amendment would be, first and foremost, to delay the fielding of ballistic missile defense capabilities to protect the U.S. homeland against the threat posed by long-range ballistic missiles; and secondly, to cause a break in the production of ground-based interceptors, GBIs—a production break that would cost the government $270 million to restart.

While I agree with the sponsors of this amendment that the Cooperative Threat Reduction Program is an important national security initiative, the defense of our homeland against the growing threat of long-range ballistic missiles is equally, if not more, important.

Asking us to choose between missile defense protection and CTR is a false choice: we need to do both. And, in fact, this bill fully funds the President's requested amount for both programs.

The bill before the Senate authorizes the requested amount of $415.5 million for CTR programs within the Department of Defense, and $1.6 billion for other non-proliferation efforts in the Department of Energy. There is no current need for extra CTR funds; in fact, the CTR program has an unobligated balance of some $100 million. With a backlog in spending, it is hard to understand why the proponents of this amendment think that more money is needed at this time for the CTR program.

The President's budget for missile defense, on the other hand, has already

taken its share of cuts. Due to last minute decisions made at the Pentagon as the fiscal year 2006 budget was being finalized, the missile defense budget request was reduced by $1 billion in fiscal year 2006, and $5 billion overall between fiscal year 2006 and 2011.

Sponsors of this amendment argue that we should not provide long-lead funding for GBI missiles 31–40 because of recent test failures. I am mindful of the recent difficulties encountered by the GMD system test program, but in my view—and that of independent test authorities—these difficulties do not represent serious technological hurdles for the GMD program. Indeed, such problems are to be expected during the research and development phase of complicated weapon systems.

To get at the root cause of these testing problems, the Director of the Missile Defense Agency, to his great credit, commissioned an independent review team, IRT, to examine these recent GMD test failures. The IRT found no fundamental GMD system design flaws related to the recent test failures. Moreover, the IRT found no evidence that major modifications of the current system hardware or software will be required. In other words, it is unlikely that future testing will find some major fault in the system that will require a costly retrofit to fielded GBIs.

For those of my colleagues concerned about testing, I point out that this bill before you contains a provision—developed in a bipartisan fashion during the committee's markup—which requires the Missile Defense Agency, the service operational test agencies, and the Director of Operational Test and Evaluation to plan and conduct tests that demonstrate the operational capability of the ballistic missile defense system. The bill also reallocates $100 million from longer term development efforts to GMD testing, consistent with the recommendations of the independent review team.

The current and growing threat posed to our country by long-range ballistic missiles argues for proceeding without delay with the Department's approach of concurrent testing and fielding of ballistic missile defense capabilities for the homeland.

Some of my colleagues suggest that because the current system is not fully proven, we should not procure additional missile interceptors. To this I would respond that General Cartwright, Commander of U.S. Strategic Command—the senior military official charged with advising the Secretary of Defense and the President on missile defense matters—has testified, with respect to the current GMD system, that ''in an emergency, we are in fact in the position that we are confident that we can operate and employ it.''

In addition, the Pentagon's chief independent weapons tester, the Director for Operational Test and Evaluation, noted in his most recent Annual Report to Congress that ''the test bed architecture is now in place and should have some limited capability to defend against a threat missile from North Korea.''

In my view, it is a good thing that we have some capability—albeit limited—to defend the homeland against long range missiles. For as General Cartwright testified before the Senate Armed Services Committee in April, ''we have a realistic threat here; we have an imperative.''

General Cartwright is referring to CIA and DIA estimates that the North Korean Taepo-Dong 2 ballistic missile is capable of reaching the United States with a nuclear warhead—and that North Korea could resume flight testing of the Taepo-Dong 2 at any time. The Defense Intelligence Agency also estimates that Iran will have the capability to develop intercontinental ballistic missile, IBCM, by 2015.

We simply can't wait until the threat is upon us to deploy missile defenses; we can't wait until the GMD system is fully and completely tested before we start providing some measure of protection against this threat. It is our responsibility to field what capabilities currently exist, even while we continue to test and improve the system. By continuing to field missile defenses today, we send a message to potential adversaries that we will not be deterred or coerced by their possession of long-range ballistic missiles.

In summary, I ask my colleagues to reject the amendment offered by Senator LEVIN. This amendment would needlessly delay the fielding of a ballistic missile defense capability to protect the homeland. As the Commander of STRATCOM warns, the threat is real. We must continue on the current path of fielding available capabilities—even while testing continues to improve the system over time.

Mr. President, at this time I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

AMENDMENT NO. 2430

(Purpose: To establish a national commission on policies and practices on the treatment of detainees since September 11, 2001)

Mr. LEVIN. Mr. President, first, I thank my dear friend from Virginia for his invariable courtesies. We have brought a bill to the floor, finally, which I will have much more to say on Monday, but at this time I simply would call up an amendment that is at the desk. I think it is No. 2430.

I would make inquiry of the Chair as to whether I need to lay aside any pending amendments in order to do that.

The PRESIDING OFFICER. The Senator does need to lay aside pending amendments.

Mr. LEVIN. In that case, I ask unanimous consent to lay aside the pending amendment and to call up amendment 2430.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN] proposes an amendment numbered 2430.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. LEVIN. Mr. President, I introduce this amendment on behalf of Senators REED of Rhode Island, KENNEDY, ROCKEFELLER, BINGAMAN, BOXER, and DURBIN, and I ask unanimous consent that they be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. The amendment would establish an independent commission on the treatment of detainees in Afghanistan, Iraq, Guantanamo, and elsewhere. This would be modeled after the bipartisan 9/11 Commission, which was an independent commission that we all recognize as being an extremely successful commission. This bipartisan independent commission would examine U.S. policies and practices related to the treatment of detainees, including their detention, interrogation, and rendition. It would also examine the causes of detainee abuses and assess the responsibility of military and civilian leaders within and outside the Department of Defense for policies, actions, and failures to act which may have contributed to such abuse. It would also evaluate the effectiveness and propriety of interrogation techniques and practices for producing intelligence. The independent commission would report on its findings and recommendations to the President and to the Congress.

Mr. President, our troops serve honorably, they serve courageously across the globe. Their honor is besmirched when some of those who we capture are abused. And on top of that our troops' security is jeopardized when people that we detain are not treated as we rightfully insist others treat our troops when they are captured.

The amendment that we are proposing today will help reaffirm the values that we cherish as Americans, will help to reestablish our credibility around the world, and will help to protect our troops should they be captured.

When Secretary Rumsfeld appeared before the Senate Armed Services Committee on May 7, 2004, shortly after the horrific pictures of Abu Ghraib appeared in the media, he asked the world to ''judge us by our actions.'' Those were his words. And he went on to say, telling everybody, ''watch how a democracy deals with wrongdoing and with scandal and the pain of acknowledging and correcting our own mistakes and our own weaknesses.'' Secretary Rumsfeld asked all who were watching and within the sound of his voice to ask those who would spread hatred of America if ''the willingness of Americas to acknowledge their own failures before humanity doesn't like the world as surely as the great ideas and beliefs that make this nation a beacon of hope and liberty for all who strive to be free.''

Secretary Rumsfeld's words were direct and they were right. It is important to our efforts to defeat terrorism that the United States investigate itself openly and thoroughly. That is the standard by which we and our causes will be judged and should be judged.

In nearly 2 years since Specialist Darby courageously came forward to report the abuses at Abu Ghraib, the Defense Department has had every opportunity to investigate itself. But the results have fallen far short of the standard that Secretary Rumsfeld set up. Some seek to downplay the significance of these detainee abuses, arguing at the start that they were the result of aberrant behavior of a few rogue reserve Military Police on the night shift at Abu Ghraib, but with each successive of Department of Defense report it has become increasingly clear that the claim that these were the isolated acts of a few rogue reserve MPs does not explain the causes and the factors contributing to detainee abuse, and it does not explain the scope of those abuses.

There have been a number of Department of Defense reviews—8, 10, 12, pick a number. Every one of them has failed to provide a comprehensive picture of the extent and the causes of detainee abuses, and put together, they don't come close to a comprehensive picture of the extent and causes of detainee abuses.

Every one of those reviews and investigations of detainee abuse has been carefully circumscribed, leaving significant gaps and omissions.

I want to go through some of the gaps and omissions of these investigations because we are going to hear on the floor that there have been 10, there have been 12 reviews—whatever the number; you can count them different ways—but when you put them all together, there are massive gaps. That cannot be allowed to remain.

First, we don't know the role of the CIA and other parts of the intelligence community in the mistreatment of detainees or what policies apply to those intelligence personnel. Witness after witness who was in charge of these reviews has told us they had no jurisdiction to look into the intelligence community's mistreatment of detainees or what their role is. They all disclaim the capability, the competence, or the authority to look into the role of the intelligence community, which we know from public statement after public statement of people who have been found guilty and not found guilty, people who were pictured in these pictures at Abu Ghraib, that the intelligence personnel told them to soften up detainees. Yet gap No. 1, the policies of intelligence communities, their activities, their involvement, has not been reviewed.

Second, we don't know what the policies and practices are of the United States regarding the rendition of detainees to other countries, where they may be interrogated using techniques that would not be permitted at U.S. detention facilities.

Third, there is insufficient information, almost total lack, on the role of contractors in U.S. detention and intelligence operations. We are using contractors to interrogate detainees. What is their role? There is total silence, a total gap on their role, with all these reports we have.

Fourth, the detention and interrogation of detainees by special operation forces, that needs close examination.

Fifth, and this is one of the largest gaps of all, all of the unanswered questions regarding the legality under U.S. and international law of the interrogation techniques used by Department of Defense personnel, regardless of whether they were authorized or not authorized by a higher authority. We have sought for a year or more the two key documents that set forth the standards to be used in interrogation that were approved by the Department of Justice. We cannot get the Office of Legal Counsel documents.

These issues are not going to go away. They can't be swept under the rug. With each passing day, we have new revelations of detainee abuses. Courageous and honorable soldiers, such as Captain Fishback, come forward—just a few weeks ago now—with new allegations of mistreatment of prisoners, of confusion over what policies applied, and commanders who appear to have condoned this behavior. He was there. He is speaking out publicly.

There is not a week that goes by that there is not a revelation. We have to get an independent investigation going so that we can refer allegations to an independent commission, to put it in the hands of a bipartisan group.

These revelations only serve to further undermine our international standing and put our troops at risk of being treated similarly should they be captured. That is why a group of retired generals and admirals wrote to the President in September 2004 calling for an independent commission to investigate the treatment of detainees.

So we have a significant group of retired military leaders saying we must have an independent commission. That is why the American Bar Association has endorsed an independent commission.

The administration, I know, opposes this, just the way they have opposed Senator MCCAIN's amendment and Senator GRAHAM's amendment that will get us into the future as to what future standards there are. The administration doesn't want to look at the history. They are wrong. Let the chips fall where they may, wherever that may be. It will benefit everybody.

Most importantly, it will benefit the men and women who wear the uniform of the United States. They are entitled to have their honor. They deserve their honor. They deserve an independent commission which will look at how this happened and prove to the world this is not us. Whatever it is, whatever the policies were, whatever the practices were, we are willing to look them straight in the face and say: We are going to correct that. We are not going to hide it. We are not going to run away from it. We are not going to sweep it under the rug. We are going to look it square in the face. We are going to fill the gaps.

Those gaps are huge. No matter how often it is stated that we have had 8 or 10 reviews, it does not fill the gaps because of the limits placed on those reviews and the gaps that were left.

Mr. President, how much time do I have on this amendment?

The PRESIDING OFFICER. The Senator has 18 minutes remaining.

Mr. LEVIN. I thank the Chair. I yield 5 minutes to the Senator from Rhode Island.

Mr. WARNER. Mr. President, I wonder if the Senator will yield a few minutes to me before he departs the floor?

There are evolving aspects with regard to the underlying goal of this amendment, as he and I speak, on information which is circulating which goes to how the administration dealt with these issues.

I am going to reserve until Monday exactly the approach the Senator from Virginia is going to take. I wish to consult with a number of my colleagues in that connection. But I wish to point out two things.

The Senator from Michigan said we should face—speaking, of course, to the committee but also the United States and colleagues in the Senate—this issue square on. I know my distinguished friend and colleague of so many years would say, by virtue of him and me being the two principal cosponsors of the McCain amendment, that we are within the rights of this committee facing certain aspects of this issue head on as it relates to the future conduct of this country.

I also hope at some point in our debate that we can address the very valuable contribution that two individuals, together with the staff and a third member of the commission—namely, former Secretary of Defense Schlesinger and former Secretary of Defense Harold Brown. Each of those extraordinary men—and I have been privileged to know and work with each of them quite closely through the years. Actually, I served under three Secretaries of Defense when I was in the Navy Department as Secretary, and one of them, the last, was Secretary Schlesinger. He remains to this day one of my closest confidantes and advisers on a wide range of issues.

Harold Brown, my colleague, the Senator from Michigan, will recall, I sponsored—and I think the Senator from Michigan joined me when I was on the Intelligence Committee in an overall review of our intelligence. The first chairman of that commission was a distinguished former Member of Congress, Les Aspin, and then, following his untimely death, Harold Brown. I

was the one who recommended he take over the work on that commission, on which I was privileged to serve as a member.

A lot of things have been done to address the issue, which is the goal of this amendment. Again, I am going to reserve until Monday just how I am going to further approach this issue, but I wanted to bring those two points up should the Senator from Michigan wish to comment on either.

Mr. LEVIN. Mr. President, I do appreciate that, and I will take 1 minute to respond.

The chairman very properly points out that there was a Schlesinger panel. That panel said the following relative to the lack of cooperation from the CIA with the panel, which is gap No. 1 I have listed as one of the reasons we need an independent commission. The Schlesinger panel said the following:

> The panel did not have full access to information involving the role of the Central Intelligence Agency in detention operations. This is an area the panel believes needs further investigation and review.

I agree they did good work, but they were limited in what they were allowed to do, and they themselves recommended further investigation and review.

I yield the floor.

The PRESIDING OFFICER (Mr. GRAHAM). The Senator from Virginia.

Mr. WARNER. The order has it that the distinguished Senator from Rhode Island will now continue his contribution to the Levin amendment.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise in support of the Levin amendment, which establishes a commission to look into the treatment of detainees by our national security forces.

Let me say as an initial point, I am a strong supporter of the McCain-Graham amendment which would clarify the law. But the issues we are confronting today with respect to Abu Ghraib and with respect to other notorious incidents is not simply a failure of law, a failure of lacking legal precedent; it is a failure of leadership and a failure of institutions. Unless we look carefully, objectively, and independently at this leadership and these institutions, we will be bound to repeat the mistakes of the past several years. I urge my colleagues to support the Levin amendment.

What prompts me to support this amendment is the belief and understanding that the treatment of our soldiers on the battlefield is a function of how we treat our opponents. If we do not have high standards of treatment, then we cannot make the moral claim that our soldiers, sailors, airmen, and marines should be similarly treated.

I understand the nature of our adversaries might reject those claims, might reject standards, but if we reject those standards, then our ability to protect our soldiers is diminished substantially.

I think also one just has to take note of the events of the last several years and understand that not only is there a legal and moral premise to our use of suitable standards of conduct, there is a very practical one. The incidents of Abu Ghraib, the reports of abuse of prisoners, have been a disastrous situation with respect to our progress in the Middle East. It is harming our efforts to convince people that we are there not to exploit them, not to abuse them, but to try to lift them up.

It is essential we get to the heart of these failures of leadership, institutional direction, and policy. I think it is also essential that we have accountability. One of the essential aspects of any military organization is accountability. Everyone who enters the military, particularly an officer, learns that the first rule is they are responsible for what happens and what fails to happen on their command. There has been a dearth of accountability when it comes to these issues of abuse of detainees.

The plan seemed to be from the very beginning to portray this as the fault of aberrant soldiers. In fact, if we look at those people who have been prosecuted, those people who have been brought to justice, it is a handful of enlisted soldiers. We know this process, this approach, was not simply the result of a few soldiers. It was the result of decisions that were made at the very highest level.

Today, in the International Herald Tribune, COL Larry Wilkerson, a former chief of staff to Colin Powell, pointed out that, in his words: There was a visible audit trail from the Vice President's office to the Secretary of Defense down to the commanders in the field authorizing practices that led to the abuse of detainees.

That suggests to me that the evidence has accumulated where we need to take a good look not just at individual soldiers, not just compartmental reviews of certain aspects, we have to take the approach that Senator LEVIN suggests, a comprehensive review by an independent panel on the model of the 9/11 Commission to look at how we came to this point; not just to establish accountability I think that is principal and important but to ensure that we do not do it again, to ensure that when we enter into a conflict everyone understands the law, everyone follows the law. That is to the benefit not only of the protection of our troops but also to claiming the moral high ground, aiding our mission, aiding our military forces in the field, by creating an image in the world that we are bound to the highest standards and we are not there for self-interest but to help other people.

If we fail to pursue this commission, we will see a situation where what has happened in the past will happen again. It will be replicated time and time again. It will create a terrible situation within our military forces. It will appear, as it appears now, that the only people who are punished for these abuses are low-ranking, enlisted personnel. They bear the brunt, but the officers who directed it, the officers who could have stopped it, the civilian leaders in our Government who might have directed it or encouraged it, will walk away. That is unfair and that is so corrosive that it will undermine our military forces in the future.

I urge passage of the Levin amendment.

I reserve the remainder of time on our side and yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, this amendment is one of great importance and has far-reaching consequences. As I said, as we speak, there are some facts coming into the public domain. I have no idea of evaluating their authenticity, but it does, in my judgment, bear on this issue. Therefore, speaking for myself, we will have further statements regarding this amendment Monday and quite likely Tuesday before we vote.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2432

Mr. INHOFE. Mr. President, I have an amendment to be considered. I consider it to be perhaps one of the most important amendments. It is referred to as the train and equip amendment.

What I am not going to do is take a lot of time today talking about it because in the event there is opposition to it, I want an opportunity to respond to that opposition.

Primarily, this is what our amendment would do: Under sections 1201 and 1204 of Title XII, it would allow the military to train and equip some of these countries where we see an opportunity to be using their resources and their militia as opposed to sending our troops there. Right now, in order to get it done, the process is one has to go through the State Department and then the Department of Defense. A good example is when the U.S. Government wanted to train and equip some of the Georgia forces for counterterrorism. Seven different authorities for funding and sources had to be stitched together to make this effort. It took 8 months. By the time 8 months goes by, the problem is no longer the same problem it was 8 months before.

What we would do is take existing O&M moneys, $750 million, that we would be able to use to train and equip in a streamlined way of doing this.

I will share some personal experiences and then I will yield the floor. We have been talking about the five African brigades, that we would be training and equipping various countries in regional areas in Africa to take care of some of the problems. I am sure

I am not the only one who has been in Djibouti and worked with our marines there. I have been very much concerned that they are not able to do as good a job and as fast a job at training some of the African forces as they could otherwise.

I have talked to President Museveni of Uganda. There are problems in the northern part of Uganda where they have adequate troops, but they are not trained and equipped to protect themselves against the global war on terrorism and would be dependent upon our troops if that should happen. It is far better for us to be able to train them than it is for them to have to be in a situation where they are going in untrained.

I say to my chairman, I visited with my counterpart in Angola. He is the second ranking member on the armed services committee there, although it is called something different. His name is Paiza. As we all know, in Angola they have been undergoing a civil war and there are endless numbers of troops. They have been bush troops. They have not been trained to do the kind of defense that would be necessary in our global war on terrorism. Consequently, what they say they need—they have the Unita forces, they have their forces on both sides of the civil war. They need to have an opportunity to train these people.

I also spoke with the President of Burundi 2 weeks ago when I was there. They had the fighting, as we all know, for a long period of time between the Hutus and the Tutsis, but they are now united. What they need, though, is to be able to be trained. I know that General Jones and others, and certainly Secretary Rumsfeld, feel very strongly that we need to have a streamlined process where we can go in and train these guys to do the job that otherwise American troops are going to have to do.

That is essentially what this is all about. I will wait until Monday to give a little more complete description of it.

At this time I would like to officially call up the amendment, No. 2432. I ask unanimous consent to set aside the pending amendment and call up amendment No. 2432 for its consideration.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE] proposes an amendment numbered 2432.

Mr. INHOFE. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: Relating to the partnership security capacity of foreign military and security forces and security and stabilization assistance)

At the end of title XII, add the following:

SEC. ___. BUILDING THE PARTNERSHIP SECURITY CAPACITY OF FOREIGN MILITARY AND SECURITY FORCES.

(a) AUTHORITY.—The President may authorize building the capacity of partner nations' military or security forces to disrupt or destroy terrorist networks, close safe havens, or participate in or support United States, coalition, or international military or stability operations.

(b) TYPES OF PARTNERSHIP SECURITY CAPACITY BUILDING.—The partnership security capacity building authorized under subsection (a) may include the provision of equipment, supplies, services, training, and funding.

(c) AVAILABILITY OF FUNDS.—The Secretary of Defense may, at the request of the Secretary of State, support partnership security capacity building as authorized under subsection (a) including by transferring funds available to the Department of Defense to the Department of State, or to any other Federal agency. Any funds so transferred shall remain available until expended. The amount of such partnership security capacity building provided by the Department of Defense under this section may not exceed $750,000,000 in any fiscal year.

(d) CONGRESSIONAL NOTIFICATION.—Before building partnership security capacity under this section, the Secretaries of State and Defense shall submit to their congressional oversight committees a notification of the nations designated by the President with which partnership security capacity will be built under this section and the nature and amounts of security capacity building to occur. Any such notification shall be submitted not less than 7 days before the provision of such partnership security capacity building.

(e) COMPLEMENTARY AUTHORITY.—The authority to build partnership security capacity under this section is in addition to any other authority of the Department of Defense to provide assistance to a foreign country.

(f) MILITARY AND SECURITY FORCES DEFINED.—In this section, the term ''military and security forces'' includes armies, guard, border security, civil defense, infrastructure protection, and police forces.

SEC. ___. SECURITY AND STABILIZATION ASSISTANCE.

(a) IN GENERAL.—Notwithstanding any other provision of law, upon a request from the Secretary of State and upon a determination by the Secretary of Defense that an unforeseen emergency exists that requires immediate reconstruction, security, or stabilization assistance to a foreign country for the purpose of restoring or maintaining peace and security in that country, and that the provision of such assistance is in the national security interests of the United States, the Secretary of Defense may authorize the use or transfer of defense articles, services, training or other support, including support acquired by contract or otherwise, to provide such assistance.

(b) AVAILABILITY OF FUNDS.—Subject to subsection (a), the Secretary of Defense may transfer funds available to the Department of Defense to the Department of State, or to any other Federal agency, to carry out the purposes of this section, and funds so transferred shall remain available until expended.

(c) LIMITATION.—The aggregate value of assistance provided or funds transferred under the authority of this section may not exceed $200,000,000.

(d) COMPLEMENTARY AUTHORITY.—The authority to provide assistance under this section shall be in addition to any other authority to provide assistance to a foreign country.

(e) EXPIRATION.—The authority in this section shall expire on September 30, 2006.

Mr. INHOFE. Parliamentary inquiry: Since we have this in proper form to be treated, are the comments I made to be used as time for the amendment?

The PRESIDING OFFICER. That would be an appropriate allocation of time.

Mr. INHOFE. Can you tell me how much time has been used?

The PRESIDING OFFICER. The Senator has used 3½ minutes.

Mr. INHOFE. So it will be 20-some minutes. At this point I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. With permission from Senator WARNER, I would like to speak on the issue of this commission and express some comments on that.

Mr. WARNER. Mr. President, I am delighted my distinguished colleague, a member of the committee, would like to contribute his thoughts on this very important issue and take such time, I think up to 5 or 6 minutes.

Mr. SESSIONS. I ask to be notified in 5 minutes, and I will definitely try to keep my time within that.

The PRESIDING OFFICER. Will the Senator inform the Chair about which amendment he will be speaking?

Mr. SESSIONS. The Levin-Reed commission suggestion.

The PRESIDING OFFICER. The Senator is recognized.

AMENDMENT NO. 2427

Mr. SESSIONS. Mr. President, my problem with this matter is that we have created, through our complaints—and some of it has been political, frankly—and debates beginning back during the past election, a determination to embarrass President Bush or undermine, maybe, even his policies by some; to call for the resignation of the Secretary of Defense. And all of these matters were taken out of context and blown up and distorted in a way that I think was unfortunate. Yes, we have had problems with abuse of prisoners. We really have. But not nearly as many as would be suggested.

Senator LEVIN said it seems like it is every week. It has been talked about every week. Somebody comes up and repeats something that occurs, and then they repeat it again like it is new. So we are keeping alive a perception that our military is not performing according to the high standards that it sets for itself with regard to prisoner abuse. I do not believe that is so.

I have been there. I have talked to the troops. But it is a tough war and a tough enemy. It is not great duty. We know what happened in Abu Ghraib, and I would point out the general there, within 1 day or 2 days—1 day of hearing of the Abu Ghraib problem—commenced an investigation, and 3 days later announced to the world that we were conducting an investigation of abuse and did so publicly to the TV, long before any photographs were ever released because the military, the Army, did not approve of what went on there.

They have had an investigation. It was suggested that the higher ups were responsible for this; interrogation tactics and procedures were not clear, and that is why all this happened.

