United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

Vol. 151 WASHINGTON, WEDNESDAY, DECEMBER 7, 2005 No. 156

Senate

The Senate was not in session today. Its next meeting will be held on Monday, December 12, 2005, at 2 p.m.

House of Representatives

WEDNESDAY, DECEMBER 7, 2005

The House met at 10 a.m.

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

Lord of history and ever-present Master of destiny, Your providential care of Your people and eternal wisdom guide each Member of this Chamber in his or her personal responsibility as a leader in governing this Nation.

Yet You have brought together at this moment in history this diverse assembly as representative of Your free people to address with courage and deliberation the joys and the sorrows of the American people.

By Your gracious will, empower them to protect and defend the good times claimed by the American dream, and help them to deal with the shock, the terror, and the revelation that sudden attack and surprises cause Your people.

Lord, if Your people do not learn from the past, You will allow us to repeat some mistakes because You always lead us to lasting truth, now and forever. 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 Colorado (Mr. HEFLEY) come forward and lead the House in the Pledge of Allegiance.

I would like to remind the House that today is December 7, a day, as announced from this podium, that would live in infamy, because this country was not ready at that time to protect and defend its borders and defend its people.

I hope we have learned from the lessons of the past.

Mr. HEFLEY 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.

REMEMBERING PEARL HARBOR

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

Mr. POE. Mr. Speaker, around breakfast time on a stunning Sunday sunrise, Luke Trahin, a 22-year-old sailor from Texas, noticed large formations of aircraft darkening the glistening sky. He kept watching it until suddenly bombs from the Japanese invaders started dropping on Pearl Harbor Naval Base. It was December 7, 1941.

After the smoke cleared that morning of madness, the American battleships, the ships of the line were destroyed. 188 planes were destroyed. 2,471 Americans, servicemen and civilians were killed by this unwarranted terror from the skies.

Luke and his buddies in Hawaii quickly got organized and for 2 days, waited for the Japanese landing, but it did not occur. Luke Trahin stayed in the Navy a total of 6 years until World War II was won by his greatest generation.

He is now 86 years of age and he lives in southeast Texas. He still wears his Navy blues and medals on Memorial Day, Veterans Day, and, of course, the 4th of July. He is a proud Pearl Harbor survivor.

To my friend, Luke Trahin, and all those who served the cause of freedom, and the 400,000 Americans who died in World War II, December 7, as FDR said, is a day that will and has lived in infamy. That's just the way it is.

AMERICA'S PRESENCE IN IRAQ

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

Mr. MORAN of Virginia. Mr. Speaker, the President has been touring the country giving speeches to justify his Iraq war policy to a series of controlled audiences. But as the American public nevertheless lends an eager ear, it hears a muddled message.

Today it is the economy. But the fact is that in Iraq, the unemployment rate is over 50 percent. Oil, water, electricity is worse than pre-war levels.

Mr. Speaker, the gentleman from Pennsylvania (Mr. MURTHA) has offered an alternative vision, immediate redeployment as soon as practicable, but with a military force over the horizon. The fact is, Mr. Speaker, that our bottom line needs to be, what policy is going to enable our once inexhaustible military to regain its strength and to

Printed on recycled paper.

make this country, in fact, more secure?

And the reality is that our unjustified invasion and occupation of Iraq has, in fact, destabilized that country and has weakened our military and caused our country to be far less safe from terrorism.

FREEDOM IS NOT FREE

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

Ms. ROS-LEHTINEN. Mr. Speaker, we heeded the call to action during World War II as the greatest generation battled oppression and led the effort to help Europe rebuild. Today, we are faced with a similar mission in Iraq, one that will help focus momentum in the region toward the causes of freedom and democracy.

Our men and women serving in Iraq are part of another great generation of patriots committed to a mission that became clear on September 11, 2001, another day that will live in infamy in our Nation's history.

Freedom is not free, but it is always worth fighting for. As John F. Kennedy once stated, the cost of freedom is always high, but Americans have always paid it. And one path we shall never choose is the path of surrender or submission.

We have the mission for victory in Iraq. Let us honor that pledge.

GENOCIDE IN DARFUR

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

Mr. BLUMENAUER. Mr. Speaker, I appreciate the words of our Speaker, the gentleman from Illinois (Mr. HASTERT) this morning when he talked about a day that would live in infamy, referencing December 7.

I appreciate that we have an opportunity now to do something to make sure that this is not a day that lives in infamy, because today another tragic chapter is being written in Darfur in the horrifying history of genocide, which people on both sides of the aisle have condemned.

Indeed, the violence appears to be getting worse and 500 people a day are dying. Somehow, the money for the United States for the peacekeepers for the African Union has disappeared from the Foreign Operation Conference Committee. This would be a tragedy, if we did not meet our obligation to provide at least 7,700 peacekeepers for an area the size of Texas.

Every man and woman on the Hill today should do something to make sure that the Defense appropriation bill is not finally approved without meeting America's obligation to stop this genocide.

RECOGNIZING REAGAN ELEMENTARY SCHOOL

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

Mr. CONAWAY. Mr. Speaker, I rise today in order to recognize El Magnet at Reagan Elementary School in Odessa, Texas, for their commitment to excellence in education.

On September 13, the Intel Corporation and Scholastic named El Magnet at Reagan a 2005 School of Distinction for demonstrating exceptional commitment to achieving innovation in education. They were selected from over 3,300 other participating schools from across this Nation for programs such as Crossing Borders which partners their Spanish classes with technology integration, and also allows students to serve as teachers.

El Magnet was also held up as an exemplary model for success here in Washington, D.C. in October 2005 at a gala for distinguished recipients, and was awarded $10,000 in cash in a grant to continue their scholastic progress.

Not only do all of Reagan students pass the rigorous Texas Assessment for Knowledge and Skills Test, but the number of students scoring in the 90th percentile ranks Reagan in the top five schools in Texas every year.

The reputation of El Magnet Reagan extends beyond the Permian Basis in the State of Texas, and again on September 19, 2005, Reagan was named a 2005 No Child Left Behind Blue Ribbon School by the Department of Education.

I congratulate the students and teachers, administrators and families of El Magnet at Reagan Elementary School. I wish them the best in the future, thank them for their hard work, and their dedication that have made these prestigious awards possible.

9/11 COMMISSION REPORT CARD

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

Mr. ISRAEL. Mr. Speaker, on Monday, the distinguished members of the 9/11 Commission released a scathing report card on the lack of progress the administration has made in implementing their 41 recommendations for improving the security of our Nation.

The grades handed down would disturb any parent. On nearly half of the recommendations, our government received a D, an F, or an incomplete grade for failing to take the steps necessary to ensure that we never face another tragedy like September 11.

It is unacceptable that while people across the world can talk with each other effortlessly, now over 4 years after the 9/11 terrorist attacks, our Nation's first responders are still, still without the interoperable radios they need to communicate in crisis.

It is unacceptable that after we carefully screened passengers who fly on aircraft in this Nation, we seat them on planes loaded with cargo that is rarely ever screened.

Mr. Speaker, these and other loopholes must be closed immediately. The administration has failed the American people on these loopholes. We must work together to bring up these dangerous grades.

WAR IN IRAQ

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

Mrs. BLACKBURN. Mr. Speaker, we are saluting our veterans from World War II today. Last week, I had the opportunity to spend time with members of the 278th Regimental Combat Team of the Tennessee National Guard, and the 115th Field Artillery Regiment from the Tennessee Army National Guard.

Tennessee was welcoming them home after a year of service in Iraq and around the world. They have done great work. We are proud of them. And I believe their sacrifice is what does keep this Nation free.

Mr. Speaker, it was with sadness and a little bit of disbelief that I heard yesterday of Democratic Party leader Howard Dean's comments that we cannot win in Iraq, and that we are in the same situation as Vietnam.

The pessimism and historical ignorance contained in those statements is simply staggering, Mr. Speaker. I do not know if this is simply wishful thinking by a Democratic leader looking for an angle to slam the White House, or whether Mr. Dean actually believes it. Both options are frightening. I have been in Iraq. I have seen the progress. It is undeniable. It is good for America. It is good for the freedom-loving people in this world. Thank you to the men and women in uniform for their sacrifice.

CORRUPTION IN CONGRESS

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

Ms. DELAURO. Mr. Speaker, it is astonishing how badly this administration and the Republican Congress has veered off course. Bribery. Perjury. Allegations of insider trading and money laundering. The majority leaders in both Chambers of the Congress, one under indictment, the other being investigated by the SEC.

The American people understand full well the consequences of this culture of corruption. They saw it in New Orleans. The administration's incompetence was more devastating than the storm itself. They see a President all too willing to cover up waste and profiteering here and abroad where, again, incompetence has contributed to the loss of American lives, more than 2,000 and climbing.

More than 15,000 wounded, many of whom would go back and fight again for their country if only they could. We have defense contractors bribing Members of this institution. No wonder we are so ill-prepared for another terrorist attack.

This week, the chairman of the September 11 Commission gave this government's response, since that terrible day, five Fs and 12 Ds. The facts more than speak for themselves. Democrats believe that the time has come to restore the values of responsibility and integrity to our way that our government does business.

Mr. Speaker, it starts with putting the needs of families before special interests of the lobbyists. It starts here in this building, and it starts with new leadership.

□ 1015

LISTEN TO THE GOOD NEWS

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

Mr. HEFLEY. Mr. Speaker, a reporter from a major news organization in the United States who is now stationed in Iraq made the statement the other day that if he wrote a single story that was positive about what was going on in Iraq, he would have to fight with his editor to get it published.

Is it any wonder that we have such a negative attitude in America about the war and the way it is going?

I think it is time for a little reality. During the last week of November, 526 insurgents were detained or killed and 104 weapons caches were discovered during 355 combined operations. And in those operations, 30 percent of them were conducted independently by Iraqi security forces. As of November 16, 2005, a total of 211,700 Iraqi security forces have been trained and equipped. The number includes 99,500 Ministry of Defense forces and 112,200 Ministry of Interior forces. Thirty Iraqi Army battalions have assumed primary control of their own areas; and on and on it goes, Mr. Speaker.

There is a lot of good news out of Iraq, and we ought to begin to listen to it.

YACHTS FOR THE RICH, DEBT FOR THE POOR

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

Mr. DEFAZIO. Mr. Speaker, despite a flood, a sea of red ink, tomorrow Republicans propose to cut taxes. Cut taxes for whom? The wealthy. They want to float the yachts of the wealthy on a sea of red ink.

One of the cuts is for people who get a chip dividend on their stocks and is paid for by dramatically increasing the costs of student loans.

I have met with students at Oregon State and the University of Oregon during the break. These kids are working hard trying to realize the American Dream. Some of them are holding down three jobs and borrowing as much as they can, and the Republicans say they have to pay more for those loans so that rich people can pay a rate of taxes on dividends less than someone who works for $25,000 a year.

That is an outrageous position for the majority party.

AMERICAN-MADE UNIFORMS NEEDED

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

Mr. DUNCAN. Mr. Speaker, last week The Washington Post reported that our U.S. Border Patrol agents are wearing uniforms manufactured in Mexico. One agent said, ''It is embarrassing to be protecting the U.S.-Mexico border and be wearing a uniform made in Mexico.''

There are plenty of companies all over this country that could make these uniforms, yet some brilliant bureaucrat has decided to give jobs to Mexicans rather than to Americans. I have nothing whatsoever against Mexico, but the first obligation of the U.S. Congress should be to our own people.

Not only is this a jobs issue, but there are security implications as well. Having these uniforms made in another country makes it more likely that these uniforms could end up on a black market and be sold to drug traffickers, illegals wanting to cross the border, or even worse, terrorists trying to come here.

I hope all Federal officials will start trying to give as much business as possible to American companies and workers instead of giving even more jobs to those in other countries.

REPUBLICAN BILLS DO NOT HELP AVERAGE AMERICANS

(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, I listened to my Republican colleague who just spoke, and he talked about how the first job of this Congress is to protect the jobs of the American people. I do not see that happening here.

We are back now for a 2-week period here in the House and what do I hear is on the agenda? First of all, tomorrow is the Tax Reconciliation Act. This is the tax cut, if you will, for special interests, for wealthy people paid for with the budget cuts that we adopted, the Republican leadership adopted 2 weeks ago, cuts in student loans, cuts in Medicaid, cuts in housing, cuts in programs that help the average American. And they are doing that in order to pay for a tax cut they are going to vote on this week by the Republican leadership that would essentially help only the very wealthy and the special interests, the corporations.

What else is on the agenda today? The Bahrain Free Trade Agreement Implementation Act, another free trade agreement that is going to mean loss of American jobs, outsourcing of American jobs to other countries.

How many more of these are we going to have? How many more times am I going to come down to the floor and have the Republican leadership post bills that do not help the average American?

WORKING WITH INDIA FOR OUR FUTURE

(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, Congress will soon consider implementing legislation to support civil nuclear cooperation between India and the United States. I strongly support this initiative, which is a critical component of the U.S.-India Joint Statement of July 18 reached during the historic visit of Prime Minister Manmohan Singh to Washington this past summer.

The civil nuclear agreement is a major step forward for the United States and global nonproliferation policies. In the U.S.-India Statement of July 18: ''President Bush conveyed his appreciation to the Prime Minister of India's strong commitment to preventing WMD proliferation and stated that as a responsible state with advanced nuclear technology, India should acquire the same benefits and advantages of other such states.''

After my meetings in New Delhi last week, I am convinced that our strategic partnership with India will help ensure our own future security and prosperity working together for victory in the war on terrorism.

In conclusion, God bless our troops, and we will never forget September 11, our generation's December 7.

FIX MEDICARE PRESCRIPTION DRUG PLAN

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

Mr. BISHOP of New York. Mr. Speaker, over the past 2 weeks, I hosted five town hall meetings in my district. They were attended by hundreds of seniors who wanted to learn more about the Medicare drug benefit. I found that for as much interest as seniors demonstrated, it is readily apparent there is an equal amount of confusion, frustration, cynicism, and in some cases even anger.

Seniors do not understand why there is such little time to sign up for the benefit or why they will be locked into a plan when the plan does not have to

commit to them. But we should not be surprised by a benefit whose design was the result of ideology trumping practicality.

It is obvious that an enormous portion of the benefit needs fixing and that it will take a tremendous effort to make seniors have access to the affordable lifesaving drugs that they deserve.

Step one should be extending the May 15 sign-up deadline. Step two should be dropping the penalty for late sign-up. Mr. Speaker, I strongly encourage my colleagues to support such measures.

MEDICARE PRESCRIPTION DRUG PLAN SAVES SENIORS MONEY

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

Mrs. JOHNSON of Connecticut. Mr. Speaker, Connecticut seniors are signing up for the new Medicare prescription drug benefit, and many are saving hundreds and thousands of dollars.

The CHOICES bus visited the senior citizens center in Plainville, Connecticut, and Thomas and Margaret Bernatchy spoke with a trained counselor. Mrs. Bernatchy takes many drugs, and it costs the couple $7,000 a year. After discussing their needs with the trained counselor, Mr. Bernatchy signed himself and his wife up, and they will save $5,000 a year.

Mrs. Anita Willequer who also lives in Plainville was attending exercise classes at the senior center and decided to pop in on the Medicare CHOICES counseling session. She spends only $55 a month on drugs, but she will save $500 a year. ''This is a tremendous savings,'' she said. ''I was glad I asked about it. I hope it helps a lot of people.''

With each passing day, more and more seniors are talking with Medicare-trained advisors, getting their questions answered, signing up for savings. Help your seniors sign up for savings.

TAX RELIEF RECONCILIATION PACKAGE

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

Mr. GINGREY. Mr. Speaker, as the Congress begins to finalize this year's legislative agenda and draw this session to a close, I am very pleased to see this House continue to do the people's work right up to the end. I am especially pleased this House will soon vote to allow the American people to keep their money and not raise taxes. Clearly, the opponents of maintaining the tax status quo do not trust the taxpayers with their own money.

Mr. Speaker, let us review some statistics. The economy grew by 4.3 percent in the previous quarter, the 10th consecutive quarter in which the economy grew by more than 3 percent. Consumer confidence rose by 14 percent in the previous 3 months, and we have a 5 percent unemployment rate which is lower than the average unemployment rate for the past three decades. And to top it off, since May of 2003, 4.4 million jobs have been created.

Mr. Speaker, the results are in, and the American taxpayer has passed with flying colors. So let us keep this growth growing. Let us show that we trust the true engine of this economy, the American people.

Mr. Speaker, I urge all of my colleagues to do the right thing and support the tax relief reconciliation package.

THERE IS A VICTORY PLAN

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

Ms. FOXX. Mr. Speaker, President Bush gave an important speech last week in which he clearly outlined a plan for victory in Iraq, organized around three tracks:

Political: isolate the terrorists, engage those outside the process and build stable, pluralistic national institutions that can represent all Iraqis.

Security: clear areas of enemy control, hold those areas with Iraqi forces, and build capacity of local institutions to deliver services and advance the rule of law.

Economic: restore neglected infrastructure, reform stifling Saddam-era regulations, and build government capacity and human capital to reach full economic potential.

Already we have seen progress in each of those areas, yet Democrats continue to argue that President Bush still has not laid out a plan. It is as if they cannot see the forest for the trees. They are so intent on not seeing a plan that when one is placed in front of them, they simply will not acknowledge it.

Mr. Speaker, Democrats need to realize that disagreeing with the plan does not mean there is not one.

EXTEND TAX RELIEF FOR AMERICANS

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

Mr. PRICE of Georgia. Mr. Speaker, did you see the great economic news? Last month, November, 215,000 new jobs were created. Just another sign that the positive, productive policies of tax relief are working.

In the past 2½ years, 4.4 million new jobs, an unemployment rate of 5 percent, lower than the average for the 70s, the 80s and the 90s.

Look at the economic growth that has occurred over the last 10 quarters, more than 3 percent growth each quarter, 10 straight quarters. Mr. Speaker, this is very good news.

The American people expect us to do the responsible hard work that respects their hard work. I call on all Members of Congress to put aside politics and vote in favor of the extension of tax relief for all Americans and not to raise taxes at this pivotal time.

GALVANIZING A NATION

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

Mr. PENCE. Mr. Speaker, it was a Sunday morning on December 7, 1941, and the planes came down and Pearl Harbor entered the history of infamy in the United States of America. Days later, President Franklin Delano Roosevelt would use that term from this very podium in describing the holocaust of that day. But from the tragedy of Pearl Harbor came a galvanized Nation that rose as one man to confront imperial Japan and Nazi and Fascist Europe.

I was here on another morning such as that, another clear day when the planes came down and the holocaust of September 11, as December 7, galvanized a Nation. Let us learn from the Greatest Generation that saw the horror of our enemies at Pearl Harbor. Let us allow September 11 to galvanize our resolve in the war on terror. Complete the mission as our President has challenged our Nation to do.

NATIONAL CHRISTMAS TREE

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

Mr. PITTS. Mr. Speaker, last week an 80-foot spruce tree was delivered to the West Lawn of the U.S. Capitol building. Originally billed as the Capitol Holiday Tree, this beautiful spruce has been officially changed back to its historical name, the Capitol Christmas Tree, by the Speaker of the House, in time for the lighting ceremony to be held this Thursday. Predictably, the Speaker's move was unwelcome to the adherents of political correctness who constantly demand ''mainstream policy'' from our leaders.

So what is the mainstream on this issue, Mr. Speaker? A poll conducted last week provides some revealing numbers. Eighty-one percent of those polled expressed opposition to religion being excluded from public life. Eighty-three percent think nativity scenes should be allowed on public property. Ninety-three percent think the phrase ''In God We Trust'' should remain on our currency.

We would do well to keep these numbers in mind the next time the left wing attempts to arbitrarily define the mainstream for everyone. And I applaud the Speaker for taking a commonsense stand in calling our Capitol Christmas Tree what it is.

□ 1030

PROGRESS IN IRAQ

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

Mr. KINGSTON. Mr. Speaker, yesterday when Democrat leader Howard Dean said that the war in Iraq is unwinnable and Senate Democrat presidential candidate JOHN KERRY said that American soldiers in the dark of the night are terrorizing Iraqi women and children, I scratch my head in absolute disgust and disappointment. The party of Scoop Jackson has apparently been now completely hijacked by Cindy Sheehan and Michael Moore.

I went to Iraq last week, and I wish that Mr. Dean and Mr. KERRY would go to Iraq and talk directly to our soldiers. Here is what I found, and incidentally, I went with a bipartisan group, three Democrats, three Republicans. We found troop morale high, a great deal of enthusiasm for the mission. No equipment shortages. From tissue to toilet paper, our troops are well equipped. We found that they were very engaged in the mission and that the Iraqi security forces each day were getting more and more of the territory under their control.

We found enthusiasm for the December 15 election, 228 different political parties already offering candidates. A lot of progress is being made. Everything is completely different than the pessimism and the continuous criticism and the Vietnam-era radicalism expressed by Mr. KERRY and Mr. Dean. I would invite those two to go over there and see for themselves before they send such discouraging signals to our troops in action.

PROVIDING FOR CONSIDERATION OF H.R. 4340, UNITED STATES-BAHRAIN FREE TRADE AGREEMENT IMPLEMENTATION ACT

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 583 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 583

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 4340) to implement the United States-Bahrain Free Trade Agreement. The bill shall be considered as read. The bill shall be debatable for two hours equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. Pursuant to section 151 of the Trade Act of 1974, the previous question shall be considered as ordered on the bill to final passage without intervening motion.

SEC. 2. During consideration of H.R. 4340 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker in consonance with section 151 of the Trade Act of 1974.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend the gentleman from Florida (Mr. HASTINGS), 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. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 583 is a closed rule providing for 2 hours of debate in the House, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means.

The rule waives all points of order against consideration of the bill. It also provides that pursuant to section 151(f)(2) of the Trade Act of 1974, the previous question shall be considered as ordered on the bill to final passage without intervening motion.

Lastly, section 2 of the resolution provides that during consideration of the bill, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker in consonance with section 151 of the Trade Act of 1974.

Mr. Speaker, House Resolution 583 provides for the consideration of H.R. 4340, a bill to implement the United States-Bahrain Free Trade Agreement, in accordance with trade measures negotiated under the Trade Promotion Authority.

Former United States Trade Representative Robert Zoellick signed the United States-Bahrain Free Trade Agreement on September 14, 2004. Under the agreement, all bilateral trade and consumer and industrial goods will be duty free, and 98 percent of U.S. agricultural exports will be duty free. Tariffs on the remaining products, such as alcohol and tobacco, will be reduced to zero within 10 years.

It is important to highlight that labor obligations are included at the core of this agreement, and they meet objectives set out by Congress. In addition, Bahrain has introduced labor reform laws to make its laws fully consistent with the International Labor Organization.

The United States must recognize the fact that 96 percent of the world's population resides outside of our country. That 96 percent represents a marketplace for U.S. goods and services that we cannot reach without proper trade agreements.

My home State of Washington is one of the most trade-dependent States in the Nation, and our economy depends on free and fair trade. From high-tech to agriculture, and from manufacturing industries to other businesses, Washington State and our Nation is in a position to benefit from having more trading partners.

Mr. Speaker, the United States-Bahrain Free Trade Agreement Implementation Act would be the fourth trade agreement reached between the United States and a Middle Eastern country and is an integral part in creating a Middle East free trade area.

This agreement is important in bringing stability to the Middle East region and sending a strong signal to countries in that region about the benefits of closer economic and political ties with the United States. Approving this agreement is another step in the right direction toward integrating fair trade policies and economic reforms with our national security interest in supporting a more stable and prosperous Middle East.

Both House Resolution 583 and H.R. 4340 were reported by their respective committees by a voice vote. Accordingly, I urge my colleagues to support House Resolution 583 and the underlying bill.

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

Mr. HASTINGS of Florida. Mr. Speaker, I thank my friend from Washington State (Mr. HASTINGS) for the time, and I yield myself such time as I may consume.

Sometimes these rules cause confusion when there are two Mr. HASTINGS managing the rule. So in advance, Mr. Speaker, I am sure that my good friend and I want to make sure that there is no confusion.

Mr. Speaker, my good friend and colleague has already pointed out the closed rule we are working on today is mandated by the fact that we are dealing with a trade agreement. So I take no issue with the type of rule, on this specific occasion.

However, as I said to Chairman DREIER last night, along with closed rules, trade agreements by our rules are supposed to come to the House floor with 20 hours of debate. I do recognize the limiting aspect with reference to the rule, and this trade agreement is permitted 2 hours.

Chairman DREIER pointed out, rightly I believe, that this U.S.-Bahrain trade agreement is one of the most noncontroversial agreements of this kind to come before Congress in a long time, and as I said, that may be so, but it is also not the point that I wish to carry.

We have had several more controversial trade deals come before the House in recent years where we were also given 2 hours of debate time. More recently, we saw that in two trade agreements. Trade deals should come to the floor under the 20 hours of debate that the law prescribes. If only 5 hours or 5 minutes is what is necessary to pass the bill, so be it, but I see a bad precedent being set. I ask my friends in the majority to let the House work its will, not so much on this bill, but certainly any other in the future that comes before us.

As to this specific trade agreement, as I have already said, it comes to the floor with the support from the administration and both parties in Congress. While I seriously doubt that free trade with the tiny island nation of Bahrain is going to be the rising tide that lifts our flagging economy, after all, trade with Bahrain accounts for only .03 percent of our total trade activity, I also will not try to stand in the way.

It should be noted, however, that despite its small size, Bahrain runs a trade surplus with the United States, joining most other countries in the world. So, what this agreement does is give us one more country the opportunity to sell more of its goods and services here, even more cheaply than it already does. Maybe one day soon, Mr. Speaker, we will find a country that the United States will run a surplus with, instead of the other way around. One can only hope.

I do have one other very serious concern with Bahrain, Mr. Speaker. Until recently, Bahrain continued to enforce the primary aspect of the Arab League boycott against Israel, which bars imports of Israeli-origin goods.

Simply put, the United States should not trade, and certainly not enter into free trade agreements with, nations that discriminate against America's closest and most trusted Middle East ally.

The kingdom of Bahrain now says they will relent. The kingdom now says that it ''recognizes the need to dismantle the primary boycott of Israel and is beginning to achieve that goal.''

Let us be crystal clear, Mr. Speaker. This change of heart is purely economic, and it happened just in the last month. I suspect that it has nothing to do with the fact that an economic embargo based on religion is wrong and an affront to basic human rights.

The fact that the country's parliament has rejected, in the last 6 weeks, the lifting of the embargo, and the kingdom has made it clear that it is not normalizing relations with Israel only further proves my point.

Whatever the reason, I am thrilled that Bahrain will work to end the longstanding ostracism of Israel by its neighbors. It is past time.

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

Mr. HASTINGS of Washington. Mr. Speaker, I would just advise my friend, I appreciate his opening remarks and respect the work that he does in international affairs, but I have no requests for time and I am prepared to yield back if the gentleman is.

Mr. HASTINGS of Florida. Mr. Speaker, I thank my friend from Washington, and I yield back the balance of our time.

Mr. HASTINGS of Washington. 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.

□ 1045

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later today.

HONORING PILOTS OF COMMERCIAL AIR CARRIERS WHO VOLUNTEER TO PARTICIPATE IN FEDERAL FLIGHT DECK OFFICER PROGRAM

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 196) honoring the pilots of United States commercial air carriers who volunteer to participate in the Federal flight deck officer program.

The Clerk read as follows:

H. CON. RES. 196

Whereas after the tragic attacks of September 11, 2001, Congress enacted legislation authorizing volunteer pilots of United States commercial air carriers who participate in the Federal flight deck officer program to use lethal force to defend the flight deck of an aircraft against acts of terrorism;

Whereas a volunteer pilot in the Federal flight deck officer program must undergo rigorous psychological screening and a background investigation, as well as complete an intense training curriculum;

Whereas volunteer pilots in the Federal flight deck officer program provide a significant deterrent against potential acts of violence or terrorism in United States airspace, are an essential layer of security for the Nation's flying public, and are a key factor in restoring confidence in the Nation's air transportation system;

Whereas volunteer pilots in the Federal flight deck officer program devote personal time and finances to maintain a high standard of proficiency in the use of firearms and techniques for addressing emergencies in flight; and

Whereas volunteer pilots in the Federal flight deck officer program, at great personal risk and with no compensation or recognition, are dedicated to the protection of the flight deck, thereby providing an additional layer of protection to the aircraft, passengers, and cargo from acts of terrorism, such as the possible use of the aircraft as a weapon of mass destruction against people on the ground: Now, therefore, be it

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

(1) recognizes that volunteer pilots in the Federal flight deck officer program are the consummate quiet professionals and embody what is best in our national character;

(2) applauds volunteer pilots in the Federal flight deck officer program for taking a stand against those who would seek to harm the United States through acts of terrorism in the air; and

(3) expresses appreciation to volunteer pilots in the Federal flight deck officer program on behalf of all citizens of the United States for the ongoing contribution of these pilots to the security of the Nation and its air transportation system.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentleman from Illinois (Mr. COSTELLO) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

GENERAL LEAVE

Mr. PEARCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H. Con. Res. 196.

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

There was no objection.

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

Mr. Speaker, House Concurrent Resolution 196 recognizes and applauds the volunteer pilots in the Federal Flight Deck Officer program. It is an opportunity to show our appreciation for those brave pilots who are committed to protecting Americans against another act of terrorism not only at huge personal risk but with no compensation or recognition.

I appreciate Chairman MICA's leadership in establishing and supporting this program. I am proud to represent the district where the Federal flight deck officer training occurs. Chairman MICA visited this program with me last year. These are superb assets at Artesia, New Mexico, which include two 727s all lined up and allow real simulated training for the Federal flight deck officers. I also toured the facility with Department of Homeland Security Secretary Chertoff just in the last month.

We should speak for a grateful Nation for the selfless contribution these pilots make to providing a critical layer of protection to the aircraft, passengers, and cargo from acts of terrorism.

Mr. Speaker, I ask unanimous consent that the gentleman from Florida (Mr. MICA) control the remainder of my time and that he be allowed to yield time to other Members in consideration of this resolution.

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

There was no objection.

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

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

Mr. Speaker, I want to thank Chairman MICA for introducing this resolution honoring the pilots who participate in this Federal Flight Deck Officer program. As the ranking member of the Aviation Subcommittee and a cosponsor of this resolution, I believe these volunteer pilots deserve to be honored and recognized for their continued and dedicated service.

Ten months after the tragic September 11 attacks, I and over 300 Members of this body voted to authorize volunteer commercial pilots to carry handguns. At the time, arming pilots was a controversial idea, yet the House

resolved to take any measure necessary to prevent terrorism and terrorists from ever taking over an airline again.

After almost 3½ years, we now have thousands of armed and trained pilots serving our country as Federal flight deck officers. Federal flight deck officers are a powerful deterrent to hijackers and are a vital last line of defense in the skies.

Federal flight deck officer candidates must submit to rigorous psychological screening and a background investigation, as well as completing an intense training program before they are deputized. These pilots volunteer their services and do not get paid for their initial training, which includes travel, lodging, and daily expenses.

Further, they must devote personal time and finances to maintaining their firearm proficiency and anti-terrorism skills. They do it because they are patriots. These men and women represent what is best in our national character since the founding of this country. They are citizens willing to stand up and help provide for a common defense. We should honor them.

I applaud the gentleman from Florida, the chairman of the subcommittee, for introducing this legislation; and I urge my colleagues to support it.

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

Mr. MICA. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from New York (Mr. KUHL) and also the vice chair of the Aviation Subcommittee.

Mr. KUHL of New York. Mr. Speaker, I rise today in strong support of the gentleman from Florida's legislation, H. Con. Res. 196. This bill recognizes airline pilots who have courageously volunteered to participate in the Federal Flight Deck Officer program.

Following the tragic events of 9/11 in my home State of New York, the Federal Flight Deck Officer program was created by Congress as a part of the Homeland Security Act to select, train, equip, and supervise volunteer pilots to defend the flight decks of passenger aircraft against acts of criminal violence and air piracy.

These volunteers have dedicated their time and money to the extensive flight deck officer program. They are selected for training only after meeting very strict qualification standards. The training is specific to protecting the flight deck. Upon completion, the pilots are deputized as Federal officers. They have jurisdiction specific to the flight deck and contribute to aviation security throughout the U.S. on a daily basis.

Federal flight deck officers provide a critical, and I repeat, critical layer of defense for the safe operation of aircraft traffic. In recent polls conducted by the Airline Pilots Association, the public overwhelmingly supports the arming of pilots on commercial and cargo flights. These men and women deserve much praise for their willingness to provide the flying public with secure skies.

I thank each of these heroes for their tremendous courage and dedication, as they are protecting our country and preventing terrorists from threatening Americans' ability to carry out and carry on their daily lives.

Mr. Speaker, once again, I strongly support this bill, and I urge its immediate passage to honor those who are willing to protect our citizens with their own lives.

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

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

Mr. Speaker, I am pleased to rise in strong support of H. Con. Res. 196, which I introduced to honor our commercial airline pilots, those individuals who volunteer for what is termed the Federal Flight Deck Officer program.

Before I speak to the resolution, I just want to take a few minutes to thank the chairman of the Select Committee on Homeland Security, Mr. KING, and also the ranking member of that committee, Mr. THOMPSON, also Mr. LUNGREN and others, for their support in facilitating the consideration of this resolution before the House today.

I also want to thank Mr. PEARCE. He said in his opening remarks in support of the resolution that he also represents the area in New Mexico where they have put the facility to train our pilots, and I did have an opportunity to visit that facility with Mr. PEARCE, and I will talk about that in just a minute.

I introduced this legislation, as I said, in a resolution to honor thousands of passenger and cargo airline pilots who on flights every day have volunteered their own time, expenses, and their welfare to complete what turned out to be a very rigorous Federal Flight Deck Officer program. In Congress, when we first thought about this, we thought about something more simple, just strapping an arm on, like they did during the 1960s when we had problems with hijacking of aircraft, and the guns were issued by the airlines. But this is a much more rigorous program. In fact, it is a week long and involves very intensive use of equipment, as Mr. PEARCE described, and comprehensive training.

What was interesting, when we started this, I was not a big fan of this approach; but I had thousands of pilots and their families and others, pilots in particular, who saw the gaps in our aviation security system after September 11 who came to us and said we need to do something to be able to defend our aircraft. So they stepped forward. They initiated this legislation.

After the tragic attacks of September 11, Congress did authorize legislation. We started out, I remember, with Mr. OBERSTAR, Mr. DEFAZIO, and Mr. YOUNG with a small demo project that was just going to include a few pilots. We brought it to the floor and the overwhelming sentiment was to open this to all pilots, which we did; and we later included even cargo pilots to be able to defend their aircraft and their passengers against acts of terrorism.

So I am pleased that we have a history of not only the pilots being heroes and participating in the program but also initiating the program. And these courageous pilots are providing a significant deterrent against potential acts of violence against our skies.

We saw the damage to our economy. The debate on the floor the week before the September 11 attacks was what we were going to do with the $120 billion Federal surplus, and we saw how terrorists can in fact affect our economy. But pilots stepped forward to help restore confidence in the security of our Nation's aviation system, and pilots are the people we are here to recognize with this resolution.

These volunteer pilots devote personal time and finances to maintain a high standard of proficiency. If you think it is easy for them to participate, well, government never makes anything easy. We envisioned a small program, but we ended up with them moving out to Artesia, New Mexico; and it was probably a wise decision because we had some infrastructure and facilities.

Now, a pilot goes at his or her own expense to Artesia. I went out there, and I took three flights. I remember flying, I think from Washington to Denver, from Denver to Albuquerque, and from Albuquerque to Roswell. Then Mr. PEARCE got me in his car and drove me an hour to the south. I do not think you can put a Federal program any further or more remotely away. And God bless Mr. PEARCE, who has one of these huge districts that transcends a great deal of New Mexico. But at the far end of that district is where we train these pilots.

I was absolutely stunned at the thousands of pilots, both men and women, who have taken time and expense to go through this comprehensive training. Do you know that this year we will have more pilots trained and armed to defend their cockpit and also the passengers than we have Federal air marshals. Now, all that is a classified number, but I am telling you it is in the thousands. So terrorists and others who want to do harm, we have a line of defense that is unparalleled.

This week, I saw the grades from the 9/11 Commission about aviation security. I want to tell you that the pilots who participate in this program deserve an A-plus, the pilots, men and women across this Nation, who have stepped up to this challenge.

So this is a very sophisticated and successful program, and we are here to recognize those volunteers, again, who at their own time and expense have made this one of the best lines of defense for aviation security and security for our Nation and the traveling public.

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

Mr. COSTELLO. Mr. Speaker, I urge my colleagues to support this resolution, and I yield back the balance of my time.

Mr. MICA. Mr. Speaker, in closing, I simply want to say thank you to each and every one of the pilots, men and women, who have stepped forward to take a stand to defend the United States and to ensure that our traveling public is safe and that further harm does not come to aviation.

One of the reasons we have changed the rules with TSA in screening passengers is because we have a system like this in place, and they have just announced that this week.

□ 1100

Mr. Speaker, I would say it is almost impossible to take over an aircraft the way the 9/11 terrorists did. We have armed pilots through this program. We have air marshals and secure cockpit doors. And then we have the traveling public who would never allow that to happen knowing what we know. So now we are changing the focus and these pilots through their efforts and this program have allowed us to look at additional risk such as explosive devices and other threats that we face. We know we are secure again through the efforts of the countless pilots we are honoring who have participated in our Federal Flight Deck Officer program.

So again, on behalf of Chairman YOUNG, who chairs our full committee and Mr. LUNGREN, Mr. KING and Mr. COSTELLO, and my other colleagues, I am pleased to present this resolution to adequately recognize those who have come forward and have helped make this a more secure Nation through the aviation industry.

Mr. OBERSTAR. Mr. Speaker, I have not been a supporter of the Federal Flight Deck Officer program because I believe it creates safety problems which outweigh any security benefits. Without any disrespect for the individuals participating in the program, I rise to remind my colleagues that there is still a lot of work left to do to improve aviation security.

On Monday, the 9/11 Commission released its Final Report on Commission Recommendations. The Commission gave aviation security low to failing grades ranging from "C" to "F".

Three priority issues we must work expeditiously to address in the coming months include: suicide bombers at the checkpoint, checked baggage screening and screener staffing.

SUICIDE BOMBERS

Probably the greatest threat facing aviation is the threat of a suicide bomber getting past airport checkpoint security. We know that we have vulnerabilities at passenger checkpoints, and we need to give our screeners the tools to get the job done.

Earlier this year Department of Homeland Security Inspector General (DHS IG) released a report indicating that our airport screening system still needs improvement. Regarding the causes of poor screener performance, the DHS IG stated "that significant improvement in performance may not be possible without greater use of technology."

While we have made some progress in recent months deploying checkpoint explosive detection machines like trace portals, the 9/11 Commission report gives checkpoint explosive detection a grade of "C". We can and must do better.

CHECKED BAGGAGE SECURITY

As to checked baggage screening, it is important to install in-line screening systems at large airports given both the increased security such systems provide as well as the cost benefits. In-line EDS systems promote greater security because they are not exposed to the public; screeners are able to focus on screening bags rather than moving them; and fewer people are congregated around machines in the public area.

In addition to these benefits, in-line baggage screening systems have a much higher throughput than stand-alone systems. If we install in-line systems, more bags will be screened by explosive detection systems instead of less reliable, alternative methods.

TSA and airport operators rely on commitments in letters of intent (LOIs) for Federal assistance as their principal method for funding the modification of airport facilities to incorporate in-line baggage screening systems. To date, TSA has issued only 8 LOIs to cover the costs of installing systems at 9 airports.

Earlier this year GAO reported that TSA has estimated that in-line baggage screening systems at the 9 airports that received LOI funding could save the Federal government $1.3 billion over 7 years. TSA further estimated that it could recover its initial investment of in-line systems at these airports in just over 1 year.

Moreover, TSA officials stated without in-line EDS technology, 27 airports will not comply with the congressional mandate to screen all checked baggage using EDS or ETD.

Yet despite the security benefits and savings that we would clearly gain from installing in-line EDS systems, this Congress has failed to provide sufficient funding to install in-line EDS at more than a few airports. We must fund the installation of in-line EDS systems.

SCREENER STAFFING

TSA's main mission is security. But the agency also has the responsibility to move passengers efficiently, so long as security is not compromised. In both of these missions, TSA has been handicapped by the ill-advised cap of 45,000 full time screeners imposed by the House Appropriations Committee over three years ago, and which is continued in the FY06 DHS Appropriations Act (P.L. 109–90). This cap was imposed without any basis for determining that 45,000 was the right number, and is both arbitrary and counterintuitive. Moreover, this cap does not provide TSA with flexibility that it needs to schedule screeners for training and other skill improvement activities, while continuing to adequately staff security checkpoints.

To add insult to injury, the FY06 Appropriations provides only $2.4 billion for Federal passenger and baggage screeners, which I am told is tantamount to 43,000 full time equivalent screeners—a decrease of 2,000 screeners below the cap! Passenger enplanements in 2006 are expected to reach upwards of 750 million. Surely this anticipated increase in passenger traffic justifies fully funding TSA up to the 45,000 cap!

I urge my colleagues to support these needed improvements in aviation security.

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

The SPEAKER pro tempore (Mr. LATOURETTE). The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 196.

The question was taken.

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

Mr. MICA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

FEDERAL WATER POLLUTION CONTROL ACT AMENDMENT

Mr. DUNCAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1721) to amend the Federal Water Pollution Control Act to reauthorize programs to improve the quality of coastal recreation waters, and for other purposes.

The Clerk read as follows:

H.R. 1721

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

SECTION 1. COASTAL RECREATION WATER QUALITY MONITORING AND NOTIFICATION.

Section 406(i) of the Federal Water Pollution Control Act (33 U.S.C. 1346(i)) is amended by striking ''2005'' and inserting ''2011''.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 8 of the Beaches Environmental Assessment and Coastal Health Act of 2000 (114 Stat. 877) is amended by striking ''2005'' and inserting ''2011''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentleman from New York (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 1721 to extend the authorization of appropriations for Clean Water Act programs aimed at improving the quality and safety of our Nation's recreational coastal waters. Beaches are a very important part of American life. Each year, over 180 million people visit coastal waters for recreational purposes.

This activity supports over 28 million jobs and leads to investments of over $50 billion each year in goods and services nationally. Public confidence in

the quality of our Nation's waters is important not only to each citizen who swims, but also to the tourism and recreation industries that rely on safe and swimmable coastal waters.

To improve the public's confidence in the quality of our Nation's coastal waters and to protect public health and safety, Congress passed the Beaches Environmental Assessment and Coastal Health Act of 2000, commonly called the BEACH Act, in the 106th Congress.

Under the BEACH Act, the EPA has been developing new water quality criteria to protect human health from disease-causing pathogens, and States are updating their water quality standards for recreational coastal waters to incorporate these more protective critical.

The EPA also has been making grants to States to help them implement programs to monitor beach water quality and to notify the public if water quality standards are not being met.

H.R. 1721 reauthorizes the current level of funding for these programs. This includes $30 million annually through fiscal year 2011 for the EPA to make grants to help them implement their coastal waters monitoring and public notification programs.

H.R. 1721 will help protect public health and safety and continue to improve the quality of our Nation's recreational coastal waters that are so very important to the economies of our coastal communities.

I certainly want to congratulate our colleague, Mr. BISHOP, on sponsoring this bill, and I urge all Members to support this very worthwhile legislation.

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

Mr. BISHOP of New York. Mr. Speaker, I rise in strong support of H.R. 1721, and I yield myself such time as I may consume.

First I would like to begin by thanking Chairman YOUNG and Ranking Member OBERSTAR for their support, their leadership and their hard work in moving this important and bipartisan legislation through the Transportation and Infrastructure Committee and on to the House floor today.

In addition, I am deeply grateful for the support and contributions of the gentleman from Tennessee (Mr. DUNCAN), the chairman of the Water Resources Subcommittee, and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the subcommittee's ranking member, for their steadfast support and commitment to America's coastal environment.

Mr. Speaker, as the distinguished subcommittee chairman has just explained, H.R. 1721 reauthorizes grants under the Beaches Environmental Assessment and Coastal Health Act of 2000 known as the BEACH Act through fiscal year 2011. The record shows that the BEACH Act has been a proven success for 35 coastal States and U.S. territories. It goes a long way towards maintaining pristine coastline, and is a critical component of preserving our Nation's environment and sustaining the tourist economies of our States.

As someone whose district on Eastern Long Island is almost completely surrounded by beaches, I know that American families expect and deserve clean water for their enjoyment, and in some cases, their businesses, such as tourism and the fishing industries. Indeed, beach-going Americans deserve pristine waterways to enjoy with their families, and we need to protect these areas for future generations.

By fully funding the water quality monitoring and notifications grants established under the BEACH Act of 2000, we can assure the American public that preserving healthy shores is a priority of our environmental agenda.

Over the past 5 years States have made great progress in creating monitoring plans and putting them to good use. The most recent EPA data on beach closings and advisories indicates that only 4 percent of beach days were lost in 2004 due to closures triggered by bacteria monitoring. This is a significant improvement from past years.

In addition, the number of beaches we monitor has more than tripled from about 1,000 in 1997 to more than 3,500 in 2004.

One of the strongest economic forces along America's coast is tourism. Obviously, vacationers, visitors and beachgoers who enjoy the sea certainly do not want to visit beaches that are closed. I am confident, therefore, that this program will continue to be supported by both sides of the aisle and in both Chambers.

I look forwarding to working with the Senate to advance this bill in order to ensure the BEACH Act's reauthorization without delaying or interrupting the important coastal preservation programs it funds.

Mr. Speaker, this legislation is good for the environment, is sound public policy, and continues a critically important program necessary to preserve one of our most precious and beloved natural resources.

Mr. Speaker, I would like to thank the gentleman from Tennessee (Mr. DUNCAN) for his support and for the fine work of the Transportation and Infrastructure Committee.

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

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

Mr. BISHOP of New York. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. Mr. Speaker, I rise today in strong support of H.R. 1721, legislation to reauthorize the BEACH Act. I thank Mr. BISHOP for his vital leadership on this important measure. I also want to thank Chairman YOUNG, Mr. DUNCAN, and Ranking Member OBERSTAR for their efforts to bring the BEACH Act to the floor today.

Mr. Speaker, America's beaches are our national treasures. They are an important part of our heritage. They are environmental assets and economic assets. We want to keep them that way, and that is exactly what this measure will do.

This vital legislation provides State and local governments with grant money to monitor pathogen levels off their shores, and to notify the public when those pathogens levels are above acceptable levels. Pathogens, we all know, can cause illness when people are exposed to them through swimming or consuming fish from contaminated water.

It is absolutely essential that we continue to fund these programs so that States and localities have the resources that they need to protect recreational users from dangerous levels of bacteria, viruses or parasites off their shores. When people go to the beach, including the 981 square miles of coastal waters in New York, it should be pleasant and it should be safe. That is why this bill is so vitally important. I urge my colleagues to support the reauthorization of the BEACH Act to ensure that we protect Americans from potentially toxic coastal water.

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

Mr. DUNCAN. Mr. Speaker, I will simply close by saying that this is a very strong bill for the environment. It is a bill that is important to thousands of cities, towns and small communities along the coast of this country. Not every bill that claims to be for the environment is really a good bill because some of them drive up prices and destroy jobs and hurt the poor and lower income and working people, but this is a pro-environment bill that helps sustain and even creates jobs. I do not know of any negatives with this bill. I think it is something that all of our colleagues can support. I urge its passage.

Mr. OBERSTAR. Mr. Speaker, I am pleased to support H.R. 1721, a vital measure to reauthorize appropriations for coastal recreation water quality monitoring and notification grants through 2011. Originally passed in the BEACH bill in 2000, this program was added to the Clean Water Act to require states with coastal areas, including those in the Great Lakes region, to adopt minimum standards for water quality, test recreational beach waters, and notify the public when test levels prove unsafe.

In 1999, before the BEACH bill became law, only eleven states tested their waters and reported to the public when there was a presence of bacteria and viruses. Human contact with such waters, especially in the elderly and very young, can result in gastrointestinal disorders, respiratory diseases, and ear, nose, or throat infections. These bacteria and viruses are typically the result of polluted stormwater and runoff, overburdened sewage treatment facilities, and malfunctioning septic systems. Ignorance was not bliss, ignorance was a serious health hazard. While we must certainly do more to eliminate these pollution sources, until they are eliminated, we must test recreational waters and adequately inform those who might be at risk from them.

Poor health conditions from contaminated waters adversely affect those who live by

coastal waters and those who travel to the shore. According to the latest reports from the Travel Industry Association of America, 109.5 million travelers visit the beach per year. Over 36 percent of those tourists stayed for a week or longer, and 41 percent of the travelers were children—those who could most be adversely affected by contaminated waters.

Mr. Speaker, I applaud the efforts of our Committee colleague, Mr. BISHOP, in proposing this important legislation. As the representative of the northern part of the Long Island Sound, the gentleman is well aware of the importance of clean beaches and public notification of potential health exceedances for residents and visitors to the Sound. I commend the gentleman's hard work in reauthorizing funding for this program.

I support this reauthorization and I urge my colleagues to let "a day at the beach" continue to be a pseudonym for recreational relaxation and enjoyment, not a risk of pollution and ill health.

Mr. PALLONE. Mr. Speaker, as one of the original authors of the BEACH Act five years ago, I rise in support of H.R. 1721 and thank my friend from New York, Mr. BISHOP, for working to move this legislation forward.

The BEACH Act of 2000 took major steps towards improving water quality testing and monitoring at beaches across the country, which is critical to protecting the health of beachgoers. The Act had three provisions: requiring states to adopt current EPA water quality criteria to protect beachgoers from getting sick; requiring the EPA to update these water quality criteria, developed in 1986, with new science and technologies to provide better, faster water testing; and providing grants to states to implement coastal water monitoring programs.