I would just ask our colleagues to remember that when the evidence came out during the prosecution of those individuals, the conviction of them, and their being sentenced to jail, I point out it was never suggested that was part of an interrogation technique. These people were not being interrogated. Most of them were not even members of al-Qaida. A lot of them are street thugs that had been arrested for normal criminal behavior. They didn't have any intelligence to give us about the enemy we were facing over there. So all this that has been suggested, that we are completely out of control and somehow the Department of Justice memorandums about what is the maximum ability of a U.S. office to conduct investigation, somehow that affected that.

Remember Mr. Sivitz, a private, I believe, or a corporal or sergeant, who pled guilty and was convicted and sentenced to jail? He said our leaders didn't know what we were doing. If they had known what we were doing, it would have been hell to pay.

Do you remember the incident of the African-American colonel who had a sterling career who, in a fire fight, pulled out a gun and fired a bullet near the head of an individual he had captured to frighten him to get information he thought might help him save his troops? They cashiered him out of the Army.

We had case after case of people being disciplined. Over 200 have been. So this myth has been created that people didn't know what was going on and were not properly instructed.

We had hearings. I am on Judiciary, and I am on Armed Services in the Senate. We have House Judiciary and Armed Services and we have Senate Intelligence and we have Senate and House Intelligence. We have had over 26 hearings on this issue, more than any other.

We ought to spend some time trying to figure out how to win this war rather than going back and suggesting to the whole world, by hearing after hearing, after report after report after commission, that we are out of control, mistreating prisoners, when it is not so. Our soldiers are consistently abiding by the Geneva Conventions as they have been instructed, and they do their duty every day. The Field Manual applies to men and women in the military, and they know that. That has been reaffirmed to them with clarity, that that controls the treatment of the prisoners in Iraq.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. My 5 minutes is up? Mr. President, I will conclude—I may like to talk about this later on—with a letter from a sergeant from the Arkansas National Guard who was in Iraq from April 2004 to March of 2005. He said:

> My job was that of fire-team leader, responsible for three soldiers. We patrolled the streets of Baghdad daily [not a safe place to be] conducted raids, manned checkpoints, and cleared houses and other buildings. During our stay we detained dozens of Iraqis.
>
> So I was somewhat astounded at Capt. Ian Fishback's letter. . . .

He said he saw beatings, broken bones and other improper treatment of prisoners. That is inconsistent with my observations—of mine. I will offer this for the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SESSIONS. I will quote one paragraph.

> We never experienced the confusion that Capt. Fishback and his soldiers evidently experienced. Our directives were clear and our approach to treating detainees was consistent: I never saw a U.S. soldier physically mistreat an Iraqi. I saw professional treatment of detainees from top to bottom, and I was proud to be a part of this great combat team.

That is what is going on. That is the reality, in my view, of what is going on in Iraq. We have subjected ourselves and our soldiers to great risk because we demanded restraint on their part, and for the most part they have given us that.

There have been problems. We know that. But we are not allowing them to continue. We are stopping them and prosecuting people if they have violated the law, as they should be prosecuted. So I am concerned that what we do today sends a message to the world that Members of this body and members of the leadership of the U.S. Government believe that our military is out of control and that we need some sort of commission to get them in control.

That is not accurate in my view. We don't need another commission. We have had at least six, eight or nine major reports, and we have had, of course, over 20 hearings in the House and Senate. I have been a part of more of them than I would have wished.

I honestly and truly believe we need to watch our rhetoric and not demean the fine men and women who are serving us because we sent them there in harm's way, and they are serving us with fidelity to duty and the highest degree of professionalism, giving their lives to help the Iraqi people to have a better life. That is our goal. That is what we need to keep at. I hope we will remember that as we debate these subjects.

I yield the floor.

EXHIBIT 1

> I am a sergeant in the Arkansas Army National Guard, and I was in Iraq from April 2004 to March 2005. My job was that of fire-team leader, responsible for three soldiers. We patrolled the streets of Baghdad daily, conducted raids, manned checkpoints, and cleared houses and other buildings. During our stay in Iraq, we detained dozens of Iraqis.
>
> So I was somewhat astounded at Capt. Ian Fishback's letter to Sen. John McCain (R-Ariz.) about what he saw and observed in Iraq concerning beatings, broken bones and other improper treatment of prisoners [op-ed, Sept. 28]. His experience and observations are inconsistent with mine.
>
> Our unit was attached to the 1st Cavalry Division. We worked with active-duty soldiers, and when I moved to a forward operating base known as Headhunter, I worked every day with the 1st Cavalry, which I found to be a professional organization.
>
> We never experienced the confusion that Capt. Fishback and his soldiers evidently experienced. Our directives were clear and our approach to treating detainees was consistent: I never saw a U.S. soldier physically mistreat an Iraqi. I saw professional treatment of detainees from the top to the bottom, and I was proud to be part of this great combat team.
>
> I do not challenge Capt. Fishback or his observations. But I saw U.S. soldiers, both active-duty and National Guard, conduct themselves professionally on a daily basis.

Mr. SESSIONS. 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. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I just made a presentation on my amendment No. 2432. I ask unanimous consent to add cosponsors—Senators STEVENS, ROBERTS, SESSIONS, ENSIGN, GRAHAM, THUNE, and KYL.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. 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. WARNER. 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.

Mr. WARNER. Mr. President, we have had a very good and productive morning on the Defense authorization bill, a continuation by the Senate of that important legislation.

Matters relating to the bill are concluded. I will now await the directions of the majority leader as to the concluding of today's proceedings before the Senate.

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. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. WARNER. Mr. President, I further ask unanimous consent there now be a period of morning business with

Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The majority whip is recognized.

Mr. McCONNELL. Mr. President, I ask unanimous consent that I be allowed to proceed for up to 5 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO THE 101ST AIRBORNE DIVISION OF FORT CAMPBELL, KY

Mr. McCONNELL. Mr. President, I rise to pay tribute to the men and women who make up the 101st Airborne Division based at Fort Campbell, KY. In the war on terror, these soldiers frequently form the front lines. I offer them the thanks and prayers of a grateful nation as they are in the process of deploying to Iraq once again.

The 101st has seen action in Iraq before. They led the initial wave of forces sent to liberate that country in March 2003. About 19,000 soldiers in all from the 101st helped bring freedom to the Iraqi people and destroy Saddam Hussein's illegitimate regime.

After the fall of Hussein, the soldiers of the 101st operated around the city of Mosul in northern Iraq—I had a chance to visit them there in 2003—keeping innocent Iraqis safe and tracking down terrorists. Stationed in Iraq for about a year, they undertook some of the most hazardous duties yet in the war on terror. Tragically, 73 soldiers from Fort Campbell have made the ultimate sacrifice in the line of duty to date, including four soldiers killed near Baghdad earlier this very week.

My heart goes out to the families of these brave heroes. I believe the best way we can respect their memories is to finish their mission in Iraq with honor. I have tried to do my utmost in this Senate to see that our Armed Forces get everything they need to fulfill that mission, and I will continue to do so, as I know my other colleagues will as well.

The 101st Airborne Division, also known as ''The Screaming Eagles,'' is one of the most respected divisions in our armed services and frequently gets the first call when crisis strikes. They specialize in the rapid deployment of soldiers into combat from helicopters.

The division was founded in 1942 and parachuted into Normandy on D-Day during World War II. Later, many of its members saw action at the Battle of the Bulge. The 101st continued to serve many critical missions in Vietnam and the first gulf war. They are the best America has to offer, and I might also add, the HBO series ''Band of Brothers'' from a few years ago was about the 101st Airborne in World War II. It took that storied unit from the beaches of Normandy through to the end of the war.

The 101st Airborne began redeploying to Iraq in September, and by the end of this month, about 20,000 of its soldiers will be back in Iraq.

They will be gone for at least a year. For many soldiers, this will be their third deployment since September 11, 2001: The 101st was also deployed to Afghanistan soon after the attack of September 11.

MG Thomas R. Turner, who commands the 101st Airborne, expressed the confidence and clarity of vision that all soldiers of the 101st share when he spoke at a color casing ceremony recently to signal the official departure of his soldiers to Iraq.

Referring to the 101st Airborne's mission, he said:

> Our end state is clear: An Iraq at peace with its neighbors, and an ally in the War on Terror, with a representative government that respects the human rights of all Iraqis.

Just as in wars before, our country fights not for land or treasure but for freedom. In previous centuries, America has fought to secure liberty, end slavery, and stamp out fascism. Our cause today is equally just. We fight to defeat the terrorists who would rule by fear. And we are fighting to spread freedom, because freedom is the antidote to the terrorists' fear.

As Thanksgiving approaches, I ask my colleagues to join me in thanking the soldiers of the 101st Airborne for their extraordinary service. Kentucky thanks them as well. We all pray for their safe return.

I yield the floor.

CYPRUS

Ms. SNOWE. Mr. President, I rise today to discuss the extremely unfortunate decision by the highest levels of the State Department to meet with Mehmet Ali Talat, the self-declared president of the so-called ''Turkish Republic of Northern Cyprus.'' For more than 30 years, it has been a tenet of U.S. foreign policy not to extend de jure or de facto recognition to this self-declared government, which exists only because of the forcible occupation of the northern one-third of Cyprus by more than 43,000 Turkish troops.

Cyprus was divided by a Turkish invasion in 1974. With the exception of Turkey, all nations recognize that this invasion was illegal and have refused to recognize the ''Turkish Republic of Northern Cyprus,'' a rump state that proclaims itself the government of the occupied area. Far from honoring the invasion, the world recognizes only the Republic of Cyprus as the legitimate sovereign government for the entire island.

Both international law and U.S. statutory law support the free government of Cyprus. Several U.N. Security Council resolutions implore nations neither to recognize nor support the self-declared government in the occupied area. Likewise, the U.S. Foreign Assistance Act establishes the U.S. policy of supporting a free government in Cyprus, demanding the withdrawal of all Turkish forces from Cyprus, and seeking the reunification of the island's communities.

I rise today because I fear the State Department is now embarked on a different course, a course that may irreparably damage the prospects for a peaceful reunification of Cyprus. On Friday, October 28, 2005, the U.S. Secretary of State met with Mr. Mehmet Ali Talat. I have heard the State Department spokesperson try to justify this meeting by saying that the Secretary would only be meeting with Mr. Talat in his capacity as a leader of the Turkish-Cypriot community, and their session would not signal a change in U.S. policy toward Cyprus.

These explanations are disappointing. In all likelihood, meeting Mr. Talat in the State Department's Harry S. Truman Building will be used by Turkey and the rump state as evidence that the United States is moving toward independent elevation of this self-declared government and the permanent dismemberment of Cyprus.

Following the defeat of an U.N.-sponsored plan in 2004, the Republic of Cyprus has undertaken numerous initiatives designed to bring the two communities together. Since April 2003, when the movement restrictions through the cease-fire line were partially lifted, there have been more than 8 million crossings from both Greek and Turkish Cypriots. During the 4 million visits by Greek-Cypriots to the occupied area, approximately $100 million were spent to the benefit of Turkish Cypriots. Cyprus is contributing concretely to the economic uplifting of the Turkish Cypriot community—more than $43 million in social insurance, more than $9 million in medical care, and more than $343 million in free electricity during the last couple of years.

According to Turkish Cypriot reports, one of the main reasons for the Turkish Cypriot economic growth is the opportunity that was provided to more than 10,000 Turkish Cypriots to work in the government-controlled areas after the lifting of the restrictions. These skilled workers, who continue to live in the occupied areas, earn approximately $180 million every year. The Republic of Cyprus has also unilaterally removed land mines in the cease-fire zone. More than 63,000 people in the occupied area have been issued Republic of Cyprus birth certificates, more than 57,000 have been issued Republic of Cyprus identity cards, and more than 32,000 have been issued Republic of Cyprus passports.

Unfortunately, Turkey and its rump state have been working in the opposite direction. In Turkey's negotiation for EU accession, Turkey committed to extending its customs union to Cyprus, but then unilaterally backtracked on its commitment, stating that it does not even recognize the Republic of Cyprus. Turkey and the ''TRNC'' have pressed for the opening for direct airline flights and direct trade into the occupied area, both of which violate the Republic of Cyprus' sovereign power to designate ports of entry. Last month, the Prime Minister of Turkey

said that he would only accept a solution on Cyprus that included a permanent division of the island into two states. ''One state in the north, one state in the south and a confederation . . . this is what [Cyprus President] Papadopoulos should accept, otherwise we cannot reach an agreement,'' the Prime Minister stated. Most egregiously, Turkey and the ''TRNC'' have increased the number of Turkish troops on the island—from about 36,000 to more than 40,000—in the past year. Turkey also intensified the influx of Turkish settlers in the island and at the same time, both Ankara and the Turkish Cypriot leadership continued their policy of immense exploitation of Greek Cypriot properties in northern occupied Cyprus. These are not the actions of parties committed to a peaceful resolution to the division.

For more than 30 years, the United States has refused to reward Turkey's illegal invasion with an independent Turkish state on Cyprus. But the decision to extend to Mr. Talat unprecedented access to our government's most hallowed halls only serves to validate his and the Turkish Prime Minister's view that the ''TRNC'' should be treated as an independent entity. Because independent status is exactly what Turkey and the rump state seek, the meeting reduces the incentive for Turkey and Mr. Talat to engage in productive talks to resolve the division of Cyprus. And why should they negotiate if they are promised to be provided direct trade, direct flights, and separate treatment by the Secretary of State?

I call on the State Department to abandon this ill-conceived meeting with the self-declared president of the ''TRNC,'' an illegal entity that, I repeat, the U.S. government does not recognize. The meeting will be viewed, and it will be used, as an elevation of the ''TRNC'' and a nod toward independent and separate status. The meeting is inconsistent with the United States' stated policy towards Cyprus, and it serves only to hinder efforts to resolve the division of Cyprus.

FOREIGN OPERATIONS APPROPRIATIONS

Mr. CHAMBLISS. Mr. President, first, I want Senator MCCONNELL and his staff for all the heavylifting and hard work to complete this important bill. As a committee chairman, I know how difficult it can be to pass legislation.

I am pleased that the House-Senate conferees considering the State and Foreign Operations appropriations bills have included language which withholds taxpayer dollars to those countries which refuse to extradite violent criminals to the United States for prosecution. While this is a positive step, I must express disappointment that the conferees saw fit to provide for the continued flow of tax dollars to these countries upon a mere certification by the Secretary of State that a cutoff would not be in the national interest of the United States. My original amendment, which passed the Senate on July 20, 2005, by a vote of 86 to 12, contained no such loophole. The earlier passage of my original amendment and the House passage of a similar amendment by Representative NATHAN DEAL of Georgia, by a vote of 294 to 132, sent a powerful message to those countries which refuse to extradite murderers and other violent criminals. The passage of these earlier amendments represented a victory for law enforcement, for victims of violent crime, and for simple justice and the rule of law.

When an individual is charged with a crime and flees to a foreign country, it is the responsibility of the U.S. Department of State to seek extradition of the fugitive.

In some instances, countries refuse to extradite even defendants charged with violent crimes when the evidence is overwhelming. Some refuse when the defendant faces the possibility of the death penalty in this country and this issue represents a particular challenge to our ongoing relations with other countries.

However, even in instances in which the defendant does not face the death penalty, some countries have still refused to extradite—some for the articulated reason that they do not extradite their own nationals. Others—Mexico, Costa Rica, Spain, Venezuela and Portugal, for example—have refused to extradite because the defendant faces a possible life sentence if convicted in the United States.

Of course the possibility of life imprisonment reflects the seriousness of the offense and should result in a greater, not lesser, justification for extradition. Such policies stand common sense on its head.

These unjust policies by some countries came into sharp focus in connection with the brutal murder of the son of David Fulton, who is a constituent of mine in Hampton, GA.

On December 21, 2002, Mr. Fulton's son, CPL Joshia Fulton of the U.S. Marine Corps, was murdered right here, on the streets of Washington, DC.

At the time of his murder, CPL Fulton was a member of the elite Presidential Protection Program called Yankee White, an assignment through which he had the honor of traveling abroad with the President of the United States.

Corporal Fulton was awaiting assignment for service as a guard in the West Wing of the White House when he was murdered.

After an investigation by the DC Police Department, a criminal complaint was filed charging a suspect named Carlos Almanza with the murder of Joshia Fulton.

Almanza, however, fled the United States to his home country, the Republic of Nicaragua, where that country's constitution prohibits extradition of its citizens. And so the person charged with this heinous crime is free to kill again and to live the good life while the family of his victim endures the cruel consequences of their loss day in and day out, without justice and without closure to their suffering.

If a country refuses to turn murder suspects over to U.S. authorities so they can be brought to justice in the United States where the heinous crime occurred, then that country should not receive any financial aid from the United States under the appropriations bill now before the Senate. A country's constitutional ban on extradition of its citizens who are fugitives from justice is unacceptable. Quite simply, that law needs to change if they want to continue to receive American aid.

While I am disappointed in the final wording in the conference report, I take comfort that my amendment has already gotten the attention of these countries. Following passage of my amendment in July, I and my staff met with representatives of various countries, as well as representatives of the Departments of State and Justice. While we worked diligently to craft language to address legitimate concerns of these countries and our own Government, the final conference language, in my view, falls short of reflecting America's resolve to put a stop to refusals to extradite.

As I stated during debate on my original amendment in July, the intent of this language is not to deny aid to any country, but rather to provide a substantial incentive for recalcitrant countries to reform their extradition laws so that suspected criminals can be brought to justice in the United States. I hope that this experience will be a wake-up call to the State Department to redouble its efforts to encourage all countries to extradite murderers and other violent criminals to stand before the bar of justice. I will continue to work for the extradition of Corporal Fulton's killer.

AGRICULTURE APPROPRIATIONS

Mr. DODD. Mr President, yesterday I voted against the Agriculture appropriations bill for fiscal year 2006 and I did so with some reservation. At the outset, I want to commend the managers of the bill, Senator BENNETT and Senator KOHL, for trying hard to keep the bill as close to the Senate bill as they could, but the House hijacked the bill on several important points.

I am grateful that the conference report included funding for Tufts University, working with local Connecticut farmers to develop more effective agricultural operational and marketing practices. Even though the physical university is in Boston, Tufts is using the funding exclusively in Connecticut so that our farmers can diversify their crops and market them more aggressively in local markets. Additionally, the University of Connecticut, in conjunction with the University of Illinois, received funding to continue a research program on therapeutic cloning

in cattle. Finally, language was included to again urge the Animal and Plant Health Inspection Service, APHIS, to indemnify a Connecticut poultry producer who undertook a successful emergency vaccination protocol 2 years ago.

So while I am pleased that there are a few items specifically for my constituents, I remain deeply troubled by the path this Congress is taking as it tries to cut spending for programs that benefit our most vulnerable populations while at the same time planning for tax cuts for the most wealthy, who neither need nor, on the whole, seek the extravagance that the majority insists on heaping upon them.

The Senate conferees are to be commended for pushing hard for increases in food and nutrition programs, including the McGovern-Dole Food for Education Program, but at the same time, House conferees insisted on the option of privatization of the food stamp process. That is often code word for closing down local centers and relying more and more on remote call centers and the Internet. This puts a disproportionate burden on those people who need the services most. I know that in my State of Connecticut, this action could adversely impact 109,250 households and that number is likely to grow. Unfortunately, the Republican-controlled Congress often sees privatization as the panacea for saving money. Instead, studies often find that contracting out these services often costs more money. But the problem doesn't stop there. As Congress moves forward with the budget reconciliation process, we will have to come to terms with the fact that the House has insisted on draconian cuts of nearly a billion dollars in the food stamp program. If this number were to stand, nearly 300,000 low-income individuals could be denied benefits. The majority in Congress refuses to increase the minimum wage. It refuses to increase low-income heating assistance, despite dire predictions of record heating costs this winter. Now Congress is on the verge of cutting off 300,000 people from food assistance. Such a move is irresponsible, and it is unconscionable.

Finally, the House conferees insisted on denying American consumers with simple information about the meat they eat. As our colleagues know, mandatory meat labeling was included in the 2002 farm bill, which I supported. The labeling of seafood already started but meat labeling, at the behest of a few powerful lobbyists and a few Members of Congress, continues to be delayed. Hundreds of organizations around the country, including farmers, producers, consumer groups, and individuals overwhelmingly support country-of-origin labeling, COOL. The fiscal year 2006 House appropriations bill effectively delayed meat labeling by refusing to allow any funds to be used to implement COOL, while the Senate bill did not change the requirement. During conference on this bill, the House, with no consultation with the Senate and with no vote, unilaterally extended the COOL delay until 2008, beyond what even the House language did. Labeling would increase consumer confidence and assist agricultural producers.

So, while there are many laudable provisions in the agricultural appropriations bill, several provisions caused me to cast a vote against this bill.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 9:35 a.m., a message from the House of Representatives, delivered by Ms. Branden, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 1285. An act to designate the Federal building located at 333 Mt. Elliott Street in Detroit, Michigan, as the ''Rosa Parks Federal Building''.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1691. An act to designate the Department of Veterans Affairs outpatient clinic in Appleton, Wisconsin, as the ''John H. Bradley Department of Veterans Affairs Outpatient Clinic''.

H.R. 4061. An act to amend title 38, United States Code, to improve the management of information technology within the Department of Veterans Affairs by providing for the Chief Information Officer of that Department to have authority over resources, budget, and personnel related to the support function of information technology, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 281. Concurrent resolution congratulating the Chicago White Sox on winning the 2005 World Series.

The message also announced that the House disagree to the amendments of the Senate to the bill H.R. 2528 making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following members as the managers of the conference on the part of the House: Mr. WALSH, Mr. ADERHOLT, Mrs. NORTHUP, Mr. SIMPSON, Mr. CRENSHAW, Mr. YOUNG of Florida, Mr. KIRK, Mr. REHBERG, Mr. CARTER, Mr. LEWIS of California, Mr. EDWARDS, Mr. FARR, Mr. BOYD, Mr. BISHOP of Georgia, Mr. PRICE of North Carolina, Mr. CRAMER, and Mr. OBEY.

The message further announced that the House disagree to the amendments of the Senate to the bill H.R. 2862 making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following members as the managers of the conference on the part of the House: Mr. WOLF, Mr. TAYLOR of North Carolina, Mr. KIRK, Mr. WELDON of Florida, Mr. GOODE, Mr. LAHOOD, Mr. CULBERSON, Mr. ALEXANDER, Mr. LEWIS of California, Mr. MOLLOHAN, Mr. SERRANO, Mr. CRAMER, Mr. KENNEDY of Rhode Island, Mr. FATTAH, and Mr. OBEY.

The message also announced that pursuant to section 491 of the Higher Education Act (20 U.S.C. 1098(c)), the order of the House of January 4, 2005, and upon the recommendation of the Majority Leader, the Speaker reappoints the following member on the part of the House of Representatives to the Advisory Committee on Student Financial Assistance for a three-year term: Ms. Judith Flink of Morton Grove, Illinois.

ENROLLED BILL SIGNED

At 11:37 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following bill:

H.R. 2744. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

The enrolled bill was signed subsequently by the President pro tempore (Mr. STEVENS).

At 12:46 p.m., a message from the House of Representatives, delivered by Ms. Chiappardi, one of its reading clerks, announced that the House disagree to the amendment of the Senate to the bill H.R. 889 to authorize appropriations for the Coast Guard for fiscal year 2006, to make technical corrections to various laws administered by the Coast Guard, and for other purposes, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following members as the managers of the conference on the part of the House from the committee on Transportation and Infrastructure, for consideration of the House bill and the Senate amendment, and modifications

committed to conference: Mr. YOUNG of Alaska, Mr. LOBIONDO, Mr. COBLE, Mr. HOEKSTRA, Mr. SIMMONS, Mr. MARIO DIAZ-BALART of Florida, Mr. BOUSTANY, Mr. OBERSTAR, Mr. FILNER, Mr. TAYLOR of Mississippi, Mr. HIGGINS, and Ms. SCHWARTZ of Pennsylvania.

From the Committee on Energy and Commerce, for consideration of section 408 of the House bill, and modifications committed to conference: Mr. BARTON of Texas, Mr. GILLMOR, and Mr. DINGELL.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H.R. 3057 making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes.

The message further announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4128. An act to protect private property rights.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1691. An act to designate the Department of Veterans Affairs outpatient clinic in Appleton, Wisconsin as the ''John H. Bradley Department of Veterans Affairs Outpatient Clinic''; to the Committee on Veterans' Affairs.