The bill before us extends the authorization for appropriations under this third provision, which expired at the end of this fiscal year, until 2011. This is an important step because every coastal state now has a beach water monitoring program that relies on federal grant funding. However, we need to realize that there are still outstanding issues in the implementation of the other portions of the BEACH Act that merit Congressional involvement.

In particular, EPA was to have completed new water quality criteria by October of this year to make sure that all Americans can feel safe swimming at the beach without worrying that they will get sick. My office has spoken extensively with EPA about this, however, and it seems that this will likely not be completed until 2011. EPA is spending nearly a decade studying water testing methods, waiting to collect data on freshwater beaches before even beginning to test marine beaches.

This delay, likely due at least in part to insufficient funding from the Administration and this Congress, has prevented EPA from helping communities implement rapid water testing methods that could shorten the time for beginning and ending beach closures from two days to merely a few hours. Such an improvement would provide much greater protection to beachgoers and help shore economies by avoiding unnecessary closures.

I intend to work with my colleagues here and with EPA to improve the implementation of the original BEACH Act and keep our coastal waters as clean as possible. In the meantime, I am pleased to see the House extend the grants program through this bill.

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

The SPEAKER pro tempore (Mr. BISHOP of Utah). The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the bill, H.R. 1721.

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

A motion to reconsider was laid on the table.

FEDERAL WATER POLLUTION CONTROL ACT AMENDMENT

Mr. DUNCAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3963) to amend the Federal Water Pollution Control Act to extend the authorization of appropriations for Long Island Sound.

The Clerk read as follows:

H.R. 3963

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

SECTION 1. LONG ISLAND SOUND AUTHORIZATION OF APPROPRIATIONS.

Section 119(f) of the Federal Water Pollution Control Act (33 U.S.C. 1269(f)) is amended by striking ''2005'' each place it appears and inserting ''2010''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentleman from New York (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 3963 to extend the authorization of appropriations for the Long Island Sound program under the Clean Water Act.

More than 8 million people live within the Long Island Sound watershed. The sound generates more than $5 billion annually for the regional economy from boating, swimming, and commercial and sport fishing, plus other activities. The Long Island Sound, like many estuaries around the Nation, supports multiple uses and demands and provides habitat for a multitude of fish and wildlife species.

Yet despite its value, the sound is experiencing stress from increasing population growth and development. Storm water and agricultural runoff, wastewater discharges with high nutrient levels, industrial pollution, and commercial and recreational waste all have led to water quality issues arising in the sound. The Long Island Sound is one of the estuaries in the EPA's national estuary program. A long-term estuary management plan has been developed and approved for the sound. The Long Island Sound program was created in part to help carry out the goals of the sound's estuary management plan.

H.R. 3963 reauthorizes the current level of funding for the Long Island Sound program to continue implementing the sound's estuary management plan. This includes $40 million annually through fiscal year 2010 for the EPA to make grants to State and local parties for projects and studies aimed at improving water quality in the sound. H.R. 3963 will help the local States and the EPA to restore and protect Long Island Sound, which is so important to the economy of this very important region of our country.

I want to especially congratulate the gentleman from Connecticut (Mr. SIMMONS) for sponsoring and pushing this bill to the floor here today. I urge all Members to support this bill.

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

Mr. BISHOP of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in full support of H.R. 3963, bipartisan legislation offered by the gentleman from Connecticut (Mr. SIMMONS). This bill is important to all of us who rely on the sound as an economic engine for our communities and as a clean source of water and food for our families.

It is important to recognize nationally designated estuaries such as Long Island Sound, not only for the economic growth they generate, but also their important role in the global environment. Estuaries provide feeding and nursing grounds for diverse plant life, wild birds and fish, along with other animals.

In addition, countless families and businesses in my district and indeed throughout the northeast rely on Long Island Sound for their livelihood, enjoyment and peace of mind. The sound plays an integral role in not only the 8 million people who live in the immediate vicinity, but also the tens of millions who visit the area each year.

In fact, this dynamic body of water produces $5.5 billion in revenue for State and local economies in the tourism, fishing and boating industries in the northeast each year.

□ 1115

I am proud to have participated in developing this legislation, and today's consideration ensures that we will be renewing our commitment to preserving Long Island Sound for future generations of Americans.

On a more personal note, Mr. Speaker, I would encourage each of my colleagues to visit the sound and experience its grandeur. Again, I appreciate

my colleague from Connecticut's leadership and hard work on this legislation, and I urge support of this important bill.

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

Mr. DUNCAN. Mr. Speaker, I yield such time as he may consume to the primary sponsor of this legislation, the gentleman from Connecticut (Mr. SIMMONS).

Mr. SIMMONS. Mr. Speaker, I rise today in strong support of this legislation, H.R. 3963, to reauthorize appropriations for the Long Island Sound Restoration Act set to expire at the end of this year. I want to thank Chairman DUNCAN for his very distinguished work in carrying this forward, as well as the chairman of the full committee, Chairman YOUNG. And in particular, I would like to thank my co-chair of the Long Island Sound Caucus, the gentleman from New York (Mr. ISRAEL), who has worked with me in a bipartisan fashion, and also the gentleman from, I believe, the First District of New York (Mr. BISHOP), who actually assisted during the mark-up of this legislation when I had to be away. This is a classic case of Members of this body working across party lines, working across State lines for the common good; and I thank them for that support.

As we have heard, Long Island Sound is a unique estuary in our country with both economic and ecological importance to the region and to the whole Nation. The sound generates between 5 and $6 billion of revenue on an annual basis and is cherished by the 28 million people who live within 50 miles of it. Think about that: 28 million people, 28 million American citizens live within 50 miles of Long Island Sound. That is 10 percent of the Nation's population, and they can benefit from this wonderful resource.

The Long Island Sound today is challenged by nitrogen loading that leads to hypoxia or low dissolved oxygen. The best way to defeat this problem is to remove significant levels of nitrogen from wastewater through complicated and expensive upgrades to sewage treatment plants. Connecticut, New York, and the Environmental Protection Agency have committed to reducing this nitrogen loading to the sound by 50 percent by 2014. But this cannot be done without this legislation and without the funds that this legislation carries. That is why this legislation is so critically important.

Mr. Speaker, I submit for printing in the RECORD the following three letters as an example of the support that we have back home for this legislation:

EXECUTIVE CHAMBERS,
STATE CAPITOL,
Hartford, CT, October 25, 2005.

Hon. DON YOUNG,
Rayburn House Office Building,
Washington, DC.

DEAR CHAIRMAN YOUNG: I am writing to urge your vigorous support for H.R. 3963, a bill to extend the authorization of appropriations from the Long Island Sound Restoration Act of 2000 (''LISRA'') (Title IV of Public Law 106–457). As detailed in the attached fact sheet, the approximately 9.7 million dollars in LISRA funds awarded to Connecticut have benefited over 16 distressed communities in Connecticut. The distressed communities have utilized the funds to plan for and design upgrades at their sewage treatment plants to remove nitrogen, the most significant threat to water quality in Long Island Sound.

Long Island Sound (LIS or Sound) is a complex and unique estuary, and Connecticut's most precious environmental resource. The Sound has a 16,000 square mile watershed that is home to approximately 10 percent of the population of the United States. LIS contributes more that $6 billion to the regional economy, through activities such as boating, commercial and sport fishing, swimming, and beach going. The ports of Bridgeport, New Haven and New London handle national and international freight.

The Sound is facing a number of serious challenges due to the developed nature of its watershed, including excessive nitrogen loading that causes hypoxia or low dissolved oxygen. Connecticut, New York and the Environmental Protection Agency have committed to reducing nitrogen loading to the Sound by 58.5% by 2014 to address the hypoxia. Such reduction can best be accomplished by upgrading sewage treatment plants to remove nitrogen, a process that requires a substantial investment in planning, design and construction.

A federal appropriation under LISRA will leverage Connecticut's state based initiatives to control nitrogen. To date, Connecticut has invested over $150 million from our state Clean Water Fund to upgrade sewage treatment plants to remove nitrogen. We estimate that demand for funds to control nitrogen in the next two fiscal years will be over $200 million, with that amount increasing in future fiscal years.

In summary, the Long Island Sound Restoration Act provides a critical federal contribution to projects designed to restore the health of Long Island Sound. Further, the funds are used by Connecticut to assist our distressed communities in doing their part to restore Long Island Sound, an estuary of national significance. Thank you in advance for your support.

Sincerely,

M. JODI RELL,
Governor.

AUDUBON CONNECTICUT,
Southbury, CT, October 26, 2005.

Hon. ROBERT R. SIMMONS,
Cannon House Office Building,
Washington, DC.

DEAR MR. SIMMONS: I am writing you in strong support of House Bill 3963, the re-authorization of the Long Island Sound Restoration Act. This legislation has been vital to the success of efforts to restore water quality in the Sound, an Estuary of National Significance. We thank you for your sponsorship of this important legislation.

The Long Island Sound Restoration Act (the Act) is making a tangible difference in the health of the Sound. With the help of funding provided through the Act, nitrogen loading in Long Island Sound has been reduced by 25%. This is a great start, but still far from meeting the goal of reducing the total enriched nitrogen load to the Sound from point and nonpoint sources within the Connecticut and New York portions of the watershed by 58.5% by 2014, as agreed to by the EPA and the Governors of Connecticut and New York in the 2003 Long Island Sound Agreement.

Re-authorizatlon of the Long Island Sound Restoration Act is critical to continued water quality improvement In the Sound. The States of Connecticut and New York cannot do it alone.

The Sound is a national, as well as regional resource. Approximately, 10% of the U.S. population lives within 50 miles of the Sound, making it a key recreational area for the region. The Sound provides an oasis of essential wildlife habitat in a densely-populated area of the country. The Sound is also an economic engine, pumping an estimated $5.5 billion per year into the regional economy. Restoring clean water to the Sound is imperative.

Audubon Connecticut, a part of the National Audubon Society with more than 10,000 members statewide, works to protect birds, other wildlife and their habitat using science, conservation, education and advocacy. Audubon Connecticut is a member of the Long Island Sound Study's Citizen's Advisory Committee and Stewardship Work Group. Together with Audubon New York and Audubon's National Policy Office in D.C., we have launched a joint Long Island Sound Campaign that focuses on improving water quality and habitat, two key areas that will have the most benefit for people and wildlife. We also participate in the Clean Water Jobs Coalition, an alliance of business, labor and environmental organizations that advocates water quality improvements in the Sound.

Sincerely,

ALEXANDRA BRESLIN,
Director of Governmental Affairs.

SAVE THE SOUND,
Norwalk, CT, October 26, 2005.

Hon. ROBERT R. SIMMONS,
Cannon House Office Building,
Washington, DC.

DEAR MR. SIMMONS: The purpose of this letter is to express our strong support of House Bill 3963, the re-authorization of the Long Island Sound Restoration Act. Thank you for sponsoring this important legislation which has been critical to the success of efforts to restore water quality in the Sound, an Estuary of National Significance.

The Long Island Sound Restoration Act (the Act) has had a real and quantifiable impact on the health of the Sound. With the help of funding provided through the Act, nitrogen loading in Long Island Sound has been reduced by 25%. While this represents real progress, we have a long way to go to meet the goal of reducing the total enriched nitrogen load to the Sound from point and nonpoint sources within the Connecticut and New York portions of the watershed by 58.5% by 2014, as agreed to by the EPA and the Governors of Connecticut and New York in the 2003 Long Island Sound Agreement.

Re-authorization of the Long Island Sound Restoration Act is essential to achieving continued water quality improvement in the Sound. The States of Connecticut and New York cannot do it alone.

As you know, Long Island Sound is a significant natural resource, both regionally and on a national level. Approximately 10% of the U.S. population lives within 50 miles of the Sound, making it the signature recreational area for the region. The Sound provides a variety of essential wildlife habitats in a densely populated area of the country. The Sound is also valuable as an economic asset, generating an estimated $5.5 billion of revenue for the regional economy each year. Restoring clean water to the Sound is imperative to sustaining these critical values.

Save the Sound, a program of Connecticut Fund for the Environment, is dedicated to the protection, restoration and appreciation of Long Island. We are a member of the Long Island Sound Study's Citizen's Advisory Committee and Long Island Sound Stewardship Work Group. We are actively engaged in

habitat restoration projects around the Sound and we manage shoreline cleanups in Connecticut, partnering with citizens, agencies and other organizations to achieve results.

Sincerely,

ROBIN KRIESBERG,
Director, Environmental Projects.

Mr. BISHOP of New York. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. ISRAEL), the cochair of the Long Island Sound Caucus.

Mr. ISRAEL. Mr. Speaker, I rise today in very strong support of the reauthorization of the Long Island Sound Restoration Act. I want to begin by thanking Chairman YOUNG and Ranking Member OBERSTAR for their efforts to bring this legislation to the floor today. I want to in particular thank my cochair of the Long Island Sound Taskforce, Mr. SIMMONS, and Mr. BISHOP for their leadership on this important legislation and their ongoing efforts to put politics aside and advance the cause of environmental and economic preservation of the Long Island Sound.

This is, as the gentleman from Connecticut said, a classic example that there is no Republican or Democratic way to protect a body of water. This is something that we need to develop consensus on and this bill does just that. This bill is bipartisan, and it is bicoastal at the same time. I am hoping that when we come back next year we can continue that spirit of bipartisanship and advance the Long Island Sound stewardship program which Mr. BISHOP, Mr. SIMMONS, and I have been working on; and I am confident that the same sense of consensus will prevail.

As we have heard, Mr. Speaker, the Long Island Sound is one of America's great natural wonders. It sustains the diversity of birds, wildlife, marine organisms and serves as a recreational magnet and economic generator to the tens of millions of American who live within 50 miles of its shores. The Long Island Sound is an important part of America's heritage. Nathan Hale slipped across the Long Island Sound, arrived in Huntingtown. It played a critical part in the American Revolution. It is important to our economy. It is important to our national identity. It is important to our environment.

For thousands of years, the sound has been a productive and a central resource for the human inhabitants occupying its shores. Three New York counties, 24 Connecticut towns border the sound. That puts pressure on this environmental asset in terms of surface run off from some of the most densely populated areas in the country. Over 100 sewage treatment plants discharge a combined one billion gallons of waste into the sound each day.

Thankfully, in 2000 the Long Island Sound Restoration Act authorized the Federal Government to spend $40 million annually over 5 years to clean the sound. Now we need to continue that important effort.

There is still a lot of work to be done. We have made some progress, but not enough. Nitrogen levels have decreased since 2000, but the sound continues to suffer from significant nitrogen pollution, and high nitrogen levels in the sound lead to decreased levels of dissolved oxygen in the water, a condition called hypoxia, which kills marine life and destroys the delicate ecosystem of the sound.

This reauthorization gives us an opportunity to continue the important work of respecting and preserving the Long Island Sound, not only as a critical environmental asset for the United States of America but also as an important economic generator.

Once again I want to thank the gentleman from New York (Mr. BISHOP), the gentleman from Connecticut (Mr. SIMMONS), my cochair of the Long Island Sound; the ranking member and chairman for bringing us to this point today and urge support for this bill.

Mr. BISHOP of New York. Mr. Speaker, I will close simply by urging my colleagues to support this very worthwhile and very important piece of legislation. Again I want to thank the gentleman from Connecticut (Mr. SIMMONS) and the gentleman from New York (Mr. ISRAEL) for their great work on this important bill.

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

Mr. DUNCAN. Mr. Speaker, I will close simply by saying, as has been pointed out, 8 million people live directly within the Long Island Watershed, 28 million people within 50 miles, and millions more visit those areas each year. This is a bill that is very important for the environment and very important for the economy. Both of these bills amend the Federal Water Pollution Control Act, and both the BEACH Act and the Long Island Sound legislation are good bills that all Members on both sides can be very proud of.

Mr. OBERSTAR. Mr. Speaker, I am pleased to support H.R. 3963, a bill to extend the authorization of appropriations for the Long Island Sound Program until 2010. A healthy Sound is critical to the communities surrounding the urban watershed as well as to the wildlife within it. I offer my congratulations to my colleagues on the Committee on Transportation and Infrastructure, Mr. BISHOP and Mr. SIMMONS, for working so diligently on this imperative bill.

Long Island Sound stretches 110 miles, from New York City to southern New England. One in ten Americans lives within an hour's drive of the Sound, which provides over $5 billion for the local economy. Over 120 species of finfish currently inhabit its waters, supplying a diverse population for sport fishing and the seafood industry. The Sound supports its neighboring industries with not only products for sale but also an important means of transportation. It provides aquatic recreation activities, sightseeing, and beautiful views for homes along its shores. Indeed, the Sound is the foundation of livelihood for many.

However, many pressures from residential, industrial, and agricultural activities have caused the natural conditions of this region to be altered. Economic advances in the watershed have changed land surfaces, reduced open spaces, and restricted access to the Sound, while increasing several types of pollution in the waters.

These harmful effects are not a hopeless ending to the Sound. In the early 1900s, the Sound's population of terrapins was near the point of extinction due to overfarming to feed the nation's appetite for turtle soup. During Prohibition, however, sherry—a key ingredient in turtle soup—was forbidden to be sold. The farming for the terrapins waned and the population was able to rebound to its natural state, even after sherry became legal once more.

Similar progress to restore and protect the populations and quality of the Sound are still necessary, this time in a more direct manner. The Long Island Program contributes this support that is so direly needed.

I support this bill and urge my colleagues to take swift action for its passage.

Mr. SHAYS. Mr. Speaker, I rise in support of H.R. 3963, which would reauthorize appropriations through fiscal year 2010 for the Office of Management Conference of the Long Island Sound Study and for grants to implement the Long Island Sound Comprehensive Conservation and Management Plan.

Protecting and preserving the environment is one of the most important jobs I have as a Member of Congress. We simply will not have a world to live in if we continue our neglectful ways.

Long Island Sound, which contributes more than $5 billion annually to the regional economy, is one of the most populated and visited areas of our country. In fact, approximately 10 percent of the American population lives within the Long Island Sound watershed.

It is a source of livelihood, nourishment and recreation for many in Connecticut and elsewhere, and it is critical that we treat it well.

In the interest of preserving open space, increasing access to the Sound, and protecting and managing important habitats, the reauthorization of this funding is needed to identify and protect coastal areas along this precious estuary with significant biological, scientific or recreational value.

I am pleased this legislation is being considered so we ensure funding for this critical habitat will continue to be preserved and urge passage of the legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the bill, H.R. 3963.

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

A motion to reconsider was laid on the table.

ETHICS IN GOVERNMENT ACT OF 1978 AMENDMENT

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4311) to amend section 105(b)(3) of the Ethics in Government Act of 1978.

The Clerk read as follows:

H.R. 4311

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

That section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by striking subparagraph (E).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4311 currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise today to urge my colleagues to support H.R. 4311, which would reauthorize a crucial judicial security measure. Under the Ethics in Government Act, judges and other high-level judicial branch officials must file annual disclosure reports. In the 105th Congress, we enacted the Identity Theft and Assumption Deterrence Act of 1998, which allows the Judicial Conference to redact statutorily required information in a financial disclosure report where the release of that information could endanger the filer or his or her family. This provision was extended for 4 years in the 107th Congress and is due to expire on December 31 of this year.

H.R. 4311 would permanently extend this important component of Federal judicial security. This legislation was recently passed on the House floor on November 9 by a vote of 375–45 as a provision of H.R. 1751; but since the other body has not taken up that bill, I have introduced this freestanding measure.

Judges today face a number of threats from convicted criminals seeking revenge against those who have presided over their trial to defendants seeking to influence a judge during a trial. In some cases, Federal judges and their families have been subject to more than just threats, as has been demonstrated by the murder of Judge Joan Lefkow's husband and elderly mother in their own home by a former plaintiff in Chicago earlier this year.

Since the authority was enacted in 1998 and renewed in 2001, Federal judges have been able to request the temporary redaction of some or all of the information on their disclosure forms. The Marshals Service must agree that the information on their disclosure forms could be used to harm the judge or his or her family in order for it to be redacted.

Disclosure information might seem to some to be an unlikely source of useful information to someone looking to harm a judge. That is a flawed assumption. For example, the fact that a judge's daughter has received a scholarship from a particular college must be reported on that judge's disclosure form. This information can then be used to identify the location of the judge's daughter.

Under this existing authority, judges are still required to make semi-annual disclosures and are only allowed to redact information during the time in which a threat exists. Once the threat ends, the information is once again made public. The GAO undertook an audit of this authority in 2004 and found minimal issues.

As a strong proponent of government openness and oversight, I recognize the impact of redaction authority. However, I also recognize that judges should not be forced to put their lives on the line or those of their families simply by doing their jobs. This fair and impartial administration of justice requires freedom from fear and intimidation. This legislation helps protect judges and their families from fear of reprisal.

I urge my colleagues to support this legislation.

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

Mr. SCOTT of Virginia. Mr. Speaker, I rise in support of H.R. 4311. This bill protects judges against certain security threats. The September 11 tragedy and events thereafter have only heightened the security concerns that make this legislation necessary.

H.R. 4311 permanently extends the ability of judges to request redaction of their financial disclosure reports. The current redaction authority sunsets at the end of this year. Thus it is imperative that we act quickly to get this bill to the Senate where we hope it will pass before the end of the year so that the legislation can be enacted.

The redaction authority for judges is appropriately limited and thus should not raise concerns about undue restrictions on public access to financial disclosure reports. A judge's report may only be redacted if the Judicial Conference and the U.S. Marshals Service both find that revealing the personal and sensitive information could endanger that particular judge. Furthermore, the report can only be redacted to the extent necessary to protect the judge and only for so long as a danger exists.

The redaction authority has not been abused to date. Of over 2,000 judges filing reports in 2000, only 6 percent had their reports redacted in any way. Typically, the information redacted is limited to such things as a spouse's place of work, location of a judge's second home and things of that nature. It is obvious how a person of ill will could misuse that information to harm a judge or the judge's family.

This law is tightly drawn, and it requires the Judicial Conference, in concert with the Department of Justice, to file an annual report detailing the number and circumstances of all of the redactions. This statutory reporting requirement enables Congress to monitor for any abuse of the redaction authority, so I would urge my colleagues to vote ''yes'' on this legislation.

□ 1130

Mr. Speaker, I yield 5 minutes to the gentlewoman from New York (Ms. SLAUGHTER).

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

This is a critically important piece of legislation that everyone in the House should support without reservation. H.R. 4311, which amends the 1978 Ethics in Government Act, will make permanent an expiring provision which protects the safety of our Nation's judges as well as the integrity of our judicial system.

And I know that everyone here remembers, as Mr. SENSENBRENNER just reminded us, the horrifying murders of a Chicago judge's family members this past summer. These crimes were committed by an individual, who was angered by a ruling on his case. He went to the judge's home to confront her and, while there, shot her husband and mother in cold blood.

The bill we have before us will allow judges who have been threatened to withhold certain personal information from public record, information, such as their home address, that has been used in the past for the most tragic of ends.

And I want to emphasize that I strongly support the bill and I commend the chairman of the Judiciary Committee for bringing it to the floor today. No one here wishes to avoid our responsibility to protect those men and women who form the bedrock of our legal system, nor do any of us desire to in any way detract from the significance of this bill.

However, Mr. Speaker, I believe that this bill does not go far enough. My conscience compels me to pause here and remind my friends on the other side of the aisle that we are discussing a reform to the Ethics in Government Act, which should be extended to really talk about ethics in government, a vitally important piece of legislation which, when it was passed, confirmed the national commitment to the creation and preservation of the government as good and as ethical as the people it serves.

I, therefore, cannot let this moment pass without speaking of what has become a standing source of shame for this body and for this Nation: the collapse of ethical conduct within our House. Mr. Speaker, I have no choice but to speak of the topic here and now because this is the last time the House will address the subject of ethics this year.

Ethics reform has not made the Republican leadership's December agenda, just like it has not made the cut all

year long. But the ethical conduct of Members of this body is on the minds of those in whose interest we claim to act, the American people. They are demanding that action be taken, and it is on their behalf that I speak now.

The bill we will hopefully approve today is an example of the kind of legislation we should be passing here. It puts the well-being of the American people first. But the majority ushered in the year by putting itself first, gutting the ethical standards imposed on Members of this body so that they could more easily take advantage of the people's trust and get away with it.

With a little time and distance, it is now painfully obvious why the leadership went to such great lengths to roll back the ethics rules of the conference and of this House. A prolonged and impassioned public outcry forced the majority to abandon this blatant assault on ethics several months later, but the battle was far from over.

Even though the Republicans were shamed into retreat on the ethical assault, we have not had a working Ethics Committee in this House all year and we still do not today. As Members may recall, the majority initially attempted to eliminate its power, and when it could not do that, it fired the qualified investigative staff and tried to deliberately politicize the committee, and we have not had a working ethics process since. Only recently have we been able to forge an agreement which could restart the ethics process next year. And for both his principled stand in defense of the rules of the body and for his patience and commitment to restoring the ethics process, I commend the ranking member of the committee.

But the real question still lingers: What was the majority hiding? Despite their best efforts, the truth has come forth, and every day brings a new revelation which demonstrates the extent to which power has been abused and corruption scandals have mounted. Indictments and resignations have dominated the headlines. And Member after Member of this body has been shown they have committed their votes not in the public interest, but to special interests, those who seek the benefit of the few at the expense of the many.

Critical decisions at Federal agencies are being unethically manipulated by White House political operatives, and the results of these decisions are having a direct impact on the people of this Nation.

Make no mistake about it. This White House and this leadership have placed America up for sale to the highest bidder, and it is the American people paying the price while corrupt politicians and special interests reap the profits.

Citizens of this Nation have watched it all, stunned, disillusioned, and increasingly angry. The majority leader of the House repeatedly admonished on ethical violations and is now indicted for money laundering. A Member resigned in shame and pled guilty to bribery. New investigations by the Justice Department threatening to embroil many more of our colleagues in the growing stench of corruption surrounding Republican lobbyist Jack Abramoff.

And as the public trust is battered and broken and potential ethics investigations pile up, the Ethics Committee chairman, who fired an experienced staff and supported changing the rules, has announced he will not conduct additional investigations into serious allegations of corruption because we do not have the money. Apparently, we cannot afford an ethics process in this government, only more tax cuts.

From this majority leadership, there has been no leadership. And the startling truth is it has been almost 12 months since we have had a functioning ethics process in the House. We still have no working Ethics Committee. We have no ethics reform. And after 12 months, we have scandal and deception and only silence, and that has become a national shame.

The time for accountability is now. The time for real reform is now. And the time for change is certainly now. And surely, Mr. Speaker, America can do better than this.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 4 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in support of this bill to make permanent an expiring provision in the current law that ensures protection for judges and for their families when they are threatened and they may be in danger. This is a much-needed revision of the 1978 Ethics in Government Act. But, in addition, this House would do well to pass a 2005 Ethics in Government Act of its own.

Indeed, we have seen in recent months how broken the ethics process in this body is. Had the majority shown as much initiative in fixing that process as it has in bringing this bill to the floor, perhaps we would not have seen Members of that majority indicted or pleading guilty to charges of bribery, money laundering, and tax evasion. As it stands, the Washington Post says investigators are now looking into the actions of at least a half dozen Members of Congress, senior congressional staff, one former Deputy Secretary of the Interior, and several lobbyists.

In the wake of the tragic murder of a Chicago judge last summer, the underlying legislation we consider takes steps to protect that judiciary. But in the wake of countless scandals that continue to bring shame to this institution and the majority, Democrats believe that the time has come to protect the integrity of the judicial process as well.

Mr. Speaker, just as we must protect the hardworking judicial officials in our country, so must we protect the American people, whom this breakdown in the ethics process impacts the most. As the leadership of this House spends more time in courthouses than in the people's House doing the people's business, they are the ones that we are putting at risk when we fail to protect our homeland, as the September 11 Commission chairman found just this week.

I support this legislation. But the time has come to put the needs of people before the special interests of the lobbyists.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. CAPUANO).

Mr. CAPUANO. Mr. Speaker, I rise in support of this bill. I think it is a fantastic bill. I congratulate the chairman and ranking member for putting this bill forward. It has been wisely thought out and well written, and I look forward to voting in its favor. However, it is not the only ethics issue that we have.

I am not one who has ever in any situation said to anybody that anyone should be considered guilty until proven so; however, the process that we have here has not been working, and we all know it. And as one Member, while we are doing something on ethics, I thought it was important to mention that this House should also be moving forward on our own ethics investigations.

For 1 year we have had an Ethics Committee that really has not done much. It has been stalled. It has been delayed. It has been sidetracked. I am not going to presume what the results of any of the investigations would be. I think that would be wrong and inappropriate. Nonetheless, as one Member, I am embarrassed for this country that we have failed to do our job and our duty to look into the ethics issues of our own Members when allegations are brought forth.

This bill is a good bill. This bill is something that we should be doing. But it is not enough if we really want to deal with the ethics issues that are facing the American people today.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a very important bill. It deals with the protection of judges, and I would hope that the Members of the House would pass the bill.

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

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

Mr. Speaker, I deeply appreciate all of the comments from my friends on the other side of the aisle about what a great bill this is. I thank them for that. It is a great bill.

But what we have seen here with this great bill and this necessary bill being brought up in order to protect judges and their families and court personnel is another example of why this House has sunk into partisan politics. Partisan politics should have nothing to do with whether or not we give the judicial conference the authority to redact personal information necessary to

protect the safety of judges and their families. But nonetheless, we have heard from three Members on the other side of the aisle in basically making a partisan attack.

Mr. Speaker, there is a time for partisan politics and there is a time to deal with the people's business. This bill deals with the people's business. I appreciate the support from the folks on the other side of the aisle, but, Mr. Speaker, this was not the vehicle to launch a partisan attack, and I am sorry that they chose to do so.

I urge support of the bill.

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

The SPEAKER pro tempore (Mr. BISHOP of Utah). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 4311.

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

A motion to reconsider was laid on the table.

SECURING AIRCRAFT COCKPITS AGAINST LASERS ACT OF 2005

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1400) to amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1400

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Securing Aircraft Cockpits Against Lasers Act of 2005''.

SEC. 2. PROHIBITION AGAINST AIMING A LASER POINTER AT AN AIRCRAFT.

(a) OFFENSE.—Chapter 2 of title 18, United States Code, is amended by adding at the end the following:

''§ 39. Aiming a laser pointer at an aircraft

''(a) Whoever knowingly aims the beam of a laser pointer at an aircraft in the special aircraft jurisdiction of the United States, or at the flight path of such an aircraft, shall be fined under this title or imprisoned not more than 5 years, or both.

''(b) As used in this section, the term 'laser pointer' means any device designed or used to amplify electromagnetic radiation by stimulated emission that emits a beam designed to be used by the operator as a pointer or highlighter to indicate, mark, or identify a specific position, place, item, or object.''.

(b) AMENDMENT TO TABLE OF SECTIONS.—The table of sections at the beginning of chapter 2 of title 18, United States Code, is amended by adding at the end the following new item:

''39. Aiming a laser pointer at an aircraft.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1400 currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 1400, the Securing Aircraft Cockpits Against Lasers Act of 2005.

Over the past several years, there have been an increasing number of alarming reports to the Federal Aviation Administration concerning the aiming of lasers into airplane cockpits. Since 1990 the FAA reports there have been well over 400 incidents and more than 100 in the past year alone. It was not that long ago that there was a frenzy of media coverage surrounding these types of events. While the media coverage may have subsided, the threat has not.

Laser pointers, while readily obtainable and relatively inexpensive, are not toys. In 1997, the Food and Drug Administration issued a warning to parents and school officials concerning handheld laser pointers. The FDA warning stated that ''the light energy that laser pointers can aim into the eye can be more damaging than staring directly at the sun.'' Federal law requires a warning on laser pointers about this potential hazard to the eyes, and that is 21 Code of Federal Regulations 1040.

FAA research has shown that laser illuminations can temporarily disorient or disable a pilot, particularly during critical stages of flights such as landings and takeoffs. Direct laser exposure to the eye can even cause temporary blindness. In some cases these laser illuminations can cause permanent damage. In fact, just last year, a laser aimed into a Delta Airlines flight over Salt Lake City injured the eye of one of the plane's pilots. This type of interference, whether it is intentional effort to sabotage a plane or just a misguided prank, should not be tolerated because of the potential for catastrophe.

□ 1145

H.R. 1400 is a straightforward, commonsense measure aimed at deterring and prosecuting those who would willfully committ a senseless act of potential sabotage.

The bill would impose criminal penalties upon any individual who knowingly aims a laser pointer at an aircraft within the special aircraft jurisdiction of the United States.

These criminal penalties include fines of up to $250,000, and imprisonment of up to 5 years. The bill before us today includes an amendment proposed in mark-up offered by gentlewoman from Texas (Ms. JACKSON-LEE).

During committee consideration of the bill, the gentlewoman suggested that the bill include a definition for the term ''laser pointer.'' That definition has been added to the bill, and I thank the gentlewoman for her important contribution.

Finally, I would like to thank the gentleman from Florida (Mr. KELLER), the author and lead proponent of H.R. 1400, for his leadership on this issue. I urge my colleagues to support this legislation.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am a cosponsor of H.R. 1400, and I urge my colleagues to support it. The rash of incidents involving hand-held lasers have fueled a growing concern within the aviation industry. In fact, since November of November of 2004, airline pilots have reported over 100 incidents of lasers being aimed into their cockpits.

The potential harmful effects of such lasers is quite serious. The FAA research has shown that even some low-level lasers can temporarily disable and disorient a pilot during critical stages of flight. Needless to say, the results could be devastating.

Although I have some concern that when the bill is applied, it will likely involve some stupid or misguided young person fooling around with a laser beam, we all realize that the conduct the bill prohibits can be very dangerous, whether done by a fool or by a terrorist. So it must be strongly discouraged.

Since the bill does not have mandatory minimum sentencing, the Sentencing Commission and the courts can apply the appropriate punishment for violators based on specific facts and circumstances of the case.

After this bill is passed, as a further precautionary step, perhaps the appropriate committee of jurisdiction could also consider requiring manufactures of laser products to issue strong notices and warnings on lasers and packaging alerting them to the provisions of this law so that all will be on notice.

But for now I think this bill is an appropriate step for Congress to address this potentially disastrous problem. Mr. Speaker, I support the bill and urge my colleagues to do the same.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. KELLER).

Mr. KELLER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, aiming a laser beam into the cockpit of an airplane is a clear and present danger to the safety of all of those on board the aircraft. It is only a matter of time before one of

these laser beam pranksters ends up killing over 200 people in a commercial airline crash.

These easily available pen-sized laser pointers, like the one I purchased here at the office supply here in the House of Representatives for $12, have enough power to cause vision problems in pilots from a distance of up to 2 miles.

This legislation is simple, straightforward and common sense. It makes it illegal to knowingly aim a laser pointer at an aircraft. Those who intentionally engage in such misconduct shall be fined or imprisoned not more than 5 years, or both, in the discretion of the judge.

Significantly, 100 percent of the Democrats and Republicans on the Judiciary Committee voted in favor of this legislation and it enjoys wide bipartisan support.

Mr. Speaker, I am honored that the gentleman from Virginia (Mr. SCOTT) and the gentleman from North Carolina (Mr. COBLE), the ranking member and chairman respectively of the Crime Subcommittee, are the cosponsors of this legislation.

A recent rash of incidents involving lasers aimed at aircraft cockpits have raised concerns by pilots and law enforcement officials over the potential threat to aviation safety and security. The problem is more widespread than one might initially think.

According to the Congressional Research Service and the Federal Aviation Administration, there have been over 400 incidents reported since 1990 where pilots have been disoriented or temporarily blinded by laser exposure.

So far none of the 400 incidents involving flight crew exposures to lasers have been linked to terrorism. Rather, it is often a case of pranksters making stupid choices to put pilots and their passengers at risk of dying.

Let me give you just one real-life example of what it is like to be in an aircraft cockpit hit by a laser beam. In September of this year, I spoke with Lieutenant Barry Smith from my hometown of Orlando, Florida, who was actually in the cockpit of a helicopter that was hit by a laser beam.

Lieutenant Smith is with the Seminole County Sheriff's Office. He and his partner were in a police helicopter searching for burglary suspects at night in a suburb of Orlando when a red laser beam hit their aircraft twice. Lieutenant Smith said the Plexiglass windshield of the helicopter spread out the light to be the size of about a basketball. It shocked them.

They were flying near a large tower with a red light, and they mistakenly thought that they had flown too close to the tower. They were disoriented and they immediately jerked the helicopter back. When they realized that they were not actually near the tower, Lieutenant Smith began to worry that the light could have come from a laser sight on a rifle. He wondered if they were about to be shot out of the sky. He told me, ''It scared the heck out of us.''

In reality, it was just a 31-year-old man with a small pen-sized laser light standing in his backyard. Unfortunately, there are over 400 other stories just like this one where laser beam pranksters nearly caused fatal aviation crashes.

Surprisingly there are currently no Federal statutes on the books making it illegal to shine a laser beam into an aircraft cockpit unless one attempts to use the PATRIOT Act to claim that the action was a terrorist attack or other attack of violence, intentional, against a mass transportation system.

On February 17, 2006, a Federal judge in Newark, New Jersey, will sentence a New Jersey man who pled guilty last month to shining a hand-held laser at two aircrafts back in December of 2004. The defense attorneys for the defendant, Mr. David Banach, argued that the PATRIOT Act was supposed to be used against terrorists.

The Federal prosecutors acknowledged that Mr. Banach is not a terrorist, but they said they had no other choice but to use the PATRIOT Act since no other Federal law applied.

Clearly, this legislation before us is needed to clarify the law and make it crystal clear that we will not tolerate either pranksters or terrorists who jeopardize the safety of pilots and passengers by aiming laser beams into the cockpits of aircrafts.

Mr. Speaker, I urge my colleagues to vote yes on H.R. 1400.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, I just wanted to thank the gentleman from Florida and the gentleman from Wisconsin for bringing this bill forward. It makes it clear that endangering pilots and passengers with laser beams is illegal.

Whatever the law may be, this will make it absolutely clear. I would hope that the House will pass the bill so that the pilots and passengers can be protected.

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

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

The SPEAKER pro tempore (Mr. BISHOP of Utah). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 1400, as amended.

The question was taken.

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

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

RECOGNIZING ANNIVERSARY OF RATIFICATION OF 13TH AMENDMENT

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 196) recognizing the anniversary of the ratification of the 13th Amendment and encouraging the American people to educate and instill pride and purpose into their communities and to observe the anniversary annually with appropriate programs and activities.

The Clerk read as follows:

H. RES. 196

Whereas on December 6, 1865, the 13th Amendment to the Constitution was ratified, proclaiming that ''neither slavery nor involuntary servitude . . . shall exist within the United States'';

Whereas the ratification of the 13th Amendment began a civil rights movement which would radically change African American existence in the United States;

Whereas the 13th Amendment represented a victory for African Americans across the United States, who had been denied the rights of full citizens;

Whereas the 13th Amendment is a symbol of the Federal Government's commitment to fulfill its promise of equality, liberty, and the American dream for all Americans because it liberated African Americans from the yoke of slavery and launched a new age activism advocating equal rights for all minorities;

Whereas December 6, 2005, marks the 140th anniversary of the ratification of the 13th Amendment;

Whereas the observation of the 140th anniversary would put into effect section 2 of the Amendment, by reaffirming Congress' ''power to enforce this article by appropriate legislation''; and

Whereas the 13th Amendment Foundation supports the establishment of a national day of recognition commemorating the anniversary of the ratification of the 13th Amendment to renew a national commitment to eradicate racial and ethnic inequalities: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the 140th anniversary of the ratification of the 13th Amendment to the Constitution;

(2) encourages the American people to educate and instill pride and purpose into their communities about the history of liberation and the civil rights movement in the United States; and

(3) encourages the American people to observe the anniversary of the ratification of the 13th Amendment each year by honoring its significance in United States history with appropriate programs and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from California (Ms. LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on House Resolution 196 currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of House Resolution 196, a resolution recognizing the anniversary of the ratification of the 13th amendment and encouraging the American people to educate and instill pride and purpose into their communities and to observe the anniversary annually with appropriate programs and activities.

In his Emancipation Proclamation of 1862, President Lincoln declared that, ''All persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thence forward and forever free.''

However, it took the ratification of the 13th amendment on December 6, 1865 to put an end officially to our Nation's tragic history and to extend to all citizens the promises and guarantees upon which this country was founded.

The first of three amendments known as the Civil War amendments, the 13th amendment liberated African Americans, enabling them and all Americans to experience the full meaning of citizenship and equal treatment under the law, including participation in the most fundamental aspects of our Democratic system of Government without regard to race or previous condition of servitude.

It is against this backdrop that the modern civil rights moment was born, and in this spirit that the Committee on the Judiciary, under my direction, is now examining certain provisions of the Voting Rights Act that are set to expire in 2007.

The 140th anniversary of the 13th amendment is an important mark in our history, and should serve as a reminder to all of our Nation's past. Most importantly, this anniversary provides an opportunity to reaffirm our collective commitment to continue striving toward a color-blind society.

I urge my colleagues to support this resolution.

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

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

Mr. Speaker, first I want to thank the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the Judiciary Committee, for his leadership, for his support in recognizing this important date in our Nation's history, and also for ensuring that this resolution comes to the floor in a bipartisanship way, and for your support and for really reminding the entire country now of this important date.

Let me also take a moment to thank the gentleman from Michigan (Mr. CONYERS), our minority leader, who worked very hard with the gentleman from Wisconsin to bring this resolution today.

The gentleman continues to lead Congress in the civil rights tradition that actually began 140 years ago. From renewing the Voting Rights Act of 1965, to protecting the victims of Hurricane Katrina, he is a tireless advocate for civil rights and civil liberties for all Americans.

Let me also take a moment to thank our staff on both sides for their diligence and very competent work in bringing this resolution, especially Kanya Bennett, Penny Applebaum, David Lockman and Jamila Thompson of my staff, who have worked together for over a year now on this very, very important effort.

Let me also express my appreciation to the 13th Amendment Foundation, located actually in my district. They have worked diligently to honor and to recognize this momentous occasion. And as the gentleman from Wisconsin said, it is very important that our young people, especially, are reminded of the importance of this 13th amendment and read and understand why what happened 140 years ago is very, very important to today in 2005.

I hope that everyone will support this effort to honor the 140th anniversary of the ratification of the 13th amendment.

□ 1200

On December 6, 1865, slavery ended and the deep roots of the modern civil rights movement were planted. The 13th amendment was a response to the Dred Scott decision of 1856, a ruling that actually declared that Congress lacked the power to prohibit slavery in our country. If the Dred Scott ruling were still in effect today, Mr. Speaker, I would not be standing here, quite frankly, as a Member of Congress, nor would the 43 great Congressional Black Caucus Members.

As someone of African descent, whether free or enslaved, I would be considered only three-fifths of a person. I would never qualify as a citizen of this country. As the descendant of people who survived the Middle Passage, who survived the cruelty of slavery, who survived reconstruction, who survived Jim Crow, I know that my life, like the lives of millions of African Americans, our lives have been inextricably linked to the 13th amendment.

As we return from celebrating the 50th anniversary of the Montgomery Bus Boycott which launched the modern civil rights movements, we really are obliged to remember this 140-year history.

In the 1860s, Representative James Ashley of Ohio, Representative James Wilson of Iowa, and Senator Charles Sumner of Massachusetts, all Republicans, led the congressional fight to abolish slavery.

This debate is a very important debate. And again, let me just talk about the vote. It was a vote of 119–56 right here on this floor. Our predecessors voted to add the following words to our Constitution:

''Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

''Section 2. Congress shall have the power to enforce this article by appropriate legislation.''

Although the abolition of slavery did not necessarily mean equality for all Americans, the process actually began. According to historical accounts, on the day of the House vote on January 31, 1865, the gallery, which had just been opened, mind you, to African Americans, the gallery erupted into cheers and Representatives on the House floor were visibly moved, crying and hugging each other. Twelve months later, the requisite three-fourths of the States in the Union ratified the 13th amendment and more than 100 years later another eight States followed suit.

Although not necessary, President Lincoln signed the 13th amendment to show a united front to abolish slavery in the United States. A treacherous and divisive burden was finally removed and our Nation was allowed to unite and truly begin to commit to the pursuit of life, liberty, and happiness for all. In fact, the 13th amendment was the foundation for future equal rights and legislative actions, like the 14th amendment, which ensured Federal and State rights to all individuals; the 15th amendment, which granted African American men the right to vote; and the 19th amendment, which expanded suffrage to all women, also the Civil Rights Act and the Voting Rights Act.

Protecting civil and human rights is not something that really should be taken lightly, quite frankly. It requires constant vigilance and review. As we honor this great act of our predecessors, we pay tribute to the visionaries who sacrificed and fought for our civil rights and liberty.

In 140 years, our country has fought and continues to fight to be a united country seeking liberty and justice for all. But it has been a long, hard journey; and countless individuals dedicated and continue to dedicate their entire lives towards this end. We must all pay tribute to the abolitionist movement leaders like Frederick Douglass, Sojourner Truth, Harriet Tubman, William Lloyd Garrison, Nat Turner, and John Brown.

And we have all reaped the benefits of the bravery and sacrifices of civil rights trail blazers like Dred Scott, Homer Plessy, Linda Brown, Ruby Bridges, Rosa Parks, and Dr. Martin Luther King, Jr.

There are many more individuals whose names will never ever be mentioned in the history books; but they worked hard, they fought, they sacrificed for the freedom that we all appreciate today. Collectively, we must pay homage to their legacy.

It is important that we not only honor this great day in history but

make sure that our children and our grandchildren understand its importance, not just to African Americans, but to all Americans and to the world.

This year, with all overwhelming bipartisan support, Congress passed resolutions that recognized the hemispheric survivors of the transatlantic slave trade and great historical trailblazers like the great Honorable Shirley Chisholm and Judge Constance Baker Motley.

These resolutions actually show how far we have come since the 19th century, but we also have a long, long way to go. One hundred forty years after slavery was abolished, African Americans and other minorities continue to experience social and economic injustices, as the recent Hurricane Katrina disaster magnified.

Within our own borders and throughout the world, human trafficking is rampant. It is a modern version, quite frankly, of slavery; and it must be abolished. And, of course, we witness every day discrimination against those who have no voice. Our work in Congress should be straightforward. It is our duty to reaffirm this tradition of justice, equality, and liberty for all.

We have an obligation to ensure that everyone has equal access to health care, education, liveable wages, housing, and of course economic opportunities. Clearly, we still have much work to do. We have much work to do to ensure that discrimination is eliminated, and I mean totally eliminated, and that all people are considered equal in the eyes of our laws.

The movement that began with the ratification of the 13th amendment must continue. This has not ended. We owe it not only to those who suffered and who sacrificed in the past, but more importantly we owe it to future generations. The 13th amendment liberated African Americans from the yoke of slavery. It liberated America, and we must not forget that.

I urge all of my colleagues to support this resolution. I want to thank the gentleman from Wisconsin (Mr. SENSENBRENNER) again for ensuring this resolution is bipartisan.

Mr. CONYERS. Mr. Speaker, one hundred and forty years ago, this Nation established the foundation with which it could advance freedom and equality for all of its people.

On December 6, 1865, the required 27 of the then 36 states ratified the 13th Amendment of the United States Constitution. The 13th Amendment states that "neither slavery nor involuntary servitude . . . shall exist within the United States."

This profound declaration completed the abolition of slavery which had begun with President Abraham Lincoln's Emancipation Proclamation of 1863. The 13th Amendment marked the official end of the institution of slavery and signified a turning point in America.

The 13th Amendment is the very bedrock on which all of our civil rights laws and protections stand. The 13th Amendment led to the 14th Amendment of 1868 which provides equal protection under the law to all citizens and clarified that African Americans are citizens. Today, the 13th Amendment has led to the Voting Rights Act of 1965—a protection that we are now in the process of re-authorizing.

As we commemorate the 140th anniversary of the 13th Amendment, we must appreciate the principles that the 13th Amendment has advanced—these principles of freedom and equality. However, on this anniversary, this nation must pledge to eradicate from society those ills that hinder us from continuing the legacy of the 13th Amendment.

Today, 1 in 9 African Americans cannot find a job; 1 in 5 African Americans is uninsured; and 1 in 4 African Americans lives in poverty. These statistics are simply unacceptable.

Let us mark the 140th anniversary of the 13th Amendment with a commitment to eliminate these social and economic inequalities.

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

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and agree to the resolution, H. Res. 196.

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

A motion to reconsider was laid on the table.

TERRORISM RISK INSURANCE REVISION ACT OF 2005

Mr. OXLEY. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 467) to extend the applicability of the Terrorism Risk Insurance Act of 2002, as amended.

The Clerk read as follows:

S. 467

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Terrorism Risk Insurance Revision Act of 2005".

SEC. 2. EXTENSION OF PROGRAM AND PROGRAM CHANGES.

(a) IN GENERAL.—Title I of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

(1) by striking sections 101 through 107 and inserting the following new sections:

"SEC. 101. CONGRESSIONAL FINDINGS AND PURPOSE.

"(a) FINDINGS.—The Congress finds that—

"(1) the ability of businesses and individuals to obtain property, casualty, group life, and NBCR insurance at reasonable and predictable prices, in order to spread the risk of both routine and catastrophic loss, is critical to economic growth, urban development, and the construction and maintenance of public and private housing, as well as to the promotion of United States exports and foreign trade in an increasingly interconnected world;

"(2) property, casualty, and life insurance firms are important financial institutions, the products of which allow mutualization of risk and the efficient use of financial resources and enhance the ability of the economy to maintain stability, while responding to a variety of economic, political, environmental, and other risks with a minimum of disruption;

"(3) the ability of the insurance industry to cover the unprecedented financial risks presented by potential acts of terrorism in the United States can be a major factor in the recovery from terrorist attacks, while maintaining the stability of the economy;

"(4) widespread financial market uncertainties have arisen following the terrorist attacks of September 11, 2001, including the absence of information from which financial institutions can make statistically valid estimates of the probability and cost of future terrorist events, and therefore the size, funding, and allocation of the risk of loss caused by such acts of terrorism;

"(5) a decision by property, casualty, group life, and NBCR insurers to deal with such uncertainties, either by terminating property, casualty, group life, or NBCR coverage for losses arising from terrorist events, or by radically escalating premium coverage to compensate for risks of loss that are not readily predictable, could seriously hamper ongoing and planned construction, property acquisition, and other business projects, generate a dramatic increase in rents, and otherwise suppress economic activity; and

"(6) the United States Government should provide temporary financial compensation to insured parties, contributing to the stabilization of the United States economy in a time of national crisis, while the financial services industry develops the systems, mechanisms, products, and programs necessary to create a viable financial services market for private terrorism risk insurance.

"(b) PURPOSE.—The purpose of this title is to establish a temporary Federal program that provides for a transparent system of shared public and private compensation for insured losses resulting from acts of terrorism, in order to—

"(1) protect consumers by addressing market disruptions and ensure the continued widespread availability and affordability of property, casualty, group life, and NBCR insurance for terrorism risk; and

"(2) allow for a transitional period for the private markets to stabilize, resume pricing of such insurance, and build capacity to absorb any future losses, while preserving State insurance regulation and consumer protections.

"SEC. 102. DEFINITIONS.

"In this title, the following definitions shall apply:

"(1) ACT OF TERRORISM.—

"(A) CERTIFICATION.—The term 'act of terrorism' means any act that is certified by the Secretary, in concurrence with the Secretary of State, and the Attorney General of the United States—

"(i) to be an act of terrorism;

"(ii) to be a violent act or an act that is dangerous to—

"(I) human life;

"(II) property; or

"(III) infrastructure;

"(iii) to have resulted in damage within the United States, or outside of the United States in the case of—

"(I) an air carrier or vessel described in paragraph (5)(B); or

"(II) the premises of a United States mission; and

"(iv) to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

"(B) LIMITATION.—No act shall be certified by the Secretary as an act of terrorism if the act is committed as part of the course of a war declared by the Congress, except that

this clause shall not apply with respect to any coverage for workers' compensation or group life insurance.

''(C) DETERMINATIONS FINAL.—Any certification of, or determination not to certify, an act as an act of terrorism under this paragraph shall be final.

''(D) NONDELEGATION.—The Secretary may not delegate or designate to any other officer, employee, or person, any determination under this paragraph of whether, during the effective period of the Program, an act of terrorism has occurred.

''(2) AFFILIATE.—The term 'affiliate' means, with respect to an insurer, any insurer that owns, is owned by, or is under common ownership with another insurer.

''(3) CASUALTY INSURANCE.—The term 'casualty insurance' means—

''(A) insurance, including excess insurance and surety insurance, against legal liability for losses caused by the death, injury, or disability of any person or for damage to property, with provision for medical, hospital and surgical benefits to the injured persons; and

''(B) for the purposes of this Act, does not include any type of commercial automobile or workers' compensation insurance.

''(4) COVERED LINE OF INSURANCE.—The term 'covered line of insurance' means—

''(A) commercial property insurance, commercial casualty insurance, workers' compensation insurance and group life insurance; and

''(B) does not include—

''(i) Federal crop insurance issued or reinsured under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), or any other type of crop or livestock insurance that is privately issued or reinsured;

''(ii) private mortgage insurance (as that term is defined in section 2 of the Homeowners Protection Act of 1998 (12 U.S.C. 4901)) or title insurance;

''(iii) financial guaranty insurance issued by monoline financial guaranty insurance corporations;

''(iv) insurance for medical malpractice;

''(v) health or life insurance, except group life insurance;

''(vi) flood insurance provided under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.);

''(vii) reinsurance or retrocessional reinsurance; or

''(viii) commercial automobile insurance.

''(5) DIRECT EARNED PREMIUM.—The term 'direct earned premium' means a direct earned premium for commercial property, commercial casualty, workers' compensation, or group life insurance issued by any insurer for insurance against losses occurring at the locations described in subparagraphs (A) and (B) of paragraph (10).

''(6) EXEMPT COMMERCIAL PURCHASER.—The term 'exempt commercial purchaser' means any person purchasing commercial insurance that meets the following requirements:

''(A) The person employs or retains a qualified risk manager to negotiate insurance coverage.

''(B) The person pays annual aggregate nationwide insurance premiums in excess of $100,000 for covered lines of insurance.

''(C) The person meets at least one of the following criteria:

''(i) The person possesses a net worth in excess of $10,000,000.

''(ii) The person generates annual revenues in excess of $10,000,000.

''(iii) The person employs more than 100 full-time or full-time equivalent employees per individual insured or is a member of affiliated group employing more than 250 employees in the aggregate.

''(iv) The person is a not-for-profit organization or public entity generating annual budgeted expenditures of at least $25,000,000.

''(v) The person is a municipality with a population in excess of 40,000 persons.

''(7) EXEMPT COMMERCIAL PURCHASER CERTIFICATION.—The term 'exempt commercial purchaser certification' means a written certification that the insurer offering a policy to an exempt commercial purchaser has obtained, at least within the previous 12 months, a certification signed by the qualified risk manager, the chief executive officer, or the chief financial officer of the exempt commercial purchaser, certifying with respect to the insurance to which the requirements of section 103(c)(1) apply to that insurer that—

''(A) the purchaser has an employee that meets the definition of a qualified risk manager under this section;

''(B) the purchaser meets the definition of an exempt commercial purchaser in accordance with this section;

''(C) the purchaser is aware that the policy being considered for purchase contains forms and rates that are not subject to State regulatory review or approval;

''(D) the purchaser has or has retained the necessary expertise to negotiate its own policy language and rates; and

''(E) the purchaser agrees to the use of exempted rates and forms by its insurer or insurers.

''(8) GROUP LIFE INSURANCE.—The term 'group life insurance' means an insurance contract that provides term life insurance coverage, accidental death coverage, or a combination thereof, for a number of individuals under a single contract, on the basis of a group selection of risks, but does not include 'Corporate Owned Life Insurance' or 'Business Owned Life Insurance,' each as defined under the Internal Revenue Code of 1986, or any similar product.

''(9) HOME STATE.—The term 'home State' means as follows:

''(A) In the case of a policy written for commercial risks that are primarily located in a State, such term means such State.

''(B) If subparagraph (A) does not apply, such term means the State where the commercial policyholder has its principal place of business (such as where the policyholder's headquarters are located, as determined by the predominant physical location in the United States of the officers and senior management of the policyholder).

''(10) INSURED LOSS.—The term 'insured loss' means any loss resulting from an act of terrorism (including an act of war, in the case of workers' compensation and group life insurance) that is covered by primary or excess property, casualty, workers' compensation, or group life insurance issued by an insurer if such loss—

''(A) occurs within the United States; or

''(B) occurs to an air carrier (as defined in section 40102 of title 49, United States Code), to a United States flag vessel (or a vessel based principally in the United States, on which United States income tax is paid and whose insurance coverage is subject to regulation in the United States), regardless of where the loss occurs, or at the premises of any United States mission.

''(11) INSURER.—The term 'insurer' means any entity, including any affiliate thereof—

''(A) that is—

''(i) licensed or admitted to engage in the business of providing primary or excess insurance in any State;

''(ii) not licensed or admitted as described in clause (i), if it is an eligible surplus line carrier listed on the Quarterly Listing of Alien Insurers of the NAIC, or any successor thereto;

''(iii) approved for the purpose of offering a covered line of insurance by a Federal agency in connection with maritime, energy, or aviation activity;

''(iv) a State residual market insurance entity or State workers' compensation fund; or

''(v) any other entity described in section 103(f), to the extent provided in the rules of the Secretary issued under section 103(f);

''(B) that receives direct earned premiums for any type of covered line of insurance coverage, other than in the case of entities described in subsections (d) and (f) of section 103; and

''(C) that meets any other criteria that the Secretary may reasonably prescribe.

''(12) INSURER DEDUCTIBLE.—The term 'insurer deductible' means—

''(A) for the Transition Period, the value of an insurer's direct earned premiums over the calendar year immediately preceding the date of enactment of this Act, multiplied by 1 percent;

''(B) for Program Year 1, the value of an insurer's direct earned premiums over the calendar year immediately preceding Program Year 1, multiplied by 7 percent;

''(C) for Program Year 2, the value of an insurer's direct earned premiums over the calendar year immediately preceding Program Year 2, multiplied by 10 percent;

''(D) for Program Year 3, the value of an insurer's direct earned premiums over the calendar year immediately preceding Program Year 3, multiplied by 15 percent;

''(E) for Program Year 4—

''(i) except as provided in clause (ii), the value of an insurer's direct earned premium for a covered line of insurance over the calendar year immediately preceding Program Year 4, multiplied by—

''(I) for workers' compensation insurance, 16 percent;

''(II) for group life insurance, 21.5 percent;

''(III) for property insurance, 20 percent; and

''(IV) for casualty insurance, 25 percent; and

''(ii) with respect to NBCR terrorism coverage, the value of an insurer's direct earned premium for a covered line of insurance over the calendar year immediately preceding Program Year 4, multiplied by the following percentages which shall be treated as subdeductibles that apply in lieu of the deductibles set forth in clause (i) for NBCR terrorism losses—

''(I) for workers' compensation insurance, 7.5 percent;

''(II) for group life insurance, 7.5 percent;

''(III) for property insurance, 7.5 percent; and

''(IV) for casualty insurance, 7.5 percent; and

''(iii) if, for any covered line of insurance, an insurer incurs insured losses caused by NBCR terrorism, such NBCR insured losses shall be applied against both the deductible set forth in clause (i) and the NBCR terrorism deductible set forth in clause (ii) for that covered line of insurance;

''(F) for any Additional Program Years—

''(i) except as provided in clause (ii), the value of an insurer's direct earned premium for a covered line of insurance over the calendar year immediately preceding that year, multiplied by the insurer deductible for each covered line of insurance for the preceding calendar year plus an additional percentage, as follows—

''(I) for workers' compensation insurance, 2.0 percent;

''(II) for group life insurance, 2.5 percent;

''(III) for property insurance, 2.5 percent; and

''(IV) for casualty insurance, 5.0 percent; and

''(ii) with respect to NBCR terrorism coverage, the value of an insurer's direct earned premium for a covered line of insurance over the calendar year immediately preceding that year, multiplied by the NBCR terrorism deductible for the preceding year for that covered line of insurance plus the following additional percentages, all of which shall be treated as subdeductibles that apply in lieu of the deductibles listed in clause (i) for NBCR terrorism insured losses—

''(I) for workers' compensation insurance, 0.75 percent;

''(II) for group life insurance, 0.75 percent;

''(III) for property insurance, 0.75 percent; and

''(IV) for casualty insurance, 0.75 percent; and

''(iii) if, for any covered line of insurance, an insurer incurs insured losses caused by NBCR terrorism, such NBCR insured losses shall be applied against both the deductible set forth in clause (i) and the NBCR terrorism deductible set forth in clause (ii) for that covered line of insurance;

''(G) notwithstanding subparagraphs (A) through (F), for the Transition Period and any other Program Year or other calendar year, if an insurer has not had a full year of operations during the calendar year immediately preceding such Period or year, such portion of the direct earned premiums of the insurer as the Secretary determines appropriate, subject to appropriate methodologies established by the Secretary for measuring such direct earned premiums; and

''(H) if, in any calendar year, aggregate industry insured losses exceed $1,000,000,000, the insurer deductibles for the next calendar year shall be reduced by 0.1 percent for each $1,000,000,000 in insured losses that have occurred during the preceding calendar year, except that no insurer deductible shall be reduced below 5 percent.

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

''(14) OWNERSHIP.—An insurer 'owns' another insurer if the insurer, directly or indirectly or acting through one or more other persons, owns 25 percent or more of any class of voting securities of the other insurer.

''(15) NBCR TERRORISM.—The term 'NBCR terrorism' means an act of terrorism involving nuclear, biological, chemical, or radioactive reactions, releases, or contaminations, to the extent any insured losses are caused by any such reactions, releases, or contaminations.

''(16) PERSON.—The term 'person' means any individual, business or nonprofit entity (including those organized in the form of a partnership, limited liability company, corporation, or association), trust or estate, or a State or political subdivision of a State or other governmental unit.

''(17) PROGRAM.—The term 'Program' means the Terrorism Insurance Program established by this title.

''(18) PROGRAM YEARS.—

''(A) TRANSITION PERIOD.—The term 'Transition Period' means the period beginning on the date of enactment of this Act and ending on December 31, 2002.

''(B) PROGRAM YEAR 1.—The term 'Program Year 1' means the period beginning on January 1, 2003 and ending on December 31, 2003.

''(C) PROGRAM YEAR 2.—The term 'Program Year 2' means the period beginning on January 1, 2004 and ending on December 31, 2004.

''(D) PROGRAM YEAR 3.—The term 'Program Year 3' means the period beginning on January 1, 2005 and ending on December 31, 2005.

''(E) PROGRAM YEAR 4.—The term 'Program Year 4' means the period beginning on January 1, 2006 and ending on December 31, 2006.

''(F) ADDITIONAL PROGRAM YEARS.—The term 'Additional Program Year' means any additional one-year period after Program Year 4 during which the Program is in effect, which period shall begin on January 1 and end on December 31 of the same calendar year.

''(19) PROPERTY INSURANCE.—The term 'property insurance' means—

''(A) except as provided in subparagraph (B), insurance on real or personal property of every kind, including excess insurance, against loss or damage from any and all hazard or cause and against loss consequential upon such loss or damage, including business interruption insurance, other than non-contractual legal liability for such loss or damage; and

''(B) does not include any type of commercial automobile or workers' compensation insurance.

''(20) QUALIFIED RISK MANAGER.—The term 'qualified risk manager' means any person who meets all of the following criteria:

''(A) The person is an employee of, or third party consultant retained by, the commercial policyholder.

''(B) The person provides skilled services in loss prevention, loss reduction, or risk and insurance coverage analysis, and purchase of insurance.

''(C) The person possesses at least 2 of the following credentials:

''(i) An advanced degree in risk management issued by an accredited college or university.

''(ii) At least 5 years of experience in one or more of the following areas of commercial property insurance or commercial casualty insurance:

''(I) Risk financing.

''(II) Claims administration.

''(III) Loss prevention.

''(IV) Risk and insurance coverage analysis.

''(iii) Any one of the following designations:

''(I) A designation as a Chartered Property and Casualty Underwriter (in this clause referred to as 'CPCU') issued by the American Institute for CPCU/Insurance Institute of America.

''(II) A designation as an Associate in Risk Management (ARM) issued by the American Institute for CPCU/Insurance Institute of America.

''(III) A designation as a Certified Risk Manager (CRM) issued by the National Alliance for Insurance Education & Research.

''(IV) A designation as RIMS Fellow (RF) issued by the Global Risk Management Institute.

''(V) Any other designation, certification, or license determined by the insurance regulatory agency for a State to demonstrate minimum competency in risk management.

''(21) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.

''(22) STATE.—The term 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, each of the United States Virgin Islands, and any territory or possession of the United States.

''(23) UNITED STATES.—The term 'United States' means the several States, and includes the territorial sea and the continental shelf of the United States, as those terms are defined in the Violent Crime Control and Law Enforcement Act of 1994 (18 U.S.C. 2280, 2281).

''(24) WORKERS' COMPENSATION.—The term 'workers' compensation' means insurance against loss from liability imposed by law upon employers to compensate employees and their dependents for injury sustained by the employees arising out of and in the course of the employment, irrespective of negligence or of the fault of either party.

''(25) RULE OF CONSTRUCTION FOR DATES.—With respect to any reference to a date in this title, such day shall be construed—

''(A) to begin at 12:01 a.m. on that date; and

''(B) to end at midnight on that date.

''SEC. 103. TERRORISM INSURANCE PROGRAM.

''(a) ESTABLISHMENT OF PROGRAM.—

''(1) IN GENERAL.—There is established in the Department of the Treasury the Terrorism Insurance Program.

''(2) AUTHORITY OF THE SECRETARY.—Notwithstanding any other provision of State or Federal law, the Secretary shall administer the Program, and shall pay the Federal share of compensation for insured losses in accordance with subsection (e).

''(3) MANDATORY PARTICIPATION.—Each entity that meets the definition of an insurer under this title shall participate in the Program.

''(b) CONDITIONS FOR FEDERAL PAYMENTS.—No payment may be made by the Secretary under this section with respect to an insured loss that is covered by an insurer, unless—

''(1) the person that suffers the insured loss, or a person acting on behalf of that person, files a claim with the insurer;

''(2) the insurer provides clear and conspicuous disclosure to the policyholder of the premium charged for insured losses covered by the program and the Federal share of compensation for insured losses under the Program—

''(A) in the case of any policy that is issued before the date of enactment of this Act, not later than 90 days after that date of enactment;

''(B) in the case of any policy that is issued within 90 days of the date of enactment of this Act, at the time of offer, purchase, and renewal of the policy; and

''(C) in the case of any policy that is issued more than 90 days after the date of enactment of this Act, on a separate line item in the policy, at the time of offer, purchase, and renewal of the policy;

''(3) the insurer processes the claim for the insured loss in accordance with appropriate business practices, and any reasonable procedures that the Secretary may prescribe; and

''(4) the insurer submits to the Secretary, in accordance with such reasonable procedures as the Secretary may establish—

''(A) a claim for payment of the Federal share of compensation for insured losses under the Program;

''(B) written certification—

''(i) of the underlying claim; and

''(ii) of all payments made for insured losses; and

''(C) certification of its compliance with the provisions of this subsection.

''(c) MANDATORY AVAILABILITY.—Each entity that meets the definition of an insurer under section 102—

''(1) shall make available, in all of its covered lines of insurance policies, coverage for insured losses that does not differ materially from the terms, amounts, and other coverage limitations applicable to losses arising from events other than acts of terrorism;

''(2) shall make available, in any of its covered lines of insurance policies that exclude coverage for losses resulting from NBCR terrorism, coverage for losses resulting from NBCR terrorism that may differ materially from the terms, amounts, and other coverage limitations applicable to losses arising from events other than NBCR terrorism; and

''(3) shall make available, in any life insurance policy, coverage that does not preclude future lawful foreign travel by the person insured, and shall not charge a premium for such coverage that is excessive and not based on a good faith actuarial analysis.

''(d) STATE RESIDUAL MARKET INSURANCE ENTITIES.—

''(1) IN GENERAL.—The Secretary shall issue regulations, as soon as practicable after the date of enactment of this Act, that apply the provisions of this title to State residual market insurance entities, State workers' compensation funds, and State workers' compensation reinsurance pools.

''(2) TREATMENT OF CERTAIN ENTITIES.—For purposes of the regulations issued pursuant to paragraph (1)—

''(A) a State residual market insurance entity that does not share its profits and losses with private sector insurers shall be treated as a separate insurer; and

''(B) a State residual market insurance entity that shares its profits and losses with private sector insurers shall not be treated as a separate insurer, and shall report to each private sector insurance participant its share of the insured losses of the entity, which shall be included in each private sector insurer's insured losses.

''(3) TREATMENT OF PARTICIPATION IN CERTAIN ENTITIES.—Any insurer that participates in sharing profits and losses of a State residual market insurance entity shall include in its calculations of premiums any premiums distributed to the insurer by the State residual market insurance entity.

''(e) INSURED LOSS SHARED COMPENSATION.—

''(1) FEDERAL SHARE.—

''(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the Federal share of compensation under the Program to be paid by the Secretary for insured losses of an insurer during each Program Year shall be equal to that portion of the amount of such insured losses for each covered line of insurance that exceeds the applicable insurer deductible required to be paid during such Program Year, multiplied by a percentage based on aggregate industry insured losses for a Program Year, which shall be as follows:

''(i) 80 percent of the aggregate industry insured losses of less than $10,000,000,000;

''(ii) 85 percent of the aggregate industry insured losses between $10,000,000,000 and $20,000,000,000;

''(iii) 90 percent of the aggregate industry insured losses between $20,000,000,000 and $40,000,000,000; and

''(iv) 95 percent of the aggregate industry insured losses above industry losses above $40,000,000,000;

and shall be prorated by insurer based on each insurer's percentage of the aggregate industry insured losses for that Program Year.

''(B) PROGRAM TRIGGER.—No compensation shall be paid by the Secretary under subsection (a) unless the aggregate industry insured losses exceed—

''(i) $50,000,000, with respect to insured losses occurring in Program Year 4;

''(ii) $100,000,000, with respect to insured losses occurring in the Additional Program Year beginning on January 1, 2007;

''(iii) with respect to each Additional Program Year thereafter that coverage is provided under the Program, the amount that is equal to the sum of (I) the dollar amount applicable under this subparagraph for the Program Year preceding such Additional Program Year, and (II) $50,000,000;

except that the applicable Program Trigger amount shall be reduced by $10,000,000 for each $1,000,000,000 in insured losses occurring in any preceding year, provided that the Program Trigger shall not be reduced below $50,000,000 for any year.

''(C) PROHIBITION ON DUPLICATIVE COMPENSATION.—The Federal share of compensation for insured losses under the Program shall be reduced by the amount of compensation provided by the Federal Government to any person under any other Federal program for those insured losses.

''(2) TRIA CAPITAL RESERVE FUNDS.—

''(A) ESTABLISHMENT.—Any insurer may establish a TRIA Capital Reserve Fund (in this section referred to as a 'CRF') in which it may hold funds in a fiduciary capacity on behalf of the Secretary.

''(B) FUNDING.—An insurer may fund a CRF by making an election, in advance, to treat some or all of the premiums it has disclosed pursuant to section 103(b)(2) as TRIA program fee charges imposed by the Secretary. Any such premiums for which such an election has been made must be maintained in segregated accounts in a fiduciary capacity on behalf of the Secretary. Such funds may be invested in any otherwise legally permissible manner but all interest, dividends, and capital accumulations also shall be retained in such segregated accounts on behalf of the Secretary.

''(C) USE.—Funds from a CRF shall be collected and used by the Secretary to offset, in whole or in part, the Federal share of compensation provided to all insurers under the Program as provided for in paragraph (1), except that an insurer may first use the funds in a CRF of that insurer to satisfy any one or more of the following:

''(i) The applicable insurer deductibles for the insurer.

''(ii) The portion of the insurer's losses that exceed the insurer deductible but are not compensated by the Federal share pursuant to paragraph (1).

''(iii) The insurer's obligations to pay for insured losses if the program trigger established in paragraph (1)(B) is not satisfied.

''(iv) Any risk sharing obligations the insurer may have under any agreements made pursuant to or in accordance with paragraph (3).

''(D) TERMINATION.—

''(i) TERMINATION OF PROGRAM.—Upon termination of the Program under section 108(a), and subject to the Secretary's continuing authority under section 108(b) to adjust claims in satisfaction of the Federal share of compensation under the Program as provided in paragraph (1) of this subsection, 10 percent of each insurer's CRF funds shall be remitted to the Secretary and the remainder shall be remitted to the insurer. The Secretary shall determine the manner in which the remittance of such income to the insurer shall be made.

''(ii) ELIMINATION OF FEDERAL SHARE OF COMPENSATION.—If the Program remains in effect but the Federal share of compensation for insured losses under the Program is eliminated from the Program, the CRF funds shall be retained and used for the purposes set forth in subparagraph (C) of this paragraph. At such time as an insurer's liability for insured losses under the Program terminates, as a consequence of the insurer's termination of its business or otherwise, the insurer shall remit any remaining CRF funds to the Secretary.

''(3) RISK-SHARING MECHANISMS.—

''(A) FINDING; RULE OF CONSTRUCTION.—Congress finds that it is desirable to encourage the growth of nongovernmental, private market reinsurance capacity for protection against losses arising from acts of terrorism. Therefore, nothing in this title shall prohibit insurers from developing risk-sharing mechanisms (including mutual reinsurance facilities and agreements) to voluntarily reinsure terrorism losses between and among themselves that are not subject to reimbursement under this section 103.

''(B) ESTABLISHMENT OF ADVISORY COMMITTEE.—The Secretary shall appoint an Advisory Committee to—

''(i) encourage the creation and development of such mechanisms;

''(ii) assist the Secretary and be available to administer such mechanisms; and

''(iii) develop articles of incorporation, bylaws, and a plan of operation for any long-term reinsurance facility authorized or created in the future.

''(C) MEMBERSHIP.—The Advisory Committee shall be composed of nine members who are directors, officers, or other employees of insurers that are participating or that desire to participate in such mechanisms, and who are representative of the affected sectors of the insurance industry. In making these appointments, the Secretary shall solicit major trade associations of the insurance industry to nominate lists of qualified individuals representative of the commercial property insurance, commercial casualty insurance, group life insurance, and reinsurance industries.

''(4) CAP ON ANNUAL LIABILITY.—

''(A) IN GENERAL.—Notwithstanding paragraph (1) or any other provision of Federal or State law, if the aggregate insured losses exceed $100,000,000,000 during any Program Year (until such time as the Congress may act otherwise with respect to such losses)—

''(i) the Secretary shall not make any payment under this title for any portion of the amount of such losses that exceeds $100,000,000,000; and

''(ii) no insurer that has met its insurer deductible shall be liable for the payment of any portion of that amount that exceeds $100,000,000,000.

''(B) INSURER SHARE.—For purposes of subparagraph (A), the Secretary shall determine the pro rata share of insured losses to be paid by each insurer that incurs insured losses under the Program.

''(5) NOTICE TO CONGRESS.—The Secretary shall notify the Congress if estimated or actual aggregate insured losses exceed $100,000,000,000 during during any Program Year and the Congress shall determine the procedures for and the source of any payments for such excess insured losses.

''(6) FINAL NETTING.—The Secretary shall have sole discretion to determine the time at which claims relating to any insured loss or act of terrorism shall become final.

''(7) DETERMINATIONS FINAL.—Any determination of the Secretary under this subsection shall be final, unless expressly provided otherwise.

''(8) FULL RECOUPMENT OF FEDERAL SHARE.—The Secretary shall collect, for repayment of the Federal financial assistance provided in connection with all acts of terrorism (or acts of war, in the case of workers' compensation and group life insurance), terrorism loss risk-spreading premiums in an amount equal to the total amount paid by the Secretary in accordance with this section.

''(9) POLICY SURCHARGE FOR TERRORISM LOSS RISK-SPREADING PREMIUMS.—

''(A) POLICYHOLDER PREMIUM.—Any amount established by the Secretary as a terrorism loss risk-spreading premium shall—

''(i) be imposed as a policyholder premium surcharge on all covered lines of insurance policies in force after the date of such establishment;

''(ii) begin with such period of coverage during the year as the Secretary determines appropriate; and

''(iii) be based on a percentage of the premium amount charged for covered lines of insurance coverage under the policy.

''(B) COLLECTION.—The Secretary shall provide for insurers to collect terrorism loss risk-spreading premiums and remit such amounts collected to the Secretary.

''(C) PERCENTAGE LIMITATION.—A terrorism loss risk-spreading premium may not exceed,

on an annual basis, the amount equal to 3 percent of the premium charged for covered lines of insurance coverage under the policy.

''(D) ADJUSTMENT FOR URBAN AND SMALLER COMMERCIAL AND RURAL AREAS AND DIFFERENT LINES OF INSURANCE.—

''(i) ADJUSTMENTS.—In determining the method and manner of imposing terrorism loss risk-spreading premiums, including the amount of such premiums, the Secretary shall take into consideration—

''(I) the economic impact on commercial centers of urban areas, including the effect on commercial rents and commercial insurance premiums, particularly rents and premiums charged to small businesses, and the availability of lease space and commercial insurance within urban areas;

''(II) the risk factors related to rural areas and smaller commercial centers, including the potential exposure to loss and the likely magnitude of such loss, as well as any resulting cross-subsidization that might result; and

''(III) the various exposures to terrorism risk for different lines of insurance.

''(ii) RECOUPMENT OF ADJUSTMENTS.—Any recoupment amounts not collected by the Secretary because of adjustments under this subparagraph shall be recouped through additional terrorism loss risk-spreading premiums.

''(E) TIMING OF PREMIUMS.—The Secretary may adjust the timing of terrorism loss risk-spreading premiums to provide for equivalent application of the provisions of this title to policies that are not based on a calendar year, or to apply such provisions on a daily, monthly, or quarterly basis, as appropriate.

''(F) REPLENISHMENT OF TRIA CAPITAL RESERVE FUNDS.—After any funds expended directly from the United States Treasury are fully repaid, the balance of the amounts collected under this paragraph shall be used to fully replenish all insurer CRFs used by the Secretary in accordance with the provisions of paragraph (2)(C) that were not used by the insurer to satisfy its obligations in accordance with clauses (i) through (iv) of paragraph (2)(C).

''(f) CAPTIVE INSURERS AND OTHER SELF-INSURANCE ARRANGEMENTS.—The Secretary may, in consultation with the NAIC or the appropriate State regulatory authority, apply the provisions of this title, as appropriate, to other classes or types of captive insurers and other self-insurance arrangements by municipalities and other entities (such as workers' compensation self-insurance programs and State workers' compensation reinsurance pools), but only if such application is determined before the occurrence of an act of terrorism in which such an entity incurs an insured loss and all of the provisions of this title are applied comparably to such entities.

''(g) REINSURANCE TO COVER EXPOSURE.—

''(1) OBTAINING COVERAGE.—This title may not be construed to limit or prevent insurers from obtaining reinsurance coverage for insurer deductibles or insured losses retained by insurers pursuant to this section, nor shall the obtaining of such coverage affect the calculation of such deductibles or retentions.

''(2) LIMITATION ON FINANCIAL ASSISTANCE.—The amount of financial assistance provided pursuant to this section, including amounts from a CRF used pursuant to subsection (e)(2)(C), shall not be reduced by reinsurance paid or payable to an insurer from other sources, except that recoveries from such other sources, taken together with financial assistance for the Transition Period or a Program Year provided pursuant to this section, may not exceed the aggregate amount of the insurer's insured losses for such period. If such recoveries and financial assistance for the Transition Period or a Program Year exceed such aggregate amount of insured losses for that period and there is no agreement between the insurer and any reinsurer to the contrary, an amount in excess of such aggregate insured losses shall be returned to the Secretary.

''(h) PERSONAL LINES STUDY.—

''(1) IN GENERAL.—The Comptroller General of the United States, after consultation with the NAIC, representatives of the insurance industry, including a cross-section of insurers, independent insurance agents and brokers, policyholders, and other experts in the insurance field, shall conduct a study concerning the exposure of personal lines (including homeowners insurance) to terrorism risk, the coverage currently available, and potential policy responses.

''(2) REPORT.—Not later than September 1, 2006, the Comptroller General shall submit a report to the Congress on the results of the study conducted under subparagraph (1), together with specific policy recommendations.

''(i) STUDY OF RISKS STEMMING FROM NUCLEAR, BIOLOGICAL, CHEMICAL AND RADIOACTIVE EVENTS.—

''(1) IN GENERAL.—The Comptroller General of the United States, after consultation with the NAIC, representatives of the insurance industry, including a cross-section of insurers, independent insurance agents and brokers, and policyholders, and other experts in the insurance field, shall conduct a study to determine the extent to which risks associated with nuclear, biological, chemical, or radioactive events are measuable and insurable at the Federal or private sector level, or both.

''(2) REPORT.—Not later than September 1, 2006, the Comptroller General shall submit a report to the Congress on the results of the study conducted under paragraph (1), together with specific policy recommendations.

''(j) STUDY OF NEED FOR FEDERAL NATURAL DISASTER CATASTROPHE PROGRAM.—

''(1) IN GENERAL.—The Comptroller General of the United States, after consultation with the NAIC, representatives of the insurance industry, including a cross-section of insurers, independent insurance agents and brokers, and policyholders, and other experts in the insurance field, shall conduct a study concerning the need for a Federal program that provides for a system of shared public and private compensation for insured losses resulting from natural disaster.

''(2) ISSUES.—The study under this section shall include an analysis of whether, and in what manner, such a Federal program should incorporate any or all of the following concepts: tax-free capital reserves; voluntary mutual reinsurance pools; a distinction between sophisticated and non-sophisticated commercial purchasers for the purposes of exemption from regulation; or Federal support for the purchase of reinsurance by State disaster insurance programs.

''(3) REPORT.—Not later than September 1, 2006, the Comptroller General shall submit a report to the Congress on the results of the study conducted under this subsection together with specific policy recommendations.

''SEC. 104. GENERAL AUTHORITY AND ADMINISTRATION OF CLAIMS.

''(a) GENERAL AUTHORITY.—The Secretary shall have the powers and authorities necessary to carry out the program, including authority—

''(1) to investigate and audit all claims under the Program; and

''(2) to prescribe regulations and procedures to effectively administer and implement the Program, and to ensure that all insurers and self-insured entities that participate in the Program are treated comparably under the Program.

''(b) INTERIM RULES AND PROCEDURES.—The Secretary may issue interim final rules or procedures specifying the manner in which—

''(1) insurers may file and certify claims under the Program;

''(2) the Federal share of compensation for insured losses will be paid under the Program, including payments based on estimates of or actual insured losses;

''(3) the Secretary may, at any time, seek repayment from or reimburse any insurer, based on estimates of insured losses under the Program, to effectuate the insured loss sharing provisions in section 103; and

''(4) the Secretary will determine any final netting of payments under the Program, including payments owed to the Federal Government from any insurer and any Federal share of compensation for insured losses owed to any insurer, to effectuate the insured loss sharing provisions in section 103.

''(c) CONSULTATION.—The Secretary shall consult with the NAIC, as the Secretary determines appropriate, concerning the Program.

''(d) CONTRACTS FOR SERVICES.—The Secretary may employ persons or contract for services as may be necessary to implement the Program.

''(e) CIVIL PENALTIES.—

''(1) IN GENERAL.—The Secretary may assess a civil monetary penalty in an amount not exceeding the amount under paragraph (2) against any insurer that the Secretary determines, on the record after opportunity for a hearing——

''(A) has failed to charge, collect, or remit terrorism loss risk-spreading premiums under section 103(e) in accordance with the requirements of, or regulations issued under, this title;

''(B) has intentionally provided to the Secretary erroneous information regarding premium or loss amounts;

''(C) submits to the Secretary fraudulent claims under the Program for insured losses;

''(D) has failed to provide the disclosures required under subsection (f); or

''(E) has otherwise failed to comply with the provisions of, or the regulations issued under, this title.

''(2) AMOUNT.—The amount under this paragraph is the greater of $1,000,000 and, in the case of any failure to pay, charge, collect, or remit amounts in accordance with this title or the regulations issued under this title, such amount in dispute.

''(3) RECOVERY OF AMOUNT IN DISPUTE.—A penalty under this subsection for any failure to pay, charge, collect, or remit amounts in accordance with this title or the regulations under this title shall be in addition to any such amounts recovered by the Secretary.

''(f) SUBMISSION OF PREMIUM INFORMATION.—

''(1) IN GENERAL.—The Secretary shall annually compile information on the terrorism risk insurance premium rates of insurers for the preceding year.

''(2) ACCESS TO INFORMATION.—To the extent that such information is not otherwise available to the Secretary, the Secretary may require each insurer to submit to the NAIC terrorism risk insurance premium rates, as necessary to carry out paragraph (1), and the NAIC shall make such information available to the Secretary.

''(3) AVAILABILITY TO CONGRESS.—The Secretary shall make information compiled under this subsection available to the Congress, upon request.

''(g) FUNDING.—

''(1) FEDERAL PAYMENTS.—There are hereby appropriated, out of funds in the Treasury not otherwise appropriated, such sums as may be necessary to pay the Federal share of

compensation for insured losses under the Program to the extent such Federal share exceeds funds collected by the Secretary pursuant to section 103(e)(2).

''(2) ADMINISTRATIVE EXPENSES.—There are hereby appropriated, out of funds in the Treasury not otherwise appropriated, such sums as may be necessary to pay reasonable costs of administering the Program.

''SEC. 105. ESTABLISHMENT OF COMMISSION ON TERRORISM RISK INSURANCE.

''(a) IN GENERAL.—There is hereby established the Commission on Terrorism Risk Insurance (in this section referred to as the 'Commission').

''(b) MEMBERSHIP.—

''(1) The Commission shall consist of 11 members, as follows:

''(A) The Secretary of the Treasury or his designee.

''(B) One State insurance commissioner designated by the members of the NAIC.

''(C) Nine members appointed by the President, who shall be—

''(i) a representative of group life insurers;

''(ii) a representative of property and casualty insurers with direct written premium of $1,000,000,000 or less;

''(iii) a representative of property and casualty insurers with direct written premium of more than $1,000,000,000;

''(iv) a representative of multiline insurers;

''(v) a representative of independent insurance agents;

''(vi) a representative of insurance brokers;

''(vii) a policyholder representative;

''(viii) a representative of the survivors of the victims of the attacks of September 11, 2001; and

''(ix) a representative of the reinsurance industry.

''(2) SECRETARY.—The Program Director of the Terrorism Risk Insurance Act shall serve as Secretary of the Commission. The Secretary of the Commission shall determine the manner in which the Commission shall operate, including funding and staffing.

''(c) DUTIES.—

''(1) IN GENERAL.—The Commission shall identify and make recommendations regarding—

''(A) possible actions to encourage, facilitate, and sustain provision by the private insurance industry in the United States of affordable coverage for losses due to an act or acts of terrorism;

''(B) possible actions or mechanisms to sustain or supplement the ability of the insurance industry in the United States to cover losses resulting from acts of terrorism in the event that—

''(i) such losses jeopardize the capital and surplus of the insurance industry in the United States as a whole; or

''(ii) other consequences from such acts occur, as determined by the Commission, that may significantly affect the ability of the insurance industry in the United States to independently cover such losses; and

''(C) significantly reducing the expected Federal role over time in any continuing Federal terrorism risk insurance program.

''(2) EVALUATIONS.—In identifying and making the recommendations required under paragraph (1), the Commission shall specifically evaluate the utility and viability of TRIA Capital Reserve Funds made available under section 103(e)(2), any risk sharing mechanism created or made available under section 103(e)(3), a Federally created or mandated reinsurance facility, empowering such a facility to issue pre-event financing bonds, post-event financing bonds, assessments, single or multiple pooling arrangements, and other risk sharing arrangements to accomplish, in whole or in part, the specified objectives, taking into consideration the studies and reports to the Congress pursuant to subsections (h) and (i) of section 103.

''(3) REPORT.—Not later than December 31, 2006, the Commission shall submit a report to Congress evaluating and making recommendations regarding whether there is a need for a Federal terrorism risk insurance program and, if so, shall make a specific, detailed recommendation for the replacement of the Program, including specific, detailed recommendations for the creation of a terrorism reinsurance facility or facilities or single or multiple pooling arrangements, or both.

''(d) EFFECT ON EXISTING PROGRAM.—For purposes of section 108(a), the Secretary shall make a determination not later than January 31, 2007, of whether the Commission has satisfied its obligations under subsection (c)(3).

''SEC. 106. PRESERVATION PROVISIONS.

''(a) STATE LAW.—Nothing in this title shall affect the jurisdiction or regulatory authority of the insurance commissioner (or any agency or office performing like functions) of any State over any insurer or other person—

''(1) except as specifically provided in this title; and

''(2) except that—

''(A) the definition of the term 'act of terrorism' in section 102 shall be the exclusive definition of that term for purposes of compensation for insured losses under this title, and shall preempt any provision of State law that is inconsistent with that definition, to the extent that such provision of law would otherwise apply to any type of insurance covered by this title; and

''(B) during the period beginning on the date of enactment of this Act and for so long as the Program is in effect, as provided in section 108, including authority in subsection 108(b), books and records of any insurer that are relevant to the Program shall be provided, or caused to be provided, to the Secretary, upon request by the Secretary, notwithstanding any provision of the laws of any State prohibiting or limiting such access; and

''(3) except that with respect to coverage required to be made available under section 103(c)—

''(A) no laws or regulations of a State imposing a diligent search requirement for the placement of a surplus lines policy shall apply in connection with the purchase of such insurance by an exempt commercial purchaser; and

''(B) no laws or regulations of a State, except of the home State, imposing a diligent search requirement for the placement of a surplus lines policy shall apply with respect to the placement of a multi-State surplus lines commercial insurance policy, provided the contract of insurance insures risks in the home State.

''(b) STREAMLINED RATE AND FORM FILING.—The Congress intends that, by December 31, 2007, all States, with respect to submission of a commercial property insurance policy or commercial casualty insurance policy that includes coverage for acts of terrorism—

''(1) implement and fully utilize the System for Electronic Rate and Form Filing (in this section referred to as 'SERFF'), developed by the NAIC, without deviation to provide a single point for electronic filing of property insurance and casualty insurance forms for review;

''(2) update SERFF to provide a single coordinated checklist for inputting the required information used by various States for filing reviews and designating to which States the information will be submitted;

''(3) allow the option of filing of self-certified commercial property insurance and commercial casualty insurance forms through a substantially nationwide coordinated electronic filing system that—

''(A) includes a review checklist with uniform nomenclature clearly establishing what is required under the laws of such State for a compliant filing of such forms;

''(B) uses a single input system and transmittal document that allows the filer to submit such form for review without required format deviations to any combination of the States participating in the system;

''(C) does not require prior approval for such self-certified form filing;

''(D) keeps such filings confidential until they are implemented, deemed implemented, or disapproved; and

''(E) only allows disapproval of such filings in writing based on specific standards that are published in statute, rule, or regulation.

''(c) STREAMLINED SURPLUS LINES PLACEMENT.—The Congress intends that, by December 31, 2007, all States streamline their surplus lines diligent search rules with respect to the placement of surplus lines policies in any covered line of insurance that includes coverage for acts of terrorism by providing for—

''(1) automatic export for exempt commercial purchasers, under which a surplus lines broker seeking to obtain, provide, or place insurance in a State for an insured that qualifies as an exempt commercial purchaser may procure surplus lines insurance from or place surplus lines insurance with any nonadmitted insurer without making a diligent search to determine whether the full amount or type of insurance sought by the exempt commercial purchaser can be obtained from admitted insurers in such State.

''(2) home State regulation of diligent search requirements, that provides that, except as provided in paragraph (1), only the home State may impose a diligent search requirement for the placement of a multi-State surplus lines commercial insurance policy, provided the contract of insurance insures risks in the Home State.

''(d) EXISTING REINSURANCE AGREEMENTS.—Nothing in this title shall be construed to alter, amend, or expand the terms of coverage under any reinsurance agreement in effect on the date of enactment of this Act. The terms and conditions of such an agreement shall be determined by the language of that agreement.''; and

(2) in section 108—

(A) by striking subsection (a) and inserting the following new subsection:

''(a) TERMINATION OF PROGRAM.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Program shall terminate on December 31, 2008.

''(2) FAILURE OF COMMISSION TO SUBMIT REPORT.—If the Secretary determines pursuant to section 105(d) that the Commission on Terrorism Risk Insurance established under section 105 has not satisfied its obligations under section 105(c)(3), the Program shall terminate on December 31, 2007.''; and

(B) in subsection (c)(1), by striking ''paragraph (4), (5), (6), (7), or (8) of''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall take effect and apply beginning on January 1, 2006.

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

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to

revise and extend their remarks and include extraneous material on S. 467.

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

There was no objection.

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

Mr. Speaker, in the aftermath of the brutal terrorist attacks on our Nation on September 11, 2001, America's economic and financial security was put at risk. Thousands of innocent people were victimized and our insurance industry was brought to its knees.

Insurers could not predict when or where or how damaging the next attack would be. As a result, the insurance markets pulled back and businesses were unable to obtain terrorism insurance at any price. Business development plans stalled and our economy was put at risk.

President Bush immediately called on Congress to pass legislation that would prevent severe economic disruptions caused by a lack of available terrorism insurance. The Financial Services Committee worked closely with the administration and the Senate to draft the Terrorism Risk Insurance Act of 2002, or TRIA. TRIA provided a temporary Federal backstop to protect against future catastrophic terrorist attacks. This program, by any measure, has been a resounding success.

On June 30, 2005, the Treasury Department submitted a report to Congress on the effectiveness of the TRIA program, the availability and affordability of terrorism insurance for various policyholders, and the likely capacity of the property and causality insurance industry to offer insurance for terrorism risk after TRIA expires on December 31 of this year. According to the report, the removal of TRIA would result in ''less terrorism insurance written by insurers, higher prices, and lower policyholder take-up.''

The administration stated that it wanted to reform the TRIA program and foster the development of a private market for terrorism insurance.

The legislation before us today would temporarily extend the terrorism risk backstop for policyholders, but would also add a number of critical reforms. Perhaps most importantly, this bill is the only proposal providing significant taxpayer protections.

Unlike the current TRIA program which sets a limit on the amount of Federal assistance taxpayers may recoup, this legislation may have full 100 percent taxpayer payback. Every dollar the Federal Government pays out gets repaid over time. This bill also significantly increases industry co-shares, providing further taxpayer relief in the short run.

The bill raises the program trigger from $5 million to $50 million in the first year of the extension and then to $100 million for the second year. It also eliminates commercial automobile insurance from the terrorism insurance program, for a reduction of over $30 billion dollars in covered line premiums. The bill raises the deductibles on all lines of insurance from the current level of 15 percent to an average of over 20 percent, the biggest increase among all of the proposals.

The legislation encourages insurers to make coverage available for nuclear, biological, chemical and radioactive risk attacks, which are currently excluded from most insurance policies. Without these provisions, policyholders will continue to be unprotected for the most catastrophic of events.

Any Federal terrorism insurance program must be temporary. Because terrorism risk will not go away, one of our major goals must be to decrease the role of the Federal Government over time and provide real, lasting market reforms that will increase industry responsibility for terrorism insurance.

It is important that industry have more ''skin in the game'' to ease the transition to the private market for terrorism insurance. In addition to a raised trigger and deductibles, this bill is the only legislation that requires that development of a long-term solution shifting the backstop to the private sector and phasing out the Federal role.

A public-private entity is created and is required to issue specific proposals within a short period of time, and the bill sets up various risk-pooling mechanisms and dedicated terrorism capital accounts to immediately begin the transition. Without these provisions, we will be back here in 12 months arguing over another extension with no improved reforms.

This legislation is identical to the bill that passed our Financial Services Committee overwhelmingly by a vote of 64–3, with the exception of striking certain provisions that are within the jurisdiction of the Judiciary Committee by agreement, a slight change in the definition of exempt commercial purchasers, and other technical and conforming changes.

I applaud my friend and colleague, the gentleman from Louisiana (Mr. BAKER), chairman of the Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, for introducing this legislation.

I would also like to thank the gentlewoman from New York (Mrs. KELLY), the gentleman from Texas (Mr. SESSIONS), the gentlewoman from Ohio (Ms. Price), the gentleman from Kentucky (Mr. DAVIS), the gentleman from New York (Mr. FOSSELLA), the gentleman from Arizona (Mr. RENZI), the gentleman from New Jersey (Mr. FERGUSON), the ranking member from Massachusetts (Mr. FRANK), the gentleman from Pennsylvania (Mr. KANJORSKI), and the gentleman from Massachusetts (Mr. CAPUANO) for their leadership and commitment to this important matter.

I urge my colleagues to vote in favor of this bill.

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

Mr. FRANK of Massachusetts. Mr. Speaker, the ranking member of the subcommittee, the gentleman from Pennsylvania (Mr. KANJORSKI), is on his way over. He has taken the lead for us on this bill.

I would just ask at this point unanimous consent for me to turn over to him the management of our time when he arrives.

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

There was no objection.

Mr. FRANK of Massachusetts. Mr. Speaker, this is a bill to which my response is, ''Better late than never.'' I wish we would have done this earlier. We have known for some time the deadline was coming. I appreciate the efforts of the chairman of the committee to get the attention of the House to this bill. We passed it in committee some time ago before the break. It frankly could have come to the floor before that.

I say that because I am pleased with this bill in general. I think it is useful that we are producing it. And there are differences between this bill and the one passed by the Senate, and we do need some time to work them out.

□ 1215

None of them is of enormous difficulty, it seems to me, they all have a similar capacity, but it would have been better if we had done this earlier.

Having said that, I want to stress what is so important about this bill to me, and it is it establishes or maintains the principle that we will try to minimize the extent to which terrorists influence decisions that we make here in America. I do not regard this as a favor to the insurance companies. Frankly, terrorism insurance would, I believe, not exist if it were not for this bill or, if it did exist, it would be at very high premiums. The insurance industry would have the option either of walking away from offering this or of charging high premiums. I do not think the insurance industry would be greatly disadvantaged.

The losers, if we do not reenact terrorism risk insurance, are people who want to build and particularly in those cities that are seen as potential targets of terrorism. We have been told by people who want to do large commercial buildings, very important to the big cities of this country, to the areas that would be the targets of terrorism, that they would not be able to get loans that are necessary obviously to build if they are not fully insured. Lenders are telling us, yes, we cannot now lend large amounts of money, tens, hundreds of millions of dollars to a building that might be at risk from terrorism and be uninsured against that risk.

I think we ought to have a responsible insurance system so that where we can minimize risk we can give people an incentive to be responsible in dealing with them. I do not think it is

good public policy to say to people who want to build in New York or Chicago or Los Angeles or here in Washington, D.C., There are terrorists out there and they want to blow things up and you will bear that financial responsibility; that is up to you. That is unfair to the cities, and it gives the terrorists leverage over our economy.

So this is a bill which, in my mind, is not for benefit of the insurers but for the insured, and it is for the benefit of the insured so that we can go forward with the development of our economy.