H.R. 4061. An act to amend title 38, United States Code, to improve the management of information technology within the Department of Veterans Affairs by providing for the Chief Information Officer of that Department to have authority over resources, budget, and personnel related to the support function of information technology, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 4128. An act to protect private property rights; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1960. A bill to protect the health and safety of all athletes, to promote the integrity of professional sports by establishing minimum standards for the testing of steroids and other performance-enhancing substances and methods by professional sports leagues, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LUGAR, from the Committee on Foreign Relations, without amendment:

S. 1184. A bill to waive the passport fees for a relative of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member or to attend a funeral or memorial service for such member.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BIDEN (for himself and Mr. HATCH):

S. 1961. A bill to extend and expand the Child Safety Pilot Program; to the Committee on the Judiciary.

By Mr. ROBERTS (for himself, Mr. HAGEL, Mr. NELSON of Nebraska, and Mr. BROWNBACK):

S. 1962. A bill to authorize the Secretary of the Interior to revise certain repayment contracts with the Bostwick Irrigation District in Nebraska, the Kansas Bostwick Irrigation District No. 2, the Frenchman-Cambridge Irrigation District, and the Webster Irrigation District No. 4, all a part of the Pick-Sloan Missouri Basin Program, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BAUCUS:

S. 1963. A bill to make miscellaneous improvements to trade adjustment assistance; to the Committee on Finance.

By Ms. SNOWE (for herself and Mr. SCHUMER):

S. 1964. A bill to amend the Internal Revenue Code of 1986 to modify the determination and deduction of interest on qualified education loans; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 832

At the request of Mr. BINGAMAN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 832, a bill to amend the Internal Revenue Code of 1986 to provide taxpayer protection and assistance, and for other purposes.

S. RES. 273

At the request of Mr. COLEMAN, the names of the Senator from Virginia (Mr. WARNER) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. Res. 273, a resolution expressing the sense of the Senate that the United Nations and other international organizations shall not be allowed to exercise control over the Internet.

S. RES. 299

At the request of Ms. LANDRIEU, the names of the Senator from New Jersey (Mr. CORZINE), the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of S. Res. 299, a resolution to express support for the goals of National Adoption Month by promoting national awareness of adoption, celebrating children and families involved in adoption, and encouraging Americans to secure safety, permanency, and well-being for all children.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BIDEN (for himself and Mr. HATCH):

S. 1961. A bill to extend and expand the Child Safety Pilot Program; to the Committee on the Judiciary.

Mr. BIDEN. Mr. President, I rise today to introduce the Extending the Child Safety Pilot Program Act of 2005, along with my good friend Senator HATCH.

At the outset, let me thank Senator HATCH and his staff for joining with me in this effort. I can think of no stronger advocate for children's safety than my friend from Utah, and I am so pleased to have him as an original cosponsor of this bill.

When a mom drops her young son or daughter off at the local Boys & Girls Club, when a dad brings his child to little league practice, or when one of our kids is mentored by an older member of the community, we hope and pray that they are going to be safe. They usually are, and youth-serving organizations are constantly vetting new employees and volunteers to ensure there's nothing in their background to indicate that potential workers should not be around our kids.

But these groups can only do so much. They send information and fingerprints on prospective workers to their State criminal identification agencies, and that effort typically results in a comprehensive search of criminal history information on file in the State where the organization is established. But if the worker spent time in another state, or if a State's records are not up to date, kids' safety can be put in jeopardy.

The organization with the most complete set of national criminal history information is the FBI's Criminal Justice Information Services Division, in Clarksburg, West Virginia. Years ago, I was approached by the Boys & Girls Clubs and others and asked whether there would be a way for them to directly access CJIS' records and avoid the then-cumbersome system requiring them to apply for these national background checks through their States.

I looked into the issue and discovered that a patchwork of statutes and regulations govern background checks at the State level. There are over 1,200 State statutes concerning criminal record checks. In different States, different agencies are authorized to perform background checks for different types of organizations, distinct forms and information are required, and the results are returned in various formats that can be difficult to interpret. Youth-serving organizations trying to do the right thing and keep the kids in their charge safe were being forced to navigate an extremely cumbersome system.

Indeed, in 1998, the FBI's Criminal Justice Information Services Division performed an analysis of fingerprints submitted for civil applicant purposes. CJIS found that the average transmission time from the point of fingerprint to the State bureau was 51.0 days, and from the State bureau to the FBI was another 66.6 days, for a total of 117.6 days from fingerprinting to receipt by the FBI. The worst performing jurisdiction took 544.8 days from

fingerprinting to receipt by the FBI. In a survey conducted by the National Mentoring Partnership, mentoring organizations waited an average of 6 weeks for the results of a national criminal background check to be returned. In a New York Times article published this past August, the Boys & Girls Clubs of America's vice president of club safety, Les Nichols, was quoted as saying that about a third of the criminal records that Clubs' checks turned up were from states other than the one where the applications were submitted. ''It can take as long as 18 months to retrieve those records,'' Mr. Nichols said, ''and that time lag works against us, particularly because we are in a business where we have a lot of seasonal staff and volunteers.''

Not only was the national criminal history background check process slow, but it was often too expensive to be useful to youth-serving organizations. In 2000, I introduced comprehensive legislation designed to plug these security holes. No action was taken on my National Child Protection Improvement Act that year. The following year, I re-introduced the bill as S. 1868. That bill cleared the Senate unanimously but was never acted on by the House. It would have set up an office in the Justice Department to coordinate background check requests from youth-serving organizations, and would have required the results of these checks to be forwarded from the FBI to the requesting groups quickly and affordably.

Finally, in 2003's PROTECT Act, we were able to make some progress on this critical issue. Along with Senator HATCH and Chairman SENSENBRENNER of the House Judiciary Committee, I authored section 108 of the PROTECT Act conference report. Section 108 of Public Law 108–21 established an 18-month pilot program for certain organizations to obtain national criminal history background checks. When he signed the PROTECT Act into law, the President noted ''this law creates important pilot programs to help nonprofit organizations which deal with children to obtain quick and complete criminal background information on volunteers. Listen, mentoring programs are essential for our country, and we must make sure they are safe for the children they serve.''

The Child Safety Pilot Program created in the PROTECT Act was extended for another 12 months by a provision in last year's Intelligence Reform and Terrorism Prevention Act, but the initiative is scheduled to expire at the end of January 2006. Although the Department of Justice has yet to submit a status report on the Child Safety Pilot Program, as required by law, data provided by groups using the program demonstrate its effectiveness and the need for it to be extended.

At last check, over 10,000 background checks have been conducted through the pilot program. In those performed checks, 7.5 percent of all workers screened had an arrest or conviction in their record. Crimes discovered were serious: rape, child sexual abuse, murder, and domestic battery. Half of those individuals were not truthful in their job application and instead stated they did not have a criminal record. Over one-quarter, 28 percent, of applicants with a criminal record had crimes from States other than where they were applying to work. In other words, but for the existence of the Child Safety Pilot Program, employers may not have known that their applicants had a criminal record.

The bill Senator HATCH and I introduce today will extend the Child Safety Pilot Program for an additional 30-month period. It will also change the original program so that more youth-serving organizations can participate, and will shorten the timeframe given to the FBI in which to return the results of the background check. We are pleased that our bill has been endorsed by the Boys & Girls Clubs of America, the National Mentoring Partnership, and the National Center for Missing and Exploited Children.

I would like to thank those who have made this program such a success. Specifically, Ernie Allen and his team at the National Center for Missing and Exploited Children have generously provided staff and equipment and have served as a clearinghouse to process background check requests. Robbie Callaway and Steve Salem of the Boys & Girls Clubs of America originally came up with this idea, and have provided tireless advocacy on its behalf. And Margo Pedroso of the National Mentoring Partnership has been invaluable in making Members of Congress and the general public aware of the need for an affordable, efficient national criminal history background check system. Without her, this program would never have been created.

I urge my colleagues to support the Child Safety Pilot Program Act, and I look forward to its prompt consideration.

By Mr. BAUCUS:

S. 1963. A bill to make miscellaneous improvements to trade adjustment assistance; to the Committee on Finance.

Mr. BAUCUS. Mr. President, I rise today to introduce the Trade Adjustment Assistance Improvement Act of 2005.

I want to begin with some simple facts about international trade. The benefits of trade are vast in absolute terms, but so diffuse that individuals are generally unaware of how much they personally gain from trade. By contrast, the harms from trade, while small in absolute terms, are localized and intense.

Research shows that, on average, a worker who loses his job due to trade will make 17 percent less in his new job. The older the worker and the lower his level of education, the larger the lifetime wage cut he is likely to experience.

With statistics like these, is it any wonder that workers who believe their jobs are at risk from international competition are skeptical about trade? With increasing numbers of Americans feeling vulnerable in the global economy—even though many of them will never lose their jobs because of trade—the potential pool of trade skeptics is growing.

There is a solution.

In a June 2002 poll conducted by the Chicago Council on Foreign Relations and Harris Interactive, respondents were asked which of three positions most closely reflects their views on international trade. Nearly three quarters of those surveyed, 73 percent, agreed with this statement: ''I favor free trade, and I believe that it is necessary for the government to have programs to help workers who lose their jobs.'' Sixteen percent said they favored free trade and did not think it necessary for the government to help those who lose their jobs. Nine percent said they do not favor free trade.

The results were even more striking in a 1999 poll conducted by the Program on International Policy and Attitudes at the University of Maryland. In that poll, 87 percent of participants agreed with this statement: ''I would favor more free trade, if I was confident that we were making major efforts to educate and retrain Americans to be competitive in the global economy.'' Only 11 percent disagreed.

If there is a more compelling case to be made for Trade Adjustment Assistance, I do not know what it is.

For more than 40 years, TAA has been providing retraining, income support, and other benefits to workers who lose their jobs due to trade. Montana workers tell me that TAA has been a lifeline, making it possible for them to gain new skills and start new careers rather than merely survive a layoff.

In the Trade Act of 2002, I spearheaded the most comprehensive expansion and overhaul of the TAA program since 1974. We expanded the kinds of workers who are eligible for TAA benefits. We added new benefits like wage insurance and the health coverage tax credit. We also streamlined the application deadlines to get workers enrolled and retraining sooner.

I am proud of this landmark legislation. It unified a splintered TAA program to create a single, comprehensive set of benefits.

Like most successful legislation, however, it was the product of compromise. While TAA was expanded to cover secondary workers, it was not expanded to cover service workers. While we added new benefits, we also added eligibility tests for those new benefits that have proven burdensome and unduly restrictive in practice. While we made more workers eligible for training, we did not provide training funds adequate to serve those workers.

In order for TAA to truly meet the needs of displaced workers, it needs to be a lot more user-friendly. This bill

accomplishes that goal by eliminating barriers to entry that, in practice, defeat the purpose of TAA. The bill's goal is simple: to get every trade-displaced worker who needs a new start into meaningful training and back into the workforce at comparable wages.

The TAA Improvements Act makes the following changes to TAA:

First, it provides that all deadlines and time limits for applying for benefits are suspended when workers are appealing the Department of Labor's denial of a TAA eligibility petition. According to DOL statistics, in 2004 DOL denied approximately 35 percent of the TAA petitions on which it ruled. Among the TAA petition denials appealed to the Court of International Trade in the past several years, the vast majority have been reversed. Numerous judges on the Court have expressed growing impatience with the Labor Department's propensity to stick by denials for years until workers—ultimately vindicated through protracted litigation—lose the ability to receive full benefits. This bill rectifies the problem by allowing workers who successfully appeal denials of their TAA petitions to receive the benefits to which they are entitled regardless of intervening deadlines.

Second, the bill creates a TAA Petition Adviser within the Department of Labor to assist workers and those who prepare TAA petitions on their behalf. Most workers and employers who prepare TAA petitions have no experience with the program and seldom have access to experienced counsel. The petition form itself, while improved over prior versions, provides little guidance on the kinds of factual information upon which DOL bases eligibility determinations. As the Court of International Trade has found on numerous occasions, the Department's practice is to do little, if any, investigation beyond the facts presented on the petition. Accordingly, if an inexperienced group of workers fails to say ''the magic words'', their petition is likely to be turned down. The new Petition Adviser would be responsible for assisting workers to prepare petitions by advising them on the kinds of information that are necessary to demonstrate TAA eligibility—eliminating much of the guesswork that can turn applying for TAA into a game of roulette.

Sadly, not all employers make their best efforts to help their displaced workers qualify for TAA. Employers who prepare TAA applications for their workers may assign the task to Human Resources staff, who may lack sufficient knowledge to provide the appropriate information to the Labor Department. They sometimes provide inaccurate or incomplete evidence that prevents DOL from certifying the workers. The bill addresses this problem by requiring that all information provided to DOL by the petitioning workers' employer be certified as to its completeness and accuracy by counsel or by an officer of the company. This requirement assures that petitions will receive high-level management attention and, in the case of counsel, imposes an external ethical check.

In the Trade Act of 2002, Congress had the wisdom to create a program of wage insurance, called Alternative TAA. Unlike traditional TAA, which requires a worker to remain unemployed until training is completed, wage insurance creates an incentive for workers to return to work sooner and train on the job. It does so by assuring the worker that, if the new job pays less than the old one, he can receive a subsidy equal up to half the wage differential up to $10,000 over two years. This innovative program has the potential to facilitate the most effective kind of training, reduce worker transition time, and reduce the per-worker cost of adjustment assistance.

Experience under the Trade Act of 2002 indicates low participation in this program, both because it is limited to workers over 50 and because the steps a worker needs to take to choose wage insurance have proved difficult to satisfy. This bill streamlines the application process for alternative TAA and lowers the minimum age for participating workers from 50 to 40—the average age of TAA participants.

The Trade Act of 2002 expanded TAA eligibility to include so-called ''shifts in production''—when a plant in the United States closes and moves overseas. The law makes eligibility automatic when production shifts to a country with which the United States has a free trade agreement or a unilateral preference program. But when production shifts to another country—such as China or India—workers must satisfy additional criteria before they are eligible.

This limitation is one of the compromises that shaped the Trade Act of 2002. But I have never thought it fair or equitable. A worker whose plant moves overseas has the same adjustment needs no matter where the plant relocated. The TAA Improvement Act eliminates this distinction, making eligibility for TAA automatic for shifts in production to any country. It also eliminates a similar provision that limits coverage of certain secondary workers to trade with Canada and Mexico.

In a recent review of the TAA program, the Government Accountability Office noted that inflexible training enrollment deadlines have made it difficult for workers to make timely and informed decisions about their training plans and career options. Experience has shown that the deadlines we set may be too short in some cases. Community colleges, the principal providers of TAA training services, often enroll students only twice a year, making it difficult for some workers to enroll in the courses they need within the applicable deadlines. Even the most motivated among laid-off workers find it difficult to do the research and soul-searching necessary to make informed and sensible choices about retraining in the time provided. For these reasons, this bill extends the training enrollment deadline by several weeks.

Perhaps the single most important problem facing the TAA program today is the chronic shortage in training funds. Every year, there are states that run out of training funds and are forced to ration training. In some cases, states have even stopped workers from enrolling, which can reduce the total TAA benefits the worker can receive even if funds later become available. The Department of Labor has wisely issued guidelines to states to help them better manage their training resources. But the truth of the matter is that Congress has failed to provide states with enough training funds to adequately serve the number of people who qualify for retraining. Rather than cap training spending each year at an arbitrary amount arrived at through political negotiations, this bill sets the training budget with reference to program enrollment and average per person training costs.

The bill also gives the Department of Labor flexibility to steer workers into some less traditional but practical training options. Many workers who go through the TAA program ultimately end up self-employed. Under the Workforce Investment Act, a general retraining program for dislocated workers, workers can participate in entrepreneurial training that prepares them for self-employment. This bill extends the same option to workers in the TAA program. More than 10 percent of TAA participants are not native English speakers. Because English proficiency is a prerequisite for most occupational training courses, these workers are generally steered into English language classes and tend to use up their training benefits before receiving occupational training. Under WIA, the Department of Labor has recently begun promoting ''integrated workforce training,'' which combines occupational training with job-related English proficiency. My bill allows the same kind of training to be provided under TAA.

For workers entering the TAA program, the most important service they receive is guidance from case workers provided by the state. These case workers help displaced workers learn about local career options, make informed choices about training programs, prepare necessary paperwork and meet deadlines for TAA income support and other benefits. They keep workers from being taken advantage of by unscrupulous training providers who prey on confused dislocated workers and make sure workers know about all the benefits to which they are entitled.

Because TAA is a federal program delegated to the states, the federal government provides the states with funding to meet the program's administrative costs. According to a survey by the GAO, however, the cost of providing case worker services far exceeds

the amount that the federal government provides. States must either divert money from other training programs or skimp on the services they provide to workers under TAA. The goal of TAA is to have workers make sensible choices about training that will lead to successful new careers. My bill makes that possible by requiring the federal government to provide the states with adequate funds to meet these critical administrative costs.

This legislation requires the Department of Labor to improve its data collection and to disseminate more information about the operation of the TAA program. Better and more accessible data will permit Congress and the public to more accurately assess the program's successes and failures and make it easier for workers to prepare successful petitions.

Finally, this legislation makes some needed changes to the TAA for Farmers program. For many years, Congress and the Labor Department tried—unsuccessfully to shoehorn farmers into the traditional TAA program. But the adjustment issues facing American farmers from global competition are fundamentally different than those facing manufacturing workers. In the Trade Act of 2002, we created TAA for Farmers by modifying the eligibility criteria and benefits package to more closely meet the needs of agricultural producers.

Congress dedicated $90 million annually to this program, with the intention of helping farmers to become more competitive before losing their farms. After several years in operation, however, much of the money provided by Congress has not been spent. The legislation I am introducing today fine tunes the eligibility criteria, based on experience, to eliminate some of the pitfalls that have excluded some crops from the program.

The Trade Adjustment Assistance Improvement Act is the fourth in a series of bills I have recently introduced to improve and reform TAA. The Trade Adjustment Assistance for Firms Reorganization Act, S. 1308, makes needed changes to the management structure of TAA for Firms at the Department of Commerce. The Trade Adjustment Assistance Equity for Service Workers Act, S. 1309, extends TAA to the 80 percent of American workers in the service sector. The Trade Adjustment Assistance for Industries Act, S. 1444, simplifies the TAA petition process and ties TAA more closely to displacements caused by specific trade agreements.

In the future, I plan to introduce additional legislation addressing the TAA health coverage tax credit. HCTC is a critical new benefit added to the TAA package in 2002. As with many new programs, the implementation process for HCTC has been bumpy. Armed with several years of experience and several objective studies of the program, the time has come to start smoothing out those bumps by revisiting the structure and operation of the HCTC. This further legislation should be ready for introduction in the coming months.

Whenever I speak about the need to expand and improve TAA, the first question I usually get is: how much will it cost? Clearly, my proposals will add to the cost of the program and I will ask CBO to provide a score. But the strong implication of this common question is that we cannot afford to add to the cost of the TAA program. I think that is the wrong starting point.

First, we need to put the cost of TAA in perspective. At present, TAA costs around one billion dollars per year to operate. That is a cost of less than $10 per American household per year. By contrast, a study by the Institute for International Economics recently concluded that the American economy is roughly $1 trillion per year better off thanks to global integration, which comes to about $9,000 in extra income every year for each American household. Looking at these figures, we should be embarrassed at the paltry fraction of the economic gains from trade that we are plowing back into adjusting and retraining our workforce.

The truth is, the United States as a country cannot afford not to make these changes. We need to be putting more resources into worker retraining. We need to make sure we do not marginalize an entire generation of manufacturing workers.

Now more than ever, we have to prepare workers for the challenges of the global market. The domestic auto industry faces unprecedented challenges to remain competitive in today's world. In October alone, a major auto parts supplier filed for bankruptcy, General Motors slashed wages and legacy benefits, and the Ford Motor Company announced substantial layoffs. Thousands of specialized workers will be displaced and have to start over.

At the same time, I continue to read warnings of an impending labor shortage—even in the manufacturing sector. Baby boomers will soon begin retiring in large numbers. Our educational system is not turning out enough new workers with the skills our employers need to succeed in global competition. I have seen estimates of a shortage of 20 million workers by 2020—with the most severe shortages in the most skilled jobs.

Economists estimate that increasing the education level of American workers by one year would increase productivity by 8.5 percent in manufacturing and 12.7 percent in nonmanufacturing industries. Is expanding TAA too high a price to pay to address the coming labor shortage and to achieve productivity gains on this order? I certainly do not think so.

Experts with a wide range of views on issues surrounding trade and competitiveness agree that, if our nation is to thrive in the global economy of the 21st century, we must expand our worker adjustment program. From Jagdish Bagwati to Tom Friedman, from Alan Greenspan to the AFL–CIO—there is near universal agreement on this point. I believe the legislation I have introduced today and over the past weeks creates a strong platform to build on and I will work to see these bills enacted into law.

But trade adjustment for workers alone cannot prepare America for the competitive challenges ahead. We must aggressively pursue our interests through the trade agreements we negotiate with other countries, and we must enforce them just as aggressively. Recently I laid out my vision for closer congressional oversight of trade enforcement by the United States Trade Representative. I intend to introdue legislation to address the need for better, more aggressive enforcement of our trade agreements. Finally, I believe that our global competitiveness strategy must go beyond trade negotiations. Over the course of several months, I have highlighted many opportunities to enhance our global competitiveness in areas such as healthcare, energy, education, and savings. We must prepare the American people to take full advantage of these opportunities and many more.

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. 1963

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Trade Adjustment Assistance Improvement Act of 2005''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

TITLE I—TRADE ADJUSTMENT ASSISTANCE

Sec. 101. Calculation of separation tolled during litigation.
Sec. 102. Establishment of Trade Adjustment Assistance Advisor.
Sec. 103. Certification of submissions.
Sec. 104. Revision of eligibility criteria.
Sec. 105. Training.
Sec. 106. Funding for administrative costs.
Sec. 107. Authorization of appropriations.

TITLE II—DATA COLLECTION

Sec. 201. Short title.
Sec. 202. Data collection; study; information to workers.
Sec. 203. Determinations by the Secretary of Labor.

TITLE III—TRADE ADJUSTMENT ASSISTANCE FOR FARMERS

Sec. 301. Clarification of marketing year and other provisions.
Sec. 302. Eligibility.

TITLE I—TRADE ADJUSTMENT ASSISTANCE

SEC. 101. CALCULATION OF SEPARATION TOLLED DURING LITIGATION.

Section 233 of the Trade Act of 1974 (19 U.S.C. 2293) is amended by adding at the end the following:

''(h) SPECIAL RULE FOR CALCULATING SEPARATION.—Notwithstanding any other provision of this chapter, any period during which a judicial or administrative appeal is pending with respect to the denial by the Secretary of a petition under section 223 shall

not be counted for purposes of calculating the period of separation under subsection (a)(2) and an adversely affected worker that would otherwise be entitled to a trade readjustment allowance shall not be denied such allowance because of such appeal.''.

SEC. 102. ESTABLISHMENT OF TRADE ADJUSTMENT ASSISTANCE ADVISOR.

(a) IN GENERAL.—Subchapter A of chapter 2 of title II of the Trade Act of 1974 is amended by inserting after section 221, the following new section:

''SEC. 221A. ESTABLISHMENT OF TRADE ADJUSTMENT ASSISTANCE ADVISOR.

''(a) IN GENERAL.—There is established in the Department of Labor an office to be known as the 'Office of the Trade Adjustment Assistance Advisor'. The Office shall be headed by a Director, who shall be responsible for providing assistance and advice to any person or entity described in section 221(a)(1) desiring to file a petition for certification of eligibility under section 221.

''(b) TECHNICAL ASSISTANCE.—The Director shall coordinate with each agency responsible for providing adjustment assistance under this chapter or chapter 6 and shall provide technical and legal assistance and advice to enable persons or entities described in section 221(a)(1) to prepare and file petitions for certification under section 221.''.

(b) TECHNICAL AMENDMENT.—The table of contents for title II of the Trade Act of 1974 is amended by inserting after the item relating to section 221, the following:

''Sec. 221A. Establishment of Office of Trade Adjustment Assistance Advisor.''.

SEC. 103. CERTIFICATION OF SUBMISSIONS.

Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) is amended by adding at the end the following:

''(e) CERTIFICATION OF SUBMISSIONS.—If an employer submits a petition on behalf of a group of workers pursuant to section 221(a)(1) or if the Secretary requests evidence or information from an employer in order to make a determination under this section, the accuracy and completeness of any evidence or information submitted by the employer shall be certified by the employer's legal counsel or by an officer of the employer.''.

SEC. 104. REVISION OF ELIGIBILITY CRITERIA.

(a) SHIFTS IN PRODUCTION.—Section 222(a)(2)(B) of the Trade Act of 1974 (19 (U.S.C. 2272(a)(2)(B)) is amended to read as follows:

''(B) there has been a shift in production by such workers' firm or subdivision to a foreign country of articles like or directly competitive with articles which are produced by such firm or subdivision.''.

(b) WAGE INSURANCE.—

(1) IN GENERAL.—Section 246(a)(3) of the Trade Act of 1974 (19 U.S.C. 2318(a)(3)) is amended to read as follows:

''(3) ELIGIBILITY.—A worker in a group that the Secretary has certified as eligible to apply for adjustment assistance under section 223 may elect to receive benefits under the alternative trade adjustment assistance program if the worker—

''(A) obtains reemployment not more than 26 weeks after the date of separation from the adversely affected employment;

''(B) is at least 40 years of age;

''(C) earns not more than $50,000 a year in wages from reemployment;

''(D) is employed on a full-time basis as defined by State law in the State in which the worker is employed; and

''(E) does not return to the employment from which the worker was separated.''.

(2) CONFORMING AMENDMENTS.—

(A) Subparagraphs (A) and (B) of section 246(a)(2) of the Trade Act of 1974 (19 U.S.C. 2318(a)(2)) are amended by striking ''paragraph (3)(B)'' and inserting ''paragraph (3)'' each place it appears.