Indeed, there is one issue here regarding the World Trade Center that we have not yet fully resolved, and I appreciate the chairman showing some interest in this. We were asked, both of us, by Members from the New York area about some provisions to deal with the possibility that the World Trade Center reconstruction will take too long. Frankly, those in charge in New York did not come to us until very late in the process, and it was not possible to accommodate something of that complexity now. I hope we do not rule it out for the future, but if they had come to us earlier, we might have been able to deal with it somewhat differently, but that illustrates the point.

This is a bill to make sure that economic activity in our biggest cities can go on uninterrupted, and the alternative is to let the terrorists put a terrorist tax on building large buildings in our big cities, and we should not allow that.

Let me just say, finally, I want to acknowledge, and my friend from Pennsylvania is here and will be taking this over, but this has been a cooperative effort with the chairman of the committee, the gentleman from New York (Mr. ISRAEL), the gentleman from New York (Mr. CROWLEY). The gentleman from Massachusetts (Mr. CAPUANO) has done a lot.

Last point. Some of the consumer groups have raised what I think are misguided objections here. I do not see that this, in any way, impinges on the consumers negatively, but thanks to the gentlewoman from Florida, who will be speaking later, it has a very important proconsumer piece, and I appreciate the chairman's agreeing to add it, that protects Americans from arbitrary treatment if they are traveling to certain parts of the world.

So I am very supportive of this, and I would now turn over the management of the time to the gentleman from Pennsylvania.

Mr. OXLEY. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from New York (Mrs. KELLY), the chairman of the Oversight Subcommittee.

Mrs. KELLY. Mr. Speaker, I rise today in strong support of H.R. 4314, the Terrorism Risk Insurance Revision Act of 2005. This is important legislation. It builds on the success of the Terrorism Risk Insurance Act we passed after 9/11.

In New York, the terrorist attacks of September 11 caused many insurers to eliminate coverage in the area. At a time when the economy was suffering, business leaders who wanted to rebuild were stopped by a lack of insurance coverage. Some of my own constituents had this problem.

The passage of TRIA in 2002 allowed job growth and construction to resume in New York and nationwide.

The Treasury Department reported this year that TRIA has lowered premiums and increased coverage for cities across the country that face the risk of terror.

The bill before us today recognizes the successes of TRIA and changes the program to even make it better. It recognizes that after the London bombings, there can be no real distinction between domestic and international acts of terror.

It provides coverage for group life plans from attacks that could target a single employer or an industry. Perhaps most importantly, this bill creates a commission to examine the long-term provision of terrorism insurance in this country.

Making terror insurance available after the expiration of this bill, particularly at the World Trade Center and any other locations that have been victims of terror and face special challenges in obtaining insurance, will be a vital responsibility of this commission.

The bill does not exist to benefit insurers. It benefits the taxpayers. The House bill will protect taxpayers from losses from terrorist attack, while ensuring that taxpayers can insure their homes and property against terror.

Failure to pass this bill will be an open invitation for economic attacks against this country and against our citizens.

I urge the Members of this House to support this bill, and I urge an immediate conference with the Senate so that we can act before the current program expires.

Mr. KANJORSKI. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. Mr. Speaker, I thank the gentleman for the time.

Mr. Speaker, I want to thank Chairman OXLEY and Ranking Member FRANK for their hard work in getting this important legislation to the floor. This is an example of the kind of bipartisan cooperation that we have in the Financial Services Committee.

Mr. Speaker, just over a year and a half ago, the committee held its first hearing in the 108th Congress on the extension of terrorism risk insurance. At that time, I announced I would be working with the gentleman from Massachusetts (Mr. CAPUANO) on a TRIA reauthorization bill, and at the same time, I said that, in my view, this was the most important issue facing our committee. It was then; it still is now.

After 9/11, the businesses in my district and throughout the New York metropolitan area saw firsthand the result of a lack of availability of terrorism insurance. New development was held up. Existing businesses were left to choose between unmanageable risk and astronomical insurance premiums. Certain high profile industries and buildings faced both at once. The passage of TRIA changed that by stabilizing the insurance market and allowing all businesses an affordable option for terrorism coverage.

Unfortunately, we are now staring at the sunset of that program, and although strides have been made, the private sector is not yet able to independently price and make available terrorism insurance.

Passage of this bipartisan bill is a critical step toward ensuring the continued stability of our national economy, and of particular importance to me is the inclusion of group life. As I have said often in the past, if we are going to provide a Federal backstop for the insurance of buildings, for bricks and mortars and steel and glass, we should also provide for the people who are residing and working within those buildings.

We have 2 weeks left in this session, and a great many differences between the two bills that need to be worked out. I am positive that we will come to an agreement that will enable us to keep this program available uninterrupted.

Mr. Speaker, I would like to conclude by making one final point. An attack on this country is not an attack on a building. It is not an attack on the insurance industry. It is not an attack on a bunch of companies. It is an attack on our country, and the Federal Government has an obligation to help defend against the economic consequences of that attack, which is what TRIA's extension does.

Mr. OXLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. Mr. Speaker, I rise to thank the chairman for bringing this bill forward and to express to him, as he understands, the extreme importance of this, and I rise to support the underlying bill.

Mr. Speaker, as the gentleman knows, in committee there was an amendment that was added regarding the lawful international travel and the life insurance coverage, and I expressed concern about that amendment at that time and the language that was included in that amendment, which I believe not to be consistent with either current law or insurance practice.

Although we have been working to correct that language, we have not yet gotten to an agreement on that, and I would simply ask the chairman for his commitment that we have the opportunity to correct that language in conference prior to reporting this bill back to the House.

Mr. OXLEY. If the gentleman would yield, the gentleman has my assurances. I know we had some discussions in the committee, in the markup. Going forward, we have not been able to close that circle yet, but I see the

gentlewoman from Florida there nodding, and the gentleman has my assurances, as do all the other members of the committee, that we will address that issue. I think there were some drafting issues and the like that we will certainly take care of before the conference is concluded.

Mr. PRICE of Georgia. Mr. Speaker, I thank the chairman, and I look forward to working on this positively and productively and look forward to this bill coming back.

Mr. OXLEY. I thank the gentleman for his support.

Mr. KANJORSKI. Mr. Speaker, I yield myself 3 minutes.

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

Mr. KANJORSKI. Mr. Speaker, I rise in support of the Terrorism Risk Insurance Revision Act.

The terrorist attacks on the World Trade Center and the Pentagon altered how we each assess risk. This adjustment was especially apparent in the insurance industry.

Terrorism insurance is critical to protecting jobs and promoting America's economic security. Unfortunately, the supply of terrorism reinsurance after the September 11 attacks significantly decreased.

Eventually, we approved the Terrorism Risk Insurance Act to address this problem. At recent hearings, we have learned that this law has worked to increase the availability of terrorism risk insurance, lowered the cost of such insurance, contributed significantly to stabilizing the overall insurance marketplace, and advanced delayed economic development projects.

We also wisely designed this program as a temporary backstop to get our Nation through a period of economic uncertainty until the private sector could develop the models to price for terrorism reinsurance. Unlike hurricanes and fires, acts of terrorism in the American experience currently remain inherently unpredictable in frequency and scale. As a result, the private sector has not yet returned to the terrorism reinsurance marketplace.

Many studies support this finding. The Government Accountability Office, for example, has determined that the industry has made little progress to date in providing terrorism insurance without government involvement. A report by the Rand Corporation also found that TRIA is needed, but because of its gaps, it is not robust enough to protect against evolving threats like those posed by nuclear, biological, chemical and radioactive events.

Many have, therefore, called upon us to modify and extend the life of the terrorism risk insurance program in order to prevent short-term market disruptions and better protect the economy. The consensus bill before us today wisely extends the program up to 3 years and adopts other prudent reforms.

I am especially pleased that the bill includes group life insurance as a covered line. The original TRIA omitted such coverage. This bill fixes that oversight. We need, after all, to insure the people inside the buildings, not just the buildings themselves.

In closing, Mr. Speaker, this is not a Democratic issue or a Republican issue. It is an American issue, a business issue and an economic security issue.

With less than 4 weeks remaining before the current program expires, we need to expeditiously pass this important economic stabilization legislation and move forward with a conference. I urge my colleagues to support this bill.

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

Mr. OXLEY. Mr. Speaker, I am pleased to yield whatever time he may consume to the gentleman from Louisiana (Mr. BAKER), the chairman of the subcommittee.

Mr. BAKER. Mr. Speaker, I thank the chairman for yielding.

I rise today in strong support of this measure which represents the work product of the Committee on Financial Services not for a matter of hours but, frankly, a matter of years.

The committee first authorized a terrorism reinsurance program some years ago, initially after the events of 9/11. That program has now exceeded its lifespan and is due to expire at the end of this year.

The consequences of letting the program expire are consequential. The inability to underwrite an indeterminate risk is of great consequence to particularly our real estate and development community, but to all business enterprises which are vulnerable to and concerned with the potential of a terrorism event.

The collective impact of this program will not be felt by taxpayers until and unless there is a terrorist attack. It is something that some appear to not understand. We are not creating a job bureaucracy. We are not spending tens of millions of taxpayer dollars. We are only saying that in the event another unexpected terrible calamity that struck New York some years ago should ever reoccur, that there be in place a governmental mechanism to help us through the crisis.

Some are concerned that this represents a way in which to funnel hundreds of millions of dollars to private interests of taxpayer money without recourse.

The principal reason why the House approach is the only approach that we should adopt is the requirement for the industry, once solvent, once stable, once economic conditions have returned to normality, that there would be repayment of the credit extended by the United States taxpayer. This is not a giveaway. This is a bridge loan in the time of national crisis.

□ 1230

I cannot conceive of how this Congress could go home and walk away from this responsibility to act for a preventive measure. It only gives our economic system the assurance that there will be continuity; that there will be the ability for our economic systems to function should we be called upon to respond to an event of enormous proportions that all of us hope will never occur.

We also are sensitive to the scale of the insurance industry. There are very large companies who can withstand enormous losses and pay them off quite well. There are regional and smaller providers who provide an essential service in our economy that would be disastrously impacted if the provisions contained in the House measure are not adopted.

I cannot speak highly enough about the long-suffering work of our chairman, Chairman OXLEY, and the kind assistance offered by the ranking member, Mr. FRANK, in really making this a bipartisan recommendation to meet what is an identified and obvious need in the most responsible manner possible.

Let me say it again, because it is so important. If, and only if, the provisions of this act are necessary will it be brought into life. At such time any assistance offered to any private entity who is a for-profit entity and taxpayer resources are expended, there will be a requirement to repay the taxpayers of this country when the solvency of that enterprise is clear and established. Emergency purposes for emergency needs in a time of crisis.

I commend both Members for their leadership and hard work on this measure.

Mr. KANJORSKI. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. CAPUANO).

Mr. CAPUANO. Mr. Speaker, I rise to congratulate the chairman of the committee and the subcommittee and the ranking members of the committee and subcommittee. This is a classic example of perfect legislation because no one involved with it is happy, but we are all satisfied. We are satisfied on a bill that will not get any one of us a single vote or win us a single friend at home.

This bill is being done for the simple reason it must be done for the security and stability of the American economy. And the fact that we are getting it done, I think, is an amazing statement of progress. All congratulations are due to the people who sat around the table, worked out some deep philosophical differences of opinion, and did it in a way that lived up to the chairman's commitment, his public commitment a few months ago that some people questioned, though I never did, that this bill would be done before we went home.

Again, I just stand to congratulate him and to thank him and the other people involved with this bill for getting it done in a manner that should make us all proud.

Mr. OXLEY. Mr. Speaker, I am pleased now to yield 2 minutes to the

gentleman from New York (Mr. REYNOLDS).

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

Mr. REYNOLDS. Mr. Speaker, I thank the gentleman from Ohio for yielding me this time and allowing me to speak on this legislation. I think that first we should salute the hard work of Chairman OXLEY and Ranking Member FRANK, as well as the hard work of Subcommittee Chairman RICHARD BAKER, who just so eloquently explained why this legislation is so important not only to New York in the aftermath of 9/11 but to every city in the country that finds themselves in the plight of terrorism and the reinsurance markets.

This is an opportunity for us to continue where the free market will not be able to indemnify building owners as we look at this across the country. I think that the authors of this legislation, as the House passes this later today, give us a real opportunity to move forward with a 2-year opportunity to help the marketplace, the building owners who are affected by the need for coverage of this exposure, while also recognizing that the free marketplace is not able to absorb this without the governmental mechanism that has been outlined as the intent of the bill.

So I wholeheartedly support it. It is something that will affect the buildings and the marketplace throughout the country, and certainly my State is one where it is vitally needed in order to have coverage for the markets.

Mr. KANJORSKI. Mr. Speaker, I yield 2 minutes to the charming gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I am privileged to serve on the Financial Services Committee under the leadership of Chairman OXLEY and Ranking Member FRANK, because this bill is yet another example of what we can accomplish when both sides of the aisle work together. And this is not the first time that that has occurred, and I am sure it will not be the last when it comes to the results that come out of this committee.

As outgoing Federal Reserve Chairman Alan Greenspan once said, ''Free markets presume peaceful societies.'' The infinite risks associated with terrorism have demonstrated their potential to destabilize our markets, so I rise to express my full support for the version of TRIA before the House today.

I want to thank Chairman OXLEY, Ranking Member FRANK, Representative BAKER, and Representative KANJORSKI for their stalwart leadership on this issue. I also want to thank all members and staff from the Financial Services Committee who have worked so hard to bring this to the floor.

The House version of the bill includes critical reforms that will help protect the American economy in the event of another terrorist attack. It includes important group life provisions, streamlines insurance filings, and gives consumers more options and protections. I am proud that this legislation has gleaned broad-based bipartisan support, and I encourage all my colleagues to support the House version of the bill today and in conference.

Mr. Speaker, I look forward to working with the chairman and the ranking member and any other interested parties on the language related to the life insurance fairness-for-travelers issue.

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

Mr. KANJORSKI. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Speaker, part of our war against terror is putting our economic house in order, and this bill is essential to achieving that goal. Businesses and real estate and development tell me in New York City now that it is absolutely impossible to get insurance until this bill passes.

After 9/11, of all the aid that my colleagues gave which helped New York, in my opinion the absolute most important act was passing TRIA, the Terrorism Risk Insurance Act. We were not able to build anything or to move forward in any way until the insurance package was in place. So this bill today is tremendously important.

There are many important features in it. I would like to particularly point out that the House bill adds group life insurance, since it is not only property that is at risk in a terrorist attack but also human lives.

Secondly, the bill creates a commission of private sector experts to come forward with long-term private sector solutions. It gives the private sector the responsibility to develop a private sector solution for Congress to consider.

It also has a third year as a transition for a long-term solution that the commission will hopefully come forward with. Without the benefits and the flexibility provided in the House bill, I am afraid that in 2 years we will be at the same place we are now, having no new outside government thinking and no ability to implement new ideas or accommodate marketplace developments.

I urge my colleagues to support this; and I congratulate the leadership of Congress, the leadership of the committee, Mr. OXLEY, who did a fantastic job on this. I regret that he will not be running for reelection again. He has been a tremendous leader along with Ranking Member FRANK.

I hope that the features that are in the House bill will be preserved in the committee report.

Mr. OXLEY. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. KELLY).

Mrs. KELLY. Mr. Chairman, I know that the amendment that we put into the bill that was authored by the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) that prevents restrictions from being put on lawful foreign travel and prohibits excessive rates on foreign travel was not the subject of a hearing in our committee. I would like to explore the possibility of working with the chairman on possibly having a hearing about that to see the extent of what actually is occurring with regard to restrictions on travel to different countries.

I would be interested in the chairman's response to that. While I fully support travel to Israel, I do not know how many other countries this might be affecting.

Mr. OXLEY. Mr. Speaker, I thank the gentlewoman for her inquiry, and clearly the committee on the point that she mentioned did not have hearings on the amendment offered, but I think it may be ripe for further exploration by the committee because the gentlewoman raises some interesting issues regarding foreign travel, particularly as it relates to life insurance policies.

I thank the gentlewoman for her interest and expertise.

Mr. KANJORSKI. Mr. Speaker, this has been a difficult time, because so many of us over the last year have desired to move this legislation along. But I would be remiss if I did not take this occasion to perhaps illuminate an example for this entire Congress as represented by the financial services industry.

I would have to say, without doing an in-depth study, that the Financial Services Committee of the House of Representatives has proven that even in the 109th Congress we can have bipartisan activity of an extraordinary amount, and that to a large extent is due to the incredibly good leadership of our gentleman friend, the chairman from Ohio, and the ranking member, the gentleman from Massachusetts (Mr. FRANK). I also would be remiss if I did not suggest a strong and hard effort by our friend, the subcommittee chairman, Mr. BAKER of Louisiana.

Perhaps the full House could take note that in pressing times of need for legislation that can be contentious and has philosophical differences of great order, both sides of the aisle on this piece of legislation, and so many more in this session of Congress, have come together to perform the people's work; and I think the congratulations to a large extent for that effort go to the gentleman from Ohio, the chairman, Mr. OXLEY.

With those remarks, Mr. Speaker, and urging all my colleagues in the House to vote ''yes'' on this legislation, I yield back the balance of my time.

Mr. OXLEY. Mr. Speaker, just in conclusion, I thank the gentleman from Pennsylvania for his kind words, and all the members on the committee who worked so hard on this, particularly Mr. KANJORSKI and Mr. FRANK on that side, and many, many others.

Mr. Speaker, when we had the hearing on this legislation with the Treasury Secretary after the Treasury report came out, I made the comment it would be irresponsible on the part of this Congress if we did not address the issue of terrorism risk insurance. It was far too important to ignore; it had too many implications for our economy going forward.

And Mr. FRANK was right when he said this is not about the insurers. It is about the insured, the people out there creating jobs and making our economy work. And it is also a recognition that an act of terrorism is almost impossible to try to get actuarial information on to be able to set rates. It is virtually impossible. Anybody that knows anything about insurance knows that it is virtually impossible to work that in to any kind of an insurance scheme in which they would charge premiums. So that is why we needed this bottom-up, and that is why we need to continue this bottom-up.

And the idea is to transition during that period to a market-based solution, creating the incentive for insurance companies to create a pool, not unlike what the Brits have, the pool-rate concept, so you have this pool that could guard against losses. It is something that hopefully over the next year, as we finish this Congress, we can set the stage for that transition that will enable our economy to continue to grow and provide a robust insurance protection for those activities at the same time.

□ 1245

This is, in my estimate, as the gentleman from Pennsylvania pointed out, the legislative process at its best and I am very proud of the committee and the job that we have done. I ask for support of the legislation.

Mr. PAUL. Mr. Speaker, 4 years ago, when the Congress considered the bill creating the terrorism insurance program, I urged my colleagues to reject it. One of the reasons I opposed the bill was my concern that, contrary to the claims of the bill's supporters, terrorism insurance would not be allowed to sunset after 3 years. As I said then:

> The drafters of H.R. 3210 claim that this creates a ''temporary'' government program. However, Mr. Speaker, what happens in 3 years if industry lobbyists come to Capitol Hill to explain that there is still a need for this program because of the continuing threat of terrorist attacks. Does anyone seriously believe that Congress will refuse to reauthorize this ''temporary'' insurance program or provide some other form of taxpayer help to the insurance industry? I would like to remind my colleagues that the Federal budget is full of expenditures for long-lasting programs that were originally intended to be ''temporary.''

I am disappointed to be proven correct. I am also skeptical that, having renewed the program once, Congress will ever allow it to expire, regardless of the recommendations made by the commission created by this bill.

As Congress considers extending this program, I renew my opposition to it for substantially the same reasons I stated 4 years ago. However, I do have a suggestion on how to improve the program. Since one claimed problem with allowing the private market to provide terrorism insurance is the difficulty of quantifying the risk of an attack, the taxpayers' liability under the terrorism reinsurance program should be reduced for an attack occurring when the country is under orange or red alert. After all, because the point of the alert system is to let Americans know when there is an increased likelihood of an attack it is reasonable to expect insurance companies to demand that their clients take extra precautionary measures during periods of high alert. Reducing taxpayer subsidies will provide an incentive to ensure private parties take every possible precaution to minimize the potential damage from possible terrorists attack.

While this bill does contain some provisions making it more favorable to taxpayers than the original program, my fundamental objections to the program remain the same as 4 years ago. Therefore, I am attaching my statement regarding H.R. 3210, which created the terrorist insurance program in the 107th Congress:

Mr. Speaker, no one doubts that the government has a role to play in compensating American citizens who are victimized by terrorist attacks. However, Congress should not lose sight of fundamental economic and constitutional principles when considering how best to provide the victims of terrorist attacks just compensation. I am afraid that H.R. 3210, the Terrorism Risk Protection Act, violates several of those principles and therefore passage of this bill is not in the best interests of the American people.

Under H.R. 3210, taxpayers are responsible for paying 90 percent of the costs of a terrorist incident when the total cost of that incident exceeds a certain threshold. While insurance companies technically are responsible under the bill for paying back monies received from the Treasury, the administrator of this program may defer repayment of the majority of the subsidy in order to ''avoid the likely insolvency of the commercial insurer,'' or avoid ''unreasonable economic disruption and market instability.'' This language may cause administrators to defer indefinitely the repayment of the loans, thus causing taxpayers to permanently bear the loss. This scenario is especially likely when one considers that ''avoid . . . likely insolvency, unreasonable economic disruption, and market instability'' are highly subjective standards, and that any administrator who attempts to enforce a strict repayment schedule likely will come under heavy political pressure to be more ''flexible'' in collecting debts owed to the taxpayers.

The drafters of H.R. 3210 claim that this creates a ''temporary'' government program. However, Mr. Speaker, what happens in 3 years if industry lobbyists come to Capitol Hill to explain that there is still a need for this program because of the continuing threat of terrorist attacks. Does anyone seriously believe that Congress will refuse to reauthorize this ''temporary'' insurance program or provide some other form of taxpayer help to the insurance industry? I would like to remind my colleagues that the Federal budget is full of expenditures for long-lasting programs that were originally intended to be ''temporary.''

H.R. 3210 compounds the danger to taxpayers because of what economists call the ''moral hazard'' problem. A moral hazard is created when individuals have the costs incurred from a risky action subsidized by a third party. In such a case individuals may engage in unnecessary risks or fail to take steps to minimize their risks. After all, if a third party will bear the costs of negative consequences of risky behavior, why should individuals invest their resources in avoiding or minimizing risk?

While no one can plan for terrorist attacks, individuals and businesses can take steps to enhance security. For example, I think we would all agree that industrial plants in the United States enjoy reasonably good security. They are protected not by the local police, but by owners putting up barbed wire fences, hiring guards with guns, and requiring identification cards to enter. One reason private firms put these security measures in place is because insurance companies provide them with incentives, in the form of lower premiums, to adopt security measures. H.R. 3210 contains no incentives for this private activity. The bill does not even recognize the important role insurance plays in providing incentives to minimize risks. By removing an incentive for private parties to avoid or at least mitigate the damage from a future terrorist attack, the government inadvertently increases the damage that will be inflicted by future attacks.

Instead of forcing taxpayers to subsidize the costs of terrorism insurance, Congress should consider creating a tax credit or deduction for premiums paid for terrorism insurance, as well as a deduction for claims and other costs borne by the insurance industry connected with offering terrorism insurance. A tax credit approach reduces government's control over the insurance market. Furthermore, since a tax credit approach encourages people to devote more of their own resources to terrorism insurance, the moral hazard problems associated with federally funded insurance is avoided.

The version of H.R. 3210 passed by the Financial Services committee took a good first step in this direction by repealing the tax penalty which prevents insurance companies from properly reserving funds for human-created catastrophes. I am disappointed that this sensible provision was removed from the final bill. Instead, H.R. 3210 instructs the Treasury Department to study the benefits of allowing insurers to establish tax-free reserves to cover losses from terrorist events. The perceived need to study the wisdom of cutting taxes while expanding the federal government without hesitation demonstrates much that is wrong with Washington.

In conclusion, Mr. Speaker, H.R. 3210 may reduce the risk to insurance companies from future losses, but it increases the costs incurred by American taxpayer. More significantly, by ignoring the moral hazard problem this bill may have the unintended consequence of increasing the losses suffered in any future terrorist attacks. Therefore, passage of this bill is not in the long-term interests of the American people.

Mr. SHAYS. Mr. Speaker, I am grateful for the hard work that took place to bring the Terrorism Risk Insurance Revision Act to the floor and urge my colleagues to support its passage today.

Extending TRIA is important for so many facets of our economy; and revising the Act by requiring insurers to take on greater responsibility in the event of a catastrophic attack is a prudent measure for the taxpayers.

As a strong believer in free markets, I am fully aware and sympathetic to concerns that TRIA exposes the government and taxpayers to a risk that should be fully assumed by the marketplace. TRIA was never intended to be a permanent program, and we are wise to include in this legislation provisions directing the Treasury Department to work on the creation of risk sharing mechanisms and requiring a full payback to the Treasury in the event that TRIA is triggered.

I also strongly support the creation of a commission to study how best to reduce the Federal Government's role and increase the private sector's capacity to underwrite terrorism risk. It is crucial we maintain this provision in the final version of this legislation.

While this legislation takes several important steps to place greater responsibilities on insurance companies, in my judgment it is appropriate and wise for us to expand the program to include group life insurance. Quite simply, those who provide group life insurance face the same challenges as property and casualty and other insurers that were covered under the original TRIA Act. Failure to include group life has placed these insurers in a precarious position of choosing to remain in the marketplace without reinsurance or exiting from the market.

Although TRIA has not yet been triggered, it is important we both extend and improve it for the future. Again, I appreciate the Chairman's hard work and urge my colleagues to support passage.

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Ohio (Mr. OXLEY) that the House suspend the rules and pass the Senate bill, S. 467, as amended.

The question was taken.

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

Mr. KANJORSKI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

STEALTH TAX RELIEF ACT OF 2005

Mr. REYNOLDS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4096) to amend the Internal Revenue Code of 1986 to extend to 2006 the alternative minimum tax relief available in 2005 and to index such relief for inflation.

The Clerk read as follows:

H.R. 4096

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Stealth Tax Relief Act of 2005''.

SEC. 2. EXTENSION OF ALTERNATIVE MINIMUM TAX RELIEF TO 2006.

(a) IN GENERAL.—Subparagraphs (A) and (B) of section 55(d)(1) of the Internal Revenue Code of 1986 are each amended by striking ''and 2005'' and inserting '', 2005, and 2006''.

(b) INFLATION ADJUSTMENT.—Subsection (d) of section 55 of such Code is amended by inserting after paragraph (3) the following new paragraph:

''(4) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of any taxable year beginning in calendar year 2006, the $58,000 amount contained in paragraph (1)(A) and the $40,250 amount contained in paragraph (1)(B) shall each be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting '2004' for '1992' in subparagraph (B) thereof.

''(B) ROUNDING.—Any increase determined under subparagraph (A) which is not a multiple of $50 shall be rounded to the next lowest multiple of $50.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2005.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. REYNOLDS) and the gentleman from New York (Mr. RANGEL) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, it has been called the ''stealth tax,'' a ''ticking time bomb for the middle class,'' and even the ''Darth Vader of the Tax Code.'' It is the individual alternative minimum tax, the AMT, and it has middle class America squarely in its sights.

Today, as we consider the Stealth Tax Relief Act of 2005 on the floor of the House, this body has a chance to stand with America's middle class by preventing an enormous, unnecessary tax increase from sneaking up on millions of unsuspecting taxpayers next year.

As many of my colleagues know, the AMT was originally enacted in 1969 to prevent a small percentage of taxpayers with very high incomes from paying little or no Federal income tax. However, because this stealth tax was never adjusted for inflation, it is now sneaking up on more and more middle class taxpayers each year as they climb the income ladder. Let me repeat: The AMT was never intended to hit the middle class, but now it is threatening millions of our middle class constituents.

That threat is what prompted the President's Tax Reform Commission to recommit repealing the AMT entirely when it issued its report last month. And, certainly, any serious discussion of long-term tax reform and simplification must include a long, hard look at the AMT.

Mr. Speaker, but middle-class taxpayers cannot afford to wait for the enactment of a permanent AMT relief. As many in this Chamber will recall, the temporary AMT relief that Congress has repeatedly enacted over the last several years is, once again, set to expire at the end of this month, only weeks away. Unless Congress extends this AMT relief, the stealth tax will claim many more middle-class victims.

For perspective, here are some numbers so our viewers at home can follow along with the charts. According to the Joint Committee on Taxation, if Congress fails to act, the number of middle class AMT victims will rise from 3.6 million in 2005 to over 19 million in 2006. In other words, if we fail to act, some 15.4 million more taxpayers will get hit with this stealth tax next year. And according to the U.S. Treasury Department, these taxpayers will pay $2,736 more in taxes just because of individual AMT.

The numbers from my home State of New York tell a similar story. According to the Manhattan Institute For Policy Research if we do nothing, the number of AMT taxpayers in New York will balloon from 379,000 in 2005 to 1.6 million in 2006. That is unacceptable for the middle-class taxpayers I represent in western New York. It is unacceptable for taxpayers nationwide.

Mr. Speaker, the bill before us today will simply extend for 1 additional year the individual AMT relief that we most recently enacted just a year ago. Specifically, this legislation will ensure that the higher AMT exemptions amounts to $58,000 for joint filers and surviving spouses, and $40,250 for singles, that are applicable to tax year 2005, are extended to 2006 as well. This legislation also includes a modest inflation adjustment, which will ensure that the value of this much-needed tax relief is not eaten away by inflation.

If Congress fails to act on this legislation, these exemption amounts are scheduled to revert back to the 2000 levels next year, 45,000 for joint filers and 33,750 for singles, resulting in a massive tax increase on the middle class.

I would note that the other body recently voted to provide a very similar AMT relief as part of its Tax Relief Act of 2005. I would hope that with a strong bipartisan vote here today, we will be able to work out with our colleagues on the other side of the Capitol to keep the stealth tax from being a middle-class nightmare.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair and not to guests in the gallery or to individuals who may be watching through the television.

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

I agree with my friend and the gentleman from New York that the alternative minimum tax was not created to put this undue burden on middle class income people. But I would like to suggest to him as a member of the awesome and powerful Committee on Ways and Means, and former member of the Committee on Rules, that suspension of the rules were not meant for bills like this.

I think it takes a little bit of arrogance to put hundreds of billions of dollars of tax cuts on the suspension calendar, which does not give us an opportunity to see whether we can bring the relief that these taxpayers deserve in a more equitable way. It just seems to me that we had an opportunity to take care of this tax that for many, many years has been threatening the full fiscal load on taxpayers that it was not intended for, but somehow the leadership did not put this in the tax reconciliation bill. It did not include it with their bill to reduce corporate gains tax or the capital gains tax or the corporate dividends tax.

Why would Republicans do something like this? Well, maybe it is because they do not really think the Senate is going to take it up. Maybe this is just a fig leaf for not having the courage to say that this thing is going to cost a trillion dollars if it is going to be permanently removed, and as of now, it is going to cost $33 billion.

I think the American people ought to know that this is either going to cut deeper into the social programs that the very poor have had taken away from them, or it is going to increase the deficit by an additional $33 billion. In any event, I am more than confident that my able colleague from the State of New York and a part of the leadership of the majority party will make it abundantly clear to us that when we all vote for this, that not only have we got some guarantee that it is going to pass the Senate, but we will not cut any further into the $35 billion that is in the real tax bill that came to the floor.

So, Mr. Speaker, it is my impression that we are just going through this for political reasons. The Senate is not going to take it up. The deficit will be increased by $30 billion, but I would encourage my colleagues on both sides of the aisle to support this bill because it certainly has more merit. We never intended for these people to get caught in this, but somehow capital gains and corporate dividends have a higher priority and so this suspension bill will turn slowly in the wind, but I do not know how much support we expect to get from the President or from the majority leadership on this. But we shall see what we shall see.

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

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

I stand looking across the way at the ranking member, and not only is he the senior member on the Committee on Ways and Means, but also the senior Member of Congress from my State. I listen carefully when he speaks.

He does not want to see the AMT tax come onto the middle class. He does not really like the process. He is not really sure whether tax cuts are a good idea or not, but hopes that Members will support the legislation.

When we look at some of my brief experience here on both the Rules Committee and now on Ways and Means, I just want to remind the gentleman that as I introduced this legislation with cosponsors, I am pleased to know that we are actually taking up this legislation ahead of the other tax legislation that has been before the Ways and Means Committee on this floor which I hope will be tomorrow or the next day, and I also look back to see that this extension, which has been done in previous years, is not a new issue for Members in the House.

Everyone is familiar with the problem. It is essentially the same bill that passed overwhelmingly on May 5, 2004, with a vote of 333–89, unanimous on our side of the aisle, and 109 voted for it on the Democratic side of the aisle, and 89 against. I hoped there was not huge controversy with having the AMT legislation before us, and made sure there was ample time for debate on the floor by both sides of the aisle before we consider passage of the AMT.

The one thing I have learned in my time here, I cannot predict what the other body will do, but I hope they will do the right thing, and that would be to pass this legislation so the stealth tax does not become a middle-class tax, adding more people to the burden of having to pay this.

Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. ENGLISH) who is a distinguished member of the Committee on Ways and Means.

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I am pleased to join my colleague from New York in strong support of the Stealth Tax Relief Act, a bill which ensures that the tax cuts that have allowed middle-class families to keep more of their income over the past 4 years will not be undermined by the so-called alternative minimum tax.

I am co-chairman of the Zero AMT Caucus. Our objective is to eventually repeal this tax. But for the moment, we are strongly supporting this bill.

The evidence is overwhelming that the Republican tax cuts have helped families cope with economic uncertainties and played a significant role in stimulating the economic growth that has been in place since the 2003 tax cuts, growth that continues today as we saw in this past quarter when GDP grew at a healthy 4.3 percent rate.

Yet over this prospect, the AMT, which the other side when they could, never adjusted for inflation, hangs like a sword of Damocles, threatening to wipe out tax relief and incentives for growth currently in the Tax Code. If we do not move with this legislation, the AMT will suddenly fall on 11 million taxpayers, hitting them with an average tax increase of $1,520. If we do not act, married couples will see their AMT exemption snap back from $58,000 to $45,000, while single individuals will see their AMT exemption drop from $40,250 to $33,750. I use these figures to make clear to everyone, these are not wealthy people. These are middle-class Americans who would be slapped with a very steep tax increase that they would not know about until tax day when they learned that the tax exemptions that they thought they could take, the same tax exemptions we intended them to take, would no longer apply.

□ 1300

This legislation comes at a critical time. As we begin to examine options for fundamental tax reform that will promote economic growth long term in our country, we need to extend AMT relief for this coming year and ensure that the middle class is not facing a tax increase. This will buy us time to truly reform the AMT and I hope eventually to repeal this perverse and complicated tax provision. I hope the other side will set aside their sterile arguments about distributional effects and eschew populace poses. We have already seen some rhetoric on the floor about fig leaves and tax cuts. This is not a tax cut. This legislation provides an avoidance of a tax increase, a tax increase that the other side could have fixed when they were in the majority and never did. We need to step up to the plate and make sure that this mistake does not happen, that this tax increase does not fall on the American people at this very critical time.

Mr. RANGEL. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. LEVIN), a very distinguished member of the Ways and Means Committee.

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

Mr. LEVIN. This is a stealth approach, this so-called Stealth Tax Relief Act, to a real problem. The two gentlemen who have spoken had a choice in the committee. You had a choice. You had a choice between helping out with a tax cut a few years from now with more than 50 percent going to 1 percent of the population, or voting to help those 15½ million Americans who would otherwise have a tax increase. You voted for the 1 percent.

You had a choice in committee between helping out some years from now people making a million dollars a year, or helping next year millions of families making 75,000 to $100,000. You chose the millionaires. So now you are coming here and saying, well, we must do something. You had a chance to do that in committee. You did the wrong thing then, and now you are trying to cover your tracks. You do not pay for it. There is little chance the Senate will act, and so essentially this is an effort to cover your tracks.

But let me just suggest, you can try to hide from what you did in committee and what is in the reconciliation tax bill, but you cannot run on it next year. So now you are trying to put up something that gives you cover for next year's election.

Look, when you say we could have done something in the majority, I think we have been in the minority now for 11 years. Where have you been?

No, instead, you have adopted tax policies that, by and large, surely in the provision in the tax bill, the reconciliation bill, help the very wealthy instead of helping the families, millions who will be caught up by the increased coverage of the alternative minimum tax. And I do not have to go through with this. You have described these families. But essentially it is crocodile tears for them instead of real action. You made your choice.

Tomorrow, you are going to have a chance to make the choice again when we put up a substitute, or if you do not allow that, a motion to recommit. So essentially what you are going to do is to vote ''yes'' today; and when we bring up the substitute or the motion to recommit, you are going to vote ''no.'' So ''yes'' today and ''no'' tomorrow. That is not even a fig leaf. That is total inconsistency.

We proposed in the committee, we proposed dealing with the minimum tax now. You passed a bill that said no, you want to give the majority of tax relief that was not paid for, the 20 billion, to people making over a million dollars a year. That is undeniable.

My suggestion is that you, instead of passing the reconciliation bill that helps the millionaires and ignores the millions of families making 75,000 bucks or more a year who will be affected by the minimum tax, that you go back and do it the right way and not hope that somehow this stealth bill will cover your tracks.

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

Mr. Speaker, this bill that we have before us today will simply extend for one additional year the individual AMT relief that we most recently enacted just a year ago. Specifically, this legislation will ensure that higher AMT exemptions, now, hear these figures: they are not millionaires. They are not even people making over $100,000 a year. These are exemption amounts, $58,000 for joint filers and surviving spouses and $40,250 for singles that are applicable to the tax year 2005 and extended now to 2006 if we have the good fortune of passing it here today.

When I look at the aspect of this legislation, it is simply a stealth tax, raiding and invading middle-class America. This will have an opportunity to thwart that so that some 16.5 million Americans do not find themselves having to pay the stealth tax.

Mr. Speaker, I yield 2½ minutes to the gentleman from Florida (Mr. FOLEY), who is also a distinguished member of the Committee on Ways and Means.

Mr. FOLEY. Mr. Speaker, let me thank the gentleman from New York (Mr. REYNOLDS) for bringing this timely and important issue to the floor. I also want to give credit to the gentleman from Massachusetts (Mr. NEAL), who has been a long champion of trying to correct this inequity. We have been working in a bipartisan fashion to find a solution to this problem. We have heard repeatedly about tax cuts for the rich. During one of our hearings, I happened to ask the panel, what is considered middle class in your community? To his credit, the gentleman from Ohio (Mr. KUCINICH) said, well, it depends on where you live. And that was a very true answer, because if you live in a high-cost community like Manhattan, or Chicago or Los Angeles, or West Palm Beach, your middle class may be a lot different than somebody from rural America.

What the gentleman from New York (Mr. REYNOLDS) attempts to do, though, is deal with the people that really, truly are working on the margins. The AMT will actually hit married couples. It will reduce from $58,000 for married couples to $45,000. They would be impacted by the AMT.

The gentleman from New York (Mr. RANGEL) clearly stated, and I credit him for this comment, We never expected these people to get caught up in this thing, the AMT. For single individuals, we drop from $40,000 to $33,750: $33,750 is the starting salary for a first-year teacher in the Palm Beach County school system. Actually, they are probably at about $37,000. So a person recently graduating from college coming to work to teach our children will more than likely fall victim to the AMT if we do not extend it for another year as we continue to work this solution and situation.

There are two parallel tax systems under current law: the regular income tax and the AMT. The intention, I believe, when it was offered by the other side, was to capture the wealthy who take advantage of tax opportunities, whether they are deductions or what have you. This clarifies and allows hard-working Americans to escape this stealth tax. And I compliment the gentleman from Massachusetts (Mr. NEAL) and others who on our committee have tried to find a solution to this vexing problem.

It is about the average hard-working Americans who are getting caught in this trap, and simply extending it a year gives us a chance to thoughtfully and carefully consider options to alleviate this stealth tax. I want to again thank the gentleman from New York (Mr. REYNOLDS) who has worked tirelessly to bring this to the floor.

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

I want to congratulate the gentleman from Massachusetts (Mr. NEAL) and the gentleman from Florida (Mr. FOLEY) for the fine work they have done for these people who got caught in this political fiscal trap. What the gentleman from New York, however, my colleague, does not know is that he is not answering the questions that we are asking. It is not that we do not support this bill. It is why did it not get the same protection as the capital gains bill or the same protection as the corporate dividends bill? Why do you have this bill turning slowly on the wind on the suspension calendar when you could have sent it to the Senate with protection?

Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. NEAL), the person that was described by the gentleman from Florida (Mr. FOLEY) as his partner in a bipartisan way, a very distinguished member of the committee.

Mr. NEAL of Massachusetts. Mr. Speaker, let me thank the gentleman from New York (Mr. RANGEL) for allocating the time.

The gentleman from New York (Mr. REYNOLDS) made some comments at the outset talking about in his time on the Ways and Means Committee he has seen the committee try to address the issue of alternative minimum tax. But what is really interesting is he has only been there a short period of time. For some of us who have been there for a long time, this is the annual request we make of the majority.

Now, I want to thank the gentleman from Florida (Mr. FOLEY) for his good and sincere words. But there is a reality here, as we look at alternative minimum tax, and the reality is this: during the last 5 years, we have had time to repeal the estate tax. We have had time to not only address the dividend issue and capital gains, but in the next few days, we are going to take up the issue of extending them for another 5 years.

Now, Congress has had time during these 5 years to do all of this. We have cut taxes for the wealthiest among us, millionaires who have received annual breaks totaling well over hundreds of thousands of dollars. But then when it comes time to address alternative minimum tax, we do it in what is known as the Stealth Tax Relief Act. And you know what, Mr. Speaker? That is the right term, the Stealth Tax Relief Act, because stealth is what this issue is all about. There is no reality addressed to what Congress is going to do in the next hour or so when it passes this bill. Is there anybody here in the Congress who is not in favor of this? I am not aware of anybody. We are all going to vote for this, and then reality is going to settle in.

And the reality is that this really does not mean very much. And, in fact, the gentleman from Florida (Mr. FOLEY) and the gentleman from New York (Mr. REYNOLDS) and the gentleman from New York (Mr. RANGEL) and I are going to be back here next year, and we are going to be having this conversation. And the majority is going to say something like, well, the minority had years to do something about this. Who has been in charge of

this institution for more than a decade? The problem is this does not square, the alternative minimum tax because it gives tax relief to middle-income Americans, it does not square with the overarching agenda here, and that is to take care of the strongest among us. That is to take care of people who really are minimally touched by alternative minimum tax.

They address this issue, as they do year after year, with a Band-Aid, with a Band-Aid. This issue, alternative minimum tax, requires major surgery. In fact, if they do not do something about it shortly, it is going to require a surgical air strike. That is how serious it has become. And my friends on the other side will say to me when we leave this Chamber, great job. You did a great job of calling attention to this issue. And then I am going to say to them, well, when are we going to do something about it? And they will say to me, next year.

Mr. REYNOLDS. Mr. Speaker, I certainly respect the gentleman from Massachusetts (Mr. NEAL) and his contribution to both the Ways and Means Committee and this important legislation for a final fix, which I advocated that we do a final fix. Unfortunately, as I stand here today, with only weeks away, I have legislation to extend into next year the opportunity of having the AMT not move into taking almost 20 million Americans of middle-class tax. And I also will be interested in listening to the views of my colleague, Mr. NEAL, on the floor of the Ways and Means Committee, and other aspects on his thoughts of the Mack-Breaux solution, if that is in fact a solution that he supports or would recommend to our body to look at in the future.

□ 1315

Mr. NEAL of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. REYNOLDS. I yield to the gentleman from Massachusetts.

Mr. NEAL of Massachusetts. Mr. Speaker, if the gentleman will recall, in committee I offered a substitute fully paid for and the majority rejected it on a party-line vote.

Mr. REYNOLDS. I believe that solution that you had also contained tax increases that Members felt that they did not want to incur at this time.

Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. BEAUPREZ), another distinguished member of the Ways and Means Committee.

Mr. BEAUPREZ. Mr. Speaker, I thank the gentleman from New York (Mr. REYNOLDS) for yielding me this time and especially for bringing this legislation to the floor.

I am sure that people who are watching this debate from home are absolutely perplexed as to why an idea that has received pledges of support from both sides of the aisle has deteriorated into such a partisan conflict, and I expect folks back home are, again, perplexed by that. I think we have had at least two Members from the other side that were here when this alternative minimum tax was given birth, and it touched very few people and I think with a very clear intent, to strike at people that were somehow considered wealthy and somehow considered to be taking advantage, perhaps by some definition egregious advantage, of the allowances of the Tax Code.

Let me tell you what I have found in my State not necessarily from the rich and the famous but from the very middle class and average, from farmers and ranchers, people in their garages and their machine shops, people that are running small businesses all over the State, laborers all over my State, along with the death tax, the one that comes up most frequently is the alternative minimum tax. What has not been said here today, and I again acknowledge the gentleman from New York who eloquently and accurately described how egregious this tax is and how it is invading every single worker, it seems like, in America, that if they already have not been hit, they fear that they soon will be, the cost of compliance with this tax.

By some estimates, it costs 15 percent additional surtax over and above the tax people send in just to figure out what they owe us. With the alternative minimum tax, we tell people they have got to figure everything twice just to figure out how much, always the highest amount, they owe the Federal Government. There is another estimate out there that says it is almost a $1 trillion cost of compliance with Federal regulation.

I urge the adoption of this legislation, and I thank the gentleman for bringing it to the floor.

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

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in yielding me this time.

I am listening to my friend from Colorado saying that people back home may be confused when they listen to this debate. Well, I would suggest that they do not have to be confused at all. Listening to this debate and looking at the proposal that has been offered by the friends we have on the other side of the aisle reveals their true intentions and their true interest when it comes to tax justice in this country.

The alternative minimum tax is the major tax reform issue of this decade, not 20 years ago, not 30 years ago, but this decade, when because of the interaction of the proposals that you have brought forward and the relentless pace of inflation, it has drug millions of Americans into a tax that was never, never, never intended to apply to them. But what we have seen, the Republican majority chooses instead to focus their time, their energy, and tax resources on other issues. The inheritance tax, which affects a few thousand families a year, you have lavished attention and mortgaged our future in terms of the dollars that it would mean.

And what do you have to say about the alternative minimum tax? Well, every year you kick the can down the road, do it on the cheap, on the sly; not allowing, as my colleague, the distinguished ranking member of the Ways and Means Committee, had offered, for it to be brought forward, have a full debate, allow a clash of priorities and intentions.

I am convinced that the majority of people in Congress believe the rhetoric that you are saying about the pernicious nature of this tax that taxes people because they have families, because they take advantage of some of the tax preferences, because they pay their property and income tax. If we had a free and honest debate and a chance to offer meaningful alternatives, we would scale it down, if not repeal it.

But, unfortunately, our friends do not believe in their own rhetoric. They have other priorities. If they believed it, this would be the centerpiece; but instead they are extending taxes that do not even expire for years and benefit only a few.

I am sad to say that what we are doing here is going through the motions. We are going through the motions even if somehow the Senate buys into this for a 1-year extension. We are keeping people in limbo. We are skewing our fiscal and tax policies. And we are subjecting hard-working middle-class families who were never intended to be subjected to the minimum tax. They are going to suffer. I think it is shameful.

I will vote for the extension because that is the best the Republican leadership is willing to do. But it is a sad day for this House, and it is a sad day for American families.

Mr. REYNOLDS. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. HERGER), senior member of the Ways and Means Committee.

Mr. HERGER. Mr. Speaker, without today's legislation, the number of Americans ensnared by the alternative minimum tax is estimated to grow from 3 million now to an astounding 21 million in 2006. The problem is so great that the Treasury Department has estimated that by 2013 an AMT repeal would be more expensive than a repeal of the entire income tax.

In my own Northern California congressional district, in one particular area, nearly 3,000 constituents face a significantly higher tax burden because of this onerous tax.

In February of 1986, a levee broke on the Yuba River, causing a flood that submerged the community, resulting in millions of dollars in damage. Now, after nearly 20 years, the courts have found the State liable for damages to these victims in the amount of $428 million. Unfortunately, because individual claims have to add back attorney fees as AMT taxable income, the flood victims may end up paying some

form of tax on 100 percent of their award even though this is money they never saw. This is double taxation, and it is unfair.

I urge my colleagues to vote for the Reynolds extension before us.

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

I just want to point out, since we all are singing the same song as to how these taxpayers were pushed by inflation into this difficult situation, the question that we are raising on the floor, to make it abundantly clear, is what are the Republicans' priorities for relief? We had an opportunity to have $70 billion to give relief. This problem has been gnawing at all of us to do the right and equitable thing. It was not included in the Republican reconciliation bill. In fact, it was rejected when offered in the full committee by the Democrats.

So I can see the awkward political position that you find yourselves; and you know from the bottom of my heart, I sympathize with your political dilemma, not only in this area but in many other areas. But the question still remains, by putting it under the suspension calendar and sending it over to the other body, it does not have the same protection as the bill that you really want to make certain is there, and that is capital gains tax cuts and corporate dividends tax cuts.

So all we are trying to say as the minority party is that we thought there was a better way to do it to protect these people, not to put it on the suspension calendar, which limits the debate, which restricts the Democrats in trying to improve upon it, but to put it on a road that could be a road to nowhere. There are no protections on this bill when it reaches the other body. And we really, truly believe that this is serious enough, and having this cloud over hardworking voters, you should have given it a priority rather than just to put it on the suspension calendar without the legislative process protection that you have given to other issues.

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

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Florida (Mr. SHAW), a member of the Committee on Ways and Means.