(B) Section 246(b)(2) of such Act is amended by striking ''subsection (a)(3)(B)'' and inserting ''subsection (a)(3)''.

(c) DOWNSTREAM WORKERS.—Section 222(c)(3) of the Trade Act of 1974 (19 (U.S.C. 2272(c)(3)) is amended by striking '', if the certification of eligibility'' and all that follows to the end period.

SEC. 105. TRAINING.

(a) MODIFICATION OF ENROLLMENT DEADLINES.—Section 231(a)(5)(A)(ii) of the Trade Act of 1974 (19 U.S.C. 2291(a)(5)(A)(ii)) is amended—

(1) in subclause (I), by striking ''16th week'' and inserting ''26th week''; and

(2) in subclause (II), by striking ''8th week'' and inserting ''20th week''.

(b) EXTENSION OF ALLOWANCE TO ACCOMMODATE TRAINING.—Section 233 of the Trade Act of 1974 (19 U.S.C. 2293) is amended by adding at the end the following:

''(h) EXTENSION OF ALLOWANCE.—Notwithstanding any other provision of this section, a trade readjustment allowance may be paid to a worker for a number of additional weeks equal to the number of weeks the worker's enrollment in training was delayed beyond the deadline applicable under section 231(a)(5)(A)(ii) pursuant to a waiver granted under section 231(c)(1)(E).''.

(c) FUNDING FOR TRAINING.—Section 236(a) of the Trade Act of 1974 (19 U.S.C. 2296(a)) is amended—

(1) in paragraph (1) by striking ''Upon such approval'' and all that follows to the end; and

(2) by amending paragraph (2) to read as follows:

''(2)(A) Upon approval of a training program under paragraph (1), and subject to the limitations imposed by this section, an adversely affected worker covered by a certification issued under section 223 shall be eligible to have payment of the costs of that training, including any costs of an approved training program incurred by a worker before a certification was issued under section 223, made on behalf of the worker by the Secretary directly or through a voucher system.

''(B) Not later than 6 months after the date of enactment of the Trade Adjustment Assistance Improvement Act of 2005, the Secretary shall develop and submit to Congress for approval a formula that provides workers with an individual entitlement for training costs to be administered pursuant to sections 239 and 240. The formula shall take into account—

''(i) the number of workers enrolled in trade adjustment assistance;

''(ii) the duration of the assistance;

''(iii) the anticipated training costs for workers; and

''(iv) any other factors the Secretary deems appropriate.

''(C) Until such time as Congress approves the formula, the total amount of payments that may be made under subparagraph (A) for any fiscal year shall not exceed fifty percent of the amount of trade readjustment allowances paid to workers during that fiscal year.''.

(d) APPROVED TRAINING PROGRAMS.—

(1) IN GENERAL.—Section 236(a)(5) of the Trade Act of 1974 (19 U.S.C. 2296(a)(5)) is amended—

(A) by striking ''and'' at the end of subparagraph (E);

(B) by redesignating subparagraph (F) as subparagraph (H); and

(C) by inserting after subparagraph (E) the following:

''(F) integrated workforce training;

''(G) entrepreneurial training; and''.

(2) DEFINITION.—Section 247 of the Trade Act of 1974 (19 U.S.C. 2319) is amended by adding at the end the following:

''(18) The term 'integrated workforce training' means training that integrates occupational skills training with English language acquisition.''.

SEC. 106. FUNDING FOR ADMINISTRATIVE COSTS.

Section 241 of the Trade Act of 1974 (19 U.S.C. 2313) is amended by adding at the end the following:

''(d) Funds provided by the Secretary to a State to cover administrative costs associated with the performance of a State's responsibilities under section 239 shall be sufficient to cover all costs of the State associated with operating the trade adjustment assistance program, including case worker costs.''.

SEC. 107. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 245(a) of the Trade Act of 1974 (19 U.S.C. 2317(a)) is amended by striking ''2007'' and inserting ''2012''.

(b) FIRMS.—Section 256(b) of the Trade Act of 1974 (19 U.S.C. 2346(b)) is amended—

(1) by striking ''$16,000,000'' and inserting ''$32,000,000''; and

(2) by striking ''2007'' and inserting ''2012''.

(c) FARMERS.—Section 298(a) of the Trade Act of 1974 (19 U.S.C. 2401g(a)) is amended by striking ''2007'' and inserting ''2012''.

TITLE II—DATA COLLECTION

SEC. 201. SHORT TITLE.

This title may be cited as the ''Trade Adjustment Assistance Accountability Act''.

SEC. 202. DATA COLLECTION; STUDY; INFORMATION TO WORKERS.

(a) DATA COLLECTION; EVALUATIONS.—Subchapter C of chapter 2 of title II of the Trade Act of 1974 is amended by inserting after section 249, the following new section:

''SEC. 250. DATA COLLECTION; EVALUATIONS; REPORTS.

''(a) DATA COLLECTION.—The Secretary shall, pursuant to regulations prescribed by the Secretary, collect any data necessary to meet the requirements of this chapter.

''(b) PERFORMANCE EVALUATIONS.—The Secretary shall establish an effective performance measuring system to evaluate the following:

''(1) PROGRAM PERFORMANCE.—A comparison of the trade adjustment assistance program before and after the effective date of the Trade Adjustment Assistance Reform Act of 2002 with respect to—

''(A) the number of workers certified and the number of workers actually participating in the trade adjustment assistance program;

''(B) the time for processing petitions;

''(C) the number of training waivers granted;

''(D) the coordination of programs under this chapter with programs under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.);

''(E) the effectiveness of individual training providers in providing appropriate information and training;

''(F) the extent to which States have designed and implemented health care coverage options under title II of the Trade Act of 2002, including any difficulties States have encountered in carrying out the provisions of title II;

''(G) how Federal, State, and local officials are implementing the trade adjustment assistance program to ensure that all eligible individuals receive benefits, including providing outreach, rapid response, and other activities; and

''(H) any other data necessary to evaluate how individual States are implementing the requirements of this chapter.

''(2) PROGRAM PARTICIPATION.—The effectiveness of the program relating to—

''(A) the number of workers receiving benefits and the type of benefits being received both before and after the effective date of the Trade Adjustment Assistance Reform Act of 2002;

''(B) the number of workers enrolled in, and the duration of, training by major types of training both before and after the effective date of the Trade Adjustment Assistance Reform Act of 2002;

''(C) earnings history of workers that reflects wages before separation and wages in any job obtained after receiving benefits under this Act;

''(D) reemployment rates and sectors in which dislocated workers have been employed;

''(E) the cause of dislocation identified in each petition that resulted in a certification under this chapter; and

''(F) the number of petitions filed and workers certified in each congressional district of the United States.

''(c) STATE PARTICIPATION.—The Secretary shall ensure, to the extent practicable, through oversight and effective internal control measures the following:

''(1) STATE PARTICIPATION.—Participation by each State in the performance measurement system established under subsection (b) and shall provide incentives for States to supplement employment and wage data obtained through the use of unemployment insurance wage records.

''(2) MONITORING.—Monitoring by each State of internal control measures with respect to performance measurement data collected by each State.

''(3) RESPONSE.—The quality and speed of the rapid response provided by each State under section 134(a)(2)(A) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(a)(2)(A)).

''(d) REPORTS.—

''(1) REPORTS BY THE SECRETARY.—

''(A) INITIAL REPORT.—Not later than 6 months after the date of enactment of the Trade Adjustment Assistance Accountability Act, the Secretary shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report that—

''(i) describes the performance measurement system established under subsection (b);

''(ii) includes analysis of data collected through the system established under subsection (b); and

''(iii) provides recommendations for program improvements.

''(B) ANNUAL REPORT.—Not later than 1 year after the date the report is submitted under subparagraph (A), and annually thereafter, the Secretary shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives and release to the public a report that includes the information collected under clause (ii) of subparagraph (A).

''(2) STATE REPORTS.—Pursuant to regulations prescribed by the Secretary, each State shall submit to the Secretary a report that details its participation in the programs established under this chapter, and that contains the data necessary to allow the Secretary to submit the report required under paragraph (1).

''(3) PUBLICATION.—The Secretary shall make available to each State, to Congress, and to the public, the data gathered and evaluated through the performance measurement system established under subsection (b).''.

(b) CONFORMING AMENDMENTS.—

(1) COORDINATION.—Section 281 of the Trade Act of 1974 (19 U.S.C. 2392) is amended by striking ''Departments of Labor and Commerce'' and inserting ''Departments of Labor, Commerce, and Agriculture''.

(2) TRADE MONITORING SYSTEM.—Section 282 of the Trade Act of 1974 (19 U.S.C. 2393) is amended by striking ''The Secretary of Commerce and the Secretary of Labor'' and inserting ''The Secretaries of Commerce, Labor, and Agriculture''.

(3) TABLE OF CONTENTS.—The table of contents for title II of the Trade Act of 1974 is amended by inserting after the item relating to section 249, the following new item:

''Sec. 250. Data collection; evaluations; reports.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 60 days after the date of enactment of this Act.

SEC. 203. DETERMINATIONS BY THE SECRETARY OF LABOR.

Section 223(c) of the Trade Act of 1974 (19 U.S.C. 2273(c)) is amended to read as follows:

''(c) PUBLICATION OF DETERMINATIONS.—Upon reaching a determination on a petition, the Secretary shall—

''(1) promptly publish a summary of the determination in the Federal Register together with the Secretary's reasons for making such determination; and

''(2) make the full text of the determination available to the public on the Internet website of the Department of Labor with full-text searchability.''.

TITLE III—TRADE ADJUSTMENT ASSISTANCE FOR FARMERS

SEC. 301. CLARIFICATION OF MARKETING YEAR AND OTHER PROVISIONS.

(a) IN GENERAL.—Section 291(5) of the Trade Act of 1974 (19 U.S.C. 2401(5)) is amended by inserting before the end period the following: '', or in the case of an agricultural commodity that has no officially designated marketing year, in a 12-month period for which the petitioner provides written request''.

(b) FISHERMEN.—Notwithstanding any other provision of law, for purposes of chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) fishermen who harvest wild stock shall be eligible for adjustment assistance to the same extent and in the same manner as a group of workers under such chapter 2.

SEC. 302. ELIGIBILITY.

(a) IN GENERAL.—Section 292(c)(1) of the Trade Act of 1974 (19 U.S.C. 2401a(c)(1)) is amended by striking ''80 percent'' and inserting ''90 percent''.

(b) NET FARM INCOME.—Section 296(a)(1)(C) of the Trade Act of 1974 (19 U.S.C. 2401e(a)(1)(C)) is amended by inserting before the end period the following: ''or the producer had no positive net farm income for the 2 most recent consecutive years in which no adjustment assistance was received by the producer under this chapter''.

By Ms. SNOWE (for himself and Mr. SCHUMER):

S. 964. A bill to amend the Internal Revenue Code of 1986 to modify the determination and deduction of interest on qualified education loans; to the Committee on Finance.

Ms. SNOWE. Mr. President, every year, the cost of higher education and vocational education increases dramatically. College tuition and fees have been rising more rapidly than household income over the past two decades. The divergence is particularly pronounced for low-income households. The sad result is that with every year more students and families are forced to decide whether they can afford higher education while knowing their choice is limited by price. It is imperative that Congress work to make higher education more accessible to all.

Our Nation must make a solid commitment to ensure that every individual has the opportunity to pursue higher education, and our policies should reflect this commitment. Education has always been the great equalizer in our society that provides every American the same opportunity to succeed. That is why today I, along with Senator SCHUMER, am introducing legislation that would provide for a simpler, more borrower-friendly method for reporting and deducting capitalized interest and origination fees in connection with qualified education loans.

In May 2004, the Treasury Department issued final regulations with respect to the student loan interest deduction under the tax code. Among other things, these Treasury regulations provide that the ''original issue discount rules'' (OID) shall apply for purposes of students claiming this deduction. In particular, they would apply to the portion of the student loan that relates to federally mandated student loan origination fees and the capitalized interest that does not accrue on the loan while the student attends school (i.e., the government essentially pays this interest for the student on the loan during the years the student attends school).

OID rules are complicated and confusing. In general, these rules attempt to prevent taxpayers from claiming inflated interest deductions stemming from debt obligations. When a borrower issues a debt obligation at a discount, that is the note's face amount exceeds the amount that the lender advances to the borrower, the amount of the discount represents additional interest on the obligation. The OID rules reflect Congress' attempt to square the tax treatment of this unstated or disguised interest into conformity with economic reality.

The OID rules, then, ''limit'' a borrower's tax deduction because whereas the tax code generally permits borrowers to deduct the interest they pay on debt obligations, such as student loans, the tax code generally prevents borrowers from deducting any OID they might pay on such debt.

For example, assume that a corporation issues thirty-year bonds with a face value of $1,000 each and, according to their terms, paying 10 percent interest each year. Assume, though, that the corporation actually sells these bonds to investors for $850 because the 10 percent interest rate is below market rates. Under these facts, there is $150, $1,000 − $850, that the corporation essentially is ''re-classifying'' as interest that it will pay to the investor; that is, the investors would not be satisfied with a 10 percent return upon giving the corporation $1,000 so that the corporation essentially treats a portion of the principle, $150, as interest.

The tax code classifies this $150 as OID. The $150 of OID serves the same function as the stated annual interest of $100, 10 percent of $1,000. As such, the $150 of OID is an additional cost to the corporation in borrowing $850 from the investor, and it is additional compensation that the corporation pays to the lender for lending that amount. The only differences to the parties are that the corporation is not required to pay the OID of $150 until the bond matures and that the investor does not receive the discount in cash until then, unless the bond is sold in the interim.

As I noted earlier, the OID rules prevent borrowers from deducting the entire amount of ''interest'' they pay to a borrower on a loan. Specifically, in the previous example, although the parties treat the loan principle as being $850, the application of the OID rules treats the loan as $1,000, which is significant because it means the IRS classifies the $150 of OID as not being interest. In turn, the borrower cannot deduct this $150 payment to the borrower because it is a return of principle on the loan rather than interest.

Consequently, applying OID rules to student loans would have several negative effects. First, with respect to students, they would not be able to deduct the entire amount of ''interest'' they pay to their lender. In general, whereas the tax code generally permits students to deduct student loan interest, subject to certain limitations, it does not permit taxpayers to deduct OID. The Treasury regulations, then, will reduce the cash flow of students who are repaying student loans by limiting their student loan interest deduction.

In addition, applying the OID rules will have an enormous impact on the compliance burden. Indeed, the interaction of the OID rules and the loan provisions of the Higher Education Act greatly magnifies the complexity of rules that lenders must follow. As such, lenders and servicers will be forced to create accounting systems, at enormous expenses that ultimately will be passed on to student borrowers, to enable them to track and report the origination fees and capitalized interest in accordance with the OID rules. Furthermore, given that there is no track record of applying the OID rules to student lenders, there is no guarantee that they can preform these tasks accurately.

Congress enacted the OID rules to prevent taxpayers, mostly large corporations, from altering the terms of loan agreements to claim inflated interest deduction. Clearly, applying them to student loans is unreasonable and frankly unintended.

To remedy this problem, my legislation would permit lenders to account for the OID treatment of student loans under the ''immediate accrual method, which colloquially is referred to as the ''bucket method.'' Under this approach, the origination fee would accrue as soon as it is charged to or paid by the borrower, and capitalized interest would accrue under the terms of the promissory note. Accrued origination fee and capitalized interest would go into a ''bucket'' as soon as they accrue, until such time as the borrower begins to make payments on the loan. Amounts in the ''bucket'' would be applied against principal payments until the bucket is empty. Capitalized interest and origination fees would be reported to and deductible by the eligible taxpayer in the year in which they are paid.

My legislation would, as I stated, provide for a simpler, more borrower-friendly method for reporting and deducting capitalized interest and origination fees in connection with qualified education loans. Consequently, it would not reduce the need to engage in the burdensome task of calculating the OID on loans, and the student borrowers would be able to deduct more of the interest they pay.

This bill is good policy and common sense. Senator SCHUMER and I look forward to working with Finance Committee Chairman GRASSLEY and Ranking Member BAUCUS in seeking swift action to resolve this issue.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2423. Mr. ALLARD proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

SA 2424. Mr. NELSON of Florida (for himself, Mr. HAGEL, Mr. CORZINE, Mr. NELSON of Nebraska, Mr. SMITH, Ms. CANTWELL, Mr. DAYTON, Mr. KERRY, Ms. LANDRIEU, Ms. MIKULSKI, Mrs. MURRAY, Ms. STABENOW, Mrs. BOXER, Mr. PRYOR, Mr. DURBIN, Mr. JEFFORDS, Mr. JOHNSON, and Mr. SALAZAR) proposed an amendment to the bill S. 1042, supra.

SA 2425. Mr. MCCAIN (for himself, Mr. WARNER, Mr. LEVIN, Mr. LEAHY, Mr. HAGEL, Mr. DURBIN, and Mr. KENNEDY) proposed an amendment to the bill S. 1042, supra.

SA 2426. Mr. DEWINE submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 2427. Mr. REED (for Mr. LEVIN (for himself, Mr. REED, Mr. KERRY, Mr. FEINGOLD, and Mr. LAUTENBERG)) proposed an amendment to the bill S. 1042, supra.

SA 2428. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 1042, supra; which was ordered to lie on the table.

SA 2429. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 1042, supra; which was ordered to lie on the table.

SA 2430. Mr. LEVIN (for himself, Mr. REED, Mr. KENNEDY, Mr. ROCKEFELLER, Mr. BINGAMAN, Mrs. BOXER, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 1042, supra.

SA 2431. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 2432. Mr. INHOFE (for himself, Mr. STEVENS, Mr. ROBERTS, Mr. SESSIONS, Mr. ENSIGN, Mr. GRAHAM, Mr. THUNE, and Mr. KYL) proposed an amendment to the bill S. 1042, supra.

TEXT OF AMENDMENTS

SA 2423. Mr. ALLARD proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 378, between lines 10 and 11, insert the following:

SEC. 3114. RETIREMENT BENEFITS FOR WORKERS AT ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE, COLORADO.

(a) PROGRAM AUTHORIZED.—Subject to the availability of funds under subsection (d), the Secretary of Energy shall establish a program for the purposes of providing health, medical, and life insurance benefits to workers at the Rocky Flats Environmental Technology Site, Colorado (in this section referred to as the ''Site''), who do not qualify for such benefits because the physical completion date was achieved before December 15, 2006.

(b) ELIGIBILITY FOR BENEFITS.—A worker at the Site is eligible for health, medical, and life insurance benefits under the program described in subsection (a) if the employee—

(1) was employed by the Department of Energy, or by contract or first or second tier subcontract to perform cleanup, security, or administrative duties or responsibilities at the Site on September 29, 2003; and

(2) would have achieved applicable eligibility requirements for health, medical, and life insurance benefits as defined in the Site retirement benefit plan documents if the physical completion date had been achieved on December 15, 2006, as specified in the Site project completion contract.

(c) DEFINITIONS.—In this section:

(1) HEALTH, MEDICAL, AND LIFE INSURANCE BENEFITS.—The term ''health, medical, and life insurance benefits'' means those benefits that workers at the Site are eligible for through collective bargaining agreements, projects, or contracts for work scope.

(2) PHYSICAL COMPLETION DATE.—The term ''physical completion date'' means the date the Site contractor has completed all services required by the Site project completion contract other than close-out tasks and services related to plan sponsorship and management of post-project completion retirement benefits.

(3) PLAN SPONSORSHIP AND PROGRAM MANAGEMENT OF POST-PROJECT COMPLETION RETIREMENT BENEFITS.—The term ''plan sponsorship and program management of post-project completion retirement benefits'' means those duties and responsibilities that are necessary to execute, and are consistent with, the terms and legal responsibilities of the instrument under which the post-project completion retirement benefits are provided to workers at the Site.

(d) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated to the Secretary of Energy in fiscal year 2006 for the Rocky Flats Environmental Technology Site, $15,000,000 shall be made available to the Secretary to carry out the program described in subsection (a).

SA 2424. Mr. NELSON of Florida (for himself, Mr. HAGEL, Mr. CORZINE, Mr. NELSON of Nebraska, Mr. SMITH, Ms.

CANTWELL, Mr. DAYTON, Mr. KERRY, Ms. LANDRIEU, Ms. MIKULSKI, Mrs. MURRAY, Ms. STABENOW, Mrs. BOXER, Mr. PRYOR, Mr. DURBIN, Mr. JEFFORDS, Mr. JOHNSON, and Mr. SALAZAR) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescibe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 642. REPEAL OF REQUIREMENT OF REDUCTION OF SBP SURVIVOR ANNUITIES BY DEPENDENCY AND INDEMNITY COMPENSATION.

(a) REPEAL.—Subchapter II of chapter 73 of title 10, United States Code is amended—

(1) in section 1450(c)(1), by inserting after ''to whom section 1448 of this title applies'' the following: ''(except in the case of a death as described in subsection (d) or (f) of such section)''; and

(2) in section 1451(c)—

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(b) PROHIBITION ON RETROACTIVE BENEFITS.—No benefits may be paid to any person for any period before the effective date provided under subsection (e) by reason of the amendments made by subsection (a).

(c) PROHIBITION ON RECOUPMENT OF CERTAIN AMOUNTS PREVIOUSLY REFUNDED TO SBP RECIPIENTS.—A surviving spouse who is or has been in receipt of an annuity under the Survivor Benefit Plan under subchapter II of chapter 73 of title 10, United States Code, that is in effect before the effective date provided under subsection (e) and that is adjusted by reason of the amendments made by subsection (a) and who has received a refund of retired pay under section 1450(e) of title 10, United States Code, shall not be required to repay such refund to the United States.

(d) RECONSIDERATION OF OPTIONAL ANNUITY.—Section 1448(d)(2) of title 10, United States Code, is amended by adding at the end the following new sentences: ''The surviving spouse, however, may elect to terminate an annuity under this subparagraph in accordance with regulations prescribed by the Secretary concerned. Upon such an election, payment of an annuity to dependent children under this subparagraph shall terminate effective on the first day of the first month that begins after the date on which the Secretary concerned receives notice of the election, and, beginning on that day, an annuity shall be paid to the surviving spouse under paragraph (1) instead.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the later of—

(1) the first day of the first month that begins after the date of the enactment of this Act; or

(2) the first day of the fiscal year that begins in the calendar year in which this Act is enacted.

SEC. 643. EFFECTIVE DATE FOR PAID-UP COVERAGE UNDER SURVIVOR BENEFIT PLAN.

Section 1452(j) of title 10, United States Code, is amended by striking ''October 1, 2008'' and inserting ''October 1, 2005''.

SA 2425. Mr. MCCAIN (for himself, Mr. WARNER, Mr. LEVIN, Mr. LEAHY, Mr. HAGEL, Mr. DURBIN, and Mr. KENNEDY) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescibe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1073. UNIFORM STANDARDS FOR THE INTERROGATION OF PERSONS UNDER THE DETENTION OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—No person in the custody or under the effective control of the Department of Defense or under detention in a Department of Defense facility shall be subject to any treatment or technique of interrogation not authorized by and listed in the United States Army Field Manual on Intelligence Interrogation.

(b) APPLICABILITY.—Subsection (a) shall not apply to with respect to any person in the custody or under the effective control of the Department of Defense pursuant to a criminal law or immigration law of the United States.

(c) CONSTRUCTION.—Nothing in this section shall be construed to affect the rights under the United States Constitution of any person in the custody or under the physical jurisdiction of the United States.

SEC. 1074. PROHIBITION ON CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT OF PERSONS UNDER CUSTODY OR CONTROL OF THE UNITED STATES GOVERNMENT.

(a) IN GENERAL.—No individual in the custody or under the physical control of the United States Government, regardless of nationality or physical location, shall be subject to cruel, inhuman, or degrading treatment or punishment.

(b) CONSTRUCTION.—Nothing in this section shall be construed to impose any geographical limitation on the applicability of the prohibition against cruel, inhuman, or degrading treatment or punishment under this section.

(c) LIMITATION ON SUPERSEDURE.—The provisions of this section shall not be superseded, except by a provision of law enacted after the date of the enactment of this Act which specifically repeals, modifies, or supersedes the provisions of this section.

(d) CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT DEFINED.—In this section, the term ''cruel, inhuman, or degrading treatment or punishment'' means the cruel, unusual, and inhumane treatment or punishment prohibited by the Fifth, Eighth, and Fourteenth Amendments to the Constitution of the United States, as defined in the United States Reservations, Declarations and Understandings to the United Nations Convention Against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment done at New York, December 10, 1984.

SA 2426. Mr. DEWINE submitted an amendment intended to be proposed by him to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 188, after line 23, insert the following:

SEC. 733. CENTENNIAL DEMONSTRATION PROJECT.

(a) ESTABLISHMENT.—

(1) REQUIREMENT.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Defense shall implement a demonstration project (referred to in this section as the ''Centennial Demonstration Project'') with a non-profit health care entity (referred to in this section as the ''partner'') to permit employees of the Department of Defense and of the partner to jointly staff and provide heath care services to military personnel and civilians at a Department of Defense military treatment facility.

(2) TERM OF THE PROJECT.—The Secretary shall carry out the Centennial Demonstration Project for a 5-year period.