Mr. SHAW. Mr. Speaker, I rise in strong support of this bill and ask not only that we pass this bill by a large majority, which I believe we will, but also that we commit ourselves to doing away with the entire realm of the alternative minimum tax. I think of all the tax reform that is necessary for this body to focus on next year, the removal of the alternative minimum tax, the ''stealth tax,'' as has been quite correctly labeled here today, should be done away with. Even if we have to start folding the impact into the rates, we need to get rid of the alternative minimum tax.

But I want to comment for a moment on the rhetoric we are hearing from the other side. They are scolding us. They are complaining, when this bill is a bill that they are going to support. Has this House come to that, that they cannot even agree with us when they agree with us?

Come on, lighten up. Let's get together and work on things that we agree on.

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

Mr. Speaker, certainly we agree on the substance of the bill. But you do not have to blindfold the American people to say that you did not give it the same protection as you have given other tax priorities.

Let's face it, the $56 billion tax cut bill that you are going to bring up later, we know how you pay for that. You pay for it by going after the most vulnerable people that we have in the United States by cutting these social services. The rest of it goes into the deficit. So why will somebody not have the courage to say where are we going to get the $33 billion for this? I am certain that Americans are prepared to make the sacrifice because, after all, this was an unintentional event by Republicans and Democrats, unintentional by liberals and conservatives. So we all agree with that.

All I am saying to the distinguished member of the committee from Florida is that you know when we send this, it could be on the road to nowhere, not paid for. And unless you intend to ask the Senate to cut further in social services, it means that you have agreed on the concept, but you did not give it the same priority or the same legislative protection.

And you say you would like to see it abolished forever. Well, I guess with your lack of respect for the deficit, another $1 trillion, we can do that. So bring it on. Include it with the war cause, which is $6 billion a month. I mean, if there is no respect for anything, if we cannot work together as Republicans and Democrats and try to consider what our priorities are, but to come up in the middle of the night and say do I have a gimmick for you, we will put it on the suspension calendar, nobody is going to vote against it and whatever happens in the Senate happens, that is not the way we are supposed to legislate. Democrats and Republicans are supposed to work together and try to work out their differences before we send things over to the other body.

There is not one Member on the other side of the aisle that can say that there is any way they are going to do both, their priority bill in terms of capital gains cuts, their cuts in corporate dividends, and this bill too, and fix it and put it into reconciliation.

We did not put it into reconciliation. Why do you think that they are going to take your priority bill?

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

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

Mr. SHAW. Mr. Speaker, I would like to just tell the gentleman he is misinterpreting my remarks. I did not say just throw it into the deficit, because he knows and I know that doing away with the alternative minimum tax is a big revenue hit on the Federal Government and we are going to have to find a way to pay for that. We would have done this a long time ago if it was not such a huge figure.

All I am doing is trying to reach out to you, who agree that the alternative minimum tax should be done away with permanently, and say let us work together and figure out a way to do it and do something. We used to do things in a bipartisan way. Why can we not do it again?

□ 1330

Mr. RANGEL. How many names do you want as to why we don't do it again? I can tell you why we don't. We on this side would welcome the opportunity. I don't think that the general public and the voters like to see us fighting each other.

But there has not been one issue that the Republicans would allow us to work with them on. And further to that, even when you have your conferences, you know and I know Democrats are excluded from it. So if you and I were trying to work together, I am certain that we could.

But you and I don't call the shots around here, Mr. SHAW, and that is unfortunate.

Mr. REYNOLDS. Mr. Speaker, I yield 30 seconds to the gentlewoman from New York (Mrs. KELLY), who is a senior member of the Financial Services Committee, and no one has spent more time in battling this terrible stealth tax than SUE KELLY.

(Mrs. KELLY asked and was given permission to revise and extend her remarks.)

Mrs. KELLY. Mr. Speaker, I rise as a cosponsor of this legislation. It protects millions of middle class working families. In New York alone, if the middle class exemptions are not extended for 2006, the new taxpayers forced to pay the alternative minimum tax will more than quadruple to 1.6 million next year.

The AMT is an atrocious burden for middle class families. We have got to send a message home that we are here to protect Americans. We must support this legislation against the stealth tax.

Mr. Speaker, I rise as a cosponsor of this legislation to urge my colleagues to protect the millions of middle-class working families who stand to be penalized by the Alternative Minimum Tax if Congress does not act this year.

The AMT (has been allowed to grow out of control) and if we don't pass this bill before the end of the year when middle-class exemption amounts will expire, it will attack middle-class families for whom the AMT was never intended.

In New York alone, if middle-class exemptions are not extended for 2006, the new taxpayers forced to pay the alternative minimum tax will more than quadruple to 1.6 million next year.

Make no mistake about it, these are middle-class taxpayers—some earning less than $50,000—who are working to pay their bills and take care of themselves and their children.

Now, they are faced with the possibility of having to pay thousands of dollars in additional Federal taxes to Washington. Mr. Speaker, this is unacceptable.

The AMT has become an atrocious burden for middle-class families. We must send a message home that we are here to protect Americans from the unfair and unintended consequences of the Alternative Minimum Tax.

Let's do the right thing for the middle class and pass the Stealth Tax Relief Act today, and I thank my friend, the gentleman from New York, Mr. REYNOLDS, for his leadership on this issue.

Mr. REYNOLDS. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, the year 1969 saw examples of the best and worst of what the Federal Government can do. On one hand, the Department of Defense reachers invented the Internet, which has opened up a world of knowledge to anyone with access to a computer.

On the other hand, in 1969, Congress controlled by the other side of the aisle, created the original version of the AMT. But while the Internet has continually evolved, the AMT structure has not.

It has now become a stealth tax, sneaking up on unsuspecting middle class taxpayers. Mr. Speaker, many of us here today on both sides of the aisle would likely support AMT relief that goes far beyond what is included in this bill.

But the legislation before us today is a crucial first step. I urge my colleagues to come together on a strong bipartisan basis to protect the middle class against stealth tax increases from the AMT.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today in support of the Stealth Tax Relief Act. The AMT is not just a stealth tax, it is a sneaky tax. It is a parallel tax system where normal rules of income and deductions don't apply—you lose most of your deductions and your children become a liability!

The bill we are debating today, the Stealth Tax Relief Act, will keep the AMT from hitting millions of additional middle class Americans. However, we are just holding back the tide of the AMT that in 2008 will swamp the tax system and actually collect more money than the underlying income tax system.

We need to repeal the AMT. But until we can repeal it, we must hold harmless those Americans whose taxes are being raised in the next year.

But even before we repeal the AMT we need to be sure that those Americans who have pre-paid future tax liability under AMT be able to use the pre-paid tax credits that they have accumulated. Unfortunately, there are thousands of Americans who have pre-paid future tax liability through the AMT but have never been able to use their credits. These credits amount to an interest free loan to the Federal government.

Some Americans have been floating an interest free loan to the government for years and years. This is just plain wrong. To add insult to injury, many of these Americans have had to take out second mortgages on their homes and are paying interest on those loans to give the government an interest free loan! Some families raided their retirement plans or their children's education savings in order to give the government an interest free loan.

I have a bill, the AMT Credit Fairness Act that would correct this inequity and would allow Americans to use their pre-paid tax credits. Unfortunately, the AMT Credit Fairness Act is not part of the Stealth Tax Relief Act that we will pass today but I will continue to work for its enactment.

Mr. LINDER. Mr. Speaker, I am a co-sponsor of this legislation and I rise in strong support of H.R. 4096, the Stealth Tax Relief Act. A couple of years ago, I got a call from my daughter who asked, "What is the AMT and why is it sneaking up on people like me?"

As a proponent of tax reform, I hear phrases like that every day describing the AMT as part of "a tax code so out of control that now it is sneaking up on the middle class and threatening it with an unintended stealth tax." And while that phrase might indicate that the code is an animate entity, it is also a fact that "the AMT, since its enactment in 1969, has been significantly modified in 1971, in 1976, in 1977, in 1978, in 1982, in 1986, in 1990, in 1993, and in 2001."

These facts send a clear reminder that we have created a complex, convoluted monster of a tax code that is constantly being amended with special provisions targeted to treat Americans differently. The intentional harm that the current code is causing in terms of lost economic growth is bad enough. Now it appears we have to worry about the unintentional harm the code inflicts as well.

The AMT is a case study of our chaotic code—it forces Americans to perform two tax calculations, using two completely different set of rules, and it's so difficult to understand that most taxpayers have to hire someone to figure it out. And the reason we have the AMT is because the code is used to promote various goals through preferential tax treatment. Because people were taking advantage of those incentives, and reducing their income taxes, the AMT was created to make sure wealthy people didn't reduce their income taxes too much. Now, it threatens the entire middle class.

Mr. Speaker, I support every effort to improve this tax system and I strongly support Mr. REYNOLDS' bill to extend AMT relief for millions of U.S. taxpayers for an additional year. But the AMT is just a symptom of a twisted tax code that is now so broken that it routinely results in these kinds of unintended tax consequences and undermines hardworking American workers every day.

Mr. HERGER. Mr. Speaker, because of time constraints during Floor debate, I was unable to present my full remarks in support of H.R. 4096, the Stealth Tax Relief Act of 2005. I would like to request that the following comments be published in the CONGRESSIONAL RECORD for Wednesday, December 7, so my remarks in support of H.R. 4096 are reflected in the RECORD in their entirety:

Mr. Speaker, without today's legislation, the number of Americans ensnared by the Alternative Minimum Tax is estimated to grow to an astounding 21 million in 2006.

The problem is so great that the Treasury Department estimates that by 2013, an AMT repeal would be more expensive than a repeal of the income tax.

In my own northern California congressional district, in one particular area, nearly 3,000 constituents face a significantly higher tax burden because of this onerous tax.

In February of 1986, a levee broke on the Yuba River causing a flood that submerged the community, resulting in millions of dollars in damages.

Now, after nearly 20 years of legal battles, a court has found the state liable and ordered it to pay damages to flood victims in the amount of $428 million.

Unfortunately, because individual claimants have to add back attorney fees as AMT taxable income, the flood victims may end up paying some form of tax on 100 percent of their award, even though this is money they never saw.

This is double taxation, and it is unfair. The attorneys have already paid income tax on the amount they earned through representation.

Mr. Speaker, it is unfair that these flood victims—who have waited so long to be justly compensated—now should be subject to the AMT.

The AMT is sorely in need of fundamental reform. It's time once and for all to do away with this middle class tax trap. I urge my colleagues to vote for the Reynolds extension before us.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in support of the Stealth Tax Relief Act, H.R. 4096, a temporary fix to a much larger, more overhanging problem, the Alternative Minimum Tax (AMT). Originally intended to ensure wealthy taxpayers paid their fair share, the AMT has become a tax on the middle-class. Without adjustments for inflation like the federal income tax, the AMT targets a growing number of people each year. Taxpayers in states with high property taxes and high local and state income taxes, in states like my home state of Connecticut, are most hard-hit by the AMT. In fact, Connecticut faces the third highest AMT tax liability in the nation.

H.R. 4096 will pass the House today and again, the House will evade its responsibility to find a real solution to the AMT attack on the middle-class for another year. The Majority seems to find plenty of time to cut social programs, increase the deficit, and afford estate, capital gains, and dividends tax cuts to the wealthiest among us, while consistently dragging their feet to fix a tax that targets 17 million working middle-class families. According to the Treasury Department, the Joint Committee on Taxation, and the Congressional Budget Office, the tax cuts of 2001 and 2003 have, in fact, tripled the size of the AMT problem.

The American public deserves better. Last month, I supported a Democratic proposal in the House Ways and Means Committee that would have totally eliminated the AMT for all families with incomes under $200,000. Unfortunately, this measure was rejected along party lines. I am also a cosponsor of H.R. 2950, the Individual Tax Simplification Act that would among other things, repeal the AMT. However, to date, the bill has received no attention by the House Ways and Means Committee. And now today, I am disappointed that the Majority brought the underlying bill to the floor under the suspension calendar, a procedure which blocked the opportunity to offer an amendment to fully repeal the AMT.

Americans need real solutions to address these problems, not band-aids and bumper sticker slogans. In the absence of a real and

viable solution, I will support this temporary extension. In the meantime, I encourage my colleagues in the House to stop discounting this crisis and work together to pass real reforms to the AMT.

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

The SPEAKER pro tempore (Mr. GILCHREST). The question is on the motion offered by the gentleman from New York (Mr. REYNOLDS) that the House suspend the rules and pass the bill, H.R. 4096.

The question was taken.

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

Mr. REYNOLDS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

S. 467, by the yeas and nays;

H.R. 4096, by the yeas and nays;

H. Con. Res. 196, by the yeas and nays.

Proceedings on H.R. 1400 will resume on Thursday.

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

TERRORISM RISK INSURANCE EXTENSION ACT OF 2005

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate bill, S. 467, as amended.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. OXLEY) that the House suspend the rules and pass the Senate bill, S. 467, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 371, nays 49, not voting 12, as follows:

[Roll No. 612]

YEAS—371

Abercrombie
Ackerman
Alexander
Allen
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boehlert
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chandler
Chocola
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Ford
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Peterson (PA)
Pickering
Platts
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tanner
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Waxman
Weiner
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—49

Aderholt
Akin
Barrett (SC)
Bartlett (MD)
Barton (TX)
Blackburn
Bonilla
Brady (TX)
Burgess
Carter
Chabot
Costello
Culberson
Davis, Jo Ann
DeLay
Doolittle
Duncan
Feeney
Flake
Forbes
Foxx
Franks (AZ)
Gohmert
Granger
Gutknecht
Hensarling
Johnson, Sam
Jones (NC)
Kolbe
Mack
Miller (FL)
Myrick
Otter
Paul
Peterson (MN)
Petri
Pitts
Poe
Putnam
Rohrabacher
Royce
Ryan (WI)
Sensenbrenner
Shadegg
Tancredo
Taylor (MS)
Thornberry
Weldon (FL)
Westmoreland

NOT VOTING—12

Andrews
Boehner
Brown-Waite, Ginny
Clay
Davis (FL)
Gerlach
Murtha
Pence
Reyes
Sweeney
Watt
Wexler

□ 1402

Ms. GRANGER, Messrs. BONILLA, THORNBERRY, WELDON of Florida, ADERHOLT, TAYLOR of Mississippi, BRADY of Texas and PUTNAM changed their vote from ''yea'' to ''nay.''

Mr. WAMP changed his vote from ''nay'' to ''yea.''

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the Senate bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

STEALTH TAX RELIEF ACT OF 2005

The SPEAKER pro tempore (Mr. GILCHREST). The pending business is the question of suspending the rules and passing the bill, H.R. 4096.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. REYNOLDS) that the House suspend the rules and pass the bill, H.R. 4096, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 4, not voting 14, as follows:

[Roll No. 613]

YEAS—414

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman

Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—4

Costello
Peterson (MN)
Sabo
Scott (VA)

NOT VOTING—14

Andrews
Brown-Waite, Ginny
Clay
Davis (FL)
Gerlach
Honda
Pelosi
Pence
Reyes
Scott (GA)
Sweeney
Waters
Watt
Wexler

□ 1411

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCING THE PASSING OF FORMER REPRESENTATIVE CARROLL CAMPBELL

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

Mr. SPRATT. Mr. Speaker, it is my sad responsibility as dean of the South Carolina delegation to advise the House, and especially those who served here in the 1980s, that Carroll Campbell, who served here from 1978 to 1986, died yesterday.

He served here for a period of nearly 10 years, went on to two successful terms as Governor of South Carolina, and died at the age of 65 after a long battle with Alzheimer's.

Those who served with him remember him as a very, very able friend, a wonderful Member of this institution, and someone of whom, as South Carolinians especially, we are all proud.

I know that everyone who knew him especially will want to send their prayers and best regards to his wife Iris and their two sons.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

HONORING PILOTS OF COMMERCIAL AIR CARRIERS WHO VOLUNTEER TO PARTICIPATE IN FEDERAL FLIGHT DECK OFFICER PROGRAM

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 196.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 196, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 2, not voting 17, as follows:

[Roll No. 614]

YEAS—413

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Cleaver
Clyburn
Coble
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda

Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Wamp
Wasserman Schultz
Waters
Watson
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—2

Stark
Wu

NOT VOTING—17

Andrews
Brown-Waite, Ginny
Capito
Clay
Cole (OK)
Davis (FL)
Gerlach
Johnson, Sam
McCarthy
Pelosi
Pence
Reyes
Sweeney
Taylor (MS)
Walsh
Watt
Wexler

□ 1423

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. McCARTHY. Mr. Speaker, I was not recorded on rollcall No. 614 on H. Con. Res. 196, honoring the pilots of United States commercial air carriers who volunteer to participate in the Federal flight deck officer program. I would like the RECORD to reflect that I would have voted "yea."

Mr. COLE of Oklahoma. Mr. Speaker, I was unavoidably absent for rollcall vote No. 614, on suspending the rules to agree to H. Con. Res. 196. Had I been present, I would have voted "yea."

BINDING ARBITRATION FOR GILA RIVER INDIAN COMMUNITY RESERVATION CONTRACTS

Mr. HAYWORTH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 327) to allow binding arbitration clauses to be included in all contracts affecting land within the Gila River Indian Community Reservation.

The Clerk read as follows:

H.R. 327

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

SECTION 1. BINDING ARBITRATION FOR GILA RIVER INDIAN COMMUNITY RESERVATION CONTRACTS.

(a) AMENDMENTS.—Subsection (f) of the first section of the Act of August 9, 1955 (25 U.S.C. 415(f)), is amended—

(1) in the first sentence—

(A) by striking "Any lease" and all that follows through "affecting land" and inserting "Any contract, including a lease, affecting land"; and

(B) by striking "such lease or contract" and inserting "such contract"; and

(2) in the second sentence, by striking "Such leases or contracts entered into pursuant to such Acts" and inserting "Such contracts".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in Public Law 107–159 (116 Stat. 122).

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to the rule, the gentleman from Arizona (Mr. HAYWORTH) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, H.R. 327 was introduced by Representative GRIJALVA, my colleague from Arizona; and I join him as an original cosponsor.

This bill is to allow binding arbitration clauses to be included in all contracts, including leases affecting lands within the Gila River Indian Community in the State of Arizona. Without such binding arbitration clauses, many investors would not be interested in doing business with the tribe because there would be no means of enforcing contracts.

Unfortunately, an amendment to a related provision of law has made it unclear whether the tribe may put the binding arbitration clauses into all of its contracts and leases. This bill clarifies that the tribe may include binding arbitration clauses in all contracts for business developments on its reservation.

It is a simple, but much-needed, bill with bipartisan support. I am glad to see my good friend on the other side of the aisle here.

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

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

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

Mr. GRIJALVA. Mr. Speaker, first let me thank my colleague from Arizona and the delegation from Arizona for their support of this bill, a very critical adjustment, as my friend from Arizona just said.

Mr. Speaker, I rise in strong support of H.R. 327, and I urge its passage today. I am very pleased we are considering this bill in the House, and I would like to thank Chairman POMBO and Ranking Member RAHALL for making this bill a priority. As I stated earlier, my appreciation goes to the entire Arizona delegation for their support. I greatly appreciate that the Resources Committee leadership recognizes the importance of encouraging the self-reliance of the Native people in their district so they can move closer to full economic development for their areas.

Mr. RAHALL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks. I yield myself such time as I may consume.

I rise in strong support of this legislation and to congratulate our colleague from Arizona, RAÚL GRIJALVA. Mr. GRIJALVA has worked tirelessly over the last several months to bring this bill before us. Once enacted, this legislation will enhance and assist the Gila River Indian Community in Arizona with all new business ventures.

Mr. GRIJALVA's provision would authorize the Gila River Indian Community to enter into contracts with outside businesses and agree to binding arbitration if a problem arises from the contract work. This will remove a hurdle to economic development for the Gila River Community.

One serious problem which runs throughout Indian country is a hesitancy by non-Indian businesses to enter into large, long-term contracts with Indian tribes out of concern for the competency of tribal courts. The ability of the tribe to agree, at the start, to binding arbitration has been shown to ease concerns of non-Indian businesses. An additional component needed is to strengthen tribal courts, which is

yet another issue Mr. GRIJALVA has been working on for Indian tribes.

I pay tribute to Congressman GRIJALVA for his tenacity in getting this bill moved through the House and urge all of our colleagues to support passage of H.R. 327.

I reserve the balance of my time.

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

Mr. HAYWORTH. Mr. Speaker, again I thank my colleague from Arizona; and, likewise, I have no additional requests for time, and I yield back the balance of my time and urge passage of H.R. 327.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. HAYWORTH) that the House suspend the rules and pass the bill, H.R. 327.

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

A motion to reconsider was laid on the table.

TAX REVISION ACT OF 2005

Mr. MCCRERY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4388) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4388

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

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Tax Revision Act of 2005''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

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

Sec. 1. Short title, etc.
Sec. 2. Election to include combat pay as earned income for purposes of earned income credit.
Sec. 3. Cover over of tax on distilled spirits.
Sec. 4. Authority for undercover operations.
Sec. 5. Disclosures of certain tax return information.
Sec. 6. Deduction allowable with respect to income attributable to domestic production activities in Puerto Rico.
Sec. 7. Technical corrections to regional value-content methods for rules of origin under Public Law 109–53.

SEC. 2. ELECTION TO INCLUDE COMBAT PAY AS EARNED INCOME FOR PURPOSES OF EARNED INCOME CREDIT.

(a) IN GENERAL.—Subclause (II) of section 32(c)(2)(B)(vi) is amended by striking ''January 1, 2006'' and inserting ''January 1, 2007''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2005.

SEC. 3. COVER OVER OF TAX ON DISTILLED SPIRITS.

(a) IN GENERAL.—Paragraph (1) of section 7652(f) (relating to limitation on cover over of tax on distilled spirits) is amended by striking ''January 1, 2006'' and inserting ''January 1, 2007''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to articles brought into the United States after December 31, 2005.

SEC. 4. AUTHORITY FOR UNDERCOVER OPERATIONS.

Paragraph (6) of section 7608(c) (relating to application of section) is amended by striking ''January 1, 2006'' both places is appears and inserting ''January 1, 2007''.

SEC. 5. DISCLOSURES OF CERTAIN TAX RETURN INFORMATION.

(a) DISCLOSURES TO FACILITATE COMBINED EMPLOYMENT TAX REPORTING.—

(1) IN GENERAL.—Subparagraph (B) of section 6103(d)(5) (relating to termination) is amended by striking ''December 31, 2005'' and inserting ''December 31, 2006''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to disclosures after December 31, 2005.

(b) DISCLOSURES RELATING TO TERRORIST ACTIVITIES.—

(1) IN GENERAL.—Clause (iv) of section 6103(i)(3)(C) and subparagraph (E) of section 6103(i)(7) are each amended by striking ''December 31, 2005'' and inserting ''December 31, 2006''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply to disclosures after December 31, 2005.

(c) DISCLOSURES RELATING TO STUDENT LOANS.—

(1) IN GENERAL.—Subparagraph (D) of section 6103(l)(13) (relating to termination) is amended by striking ''December 31, 2005'' and inserting ''December 31, 2006''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to requests made after December 31, 2005.

SEC. 6. DEDUCTION ALLOWABLE WITH RESPECT TO INCOME ATTRIBUTABLE TO DOMESTIC PRODUCTION ACTIVITIES IN PUERTO RICO.

(a) IN GENERAL.—Subsection (d) of section 199 (relating to definitions and special rules) is amended by redesignating paragraph (7) as paragraph (8) and by inserting after paragraph (6) the following new paragraph:

''(7) TREATMENT OF ACTIVITIES IN PUERTO RICO.—

''(A) IN GENERAL.—In the case of any taxpayer with gross receipts for any taxable year from sources within the Commonwealth of Puerto Rico, if all of such receipts are taxable under section 1 or 11 for such taxable year, then for purposes of determining the domestic production gross receipts of such taxpayer for such taxable year under subsection (c)(4), the term 'United States' shall include the Commonwealth of Puerto Rico.

''(B) TERMINATION.—Subparagraph (A) shall not apply to any taxable year beginning after December 31, 2006.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to taxable years beginning after December 31, 2005.

SEC. 7. TECHNICAL CORRECTIONS TO REGIONAL VALUE-CONTENT METHODS FOR RULES OF ORIGIN UNDER PUBLIC LAW 109–53.

Section 203(c) of the Dominican Republic–Central America–United States Free Trade Agreement Implementation Act (Public Law 109–53; 19 U.S.C. 4033(c)) is amended as follows:

(1) In paragraph (2)(A), by striking all that follows ''the following build-down method:'' and inserting the following:

$$\text{``RVC} = \frac{\text{AV–VNM}}{\text{AV}} \times 100\text{''}.$$

(2) In paragraph (3)(A), by striking all that follows ''the following build-up method:'' and inserting the following:

$$\text{``RVC} = \frac{\text{VOM}}{\text{AV}} \times 100\text{''}.$$

(3) In paragraph (4)(A), by striking all that follows ''the following net cost method:'' and inserting the following:

$$\text{``RVC} = \frac{\text{NC–VNM}}{\text{NC}} \times 100\text{''}.$$

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. MCCRERY) and the gentleman from New York (Mr. RANGEL) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana.

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

The bill before us at this time is a bill that takes several expiring provisions of the Tax Code that were not eligible for inclusion in the tax reconciliation bill because of the rules of reconciliation and packages them in this legislation that we hope to pass out of the House today.

Briefly, Mr. Speaker, those provisions include treating combat pay as earned income under the Earned Income Credit. Currently, combat pay can be used to figure the earned income credit of our soldiers in combat. The special rule that allows that would expire this year. This provision in the bill would extend that special rule by 1 year.

Also, an extension of the transfer of the rum excise taxes to the Virgin Islands and Puerto Rico is included in this bill.

Also, Mr. Speaker, there is a provision in current law that expires at the end of this year which gives the IRS the authority to use income generated by an undercover operation to pay ongoing expenses on that operation.

□ 1430

Again, that authority would be extended by 1 year in this bill. Also there is authority in the bill for the IRS to disclose certain tax information to other Federal and State authorities.

Finally, Mr. Speaker, a provision in this bill would allow Puerto Rico and businesses in Puerto Rico to claim the manufacturing deduction that was part of legislation previously passed by this House. That summarizes the provisions of this bill.

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

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

Mr. Speaker, I fully support this bill. I hope that the gentleman from Louisiana would understand how those of us on the committee would have a lot of concern about so many of these tax issues coming up under the suspension calendar. This is so since the ones that we agree on and are concerned about are subject to unanimous consent in the Senate. Therefore, it does not have the same type of protections it would if it was included in the reconciliation bill. I say that not from a partisan

viewpoint, but from a respect and appreciation of the work that is done by Republicans and Democrats on the Committee on Ways and Means.

Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. SPRATT), the ranking member of the Budget Committee.

Mr. SPRATT. Mr. Speaker, we have three tax cut bills before us today, a large one coming up tomorrow, and here is the problem with doing business that way, especially under suspension.

When you break these tax cuts into so many small places, virtually fragments, we quickly lose the audit trail and do not appreciate in the aggregate how much they add up to. So let me try to reconstruct that audit trail on the back of this envelope right here and show you exactly what the summation of today and tomorrow will mean for the bottom line, i.e. the deficit.

If we take the transportation bill which we passed this year, is $1.1 billion over 10 years, about a billion dollars over 5 years.

The Energy Policy Act is about $6.9 billion in revenues lost over 5 years.

The Katrina Tax Relief of 2005 has a $6.1 billion price tag. That is its revenue impact.

The big bill tomorrow will be the Tax Extension Reconciliation Act, $56 billion in the House, $80 billion over 10 years.

We have just done the Stealth Tax Relief Act extending for 1 year the AMT at its existing level of application. The cost of that for 1 year over 5 years is $31 billion.

Then we have the Tax Revision Act of 2005 with small cuts in it which have not been scored, but it has a cost.

Finally, we have the Gulf Opportunity Zone Act of 2005. The revenue effect of it over 5 years is $7 billion.

Add all of those together, and the cost, the revenue impact, comes to nearly $100 billion which, goes straight to the bottom line and adds to the deficit.

And the reconciliation spending bill that you passed only offsets half of that amount.

That is not all. As we demonstrate today, the AMT will have to be fixed. It will be fixed this year, patched, patched next year, and patched into the future until we finally do something about its application to middle income families for whom it was never intended. If we do basically in future years what we have done today, the cost is going to be at least $30–40 billion a year.

If you assume in the next 4 years after 2006, we will also have fixes to the AMT, the cost of these tax bills we are doing today, and it is going to be close to $200 billion. All of it goes to the bottom line and adds to the budget deficit, and all of it supports what we have been saying that until you deal with this aspect of the budget deficit, the revenue side of the equation as well as the spending side, until you reinstate the pay-go rule and offset these costly provisions in the aggregate, you are going to have a huge deficit.

We would have offered, given the chance, on offset. And we will offer offsets tomorrow, given the chance, in the bill presented. We will offer a substitute that will offset the revenue impact on the bottom line. If we had that opportunity on the House floor and in committee, we would have done it again and we could have avoided the revenue impact and at least protected the deficit from being made any worse. It is a shame we will not have that opportunity.

Mr. MCCRERY. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. SHAW), the chairman of the Trade Subcommittee of the Committee on Ways and Means.

Mr. SHAW. Mr. Speaker, I rise in strong support of this particular provision. As House Members know, moneys received that are paid during combat is not subject to taxation. That means then it is not used in the calculation of the earned income tax credit. Clearly our soldiers, our men and women in the combat zone, deserve that particular treatment so they can claim the earned income tax credit.

This simply allows it and it extends that provision for an additional year. This is another provision we should look at and see when we should look at a permanent fix, that the earned income tax credit would certainly apply to combat pay.

The question has been as to whether or not this should have been in reconciliation. Well, it is an outlay; and, therefore, it would be prohibited as far as the reconciliation bill. The so-called Byrd rule when this bill gets over into the Senate, would knock it out of reconciliation, so this is the proper way to bring it to the floor. I urge all Members to support the bill, as I am sure they will.

Mr. MCCRERY. Mr. Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. HAYWORTH), a respected member of the Committee on Ways and Means.

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

Mr. HAYWORTH. Mr. Speaker, I rise in strong support of this legislation and welcome the bipartisan support we will see for its passage. I especially applaud the efforts of the gentlewoman from North Carolina (Ms. FOXX) for dealing with the key provision of treating combat pay as earned income under the earned income credit. It has been stated before on the floor but it deserves amplification again, especially in the wake of this House voting 403–3 in strong support of our men and women in uniform in the combat zone in Iraq.

Under current law, combat pay is ignored for the purpose of calculating the combat credit. Ignoring combat pay can reduce the EIC in some cases, but a special rule gives military personnel the option to include combat pay in their earned income calculation. This would extend the special rule by 1 year.

The criticism to the extent we have heard today is not based totally on partisan posturing. No, the criticism is inherent at times in dealing in an institution that is a deliberative body. Sometimes the clock catches up with us. We would note not in terms of criticism but in terms of fact that our friends across the Capitol in the other body do not return this week, indeed do not return until Wednesday of next week, so the work tends to accumulate. But we do have this venue of suspension to move legislation upon which we agree.

To the criticisms offered by my friend from South Carolina dealing with what this costs, I would simply point out that in the broader context of tax reductions, what we have seen by reducing the overall tax bite, what we see in so many ways with broader tax policy is that actually revenues to the Federal Government increase. It is not something that is especially partisan. President Kennedy offered it in the 1960s; President Reagan in the 1980s; President Bush and this majority in Congress now early in the 21st century, so actually to invigorate our economy, we reduce tax rates, and although some may quibble about some provisions, in general, a reduction in tax rates actually fuels the engines of economic prosperity. That is our intent.

People of goodwill may differ on that, but I expect we will see broad bipartisan agreement with this modest package of what is called in the trade extenders, and especially dealing with combat pay.

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

I would like to say to my friend from Arizona that while we do not have any problem with the substance of the bill, it is just unfair to talk about the timetable of the other body. We have a responsibility to deliberate and to legislate and to do what we think are in the best interests of the people of the United States of America. We should not be guided by the lack of time the people on the other side have.

As a matter of fact, by sending this piece of legislation over there, albeit that it is not paid for, they only need unanimous consent. Any Member of the Senate can stand up and just object to this and then the good work is just wiped out. What I am suggesting is that when we do try to work in a bipartisan way, this should always be included in a House bill that is protected by the House Members and not left to arbitrary decisions by people on the other side.

Mr. Speaker, in closing, the gentleman from Louisiana (Mr. MCCRERY) is a hardworking member of the Committee on Ways and Means, and while we may have differences on legislation and policy, that we all have to protect the integrity of that committee. That

is the only committee outlined in the Constitution to provide the ways and means to run this great republic, and I just do not like to see the Rules Committee making decisions on what has fiscal implications not only for the Congress and the Members here, but for the entire country. I do not have any objections to this, and I encourage Members on both sides of the aisle to support this suspension.

Mrs. CHRISTENSEN. Mr. Speaker, I rise in support of H.R. 4388, legislation which amends the Internal Revenue code of 1986 to extend certain expiring provisions.

I want to express my profound gratitude to the Chairman of the Ways and Means Committee, BILL THOMAS, for including in the bill a provision to extend the cover-over of the additional $1.50 of the taxes on distilled spirits produced in the Virgin Islands and Puerto Rico for another year. While the amount of the revenue generated by this tax is minuscule in relation to the overall federal budget, it is critically important to my constituents because the government of the Virgin Islands utilizes this funding as security for the bonds that are used to provide for improvements to our public infrastructure.

I am eternally grateful, as well, to my good friend, the Ranking Member of the committee, CHARLIE RANGEL, for his steadfast support.

Mr. Speaker, my constituents and I look forward to the day, which we hope will not be too long in coming, when we will be able to see the return of the full tax and that it be made permanent, as was originally the case, so that we won't have to annually vie for its extension.

I urge my colleagues to support the passage of H.R. 4388 and I yield back the balance of my time.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in support of H.R. 4388, the Tax Revision Act. Among other things, H.R. 4388 includes an extension of a critical tax provision that our troops and their families rely on to make ends meet when deployed in Iraq and Afghanistan.

The Working Families Tax Relief Act (PL–108–311), which we passed last year, included language which ensured that military families are not unfairly prevented from receiving the Earned Income Tax Credit (EITC) because the combat pay they rely on to make ends meet is tax free.

Ordinarily only those with taxable earned income are eligible for the EITC. However the only source of income for many military families is the tax free combat pay of a spouse deployed in Iraq or Afghanistan. As a result, before we passed last year's legislation, many low-income military families were unable to claim the EITC based on the tax free status of their family members' combat pay.

The last thing our troops in Iraq and Afghanistan need to worry about is their families' taxes. The extension of the EITC combat pay provision will ensure that the families of our brave men and women in uniform are not unfairly and inadvertently punished when their loved ones are deployed abroad.

The tax treatment of combat pay for EITC purposes is not controversial. However, it was not included in the larger reconciliation bill on apparently technical grounds that the refund portion of the EITC is a budget outlay and therefore cannot be included in the bill. The substitute that Democrats offered in Committee contained a provision, rejected by majority, that was designed to continue full EITC benefits to our military families and which did not run afoul of the budget rules.

I worry that this bill is for show and merely meant to help make some on the other side of the aisle feel better about the tax cut bill they will support tomorrow which helps the wealthy and ignores working and military families. I hope that my concerns are unfounded and that this important legislation is made into law.

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

Mr. MCCRERY. Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Louisiana (Mr. MCCRERY) that the House suspend the rules and pass the bill, H.R. 4388, as amended.

The question was taken.

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

Mr. MCCRERY. Mr. Speaker, on that, I demand the yeas and nays.

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. MCCRERY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of the bill just passed.

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

There was no objection.

GULF OPPORTUNITY ZONE ACT OF 2005

Mr. MCCRERY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4440) to amend the Internal Revenue Code of 1986 to provide tax benefits for the Gulf Opportunity Zone and certain areas affected by Hurricanes Rita and Wilma, and for other purposes.

The Clerk read as follows:

H.R. 4440

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

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Gulf Opportunity Zone Act of 2005''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

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

Sec. 1. Short title; etc.

TITLE I—ESTABLISHMENT OF GULF OPPORTUNITY ZONE

Sec. 101. Tax benefits for Gulf Opportunity Zone.

Sec. 102. Federal guarantee of certain State bonds.

TITLE II—TAX BENEFITS RELATED TO HURRICANES RITA AND WILMA

Sec. 201. Extension of certain emergency tax relief for Hurricane Katrina to Hurricanes Rita and Wilma.

TITLE III—OTHER PROVISIONS

Sec. 301. Secretarial authority to extend period during which traveling expenses are treated as incurred away from home in case of major disaster.

Sec. 302. Gulf Coast Recovery Bonds.

TITLE I—ESTABLISHMENT OF GULF OPPORTUNITY ZONE

SEC. 101. TAX BENEFITS FOR GULF OPPORTUNITY ZONE.

(a) IN GENERAL.—Subchapter Y of chapter 1 is amended by adding at the end the following new part:

''PART II—TAX BENEFITS FOR GULF OPPORTUNITY ZONE

''Sec. 1400M. Definitions.

''Sec. 1400N. Tax benefits for Gulf Opportunity Zone.

''SEC. 1400M. DEFINITIONS.

''For purposes of this part—

''(1) GULF OPPORTUNITY ZONE.—The terms 'Gulf Opportunity Zone' and 'GO Zone' mean that portion of the Hurricane Katrina disaster area determined by the President to warrant individual or individual and public assistance from the Federal Government under the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of Hurricane Katrina.

''(2) HURRICANE KATRINA DISASTER AREA.—The term 'Hurricane Katrina disaster area' means an area with respect to which a major disaster has been declared by the President before September 14, 2005, under section 401 of such Act by reason of Hurricane Katrina.

''(3) RITA GO ZONE.—The term 'Rita GO Zone' means that portion of the Hurricane Rita disaster area determined by the President to warrant individual or individual and public assistance from the Federal Government under such Act by reason of Hurricane Rita.

''(4) HURRICANE RITA DISASTER AREA.—The term 'Hurricane Rita disaster area' means an area with respect to which a major disaster has been declared by the President, before October 6, 2005, under section 401 of such Act by reason of Hurricane Rita.

''(5) WILMA GO ZONE.—The term 'Wilma GO Zone' means that portion of the Hurricane Wilma disaster area determined by the President to warrant individual or individual and public assistance from the Federal Government under such Act by reason of Hurricane Wilma.

''(6) HURRICANE WILMA DISASTER AREA.—The term 'Hurricane Wilma disaster area' means an area with respect to which a major disaster has been declared by the President, before November 14, 2005, under section 401 of such Act by reason of Hurricane Wilma.

''SEC. 1400N. TAX BENEFITS FOR GULF OPPORTUNITY ZONE.

''(a) TAX-EXEMPT BOND FINANCING.—

''(1) IN GENERAL.—For purposes of this title—

''(A) any qualified Gulf Opportunity Zone Bond described in paragraph (2)(A)(i) shall be treated as an exempt facility bond, and

''(B) any qualified Gulf Opportunity Zone Bond described in paragraph (2)(A)(ii) shall be treated as a qualified mortgage bond.

''(2) QUALIFIED GULF OPPORTUNITY ZONE BOND.—For purposes of this subsection, the

term 'qualified Gulf Opportunity Zone Bond' means any bond issued as part of an issue if—

''(A)(i) 95 percent or more of the net proceeds (as defined in section 150(a)(3)) of such issue are to be used for qualified project costs, or

''(ii) such issue meets the requirements of a qualified mortgage issue, except as otherwise provided in this subsection,

''(B) such bond is issued by the State of Alabama, Louisiana, or Mississippi, or any political subdivision thereof,

''(C) such bond is designated for purposes of this section by—

''(i) in the case of a bond which is required under State law to be approved by the bond commission of such State, such bond commission, and

''(ii) in the case of any other bond, the Governor of such State, and

''(D) such bond is issued after the date of the enactment of this section and before January 1, 2011.

''(3) LIMITATIONS ON BONDS.—

''(A) AGGREGATE AMOUNT DESIGNATED.—The maximum aggregate face amount of bonds which may be designated under this subsection with respect to any State shall not exceed the product of $2,500 multiplied by the portion of the State population which is in the Gulf Opportunity Zone (as determined on the basis of the most recent census estimate of resident population released by the Bureau of Census before August 28, 2005).

''(B) MOVABLE PROPERTY.—No bonds shall be issued which are to be used for movable fixtures and equipment.

''(4) QUALIFIED PROJECT COSTS.—For purposes of this subsection, the term 'qualified project costs' means the cost of acquisition, construction, reconstruction, and renovation of—

''(A) nonresidential real property and qualified residential rental property (as defined in section 142(d)) located in the Gulf Opportunity Zone, and

''(B) public utility property (as defined in section 168(i)(10)) located in the Gulf Opportunity Zone.

''(5) SPECIAL RULES.—In applying this title to any qualified Gulf Opportunity Zone Bond, the following modifications shall apply:

''(A) Section 142(d)(1) (defining qualified residential rental project) shall be applied—

''(i) by substituting '60 percent' for '50 percent' in subparagraph (A) thereof, and

''(ii) by substituting '70 percent' for '60 percent' in subparagraph (B) thereof.

''(B) Section 143 (relating to mortgage revenue bonds: qualified mortgage bond and qualified veterans' mortgage bond) shall be applied—

''(i) by treating only residences in the Gulf Opportunity Zone as owner-occupied residences,

''(ii) by treating any residence in the Gulf Opportunity Zone as a targeted area residence, and

''(iii) by substituting '$150,000' for '$15,000' in subsection (k)(4) thereof.

''(C) Except as provided in section 143, repayments of principal on financing provided by the issue of which such bond is a part may not be used to provide financing.

''(D) Section 146 (relating to volume cap) shall not apply.

''(E) Section 147(d)(2) (relating to acquisition of existing property not permitted) shall be applied by substituting '50 percent' for '15 percent' each place it appears.

''(F) Section 148(f)(4)(C) (relating to exception from rebate for certain proceeds to be used to finance construction expenditures) shall apply to the available construction proceeds of bonds which are part of an issue described in paragraph (2)(A)(i).

''(G) Section 57(a)(5) (relating to tax-exempt interest) shall not apply.

''(6) SEPARATE ISSUE TREATMENT OF PORTIONS OF AN ISSUE.—This subsection shall not apply to the portion of an issue which (if issued as a separate issue) would be treated as a qualified bond or as a bond that is not a private activity bond (determined without regard to paragraph (1)), if the issuer elects to so treat such portion.

''(b) ADVANCE REFUNDINGS OF CERTAIN TAX-EXEMPT BONDS.—

''(1) IN GENERAL.—With respect to a bond described in paragraph (3) which is not a qualified 501(c)(3) bond, one additional advance refunding after the date of the enactment of this section and before January 1, 2011, shall be allowed under the applicable rules of section 149(d) if—

''(A) the Governor of the State designates the advance refunding bond for purposes of this subsection, and

''(B) the requirements of paragraph (5) are met.

''(2) CERTAIN PRIVATE ACTIVITY BONDS.—With respect to a bond described in paragraph (3) which is an exempt facility bond described in paragraph (1) or (2) of section 142(a), one advance refunding after the date of the enactment of this section and before January 1, 2011, shall be allowed under the applicable rules of section 149(d) (notwithstanding paragraph (2) thereof) if the requirements of subparagraphs (A) and (B) of paragraph (1) are met.

''(3) BONDS DESCRIBED.—A bond is described in this paragraph if such bond was outstanding on August 28, 2005, and is issued by the State of Alabama, Louisiana, or Mississippi, or a political subdivision thereof.

''(4) AGGREGATE LIMIT.—The maximum aggregate face amount of bonds which may be designated under this subsection by the Governor of a State shall not exceed—

''(A) $4,500,000,000 in the case of the State of Louisiana,

''(B) $2,250,000,000 in the case of the State of Mississippi, and

''(C) $1,125,000,000 in the case of the State of Alabama.

''(5) ADDITIONAL REQUIREMENTS.—The requirements of this paragraph are met with respect to any advance refunding of a bond described in paragraph (3) if—

''(A) no advance refundings of such bond would be allowed under this title on or after August 28, 2005,

''(B) the advance refunding bond is the only other outstanding bond with respect to the refunded bond, and

''(C) the requirements of section 148 are met with respect to all bonds issued under this subsection.

''(c) LOW-INCOME HOUSING CREDIT.—

''(1) ADDITIONAL HOUSING CREDIT DOLLAR AMOUNT.—

''(A) IN GENERAL.—For purposes of section 42, in the case of calendar years 2006, 2007, and 2008, the State housing credit ceiling of each State, any portion of which is located in the Gulf Opportunity Zone, shall be increased by the lesser of—

''(i) the aggregate housing credit dollar amount allocated by the State housing credit agency of such State to buildings located in the Gulf Opportunity Zone for such calendar year, or

''(ii) the Gulf Opportunity housing amount for such State for such calendar year.

''(B) GULF OPPORTUNITY HOUSING AMOUNT.—For purposes of subparagraph (A), the term 'Gulf Opportunity housing amount' means, for any calendar year, the amount equal to the product of $18.00 multiplied by the portion of the State population which is in the Gulf Opportunity Zone (as determined on the basis of the most recent census estimate of resident population released by the Bureau of Census before August 28, 2005).

''(C) ALLOCATIONS TREATED AS MADE FIRST FROM ADDITIONAL ALLOCATION AMOUNT FOR PURPOSES OF DETERMINING CARRYOVER.—For purposes of determining the unused State housing credit ceiling under section 42(h)(3)(C) for any calendar year, any increase in the State housing credit ceiling under subparagraph (A) shall be treated as an amount described in clause (ii) of such section.

''(2) DIFFICULT DEVELOPMENT AREA.—

''(A) IN GENERAL.—For purposes of section 42, in the case of property placed in service during 2006, 2007, or 2008, the Gulf Opportunity Zone—

''(i) shall be treated as a difficult development area designated under subclause (I) of section 42(d)(5)(C)(iii), and

''(ii) shall not be taken into account for purposes of applying the limitation under subclause (II) of such section.

''(B) APPLICATION.—Subparagraph (A) shall apply only to—

''(i) housing credit dollar amounts allocated during the period beginning on January 1, 2006, and ending on December 31, 2008, and

''(ii) buildings placed in service during such period to the extent that paragraph (1) of section 42(h) does not apply to any building by reason of paragraph (4) thereof, but only with respect to bonds issued after December 31, 2005.

''(3) SPECIAL RULE FOR APPLYING INCOME TESTS.—In the case of property placed in service—

''(A) during 2006, 2007, or 2008,

''(B) in the Gulf Opportunity Zone, and

''(C) in a nonmetropolitan area (as defined in section 42(d)(5)(C)(iv)(IV)),

section 42 shall be applied by substituting 'national nonmetropolitan median gross income (determined under rules similar to the rules of section 142(d)(2)(B))' for 'area median gross income' in subparagraphs (A) and (B) of section 42(g)(1).

''(4) DEFINITIONS.—Any term used in this subsection which is also used in section 42 shall have the same meaning as when used in such section.

''(d) SPECIAL ALLOWANCE FOR CERTAIN PROPERTY ACQUIRED ON OR AFTER AUGUST 28, 2005.—

''(1) ADDITIONAL ALLOWANCE.—In the case of any qualified Gulf Opportunity Zone property—

''(A) the depreciation deduction provided by section 167(a) for the taxable year in which such property is placed in service shall include an allowance equal to 50 percent of the adjusted basis of such property, and

''(B) the adjusted basis of the qualified Gulf Opportunity Zone property shall be reduced by the amount of such deduction before computing the amount otherwise allowable as a depreciation deduction under this chapter for such taxable year and any subsequent taxable year.

''(2) QUALIFIED GULF OPPORTUNITY ZONE PROPERTY.— For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified Gulf Opportunity Zone property' means property—

''(i)(I) which is described in section 168(k)(2)(A)(i), or

''(II) which is nonresidential real property or residential rental property,

''(ii) substantially all of the use of which is in the Gulf Opportunity Zone and is in the active conduct of a trade or business by the taxpayer in such Zone,

''(iii) the original use of which in the Gulf Opportunity Zone commences with the taxpayer on or after August 28, 2005,

''(iv) which is acquired by the taxpayer by purchase (as defined in section 179(d)) on or after August 28, 2005, but only if no written binding contract for the acquisition was in effect before August 28, 2005, and

''(v) which is placed in service by the taxpayer on or before December 31, 2007 (December 31, 2008, in the case of nonresidential real property and residential rental property).

''(B) EXCEPTIONS.—

''(i) ALTERNATIVE DEPRECIATION PROPERTY.—Such term shall not include any property described in section 168(k)(2)(D)(i).

''(ii) TAX-EXEMPT BOND-FINANCED PROPERTY.—Such term shall not include any property any portion of which is financed with the proceeds of any obligation the interest on which is exempt from tax under section 103.

''(iii) QUALIFIED REVITALIZATION BUILDINGS.—Such term shall not include any qualified revitalization building with respect to which the taxpayer has elected the application of paragraph (1) or (2) of section 1400I(a).

''(iv) ELECTION OUT.—If a taxpayer makes an election under this clause with respect to any class of property for any taxable year, this subsection shall not apply to all property in such class placed in service during such taxable year.

''(3) SPECIAL RULES.—For purposes of this subsection, rules similar to the rules of subparagraph (E) of section 168(k)(2) shall apply, except that such subparagraph shall be applied—

''(A) by substituting 'August 27, 2005' for 'September 10, 2001' each place it appears therein,

''(B) by substituting 'January 1, 2008' for 'January 1, 2005' in clause (i) thereof, and

''(C) by substituting 'qualified Gulf Opportunity Zone property' for 'qualified property' in clause (iv) thereof.

''(4) ALLOWANCE AGAINST ALTERNATIVE MINIMUM TAX.—For purposes of this subsection, rules similar to the rules of section 168(k)(2)(G) shall apply.

''(5) RECAPTURE.—For purposes of this subsection, rules similar to the rules under section 179(d)(10) shall apply with respect to any qualified Gulf Opportunity Zone property which ceases to be qualified Gulf Opportunity Zone property.

''(e) INCREASE IN EXPENSING UNDER SECTION 179.—

''(1) IN GENERAL.—For purposes of section 179—

''(A) the dollar amount in effect under section 179(b)(1) for the taxable year shall be increased by the lesser of—

''(i) $100,000, or

''(ii) the cost of qualified section 179 Gulf Opportunity Zone property placed in service during the taxable year, and

''(B) the the dollar amount in effect under section 179(b)(2) for the taxable year shall be increased by the lesser of—

''(i) $600,000, or

''(ii) the cost of qualified section 179 Gulf Opportunity Zone property placed in service during the taxable year.

''(2) QUALIFIED SECTION 179 GULF OPPORTUNITY ZONE PROPERTY.—For purposes of this subsection, the term 'qualified section 179 Gulf Opportunity Zone property' means section 179 property (as defined in section 179(d)) which is qualified Gulf Opportunity Zone property (as defined in subsection (d)(2)).

''(3) COORDINATION WITH EMPOWERMENT ZONES AND RENEWAL COMMUNITIES.—For purposes of sections 1397A and 1400J, qualified section 179 Gulf Opportunity Zone property shall not be treated as qualified zone property or qualified renewal property, unless the taxpayer elects not to take such qualified section 179 Gulf Opportunity Zone property into account for purposes of this subsection.

''(4) RECAPTURE.—For purposes of this subsection, rules similar to the rules under section 179(d)(10) shall apply with respect to any qualified section 179 Gulf Opportunity Zone property which ceases to be qualified section 179 Gulf Opportunity Zone property.

''(f) EXPENSING FOR CERTAIN DEMOLITION AND CLEAN-UP COSTS.—

''(1) IN GENERAL.—A taxpayer may elect to treat 50 percent of any qualified Gulf Opportunity Zone clean-up cost as an expense which is not chargeable to capital account. Any cost so treated shall be allowed as a deduction for the taxable year in which such cost is paid or incurred.

''(2) QUALIFIED GULF OPPORTUNITY ZONE CLEAN-UP COST.—For purposes of this subsection, the term 'qualified Gulf Opportunity Zone clean-up cost' means any amount paid or incurred during the period beginning on August 28, 2005, and ending on December 31, 2007, for the removal of debris from, or the demolition of structures on, real property which is located in the Gulf Opportunity Zone and which is—

''(A) held by the taxpayer for use in a trade or business or for the production of income, or

''(B) property described in section 1221(a)(1) in the hands of the taxpayer.

For purposes of the preceding sentence, amounts paid or incurred shall be taken into account only to the extent that such amount would (but for paragraph (1)) be chargeable to capital account.

''(g) EXTENSION OF EXPENSING FOR ENVIRONMENTAL REMEDIATION COSTS.—With respect to any qualified environmental remediation expenditure (as defined in section 198(b)) paid or incurred on or after August 28, 2005, in connection with a qualified contaminated site located in the Gulf Opportunity Zone, section 198 (relating to expensing of environmental remediation costs) shall be applied—

''(1) in the case of expenditures paid or incurred on or after August 28, 2005, and before January 1, 2008, by substituting 'December 31, 2007' for the date contained in section 198(h), and

''(2) except as provided in section 198(d)(2), by treating petroleum products (as defined in section 4612(a)(3)) as a hazardous substance.

''(h) INCREASE IN REHABILITATION CREDIT.—In the case of qualified rehabilitation expenditures (as defined in section 47(c)) paid or incurred during the period beginning on August 28, 2005, and ending on December 31, 2008, with respect to any qualified rehabilitated building or certified historic structure (as defined in section 47(c)) located in the Gulf Opportunity Zone, subsection (a) of section 47 (relating to rehabilitation credit) shall be applied—

''(1) by substituting '13 percent' for '10 percent' in paragraph (1) thereof, and

''(2) by substituting '26 percent' for '20 percent' in paragraph (2) thereof.

''(i) SPECIAL RULES FOR SMALL TIMBER PRODUCERS.—

''(1) INCREASED EXPENSING FOR QUALIFIED TIMBER PROPERTY.—In the case of qualified timber property any portion of which is located in the Gulf Opportunity Zone or in that portion of the Rita GO Zone which is not part of the Gulf Opportunity Zone, the limitation under subparagraph (B) of section 194(b)(1) shall be increased by the lesser of—

''(A) the limitation which would (but for this subsection) apply under such subparagraph, or

''(B) the amount of reforestation expenditures (as defined in section 194(c)(3)) paid or incurred by the taxpayer with respect to such qualified timber property during the specified portion of the taxable year.

''(2) 5 YEAR NOL CARRYBACK OF CERTAIN TIMBER LOSSES.—For purposes of determining farming loss under section 172(i), income and deductions which are allocable to the specified portion of the taxable year and which are attributable to qualified timber property any portion of which is located in the Gulf Opportunity Zone or in that portion of the Rita GO Zone which is not part of the Gulf Opportunity Zone shall be treated as attributable to farming businesses.

''(3) RULES NOT APPLICABLE TO LARGE TIMBER PRODUCERS.—

''(A) EXPENSING.—Paragraph (1) shall not apply to any taxpayer if such taxpayer holds more than 500 acres of qualified timber property at any time during the taxable year.

''(B) NOL CARRYBACK.—Paragraph (2) shall not apply with respect to any qualified timber property unless—

''(i) such property was held by the taxpayer—

''(I) on August 28, 2005, in the case of qualified timber property any portion of which is located in the Gulf Opportunity Zone, or

''(II) on September 23, 2005, in the case of qualified timber property (other than property described in subclause (I)) any portion of which is located in that portion of the Rita GO Zone which is not part of the Gulf Opportunity Zone, and

''(ii) such taxpayer held not more than 500 acres of qualified timber property on such date.

''(C) AGGREGATION RULE.—For purposes of subparagraphs (A) and (B), related persons shall be treated as one taxpayer. For purposes of the preceding sentence, the following shall be treated as related persons—

''(i) 2 or more persons if the relationship between such persons would result in a disallowance of losses under section 267 or 707(b), and

''(ii) 2 or more persons which are members of the same controlled group (within the meaning of section 194(b)(2)(A)) of corporations.

For purposes of clause (i), section 267 shall be applied without regard to subsection (b)(1) thereof.

''(4) DEFINITIONS.—For purposes of this subsection—

''(A) SPECIFIED PORTION.—The term 'specified portion' means—

''(i) in the case of qualified timber property any portion of which is located in the Gulf Opportunity Zone, that portion of the taxable year which is on or after August 28, 2005, and before January 1, 2007, and

''(ii) in the case of qualified timber property (other than property described in clause (i)) any portion of which is located in the Rita GO Zone, that portion of the taxable year which is on or after September 23, 2005, and before January 1, 2007.

''(B) QUALIFIED TIMBER PROPERTY.—The term 'qualified timber property' has the meaning given such term in section 194(c)(1).

''(j) SPECIAL RULE FOR GULF OPPORTUNITY ZONE PUBLIC UTILITY CASUALTY LOSSES.—

''(1) IN GENERAL.—The amount described in section 172(f)(1)(A) for any taxable year shall be increased by the Gulf Opportunity Zone public utility casualty loss for such taxable year.

''(2) GULF OPPORTUNITY ZONE PUBLIC UTILITY CASUALTY LOSS.—For purposes of this subsection, the term 'Gulf Opportunity Zone public utility casualty loss' means any casualty loss of public utility property (as defined in section 168(i)(10)) located in the Gulf Opportunity Zone if—

''(A) such loss is allowed as a deduction under section 165 for the taxable year,

''(B) such loss is by reason of Hurricane Katrina, and

''(C) the taxpayer elects the application of this subsection with respect to such loss.

''(3) REDUCTION FOR GAINS FROM INVOLUNTARY CONVERSION.—The amount of Gulf Opportunity Zone public utility casualty loss which would (but for this paragraph) be taken into account under paragraph (1) for any taxable year shall be reduced by the amount of any gain recognized by the taxpayer for such year from the involuntary conversion by reason of Hurricane Katrina of public utility property (as so defined) located in the Gulf Opportunity Zone.

''(4) COORDINATION WITH GENERAL DISASTER LOSS RULES.—Section 165(i) shall not apply to any Gulf Opportunity Zone public utility casualty loss to the extent such loss is taken into account under paragraph (1).

''(5) ELECTION.—Any election under paragraph (2)(C) shall be made in such manner as may be prescribed by the Secretary and shall be made by the due date (including extensions of time) for filing the taxpayer's return for the taxable year of the loss. Such election, once made for any taxable year, shall be irrevocable for such taxable year.

''(k) SPECIAL NOL CARRYBACK OF COST RECOVERY DEDUCTIONS FOR QUALIFIED GO ZONE PROPERTY.—

''(1) IN GENERAL.—For purposes of section 172, the GO Zone cost recovery loss for any taxable year ending on or after August 28, 2005, and before January 1, 2009, shall be a net operating loss carryback to each of the 5 taxable years preceding the taxable year of the loss.

''(2) GO ZONE COST RECOVERY LOSS.—For purposes of this subsection, the term 'GO Zone cost recovery loss' means, with respect to any taxable year, the lesser of—

''(A) the aggregate amount of the deductions allowed under sections 167 and 168 with respect to qualified Gulf Opportunity Zone property (as defined in subsection (d)(2), but without regard to subparagraph (B)(iv) thereof) which is placed in service during such taxable year, or

''(B) the excess of—

''(i) the net operating loss for such taxable year, over

''(ii) the specified liability loss for such taxable year to which a 10-year carryback applies under section 172(b)(1)(C).

''(3) COORDINATION WITH ORDERING RULE.—For purposes of applying section 172(b)(2), a GO Zone cost recovery loss to which paragraph (1) applies shall be treated in a manner similar to the manner in which a specified liability loss is treated.

''(4) ELECTION OUT.—A rule similar to the rule of section 172(j) shall apply for purposes of this subsection.

''(l) CREDIT TO HOLDERS OF GULF TAX CREDIT BONDS.—

''(1) ALLOWANCE OF CREDIT.—If a taxpayer holds a Gulf tax credit bond on one or more credit allowance dates of the bond occurring during any taxable year, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the sum of the credits determined under paragraph (2) with respect to such dates.

''(2) AMOUNT OF CREDIT.—

''(A) IN GENERAL.—The amount of the credit determined under this paragraph with respect to any credit allowance date for a Gulf tax credit bond is 25 percent of the annual credit determined with respect to such bond.

''(B) ANNUAL CREDIT.—The annual credit determined with respect to any Gulf tax credit bond is the product of—

''(i) the credit rate determined by the Secretary under subparagraph (C) for the day on which such bond was sold, multiplied by

''(ii) the outstanding face amount of the bond.

''(C) DETERMINATION.—For purposes of subparagraph (B), with respect to any Gulf tax credit bond, the Secretary shall determine daily or cause to be determined daily a credit rate which shall apply to the first day on which there is a binding, written contract for the sale or exchange of the bond. The credit rate for any day is the credit rate which the Secretary or the Secretary's designee estimates will permit the issuance of Gulf tax credit bonds with a specified maturity or redemption date without discount and without interest cost to the issuer.

''(D) CREDIT ALLOWANCE DATE.—For purposes of this subsection, the term 'credit allowance date' means March 15, June 15, September 15, and December 15. Such term also includes the last day on which the bond is outstanding.

''(E) SPECIAL RULE FOR ISSUANCE AND REDEMPTION.—In the case of a bond which is issued during the 3-month period ending on a credit allowance date, the amount of the credit determined under this paragraph with respect to such credit allowance date shall be a ratable portion of the credit otherwise determined based on the portion of the 3-month period during which the bond is outstanding. A similar rule shall apply when the bond is redeemed or matures.

''(3) LIMITATION BASED ON AMOUNT OF TAX.—The credit allowed under paragraph (1) for any taxable year shall not exceed the excess of—

''(A) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

''(B) the sum of the credits allowable under part IV of subchapter A (other than subpart C and this subsection).

''(4) GULF TAX CREDIT BOND.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'Gulf tax credit bond' means any bond issued as part of an issue if—

''(i) the bond is issued by the State of Alabama, Louisiana, or Mississippi,

''(ii) 95 percent or more of the proceeds of such issue are to be used to—

''(I) pay principal, interest, or premiums on qualified bonds issued by such State or any political subdivision of such State, or

''(II) make a loan to any political subdivision of such State to pay principal, interest, or premiums on qualified bonds issued by such political subdivision,

''(iii) the Governor of such State designates such bond for purposes of this subsection,

''(iv) the bond is a general obligation of such State and is in registered form (within the meaning of section 149(a)),

''(v) the maturity of such bond does not exceed 2 years, and

''(vi) the bond is issued after December 31, 2005, and before January 1, 2007.

''(B) STATE MATCHING REQUIREMENT.—A bond shall not be treated as a Gulf tax credit bond unless—

''(i) the issuer of such bond pledges as of the date of the issuance of the issue an amount equal to the face amount of such bond to be used for payments described in subclause (I) of subparagraph (A)(ii), or loans described in subclause (II) of such subparagraph, as the case may be, with respect to the issue of which such bond is a part, and

''(ii) any such payment or loan is made in equal amounts from the proceeds of such issue and from the amount pledged under clause (i).

The requirement of clause (ii) shall be treated as met with respect to any such payment or loan made during the 1-year period beginning on the date of the issuance (or any successor 1-year period) if such requirement is met when applied with respect to the aggregate amount of such payments and loans made during such period.

''(C) AGGREGATE LIMIT ON BOND DESIGNATIONS.—The maximum aggregate face amount of bonds which may be designated under this subsection by the Governor of a State shall not exceed—

''(i) $200,000,000 in the case of the State of Louisiana,

''(ii) $100,000,000 in the case of the State of Mississippi, and

''(iii) $50,000,000 in the case of the State of Alabama.

''(D) SPECIAL RULES RELATING TO ARBITRAGE.—A bond which is part of an issue shall not be treated as a Gulf tax credit bond unless, with respect to the issue of which the bond is a part, the issuer satisfies the arbitrage requirements of section 148 with respect to proceeds of the issue and any loans made with such proceeds.

''(5) QUALIFIED BOND.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified bond' means any obligation of a State or political subdivision thereof which was outstanding on August 28, 2005.

''(B) EXCEPTION FOR PRIVATE ACTIVITY BONDS.—Such term shall not include any private activity bond.

''(C) EXCEPTION FOR ADVANCE REFUNDINGS.—Such term shall not include any bond with respect to which there is any outstanding refunded or refunding bond during the period in which a Gulf tax credit bond is outstanding with respect to such bond.

''(6) CREDIT INCLUDED IN GROSS INCOME.—Gross income includes the amount of the credit allowed to the taxpayer under this subsection (determined without regard to paragraph (3)) and the amount so included shall be treated as interest income.

''(7) OTHER DEFINITIONS AND SPECIAL RULES.—For purposes of this subsection—

''(A) BOND.—The term 'bond' includes any obligation.

''(B) PARTNERSHIP; S CORPORATION; AND OTHER PASS-THRU ENTITIES.—

''(i) IN GENERAL.—Under regulations prescribed by the Secretary, in the case of a partnership, trust, S corporation, or other pass-thru entity, rules similar to the rules of section 41(g) shall apply with respect to the credit allowable under paragraph (1).

''(ii) NO BASIS ADJUSTMENT.—In the case of a bond held by a partnership or an S corporation, rules similar to the rules under section 1397E(i) shall apply.

''(C) BONDS HELD BY REGULATED INVESTMENT COMPANIES.—If any Gulf tax credit bond is held by a regulated investment company, the credit determined under paragraph (1) shall be allowed to shareholders of such company under procedures prescribed by the Secretary.

''(D) REPORTING.—Issuers of Gulf tax credit bonds shall submit reports similar to the reports required under section 149(e).

''(E) CREDIT TREATED AS NONREFUNDABLE BONDHOLDER CREDIT.—For purposes of this title, the credit allowed by this subsection shall be treated as a credit allowable under subpart H of part IV of subchapter A of this chapter.

''(m) TAX BENEFITS NOT AVAILABLE WITH RESPECT TO FACILITIES FOR GAMBLING, ETC.—

''(1) TAX-EXEMPT BOND FINANCING.—Subsection (a) shall not apply to any bond issued as part of an issue if any portion of the proceeds of such issue is to be used to provide any property described in section 144(c)(6)(B).

''(2) ADVANCE REFUNDING BONDS.—Subsection (b) shall not apply to any advance refunding of a bond which is issued as part of an issue if any portion of the proceeds of such issue (or any prior issue) was (or is to be) used to provide any property described in section 144(c)(6)(B).

''(3) LOW-INCOME HOUSING CREDIT.—For purposes of subsection (c), property shall not be

treated as located or placed in service in the Gulf Opportunity Zone if such property is described in section 144(c)(6)(B).

''(4) SPECIAL ALLOWANCE FOR CERTAIN PROPERTY; SECTION 179 EXPENSING; CARRYBACK OF COST RECOVERY DEDUCTIONS.—For purposes of subsections (d), (e), and (k), the term 'qualified Gulf Opportunity Zone property' shall not include any property described in section 144(c)(6)(B).

''(5) DEMOLITION AND CLEAN-UP COSTS; REMEDIATION; REHABILITATION EXPENSES.—Subsections (f), (g), and (h) shall not apply with respect to any amount paid or incurred with respect to any property described in section 144(c)(6)(B).

''(6) TIMBER PRODUCERS.—For purposes of subsection (i), qualified timber property shall not include any property described in section 144(c)(6)(B).

''(7) PUBLIC UTILITY CASUALTY LOSSES.—For purposes of subsection (j), public utility property shall not include any property described in section 144(c)(6)(B).

''(8) GULF TAX CREDIT BONDS.—Subsection (l) shall not apply to any bond issued as part of an issue if any portion of the proceeds of such issue is to be used to provide any property described in section 144(c)(6)(B).''.

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (2) of section 54(c) is amended by inserting '', section 1400N(l),'' after ''subpart C''.

(2) Subparagraph (A) of section 6049(d)(8) is amended—

(A) by inserting ''or 1400N(l)(6)'' after ''section 54(g)'', and

(B) by inserting ''or 1400N(l)(2)(D), as the case may be'' after ''section 54(b)(4)''.

(3) So much of subchapter Y of chapter 1 as precedes section 1400L is amended to read as follows:

''Subchapter Y—Short-term Regional Benefits

''PART I—TAX BENEFITS FOR NEW YORK LIBERTY ZONE

''PART II—TAX BENEFITS FOR GULF OPPORTUNITY ZONE

''PART I—TAX BENEFITS FOR NEW YORK LIBERTY ZONE

''Sec. 1400L. Tax benefits for New York Liberty Zone.''.

(4) The item relating to subchapter Y in the table of subchapters for chapter 1 is amended to read as follows:

''SUBCHAPTER Y—SHORT-TERM REGIONAL BENEFITS''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years ending on or after August 28, 2005.

(2) CARRYBACKS.—Subsections (i)(2), (j), and (k) of section 1400N of the Internal Revenue Code of 1986 (as added by this section) shall apply to losses arising in such taxable years.

SEC. 102. FEDERAL GUARANTEE OF CERTAIN STATE BONDS.

(a) STATE BONDS DESCRIBED.—

(1) IN GENERAL.—This section shall apply to a bond issued as part of an issue if—

(A) the issue of which such bond is part is an issue of the State of Alabama, Louisiana, or Mississippi,

(B) the bond is a general obligation of the issuing State and is in registered form,

(C) the proceeds of the bond are distributed to one or more political subdivisions of the issuing State,

(D) the maturity of such bond does not exceed 5 years,

(E) the bond is issued after the date of the enactment of this Act and before January 1, 2008, and

(F) the bond is designated by the Secretary of the Treasury for purposes of this section.

(2) FACILITIES FOR GAMBLING, ETC.—The Secretary of the Treasury may not designate any bond for purposes of this section if such bond is issued as part of an issue any portion of the proceeds of which is to be used to provide any property described in section 144(c)(6)(B).

(b) APPLICATION.—

(1) IN GENERAL.—The Secretary of the Treasury may only designate a bond for purposes of this section pursuant to an application submitted to the Secretary by the State which demonstrates the need for such designation on the basis of the criteria specified in paragraph (2).

(2) CRITERIA.—For purposes of paragraph (1), the criteria specified in this paragraph are—

(A) the loss of revenue base of one or more political subdivisions of the State by reason of Hurricane Katrina,

(B) the need for resources to fund infrastructure within, or operating expenses of, any such political subdivision,

(C) the lack of access of such political subdivision to capital, and

(D) any other criteria as may be determined by the Secretary.

(3) GUIDANCE FOR SUBMISSION AND CONSIDERATION OF APPLICATIONS.—The Secretary of the Treasury shall prescribe regulations or other guidance which provide for the time and manner for the submission and consideration of applications under this subsection.

(c) FEDERAL GUARANTEE.—A bond described in subsection (a) is guaranteed by the United States in an amount equal to 50 percent of the outstanding principal with respect to such bond.

(d) AGGREGATE LIMIT ON BOND DESIGNATIONS.—The maximum aggregate face amount of bonds which may be issued under this section shall not exceed $3,000,000,000.

TITLE II—TAX BENEFITS RELATED TO HURRICANES RITA AND WILMA

SEC. 201. EXTENSION OF CERTAIN EMERGENCY TAX RELIEF FOR HURRICANE KATRINA TO HURRICANES RITA AND WILMA.

(a) IN GENERAL.—Part II of subchapter Y of chapter 1 (as added by this Act) is amended by adding at the end the following new sections:

''SEC. 1400O. SPECIAL RULES FOR USE OF RETIREMENT FUNDS.

''(a) TAX-FAVORED WITHDRAWALS FROM RETIREMENT PLANS.—

''(1) IN GENERAL.—Section 72(t) shall not apply to any qualified hurricane distribution.

''(2) AGGREGATE DOLLAR LIMITATION.—

''(A) IN GENERAL.—For purposes of this subsection, the aggregate amount of distributions received by an individual which may be treated as qualified hurricane distributions for any taxable year shall not exceed the excess (if any) of—

''(i) $100,000, over

''(ii) the aggregate amounts treated as qualified hurricane distributions received by such individual for all prior taxable years.

''(B) TREATMENT OF PLAN DISTRIBUTIONS.—If a distribution to an individual would (without regard to subparagraph (A)) be a qualified hurricane distribution, a plan shall not be treated as violating any requirement of this title merely because the plan treats such distribution as a qualified hurricane distribution, unless the aggregate amount of such distributions from all plans maintained by the employer (and any member of any controlled group which includes the employer) to such individual exceeds $100,000.

''(C) CONTROLLED GROUP.—For purposes of subparagraph (B), the term 'controlled group' means any group treated as a single employer under subsection (b), (c), (m), or (o) of section 414.

''(3) AMOUNT DISTRIBUTED MAY BE REPAID.—

''(A) IN GENERAL.—Any individual who receives a qualified hurricane distribution may, at any time during the 3-year period beginning on the day after the date on which such distribution was received, make one or more contributions in an aggregate amount not to exceed the amount of such distribution to an eligible retirement plan of which such individual is a beneficiary and to which a rollover contribution of such distribution could be made under section 402(c), 403(a)(4), 403(b)(8), 408(d)(3), or 457(e)(16), as the case may be.

''(B) TREATMENT OF REPAYMENTS OF DISTRIBUTIONS FROM ELIGIBLE RETIREMENT PLANS OTHER THAN IRAS.—For purposes of this title, if a contribution is made pursuant to subparagraph (A) with respect to a qualified hurricane distribution from an eligible retirement plan other than an individual retirement plan, then the taxpayer shall, to the extent of the amount of the contribution, be treated as having received the qualified hurricane distribution in an eligible rollover distribution (as defined in section 402(c)(4)) and as having transferred the amount to the eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

''(C) TREATMENT OF REPAYMENTS FOR DISTRIBUTIONS FROM IRAS.—For purposes of this title, if a contribution is made pursuant to subparagraph (A) with respect to a qualified hurricane distribution from an individual retirement plan (as defined by section 7701(a)(37)), then, to the extent of the amount of the contribution, the qualified hurricane distribution shall be treated as a distribution described in section 408(d)(3) and as having been transferred to the eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

''(4) DEFINITIONS.—For purposes of this subsection—

''(A) QUALIFIED HURRICANE DISTRIBUTION.—Except as provided in paragraph (2), the term 'qualified hurricane distribution' means—

''(i) any distribution from an eligible retirement plan made on or after August 25, 2005, and before January 1, 2007, to an individual whose principal place of abode on August 28, 2005, is located in the Hurricane Katrina disaster area and who has sustained an economic loss by reason of Hurricane Katrina,

''(ii) any distribution (which is not described in clause (i)) from an eligible retirement plan made on or after September 23, 2005, and before January 1, 2007, to an individual whose principal place of abode on September 23, 2005, is located in the Hurricane Rita disaster area and who has sustained an economic loss by reason of Hurricane Rita, and

''(iii) any distribution (which is not described in clause (i) or (ii)) from an eligible retirement plan made on or after October 23, 2005, and before January 1, 2007, to an individual whose principal place of abode on October 23, 2005, is located in the Hurricane Wilma disaster area and who has sustained an economic loss by reason of Hurricane Wilma.

''(B) ELIGIBLE RETIREMENT PLAN.—The term 'eligible retirement plan' shall have the meaning given such term by section 402(c)(8)(B).

''(5) INCOME INCLUSION SPREAD OVER 3-YEAR PERIOD.—

''(A) IN GENERAL.—In the case of any qualified hurricane distribution, unless the taxpayer elects not to have this paragraph apply for any taxable year, any amount required to be included in gross income for such taxable year shall be so included ratably over the 3-taxable year period beginning with such taxable year.

''(B) SPECIAL RULE.—For purposes of subparagraph (A), rules similar to the rules of subparagraph (E) of section 408A(d)(3) shall apply.

''(6) SPECIAL RULES.—

''(A) EXEMPTION OF DISTRIBUTIONS FROM TRUSTEE TO TRUSTEE TRANSFER AND WITHHOLDING RULES.—For purposes of sections 401(a)(31), 402(f), and 3405, qualified hurricane distributions shall not be treated as eligible rollover distributions.

''(B) QUALIFIED HURRICANE DISTRIBUTIONS TREATED AS MEETING PLAN DISTRIBUTION REQUIREMENTS.—For purposes this title, a qualified hurricane distribution shall be treated as meeting the requirements of sections 401(k)(2)(B)(i), 403(b)(7)(A)(ii), 403(b)(11), and 457(d)(1)(A).

''(b) RECONTRIBUTIONS OF WITHDRAWALS FOR HOME PURCHASES.—

''(1) RECONTRIBUTIONS.—

''(A) IN GENERAL.—Any individual who received a qualified distribution may, during the applicable period, make one or more contributions in an aggregate amount not to exceed the amount of such qualified distribution to an eligible retirement plan (as defined in section 402(c)(8)(B)) of which such individual is a beneficiary and to which a rollover contribution of such distribution could be made under section 402(c), 403(a)(4), 403(b)(8), or 408(d)(3), as the case may be.

''(B) TREATMENT OF REPAYMENTS.—Rules similar to the rules of subparagraphs (B) and (C) of subsection (a)(3) shall apply for purposes of this subsection.

''(2) QUALIFIED DISTRIBUTION.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified distribution' means any qualified Katrina distribution, any qualified Rita distribution, and any qualified Wilma distribution.

''(B) QUALIFIED KATRINA DISTRIBUTION.—The term 'qualified Katrina distribution' means any distribution—

''(i) described in section 401(k)(2)(B)(i)(IV), 403(b)(7)(A)(ii) (but only to the extent such distribution relates to financial hardship), 403(b)(11)(B), or 72(t)(2)(F),

''(ii) received after February 28, 2005, and before August 29, 2005, and

''(iii) which was to be used to purchase or construct a principal residence in the Hurricane Katrina disaster area, but which was not so purchased or constructed on account of Hurricane Katrina.

''(C) QUALIFIED RITA DISTRIBUTION.—The term 'qualified Rita distribution' means any distribution (other than a qualified Katrina distribution)—

''(i) described in section 401(k)(2)(B)(i)(IV), 403(b)(7)(A)(ii) (but only to the extent such distribution relates to financial hardship), 403(b)(11)(B), or 72(t)(2)(F),

''(ii) received after February 28, 2005, and before September 24, 2005, and

''(iii) which was to be used to purchase or construct a principal residence in the Hurricane Rita disaster area, but which was not so purchased or constructed on account of Hurricane Rita.

''(D) QUALIFIED WILMA DISTRIBUTION.—The term 'qualified Wilma distribution' means any distribution (other than a qualified Katrina distribution or a qualified Rita distribution)—

''(i) described in section 401(k)(2)(B)(i)(IV), 403(b)(7)(A)(ii) (but only to the extent such distribution relates to financial hardship), 403(b)(11)(B), or 72(t)(2)(F),

''(ii) received after February 28, 2005, and before October 24, 2005, and

''(iii) which was to be used to purchase or construct a principal residence in the Hurricane Wilma disaster area, but which was not so purchased or constructed on account of Hurricane Wilma.

''(3) APPLICABLE PERIOD.—For purposes of this subsection, the term 'applicable period' means—

''(A) with respect to any qualified Katrina distribution, the period beginning on August 25, 2005, and ending on February 28, 2006,

''(B) with respect to any qualified Rita distribution, the period beginning on September 23, 2005, and ending on February 28, 2006, and

''(C) with respect to any qualified Wilma distribution, the period beginning on October 23, 2005, and ending on February 28, 2006.

''(c) LOANS FROM QUALIFIED PLANS.—

''(1) INCREASE IN LIMIT ON LOANS NOT TREATED AS DISTRIBUTIONS.—In the case of any loan from a qualified employer plan (as defined under section 72(p)(4)) to a qualified individual made during the applicable period—

''(A) clause (i) of section 72(p)(2)(A) shall be applied by substituting '$100,000' for '$50,000', and

''(B) clause (ii) of such section shall be applied by substituting 'the present value of the nonforfeitable accrued benefit of the employee under the plan' for 'one-half of the present value of the nonforfeitable accrued benefit of the employee under the plan'.

''(2) DELAY OF REPAYMENT.—In the case of a qualified individual with an outstanding loan on or after the qualified beginning date from a qualified employer plan (as defined in section 72(p)(4))—

''(A) if the due date pursuant to subparagraph (B) or (C) of section 72(p)(2) for any repayment with respect to such loan occurs during the period beginning on the qualified beginning date and ending on December 31, 2006, such due date shall be delayed for 1 year,

''(B) any subsequent repayments with respect to any such loan shall be appropriately adjusted to reflect the delay in the due date under paragraph (1) and any interest accruing during such delay, and

''(C) in determining the 5-year period and the term of a loan under subparagraph (B) or (C) of section 72(p)(2), the period described in subparagraph (A) shall be disregarded.

''(3) QUALIFIED INDIVIDUAL.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified individual' means any qualified Hurricane Katrina individual, any qualified Hurricane Rita individual, and any qualified Hurricane Wilma individual.

''(B) QUALIFIED HURRICANE KATRINA INDIVIDUAL.—The term 'qualified Hurricane Katrina individual' means an individual whose principal place of abode on August 28, 2005, is located in the Hurricane Katrina disaster area and who has sustained an economic loss by reason of Hurricane Katrina.

''(C) QUALIFIED HURRICANE RITA INDIVIDUAL.—The term 'qualified Hurricane Rita individual' means an individual (other than a qualified Hurricane Katrina individual) whose principal place of abode on September 23, 2005, is located in the Hurricane Rita disaster area and who has sustained an economic loss by reason of Hurricane Rita.

''(D) QUALIFIED HURRICANE WILMA INDIVIDUAL.—The term 'qualified Hurricane Wilma individual' means an individual (other than a qualified Hurricane Katrina individual or a qualified Hurricane Rita individual) whose principal place of abode on October 23, 2005, is located in the Hurricane Wilma disaster area and who has sustained an economic loss by reason of Hurricane Wilma.

''(4) APPLICABLE PERIOD; QUALIFIED BEGINNING DATE.—For purposes of this subsection—

''(A) HURRICANE KATRINA.—In the case of any qualified Hurricane Katrina individual—

''(i) the applicable period is the period beginning on September 24, 2005, and ending on December 31, 2006, and

''(ii) the qualified beginning date is August 25, 2005.

''(B) HURRICANE RITA.—In the case of any qualified Hurricane Rita individual—

''(i) the applicable period is the period beginning on the date of the enactment of this subsection and ending on December 31, 2006, and

''(ii) the qualified beginning date is September 23, 2005.

''(C) HURRICANE WILMA.—In the case of any qualified Hurricane Wilma individual—

''(i) the applicable period is the period beginning on the date of the enactment of this subparagraph and ending on December 31, 2006, and

''(ii) the qualified beginning date is October 23, 2005.

''(d) PROVISIONS RELATING TO PLAN AMENDMENTS.—

''(1) IN GENERAL.—If this subsection applies to any amendment to any plan or annuity contract, such plan or contract shall be treated as being operated in accordance with the terms of the plan during the period described in paragraph (2)(B)(i).

''(2) AMENDMENTS TO WHICH SUBSECTION APPLIES.—

''(A) IN GENERAL.—This subsection shall apply to any amendment to any plan or annuity contract which is made—

''(i) pursuant to any provision of this section, or pursuant to any regulation issued by the Secretary or the Secretary of Labor under any provision of this section, and

''(ii) on or before the last day of the first plan year beginning on or after January 1, 2007, or such later date as the Secretary may prescribe.

In the case of a governmental plan (as defined in section 414(d)), clause (ii) shall be applied by substituting the date which is 2 years after the date otherwise applied under clause (ii).

''(B) CONDITIONS.—This subsection shall not apply to any amendment unless—

''(i) during the period—

''(I) beginning on the date that this section or the regulation described in subparagraph (A)(i) takes effect (or in the case of a plan or contract amendment not required by this section or such regulation, the effective date specified by the plan), and

''(II) ending on the date described in subparagraph (A)(ii) (or, if earlier, the date the plan or contract amendment is adopted),

the plan or contract is operated as if such plan or contract amendment were in effect; and

''(ii) such plan or contract amendment applies retroactively for such period.

''SEC. 1400P. EMPLOYMENT RELIEF.

''(a) EMPLOYEE RETENTION CREDIT FOR EMPLOYERS AFFECTED BY HURRICANE KATRINA.—

''(1) IN GENERAL.—For purposes of section 38, in the case of an eligible employer, the Hurricane Katrina employee retention credit for any taxable year is an amount equal to 40 percent of the qualified wages with respect to each eligible employee of such employer for such taxable year. For purposes of the preceding sentence, the amount of qualified wages which may be taken into account with respect to any individual shall not exceed $6,000.

''(2) DEFINITIONS.—For purposes of this subsection—

''(A) ELIGIBLE EMPLOYER.—The term 'eligible employer' means any employer—

''(i) which conducted an active trade or business on August 28, 2005, in the GO Zone, and

''(ii) with respect to whom the trade or business described in clause (i) is inoperable on any day after August 28, 2005, and before January 1, 2006, as a result of damage sustained by reason of Hurricane Katrina.

''(B) ELIGIBLE EMPLOYEE.—The term 'eligible employee' means with respect to an eligible employer an employee whose principal place of employment on August 28, 2005, with such eligible employer was in the GO Zone.

''(C) QUALIFIED WAGES.—The term 'qualified wages' means wages (as defined in section 51(c)(1), but without regard to section 3306(b)(2)(B)) paid or incurred by an eligible employer with respect to an eligible employee on any day after August 28, 2005, and before January 1, 2006, which occurs during the period—

''(i) beginning on the date on which the trade or business described in subparagraph (A) first became inoperable at the principal place of employment of the employee immediately before Hurricane Katrina, and

''(ii) ending on the date on which such trade or business has resumed significant operations at such principal place of employment.

Such term shall include wages paid without regard to whether the employee performs no services, performs services at a different place of employment than such principal place of employment, or performs services at such principal place of employment before significant operations have resumed.

''(3) CREDIT NOT ALLOWED FOR LARGE BUSINESSES.—The term 'eligible employer' shall not include any trade or business for any taxable year if such trade or business employed an average of more than 200 employees on business days during the taxable year.

''(4) CERTAIN RULES TO APPLY.—For purposes of this subsection, rules similar to the rules of sections 51(i)(1), 52, and 280C(a) shall apply.

''(5) EMPLOYEE NOT TAKEN INTO ACCOUNT MORE THAN ONCE.—An employee shall not be treated as an eligible employee for purposes of this subsection for any period with respect to any employer if such employer is allowed a credit under section 51 with respect to such employee for such period.

''(b) EMPLOYEE RETENTION CREDIT FOR EMPLOYERS AFFECTED BY HURRICANE RITA.—

''(1) IN GENERAL.—For purposes of section 38, in the case of an eligible employer, the Hurricane Rita employee retention credit for any taxable year is an amount equal to 40 percent of the qualified wages with respect to each eligible employee of such employer for such taxable year. For purposes of the preceding sentence, the amount of qualified wages which may be taken into account with respect to any individual shall not exceed $6,000.

''(2) DEFINITIONS.—For purposes of this subsection—

''(A) ELIGIBLE EMPLOYER.—The term 'eligible employer' means any employer—

''(i) which conducted an active trade or business on September 23, 2005, in the Rita GO Zone, and

''(ii) with respect to whom the trade or business described in clause (i) is inoperable on any day after September 23, 2005, and before January 1, 2006, as a result of damage sustained by reason of Hurricane Rita.

''(B) ELIGIBLE EMPLOYEE.—The term 'eligible employee' means with respect to an eligible employer an employee whose principal place of employment on September 23, 2005, with such eligible employer was in the Rita GO Zone.

''(C) QUALIFIED WAGES.—The term 'qualified wages' means wages (as defined in section 51(c)(1), but without regard to section 3306(b)(2)(B)) paid or incurred by an eligible employer with respect to an eligible employee on any day after September 23, 2005, and before January 1, 2006, which occurs during the period—

''(i) beginning on the date on which the trade or business described in subparagraph (A) first became inoperable at the principal place of employment of the employee immediately before Hurricane Rita, and

''(ii) ending on the date on which such trade or business has resumed significant operations at such principal place of employment.

Such term shall include wages paid without regard to whether the employee performs no services, performs services at a different place of employment than such principal place of employment, or performs services at such principal place of employment before significant operations have resumed.

''(3) CREDIT NOT ALLOWED FOR LARGE BUSINESSES.—The term 'eligible employer' shall not include any trade or business for any taxable year if such trade or business employed an average of more than 200 employees on business days during the taxable year.

''(4) CERTAIN RULES TO APPLY.—For purposes of this subsection, rules similar to the rules of sections 51(i)(1), 52, and 280C(a) shall apply.

''(5) EMPLOYEE NOT TAKEN INTO ACCOUNT MORE THAN ONCE.—An employee shall not be treated as an eligible employee for purposes of this subsection for any period with respect to any employer if such employer is allowed a credit under subsection (a) or section 51 with respect to such employee for such period.

''(c) EMPLOYEE RETENTION CREDIT FOR EMPLOYERS AFFECTED BY HURRICANE WILMA.—

''(1) IN GENERAL.—For purposes of section 38, in the case of an eligible employer, the Hurricane Wilma employee retention credit for any taxable year is an amount equal to 40 percent of the qualified wages with respect to each eligible employee of such employer for such taxable year. For purposes of the preceding sentence, the amount of qualified wages which may be taken into account with respect to any individual shall not exceed $6,000.

''(2) DEFINITIONS.—For purposes of this subsection—

''(A) ELIGIBLE EMPLOYER.—The term 'eligible employer' means any employer—

''(i) which conducted an active trade or business on October 23, 2005, in the Wilma GO Zone, and

''(ii) with respect to whom the trade or business described in clause (i) is inoperable on any day after October 23, 2005, and before January 1, 2006, as a result of damage sustained by reason of Hurricane Wilma.

''(B) ELIGIBLE EMPLOYEE.—The term 'eligible employee' means with respect to an eligible employer an employee whose principal place of employment on October 23, 2005, with such eligible employer was in the Wilma GO Zone.

''(C) QUALIFIED WAGES.—The term 'qualified wages' means wages (as defined in section 51(c)(1), but without regard to section 3306(b)(2)(B)) paid or incurred by an eligible employer with respect to an eligible employee on any day after October 23, 2005, and before January 1, 2006, which occurs during the period—

''(i) beginning on the date on which the trade or business described in subparagraph (A) first became inoperable at the principal place of employment of the employee immediately before Hurricane Wilma, and

''(ii) ending on the date on which such trade or business has resumed significant operations at such principal place of employment.

Such term shall include wages paid without regard to whether the employee performs no services, performs services at a different place of employment than such principal place of employment, or performs services at such principal place of employment before significant operations have resumed.

''(3) CREDIT NOT ALLOWED FOR LARGE BUSINESSES.—The term 'eligible employer' shall not include any trade or business for any taxable year if such trade or business employed an average of more than 200 employees on business days during the taxable year.

''(4) CERTAIN RULES TO APPLY.—For purposes of this subsection, rules similar to the rules of sections 51(i)(1), 52, and 280C(a) shall apply.

''(5) EMPLOYEE NOT TAKEN INTO ACCOUNT MORE THAN ONCE.—An employee shall not be treated as an eligible employee for purposes of this subsection for any period with respect to any employer if such employer is allowed a credit under subsection (a) or (b) or section 51 with respect to such employee for such period.

''SEC. 1400Q. ADDITIONAL TAX RELIEF PROVISIONS.

''(a) TEMPORARY SUSPENSION OF LIMITATIONS ON CHARITABLE CONTRIBUTIONS.—

''(1) IN GENERAL.—Except as otherwise provided in paragraph (2), section 170(b) shall not apply to qualified contributions and such contributions shall not be taken into account for purposes of applying subsections (b) and (d) of section 170 to other contributions.

''(2) TREATMENT OF EXCESS CONTRIBUTIONS.—For purposes of section 170—

''(A) INDIVIDUALS.—In the case of an individual—

''(i) LIMITATION.—Any qualified contribution shall be allowed only to the extent that the aggregate of such contributions does not exceed the excess of the taxpayer's contribution base (as defined in subparagraph (F) of section 170(b)(1)) over the amount of all other charitable contributions allowed under section 170(b)(1).

''(ii) CARRYOVER.—If the aggregate amount of qualified contributions made in the contribution year (within the meaning of section 170(d)(1)) exceeds the limitation of clause (i), such excess shall be added to the excess described in the portion of subparagraph (A) of such section which precedes clause (i) thereof for purposes of applying such section.

''(B) CORPORATIONS.—In the case of a corporation—

''(i) LIMITATION.—Any qualified contribution shall be allowed only to the extent that the aggregate of such contributions does not exceed the excess of the taxpayer's taxable income (as determined under paragraph (2) of section 170(b)) over the amount of all other charitable contributions allowed under such paragraph.

''(ii) CARRYOVER.—Rules similar to the rules of subparagraph (A)(ii) shall apply for purposes of this subparagraph.

''(3) EXCEPTION TO OVERALL LIMITATION ON ITEMIZED DEDUCTIONS.—So much of any deduction allowed under section 170 as does not exceed the qualified contributions paid during the taxable year shall not be treated as an itemized deduction for purposes of section 68.

''(4) QUALIFIED CONTRIBUTIONS.—

''(A) IN GENERAL.—For purposes of this subsection, the term 'qualified contribution' means any charitable contribution (as defined in section 170(c)) if—

''(i) such contribution is paid during the period beginning on August 28, 2005, and ending on December 31, 2005, in cash to an organization described in section 170(b)(1)(A) (other than an organization described in section 509(a)(3)),

''(ii) in the case of a contribution paid by a corporation, such contribution is for relief efforts related to Hurricane Katrina, Hurricane Rita, or Hurricane Wilma, and

''(iii) the taxpayer has elected the application of this subsection with respect to such contribution.

''(B) EXCEPTION.—Such term shall not include a contribution if the contribution is

for establishment of a new, or maintenance in an existing, segregated fund or account with respect to which the donor (or any person appointed or designated by such donor) has, or reasonably expects to have, advisory privileges with respect to distributions or investments by reason of the donor's status as a donor.

''(C) APPLICATION OF ELECTION TO PARTNERSHIPS AND S CORPORATIONS.—In the case of a partnership or S corporation, the election under subparagraph (A)(iii) shall be made separately by each partner or shareholder.

''(b) SUSPENSION OF CERTAIN LIMITATIONS ON PERSONAL CASUALTY LOSSES.—Paragraphs (1) and (2)(A) of section 165(h) shall not apply to losses described in section 165(c)(3)—

''(1) which arise in the Hurricane Katrina disaster area on or after August 25, 2005, and which are attributable to Hurricane Katrina,

''(2) which arise in the Hurricane Rita disaster area on or after September 23, 2005, and which are attributable to Hurricane Rita, or

''(3) which arise in the Hurricane Wilma disaster area on or after October 23, 2005, and which are attributable to Hurricane Wilma.

In the case of any other losses, section 165(h)(2)(A) shall be applied without regard to the losses referred to in the preceding sentence.

''(c) REQUIRED EXERCISE OF AUTHORITY UNDER SECTION 7508A.—In the case of any taxpayer determined by the Secretary to be affected by the Presidentially declared disaster relating to Hurricane Katrina, Hurricane Rita, or Hurricane Wilma, any relief provided by the Secretary under section 7508A shall be for a period ending not earlier than February 28, 2006.

''(d) SPECIAL RULE FOR DETERMINING EARNED INCOME.—

''(1) IN GENERAL.—In the case of a qualified individual, if the earned income of the taxpayer for the taxable year which includes the applicable date is less than the earned income of the taxpayer for the preceding taxable year, the credits allowed under sections 24(d) and 32 may, at the election of the taxpayer, be determined by substituting—

''(A) such earned income for the preceding taxable year, for

''(B) such earned income for the taxable year which includes the applicable date.

''(2) QUALIFIED INDIVIDUAL.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified individual' means any qualified Hurricane Katrina individual, any qualified Hurricane Rita individual, and any qualified Hurricane Wilma individual.

''(B) QUALIFIED HURRICANE KATRINA INDIVIDUAL.—The term 'qualified Hurricane Katrina individual' means any individual whose principal place of abode on August 25, 2005, was located—

''(i) in the GO Zone, or

''(ii) in the Hurricane Katrina disaster area (but outside the GO Zone) and such individual was displaced from such principal place of abode by reason of Hurricane Katrina.

''(C) QUALIFIED HURRICANE RITA INDIVIDUAL.—The term 'qualified Hurricane Rita individual' means any individual (other than a qualified Hurricane Katrina individual) whose principal place of abode on September 23, 2005, was located—

''(i) in the Rita GO Zone, or

''(ii) in the Hurricane Rita disaster area (but outside the Rita GO Zone) and such individual was displaced from such principal place of abode by reason of Hurricane Rita.

''(D) QUALIFIED HURRICANE WILMA INDIVIDUAL.—The term 'qualified Hurricane Wilma individual' means any individual whose principal place of abode on October 23, 2005, was located—

''(i) in the Wilma GO Zone, or

''(ii) in the Hurricane Wilma disaster area (but outside the Wilma GO Zone) and such individual was displaced from such principal place of abode by reason of Hurricane Wilma.

''(3) APPLICABLE DATE.—For purposes of this subsection, the term 'applicable date' means—

''(A) in the case of a qualified Hurricane Katrina individual, August 25, 2005,

''(B) in the case of a qualified Hurricane Rita individual, September 23, 2005, and

''(C) in the case of a qualified Hurricane Wilma individual, October 23, 2005.

''(4) EARNED INCOME.—For purposes of this subsection, the term 'earned income' has the meaning given such term under section 32(c).

''(5) SPECIAL RULES.—

''(A) APPLICATION TO JOINT RETURNS.—For purposes of paragraph (1), in the case of a joint return for a taxable year which includes the applicable date—

''(i) such paragraph shall apply if either spouse is a qualified individual, and

''(ii) the earned income of the taxpayer for the preceding taxable year shall be the sum of the earned income of each spouse for such preceding taxable year.

''(B) UNIFORM APPLICATION OF ELECTION.—Any election made under paragraph (1) shall apply with respect to both section 24(d) and section 32.

''(C) ERRORS TREATED AS MATHEMATICAL ERROR.—For purposes of section 6213, an incorrect use on a return of earned income pursuant to paragraph (1) shall be treated as a mathematical or clerical error.

''(D) NO EFFECT ON DETERMINATION OF GROSS INCOME, ETC.—Except as otherwise provided in this subsection, this title shall be applied without regard to any substitution under paragraph (1).

''(e) SECRETARIAL AUTHORITY TO MAKE ADJUSTMENTS REGARDING TAXPAYER AND DEPENDENCY STATUS.—With respect to taxable years beginning in 2005 or 2006, the Secretary may make such adjustments in the application of the internal revenue laws as may be necessary to ensure that taxpayers do not lose any deduction or credit or experience a change of filing status by reason of temporary relocations by reason of Hurricane Katrina, Hurricane Rita, or Hurricane Wilma. Any adjustments made under the preceding sentence shall ensure that an individual is not taken into account by more than one taxpayer with respect to the same tax benefit.''.

(b) CONFORMING AMENDMENTS.—

(1) Subsection (b) of section 38 is amended by striking ''and'' at the end of paragraph (25), by striking the period at the end of paragraph (26) and inserting a comma, and by adding at the end the following new paragraphs:

''(27) the Hurricane Katrina employee retention credit determined under section 1400P(a),

''(28) the Hurricane Rita employee retention credit determined under section 1400P(b), and

''(29) the Hurricane Wilma employee retention credit determined under section 1400P(c).''.