(b) PURPOSES.—The purposes of the Centennial Demonstration Project shall be to evaluate whether jointly staffing a Department of Defense military treatment facility with employees of the Department of Defense and of the partner—

(1) improves the quality of care provided to military personnel through the use of supplemental civilian medical resources that are not otherwise available at the military treatment facility;

(2) enhances the economical use of the military treatment facility by permitting excess capacity within the facility to be used by civilian medical personnel for civilian care; and

(3) provides military medical personnel additional training opportunities involving the care of civilians at the military treatment facility.

(c) LIMITATION ON SERVICES TO CIVILIANS BY MILITARY PERSONNEL.—The Secretary of Defense may not permit any civilian to receive medical services provided by military medical personnel under the Centennial Demonstration Project unless the Secretary submits to the Armed Services Committee of the Senate and the Armed Service Committee of the House of Representatives a report that includes descriptions of—

(1) the services to be provided by the military medical personnel to civilians under such Project;

(2) any benefits associated with providing such services that enhance the readiness and proficiency of the military personnel participating in such Program; and

(3) the mechanisms for recovering the costs associated with the provision of such services.

(d) FINANCIAL ARRANGEMENTS.—The Secretary of Defense is authorized to enter into appropriate financial arrangements with the partner to ensure that the Department of Defense is compensated for any care provided to civilians under the Centennial Demonstration Project. The Secretary of Defense shall determine the terms of such arrangements after evaluating—

(1) the value of the services to be provided by the partner under such Project; and

(2) the value of the use of military treatment facility by the partner during such Project.

(e) LIABILITY.—Nothing in this section may be construed to modify any law regarding the liability of civilian or military medical personnel for medical services rendered to either civilian or military personnel.

(f) REPORTS.—

(1) REQUIREMENT.—The Secretary of Defense and the appropriate representative of the partner shall jointly prepare and submit to Congress 2 reports on the Centennial Demonstration Project and its impact on the military treatment facility where such Project is implemented.

(2) SCHEDULE.—

(A) FIRST REPORT.—The first report required by paragraph (1) shall be submitted

not later than 4 years after the date of the enactment of this Act.

(B) SECOND REPORT.—The second report required by paragraph (1) shall be submitted not later than 5 years after the date of the enactment of this Act.

SA 2427. Mr. REED (for Mr. LEVIN (for himself, Mr. REED, Mr. KERRY, Mr. FEINGOLD, and Mr. LAUTENBERG)) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle C of title II, add the following:

SEC. 330. ADDITIONAL AMOUNT FOR COOPERATIVE THREAT REDUCTION PROGRAMS.

(a) INCREASED AMOUNT FOR OPERATION AND MAINTENANCE, COOPERATIVE THREAT REDUCTION PROGRAMS.—The amount authorized to be appropriated by section 301(19) for the Cooperative Threat Reduction programs is hereby increased by $50,000,000.

(b) OFFSET.—Of the amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation, Defense-wide activities, is hereby reduced by $50,000,000, with the amount of the reduction to be allocated as follows:

(1) The amount available in Program Element 0603882C for long lead procurement of Ground-Based Interceptors is hereby reduced by $30,000,000.

(2) The amount available for initial construction of associated silos is hereby reduced by $20,000,000.

SA 2428. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strength for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. IMPROVE THE RADIATION DOSE RECONSTRUCTION PROGRAM.

(a) IN GENERAL.—In implementing the Energy Employees Occupational Illness Compensation Program Act, the Advisory Board on Radiation and Worker Health shall, not later than 90 days after the enactment of this Act—

(1) in order to correctly identify quality problems through the audit process of the Advisory Board, promptly develop a formal comment resolution process including the tracking of findings and issues; and

(2) review each site profile and each dose reconstruction audit report provided by the Advisory Board's audit contractor within 90 days of the date on which such audit reports are received.

(b) CORRECTIVE ACTION PLAN.—The National Institute on Occupational Safety and Health shall, in response to recommendations from the Advisory Board on Radiation and Worker Health, prepare and submit a corrective action plan within 90 days of receiving a recommendation from the Advisory Board on items covered under subsection (a)(2). Such plans shall contain specific deadlines for implementing such recommendations to the extent that the Director concurs with the recommendations of the Advisory Board.

SA 2429. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXXI, add the following:

SEC. ____. PROHIBITION ON CONTRACT FOR WORK AT HANFORD SITE, WASHINGTON, UNLESS CONTRACTOR MAKES EMPLOYER CONTRIBUTIONS TO HANFORD SITE PENSION PLAN FOR PERIOD OF CONTRACT.

(a) PROHIBITION.—The Secretary of Energy may not, after the date of the enactment of this Act, enter into a contract for the work at the Hanford Site, Washington, specified in subsection (b) unless the contract includes terms requiring the contractor to make all applicable employer contributions to the Hanford Contractors Multi-Employer Pension Plan for employees covered by such contract over the entire period of the contract.

(b) COVERED WORK.—The work at the Hanford Site specified in this subsection is work for projects or activities as follows:

(1) The River Corridor Closure Project.

(2) The Fast Flux Test Facility (FFTF) Closure Project.

(3) The 222–S Laboratory.

(4) Any other project or activity at the Hanford Site.

SA 2430. Mr. LEVIN (for himself, Mr. REED, Mr. KENNEDY, Mr. ROCKEFELLER, Mr. BINGAMAN, Mrs. BOXER, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of division A, add the following:

TITLE XV—NATIONAL COMMISSION ON POLICIES AND PRACTICES ON TREATMENT OF DETAINEES SINCE SEPTEMBER 11, 2001

SEC. 1501. FINDINGS.

Congress makes the following findings:

(1) The vast majority of the members of the Armed Forces have served honorably and upheld the highest standards of professionalism and morality.

(2) While there have been numerous reviews, inspections, and investigations by the Department of Defense and others regarding aspects of the treatment of individuals detained in the course of Operation Enduring Freedom, Operation Iraqi Freedom, or United States activities to counter international terrorism since September 11, 2001, none has provided a comprehensive, objective, and independent investigation of United States policies and practices relating to the treatment of such detainees.

(3) The reports of the various reviews, inspections, and investigations conducted by the Department of Defense and others have left numerous omissions and reached conflicting conclusions regarding institutional and personal responsibility for United States policies and practices on the treatment of the detainees described in paragraph (2) that may have caused or contributed to the mistreatment of such detainees.

(4) Omissions in the reports produced to date also include omissions relating to—

(A) the authorities of the intelligence community for activities to counter international terrorism since September 11, 2001, including the rendition of detainees to foreign countries, and whether such authorities differed from the authorities of the military for the detention and interrogation of detainees;

(B) the role of intelligence personnel in the detention and interrogation of detainees;

(C) the role of special operations forces in the detention and interrogation of detainees; and

(D) the role of contract employees in the detention and interrogation of detainees.

SEC. 1502. ESTABLISHMENT OF COMMISSION.

There is established the National Commission on United States Policies and Practices Relating to the Treatment of Detainees Since September 11, 2001 (in this title referred to as the ''Commission'').

SEC. 1503. COMPOSITION OF THE COMMISSION.

(a) MEMBERS.—The Commission shall be composed of 10 members, of whom—

(1) 1 member shall be appointed by the President, who shall serve as chairman of the Commission;

(2) 1 member shall be appointed by the senior member of the leadership of the Senate of the Democratic Party, in consultation with the senior member of the leadership of the House of Representatives of the Democratic Party, who shall serve as vice chairman of the Commission;

(3) 2 members shall be appointed by the senior member of the Senate leadership of the Republican Party;

(4) 2 members shall be appointed by the senior member of the Senate leadership of the Democratic Party;

(5) 2 members shall be appointed by the senior member of the leadership of the House of Representatives of the Republican Party; and

(6) 2 members shall be appointed by the senior member of the leadership of the House of Representatives of the Democratic Party.

(b) QUALIFICATIONS; INITIAL MEETING.—

(1) POLITICAL PARTY AFFILIATION.—Not more than 5 members of the Commission shall be from the same political party.

(2) NONGOVERNMENTAL APPOINTEES.—An individual appointed to the Commission may not be an officer or employee of the Federal Government or any State or local government.

(3) OTHER QUALIFICATIONS.—It is the sense of Congress that individuals appointed to the Commission should be prominent United States citizens, with national recognition and significant depth of experience in such professions as governmental service, the Armed Forces, intelligence gathering or analysis, law, public administration, law enforcement, and foreign affairs.

(4) DEADLINE FOR APPOINTMENT.—All members of the Commission shall be appointed not later than 30 days after the date of the enactment of this Act.

(c) MEETINGS; QUORUM; VACANCIES.—

(1) INITIAL MEETING.—The Commission shall meet and begin the operations as soon as practicable after all members have been appointed under subsection (b).

(2) MEETINGS.—After its initial meeting under paragraph (1), the Commission shall meet upon the call of the chairman or a majority of its members.

(3) QUORUM.—Six members of the Commission shall constitute a quorum.

(4) VACANCIES.—Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

SEC. 1504. PURPOSES.

(a) IN GENERAL.—The purposes of the Commission are to—

(1) examine and report upon the policies and practices of the United States relating to the treatment of individuals detained in Operation Enduring Freedom (OEF), Operation Iraqi Freedom (OIF), or United States activities to counter international terrorism since September 11, 2001 (in this title referred to as ''detainees'') , including the rendition of detainees to foreign countries;

(2) examine, evaluate, and report on the causes of and factors that may have contributed to the alleged mistreatment of detainees, including, but not limited to—

(A) laws and policies of the United States relating to the detention or interrogation of detainees, including the rendition of detainees to foreign countries;

(B) activities of special operations forces of the Armed Forces;

(C) activities of contract employees of any department, agency, or other entity of the United States Government, including for the rendition of detainees to foreign countries; and

(D) activities of employees of the Central Intelligence Agency, the Defense Intelligence Agency, or any other element of the intelligence community;

(3) assess the responsibility of leaders, whether military or civilian, within and outside the Department of Defense for policies and actions, or failures to act, that may have contributed, directly or indirectly, to the mistreatment of detainees;

(4) ascertain, evaluate, and report on the effectiveness and propriety of interrogation techniques, policies, and practices for producing useful and reliable intelligence;

(5) ascertain, evaluate, and report on all planning for long-term detention, or procedures for prosecution by civilian courts or military tribunals or commission, of detainees in the custody of any department, agency, or other entity of the United States Government or who have been rendered to any foreign government or entity; and

(6) investigate and submit a report to the President and Congress on the Commission's findings, conclusions, and recommendations, including any modifications to existing treaties, laws, policies, or regulations, as appropriate.

(b) UTILIZATION OF OTHER MATERIALS.—The Commission may build upon reports conducted by the Department of Defense or other entities by reviewing the source materials, findings, conclusions, and recommendations of those other reviews in order to—

(1) avoid unnecessary duplication; and

(2) identify any omissions in or conflicts between such reports which in the Commission's view merit further investigation.

SEC. 1505. FUNCTIONS OF COMMISSION.

The functions of the Commission are to—

(1) conduct an investigation that ascertains relevant facts and circumstances relating to—

(A) laws, policies, and practices of the United States relating to the treatment of detainees since September 11, 2001, including any relevant treaties, statutes, Executive orders, regulations, plans, policies, practices, or procedures;

(B) activities of any department, agency, or other entity of the United States Government relating to Operation Enduring Freedom, Operation Iraqi Freedom, and efforts to counter international terrorism since September 11, 2001;

(C) the role of private contract employees in the treatment of detainees;

(D) the role of legal and medical personnel in the treatment of detainees, including the role of medical personnel in advising on plans for, and the conduct of, interrogations;

(E) dealings of any department, agency, or other entity of the United States Government with the International Committee of the Red Cross;

(F) the role of congressional oversight; and

(G) other areas of the public and private sectors determined relevant by the Commission for its inquiry;

(2) identify and review how policies regarding the detention, interrogation, and rendition of detainees were formulated and implemented, and evaluate such policies in light of lessons learned from activities in Iraq, Afghanistan, Guantanamo Bay, Cuba, and elsewhere; and

(3) submit to the President and Congress such reports as are required by this title containing such findings, conclusions, and recommendations as the Commission shall determine, including proposing any appropriate modifications in legislation, organization, coordination, planning, management, procedures, rules, and regulations.

SEC. 1506. POWERS OF COMMISSION.

(a) IN GENERAL.—

(1) HEARINGS AND EVIDENCE.—The Commission or, on the authority of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this title—

(A) hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths; and

(B) subject to paragraph (2)(A), require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents,

as the Commission or such designated subcommittee or designated member may determine advisable.

(2) SUBPOENAS.—

(A) ISSUANCE.—

(i) IN GENERAL.—A subpoena may be issued under this subsection only—

(I) by the agreement of the chairman and the vice chairman; or

(II) by the affirmative vote of 6 members of the Commission.

(ii) SIGNATURE.—Subject to clause (i), subpoenas issued under this subsection may be issued under the signature of the chairman or any member designated by a majority of the Commission, and may be served by any person designated by the chairman or by a member designated by a majority of the Commission.

(B) ENFORCEMENT.—

(i) IN GENERAL.—In the case of contumacy or failure to obey a subpoena issued under subparagraph (A), the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found, or where the subpoena is returnable, may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(ii) ADDITIONAL ENFORCEMENT.—In the case of any failure of any witness to comply with any subpoena or to testify when summoned under authority of this section, the Commission may, by majority vote, certify a statement of fact constituting such failure to the appropriate United States attorney, who may bring the matter before the grand jury for its action, under the same statutory authority and procedures as if the United States attorney had received a certification under sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192 through 194).

(b) CONTRACTING.—The Commission may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Commission to discharge its duties under this title.

(c) INFORMATION AND MATERIALS FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—

(A) COOPERATION OF AGENCIES.—The Commission shall receive the full and timely cooperation of any department, agency, element, bureau, board, commission, independent establishment, or other instrumentality of the United States Government, and of any officer or employee thereof, whose assistance is necessary for the fulfillment of the duties of the Commission under this title.

(B) FURNISHING OF MATERIALS.—The Commission is authorized to secure directly from any department, agency, element, bureau, board, commission, independent establishment, or other instrumentality of the United States Government information, materials (including classified materials), suggestions, estimates, and statistics for the purposes of this title. Each such department, agency, element, bureau, board, commission, independent establishment, or other instrumentality shall, to the maximum extent authorized by law, furnish all such information, materials, suggestions, estimates, and statistics directly to the Commission, promptly upon a request made by the chairman, the chairman of any subcommittee created by a majority of the Commission, or any member designated by a majority of the Commission, but in no case later than 14 days after such a request.

(2) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information and materials shall be received, handled, stored, and disseminated by members of the Commission and its staff consistent with all applicable statutes, regulations, and Executive orders. The Commission shall maintain all classified information and materials provided to the Commission under this title in a secure location in the offices of the Commission or as designated by the Commission.

(3) ACCESS TO INFORMATION AND MATERIALS.—No department, agency, element, bureau, board, commission, independent establishment, or other instrumentality of the United States may withhold information or materials, including classified materials, from the Commission on the grounds that providing the information or materials would constitute the unauthorized disclosure of classified information, pre-decisional materials, or information relating to intelligence sources or methods.

(d) ASSISTANCE FROM PARTICULAR FEDERAL AGENCIES.—

(1) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the Commission's functions.

(2) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance prescribed in paragraph (1), departments, agencies, and other elements of the United States Government may provide to the Commission such services, funds, facilities, staff, and other support services as they may determine advisable and as may be authorized by law.

(e) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States Government.

SEC. 1507. COMPENSATION AND TRAVEL EXPENSES.

(a) COMPENSATION.—Each member of the Commission shall be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Commission.

(b) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5, United States Code.

SEC. 1508. STAFF OF COMMISSION.

(a) IN GENERAL.—

(1) APPOINTMENT AND COMPENSATION.—The chairman, in consultation with the vice chairman and in accordance with rules agreed upon by the Commission, may appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(2) PERSONNEL AS FEDERAL EMPLOYEES.—

(A) TREATMENT.—The staff director and any personnel of the Commission who are employees of the Commission shall be treated as employees of the Federal Government under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of that title.

(B) EXCEPTION.—Subparagraph (A) shall not apply to members of the Commission.

(b) DETAILEES.—Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(c) CONSULTANT SERVICES.—The Commission is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

SEC. 1509. SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.

The departments, agencies, and elements of the United States Government shall cooperate with the Commission in expeditiously providing to the Commission members and staff appropriate security clearances to the extent possible pursuant to existing procedures and requirements. No person shall be provided with access to classified information under this title without the appropriate security clearances.

SEC. 1510. NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.

(a) IN GENERAL.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(b) PUBLIC MEETINGS AND RELEASE OF PUBLIC VERSIONS OF REPORTS.—The Commission shall—

(1) hold public hearings and meetings to the extent appropriate; and

(2) release public versions of the reports required under section 1511.

(c) PUBLIC HEARINGS.—Any public hearings of the Commission shall be conducted in a manner consistent with the protection of information provided to or developed for or by the Commission as required by any applicable statute, regulation, or Executive order.

SEC. 1511. REPORTS OF COMMISSION; TERMINATION.

(a) INTERIM REPORTS.—The Commission may submit to the President and Congress interim reports containing such findings, conclusions and recommendations as have been agreed to by a majority of Commission members.

(b) FINAL REPORT.—Not later than 12 months after the date of the enactment of this Act, the Commission shall submit to the President and Congress a final report containing such findings, conclusions, and recommendations as have been agreed to by a majority of Commission members.

(c) TERMINATION.—

(1) IN GENERAL.—The Commission, and all the authorities of this title, shall terminate 60 days after the date on which the final report is submitted under subsection (b).

(2) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the 60-day period referred to in paragraph (1) for the purpose of concluding its activities, including providing testimony to committees of Congress concerning its reports, disseminating the final report.

SEC. 1512. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commission to carry out this section $2,500,000.

(b) DURATION OF AVAILABILITY.—Amounts made available to the Commission under subsection (a) shall remain available until the termination of the Commission.

SA 2431. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. ___. INAPPLICABILITY TO MEMBERS OF THE ARMED FORCES RECUPERATING IN MILITARY MEDICAL TREATMENT FACILITIES OF LIMITATION ON RECEIPT OF CERTAIN GIFTS.

Notwithstanding any other provision of law, regulations of the Department of Defense prohibiting members of the Armed Forces from receiving a gift from an approved charitable organization in an amount in excess of $20 shall not apply to a member of the Armed Forces who is recuperating in a military medical treatment facility.

SA 2432. Mr. INHOFE (for himself, Mr. STEVENS, Mr. ROBERTS, Mr. SESSIONS, Mr. ENSIGN, Mr. GRAHAM, Mr. THUNE, and Mr. KYL) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of title XII, add the following:

SEC. ___. BUILDING THE PARTNERSHIP SECURITY CAPACITY OF FOREIGN MILITARY AND SECURITY FORCES.

(a) AUTHORITY.—The President may authorize building the capacity of partner nations' military or security forces to disrupt or destroy terrorist networks, close safe havens, or participate in or support United States, coalition, or international military or stability operations.

(b) TYPES OF PARTNERSHIP SECURITY CAPACITY BUILDING.—The partnership security capacity building authorized under subsection (a) may include the provision of equipment, supplies, services, training, and funding.

(c) AVAILABILITY OF FUNDS.—The Secretary of Defense may, at the request of the Secretary of State, support partnership security capacity building as authorized under subsection (a) including by transferring funds available to the Department of Defense to the Department of State, or to any other Federal agency. Any funds so transferred shall remain available until expended. The amount of such partnership security capacity building provided by the Department of Defense under this section may not exceed $750,000,000 in any fiscal year.

(d) CONGRESSIONAL NOTIFICATION.—Before building partnership security capacity under this section, the Secretaries of State and Defense shall submit to their congressional oversight committees a notification of the nations designated by the President with which partnership security capacity will be built under this section and the nature and amounts of security capacity building to occur. Any such notification shall be submitted not less than 7 days before the provision of such partnership security capacity building.

(e) COMPLEMENTARY AUTHORITY.—The authority to build partnership security capacity under this section is in addition to any other authority of the Department of Defense to provide assistance to a foreign country.

(f) MILITARY AND SECURITY FORCES DEFINED.—In this section, the term ''military and security forces'' includes armies, guard, border security, civil defense, infrastructure protection, and police forces.

SEC. ___. SECURITY AND STABILIZATION ASSISTANCE.

(a) IN GENERAL.—Notwithstanding any other provision of law, upon a request from the Secretary of State and upon a determination by the Secretary of Defense that an unforeseen emergency exists that requires immediate reconstruction, security, or stabilization assistance to a foreign country for the purpose of restoring or maintaining peace and security in that country, and that the provision of such assistance is in the national security interests of the United States, the Secretary of Defense may authorize the use or transfer of defense articles, services, training or other support, including support acquired by contract or otherwise, to provide such assistance.

(b) AVAILABILITY OF FUNDS.—Subject to subsection (a), the Secretary of Defense may transfer funds available to the Department of Defense to the Department of State, or to any other Federal agency, to carry out the purposes of this section, and funds so transferred shall remain available until expended.

(c) LIMITATION.—The aggregate value of assistance provided or funds transferred under the authority of this section may not exceed $200,000,000.

(d) COMPLEMENTARY AUTHORITY.—The authority to provide assistance under this section shall be in addition to any other authority to provide assistance to a foreign country.

(e) EXPIRATION.—The authority in this section shall expire on September 30, 2006.

PRIVILEGES OF THE FLOOR

Mr. WARNER. Mr. President, I ask unanimous consent that Major Ken Casey, an Army fellow on Senator CHAMBLISS' staff, be granted floor privileges for the duration of the consideration of S. 1052, the fiscal year 2005 national Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I ask unanimous consent that privilege of the floor be granted to Carlos Hill, an Air Force congressional fellow on my staff, during consideration of S. 1942.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Majority Leader, pursuant to Public Law 107–273, announces the appointment of the following individual to serve as a member of the Antitrust Modernization Commission: Makan Delrahim, of the District of Columbia.

The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a–1928d, as amended, appoints the following Senators to the Senate Delegation to the NATO Parliamentary Assembly in Copenhagen, Denmark, November 11–14, 2005 during the 109th Congress: The Honorable TRENT LOTT of Mississippi; The Honorable WAYNE ALLARD of Colorado; The Honorable JEFF SESSIONS of Alabama; The Honorable JIM BUNNING of Kentucky, and The Honorable GEORGE VOINOVICH of Ohio.

MEASURE PLACED ON THE CALENDER—S. 1960

Mr. WARNER. Mr. President, under rule XIV, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for a second time.

The assistant legislative clerk read as follows:

A bill (S. 1960) to protect the health and safety of all athletes, to promote the integrity of professional sports by establishing minimum standards for the testing of steroids and other performance-enhancing substances and methods by professional sports leagues, and for other purposes.

Mr. WARNER. In order to place the bill on the calendar under provisions of rule XIV, I object to further proceeding.

The PRESIDING OFFICER. The objection having been heard, the bill will be placed on the calendar pursuant to Rule XIV.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. WARNER. Mr. President, I ask unanimous consent the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: Nominations 422, 423, 427, 429, 430, 431 and 434 and all nominations on the secretary's desk.

I further ask unanimous consent the nominations be considered en bloc, the motions to reconsider be laid on the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF STATE

Jeffrey Thomas Bergner, of Virginia, to be an Assistant Secretary of State (Legislative Affairs).

James Caldwell Cason, of Florida, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Paraguay.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Shana L. Dale, of Georgia, to be Deputy Administrator of the National Aeronautics and Space Administration.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Orlando J. Cabrera, of Florida, to be an Assistant Secretary of Housing and Urban Development.

EXECUTIVE OFFICE OF THE PRESIDENT

Katherine Baicker, of New Hampshire, to be a Member of the Council of Economic Advisers.

Matthew Slaughter, of New Hampshire, to be a Member of the Council of Econmic Advisers.

DEPARTMENT OF JUSTICE

Wan J. Kim, of Maryland, to be an Assistant Attorney General.

IN THE COAST GUARD

PN844 COAST GUARD nominations (9) beginning David K. Almond, and ending JEFFREY SAINE, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2005. .

PN879 COAST GUARD nominations (56) beginning Steven J. Andersen, and ending Vann J. Young, which nominations were received by the Senate and appeared in the Congressional Record of September 15, 2005.

PN957–1 COAST GUARD nomination of Louvenia A. McMillan, which was received by the Senate and appeared in the Congressional Record of October 6, 2005.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

PN797 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION nominations (7) beginning John W. Humphrey Jr., and ending Mark H. Pickett, which nominations were received by the Senate and appeared in the Congressional Record of July 29,2005.

PN935 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION nominations (14) beginning Melissa M. Ford, and ending Jamie S. Wasser, which nominations were received by the Senate and appeared in the Congressional Record of September 28, 2005.

NOMINATION OF WAN J. KIM

Mr. DURBIN. Mr. President, the Assistant Attorney General for Civil Rights is the face of civil rights law enforcement in America. I will support Wan Kim's nomination for this important post.

For nearly 50 years, the Justice Department's Civil Rights Division has enforced Nation's civil rights laws and combated racism, discrimination, and other civil rights abuses. And during the past 50 years, our Nation has made important strides in the fight for civil rights. The recent death of Rosa Parks is a reminder of how far we have come, and of the courageous acts it took to get here.