(2) The table of sections for part II of subchapter Y of chapter 1 is amended by adding at the end the following new items:

''Sec. 1400O. Special rules for use of retirement funds.
''Sec. 1400P. Employment relief.
''Sec. 1400Q. Additional tax relief provisions.''.

(3) The heading for such part is amended by striking ''**GULF OPPORTUNITY ZONE**'' and inserting ''**HURRICANE RELIEF**''.

(4) The following provisions of the Katrina Emergency Tax Relief Act of 2005 are hereby repealed:

(A) Title I.

(B) Sections 202, 301, 402, 403(b), 406, and 407.

TITLE III—OTHER PROVISIONS

SEC. 301. SECRETARIAL AUTHORITY TO EXTEND PERIOD DURING WHICH TRAVELING EXPENSES ARE TREATED AS INCURRED AWAY FROM HOME IN CASE OF MAJOR DISASTER.

(a) IN GENERAL.—Section 162 (relating to trade or business expenses) is amended by redesignating subsection (q) as subsection (r) and by inserting after subsection (p) the following new subsection:

''(q) LIMITATION ON TRAVELING EXPENSES.—

''(1) IN GENERAL.—For purposes of subsection (a)(2), the taxpayer shall not be treated as being temporarily away from home during any period of employment if such period exceeds 1 year.

''(2) AUTHORITY TO EXTEND IN CASE OF MAJOR DISASTER.—In the case of a taxpayer who is away from home in pursuit of a trade or business by reason of a disaster which the President has declared to be a major disaster under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the Secretary may extend the 1-year period referred to in paragraph (1) for a period not exceeding 1 additional year.

''(3) EXCEPTION FOR CERTAIN FEDERAL EMPLOYEES DESIGNATED BY THE ATTORNEY GENERAL.—Paragraph (1) shall not apply to any Federal employee during any period for which such employee is certified by the Attorney General (or the designee thereof) as traveling on behalf of the United States in temporary duty status to investigate or prosecute, or provide support services for the investigation or prosecution of, a Federal crime.''.

(b) CONFORMING AMENDMENT.—Subsection (a) of section 162 is amended by striking the last two sentences.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after the date of the enactment of this Act.

SEC. 302. GULF COAST RECOVERY BONDS.

It is the sense of the Congress that the Secretary of the Treasury, or the Secretary's delegate, should designate one or more series of bonds or certificates (or any portion thereof) issued under section 3105 of title 31, United States Code, as ''Gulf Coast Recovery Bonds'' in response to Hurricanes Katrina, Rita, and Wilma.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. MCCRERY) and the gentleman from Louisiana (Mr. JEFFERSON) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana.

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

Mr. Speaker, the Gulf Opportunity Zone Act of 2005 is a reflection of the commitment that President Bush made shortly after Hurricane Katrina hit the shores of the Gulf of Mexico. He talked about creating an opportunity zone similar to the zone that we created in New York City after the attacks of September 11, 2001.

The bill before us today, in fact, contains many of the provisions that were contained in the Relief Act that created the opportunity zone in New York City, and there are a few additional provisions regarding housing, low income housing, the rehabilitation tax credit, and things like that.

□ 1445

The business incentives, the business tax incentives that are designed to bring investment into the devastated areas of the gulf are, in fact, almost exactly the same as those offered in Manhattan following 9/11.

Mr. Speaker, this bill is extremely critical for a timely redevelopment of the devastated areas along our gulf coast, Alabama, Mississippi, Louisiana, particularly. This bill also provides some relief for victims of hurricanes Rita and Wilma in southeast Texas and in south Florida.

Mr. Speaker, I cannot overemphasize the importance of putting into law as quickly as possible incentives to give businesses, individuals, people with capital to invest, the urge to go to these devastated areas and invest that capital, take a risk, create the jobs necessary to build back a critical mass of economic activity in these devastated areas. If we do not do that, Mr. Speaker, and do it very soon, we are going to have more and more businesses making decisions every day not to go back into these devastated areas and not to invest their capital back in those areas. Why should they, if there are hurdles to overcome that are not present in, say, Dallas or Houston or Atlanta, other places where they can take that capital and invest it and not have the hassles, the obstacles, that are present in these devastated areas.

That was the whole point of providing tax incentives to businesses in New York City following 9/11. It is the point of this bill, to give people an extra reason, a little extra incentive to put that capital in these devastated areas to rebuild those areas.

Mr. Speaker, I am certainly thankful for the cooperation of the gentleman from Louisiana (Mr. JEFFERSON) on the Ways and Means Committee, also the ranking member of the Ways and Means Committee, the chairman of the Ways and Means Committee, and the staff on both sides of the aisle for their cooperation in putting together a rational, reasonable approach to encouraging investment back in these areas.

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

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

First, I would like to thank the gentleman from Louisiana (Mr. MCCRERY) for joining me in introducing this important piece of legislation. I also want to thank the chairman of the committee, Mr. THOMAS, and our ranking member, Mr. RANGEL, for their efforts in bringing this bill to the floor. I also would be remiss if I failed to thank both the Republican and Democratic staff of the committee for their extraordinary bipartisan effort to put this tax relief package together.

And I want to do something which is a little bit out of order, and that is to thank someone who is not properly a Member of this body, our mayor of New Orleans, Ray Nagin, who is here with us today. He has, as much as anyone, pushed this House and this Senate and our Congress and our President to make sure that our region is not forgotten; and I want to thank him for his presence here in the Chamber.

Mr. Speaker, the Gulf Opportunity Zone Act of 2005 provides much needed aid and comfort to the victims of hurricanes Katrina, Rita, and Wilma across the gulf coast and provides a much-needed shot in the arm to the many thousands of businesses that have been shuttered, suffered serious damage, or have seen their customer bases erode significantly or disappear in the wake of horrible storms.

The economy of the gulf coast and particularly that of my home State of Louisiana has been severely compromised by the ravages of two terrible storms. One of our Nation's largest and most economically important cities, the city of New Orleans, was evacuated and commercially shuttered for most of the fall. Even today, as New Orleans slowly regains her footing, most of her citizens remain in a hurricane-forced exile as the city's businesses struggle to rebuild and to make a fresh start with a significantly diminished customer base, extraordinary costs of repair and reconstruction, and a distressed infrastructure.

Mr. Speaker, the cities, parishes across the gulf coast, and counties across the gulf coast are struggling to recover from a deluge that laid them low. My constituents and those of my gulf coast colleagues, however, are a resilient people. They have confronted natural disasters before, and they have emerged triumphant and stronger still. I have every confidence that the same is true today. With the right tools in their tool box, New Orleanians and our neighbors in Louisiana, Mississippi, Alabama, and Florida will rebuild and recover and a brighter future will emerge.

Today, Mr. Speaker, with the passage of this important piece of legislation, we provide the entrepreneurs of the gulf coast a sturdy set of tools with which to jump-start our recovery. We also address an unprecedented housing crisis with unprecedented resources to rebuild and rehouse the thousands whose homes are damaged or destroyed by these vicious storms.

We also are keenly aware of the financial crisis that the States, our cities, our parishes are confronting. In order to ease those burdens, this bill also provides several important tools to give our hometowns access to the capital they need to survive in the short term and thrive over the long run: $500 million in tax credit bonds to meet debt service needs, $3 billion in partially guaranteed general obligation bonds, and $7.75 billion in private activity bond authority. I am confident that by properly leveraging these tools, the States, our cities, parishes, school boards and others will emerge from the hurricane stronger than before they struck.

Mr. Speaker, with the passage of this act, businesses in New Orleans and surrounding parishes will enjoy tremendous tax advantages for the next few years that should give them the boost they need to survive and a little leg up to get ahead over the longer term: expanded section 179 expensing for small businesses; bonus depreciation; expenses for demolition and clean-up costs, including brownfields clean-up; an enhanced rehabilitation tax credits; and increased net operating loss carryback among others.

By affording these tools to be combined with effective economic planning, the House today greatly enhances the opportunity for a great, but shattered, community to rebuild, not just to recover, but to become more survivable, more sustainable, more equitable, and more prosperous over some time, but all at once.

Mr. Speaker, the efforts of my colleagues in providing the relief we need in the gulf coast have been unparalleled to any I have witnessed during my tenure in Congress. For that I am extraordinarily grateful. However, we still have a long way to go before we achieve the full recovery that I know we all want. I look forward to working with each of you in the coming weeks and months as we rise to the challenge of ensuring that, like the Phoenix of myth and fable, New Orleans rises from the devastation of Hurricane Katrina as a bright shining model of American ingenuity and opportunity.

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

Mr. MCCRERY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida (Mr. SHAW), chairman of the Trade Subcommittee of the Ways and Means Committee.

Mr. SHAW. Mr. Speaker, Florida did not receive the devastation that the gulf coast did with Katrina. Katrina's track came across Florida, got into the gulf, and actually affected my district on its way through Florida, but in a very slight manner. When it got into the warm waters of the Gulf of Mexico, it grew into a category 5 storm and just wreaked devastation on the New Orleans/southern Mississippi area.

I support this bill and all it does. But then this was followed by two other storms, Rita and Wilma. Wilma, of course, came across Florida, and in Broward County delivered the most powerful winds that we have seen in over 40 years. And Palm Beach County, as well as Dade County. And coming across the State the way it did from the gulf to the Atlantic made it most unusual as far as the power that it gained, or retained, coming across the Florida Everglades.

We have been damaged in Florida as well. But of course our devastation and our problems are overshadowed by the tragedy of Katrina in Louisiana and Mississippi.

This bill is a reasonable bill. It sets forth incentives and some relief in the Tax Code because of the devastation

delivered by these three storms. I urge the Members to support this bill and expedite its passage as quickly as possible.

Mr. JEFFERSON. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Mrs. JONES), a distinguished member of the Ways and Means Committee.

Mrs. JONES of Ohio. Mr. Speaker, I would like to thank the gentlemen from Louisiana for yielding me this time, and I would like to congratulate them on their leadership on these issues.

I rise in strong support of the legislation today. As we learned in yesterday's congressional hearings, the victims of Hurricane Katrina, that is, the residents of the gulf region, are in need of help now. I rise in support and I am glad to see that this legislation, as was contemplated previously, incorporates some of the provisions of the legislation I introduced earlier in the year called the Katrina Assistance Tax Relief Incentive for Necessities Act. And it incorporated the Housing opportunity credits, the temporary housing tax credit, a homebuyer tax credit, doubling the low-income housing tax credit to assist Katrina victims.

The place I want to weigh in at this moment however is on the importance, and I say this again, the importance of assuring that the people of these gulf regions have an opportunity to enjoy some of the work that is provided businesses by these tax credits. What I am worried about is that there are people coming from all over the country who do not live in these areas who are not having the opportunity to get a job. There are people spread in 44 States across this country who are from Louisiana, who are from Mississippi, who are from Alabama; and they want to come back and work. And there are businesses right there in those communities who want to have an opportunity to rebuild their communities, and it is not happening.

I use this opportunity to say to the world, to say to my colleagues who are allocating resources for the rebuilding of the Katrina area, of the Katrina relief area, that we need to assure that the people of the area have an opportunity to rebuild their houses, have an opportunity to get jobs and put their lives back on track.

Again, I thank my colleagues for sponsoring this legislation. I am glad to join with you as a member of the Ways and Means Committee in support.

Mr. MCCRERY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BRADY), a distinguished member of the Ways and Means Committee.

Mr. BRADY of Texas. Mr. Speaker, I want to thank Chairman MCCRERY and Mr. JEFFERSON for their leadership on this bill. I am proud to be from Texas, a State that when victims fled the wrath of Hurricane Katrina we had communities and churches and homes that opened their arms to take them in. Later, in Hurricane Rita, those same communities were devastated as well. And I just want to tell Chairman MCCRERY that the relief that we are providing today in this bill is critically important to the families of east and southeast Texas.

We, like you, need this relief today. What this will do is help families cope financially, encourage companies to keep workers on their payrolls during these tough economic times, and help rebuild the important Texas timber industry which suffered devastating losses. In some communities today, almost half of the homes still do not have even the temporary blue tarp to keep the rain out. We need families to be able to dip into their savings without penalty, fully deduct all of the personal property losses. And for the working poor, we want to make sure that their child and earned income tax credits are not impacted by Hurricane Rita.

This also permits unlimited cash donations by companies, which is very important to the communities, and provides up to $2,400 per worker for small businesses to keep employees on the payroll through the end of the year. And then finally, to address our devastating timber and economic losses, we help small property owners reforest their crop, and we help them spread their losses across the past 5 years. This is important relief to Texas. We are proud to join with the other Gulf Coast States in moving this forward and the sooner we get this on the President's desk, the better.

Mr. JEFFERSON. Mr. Speaker, I yield 3 minutes to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Speaker, the goal of passing today's legislation is to help businesses in the gulf coast region reopen their doors and get people back to work. However, this legislation excludes perhaps the most important industry in the region that employs over 50,000 people in Mississippi and Louisiana and pays over $800 million in State and local tax revenue, that is, the gaming industry. The gaming industry has made substantial contribution to the regional economy of the gulf coast and will invest billions of dollars as it rebuilds, making it an essential part of restoring employment, economic growth, and tax revenue to the area.

□ 1500

I am dismayed that the biased view of one congressman has resulted in this bill excluding a group of employers that provide good jobs and tax revenue to the hurricane-ravaged region. I am astounded that one Member who has a long-held contempt for the gaming industry can insert language in this legislation, which is supposed to be helping the victims of Katrina, that will prevent thousands of our fellow citizens from going back to work, going back to their homes, reuniting with their families, and begin to live a normal life again. I am angry that we are carving out an exception for one business in this legislation, a legitimate business, a well-regulated business, a business whose companies are traded on the New York Stock Exchange, a business that employs thousands of people in the region and generates millions of dollars in tax revenue. This makes no sense. And I am outraged, if I may say so, Mr. Speaker, that the Republican leadership has caved in and agreed to this provision because it is rumored that this congressman threatened to withhold his support from tomorrow's tax reconciliation vote unless his provision was put in the Katrina vote, contrary to what it will do to our fellow citizens.

Trading thousands of jobs for our fellow citizens for a vote is an affront to those people who need these gaming jobs to get back on their feet again. Shame on this body for allowing the gaming industry or any industry to be discriminated against in this legislation.

The gaming companies remain committed to the communities and the people in the hurricane-affected region. I hope Congress will come to our senses in conference and ensure that every business is treated fairly and given the opportunity to recover from Hurricane Katrina.

This Christmas, while we, Members of Congress, are sitting by our fireplaces in our comfortable homes, surrounded by our families, let us think about the thousands of victims of the Katrina hurricane who are homeless, who are jobless, away from their families this year and maybe next Christmas too, because this single congressman dislikes one business in this country and is putting his personal feelings above the well-being of our fellow citizens. This is a shame. It is an embarrassment, and we ought to rethink this and give tax breaks. If we are giving to one business, we should be giving to all and not be discriminating because of a personal dislike by one Member of this body.

Mr. MCCRERY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Nevada (Mr. PORTER).

Mr. PORTER. Mr. Speaker, I too share the pain of those families that were impacted by the terrible storms in the Gulf Coast, having been there within 24 hours after the devastating storm, seeing it firsthand and helping those families. But I stand today to talk about the equitability of this particular proposal.

There is a number of industries that have been impacted from all walks of life, but there are close to 50,000 families that are being impacted by a carve-out in this legislation, 50,000 hard-working moms and dads trying to take care of their kids.

I believe in equitable treatment, and the gaming industry that has been carved is not asking for special treatment. They are asking to be treated like every other business. And as a Member of this body, I believe firmly

that States do have rights, and I believe that local communities have rights, and they have made decisions to allow these businesses to prosper as they are a big part of their economy.

As my colleague from Nevada said, close to $800 million a year into their economy and close to 50,000 jobs. Again, I stand here asking for equitable treatment for a tax-paying business that is approved by State and Federal laws, and they too should be treated equally. I am extremely disappointed, and I believe when we start a carve-out process, it is a slippery slope for this Congress to be telling local governments and State governments who should be receiving these tax credits.

Mr. JEFFERSON. Mr. Speaker, I yield 3 minutes to the gentlewoman from Houston, Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, allow me to likewise lend and associate myself with the remarks of the leadership of the two gentlemen from Louisiana, both in terms of the legislation written, but also the inclusiveness of this legislation.

I am one that has seen the aftermath of the Katrina tragedy and certainly my constituents who experienced the suffering of Hurricane Rita and those of us who have encountered the devastation of Hurricane Wilma. The relevance of the United States as a Federal Government is to be the safety net and the umbrella for the American people. We know that there were many failures as it relates to Hurricane Katrina, and we are making our way steadily to determine the facts of where we failed in helping those people and helping those keep and secure their property, and also to answer the questions for those families who lost loved ones. This legislation, however, is a step forward and it provides incentives to small businesses and businesses in the region. It is inclusive and includes the hurricanes of Wilma and Rita. Rita impacted the State of Texas, and Hurricane Katrina impacted the State of Texas as we have welcomed into areas of Houston those survivors and evacuees who came from the other regions that were hit directly by Hurricane Katrina. This provides entrepreneurs with tools, and entrepreneurs with tools creates jobs. We know that small businesses and medium-size businesses are the backbone of America.

So I thank Mr. JEFFERSON for the housing assistance. I thank him for the access to capital. It makes a difference. It allows our local authorities and State authorities to get back on their feet.

But I must add my concern having been to States like Louisiana and Mississippi, where I have seen the healthy gaming industry that is not filled with corruption because it has been regulated very well by States and oversight by the Federal Government, where it gives $800 million to the infrastructure of various States, and yet this particular bill excludes the rebuilding or the help in the rebuilding of those particular institutions.

Mr. Speaker, they provide jobs to thousands upon thousands of people in Mississippi and Louisiana. It is imperative that we reconsider this aspect of the bill, and I am hoping that we will have an opportunity for a freestanding incentive bill to help all the businesses come back in the region.

Might I also offer and hope that my colleagues would consider a concept that I have raised called the Urban Village Tax Credit, and that is to give relief to many of those who opened their homes. Oh, yes, some may say they were their relatives, but many were not. There were many in my constituency who had 10, 20, 30, 40, 50 people in their homes, churches and other institutions, religious institutions, who took people in not because they wanted a tax incentive but because it was right, because they cared. So I would hope that my colleagues consider the Urban Village Tax Credit, which gives some tax credit relief to those who can document that they took families in during this tragic time. We are all one family and one America.

This is a great tax bill, and I would hope my colleagues would vote on it and consider the Urban Village Tax Credit.

Mr. MCCRERY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia (Mr. WOLF).

Mr. WOLF. Mr. Speaker, I rise today in support of H.R. 4440, the redevelopment tax package. I want to thank Chairman THOMAS, Chairman MCCRERY, and the Republican leadership for addressing the concerns of a lot of Members. There were 65 Members who signed the initial letter and 30 some that have signed the second letter on this issue.

We all want to help the people of the Gulf Coast, and every fair-minded American want to give hurricane-ravaged areas the Federal assistance they need to rebuild bridges, roads, hospitals, water and sewer.

While the Katrina tax package recently passed by the other body would allow benefits to rebuild massage parlors, liquor stores, and casinos because it does not contain a specific prohibition against it, this bill follows legislative history and regular order in where Federal dollars go to rebuild critical infrastructure like hospitals, homes, and communities.

The House bill, I again stress, following precedent in redevelopment assistance legislation going back more than 20 years, expressly prohibits tax incentives from going to industries that I referred. Congress has a long history of limiting certain types of businesses from receiving redevelopment tax benefits. The bill before us today continues that precedent of not allowing our constituents' hard-earned tax dollars in these times of record deficits to subsidize the rebuilding of a massage parlor, a liquor store, or a casino.

Just as Congress has historically done, we need to target our limited Federal resources to the areas that need it. It would be my expectation that when the measure comes out of conference, it will retain the provisions that ensure that tax incentives to rebuild the Gulf region are used wisely and effectively.

It would be very difficult, almost impossible, to go to a town meeting sometime and say that I have supported or anyone has or the Congress supported giving tax breaks to rebuild whether it be a gambling casino or a massage parlor or a liquor store, and what we are doing today follows the law that we have done in the past.

I thank the gentleman for yielding me this time.

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

I would like to make brief remarks to again thank all who have worked on this bill, particularly Mr. THOMAS, Mr. MCCRERY, and Mr. RANGEL for their work and support. It is going to mean a lot to our region, a lot to my city and my district. And a great part of what we have to do, of course, is to give business the tools it needs to partner with our government to get businesses stood up, to get people back into jobs, to get housing back into our communities so that we can restore our depopulated city and other depopulated parts of parishes around Louisiana and throughout counties in Mississippi and Alabama, and this bill is going to go a long way toward helping us do that.

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

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

Mr. Speaker, many of the provisions in this bill, in fact, most of the provisions in this bill, are simply tools that the Federal Government will give to individuals and businesses in the devastated areas to help themselves. The bonding provisions, for example, that Mr. JEFFERSON spoke of, all of those are simply tools to allow the people in these devastated areas to help pick themselves up and restart their communities. The refinancing provision, for example, allowing States to basically refinance existing bonded obligations, that is a way that we are going to allow States to help themselves.

So, Mr. Speaker, I hope that this House will today take the first step to getting this necessary help to these devastated areas and then, before we leave here for the Christmas holidays, pass a final version that we can send to the President for his signature. It is critical.

Mr. SHAYS. Mr. Speaker, I rise in support of H.R. 4440, the Gulf Opportunity Zone Act, which provides tax incentives for businesses to invest in and rebuild the Gulf Coast communities ravaged by hurricanes.

I am pleased these federal resources will not be used to support the gambling facilities, liquor stores and massage parlors. I don't believe the federal government should help interests that have dubious value to these communities.

I believe gambling is inherently dishonest and am opposed to it in any form. During my 14 years in the state legislature I voted against every gambling bill. Gambling financially cripples those who can least afford it—the poor—through the cruel and misleading lure of "winning it big."

With the budget deficits growing to historic levels, we need to make sure tax dollars are being used in the wisest possible manner to rebuild the region's businesses and housing.

Fair-minded Americans support tax incentives to spur business reinvestment along the hurricane-ravaged Gulf coast to help victims there rebuild their lives.

Tax breaks for the gaming industry simply do not make sense.

I urge my colleagues to support this resolution.

Mr. GIBBONS. Mr. Speaker, I rise today in support of those communities in the gulf coast region who have been devastated by the recent hurricanes.

However, while well-intentioned, I find today's legislation to spur economic development in the gulf coast region to be significantly flawed in that it specifically excluded a key industry in the area.

Never before in any previous disaster relief legislation, has Congress picked winners and losers. We should not start today.

Businesses on the gulf coast have invested billions of dollars in infrastructure that Hurricane Katrina reduced to rubble in a matter of hours. The gaming industry employs tens of thousands of people in the gulf coast region.

It should be treated equally in legislation seeking to assist the rebuilding of businesses destroyed by Hurricane Katrina. The gaming businesses are legal, well-regulated, and publicly traded companies that should not be discriminated against in Federal economic assistance legislation.

Many people in this region lost everything; their homes, their jobs, personal belongings, and the schools their kids attended. It is regrettable that some in Congress are willing to put the hardship of one displaced individual—who may work for a refinery or a grocery store—over another individual's who happens to work in the gaming industry.

This was a terrible disaster and loss for everyone, and Congress today is ignoring that simple fact.

I will not support the Gulf Opportunity Zone legislation today, because I am extremely disturbed with the dangerous precedent this sets.

I will work with our delegation and the conference committee to ensure that the final bill includes equal treatment for the gaming industry—just like any other business in the gulf coast region.

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Louisiana (Mr. MCCRERY) that the House suspend the rules and pass the bill, H.R. 4440.

The question was taken.

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

Mr. MCCRERY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. MCCRERY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill, H.R. 4440.

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

There was no objection.

UNITED STATES-BAHRAIN FREE TRADE AGREEMENT IMPLEMENTATION ACT

Mr. SHAW. Mr. Speaker, pursuant to House Resolution 583, I call up the bill (H.R. 4340) to implement the United States-Bahrain Free Trade Agreement, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4340

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 "United States-Bahrain Free Trade Agreement Implementation Act".

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

Sec. 1. Short title; table of contents.
Sec. 2. Purposes.
Sec. 3. Definitions.

TITLE I—APPROVAL OF, AND GENERAL PROVISIONS RELATING TO, THE AGREEMENT

Sec. 101. Approval and entry into force of the Agreement.
Sec. 102. Relationship of the agreement to United States and State law.
Sec. 103. Implementing actions in anticipation of entry into force and initial regulations.
Sec. 104. Consultation and layover provisions for, and effective date of, proclaimed actions.
Sec. 105. Administration of dispute settlement proceedings.
Sec. 106. Effective dates; effect of termination.

TITLE II—CUSTOMS PROVISIONS

Sec. 201. Tariff modifications.
Sec. 202. Rules of origin.
Sec. 203. Customs user fees.
Sec. 204. Enforcement relating to trade in textile and apparel goods.
Sec. 205. Regulations.

TITLE III—RELIEF FROM IMPORTS

Sec. 301. Definitions.

Subtitle A—Relief From Imports Benefiting From the Agreement

Sec. 311. Commencing of action for relief.
Sec. 312. Commission action on petition.
Sec. 313. Provision of relief.
Sec. 314. Termination of relief authority.
Sec. 315. Compensation authority.
Sec. 316. Confidential business information.

Subtitle B—Textile and Apparel Safeguard Measures

Sec. 321. Commencement of action for relief.
Sec. 322. Determination and provision of relief.
Sec. 323. Period of relief.
Sec. 324. Articles exempt from relief.
Sec. 325. Rate after termination of import relief.
Sec. 326. Termination of relief authority.
Sec. 327. Compensation authority.
Sec. 328. Confidential business information.

TITLE IV—PROCUREMENT

Sec. 401. Eligible products.

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to approve and implement the Free Trade Agreement between the United States and Bahrain entered into under the authority of section 2103(b) of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3803(b));

(2) to strengthen and develop economic relations between the United States and Bahrain for their mutual benefit;

(3) to establish free trade between the 2 nations through the reduction and elimination of barriers to trade in goods and services; and

(4) to lay the foundation for further cooperation to expand and enhance the benefits of such Agreement.

SEC. 3. DEFINITIONS.

In this Act:

(1) AGREEMENT.—The term "Agreement" means the United States-Bahrain Free Trade Agreement approved by Congress under section 101(a)(1).

(2) HTS.—The term "HTS" means the Harmonized Tariff Schedule of the United States.

(3) TEXTILE OR APPAREL GOOD.—The term "textile or apparel good" means a good listed in the Annex to the Agreement on Textiles and Clothing referred to in section 101(d)(4) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(4)).

TITLE I—APPROVAL OF, AND GENERAL PROVISIONS RELATING TO, THE AGREEMENT

SEC. 101. APPROVAL AND ENTRY INTO FORCE OF THE AGREEMENT.

(a) APPROVAL OF AGREEMENT AND STATEMENT OF ADMINISTRATIVE ACTION.—Pursuant to section 2105 of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3805) and section 151 of the Trade Act of 1974 (19 U.S.C. 2191), Congress approves—

(1) the United States-Bahrain Free Trade Agreement entered into on September 14, 2004, with Bahrain and submitted to Congress on November 16, 2005; and

(2) the statement of administrative action proposed to implement the Agreement that was submitted to Congress on November 16, 2005.

(b) CONDITIONS FOR ENTRY INTO FORCE OF THE AGREEMENT.—At such time as the President determines that Bahrain has taken measures necessary to bring it into compliance with those provisions of the Agreement that are to take effect on the date on which the Agreement enters into force, the President is authorized to exchange notes with the Government of Bahrain providing for the entry into force, on or after January 1, 2006, of the Agreement with respect to the United States.

SEC. 102. RELATIONSHIP OF THE AGREEMENT TO UNITED STATES AND STATE LAW.

(a) RELATIONSHIP OF AGREEMENT TO UNITED STATES LAW.—

(1) UNITED STATES LAW TO PREVAIL IN CONFLICT.—No provision of the Agreement, nor

the application of any such provision to any person or circumstance, which is inconsistent with any law of the United States shall have effect.

(2) CONSTRUCTION.—Nothing in this Act shall be construed—

(A) to amend or modify any law of the United States; or

(B) to limit any authority conferred under any law of the United States,

unless specifically provided for in this Act.

(b) RELATIONSHIP OF AGREEMENT TO STATE LAW.—

(1) LEGAL CHALLENGE.—No State law, or the application thereof, may be declared invalid as to any person or circumstance on the ground that the provision or application is inconsistent with the Agreement, except in an action brought by the United States for the purpose of declaring such law or application invalid.

(2) DEFINITION OF STATE LAW.—For purposes of this subsection, the term ''State law'' includes—

(A) any law of a political subdivision of a State; and

(B) any State law regulating or taxing the business of insurance.

(c) EFFECT OF AGREEMENT WITH RESPECT TO PRIVATE REMEDIES.—No person other than the United States—

(1) shall have any cause of action or defense under the Agreement or by virtue of congressional approval thereof; or

(2) may challenge, in any action brought under any provision of law, any action or inaction by any department, agency, or other instrumentality of the United States, any State, or any political subdivision of a State, on the ground that such action or inaction is inconsistent with the Agreement.

SEC. 103. IMPLEMENTING ACTIONS IN ANTICIPATION OF ENTRY INTO FORCE AND INITIAL REGULATIONS.

(a) IMPLEMENTING ACTIONS.—

(1) PROCLAMATION AUTHORITY.—After the date of the enactment of this Act—

(A) the President may proclaim such actions, and

(B) other appropriate officers of the United States Government may issue such regulations,

as may be necessary to ensure that any provision of this Act, or amendment made by this Act, that takes effect on the date on which the Agreement enters into force is appropriately implemented on such date, but no such proclamation or regulation may have an effective date earlier than the date on which the Agreement enters into force.

(2) EFFECTIVE DATE OF CERTAIN PROCLAIMED ACTIONS.—Any action proclaimed by the President under the authority of this Act that is not subject to the consultation and layover provisions under section 104 may not take effect before the 15th day after the date on which the text of the proclamation is published in the Federal Register.

(3) WAIVER OF 15-DAY RESTRICTION.—The 15-day restriction in paragraph (2) on the taking effect of proclaimed actions is waived to the extent that the application of such restriction would prevent the taking effect on the date on which the Agreement enters into force of any action proclaimed under this section.

(b) INITIAL REGULATIONS.—Initial regulations necessary or appropriate to carry out the actions required by or authorized under this Act or proposed in the statement of administrative action submitted under section 101(a)(2) to implement the Agreement shall, to the maximum extent feasible, be issued within 1 year after the date on which the Agreement enters into force. In the case of any implementing action that takes effect on a date after the date on which the Agreement enters into force, initial regulations to carry out that action shall, to the maximum extent feasible, be issued within 1 year after such effective date.

SEC. 104. CONSULTATION AND LAYOVER PROVISIONS FOR, AND EFFECTIVE DATE OF, PROCLAIMED ACTIONS.

If a provision of this Act provides that the implementation of an action by the President by proclamation is subject to the consultation and layover requirements of this section, such action may be proclaimed only if—

(1) the President has obtained advice regarding the proposed action from—

(A) the appropriate advisory committees established under section 135 of the Trade Act of 1974 (19 U.S.C. 2155); and

(B) the United States International Trade Commission;

(2) the President has submitted to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report that sets forth—

(A) the action proposed to be proclaimed and the reasons therefor; and

(B) the advice obtained under paragraph (1);

(3) a period of 60 calendar days, beginning on the first day on which the requirements set forth in paragraphs (1) and (2) have been met has expired; and

(4) the President has consulted with the Committees referred to in paragraph (2) regarding the proposed action during the period referred to in paragraph (3).

SEC. 105. ADMINISTRATION OF DISPUTE SETTLEMENT PROCEEDINGS.

(a) ESTABLISHMENT OR DESIGNATION OF OFFICE.—The President is authorized to establish or designate within the Department of Commerce an office that shall be responsible for providing administrative assistance to panels established under chapter 19 of the Agreement. The office may not be considered to be an agency for purposes of section 552 of title 5, United States Code.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each fiscal year after fiscal year 2005 to the Department of Commerce such sums as may be necessary for the establishment and operations of the office established or designated under subsection (a) and for the payment of the United States share of the expenses of panels established under chapter 19 of the Agreement.

SEC. 106. EFFECTIVE DATES; EFFECT OF TERMINATION.

(a) EFFECTIVE DATES.—Except as provided in subsection (b), the provisions of this Act and the amendments made by this Act take effect on the date on which the Agreement enters into force.

(b) EXCEPTIONS.—Sections 1 through 3 and this title take effect on the date of the enactment of this Act.

(c) TERMINATION OF THE AGREEMENT.—On the date on which the Agreement terminates, the provisions of this Act (other than this subsection) and the amendments made by this Act shall cease to be effective.

TITLE II—CUSTOMS PROVISIONS

SEC. 201. TARIFF MODIFICATIONS.

(a) TARIFF MODIFICATIONS PROVIDED FOR IN THE AGREEMENT.—

(1) PROCLAMATION AUTHORITY.—The President may proclaim—

(A) such modifications or continuation of any duty,

(B) such continuation of duty-free or excise treatment, or

(C) such additional duties,

as the President determines to be necessary or appropriate to carry out or apply articles 2.3, 2.5, 2.6, 3.2.8, and 3.2.9, and Annex 2–B of the Agreement.

(2) EFFECT ON BAHRAINI GSP STATUS.—Notwithstanding section 502(a)(1) of the Trade Act of 1974 (19 U.S.C. 2462(a)(1)), the President shall, on the date on which the Agreement enters into force, terminate the designation of Bahrain as a beneficiary developing country for purposes of title V of the Trade Act of 1974 (19 U.S.C. 2461 et seq.).

(b) OTHER TARIFF MODIFICATIONS.—Subject to the consultation and layover provisions of section 104, the President may proclaim—

(1) such modifications or continuation of any duty,

(2) such modifications as the United States may agree to with Bahrain regarding the staging of any duty treatment set forth in Annex 2–B of the Agreement,

(3) such continuation of duty-free or excise treatment, or

(4) such additional duties,

as the President determines to be necessary or appropriate to maintain the general level of reciprocal and mutually advantageous concessions with respect to Bahrain provided for by the Agreement.

(c) CONVERSION TO AD VALOREM RATES.—For purposes of subsections (a) and (b), with respect to any good for which the base rate in the Tariff Schedule of the United States to Annex 2–B of the Agreement is a specific or compound rate of duty, the President may substitute for the base rate an ad valorem rate that the President determines to be equivalent to the base rate.

SEC. 202. RULES OF ORIGIN.

(a) APPLICATION AND INTERPRETATION.—In this section:

(1) TARIFF CLASSIFICATION.—The basis for any tariff classification is the HTS.

(2) REFERENCE TO HTS.—Whenever in this section there is a reference to a heading or subheading, such reference shall be a reference to a heading or subheading of the HTS.

(b) ORIGINATING GOODS.—

(1) IN GENERAL.—For purposes of this Act and for purposes of implementing the preferential tariff treatment provided for under the Agreement, a good is an originating good if—

(A) the good is imported directly—

(i) from the territory of Bahrain into the territory of the United States; or

(ii) from the territory of the United States into the territory of Bahrain; and

(B)(i) the good is a good wholly the growth, product, or manufacture of Bahrain or the United States, or both;

(ii) the good (other than a good to which clause (iii) applies) is a new or different article of commerce that has been grown, produced, or manufactured in Bahrain or the United States, or both, and meets the requirements of paragraph (2); or

(iii)(I) the good is a good covered by Annex 3–A or 4–A of the Agreement;

(II)(aa) each of the nonoriginating materials used in the production of the good undergoes an applicable change in tariff classification specified in such Annex as a result of production occurring entirely in the territory of Bahrain or the United States, or both; or

(bb) the good otherwise satisfies the requirements specified in such Annex; and

(III) the good satisfies all other applicable requirements of this section.

(2) REQUIREMENTS.—A good described in paragraph (1)(B)(ii) is an originating good only if the sum of—

(A) the value of each material produced in the territory of Bahrain or the United States, or both, and

(B) the direct costs of processing operations performed in the territory of Bahrain or the United States, or both,

is not less than 35 percent of the appraised value of the good at the time the good is entered into the territory of the United States.

(c) CUMULATION.—

(1) ORIGINATING GOOD OR MATERIAL INCORPORATED INTO GOODS OF OTHER COUNTRY.—An originating good, or a material produced in the territory of Bahrain or the United States, or both, that is incorporated into a good in the territory of the other country shall be considered to originate in the territory of the other country.

(2) MULTIPLE PRODUCERS.—A good that is grown, produced, or manufactured in the territory of Bahrain or the United States, or both, by 1 or more producers, is an originating good if the good satisfies the requirements of subsection (b) and all other applicable requirements of this section.

(d) VALUE OF MATERIALS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the value of a material produced in the territory of Bahrain or the United States, or both, includes the following:

(A) The price actually paid or payable for the material by the producer of the good.

(B) The freight, insurance, packing, and all other costs incurred in transporting the material to the producer's plant, if such costs are not included in the price referred to in subparagraph (A).

(C) The cost of waste or spoilage resulting from the use of the material in the growth, production, or manufacture of the good, less the value of recoverable scrap.

(D) Taxes or customs duties imposed on the material by Bahrain or the United States, or both, if the taxes or customs duties are not remitted upon exportation from the territory of Bahrain or the United States, as the case may be.

(2) EXCEPTION.—If the relationship between the producer of a good and the seller of a material influenced the price actually paid or payable for the material, or if there is no price actually paid or payable by the producer for the material, the value of the material produced in the territory of Bahrain or the United States, or both, includes the following:

(A) All expenses incurred in the growth, production, or manufacture of the material, including general expenses.

(B) A reasonable amount for profit.

(C) Freight, insurance, packing, and all other costs incurred in transporting the material to the producer's plant.

(e) PACKAGING AND PACKING MATERIALS AND CONTAINERS FOR RETAIL SALE AND FOR SHIPMENT.—Packaging and packing materials and containers for retail sale and shipment shall be disregarded in determining whether a good qualifies as an originating good, except to the extent that the value of such packaging and packing materials and containers has been included in meeting the requirements set forth in subsection (b)(2).

(f) INDIRECT MATERIALS.—Indirect materials shall be disregarded in determining whether a good qualifies as an originating good, except that the cost of such indirect materials may be included in meeting the requirements set forth in subsection (b)(2).

(g) TRANSIT AND TRANSSHIPMENT.—A good shall not be considered to meet the requirement of subsection (b)(1)(A) if, after exportation from the territory of Bahrain or the United States, the good undergoes production, manufacturing, or any other operation outside the territory of Bahrain or the United States, other than unloading, reloading, or any other operation necessary to preserve the good in good condition or to transport the good to the territory of Bahrain or the United States.

(h) TEXTILE AND APPAREL GOODS.—

(1) DE MINIMIS AMOUNTS OF NONORIGINATING MATERIALS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), a textile or apparel good that is not an originating good because certain fibers or yarns used in the production of the component of the good that determines the tariff classification of the good do not undergo an applicable change in tariff classification set out in Annex 3–A of the Agreement shall be considered to be an originating good if the total weight of all such fibers or yarns in that component is not more than 7 percent of the total weight of that component.

(B) CERTAIN TEXTILE OR APPAREL GOODS.—A textile or apparel good containing elastomeric yarns in the component of the good that determines the tariff classification of the good shall be considered to be an originating good only if such yarns are wholly formed in the territory of Bahrain or the United States.

(C) YARN, FABRIC, OR GROUP OF FIBERS.—For purposes of this paragraph, in the case of a textile or apparel good that is a yarn, fabric, or group of fibers, the term ''component of the good that determines the tariff classification of the good'' means all of the fibers in the yarn, fabric, or group of fibers.

(2) GOODS PUT UP IN SETS FOR RETAIL SALE.—Notwithstanding the rules set forth in Annex 3–A of the Agreement, textile or apparel goods classifiable as goods put up in sets for retail sale as provided for in General Rule of Interpretation 3 of the HTS shall not be considered to be originating goods unless each of the goods in the set is an originating good or the total value of the nonoriginating goods in the set does not exceed 10 percent of the value of the set determined for purposes of assessing customs duties.

(i) DEFINITIONS.—In this section:

(1) DIRECT COSTS OF PROCESSING OPERATIONS.—

(A) IN GENERAL.—The term ''direct costs of processing operations'', with respect to a good, includes, to the extent they are includable in the appraised value of the good when imported into Bahrain or the United States, as the case may be, the following:

(i) All actual labor costs involved in the growth, production, or manufacture of the good, including fringe benefits, on-the-job training, and the cost of engineering, supervisory, quality control, and similar personnel.

(ii) Tools, dies, molds, and other indirect materials, and depreciation on machinery and equipment that are allocable to the good.

(iii) Research, development, design, engineering, and blueprint costs, to the extent that they are allocable to the good.

(iv) Costs of inspecting and testing the good.

(v) Costs of packaging the good for export to the territory of the other country.

(B) EXCEPTIONS.—The term ''direct costs of processing operations'' does not include costs that are not directly attributable to a good or are not costs of growth, production, or manufacture of the good, such as—

(i) profit; and

(ii) general expenses of doing business that are either not allocable to the good or are not related to the growth, production, or manufacture of the good, such as administrative salaries, casualty and liability insurance, advertising, and sales staff salaries, commissions, or expenses.

(2) GOOD.—The term ''good'' means any merchandise, product, article, or material.

(3) GOOD WHOLLY THE GROWTH, PRODUCT, OR MANUFACTURE OF BAHRAIN OR THE UNITED STATES, OR BOTH.—The term ''good wholly the growth, product, or manufacture of Bahrain or the United States, or both'' means—

(A) a mineral good extracted in the territory of Bahrain or the United States, or both;

(B) a vegetable good, as such a good is provided for in the HTS, harvested in the territory of Bahrain or the United States, or both;

(C) a live animal born and raised in the territory of Bahrain or the United States, or both;

(D) a good obtained from live animals raised in the territory of Bahrain or the United States, or both;

(E) a good obtained from hunting, trapping, or fishing in the territory of Bahrain or the United States, or both;

(F) a good (fish, shellfish, and other marine life) taken from the sea by vessels registered or recorded with Bahrain or the United States and flying the flag of that country;

(G) a good produced from goods referred to in subparagraph (F) on board factory ships registered or recorded with Bahrain or the United States and flying the flag of that country;

(H) a good taken by Bahrain or the United States or a person of Bahrain or the United States from the seabed or beneath the seabed outside territorial waters, if Bahrain or the United States, as the case may be, has rights to exploit such seabed;

(I) a good taken from outer space, if such good is obtained by Bahrain or the United States or a person of Bahrain or the United States and not processed in the territory of a country other than Bahrain or the United States;

(J) waste and scrap derived from—

(i) production or manufacture in the territory of Bahrain or the United States, or both; or

(ii) used goods collected in the territory of Bahrain or the United States, or both, if such goods are fit only for the recovery of raw materials;

(K) a recovered good derived in the territory of Bahrain or the United States from used goods and utilized in the territory of that country in the production of remanufactured goods; and

(L) a good produced in the territory of Bahrain or the United States, or both, exclusively—

(i) from goods referred to in subparagraphs (A) through (J), or

(ii) from the derivatives of goods referred to in clause (i),

at any stage of production.

(4) INDIRECT MATERIAL.—The term ''indirect material'' means a good used in the growth, production, manufacture, testing, or inspection of a good but not physically incorporated into the good, or a good used in the maintenance of buildings or the operation of equipment associated with the growth, production, or manufacture of a good, including—

(A) fuel and energy;

(B) tools, dies, and molds;

(C) spare parts and materials used in the maintenance of equipment and buildings;

(D) lubricants, greases, compounding materials, and other materials used in the growth, production, or manufacture of a good or used to operate equipment and buildings;

(E) gloves, glasses, footwear, clothing, safety equipment, and supplies;

(F) equipment, devices, and supplies used for testing or inspecting the good;

(G) catalysts and solvents; and

(H) any other goods that are not incorporated into the good but the use of which in the growth, production, or manufacture of the good can reasonably be demonstrated to be a part of that growth, production, or manufacture.

(5) MATERIAL.—The term ''material'' means a good, including a part or ingredient, that is used in the growth, production, or manufacture of another good that is a new or

different article of commerce that has been grown, produced, or manufactured in Bahrain or the United States, or both.

(6) MATERIAL PRODUCED IN THE TERRITORY OF BAHRAIN OR THE UNITED STATES, OR BOTH.—The term ''material produced in the territory of Bahrain or the United States, or both'' means a good that is either wholly the growth, product, or manufacture of Bahrain or the United States, or both, or a new or different article of commerce that has been grown, produced, or manufactured in the territory of Bahrain or the United States, or both.

(7) NEW OR DIFFERENT ARTICLE OF COMMERCE.—

(A) IN GENERAL.—The term ''new or different article of commerce'' means, except as provided in subparagraph (B), a good that—

(i) has been substantially transformed from a good or material that is not wholly the growth, product, or manufacture of Bahrain or the United States, or both; and

(ii) has a new name, character, or use distinct from the good or material from which it was transformed.

(B) EXCEPTION.—A good shall not be considered a new or different article of commerce by virtue of having undergone simple combining or packaging operations, or mere dilution with water or another substance that does not materially alter the characteristics of the good.

(8) RECOVERED GOODS.—The term ''recovered goods'' means materials in the form of individual parts that result from—

(A) the complete disassembly of used goods into individual parts; and

(B) the cleaning, inspecting, testing, or other processing of those parts that is necessary for improvement to sound working condition.

(9) REMANUFACTURED GOOD.—The term ''remanufactured good'' means an industrial good that is assembled in the territory of Bahrain or the United States and that—

(A) is entirely or partially comprised of recovered goods;

(B) has a similar life expectancy to, and meets similar performance standards as, a like good that is new; and

(C) enjoys a factory warranty similar to that of a like good that is new.

(10) SIMPLE COMBINING OR PACKAGING OPERATIONS.—The term ''simple combining or packaging operations'' means operations such as adding batteries to devices, fitting together a small number of components by bolting, gluing, or soldering, and repacking or packaging components together.

(11) SUBSTANTIALLY TRANSFORMED.—The term ''substantially transformed'' means, with respect to a good or material, changed as the result of a manufacturing or processing operation so that—

(A)(i) the good or material is converted from a good that has multiple uses into a good or material that has limited uses;

(ii) the physical properties of the good or material are changed to a significant extent; or

(iii) the operation undergone by the good or material is complex by reason of the number of different processes and materials involved and the time and level of skill required to perform those processes; and

(B) the good or material loses its separate identity in the manufacturing or processing operation.

(j) PRESIDENTIAL PROCLAMATION AUTHORITY.—

(1) IN GENERAL.—The President is authorized to proclaim, as part of the HTS—

(A) the provisions set forth in Annex 3–A and Annex 4–A of the Agreement; and

(B) any additional subordinate category that is necessary to carry out this title, consistent with the Agreement.

(2) MODIFICATIONS.—

(A) IN GENERAL.—Subject to the consultation and layover provisions of section 104, the President may proclaim modifications to the provisions proclaimed under the authority of paragraph (1)(A), other than provisions of chapters 50 through 63 of the HTS (as included in Annex 3–A of the Agreement).

(B) ADDITIONAL PROCLAMATIONS.—Notwithstanding subparagraph (A), and subject to the consultation and layover provisions of section 104, the President may proclaim—

(i) modifications to the provisions proclaimed under the authority of paragraph (1)(A) as are necessary to implement an agreement with Bahrain pursuant to article 3.2.5 of the Agreement; and

(ii) before the end of the 1-year period beginning on the date of the enactment of this Act, modifications to correct any typographical, clerical, or other nonsubstantive technical error regarding the provisions of chapters 50 through 63 of the HTS (as included in Annex 3–A of the Agreement).

SEC. 203. CUSTOMS USER FEES.

Section 13031(b) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(b)) is amended—

(1) in each of paragraphs (13) and (15), by moving the text 2 ems to the left; and

(2) by adding after paragraph (15) the following:

''(16) No fee may be charged under subsection (a) (9) or (10) with respect to goods that qualify as originating goods under section 202 of the United States-Bahrain Free Trade Agreement Implementation Act. Any service for which an exemption from such fee is provided by reason of this paragraph may not be funded with money contained in the Customs User Fee Account.''.

SEC. 204. ENFORCEMENT RELATING TO TRADE IN TEXTILE AND APPAREL GOODS.

(a) ACTION DURING VERIFICATION.—

(1) IN GENERAL.—If the Secretary of the Treasury requests the Government of Bahrain to conduct a verification pursuant to article 3.3 of the Agreement for purposes of making a determination under paragraph (2), the President may direct the Secretary to take appropriate action described in subsection (b) while the verification is being conducted.

(2) DETERMINATION.—A determination under this paragraph is a determination—

(A) that an exporter or producer in Bahrain is complying with applicable customs laws, regulations, procedures, requirements, or practices affecting trade in textile or apparel goods; or

(B) that a claim that a textile or apparel good exported or produced by such exporter or producer—

(i) qualifies as an originating good under section 202; or

(ii) is a good of Bahrain, is accurate.

(b) APPROPRIATE ACTION DESCRIBED.—Appropriate action under subsection (a)(1) includes—

(1) suspension of liquidation of the entry of any textile or apparel good exported or produced by the person that is the subject of a verification referred to in subsection (a)(1) regarding compliance described in subsection (a)(2)(A), in a case in which the request for verification was based on a reasonable suspicion of unlawful activity related to such good; and

(2) suspension of liquidation of the entry of a textile or apparel good for which a claim has been made that is the subject of a verification referred to in subsection (a)(1) regarding a claim described in subsection (a)(2)(B).