I am concerned, however, about the Bush Administration's commitment to civil rights law enforcement and especially voting rights. As Chief Justice Roberts testified at his confirmation hearing, the right to vote is the ''preservative'' right of all other rights. Without that fundamental right, citizens are voiceless and powerless.

At his nomination hearing, I asked Wan Kim about the Civil Rights Division's August 26 preclearance of a voter identification law in the state of Georgia that is discriminatory and ''a national disgrace,'' in the words of the New York Times. The law requires people without a driver's license—a group disproportionately consisting of the poor, the elderly, and minorities to pay $20 or more for a State ID card in order to vote. There isn't a single place in the entire city of Atlanta where the cards are sold. The Georgia law aims to be an anti-fraud measure, but the Secretary of State in Georgia maintains there has not been a proven case of voter fraud in that state in nearly a decade.

Although Mr. Kim has been the Deputy Assistant Attorney General in the Civil Rights Division for over 2 years, he said he has not supervised voting rights issues and does not have an opinion about whether the Georgia law should have been precleared. That's a fair answer.

But I hope Mr. Kim reads a decision handed down just a few days after his nomination hearing by a Federal judge in Georgia, who enjoined the law and ruled that it appeared to be unconstitutional. The judge wrote that the Georgia law ''constitutes a poll tax.'' Just last week, this ruling was affirmed by a three-judge panel of the conservative U.S. Court of Appeals for the 11th Circuit. Two of the three judges on the panel were appointed by President George H.W. Bush.

I am also concerned that the Bush administration has not brought a single voting rights lawsuit alleging racial discrimination against African Americans. Perhaps even more troubling is the fact that earlier this year the Justice Department filed its first case ever under the Voting Rights Act alleging discrimination in voting

against white voters. This case was brought against a county in Mississippi, a State with a long and ugly history of discrimination against African Americans in voting.

As Congress begins to consider reauthorization of the important Voting Rights Act, I urge Mr. Kim to take a hard look at the work of the Civil Rights Division's Voting Section and those who supervise it. The Voting Section has done an effective job enforcing voting rights on behalf of language minorities, but not, in the opinion of many, on behalf of racial minorities.

Another area of concern is the productivity and management of the Civil Rights Division's Appellate Section. This section has been spending more time lately deporting illegal immigrants than enforcing civil rights. According to data provided by Mr. Kim, 62 percent of the briefs filed by the Civil Rights Division's Appellate Section in FY 2005 involved defending the government's decision to deport illegal immigrants. Nearly 40 percent of attorney hours in the Civil Rights Division's Appellate Section were devoted to this work, according to Mr. Kim. These numbers are troubling and unacceptable.

I am also concerned about the overall decline in civil rights appellate enforcement by the Civil Rights Division. According to Mr. Kim, during the first 5 years of the Bush administration, the Justice Department filed an annual average of 80 civil rights appellate briefs. By contrast, during the last 5 years of the Clinton administration, the Justice Department filed an annual average of 122 civil rights appellate briefs. In other words, there has been a 34 percent decline in civil rights appellate filings from the Clinton administration to the Bush administration. And there was a 73 percent drop in civil rights appellate amicus filings between 1999 and 2004. These are disturbing trends and I urge Mr. Kim to address them.

The Bush administration has also created a serious morale problem within the career ranks of the Civil Rights Division. Several media reports have elaborated on this problem, most recently a September 2005 Legal Affairs article entitled ''An Uncivil Division'' by a former high-ranking career official in the Civil Rights Division, William Yeomans. His article indicates that morale problems have largely been caused by heavy-handed tactics used by Civil Rights Division political appointees in making personnel decisions, communicating with career attorneys, and setting civil rights enforcement priorities.

During the nomination hearing of Alberto Gonzales to be Attorney General earlier this year, Senator DEWINE asked Mr. Gonzales what he would want to be remembered for as Attorney General. Mr. Gonzales said he wanted to be remembered first for fighting the war on terror, and second for protecting civil rights and voting rights.

I hope Attorney General Gonzales will do a better job of fulfilling his pledge to protect the civil rights and voting rights of all Americans, and I urge Wan Kim to play a leading role in accomplishing this mission.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

ORDERS FOR MONDAY, NOVEMBER 7, 2005

Mr. WARNER. Now, Mr. President, in order to bring to conclusion today's session, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 1 p.m. on Monday, November 7. I further ask consent 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 of morning business until 2 p.m., with the time equally divided between the majority and minority. I further ask consent that at 2 p.m. the Senate resume consideration of S. 1042, the Defense authorization bill, as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. WARNER. Mr. President, next week, the Senate will resume consideration of the Department of Defense authorization bill. The order provides for up to 12 relevant first-degree amendments on each side, with a limited amount of time for debate. The bill managers have made some progress today on the amendment process, and we will have at least one vote on an amendment on the Defense bill on Monday evening, at approximately 5:30 p.m. Senators should plan their schedules accordingly.

ADJOURNMENT UNTIL MONDAY, NOVEMBER 7, 2005, AT 1 P.M.

Mr. WARNER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 12:54 p.m., adjourned until Monday, November 7, 2005, at 1 p.m.

NOMINATIONS

Executive nominations received by the Senate November 4, 2005:

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIGADIER GENERAL LARITA A. ARAGON, 0000
BRIGADIER GENERAL TOD M. BUNTING, 0000
BRIGADIER GENERAL CRAIG E. CAMPBELL, 0000
BRIGADIER GENERAL WILLIAM R. COTNEY, 0000
BRIGADIER GENERAL R. ANTHONY HAYNES, 0000
BRIGADIER GENERAL CHARLES V. ICKES II, 0000
BRIGADIER GENERAL ROBERT A. KNAUFF, 0000
BRIGADIER GENERAL JAMES R. MARSHALL, 0000
BRIGADIER GENERAL TERRY L. SCHERLING, 0000
BRIGADIER GENERAL MICHAEL J. SHIRA, 0000
BRIGADIER GENERAL EMMETT R. TITSHAW, JR., 0000

To be brigadier general

COLONEL DAVID S. ANGLE, 0000
COLONEL THOMAS M. BOTCHIE, 0000
COLONEL RICHARD W. BURRIS, 0000
COLONEL GARRY C. DEAN, 0000
COLONEL MICHAEL J. DORNBUSH, 0000
COLONEL KATHLEEN E. FICK, 0000
COLONEL EDWARD R. FLORA, 0000
COLONEL JAMES H. GWIN, 0000
COLONEL SCOTT B. HARRISON, 0000
COLONEL DAVID M. HOPPER, 0000
COLONEL HOWARD P. HUNT III, 0000
COLONEL CYNTHIA N. KIRKLAND, 0000
COLONEL JOHN M. MOTLEY, JR., 0000
COLONEL GERALD C. OLESEN, 0000
COLONEL ALAN W. PALMER, 0000
COLONEL MICHAEL L. PEPLINSKI, 0000
COLONEL ESTHER A. RADA, 0000
COLONEL ALEX D. ROBERTS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL GREGORY A. BISCONE, 0000
COLONEL EDWARD L. BOLTON, JR., 0000
COLONEL JOSEPH D. BROWN IV, 0000
COLONEL GREGORY L. BRUNDIDGE, 0000
COLONEL TIMOTHY A. BYERS, 0000
COLONEL MICHAEL W. CALLAN, 0000
COLONEL DANIEL R. EAGLE, 0000
COLONEL DAVID S. FADOK, 0000
COLONEL CRAIG A. FRANKLIN, 0000
COLONEL DAVID L. GOLDFEIN, 0000
COLONEL FRANCIS L. HENDRICKS, 0000
COLONEL JOHN W. HESTERMAN III, 0000
COLONEL JAMES W. HYATT, 0000
COLONEL JOHN E. HYTEN, 0000
COLONEL MICHELLE D. JOHNSON, 0000
COLONEL RICHARD C. JOHNSTON, 0000
COLONEL JOSEPH A. LANNI, 0000
COLONEL KENNETH D. MERCHANT, 0000
COLONEL MICHAEL R. MOELLER, 0000
COLONEL HARRY D. POLUMBO, 0000
COLONEL JOHN D. POSNER, 0000
COLONEL JAMES O. POSS, 0000
COLONEL MARK F. RAMSAY, 0000
COLONEL MARK O. SCHISSLER, 0000
COLONEL CHARLES K. SHUGG, 0000
COLONEL MARVIN T. SMOOT, JR., 0000
COLONEL ALFRED J. STEWART, 0000
COLONEL EVERETT H. THOMAS, 0000
COLONEL WILLIAM W. UHLE, JR., 0000
COLONEL DARTANIAN WARR, 0000
COLONEL BRETT T. WILLIAMS, 0000
COLONEL TOD D. WOLTERS, 0000

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIGADIER GENERAL ROBERT P. FRENCH, 0000
BRIGADIER GENERAL DONALD J. GOLDHORN, 0000
BRIGADIER GENERAL RICHARD B. MOORHEAD, 0000
BRIGADIER GENERAL MARVIN W. PIERSON, 0000
BRIGADIER GENERAL STEWART A. REEVE, 0000
BRIGADIER GENERAL RANDALL E. SAYRE, 0000
BRIGADIER GENERAL THEODORE G. SHUEY, JR., 0000
BRIGADIER GENERAL THOMAS L. SINCLAIR, 0000
BRIGADIER GENERAL DAVID A. SPRYNCZYNATYK, 0000
BRIGADIER GENERAL STEPHEN F. VILLACORTA, 0000
BRIGADIER GENERAL GREGORY L. WAYT, 0000
BRIGADIER GENERAL JOHN J. WEEDEN, 0000
BRIGADIER GENERAL DEBORAH C. WHEELING, 0000

To be brigadier general

COLONEL RICKY G. ADAMS, 0000
COLONEL STEPHEN E. BOGLE, 0000
COLONEL BRENT M. BOYLES, 0000
COLONEL STEPHEN C. BURRITT, 0000
COLONEL ANDREW C. BURTON, 0000
COLONEL CAMERON A. CRAWFORD, 0000
COLONEL JOSEPH G. DEPAUL, 0000
COLONEL MARK C. DOW, 0000
COLONEL DOUGLAS B. EARHART, 0000
COLONEL WILLIAM L. ENYART, JR., 0000
COLONEL GLENN C. HAMMOND III, 0000
COLONEL DAVID L. HARRIS, 0000
COLONEL ROBERT A. HARRIS, 0000
COLONEL GRANT L. HAYDEN, 0000
COLONEL JOHN W. HELTZEL, 0000
COLONEL LEODIS T. JENNINGS, 0000
COLONEL LARRY D. KAY, 0000
COLONEL JEFF W. MATHIS III, 0000
COLONEL WENDELL B. MCLAIN, 0000
COLONEL TIMOTHY S. PHILLIPS, 0000
COLONEL JANET E. PHIPPS, 0000
COLONEL STANLEY R. PUTNAM, 0000
COLONEL RONALD J. RANDAZZO, 0000
COLONEL JOSEPH M. RICHIE, 0000
COLONEL KING E. SIDWELL, 0000
COLONEL EUGENE A. STOCKTON, 0000

COLONEL TIMOTHY I. SULLIVAN, 0000
COLONEL RICHARD E. SWAN, 0000
COLONEL JAMES H. TROGDON III, 0000
COLONEL JAMES D. TYRE, 0000
COLONEL TERRY L. WILEY, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. GUY L. SANDS-PINGOT, 0000

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MITCHELL L. BROWN, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

WALTER J. AUSTIN, 0000
KAREN F. LIKINS, 0000
KEITH C. SMITH, 0000

CONFIRMATIONS

Executive nominations confirmed by the Senate Friday, November 4, 2005:

DEPARTMENT OF STATE

JEFFREY THOMAS BERGNER, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (LEGISLATIVE AFFAIRS).

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SHANA L. DALE, OF GEORGIA, TO BE DEPUTY ADMINISTRATOR OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ORLANDO J. CABRERA, OF FLORIDA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

EXECUTIVE OFFICE OF THE PRESIDENT

KATHERINE BAICKER, OF NEW HAMPSHIRE, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS.

MATTHEW SLAUGHTER, OF NEW HAMPSHIRE, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

DEPARTMENT OF STATE

JAMES CALDWELL CASON, OF FLORIDA, TO BE AMBASSADOR TO THE REPUBLIC OF PARAGUAY.

DEPARTMENT OF JUSTICE

WAN J. KIM, OF MARYLAND, TO BE AN ASSISTANT ATTORNEY GENERAL.

IN THE COAST GUARD

COAST GUARD NOMINATIONS BEGINNING WITH DAVID K. ALMOND AND ENDING WITH JEFFREY SAINE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2005.

COAST GUARD NOMINATIONS BEGINNING WITH STEVEN J. ANDERSEN AND ENDING WITH VANN J. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 15, 2005.

COAST GUARD NOMINATION OF LOUVENIA A. MCMILLAN TO BE LIEUTENANT.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION NOMINATIONS BEGINNING WITH JOHN W. HUMPHREY, JR. AND ENDING WITH MARK H. PICKETT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 29, 2005.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION NOMINATIONS BEGINNING WITH MELISSA M. FORD AND ENDING WITH JAMIE S. WASSER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 28, 2005.

EXTENSIONS OF REMARKS

RECOGNIZING KATHRYN VICCHIULLO OF BUSHNELL, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 4, 2005

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to recognize Kathryn Ann Vicchiullo of Bushnell, Florida. A lifelong resident of Florida, Kathryn is a shining example of a woman who has returned to the community where she was raised to help it grow and prosper.

Following her graduation from South Sumter High School in 10th grade, Kathryn enrolled at Stetson University. At the age of 16, she was the youngest student ever enrolled at Stetson. Kathryn went on to receive her bachelor's degree with a triple major in English, Political Science and Russian.

After her graduation, Kathryn enrolled at Barry Law School, where she recently completed her first year of studies. On a hiatus from her legal studies, Kathryn has returned to South Sumter High School, where she is teaching English.

In addition to her stellar academic career, Kathryn spent much of her teenage years and vacations during college working for her parents' family restaurant, Mr. Goodburger. When not teaching at South Sumter, Kathryn has studied to become a certified financial planner, and worked to put herself through law school. I am also proud to note that this weekend, Kathryn will marry Shawn Seufert in Howey-In-The-Hills, Florida and start the next stage of her life.

Mr. Speaker, it is women like Kathryn who will help Florida's 5th Congressional District prosper and grow into the future. Her success and hard work should serve as an inspiration to young men and women in Bushnell and throughout Florida.

HONORING THE LIFE OF ''SKITCH'' HENDERSON

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, November 4, 2005

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise to pay tribute to a great friend and a gentleman who gave the gift of music freely, enthusiastically, and successfully throughout his life: my friend Lyle Russell Cedric ''Skitch'' Henderson. Skitch passed away on November 1 at his home in New Milford at 87.

Skitch was born in England, and moved to the United States in the 1930's. In the early years, he eked out a living as pianist, playing vaudeville and movie music in Minnesota and Montana road houses. His big break came in 1937 when he filled in for an ailing accompanist for an MGM promotional tour featuring Judy Garland and Mickey Rooney. When the tour wrapped up in Chicago, he used the original pianist's ticket and went to Hollywood. There he met Bob Hope and played piano for Bob on the Pepsodent Show. He became friends with Frank Sinatra and Bing Crosby and lent them his musical expertise. He continued on to win a Grammy award as a conductor. His many remarkable accomplishments reflect his diverse talents and character.

During World War II, Skitch like many others put his life on hold for the greater cause. He flew both the Royal Air Force and, after becoming an American citizen, the United States Army Air Corps. This fostered Skitch's love for airplanes and flying, which became a lifelong passion.

Skitch may be best known from his days as the bandleader for Steve Allen's ''Tonight Show,'' which brought Skitch into the nation's living rooms every night. Skitch not only served as bandleader for Allen, but for Jack Paar and Johnny Carson as well, reflecting his rich personality and breathe of talents.

Not resting on his laurels, Skitch founded the New York Pops in 1983. He wanted to share his passion for music by bringing the more accessible symphonic pops fare to a broader audience. He led free New York Pops concerts in the city's parks each summer, so that people of all backgrounds could experience the majesty of hearing a world-class orchestra perform live. The New York Pops is now the largest independent symphonic pops orchestra in the United States.

Beyond his career as a performer, Skitch helped thousands of New York City's school children gain new possibilities in life through music. He personally visited classrooms throughout the city to encourage children in a love of music and learning. Recently, he was appointed to be a distinguished Professor of Music at Western Connecticut State University and only a few weeks ago, with that twinkle in his eye, excitedly shared with me his vision of this great opportunity to develop the talents of local students and mold them into a first rate orchestra.

I extend my heartfelt condolences to Skitch's wife Ruth. The couple married on February 7, 1958 and since then, they have not only been partners in marriage, but Ruth has been a partner in Skitch's many endeavors and is currently President of the New York Pops.

Skitch Henderson brought music, beauty, and hope to millions. It is my privilege to rise to honor him for enriching the lives of people of all ages over many decades throughout America. Few leave such a magnificent legacy. A life well lived, my friend!

TRIBUTE TO JOHN E. TAYLOR

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, November 4, 2005

Mr. VAN HOLLEN. Mr. Speaker, it is with great pleasure that I rise to commend John E. Taylor for his dedicated service to the National Archives. Mr. Taylor has worked for the National Archives since 1946. Throughout those years, Mr. Taylor has been acclaimed by researchers worldwide for his extraordinary grasp of history and ability to locate pertinent documents.

Mr. Taylor specializes in World War II documents and records of the Office of Strategic Services. Mr. Taylor's colleagues praise him as one of the most knowledgeable and generous archivists, known for his sound advice and resourceful assistance to authors, scholars and historians.

Throughout his illustrious career, Mr. Taylor has been honored by groups all over the world. In 1997 Mr. Taylor was honored by the Japanese Embassy for helping Japanese historians and journalists for the previous forty years. In 2003 the American Jewish Historical Society awarded Mr. Taylor its first ''Distinguished Archivist Award'' for his lifetime of work as an archivist. He has also received numerous honors from the National Archives itself. The National Archives has a special John E. Taylor Collection of books on espionage and intelligence which largely consists of works with which Mr. Taylor provided critical assistance.

Mr. Taylor is truly an invaluable resource. His service at the National Archives is legendary, and he will be greatly missed as he enters retirement. I applaud Mr. Taylor for his outstanding achievements and dedication to his work and wish him an enjoyable and fulfilling retirement.

IN RECOGNITION OF THE PASSING OF REVEREND HOLLICE T. WILLIAMS

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 4, 2005

Mr. MILLER of Florida. Mr. Speaker, it is with sadness that I rise today to note the passing of a man whose legacy will forever be remembered. In 1970, Reverend Hollice T. Williams became the first black city councilman in Pensacola, a city in my district in Northwest Florida.

For more than twelve years, Rev. Williams served on the city council, re-elected six times to the council. However, his service to Northwest Florida extended far beyond elected office. For nearly 50 years, Rev. Williams worked at the local YMCA, eventually becoming executive director in 1969. Through his different positions at the YMCA, he became known as a man with a genuine sense of caring who fostered that sense into those with whom he came into contact.

The Reverend Hollice Williams was also known in areas of the community as he continuously addressed civic issues for the black community as well as the faith-based community. His love for God was readily apparent in

his conduct for individuals and groups. He put in long hours for youth groups throughout the area, sang in the choir at Emanuel Baptist Church, and was the pastor at Mount Lily Baptist Church for nearly ten years at the end of his working career. While suffering a stroke two years ago may have slowed the Reverend's activities, the lessons he had instilled and the inspiration he had brought to those around him continued to thrive.

Mr. Speaker, on behalf of the United States Congress, I would like to offer my sincere condolences to the family of Reverend Williams. They, along with their community, have suffered a great loss. Reverend Hollice T. Williams served as a model for so many, and I am confident that many will remember him fondly and model their actions in life on what he showed them through his life.

EMSLEY TAYLOR JACKSON MAKES HER MARK ON THE WORLD

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 4, 2005

Mr. ETHERIDGE. Mr. Speaker, I rise today to congratulate Mr. Morgan Jackson and his wife Shawn on the birth of their first child, Emsley Taylor Jackson. Emsley was born on Tuesday, October 25, 2005 and weighed 10 pounds. Faye joins me in wishing Morgan and Shawn great happiness during this very special time in their lives.

As a father of three, I know the immeasurable pride and rewarding challenges that children bring into your life. Their innocence keeps you young-at-heart. Through their inquiring minds and wide-eyed wonder, they will teach you just as you teach them, and show you the world in a fresh, new way. A little miracle, a new baby holds all the potential of what human beings can achieve.

I welcome young Emsley into the world and wish Morgan and Shawn all the best as they begin guiding her through life.

INTRODUCTION OF THE ANIMAL ENTERPRISE TERRORISM ACT OF 2005

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 4, 2005

Mr. PETRI. Mr. Speaker, today, I am introducing the Animal Enterprise Terrorism Act of 2005. This legislation would provide federal authorities with the necessary tools to help prevent and better investigate and prosecute eco-terror cases.

Between January of 1990 and June of 2004, extremist movements such as the Animal Liberation Front (ALF), the Earth Liberation Front (ELF), and the Stop Huntington Animal Cruelty (SHAC) committed more than 1,100 acts of terrorism causing more than $120 million in damages. The FBI considers these extremists groups among its most serious domestic threats.

Animal rights extremists advance their cause through ''direct action'' which includes death threats, vandalism, animal releases, and bombings. Their actions are calculated to aggressively intimidate and harass those identified as targets. Traditional targets include research and biomedical laboratories, fur farms, and restaurants. These extremists have also turned to targeting companies that do business or have a financial interest in an animal enterprise.

In my own state of Wisconsin, mink farmers and researchers at the Wisconsin National Primate Research Center have experienced their own fair share of intimidation, harassment, and vandalism at the hands of animal rights extremists.

Current federal law is inadequate to address the threats posed by violent acts committed by these animal rights extremists. They have recognized the limits and ambiguities in our current statutes, such as the Animal Enterprise Protection Act, and have tailored their campaign to exploit them.

Mr. Speaker, the Animal Enterprise Terrorism Act of 2005 would address gaps in the law that keep authorities from using it in the most effective manner possible. The bill provides for penalties for intentional economic disruption or damage and for intentionally causing bodily harm or placing a person in reasonable fear of death or bodily harm.

It also specifically addresses the ''tertiary targeting'' tactic employed by these extremists by prohibiting intentional damage of property belonging to a person or organization with ties to an animal enterprise.

Enactment of this legislation will enhance the ability of law enforcement and the Justice Department to protect law-abiding American citizens from violence and the threat of violence posed by animal rights extremists.

FREEDOM FOR BLAS GIRALDO REYES RODRÍGUEZ

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 4, 2005

Mr. LINCOLN DIAZ-BALART of Florida. Mr Speaker, I rise today to speak about Blas Giraldo Reyes Rodríguez, a political prisoner in totalitarian Cuba.

Mr. Reyes Rodríguez is an opposition activist and independent librarian in totalitarian Cuba. His life is dedicated to the proposition that the men and women of Cuba must be free: free to learn, free to worship, free to elect their leaders, free to enjoy their inalienable human rights. Independent librarians in Cuba, such as the one operated by Mr. Reyes Rodríguez, provide the indispensable service of circulating truth at a time when the tyrannical regime provides only propaganda. These heroic librarians often circulate the great works of anti-totalitarian literature, including the important writings of Václav Havel and Dr. Martin Luther King. Literature is a great danger to totalitarian regimes: books often provide the truth that tyrants seek to hide.

Unfortunately, In March 2003, as part of Castro's condemnable crackdown on peaceful pro-democracy activists, Mr. Reyes Rodríguez was arrested. In a sham trial, he was sentenced to 25 years in the totalitarian gulag.

Amnesty International reports that he is suffering from serious medical concerns in the gulag. According to the U.S. Department of State's Country Reports on Human Rights Practices for 2003:

> In early August, officers of the Ministry of the Interior threatened to arrest the wife of prisoner Blas Giraldo Reyes Rodríguez if she continued to receive activists who visited her to express sympathy for the jailing of her husband. Police told Isel de las Mercedes Acosta Obregon that they would try her for violating the Law to Protect National Independence and the Economy (Law 88) (see Section 2.a.) if she did not cease ''counterrevolutionary activities.''

Mr. Reyes Rodríguez has also been named an honorary member of Sydney PEN, an organization of writers devoted to emphasizing the role of literature in the development of mutual understanding and world culture; to fighting for freedom of expression; and to acting as a powerful voice on behalf of writers harassed, imprisoned and sometimes killed for their views.

Mr. Speaker, let me be very clear, Mr. Reyes Rodríguez is languishing in an infernal gulag because he believes in freedom, truth, democracy, and human rights. His family is being constantly threatened because of these ''dangerous'' beliefs. My colleagues, we must demand the immediate and unconditional release of Blas Giraldo Reyes Rodríguez and every political prisoner in totalitarian Cuba.

PERSONAL EXPLANATION

HON. JOHN B. SHADEGG

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 4, 2005

Mr. SHADEGG. Mr. Speaker, on Friday, October 28, 2005, I had an out of town engagement and missed rollcall votes. I ask that my absence be excused, and that the CONGRESSIONAL RECORD show that had I been present:

For rollcall no. 556, I would have voted ''aye.''

Again and again, Iranian government's policies have shown utter disrespect for international law, oppressed the Iranian people, and facilitated international terrorism.

President Mahmoud Ahmadinejad's comments on October 26, 2005 in support of annihilating Israel reaffirm the necessity of strong American and United Nations policies towards Iran. Knowing of Iran's desire to develop nuclear capabilities and intentions to use them against Israel, we must, in the strongest terms possible, condemn President Ahmadinejad's statements and continue working towards a freer and more stable Middle East.

HONORING THE 20TH ANNIVERSARY OF THE GEORGE MASON UNIVERSITY SCHOOL OF INFORMATION AND ENGINEERING

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 4, 2005

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today to commemorate the 20th anniversary of George Mason University's School of Information Technology and Engineering.

2005 is a year of great significance for the School of Information Technology and Engineering. On October 28, 2005, George Mason

University invited alumni and friends to join in celebrating the school's many accomplishments and its exciting plans for the future. This event also served as the commencement of the school's first-ever fund-raising campaign, the "2010 Campaign." Through this campaign, George Mason aims to raise more than $20 million in private funds by June 2010. This funding will enable the School of Information Technology and Engineering to continue its path of national prominence and leadership and to create new programs in the area of information technology in the biosciences including bio-informatics, bio-technology, and bio-engineering.

Led by Dean Lloyd Griffiths, George Mason's School of Information Technology and Engineering is the first engineering school in the United States to focus on information technology rather than the traditional engineering science, and is also the first engineering school to offer a doctoral program in information technology. It was also one of the first engineering schools in the country to be named as a Center of Academic Excellence in Information Assurance Education by the National Security Agency and the White House Complex. Additional research areas of expertise within the School of Information Technology and Engineering include genetic algorithms, robotics, learning agents, air transportation, infrastructure protection, and data visualization.

Indeed, while many other colleges are experiencing a decrease in engineering enrollments, student enrollment at George Mason's School of Information Technology and Engineering continues to grow. To compliment the increase in enrollment, George Mason University has committed to raising the quality of the program to an even greater degree by making changes such as hiring a substantial number of new faculty members, leveraging research and donor funding, and enhancing its participation in high school mentorship programs, among others.

Mr. Speaker, I ask my colleagues to join me in commending and congratulating George Mason University's School of Information Technology and Engineering on 20 years of excellence. I look forward to applauding its continued growth and success for many years to come.

RECOGNIZING THE CONTRIBUTIONS OF EDITH ROBLES

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 4, 2005

Mr. SOLIS. Mr. Speaker, today I rise to recognize Edith Rocio Robles, a dedicated and intelligent woman whom I was fortunate to have served as my Communications Director from September 2001 through August 2005. During her tenure in my office I greatly valued Edith's strong communication skills.

Edith joined my office in 2001 as my Press Secretary. Edith quickly assumed her role as Press Secretary. Edith's strong public relations skills and knowledge of the press, particularly Spanish media, made her a valuable member of my staff and gained her the admiration of her colleagues. In 2002, I promoted Edith to the role of Communications Director in recognition of her hard work and invaluable help to my office.

As a grass-roots oriented Member of Congress, I take great pride in my office's extensive efforts to communicate with my constituents in the 32nd Congressional District about how the Federal Government can be of assistance to them and about the work I'm doing in Congress to improve their lives. As Communications Director, Edith played a critical role in this effort, strengthening my office's working relationships with members of the press and local community activists and overseeing my office's mail outreach program.

While I am sad to see Edith leave, I am confident that the future will bring her great success. I wish Edith and her family good health and wishes. I join my staff in Washington, DC, El Monte and East Los Angeles offices in wishing Edith the best of luck in all of her future endeavors. Buena suerte Edith!

IN MEMORY OF RICHARD E. SMALLEY

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 4, 2005

Mr. HONDA. Mr. Speaker, I rise today to honor the memory of one of our nation's greatest minds. Last week, the scientific world and the nanotechnology community in particular lost a giant. Dr. Richard Smalley, the Nobel Prize-winning nanotechnology researcher, died after a long battle with cancer at age 62. Professor Smalley shared the Nobel Prize for Chemistry in 1996 for discovering the C_{60} molecule, a soccer ball-shaped form of carbon called buckminsterfullerene.

A professor in the physics and chemistry departments at Rice University, he was the founding director of the Center for Nanoscale Science and Technology at Rice and was director of the Carbon Nanotechnology Laboratory.

It is hard to overstate the role Dr. Smalley played in founding and fostering the development of nanotechnology, one of the most important and exciting new areas of scientific inquiry to arise in the past quarter century. The discovery of fullerenes is one of the earliest and most influential discoveries in the development of nanotechnology. Dr. James Heath, one of his former graduate students on the buckyball discovery who has become a leading nanotechnology researcher himself, described Dr. Smalley as "a Moses for the field. Without a Moses, there's no trip to the promised land."

Dr. Smalley was a key player in the development of the United States' National Nanotechnology Initiative, launched in 2000. His testimony on Capitol Hill, where he spoke about the promise of nanotechnology for treating cancer and other diseases even as he battled the disease himself, made a deep impression on policymakers.

In recent years, Dr. Smalley was an ardent supporter of commercial development of nanotechnology, helping to found Carbon Nanotechnologies Inc. to make sure his discoveries made it to the marketplace where they could benefit society. He was also a scientific adviser to biotech startup C Sixty, which is investigating the use of fullerenes for biopharmaceutical applications.

In 2002, Dr. Smalley embarked upon a crusade to promote the use of nanotechnology to solve what he described as the No. 1 problem facing humanity in the 21st century—the need for cheap, clean energy. Smalley crisscrossed the country, gave dozens of keynote addresses, testified before Congress and met with countless government, academic and industrial leaders. Some of his friends and colleagues have said that they thought he fought so hard against his disease so that he could one day see nanotechnology deliver the societal benefits in clean energy that he so passionately believed in.

Citizens of the world were fortunate to have Rick Smalley, and will certainly benefit from his discoveries. We owe it to him to continue his efforts to use nanotechnology to solve the need for cheap, clean energy. As ranking member of the Science Committee's Energy Subcommittee, I intend to do what I can to honor Dr. Smalley's memory and continue his good work.

IN HONOR OF THE FRIENDSHIP FOUNDATION OF AMERICAN VIETNAMESE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 4, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of the Friendship Foundation of American Vietnamese, as leaders and members of the Foundation unite with the Cleveland community in celebration of the grand opening of the Sai Gon Plaza Community Center.

The Community Center, located at the intersection of West 54th and Detroit Avenue in Cleveland in Ohio's 10th Congressional District, was made possible through the determination, conviction and energy of its founder, Ms. Gia Hoa Ryan, who also serves as the executive director of the Friendship Foundation of American Vietnamese.

The Sai Gon Plaza Community Center promises to exist as a vital source of Vietnamese culture and Asian culture, wherein a strong foundation of cultural preservation and intercultural exchange is established. This Center, reflecting the rich cultural diversity of Cleveland, will unite citizens of Asian heritage and will serve as a cultural gathering place for people from all international backgrounds. Also included as part of the Center will be a dedication to the people and neighborhoods surrounding the Center. The Center will also showcase a museum and exhibition center, which will be home to the Asian-American Hall of Fame.

Mr. Speaker and Colleagues, please join me in honor and recognition of Ms. Gia Hoa Ryan, Executive Director of the Friendship Foundation of American Vietnamese. Ms. Ryan's tireless work and focused vision, supported by the work and efforts of countless members of Cleveland's Vietnamese community and many others, have created a Community Center where bridges of culture will transcend language, time and distance, preserving and promoting the ancient cultural and historical traditions of Vietnamese culture—a culture that spirals back throughout the centuries, connecting the old world to the new, spanning oceans and borders—from Vietnam to America.

HONORING THE SUSSEX COUNTY VETERANS MEMORIAL

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, November 4, 2005

Mr. GARRETT of New Jersey. Mr. Speaker, I wish to bring attention and pay tribute to Sussex County, New Jersey, for their efforts to recognize the heroic feats of our region. In the historic downtown square of Newton, New Jersey, a 34-inch-diameter cast bell is engraved with the words "Sussex County Veterans Memorial 2005." This memorial is long overdue, but truly represents the liberty, freedom and democracy our brave men and women in the armed forces have fought for. What better time to present this memorial than on the occasion when our Nation pays our respects to our defenders of liberty on Veterans Day.

Defending our country by serving in the armed forces is one of the most commendable achievements and deserves our utmost gratitude and respect. America's armed forces have time and again fought to protect our homeland and bring freedom and prosperity to the entire world.

We must never forget the sacrifices of these men and women and every effort must be made to ensure that our veterans and all they fought for are never forgotten. The Sussex County Veterans Memorial will remind all Americans of the monumental accomplishments our soldiers have made throughout history. They will be honored, admired and remembered forever.

It is with extreme reverence that I offer my sincerest gratitude to the veterans of Sussex County, New Jersey.

A TRIBUTE TO MRS. BLANCHE SPARROW RIVERS IN CELEBRATION OF HER 100TH BIRTHDAY

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 4, 2005

Mr. BUTTERFIELD. Mr. Speaker, I rise today to pay tribute to one of my most senior constituents, Mrs. Blanche Sparrow Rivers, who will be celebrating her 100th birthday on November 15, 2005.

Mrs. Rivers, is the third of five children born to Henry Clay and Hattie Brown Sparrow. Since the New Bern school system only offered 2 years of high school, Mrs. Rivers' father sent her to Durham, North Carolina, to the National Religious Training School where she matriculated to Shaw University in Raleigh, North Carolina. In 1927, Mrs. Rivers received her Bachelor of Arts Degree in English from Shaw University. She went on to teach English in the New Bern public school system for 24 years until her retirement in 1951. Mr. Speaker, I am certain that Mrs. Rivers can take credit for shaping many young minds and is responsible for directing the paths of many of my constituents who have grown into productive upstanding citizens.

In June 1932, Blanche Sparrow married Mr. Bishop Singleton Rivers, and in July 1935, Barbara Lucille Rivers was born. Mrs. Rivers is a charter member of the Theta Beta Omega Chapter of Alpha Kappa Alpha Sorority. She is also a faithful member of the St. Peter's African Methodist Episcopal Zion Church, which her father helped build. She continues to serve as a Captain for the Annual Fundraising Team.

Mrs. Rivers has five grandchildren, Michael, Lisa, Leander, Gary, and Marc, and five great-grandchildren, Morgan, Kristen, Marissa, Kaci and Kori—listed in order of the most senior. She is a beloved member of the community and church. Mrs. Rivers still resides in New Bern with her daughter, Barbara.

Mr. Speaker, on behalf of my Congressional Colleagues and the more than 660,000 constituents whom I represent, I extend my very best wishes to Mrs. Blanche Sparrow Rivers as she celebrates this tremendous milestone. I ask my Colleagues to rise and join me in wishing Mrs. Blanche Sparrow Rivers a Happy 100th Birthday.

PRIVATE PROPERTY RIGHTS PROTECTION ACT OF 2005

SPEECH OF

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 3, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4128) to protect private property rights:

Mr. HOLT. Mr. Chairman, I rise today in support of The Private Property Rights Protection Act, H.R. 4128. I have heard from a number of my constituents in New Jersey. They have come to my town hall meetings, sent me emails and called me on the phone, to express their concern about the potential for abuse of the power of eminent domain. I have heard their concerns and I share their concerns. That is why I support this legislation to make clear that local authorities may not use the power of eminent domain solely to increase the tax revenue for the town.

H.R. 4128 is a bipartisan bill that responds to the Supreme Court ruling in *Kelo* v. *City of New London*. Most troubling about the decision was that the Court upheld the right of New London to take private property and transfer it to another private individual for the purpose of increasing the tax revenue of the city. I am glad we are acting today to prevent this from becoming a regular practice.

The rights of property owners were so important to our nation's founders that they enshrined property rights in our Constitution. They knew that towns and municipalities would need to look after the greater public good and occasionally acquire property with just compensation to the owners in order to use that property for public good. The power of eminent domain has enabled us to make many advances over the years. It was used to create the national railroad system, the interstate highway system, and make telephone, electric, sewer, and water lines available to all our communities. Eminent domain, when used property, is a critical power of government that has benefited people in New Jersey and across America.

When used improperly, however, eminent domain is a fearsome power. Transfer of a person's property—particularly their home—to another private interest solely on the basis of tax revenue is an unwise and dangerous authority. With this bill, Congress is rightly acting to protect private property rights and ensure that property owners will not have their house taken from them by an over zealous town council seeking to increase its tax coffers.

Mr. Chairman, while eminent domain is used across America for beneficial and important reasons that support the public good, we need to ensure that towns do not overstep their powers. H.R. 4128 helps define the boundary lines.

RECOGNIZING SOLANO COUNTY AS ONE OF THE 100 BEST COMMUNITIES FOR YOUNG PEOPLE

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 4, 2005

Mrs. TAUSCHER. Mr. Speaker, I rise to recognize Solano County for its selection as one of the 100 Best Communities for Young People by America's Promise, the Alliance for Youth.

I am proud that this honor has been bestowed upon our community, but I am by no means surprised. Everyday, we in Solano County are visibly reminded of the commitment of the government and people of Solano County to the health and safety of our children. I want to congratulate the many dedicated parties who have worked so diligently to make Solano County one of the top communities in our country for young people.

Solano County is poised to become the first county in California with health care coverage for 100% of its children. Solano County has been an excellent steward of its share of Tobacco Master Settlement agreement funds, ensuring that it is spent on effective health services.

Solano County's annual Children's Report Card is an effective tool for government and non-profit organizations to continually re-assess the needs of our youth. Clearly, Solano County is getting it right when it comes to kids.

Organizations such as the Children's Network, First 5 Solano, the Child Care Planning Council, the Family Resource Centers, the Solano Coalition for Better Health, the Solano County Board of Supervisors and the Solano County Department of Health and Social Services, as well as countless others, deserve credit for this distinction.

Again, I commend all of the people and organizations that continue to work tirelessly to make Solano County one of the 100 Best Communities for Young People.

AUTHORIZING THE REMAINS OF ROSA PARKS TO LIE IN HONOR IN THE ROTUNDA OF THE CAPITOL

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 28, 2005

Ms. McCOLLUM of Minnesota. Mr. Speaker, I thank you for the opportunity to recognize

and honor the life and legacy of civil rights pioneer Rosa Parks, who passed away recently at the age of 92.

Ms. Parks was a daughter, a wife, a mother, a seamstress, who, like all of us, was trying to make a good life for herself and her family. On December 1, 1955, Ms. Parks refused to relinquish her seat to a white man in a segregated bus in Montgomery, Alabama, and this simple and courageous action changed the course of American history. Her strength and willingness to take a stand for her rights and those of others sparked the beginning of the Montgomery bus boycott and paved the way for the historic 1964 Civil Rights Act banning racial discrimination in public facilities. Ms. Parks' act of courage and bravery inspired the modern civil rights movement that went on to revolutionize our country.

Her steadfast faith in justice and equality, and the power of an individual to initiate change, has served as inspiration and encouragement for equal rights movements the world over. Millions of people with disabilities, and those who are discriminated against around the world, have looked to Ms. Parks' leadership in their claims for equality in the face of injustice. My constituents, and indeed this entire country, are grateful for her strength and courage. We as a country have been made better by the movement Ms. Parks ignited.

Mr. Speaker, in remembering her greatness, her dignity, and her legacy, Members of this House also recently made an historic vote. When this House voted to allow Rosa Parks to lay in honor in the Capitol Rotunda, it marked one of the few occasions a citizen who did not hold public office, and the first time a woman, has been recognized in this way. With that vote, we commemorated more than the great civil rights movement that her act initiated. In bestowing this honor upon Ms. Parks, we recognized that one person, one individual citizen, can have an impact, and can change lives.

Rosa Parks' legacy is one that will lead us in continuing the fight for social justice and the struggle for equality for all people. We must all remain committed to fighting the inequities that remain in our country and to championing fundamental rights for all whether they are voting rights, or a commitment to ending poverty in America. This is the true legacy of Rosa Parks which will live for years and decades to come.

TRIBUTE TO THE REVEREND JAMES H. BILLINGTON OF SAN MATEO, CALIFORNIA

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 4, 2005

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me today in paying tribute to the Reverend James H. Billington. For the past 6 years, Rev. Billington has been the Rector of St. Matthew's Episcopal Church in San Mateo, California, in my Congressional district, and one of the largest and most important parishes in the State of California. After filling his spiritual calling on the West Coast, Fr. Billington and his family have decided to return to their roots on the East Coast. Though this will be a loss both to his congregation and to our community, I wish Fr. Billington well in his future endeavors, and I know he will be a tremendous asset to whatever church family or organization he joins next.

Fr. Billington had a remarkably successful tenure at St. Matthew's. From a spiritual perspective, he led a passionate effort to strengthen Sunday School programs for church youth, increased the number and variety of worship services, and was a constant source of love and compassion to his elderly parishioners. He expanded ecumenical outreach by allowing a local Hispanic Pentecostal congregation to use St. Matthew's for their own services. Through his work with the Mills Health Center, he integrated healing services into the church calendar for cancer patients and opened the church during business hours for hospital staff.

Mr. Speaker, Fr. Billington was also very successful in matters of church administration. Despite a substantial increase in unemployment among his parishioners from Silicon Valley, annual giving increased by 37 percent. Through his solid leadership and strict fiscal policies, the church was able to completely retire a long-standing debt that Fr. Billington had inherited when he assumed leadership of the parish. In addition, the historic physical structure of the church was improved through major restorations to the stained glass windows and the organ, and the St. Matthew's Day School was restored to its earlier prominence. To the delight of his parishioners, Fr. Billington restored a previously condemned, church-owned historic landmark building into a community center for contemplative outreach.

An inspired church leader, Fr. Billington is also a gifted intellectual and dedicated humanitarian. His path to the priesthood began in earnest with his enrollment in the Episcopal Divinity School from which he graduated in 1996 with a Master of Divinity degree. Prior to this, he received a BA and an MBA from Harvard University. Before entering the priesthood, Fr. Billington earned several accolades for humanitarian work. He was awarded the Lyndhurst Prize in 1985—an annual award given to only five Americans for outstanding humanitarian contributions. From 1984 to 1986, Fr. Billington served as Director of the Appalachia Habitat for Humanity. In recognition of his extraordinary leadership, his chapter was named a model chapter by the founder, Millard Fuller.

Mr. Speaker, it has been a great pleasure for me to work with Fr. Billington on various community events and to become acquainted on a personal level with his family. His lovely wife Julia is currently a respected physician at Mills Health Center. She previously served as an Associate Professor of Medicine at Harvard Medical School. Julia's dedication to the San Mateo community mirrors that of her husband's. The two of them have worked together to take on many important projects, including a mission to provide free medical care to those in need. The Billingtons are the happy and proud parents of four boys: James, Adam, Jonathan and Joshua.

Fr. Billington has been an integral part of interfaith efforts that have greatly benefited my congressional district and beyond. He has been aptly described as a true community leader, an outstanding rector, and an all-around humanitarian. After 6 years of tireless service to St. Matthews and the community, Fr. Billington will be deeply missed. His deep commitment and dedication to the Episcopal Church earned him the highest esteem and trust of all whose lives he touched. His spiritual leadership has brought joy, peace and comfort to his parishioners. His eloquent sermons were an inspiration to all. By engaging his wry sense of humor, he has been able to simplify complex religious issues for his parishioners.

Mr. Speaker, I ask my colleagues to join me in paying tribute to Fr. Billington for his contributions and dedication to public service. I wish him and his family many more years of richly deserved good health and happiness.

HONORING THE 250th ANNIVERSARY OF THE UNION UNITED CHURCH OF CHRIST

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 4, 2005

Mr. DENT. Mr. Speaker, I rise today to honor the 250th anniversary of the Union United Church of Christ of Neffs, Pennsylvania and to pay tribute to the many contributions its congregation has made to the cultural fabric of the Lehigh Valley.

Established in 1755 by immigrant farmers and craftsmen, the first Union United Church of Christ was constructed on a 100–acre plot of land donated by the Schlosser family of Neffs. As the predominant language in the area, all services at Union Church were conducted in German until 1920 when English began to be incorporated.

Shortly after the church's formation in 1755, America went to war with Britain to gain its independence. Reflecting its role as an important element of the Lehigh Valley's cultural history, several Revolutionary War soldiers from the area are buried in Union Church's old cemetery, including Colonel Stephen Balliet, who commanded American battalions at the battles of Brandywine and Germantown.

In 1797, a new church was built to replace the original log structure that the congregation had been using since 1755. This building, known fondly as ''Scrub Oak Church'' due to the large number of oak trees in the surrounding hills, later housed the church's Sunday School, which was organized in 1846.

The construction of the congregation's current home, a striking red brick church built in the colonial style of 18th Century England, was completed in 1871 at a price of just over $35,000.00. A tribute to its wonderful design and preservation, the Union Church is one of the most recognizable and beautiful structures in Lehigh County.

To commemorate their 250th Anniversary, members of Union Church have conducted a year-long celebration that has included a musical program entitled ''250 Christmases at Neffs'', a series of German heritage events, and an organ concert. While the congregation spent much of the last year honoring their past and celebrating their present, it was their involvement in building a family's future that exemplifies the positive impact this church has always had on life in the Lehigh Valley.

In September 2004, members of Union Church began working with Habitat for Humanity of the Lehigh Valley to renovate the home of a mother and her four sons living in

nearby Allentown, Pennsylvania. During a dedication ceremony on October 16, 2005, the amazing volunteers from Union Church welcomed this family to their newly renovated home and presented them with a check for the first month's mortgage, a new lawnmower, and numerous other housewarming gifts provided by the congregation.

Tomorrow, November 5, 2005, members of the Union Church and the local community will gather for a banquet at the Emerald Fire Company to mark the conclusion of their year-long Anniversary celebration.

Mr. Speaker, I ask that my colleagues join me today in recognizing the anniversary of the Union United Church of Christ of Neffs, Pennsylvania.

CONGRATULATING THE CHICAGO WHITE SOX ON WINNING THE 2005 WORLD SERIES

SPEECH OF

HON. MELISSA L. BEAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 2, 2005

Ms. BEAN. Mr. Speaker, I rise today to congratulate the 2005 World Champion Chicago White Sox. Chicagoans—particularly those on the South Side—have been waiting 88 years for this historic win. Today, I am proud to join my colleagues in the Illinois delegation, our constituents across the State and White Sox fans across the country to celebrate the team's long-awaited victory.

Led by manager Ozzie Guillen, the 2005 White Sox finished the regular season with 99 wins and 63 losses—the best record in the American League. After the regular season, the White Sox went on to sweep last year's champions the Boston Red Sox and then marched past the Los Angeles Angels.

Facing off against the Houston Astros in the World Series, it was immediately evident that this could be our year. Throughout the series, we all sat on the edge of our seats witnessing great baseball between two formidable opponents, ultimately resulting in the White Sox sweeping the series and finishing the playoffs 11 and 1.

This year's team proved that hard work, dedication, and the desire to win can prevail against all odds. I want to again congratulate the players and management as well as the fans of the Chicago White Sox. The 2005 World Championship may have been long in the waiting, but don't expect us to wait another 88 years for the next one.

BASE REALIGNMENT AND CLOSURE COMMISSION RECOMMENDATIONS

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 4, 2005

Mr. GALLEGLY. Mr. Speaker, I rise today in support of this resolution and in opposition to the Base Realignment and Closure Commission recommendations.

I recognize the need to streamline the military in order to save tax dollars, increase military effectiveness, and protect our troops that are serving across the world. I agree that we should close bases and realign functions that have outlived their usefulness. However, I support this resolution because the recommendations made by the BRAC Commission for Naval Air Station Pt. Mugu in my district do not serve these goals.

The BRAC Commission recommended moving specialized jobs on a target range from an oceanfront location at Naval Air Station Point Mugu in Ventura, CA to China Lake Naval Weapons Station, which is 150 miles inland in the high desert. This would necessitate the moving of flights and technicians back toward the ocean each time they are needed. Relocation of these flights and the technicians will increase response times to the range, reduce on-range time, and increase operating costs.

Furthermore, I've been told by a number of my constituents, the civilian scientists and technicians at Naval Air Station Pt. Mugu, that they do not wish to move from the ocean to the high desert. This would result in a tremendous loss of intellectual capital that would add to the cost and timetable of relocation as new scientists and technicians would need to be found, trained, and given the proper security reviews. Not only does this not appear to save money and increase efficiency, I am concerned that it will negatively impact military readiness.

This recommendation is forecasted to save a mere $6 million over twenty years. Given the fact that the figures provided by the Department of Defense have been consistently inaccurate throughout this process, I question whether it will be even this much. Furthermore, the negligible savings from these recommendations do not take into account the additional non-military costs incurred by communities due to unemployment benefits and other social welfare programs necessary to help those who lose jobs because of the base closures. This could end up costing the Federal Government more money rather than it saves.

Daily Digest

HIGHLIGHTS

The House agreed to the Conference Report on H.R. 3057, Department of State, Foreign Operations, and Related Programs Appropriations Act, 2006.

Senate

Chamber Action

Routine Proceedings, pages S12375–S12414

Measures Introduced: Four bills were introduced, as follows: S. 1961–1964. **Page S12401**

Measures Reported:

S. 1184, to waive the passport fees for a relative of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member or to attend a funeral or memorial service for such member. **Page S12401**

Department of Defense Authorization: Senate resumed consideration of S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on the following amendments proposed thereto:

Pages S12375–97

Adopted:

McCain Amendment No. 2425, relating to persons under the detention, custody, or control of the United States Government. **Pages S12380–86**

Withdrawn:

Inhofe Amendment No. 1311, to protect the economic and energy security of the United States.

Page S12377

Inhofe/Kyl Amendment No. 1313, to require an annual report on the use of United States funds with respect to the activities and management of the International Committee of the Red Cross.

Page S12377

Ensign Amendment No. 1374, to require a report on the use of riot control agents. **Page S12377**

Ensign Amendment No. 1375, to require a report on the costs incurred by the Department of Defense in implementing or supporting resolutions of the United Nations Security Council. **Page S12377**

Durbin Amendment No. 1379, to require certain dietary supplement manufacturers to report certain serious adverse events. **Page S12377**

Hutchison/Nelson (FL) Amendment No. 1357, to express the sense of the Senate with regard to manned space flight. **Page S12377**

Thune Amendment No. 1389, to postpone the 2005 round of defense base closure and realignment.

Page S12377

Kennedy Amendment No. 1415, to transfer funds authorized to be appropriated to the Department of Energy for the National Nuclear Security Administration for weapons activities and available for the Robust Nuclear Earth Penetrator to the Army National Guard, Washington, District of Columbia, chapter. **Page S12377**

Allard/McConnell Amendment No. 1418, to require life cycle cost estimates for the destruction of lethal chemical munitions under the Assembled Chemical Weapons Alternatives program.

Page S12377

Allard/Salazar Amendment No. 1419, to authorize a program to provide health, medical, and life insurance benefits to workers at the Rocky Flats Environmental Technology Site, Colorado, who would otherwise fail to qualify for such benefits because of an early physical completion date. **Page S12377**

Dorgan Amendment No. 1426, to express the sense of the Senate on the declassification and release to the public of certain portions of the Report of the Joint Inquiry into the Terrorist Attacks of September 11, 2001, and to urge the President to release information regarding sources of foreign support for the hijackers involved in the terrorist attacks of September 11, 2001. **Page S12377**

Dorgan Amendment No. 1429, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism. **Page S12377**

Salazar Amendment No. 1421, to rename the death gratuity payable for deaths of members of the Armed Forces as fallen hero compensation. **Page S12377**

Salazar Amendment No. 1422, to provide that certain local educational agencies shall be eligible to receive a fiscal year 2005 payment under section 8002 or 8003 of the Elementary and Secondary Education Act of 1965. **Page S12377**

Salazar/Reed Amendment No. 1423, to provide for Department of Defense support of certain Paralympic sporting events. **Page S12377**

Collins (for Thune) Amendment No. 1489, to postpone the 2005 round of defense base closure and realignment. **Page S12377**

Collins (for Thune) Amendment No. 1490, to require the Secretary of the Air Force to develop and implement a national space radar system capable of employing at least two frequencies. **Page S12377**

Collins (for Thune) Amendment No. 1491, to prevent retaliation against a member of the Armed Forces for providing testimony about the military value of a military installation. **Page S12377**

Reed (for Levin) Amendment No. 1492, to make available, with an offset, an additional $50,000,000, for Operation and Maintenance for Cooperative Threat Reduction. **Page S12377**

Hatch Amendment No. 1516, to express the sense of the Senate regarding the investment of funds as called for in the Depot Maintenance Strategy and Master Plan of the Air Force. **Page S12377**

Inhofe Amendment No. 1476, to express the sense of Congress that the President should take immediate steps to establish a plan to implement the recommendations of the 2004 Report to Congress of the United States-China Economic and Security Review Commission. **Pages S12377–78**

Allard Amendment No. 1383, to establish a program for the management of post-project completion retirement benefits for employees at Department of Energy project completion sites. **Page S12378**

Allard/Salazar Amendment No. 1506, to authorize the Secretary of Energy to purchase certain essential mineral rights and resolve natural resource damage liability claims. **Page S12378**

McCain Modified Amendment No. 1557, to provide for uniform standards for the interrogation of persons under the detention of the Department of Defense. **Page S12378**

Warner Amendment No. 1566, to provide for uniform standards and procedures for the interrogation of persons under the detention of the Department of Defense. **Page S12378**

McCain Modified Amendment No. 1556, to prohibit cruel, inhuman, or degrading treatment or punishment of persons under the custody or control of the United States Government. **Page S12378**

Stabenow/Johnson Amendment No. 1435, to ensure that future funding for health care for veterans takes into account changes in population and inflation. **Page S12378**

Murray Amendment No. 1348, to amend the assistance to local educational agencies with significant enrollment changes in military dependent students due to force structure changes, troop relocations, creation of new units, and realignment under BRAC. **Page S12378**

Murray Amendment No. 1349, to facilitate the availability of child care for the children of members of the Armed Forces on active duty in connection with Operation Enduring Freedom or Operation Iraqi Freedom and to assist school districts serving large numbers or percentages of military dependent children affected by the war in Iraq or Afghanistan, or by other Department of Defense personnel decisions. **Page S12378**

Levin Amendment No. 1494, to establish a national commission on policies and practices on the treatment of detainees since September 11, 2001. **Page S12378**

Hutchison Amendment No. 1477, to make oral and maxillofacial surgeons eligible for special pay for Reserve health professionals in critically short wartime specialties. **Page S12378**

Graham/McCain Modified Amendment No. 1505, to authorize the President to utilize the Combatant Status Review Tribunals and Annual Review Board to determine the status of detainees held at Guantanamo Bay, Cuba. **Page S12378**

Nelson (FL) Amendment No. 762, to repeal the requirement for the reduction of certain Survivor Benefit Plan annuities by the amount of dependency and indemnity compensation and to modify the effective date for paid-up coverage under the Survivor Benefit Plan. **Page S12378**

Durbin Amendment No. 1428, to authorize the Secretary of the Air Force to enter into agreements with St. Clair County, Illinois, for the purpose of constructing joint administrative and operations structures at Scott Air Force Base, Illinois. **Page S12378**

Durbin Amendment No. 1571, to ensure that a Federal employee who takes leave without pay in order to perform service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred. **Page S12378**

Levin Amendment No. 1496, to prohibit the use of funds for normalizing relations with Libya pending resolution with Libya of certain claims relating to the bombing of the LaBelle Discotheque in Berlin, Germany. **Page S12378**

Levin Amendment No. 1497, to establish limitations on excess charges under time-and-materials contracts and labor-hour contracts of the Department of Defense. **Page S12378**

Levin (for Harkin/Dorgan) Amendment No. 1425, relating to the American Forces Network. **Page S12378**

Pending:

Nelson (FL) Amendment No. 2424, to repeal the requirement for the reduction of certain Survivor Benefit Plan annuities by the amount of dependency and indemnity compensation and to modify the effective date for paid-up coverage under the Survivor Benefit Plan. **Pages S12378–80**

Allard Amendment No. 2423, to authorize a program to provide health, medical, and life insurance benefits to workers at the Rocky Flats Environmental Technology Site, Colorado, who would otherwise fail to qualify for such benefits because of an early physical completion date. **Pages S12386–89**

Reed (for Levin/Reed) Amendment No. 2427, to make available, with an offset, an additional $50,000,000 for Operation and Maintenance for Cooperative Threat Reduction. **Pages S12389–93, S12396–97**

Levin Amendment No. 2430, to establish a national commission on policies and practices on the treatment of detainees since September 11, 2001. **Pages S12393–95**

Inhofe Amendment No. 2432, relating to the partnership security capacity of foreign military and security forces and security and stabilization assistance. **Pages S12395–96**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 2 p.m. on Monday, November 7, 2005. **Page S12413**

Appointments:

Antitrust Modernization Commission: The Chair, on behalf of the Majority Leader, pursuant to Public Law 107–273, announced the appointment of the following individual to serve as a member of the Antitrust Modernization Commission: Makan Delrahim, of the District of Columbia. **Page S12412**

NATO Parliamentary Assembly: The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a–1928d, as amended, appointed the following Senators to the Senate Delegation to the NATO Parliamentary Assembly in Copenhagen, Denmark, November 11–14, 2005, during the 109th Congress: Senators Lott, Allard, Sessions, Bunning, and Voinovich. **Page S12412**

Nominations Confirmed: Senate confirmed the following nominations:

Wan J. Kim, of Maryland, to be an Assistant Attorney General.

James Caldwell Cason, of Florida, to be Ambassador to the Republic of Paraguay.

Orlando J. Cabrera, of Florida, to be an Assistant Secretary of Housing and Urban Development.

Shana L. Dale, of Georgia, to be Deputy Administrator of the National Aeronautics and Space Administration.

Katherine Baicker, of New Hampshire, to be a Member of the Council of Economic Advisers.

Matthew Slaughter, of New Hampshire, to be a Member of the Council of Economic Advisers.

Jeffrey Thomas Bergner, of Virginia, to be an Assistant Secretary of State (Legislative Affairs).

Routine lists in the Coast Guard, National Oceanic and Atmospheric Administration. **Page S12414**

Nominations Received: Senate received the following nominations:

61 Air Force nominations in the rank of general.

46 Army nominations in the rank of general.

A routine list in the Army. **Pages S12413–14**

Messages From the House: **Pages S12400–01**

Measures Referred: **Page S12401**

Measures Placed on Calendar: **Page S12401**

Additional Cosponsors: **Page S12401**

Statements on Introduced Bills/Resolutions: **Pages S12401–07**

Amendments Submitted: **Pages S12407–12**

Privileges of the Floor: **Page S12412**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 12:54 p.m., until 1 p.m., on Monday, November 7, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S12413.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 9 public bills, H.R. 4231–4239; 6 resolutions, H.J. Res. 71; H. Con. Res. 290–291; and H. Res. 534–536 were introduced. **Pages H9695–96**

Additional Cosponsors: **Page H9696**

Reports Filed: There were no reports filed today.

Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006—Conference Report: The House agreed to the conference report on H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes, by a yea-and-nay vote of 358 yeas to 39 nays, Roll No. 569. **Pages H9650–72**

H. Res. 532, the rule providing for consideration of the conference report, was agreed to by voice vote after agreeing to order the previous question. **Pages H9644–50**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, November 7, 2005, for Morning-Hour Debate. **Pages H9673–74**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, November 9th. **Page H9674**

Quorum Calls—Votes: One yea-and-nay vote developed during the proceedings today and appears on page H9672. There were no quorum calls.

Senate Message: Message received from the Senate today appears on page H9691.

Adjournment: The House met at 9 a.m. and adjourned at 2:28 p.m.

Committee Meetings

U.S. RESPONSE TO REGION POWERS

Committee on Armed Services: Regional Powers Panel held a hearing on U.S. response to regional powers and interagency planning capabilities. Testimony was heard from public witnesses.

AVIAN FLU PREPAREDNESS

Committee on Government Reform: Held a hearing entitled "The National Pandemic Influenza Preparedness and Response Plan: Is the U.S. Ready for Avian Flu?" Testimony was heard from the following officials of the Department of Health and Human Services: Michael O. Leavitt, Secretary; Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases, NIH; Bruce Gellin, M.D., Director, National Vaccine Planning Office; Julie Gerberding, M.D., Director, Centers for Disease Control and Prevention; and William Raub, M.D., Science Advisor to the Secretary.

Joint Meetings

EMPLOYMENT

Joint Economic Committee: Committee concluded hearings to examine the employment-unemployment situation for October 2005, focusing on the impact of the recent hurricanes on the jobs data, consumer spending, and homeownership, after receiving testimony from Kathleen P. Utgoff, Commissioner, Bureau of Labor Statistics, Department of Labor.

APPROPRIATIONS: COMMERCE/JUSTICE/SCIENCE

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 2862, making appropriations for the Departments of Commerce and Justice, Science, and related agencies, for the fiscal year ending September 30, 2006.

CONGRESSIONAL PROGRAM AHEAD

Week of November 7 through November 12, 2005

Senate Chamber

On *Monday*, at 2 p.m., Senate will resume consideration of S. 1042, National Defense Authorization.

During the balance of the week, Senate will consider any other cleared legislative and executive business, including appropriation conference reports, when available.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: November 8, Subcommittee on Research, Nutrition, and General Legislation, to hold hearings to examine the Pet Animal Welfare Statute, 2:30 p.m., SDG–50.

November 9, Full Committee, to hold hearings to examine agricultural transportation and energy issues, 10:30 a.m., SDG–50.

November 10, Full Committee, to hold hearings to examine the nominations of Charles R. Christopherson, Jr., of Texas, to be Chief Financial Officer, and James M. Andrew, of Georgia, to be Administrator, Rural Utilities Service, both of the Department of Agriculture, 10:30 a.m., SR–328A.

Committee on Armed Services: November 9, Subcommittee on Readiness and Management Support, to hold hearings to examine Department of Defense Business Transformation and Financial Management Accountability, 2 p.m., SR–232A.

Committee on Banking, Housing, and Urban Affairs: November 10, to hold hearings to examine the development of New Basel Capital Accords, 9:30 a.m., SD–538.

Committee on Commerce, Science, and Transportation: November 9, with the Committee on Energy and Natural Resources, to hold joint hearings to examine energy pricing and profits, focusing on record prices of oil, gasoline, and natural gas and factors affecting those prices, isssues relating to global demand, resource development strategies and windfall profits taxes, and the effectiveness of Federal and State consumer protection laws to prevent occurrences of price gouging during supply disruptions, 9:30 a.m., SD–106.

November 9, Subcommittee on Disaster Prevention and Prediction, with the Subcommittee on Science and Space, to hold joint hearings to examine S. 517, to establish a Weather Modification Operations and Research Board, 3 p.m., SD–562.

November 10, Subcommittee on Aviation, to hold hearings to examine the impact of the Wright amendment, which restricts travel into and out of Dallas Love Field for commercial flights with more than 56 seats, 10 a.m., SD–562.

Committee on Energy and Natural Resources: November 9, with the Committee on Commerce, Science, and Transportation, to hold joint hearings to examine energy pricing and profits, focusing on record prices of oil, gasoline, and natural gas and factors affecting those prices, isssues relating to global demand, resource development strategies and windfall profits taxes, and the effectiveness of Federal and State consumer protection laws to prevent occurrences of price gouging during supply disruptions, 9:30 a.m., SD–106.

Committee on Environment and Public Works: November 8, Subcommittee on Superfund and Waste Management, to hold oversight hearings to examine the impact of certain government contractor liability proposals on environmental laws, 2:30 p.m., SD–406.

November 9, Full Committee, to hold hearings to examine issues regarding a comprehensive and integrated approach to meet the water resources needs of coastal Louisiana in the wake of Hurricanes Katrina and Rita, including storm and flood damage reduction, ecosystem restoration and navigation, 9:30 a.m., SD–406.

November 10, Subcommittee on Clean Air, Climate Change, and Nuclear Safety, to hold hearings to examine the implementation of the existing particulate matter and ozone air quality standards, 9:30 a.m., SD–406.

Committee on Foreign Relations: November 8, to hold hearings to examine Kosovo, 9:30 a.m., SD–419.

November 8, Full Committee, to hold hearings to examine the nominations of Alejandro Daniel Wolff, of California, to be the U.S. Deputy Representative to the United Nations, with the rank and status of Ambassador, and the U.S. Deputy Representative in the Security Council of the United Nations, and to be U.S. Representative to the Sessions of the General Assembly of the United Nations, during his tenure of service as U.S. Deputy Representative to the United Nations, 2:30 p.m., SD–419.

November 9, Full Committee, to hold hearings to examine Avian influenza preparation issues, 9:30 a.m., SD–419.

November 9, Full Committee, to hold hearings to examine the nominations of Ronald L. Schlicher, of Tennessee, to be Ambassador to the Republic of Cyprus, Ross Wilson, of Maryland, to be Ambassador to the Republic of Turkey, Carol van Voorst, of Virginia, to be Ambassador to the Republic of Iceland, and Marilyn Ware, of Pennsylvania, to be Ambassador to Finland, 2:30 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: November 9, to hold hearings to examine the Coast Guard's response to Hurricane Katrina, 10 a.m., SD–342.

November 9, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to resume oversight hearings to examine the Federal security clearance process, focusing on Office of Personnel Management's plan to address the backlog of security clearance investigations, 2:30 p.m., SD–342.

Committee on the Judiciary: November 8, to hold hearings to examine U.S.-Saudi Arabia relations relating to the war on terror, 9:30 a.m., SD–226.

November 8, Full Committee, to hold hearings to examine pending nominations, 2:30 p.m., SD–226.

November 9, Full Committee, to hold hearings to examine the use of cameras in the courtroom, 9:30 a.m., SD–226.

November 9, Subcommittee on Constitution, Civil Rights and Property Rights, business meeting to markup S.J. Res. 1, proposing an amendment to the Constitution of the United States relating to marriage, 2 p.m., SD–226.

November 10, Subcommittee on Constitution, Civil Rights and Property Rights, to hold hearings to examine the state interest in protecting children and families relating to pornography, 2 p.m., SD–226.

Committee on Small Business and Entrepreneurship: November 8, to hold hearings to examine strengthening hurricane recovery efforts for small businesses, 10 a.m., SR–428A.

Committee on Veterans' Affairs: November 10, to hold hearings to examine the rebuilding of VA assets on the Gulf Coast, 2 p.m., SD–138.

House Committees

Committee on Armed Services, November 9, hearing on the Defense Logistics Agency's Prime Vendor Program, 10 a.m., 2118 Rayburn.

November 9, Regional Powers Panel, hearing on regional powers' threats to the United States' interests, 1 p.m., 2212 Rayburn.

Committee on Education and the Workforce, November 10, Subcommittee on Employer-Employee Relations, hearing on H.R. 1445, Workplace Religious Freedom Act of 2005, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, November 8, hearing entitled ''Assessing the National Pandemic Flu Preparedness Plan,'' 10 a.m., 2123 Rayburn.

November 9, Subcommittee on Telecommunications and the Internet, hearing on a proposal to create a statutory framework for Internet Protocol and Broadband Services, 10 a.m., 2123 Rayburn.

November 10, Subcommittee on Commerce, Trade, and Consumer Protections, hearing entitled ''Right to Repair: Industry Discussions and Legislative Options,'' 10 a.m., 2123 Rayburn.

Committee on Financial Services, November 9, Subcommittee on Financial Institutions and Consumer Credit, hearing on H.R. 3997, Financial Data Protection Act of 2005, 10 a.m., 2128 Rayburn.

November 10, Subcommittee on Domestic and International Monetary Policy, Trade, and Technology and the Subcommittee on Oversight and Investigations, joint hearing entitled ''Oversight of the Export-Import Bank of the United States,'' 10 a.m., 2128 Rayburn.

Committee on Government Reform, November 9, Subcommittee on Federal Workforce and Agency Organization, hearing entitled ''Justice Delayed is Justice Denied: A Case for a Federal Employees Appeals Court,'' 10 a.m., 2247 Rayburn.

Committee on Homeland Security, November 8, Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment, hearing entitled ''Federal Support for Homeland Security Information Sharing: The Role of the Information Sharing Program Manager,'' 2 p.m., 311 Cannon.

November 9, Subcommittee on Emergency Preparedness, Science, and Technology and the Subcommittee on Terrorism, Unconventional Threats and Capabilities of the Committee on Armed Services, joint hearing entitled ''Responding to Catastrophic Events: the Role of the Military and National Guard in Disaster Response,'' 10 a.m., 311 Cannon.

Committee on International Relations, November 9, to mark up H. Res. 505, Requesting the President of the United States and directing the Secretary of State to provide to the House of Representatives certain documents in their possession relating to the White House Iraq Group, 10:30 a.m., 2172 Rayburn.

November 9, Subcommittee on Europe and Emerging Threats, hearing on Germany After the Election: Implications for Germany, Europe and U.S.-German Relations, 2:30 p.m., 2200 Rayburn.

November 9, Subcommittee on Western Hemisphere, hearing on the Illicit Drug Transit Zone in Central America, 1:30 p.m., 2172 Rayburn.

November 10, full Committee, hearing on An Around-the-World Review of Public Diplomacy, 10:30 a.m., 2172 Rayburn.

November 10, Subcommittee on Oversight and Investigations, hearing on Broadcasting Board of Governors and Alhurra Television, 1:30 p.m., 2172 Rayburn.

Committee on the Judiciary, November 8, Subcommittee on the Constitution, oversight hearing on The Voting Rights Act: Section 203—Bilingual Election Requirements, Part I, 2 p.m., 2141 Rayburn.

November 9, Subcommittee on the Constitution, oversight hearing on The Voting Rights Act: Section 5—Judicial Evolution of the Retrogression Standard, 2 p.m., and oversight hearing on the Voting Rights Act: Section 203—Bilingual Election Requirements, Part II, 4 p.m., 2141 Rayburn.

November 10, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on H.R. 3035, Streamlined Procedures Act of 2005, 10 a.m., 2141 Rayburn.

November 10, Subcommittee on Immigration, Border Security, and Claims, oversight hearing entitled ''How Illegal Immigration Impacts Constituencies: Perspectives from Members of Congress,'' 2 p.m., 2141 Rayburn.

Committee on Resources, November 8, Subcommittee on Fisheries and Oceans, hearing on H.R. 3552, Coastal Barrier Resources Reauthorization Act of 2005, 10 a.m., 1324 Longworth.

November 9, full Committee, oversight hearing on the Second Discussion Draft of Legislation Off-Reservation Indian Gaming, 10 a.m., 1324 Longworth.

November 9, Subcommittee on Water and Power, hearing on the following bills: H.R. 3626, Arthur V. Watkins Dam Enlargement Act of 2005; H.R. 3967, Pactola Reservoir Reallocation Authorization Act of 2005; and 4195, Southern Oregon Bureau of Reclamation Repayment Act of 2005, 2 p.m., 1334 Longworth.

November 10, Subcommittee on Forests and Forest Health, hearing on a measure to improve the ability of the Secretary of Agriculture and the Secretary of the Interior to promptly implement recovery treatments in response to catastrophic events affecting Federal lands under their jurisdiction, including the removal of dead and damaged trees and the implementation of reforestation treatments, to support the recovery of non-Federal lands damaged by catastrophic events, to revitalize Forest Service experimental forests, 9:30 a.m., 1334 Longworth.

November 10, Subcommittee on National Parks, hearing on the following bills: H.R. 413, Bleeding Kansas National Heritage Act; H.R. 452, To authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the Soldiers' Memorial Military Museum located in St. Louis, Missouri, as a unit of the National Park System; and H.R. 1307, Musconetcong Wild and Scenic Rivers Act, 1 p.m., 1334 Longworth.

Committee on Rules, November 8, to consider H.R. 1751, Secure Access to Justice and Court Protection Act of 2005, 5 p.m., H–313 Capitol.

Committee on Science, November 10, Subcommittee on Research, hearing on the Role of Social Science Research in Disaster Preparedness and Response, 10 a.m., 2318 Rayburn.

Committee on Small Business, November 8, Subcommittee on Workforce, Empowerment, and Government Programs, hearing entitled ''The Small Business Innovation Research Program—Open Doors to New Technology,'' 10 a.m., 2360 Rayburn.

Permanent Select Committee on Intelligence, November 8, executive, Director of National Intelligence hearing discussion, 11:30 a.m., H–405 Capitol.

November 8, Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence and the Subcommittee on Intelligence Policy, executive, joint briefing entitled ''Muslim Extremism,'' 3 p.m., H–405 Capitol.

November 9, full Committee, executive, hearing entitled ''Unauthorized Disclosures,'' 9:30 a.m., H–405 Capitol.

November 9, executive, hearing entitled ''Progress of the Director of National Intelligence,'' 1 p.m., H–405 Capitol.

Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina, November 9, hearing entitled ''Hurricane Katrina: Preparedness and Response by the State of Alabama,'' 10 a.m., 2154 Rayburn.

Joint Meetings

Joint Meetings: November 9, Senate Committee on Commerce, Science, and Transportation, to hold joint hearings to examine energy pricing and profits, focusing on record prices of oil, gasoline, and natural gas and factors affecting those prices, isssues relating to global demand, resource development strategies and windfall profits taxes, and the effectiveness of federal and state consumer protection laws to prevent occurrences of price gouging during supply disruptions, 9:30 a.m., SD–106.

Joint Meetings: November 9, Senate Committee on Energy and Natural Resources, to hold joint hearings to examine energy pricing and profits, focusing on record prices of oil, gasoline, and natural gas and factors affecting those prices, isssues relating to global demand, resource development strategies and windfall profits taxes, and the effectiveness of federal and state consumer protection laws to prevent occurrences of price gouging during supply disruptions, 9:30 a.m., SD–106.

Next Meeting of the SENATE

1 p.m., Monday, November 7

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 2 p.m.), Senate will resume consideration of S. 1042, National Defense Authorization.

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Monday, November 7

House Chamber

Program for Monday: To be announced.

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