(c) ACTION WHEN INFORMATION IS INSUFFICIENT.—If the Secretary of the Treasury determines that the information obtained within 12 months after making a request for a verification under subsection (a)(1) is insufficient to make a determination under subsection (a)(2), the President may direct the Secretary to take appropriate action described in subsection (d) until such time as the Secretary receives information sufficient to make a determination under subsection (a)(2) or until such earlier date as the President may direct.

(d) APPROPRIATE ACTION DESCRIBED.—Appropriate action referred to in subsection (c) includes—

(1) publication of the name and address of the person that is the subject of the verification;

(2) denial of preferential tariff treatment under the Agreement to—

(A) any textile or apparel good exported or produced by the person that is the subject of a verification referred to in subsection (a)(1) regarding compliance described in subsection (a)(2)(A); or

(B) a textile or apparel good for which a claim has been made that is the subject of a verification referred to in subsection (a)(1) regarding a claim described in subsection (a)(2)(B); and

(3) denial of entry into the United States of—

(A) any textile or apparel good exported or produced by the person that is the subject of a verification referred to in subsection (a)(1) regarding compliance described in subsection (a)(2)(A); or

(B) a textile or apparel good for which a claim has been made that is the subject of a verification referred to in subsection (a)(1) regarding a claim described in subsection (a)(2)(B).

SEC. 205. REGULATIONS.

The Secretary of the Treasury shall prescribe such regulations as may be necessary to carry out—

(1) subsections (a) through (i) of section 202;

(2) the amendment made by section 203(2); and

(3) proclamations issued under section 202(j).

TITLE III—RELIEF FROM IMPORTS

SEC. 301. DEFINITIONS.

In this title:

(1) BAHRAINI ARTICLE.—The term ''Bahraini article'' means an article that—

(A) qualifies as an originating good under section 202(b); or

(B) receives preferential tariff treatment under paragraphs 8 through 11 of article 3.2 of the Agreement.

(2) BAHRAINI TEXTILE OR APPAREL ARTICLE.—The term ''Bahraini textile or apparel article'' means an article that—

(A) is listed in the Annex to the Agreement on Textiles and Clothing referred to in section 101(d)(4) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(4)); and

(B) is a Bahraini article.

(3) COMMISSION.—The term ''Commission'' means the United States International Trade Commission.

Subtitle A—Relief From Imports Benefiting From the Agreement

SEC. 311. COMMENCING OF ACTION FOR RELIEF.

(a) FILING OF PETITION.—A petition requesting action under this subtitle for the purpose of adjusting to the obligations of the United States under the Agreement may be filed with the Commission by an entity, including a trade association, firm, certified or recognized union, or group of workers, that is representative of an industry. The Commission shall transmit a copy of any petition filed under this subsection to the United States Trade Representative.

(b) INVESTIGATION AND DETERMINATION.—Upon the filing of a petition under subsection (a), the Commission, unless subsection (d) applies, shall promptly initiate an investigation to determine whether, as a result of the reduction or elimination of a duty provided for under the Agreement, a Bahraini article is being imported into the United States in such increased quantities, in absolute terms or relative to domestic production, and under such conditions that imports of the Bahraini article constitute a substantial cause of serious injury or threat thereof to the domestic industry producing an article that is like, or directly competitive with, the imported article.

(c) APPLICABLE PROVISIONS.—The following provisions of section 202 of the Trade Act of 1974 (19 U.S.C. 2252) apply with respect to any investigation initiated under subsection (b):

(1) Paragraphs (1)(B) and (3) of subsection (b).

(2) Subsection (c).

(3) Subsection (i).

(d) ARTICLES EXEMPT FROM INVESTIGATION.—No investigation may be initiated under this section with respect to any Bahraini article if, after the date on which the Agreement enters into force with respect to the United States, import relief has been provided with respect to that Bahraini article under this subtitle.

SEC. 312. COMMISSION ACTION ON PETITION.

(a) DETERMINATION.—Not later than 120 days after the date on which an investigation is initiated under section 311(b) with respect to a petition, the Commission shall make the determination required under that section.

(b) APPLICABLE PROVISIONS.—For purposes of this subtitle, the provisions of paragraphs (1), (2), and (3) of section 330(d) of the Tariff Act of 1930 (19 U.S.C. 1330(d) (1), (2), and (3)) shall be applied with respect to determinations and findings made under this section as if such determinations and findings were made under section 202 of the Trade Act of 1974 (19 U.S.C. 2252).

(c) ADDITIONAL FINDING AND RECOMMENDATION IF DETERMINATION AFFIRMATIVE.—

(1) IN GENERAL.—If the determination made by the Commission under subsection (a) with respect to imports of an article is affirmative, or if the President may consider a determination of the Commission to be an affirmative determination as provided for under paragraph (1) of section 330(d) of the Tariff Act of 1930 (19 U.S.C. 1330(d)(1)), the Commission shall find, and recommend to the President in the report required under subsection (d), the amount of import relief that is necessary to remedy or prevent the injury found by the Commission in the determination and to facilitate the efforts of the domestic industry to make a positive adjustment to import competition.

(2) LIMITATION ON RELIEF.—The import relief recommended by the Commission under this subsection shall be limited to that described in section 313(c).

(3) VOTING; SEPARATE VIEWS.—Only those members of the Commission who voted in the affirmative under subsection (a) are eligible to vote on the proposed action to remedy or prevent the injury found by the Commission. Members of the Commission who did not vote in the affirmative may submit, in the report required under subsection (d), separate views regarding what action, if any, should be taken to remedy or prevent the injury.

(d) REPORT TO PRESIDENT.—Not later than the date that is 30 days after the date on which a determination is made under subsection (a) with respect to an investigation, the Commission shall submit to the President a report that includes—

(1) the determination made under subsection (a) and an explanation of the basis for the determination;

(2) if the determination under subsection (a) is affirmative, any findings and recommendations for import relief made under subsection (c) and an explanation of the basis for each recommendation; and

(3) any dissenting or separate views by members of the Commission regarding the determination and recommendation referred to in paragraphs (1) and (2).

(e) PUBLIC NOTICE.—Upon submitting a report to the President under subsection (d), the Commission shall promptly make public such report (with the exception of information which the Commission determines to be confidential) and shall cause a summary thereof to be published in the Federal Register.

SEC. 313. PROVISION OF RELIEF.

(a) IN GENERAL.—Not later than the date that is 30 days after the date on which the President receives the report of the Commission in which the Commission's determination under section 312(a) is affirmative, or which contains a determination under section 312(a) that the President considers to be affirmative under paragraph (1) of section 330(d) of the Tariff Act of 1930 (19 U.S.C. 1330(d)(1)), the President, subject to subsection (b), shall provide relief from imports of the article that is the subject of such determination to the extent that the President determines necessary to remedy or prevent the injury found by the Commission and to facilitate the efforts of the domestic industry to make a positive adjustment to import competition.

(b) EXCEPTION.—The President is not required to provide import relief under this section if the President determines that the provision of the import relief will not provide greater economic and social benefits than costs.

(c) NATURE OF RELIEF.—

(1) IN GENERAL.—The import relief that the President is authorized to provide under this section with respect to imports of an article is as follows:

(A) The suspension of any further reduction provided for under Annex 2–B of the Agreement in the duty imposed on such article.

(B) An increase in the rate of duty imposed on such article to a level that does not exceed the lesser of—

(i) the column 1 general rate of duty imposed under the HTS on like articles at the time the import relief is provided; or

(ii) the column 1 general rate of duty imposed under the HTS on like articles on the day before the date on which the Agreement enters into force.

(2) PROGRESSIVE LIBERALIZATION.—If the period for which import relief is provided under this section is greater than 1 year, the President shall provide for the progressive liberalization of such relief at regular intervals during the period in which the relief is in effect.

(d) PERIOD OF RELIEF.—

(1) IN GENERAL.—Subject to paragraph (2), any import relief that the President provides under this section may not, in the aggregate, be in effect for more than 3 years.

(2) EXTENSION.—

(A) IN GENERAL.—If the initial period for any import relief provided under this section is less than 3 years, the President, after receiving a determination from the Commission under subparagraph (B) that is affirmative, or which the President considers to be affirmative under paragraph (1) of section 330(d) of the Tariff Act of 1930 (19 U.S.C. 1330(d)(1)), may extend the effective period of any import relief provided under this section, subject to the limitation under paragraph (1), if the President determines that—

(i) the import relief continues to be necessary to remedy or prevent serious injury and to facilitate adjustment by the domestic industry to import competition; and

(ii) there is evidence that the industry is making a positive adjustment to import competition.

(B) ACTION BY COMMISSION.—

(i) INVESTIGATION.—Upon a petition on behalf of the industry concerned that is filed with the Commission not earlier than the date which is 9 months, and not later than the date which is 6 months, before the date any action taken under subsection (a) is to terminate, the Commission shall conduct an investigation to determine whether action under this section continues to be necessary to remedy or prevent serious injury and to facilitate adjustment by the domestic industry to import competition and whether there is evidence that the industry is making a positive adjustment to import competition.

(ii) NOTICE AND HEARING.—The Commission shall publish notice of the commencement of any proceeding under this subparagraph in the Federal Register and shall, within a reasonable time thereafter, hold a public hearing at which the Commission shall afford interested parties and consumers an opportunity to be present, to present evidence, and to respond to the presentations of other parties and consumers, and otherwise to be heard.

(iii) REPORT.—The Commission shall transmit to the President a report on its investigation and determination under this subparagraph not later than 60 days before the action under subsection (a) is to terminate, unless the President specifies a different date.

(e) RATE AFTER TERMINATION OF IMPORT RELIEF.—When import relief under this section is terminated with respect to an article, the rate of duty on that article shall be the rate that would have been in effect, but for the provision of such relief, on the date on which the relief terminates.

(f) ARTICLES EXEMPT FROM RELIEF.—No import relief may be provided under this section on any article that has been subject to import relief under this subtitle after the date on which the Agreement enters into force.

SEC. 314. TERMINATION OF RELIEF AUTHORITY.

(a) GENERAL RULE.—Subject to subsection (b), no import relief may be provided under this subtitle after the date that is 10 years after the date on which the Agreement enters into force.

(b) PRESIDENTIAL DETERMINATION.—Import relief may be provided under this subtitle in the case of a Bahraini article after the date on which such relief would, but for this subsection, terminate under subsection (a), if the President determines that Bahrain has consented to such relief.

SEC. 315. COMPENSATION AUTHORITY.

For purposes of section 123 of the Trade Act of 1974 (19 U.S.C. 2133), any import relief provided by the President under section 313 shall be treated as action taken under chapter 1 of title II of such Act (19 U.S.C. 2251 et seq.).

SEC. 316. CONFIDENTIAL BUSINESS INFORMATION.

Section 202(a)(8) of the Trade Act of 1974 (19 U.S.C. 2252(a)(8)) is amended in the first sentence—

(1) by striking ''and''; and

(2) by inserting before the period at the end '', and title III of the United States-Bahrain Free Trade Agreement Implementation Act''.

Subtitle B—Textile and Apparel Safeguard Measures

SEC. 321. COMMENCEMENT OF ACTION FOR RELIEF.

(a) IN GENERAL.—A request under this subtitle for the purpose of adjusting to the obligations of the United States under the Agreement may be filed with the President by an interested party. Upon the filing of a request, the President shall review the request to determine, from information presented in the request, whether to commence consideration of the request.

(b) PUBLICATION OF REQUEST.—If the President determines that the request under subsection (a) provides the information necessary for the request to be considered, the President shall cause to be published in the Federal Register a notice of commencement of consideration of the request, and notice seeking public comments regarding the request. The notice shall include a summary of the request and the dates by which comments and rebuttals must be received.

SEC. 322. DETERMINATION AND PROVISION OF RELIEF.

(a) DETERMINATION.—

(1) IN GENERAL.—If a positive determination is made under section 321(b), the President shall determine whether, as a result of the reduction or elimination of a duty under the Agreement, a Bahraini textile or apparel article is being imported into the United States in such increased quantities, in absolute terms or relative to the domestic market for that article, and under such conditions as to cause serious damage, or actual threat thereof, to a domestic industry producing an article that is like, or directly competitive with, the imported article.

(2) SERIOUS DAMAGE.—In making a determination under paragraph (1), the President—

(A) shall examine the effect of increased imports on the domestic industry, as reflected in changes in such relevant economic factors as output, productivity, utilization of capacity, inventories, market share, exports, wages, employment, domestic prices, profits, and investment, none of which is necessarily decisive; and

(B) shall not consider changes in technology or consumer preference as factors supporting a determination of serious damage or actual threat thereof.

(b) PROVISION OF RELIEF.—

(1) IN GENERAL.—If a determination under subsection (a) is affirmative, the President may provide relief from imports of the article that is the subject of such determination, as described in paragraph (2), to the extent that the President determines necessary to remedy or prevent the serious damage and to facilitate adjustment by the domestic industry to import competition.

(2) NATURE OF RELIEF.—The relief that the President is authorized to provide under this subsection with respect to imports of an article is an increase in the rate of duty imposed on the article to a level that does not exceed the lesser of—

(A) the column 1 general rate of duty imposed under the HTS on like articles at the time the import relief is provided; or

(B) the column 1 general rate of duty imposed under the HTS on like articles on the day before the date on which the Agreement enters into force.

SEC. 323. PERIOD OF RELIEF.

(a) IN GENERAL.—Subject to subsection (b), any import relief that the President provides under subsection (b) of section 322 may not, in the aggregate, be in effect for more than 3 years.

(b) EXTENSION.—If the initial period for any import relief provided under section 322 is less than 3 years, the President may extend the effective period of any import relief provided under that section, subject to the limitation set forth in subsection (a), if the President determines that—

(1) the import relief continues to be necessary to remedy or prevent serious damage and to facilitate adjustment by the domestic industry to import competition; and

(2) there is evidence that the industry is making a positive adjustment to import competition.

SEC. 324. ARTICLES EXEMPT FROM RELIEF.

The President may not provide import relief under this subtitle with respect to any article if—

(1) the article has been subject to import relief under this subtitle after the date on which the Agreement enters into force; or

(2) the article is subject to import relief under chapter 1 of title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.).

SEC. 325. RATE AFTER TERMINATION OF IMPORT RELIEF.

When import relief under this subtitle is terminated with respect to an article, the rate of duty on that article shall be the rate that would have been in effect, but for the provision of such relief, on the date on which the relief terminates.

SEC. 326. TERMINATION OF RELIEF AUTHORITY.

No import relief may be provided under this subtitle with respect to any article after the date that is 10 years after the date on which duties on the article are eliminated pursuant to the Agreement.

SEC. 327. COMPENSATION AUTHORITY.

For purposes of section 123 of the Trade Act of 1974 (19 U.S.C. 2133), any import relief provided by the President under this subtitle shall be treated as action taken under chapter 1 of title II of such Act.

SEC. 328. CONFIDENTIAL BUSINESS INFORMATION.

The President may not release information that is submitted in a proceeding under this subtitle and that the President considers to be confidential business information unless the party submitting the confidential business information had notice, at the time of submission, that such information would be released, or such party subsequently consents to the release of the information. To the extent a party submits confidential business information to the President in a proceeding under this subtitle, the party shall also submit a nonconfidential version of the information, in which the confidential business information is summarized or, if necessary, deleted.

TITLE IV—PROCUREMENT

SEC. 401. ELIGIBLE PRODUCTS.

Section 308(4)(A) of the Trade Agreements Act of 1979 (19 U.S.C. 2518(4)(A)) is amended—

(1) by striking ''or'' at the end of clause (iii);

(2) by striking the period at the end of clause (iv) and inserting ''; or''; and

(3) by adding at the end the following new clause:

''(v) a party to a free trade agreement that entered into force with respect to the United States after December 31, 2005, and before July 2, 2006, a product or service of that country or instrumentality which is covered under the free trade agreement for procurement by the United States.''.

The SPEAKER pro tempore. Pursuant to House Resolution 583, the gentleman from Florida (Mr. SHAW) and the gentleman from New York (Mr. RANGEL) each will control 1 hour.

The Chair recognizes the gentleman from Florida.

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

Mr. Speaker, today the House considers the United States-Bahrain Free Trade Agreement Implementation Act. I am pleased my friend and ranking member of the Trade Subcommittee (Mr. CARDIN), as well as Mr. RANGEL, has joined me in supporting this agreement. It is tremendously important that our trade agenda remain on track and that we seek bipartisan support in accomplishing this goal.

The administration has publicly stated its commitment to the Middle East free trade area by the year 2013.

□ 1515

This agreement takes a key step in moving towards this goal. Political and economic progress continue to take shape in the Middle East. And by approving this agreement, the United States shows its support for our ally, Bahrain, and for the ideal of promoting open markets with leading reforms.

The Office of the United States Trade Representative has negotiated an agreement that, in my view, will serve as a model for the region. Upon implementation, all bilateral trade and consumer and industrial products will become duty free. All agricultural products are covered by the agreement. It will allow for immediate duty-free access for United States agricultural exports in 98 percent of the agricultural categories with a few remaining categories phased out over the next 10 years

In addition, the commitments to this agreement relating to services are the strongest in any United States free trade agreement to date. Finally, I want to recognize the actions taken by Bahrain to eliminate all aspects of the Arab League boycott of the State of Israel.

Bahrain took the commendable step of writing to Ambassador Portman to reiterate its commitment on this issue. Bahrain has ended the secondary and tertiary aspects of the boycott, dismantled all aspects of the primary boycott, and is fully committed to complying with World Trade Organization requirements.

In addition to these actions by Bahrain, I am also pleased with the commitment that the U.S. Trade Representative made to me during the committee's consideration of this agreement to report annually on the status of the Arab League boycott and efforts to dismantle it in Bahrain and all other countries where it has been applied.

Mr. Speaker, I submit for printing in the RECORD a letter from Bahrain's finance minister to Ambassador Portman relating to this issue.

KINGDOM OF BAHRAIN, MINISTRY OF FINANCE, MINISTER'S OFFICE,

September 5, 2005.

HON. ROBERT PORTMAN,
U.S. Trade Representative,
Washington, DC.

DEAR AMBASSADOR PORTMAN: Please accept my congratulations on your recent appointment to serve as the U.S. Trade Representatives. I look forward to meeting with you

soon to discuss our mutual interest in strengthening trade relations between the Kingdom of Bahrain and the United States.

It has come to my attention that questions have arisen regarding any secondary and tertiary boycotts related to Israel.

Following a decision of the Arab League in 1963 and prior to Bahrain's independence, the Bahrain government issued Law No. 5 of 1963 (Finance) which established the Boycott of Israel Office.

In 1994, the Kingdom of Bahrain eliminated all aspects of secondary and tertiary boycotts which extended to businesses which had relations with Israeli companies and businesses. Attached please find a copy of the memorandum recently sent to all Bahrain Ministries reminding them that the secondary and tertiary boycotts are null and void.

In the hope of advancing peace and regional cooperation, the Kingdom of Bahrain recognizes the need to dismantle the primary Boycott of Israel and is beginning efforts to achieve that goal.

As founding members of the World Trade Organization (WTO), the Kingdom of Bahrain is fully committed to complying with WTO requirements. Bahrain has no restrictions whatsoever on American companies trading with Bahrain or doing business in Bahrain, regardless of its ownership or relations with Israeli companies.

Finally, it is Bahrain's sincerest hope that our Free Trade Agreement with the United States will enhance efforts to achieve a real and lasting peace in the Middle East.

Yours sincerely,

AHMED BIN MOHAMMED AL KHALIFA,
Minister of Finance.

Mr. Speaker, the United States needs allies in the Middle East. Bahrain has stepped up to the plate in so many ways. Let me state them. As the home of our United States Navy's 5th Fleet, as a key ally in the war on terror, and by promoting an open and transparent market that will benefit our overall bilateral relationship.

Open and free trade with Bahrain will prove beneficial, both in the short run, and especially over time. We will witness a Nation leading a region of the world towards openness with the United States and doing it through trade.

Through these ties, I firmly believe that this agreement will advance the development of Democratic principles throughout that region.

Mr. Speaker, I thank my Ways and Means colleagues for moving this agreement to the floor for today's consideration. I especially want to recognize the efforts of the gentleman from Wisconsin (Mr. RYAN) and the gentleman from New York (Mr. MEEKS) for their commitment to seeing a United States-Bahrain free trade agreement come to fruition.

As co-chairs of the U.S.-Bahrain Congressional Caucus, they educated and provided key information to Members and staff in anticipation of this floor vote. I want to thank them publicly for their efforts.

Mr. Speaker, the agreement before us today is right for America for economic and strategic reasons. We must ensure that we support our allies in the Middle East. By opening markets, we empower people to reap the benefits of economic freedom.

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

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

Mr. Speaker, I think working out the details in this bill is a classic example as to how we can be bipartisan when we really try. There is no question that foreign policy and trade should not be a Republican or Democratic issue.

And the gentleman from Maryland (Mr. CARDIN) made up his mind that we were going to stick to it to make certain that some of our concerns about the basic protection of workers was going to be included in the bill. And while the language is not specifically in the bill, in talking with the representatives from the Bahrain government, especially the ambassador that showed us a sincere desire to make certain that he accommodated not Republicans or Democrats, but his respect for this body, we were able to persuade most of the Members on our side that this was something worth doing, not only because of economic reasons, but because of the courageous acts that were taken in the Middle East by this very small country.

Mr. Speaker, I yield 30 minutes to the distinguished gentlemen from California (Mr. STARK) and request unanimous consent that he be allowed to manage the time.

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

There was no objection.

Mr. RANGEL. Mr. Speaker, I yield the balance of my time to the distinguished gentleman from Maryland (Mr. CARDIN) and request unanimous consent that he be allowed to yield time.

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

There was no objection.

Mr. RANGEL. Mr. Speaker, in closing, though, I would also like to point out that the gentleman from Wisconsin (Mr. RYAN), a junior Member of the committee, spent considerable time working with us and working with us through the United States Trade Representative in order to make certain that we reached this conclusion, and I will be supporting this piece of legislation.

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

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

Mr. STARK. Mr. Speaker, the first thing is, here we go again. If we are rewarding an ally for helping us in Iraq, where I understand there are no Bahranian troops, but we have got a Navy base. Well, if we are paying off for a Navy base, how about Cuba? Why do we not throw these guys in? I think we have got a big base in Cuba where we are torturing prisoners, so why not toss them in if that is the reason for going into this free trade agreement.

The problem with the Bahrain Free Trade Agreement is the same ones that we have had with Australia, Morocco, CAFTA. And the administration keeps sending the same flawed arguments and agreements.

I have supported trade. But it has got to be fair before it can be free. And unfortunately, this administration does not see it that way. Like our recent free trade agreements, it fails to promote basic labor rights, environmental standards, and is a payback or a sell out to PhRMA for letting the pharmaceutical industry write into these agreements wording that extends their patents and extends the time before generic medicines are available.

Now, it may be that Bahrain is somewhat richer than other nations and can wait longer, but it is a bad policy. You are going to hear today about Bahrain's labor rights. That is great. But it does not hold them responsible for maintaining those improvements. It is sort of enforce your own laws, and Bahrain could change those laws tomorrow.

The same hollow standards apply to environmental protections. They could be changed. My 10-year-old son wishes that he could have enforce his own bed time. But that is not the way it works, Mr. Speaker. Until the core international labor organizations standards and strong environmental protections are included in the text of the agreement, we should all vote against these free trade agreements.

If you trust the administration to tell you the truth, maybe you could vote for it then. But I think recent experience in the war, in torture, and other instances have shown us that those assertions are subject to question by reasonable people.

So this agreement, like many other bills, helps Big Pharma. It does not do much for labor. It does nothing to assure us that we will have environmental safety in Bahrain should they, God help us, ever run out of oil. And it seems to me that we are giving away a lot of our American rights. And I urge any of you just to remember the disagreement we had many years ago over China.

And many of us said, the minute you give permanent most favored nation to China, you will never again be able to negotiate with them. Look at the footage when our delegation was in China and the hands that went in front of the cameras as China prohibits free and open press coverage of what goes on there.

Until we are ready to get fair exchange for these free trade agreements, we are selling our American heritage. I urge a no vote on the Bahrain Free Trade Agreement.

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

Mr. SHAW. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. RYAN) who I referred to in my opening remarks, a member of the Ways and Means Committee.

Mr. RYAN of Wisconsin. Mr. Speaker, I thank the chairman for yielding, and

for his hard work on this. Also I want to start off, Mr. Speaker, by thanking the Democrats on the committee for working so hard and diligently with us.

This is a bipartisan bill. This is a bipartisan trade agreement. We will see votes from a lot of Democrats and a lot of Republicans when this comes to a vote. Why is that? Mr. Speaker, I think this is a very important step in the right direction for our country. This is a very important precedent-making event. What we are accomplishing here is the first trade agreement in this region since the 9/11 Commission published their findings, since we launched the Middle East Free Trade Area Initiative, since 9/11.

Now, let us just say it is controversial what our country is doing in Iraq. I think it is safe to say that. That is a part of our war on terror, has controversy. Well, what are we trying to accomplish there? We believe that freedom and democracy are the best ultimate tools in the war on terrorism. We believe that our children and grandchildren will be more safe and secure here in America and around the world, if other people are free, if other people have the ability to determine their own destiny and their own futures.

What does this have to do with that? A trade agreement with the United States with these countries, with Bahrain, in particular, helps secure that future. By seeing the leadership of Bahrain, the first country in the Gulf to do this, gravitating and taking the leadership, for rule of law, transparency in its legislature, changing its government to a constitutional monarchy, having a directly representative parliament, giving women the right to vote, given women elected positions in government, giving woman elected positions in the ministry, in the cabinet level, having the rule of law, having transparency, all of those things are the necessary and key foundations and building blocks to freedom and democracy.

That is ultimately how we win against the war on terrorism. This is the way we do it on a bipartisan basis. This is the opportunity for Republicans and Democrats to go forward with one voice, one face, one message as Americans going overseas, going forward confidently to win the war on terror and help encourage the spread of freedom and democracy. That is why this is an important trade agreement.

Is Bahrain significant from an economic value? It is a small country relative to other economic trade partners. Is this trade agreement in and of itself a good deal for us? Absolutely. Zero tariffs on manufactured goods. Zero tariffs on our agricultural goods. Fair trade rules. This agreement improves labor standards.

The Bahrainees have already shown leadership in their region in this area. In 2000, they passed a very sweeping labor reform law. They have since committed to passing even more sweeping labor reform laws. So we are already seeing tremendous progress being made. This is a country, Mr. Speaker, that has really shown leadership in this region against the grain, against pressure from their neighbors across the causeway in Saudi Arabia and elsewhere in the Gulf.

This is a country that has been our friend and ally for over 100 years, that has hosted our 5th Fleet naval base from which we do all of our Naval operations in the Iraqi theatre, in the Afghani theatre, come from Bahrain, from our 5th Fleet.

This is a country that has stood with the United States through thick and then in helping us stop money laundering for terrorists, in helping us with our military, in standing with us for democracy in the Middle East. It is an important ally. It is an ally that has done a lot, that has shown leadership, that has risked a lot to stand with us for democracy and freedom, that is gravitating towards these kinds of reforms.

The vision that this trade agreement represents, Mr. Speaker, is a vision of spreading trade, free markets, capitalism and democracy and freedom throughout the greater Middle East. This is the road map to the future of the Middle East.

And that is why it is so important. This is a bipartisan movement. That is why I just want to say one more time how thankful I am to the ranking member of the Ways and Means Committee, the gentleman from New York (Mr. RANGEL) for working very hard to meet this agreement, and the gentleman from Maryland (Mr. CARDIN) as well, for working hard to meet this agreement so that we can stand here today as Republicans and Democrats in favor of this very important trade agreement.

□ 1530

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

Mr. Speaker, I am pleased to rise today in support of the U.S.-Bahrain Free Trade Agreement. This agreement reflects a bipartisan effort to make a deal that is worthy of broad support both in terms of the process used and the substance of the agreement.

I want to thank the gentleman from Florida (Mr. SHAW) for his help in this agreement. I want to thank the gentleman from Wisconsin (Mr. RYAN) for his persistence in keeping us focused on getting this agreement completed this year. I want to thank the gentleman from New York (Mr. RANGEL) for his help with the USTR and with the administration in pointing out the importance of making some additional changes. I thank the gentleman from Michigan (Mr. LEVIN) for his contributions in regards to this bill.

As you know, Mr. Speaker, Congress uses an expedited process when it considers trade agreements. As a result, Congress gives up a lot of its prerogatives, and it is absolutely critical that in giving up these prerogatives that the administration consult and work very closely with the Members of Congress on both sides of the aisle in negotiating, entering into, and submitting to Congress the implementing legislation.

Well, in regards to the U.S.-Bahrainian agreement, much of the work was done prior to the beginning of this year; and, quite frankly, there was not as close a relationship with Congress as I wanted to see. There were things that were not complete then when the agreement itself had been finished. But thanks to Ambassador Portman, thanks to the help from the majority side, we were able to continue consultation with Congress on both sides of the aisle prior to the submission of the implementing legislation.

As a result, we now have an agreement that incorporates the important provisions that deal with worker rights as well as dealing with the issue of the boycott against Israel; and I want to compliment the process and the manner in which we have been able to complete this agreement.

On substance, the U.S.-Bahrain Free Trade Agreement is a good agreement for several reasons. First, the agreement provides substantial market access for U.S. service providers, immediate duty-free treatment for all currently traded consumer and industrial products, and duty-free treatment of nearly all U.S. agricultural exports.

This is a good model for other agreements in the region and around the world.

Second, Bahrain has taken truly historic steps by disavowing all aspects of the Arab League boycott against Israel. Not only the primary, but the secondary and tertiary boycotts. This should be the template that we use in all negotiations and free trade agreements in that region. That is exactly what the United States should be demanding.

The third reason why this is a good agreement is that Bahrain has adopted major reforms in its labor code and is committed to making further reforms. In 2002 Bahrain enacted legislation that for the first time gave workers in Bahrain the right to belong to trade unions and to strike.

Last month in an exchange of letters with the United States Government, the government of Bahrain made several additional commitments that would ensure its laws are in full compliance with basic international standards.

Mr. Speaker, let me just point out that the process we use is that we identified certain weaknesses in the operation of the Bahrainian reform laws as it related to workers' rights. Bahrain now is committed by letter and interpretation to comply fully with the ILO standards in four of those areas. There are two additional areas that really require consultation with the union because they only have a single union, and under ILO standards they need to have multiple unions and need legislation to be enacted.

Bahrain had filed earlier this week two of those laws to make it clear that it is not only going to be the manner in which the government enforces the laws, but the underlying laws themselves will be in compliance with ILO standards. We also are permitted under this agreement to use the agreement in the event that we believe that they have not carried out their commitment. So this does reflect what we should be doing on workers' rights.

We can consider a matter arising under the FTA labor chapter if in fact Bahrain does not carry out its commitments as spelled out in the exchange of letters. This will allow the United States to initiate formal consultation with Bahrain on these commitments on the procedures outlined in article 15.6 of the agreement.

Finally, the USTR is committed to report periodically to Congress on Bahrain's fulfillment of its labor commitments. The USTR is further prepared to invoke article 15.6 procedures if Bahrain fails to carry out any of these commitments.

Mr. Speaker, I would note that the Bahrainian actions stand in contrast to some of the CAFTA countries that actually weakened or proposed weakening their laws after the CAFTA agreement was signed. Unlike the CAFTA countries, Bahrain is a country that is heading in the right direction with regards to labor reforms.

For all of these reasons and for the reasons that have been outlined by my colleagues, I would urge my colleagues to support this agreement. It opens up a market in a very important part of the world. It offers us a template for moving forward in the Middle East by using economics to bring peace and prosperity to that region, which is clearly in the interest of the United States.

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

Mr. STARK. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. BROWN), a colleague nominated for the Nobel Prize in literature for his best selling book ''The Myth of Free Trade,'' also an author who understands that the King of Bahrain was not elected. I do not care what kind of a democracy it is, kings do not get elected. And if my good friend from Wisconsin had suggested that we could take our troops out of Iraq immediately and substitute this cockamamie free trade agreement, I would join with him in that, but I am not sure that that is what he thought.

Mr. BROWN of Ohio. Mr. Speaker, I thank my friend from California (Mr. STARK) for his leadership on the Ways and Means Committee on trade issues and especially on health care issues.

I today rise to announce that I will reluctantly vote against the Bahrain Free Trade Agreement. Unfortunately, despite the tough battle in this institution over the Central American Free Trade agreement, very little has changed. It is too bad because this agreement could have been a step forward, but it is the same rubber-stamp trade template this administration refuses to alter. People praise U.S. Trade Representative Portman for being a nice guy, which he is. They praise him for his good manners and intelligence and straightforwardness, all of which he deserves. He comes to the Hill and talks to Democrats occasionally and says he wants to work with us.

But then when you look at the text of the Bahrain Trade Agreement, labor and environmental provisions are again given short shrift. Meanwhile, intellectual property protections, financial protections are as strong as ever. We continue to protect corporate interests without protecting workers. We continue to protect drug company interests without protecting the environment. We continue to protect financial institutions without protecting food safety laws.

When I first ran for Congress in 1992, our country had a trade deficit of $38 billion. A dozen years later, last year in 2004, our trade deficit was $618 billion. In this year, by the end of the year, it will probably exceed $700 billion. From $38 billion to $618 billion to $700-plus billion in less than a decade and a half. The deficit with China alone will approach $200 billion this year.

Many of our trading partners succeed because they use forced labor, child labor, sweatshop labor. They do not have the environmental protections and health regulations we enjoy in the United States. Other countries like China and Japan manipulate currency to their advantage. They do not play fair. The United States again loses.

I would like to caution my colleagues, just because USTR is giving us major face time on Capitol Hill does not mean they are actually listening to what we are saying. The overwhelming majority of Members of this Congress support strong labor and environmental standards for trade agreement. We know that because they were in the core text of the Jordan Trade Agreement which passed by a voice vote. I was sitting on the House floor at the time. No one, no one voiced opposition to the Jordan Free Trade Agreement which included those core labor and environmental standards.

But today the template is always the same. The Bush administration changes nothing. Every trade agreement, every trade agreement we voted on since Jordan has been a step back and there is no indication that the administration even cares about that. So do not be fooled by smiling faces and hollow pledges. Until the text of these agreements contain the same protections for labor and the environment, the same protections for labor and the environment as these agreements always include for multi-national corporations and the drug industry, the pharmaceutical industry, we should stand against them.

We all remember in July, in the middle of the night, we remember passing the Central American Free Trade Agreement. Same old story. The debate took place late. The votes were cast in the middle of the night. The roll call was kept open for over an hour. Republican Members had their arms twisted. Some, perhaps, were bribed. Perhaps, we do not really know that. Some may have been bribed. Some were certainly offered little goodies or at least given threats if they did not change their vote. We know all that. To pass CAFTA they had to do that in the middle of the night.

It passed by two votes. If one Member had not switched a vote, it would have been tied. It would have been defeated.

We heard the same promises on CAFTA as we hear today. More jobs, better everything for the developing world.

After hearing all of that for CAFTA, let me just quote from the Boston Globe. The headline was: ''CAFTA Blamed For Layoffs At Edenton Textile Plant.'' Edenton, North Carolina. More than 200 employees will lose their jobs at an Edenton manufacturing plant when the company moves most of its operations to Central America in the coming year. Edenton Town Manager Anne-Marie Knighton said the decision by the Moore Company is the result of the recently adopted Central American Free Trade Agreement.

It did not take long for CAFTA to begin to cost us jobs. We hear the same promises in Bahrain as we heard on CAFTA, the same promises on CAFTA that we heard about China, the same promises on China as we heard about NAFTA.

If the administration continues on its current course, we can count on a few things for certain. Our trade deficit will skyrocket and more U.S. jobs will be outsourced.

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

Mr. Speaker, the gentleman from California (Mr. STARK) mentioned that we were trying to reward our friends in some way. And we hear from the gentleman who just left the well about CAFTA and going back and rehashing CAFTA, talking about votes in the middle of the night.

I would like to pose this question: What is wrong with trying to reward our friends? That is who we want to promote business with is our friends. There is nothing in the world wrong with that and we should do that.

I would also like to point out when he was talking about votes in the middle of the night, it is now 3:40 Eastern Standard Time, the sun is shining brightly, and it is a beautiful day.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN) who is the chairman of the Subcommittee on the Middle East and Asia.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the gentleman for his leadership on all the free trade agreements and his leadership on so many difficult issues.

I rise in strong support of the U.S.-Bahrain Free Trade Agreement. This FTA represents an important step toward a more prosperous and economically vibrant Middle East. The broad scope of this agreement and its consideration for environment and labor standards, as well as provisions that address other foreign policy concerns, makes the U.S.-Bahrain agreement an important model for future FTAs.

This agreement encompasses more than just economics. It also reflects a broader commitment to an ally that hosts the fifth fleet of the U.S. Navy and has assisted us here in the United States in our pursuit of al Qaeda and other Islamic extremist organizations.

Additionally, it highlights and rewards Bahrain's reform efforts thus far, as illustrated by the elections held in 2002 in which women fully participated and by Bahrain's consistent rating by the Heritage Foundation as the freest economy in the Middle East.

Bahrain's recent decision to pull out of the Arab League boycott of Israel also represents the government's rejection of intolerance and anti-Semitism and its commitment to fully integrate into the world economy.

To affirm this commitment and establish a positive precedent for the future of FTAs with countries in the region, rejection of the Arab League boycott of Israel is incorporated as a provision of the U.S.-Bahrain FTA. While significant strides have been made by Bahrain, I hope this agreement serves as a catalyst for further reforms, because they are needed to address the remaining concerns over its human rights records, starting with the reopening of the Bahrain Center For Human Rights.

□ 1545

Mr. Speaker, according to the 9/11 Commission report, economic reforms will be vital in transforming the Middle East into a region which rejects despotism and terrorism and, instead, embraces freedom and democracy. This FTA strikes at the heart of that.

Mr. CARDIN. Mr. Speaker, I am pleased to yield 7 minutes to my colleague from Michigan (Mr. LEVIN) who has been one of the leading members of the Ways and Means Committee and the Trade Subcommittee on insisting that trade agreements include protection for workers' rights.

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

Mr. LEVIN. Mr. Speaker, I thank the gentleman from Maryland (Mr. CARDIN) for the time.

Workers rights matter to the rules of competition negotiated in trade agreements.

In order to make globalization work, and I emphasize this, its benefits must flow broadly among the majority of the population, not flow to the top and merely trickle down to the rest.

To spread the benefits of globalization, workers must have internationally recognized core labor rights: prohibitions on child labor, forced labor and discrimination, and importantly, the right of workers to associate and bargain collectively so they can advance their economic interests.

This is not a pro-versus-anti-trade view. It is a view of how to expand trade in a way to spread its benefits among the population, stimulate, where it does not exist, a strong middle class necessary for a Nation's stability and, yes, the development of its democracy, provide U.S. workers with a more level playing field, and create markets of consumers with the income of other countries to buy our products.

Each trade agreement presents its own challenges and opportunities. Unfortunately, the Bush administration has insisted on using a misguided, cookie-cutter approach as to the basic standard on worker rights, saying to our trading partners simply ''enforce your own laws.''

Where internationally recognized standards of workers rights were well-established in law, in practice, in a Nation's history so that there was unlikely a retreat, many of us voted yes: Chile, Singapore, Morocco. But we always warned that ''enforce your own laws'' as a standard was fundamentally an inappropriate approach and would be subject to misuse and abuse if adopted in the future under very different circumstances. That was vividly true in CAFTA, regarding the rights and position of workers. There were major gaps in the laws, in actual practices and in the socioeconomic dynamic of those Nations. So we, in the Democratic party, overwhelmingly voted no.

We insisted that an unbalanced framework for expanded globalization would in Central America lead to further poverty, further insecurity and hinder democratic development.

When the administration began to negotiate an FTA with Bahrain, it was clear that there existed issues unrelated to economic globalization which, if negotiated effectively, would militate in favor of approval of an FTA.

Those included the end of the boycott of Israel and its impact on the movement towards security and potential peace in the Middle East and American diplomatic relations with a Nation moving faster than many others in the Middle East towards democratic processes.

Also, Bahrain had taken the first steps a few years before to reform their labor code toward providing workers with their basic international rights. While the code was more advanced, it is true, than in many Middle East Nations, it still fell short in several important respects.

So, in view of all these circumstances, as the gentleman from Maryland (Mr. CARDIN) has mentioned, a number of us chose to work with and press the Bahrainian government to bring their laws up to basic international standards.

That started an intensive process where the negotiating parties did work in good faith and where the Ways and Means Committee at a hearing agreed, across party lines, that promises were not enough but that there must be concrete action on major gaps in labor laws.

The Bahrainian government has now introduced concrete legislation, as Mr. CARDIN has announced, to fill these gaps in their labor code. They will apply to both citizens and to the foreign workers who are there in large numbers.

Bahrain is a small Nation, 667,000-plus people with over 235,000 non-nationals, with a per capita income far higher than is true in other Nations, where the majority of citizens in those Nations live in poverty, and with a constitutional monarchy whose written support of these labor reforms provide confidence that the formally introduced reforms will become law.

When all of these particular circumstances are taken into account, those of us on the Democratic side of the Ways and Means Committee who have actively worked on this matter decided to support the Bahrain FTA.

Our experience here, and I emphasize that, does not diminish but only reinforces our insistence that as we face far different circumstances, when achieving a positive result from expanded globalization confronts very different dynamics, and that is true in negotiations with Latin American countries and others, our Nation must do for the rights of workers what it does for all other provisions of trade agreements. It must negotiate to place these international standards squarely in the body of the trade agreement with enforcement.

Only then can we be confident that globalization will help workers in other Nations uplift themselves, create a vital middle class in those Nations so important to those Nations, move towards international competition so that trade, as now increasingly being verbalized by President Bush, is both free and fair.

Only then can we be confident that competition with our workers from other countries will not be based on who can most suppress the rights of other workers and that for our own businesses, in this day and age, as mentioned, of our massive trade imbalances, there will be increasing numbers of middle income residents in other Nations to buy our goods and services.

Under those circumstances, I support this agreement, conditions very plainly spelled out here. I hope this administration will take notice.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). The Chair would remind all Members that it is a violation of the rules to use cell phones on the floor.

Mr. STARK. Mr. Speaker, I am happy to yield 5 minutes to my friend from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Speaker, I thank the gentleman for yielding, and along

with millions of American workers in the AFL–CIO, I rise in very strong opposition to this flawed agreement.

Mr. Speaker, here we go again. Once more, the proponents of unfettered free trade are telling us about all of the good jobs that will be created if we pass this agreement and how great this agreement will be for the economy, and once again, they will be wrong.

Let me be as clear as I can be. Our unfettered free trade policies, NAFTA, PNTR with China, and the other trade deals have been a demonstrable and absolute disaster for the average American worker. It is incomprehensible to me that failure after failure after failure takes place, and then people come to the floor of the House and they say let us do it again.

Mr. Speaker, in 2004, we had a trade deficit of $617 billion, and by the end of this year, that trade deficit is expected to top $700 billion. Industry after industry has been decimated in this country by unfettered free trade, and we have lost millions of good paying manufacturing jobs to China, to Mexico and to other low-wage countries. In fact, after losing millions of good paying, blue collar jobs, we are now on the cusp of hemorrhaging millions more of white collar information technology jobs.

When will you stop bringing these agreements forward? When there are virtually no decent jobs left in America? Well, you are doing a good job in that effort.

In the last 5 years alone, we have lost almost 3 million manufacturing jobs, more than 17 percent of all jobs in that sector. Is trade the only reason that we are losing those jobs? No. Is it a major reason? Of course it is.

Why do we have these trade agreements? The answer is obvious. Corporate America comes in here and they say we do not want to pay working people a living wage, we do not want to respect environmental standards, we do not want to provide health care to our workers; so give us the opportunity to move to China, to other low-wage countries; please pass these trade agreements. Congress says, yes, boss, that is what we are going to do, and this is, in fact, what has happened.

Today, at 14.3 million, we now have the fewest manufacturing jobs in this country since the 1950s, and these manufacturing jobs are the jobs that pay workers a living wage with good benefits. What is going on in our economy today and what is destroying the middle class is that we are losing good paying jobs in manufacturing and information technology, and we are replacing those jobs with low paying service industry jobs that provide low wages and minimal benefits.

We have gone from a General Motors economy, good wages, good benefits, producing real products, to a Wal-Mart economy of low wages, minimal benefits and vehement anti-unionism.

Let me say very clearly, that if we do not turn this trend around, including totally rethinking our trade policies, our kids, for the first time in the modern history of the United States of America, will have a lower standard of living than we do.

Mr. Speaker, in America today, the middle class is shrinking, poverty is increasing, and the gap between the rich and the poor is growing wide. Over the past 5 years, more than 5 million Americans entered the poverty ranks. Over 6 million Americans have lost their health insurance. Income for the average American fell by over $1,600, and childhood poverty increased by over 12 percent. In 2003, the last study done by the IRS showed that 99 percent of Americans had an income which did not keep pace with inflation.

Mr. Speaker, we have got to stop the race to the bottom. We have got to reform and rethink our trade policies. Let us vote this proposal down.

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

In quick response to the gentleman from Vermont, our economy is growing jobs at the rate of about 200,000 a month. Productivity is higher than it has ever been. Our economy is the fastest growing economy at 4.3 percent per year. The economy is strong in the United States. Unemployment figures are down below 5 percent.

□ 1600

It is lower than it was in any of the previous decades. Our economy is strong and it is growing, and it is growing because of the type of legislation that we are passing. We cannot be protectionists and retain the strong economy that we have in a world that is going free trade.

You may not like free trade, but the world is going free trade. And if we are going to compete in the global economy, we need to move towards free trade, and we need to be careful in negotiating these agreements one after the other.

Mr. Speaker, I now happily yield such time as he may consume to the gentleman from California (Mr. DREIER), 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 agreement, and I want to begin by extending my congratulations to the distinguished chairman of the Trade Subcommittee for his fine work on this effort and to thank him along with my friend from Wisconsin and my friend from Texas, both of whom are here on the floor and who worked closely with us, with our working group, to promote the issue of trade.

My friend from Florida is absolutely right, if we do not shape the global economy, we will be shaped by it. The world is moving dramatically towards breaking down barriers, understanding that the free flow of goods and services and products and ideas is absolutely essential, and I believe that we must do everything that we possibly can to expand that.

Now, Mr. Speaker, we have put into place over the past several years, under Democrats and Republicans as Presidents, a wide range of trade agreements. We have, since we put Trade Promotion Authority back into place, been able to see the expansion of the North American Free Trade Agreement.

And by the way, if you look at the trade relationship between Mexico and the United States today, there is a third of $1 trillion in cross-border trade between Mexico and the United States. The middle-class population in Mexico is larger than the entire Canadian population. And so focusing on these issues is very important if we are going to deal with questions like the one we are going to address next week, illegal immigration, to try to enhance the economies of these developing nations. We want people who are struggling to get on to the first rung of the economic ladder, and that is what these trade agreements are about when it comes to their relationship.

Now, let us look at what these trade agreements mean to U.S. workers. As my friend from Florida just said, last month 215,000 new jobs were created. If we look at the last few years, at the last 4 years, we have seen 4.5 million new jobs created. In fact, Mr. Speaker, I will say that there are more people working in the United States of America today than we have ever seen working.

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

Mr. DREIER. Although we have limited time here, I will happily yield to the gentleman from Vermont.

Mr. SANDERS. I thank my friend for yielding. You talked about job creation. What kind of wages are these jobs paying people?

Mr. DREIER. Reclaiming my time, I will respond to that question.

Mr. SANDERS. I wish to amplify.

Mr. DREIER. The gentleman posed the question, and I am happy to respond to that question, and then I will continue with my statement.

On average, jobs that are focused on exports into new markets, which is exactly what these agreements are all about, exactly what these agreements are all about, on average, these jobs focused on exports pay about 17 percent higher wage rates than those that are focused on jobs that are merely designed for domestic consumption here.

Mr. SANDERS. You did not answer the question. You talked about new jobs being created. You said exported jobs pay better. That is true, but most of the jobs being created are service industry low-wage jobs.

Mr. DREIER. If I could reclaim my time, let me just say that it is fascinating to listen to my friends on the other side of the aisle who, when we were in the midst of our debate just a few minutes ago on the alternative

minimum tax, they were very strong proponents of making sure we bring about reform so that people who are in that wage rate that goes all the way up to $342,000 a year get relief under the AMT.

So I believe that if you look at the jobs that have been created, if you look at the wage rates that we have right now in the United States, if you look at the standard of living in the United States of America juxtaposed to other countries in the world, it is very clear that the United States of America is the single greatest Nation on the face of the Earth, and it is in large part due to the fact that we have over the last several years put together a wide range of trade agreements. And I would argue that building on the Central American Free Trade Agreement, this Bahrain trade agreement, which is what we are talking about at this moment, I believe is very, very critical to continuing that kind of growth.

Now, let us look at the issue of the global war on terror. My friend from Wisconsin raised that. Now, one of the things that is essential as we seek our opportunity to try and turn the corner on the threat of terrorism, we need to focus on economic growth throughout the Middle East. A former Defense Department official said to me when we were talking about the aftermath of September 11, 2001, that if we had seen a percentage point or two more growth in Afghanistan and Pakistan, we might have been able to diminish the threat of September 11. Why? Because there is a sense that somehow those involved in international terrorism are simply doing this in the name of Allah.

All one needs to do is look at what Mohammed Atta and his cronies were doing before perpetuating the most heinous act on our soil on September 11 of 2001. It is not as if they were worshipping Allah. I recall their being in south Florida and Las Vegas, Nevada, leading up to that; meaning the focus on economic opportunity is something that we need to realize can help diminish that kind of terrorist threat there. And that is a very important part of what this agreement is about. Now, I have to say that realizing that the rule of law, the expansion of parliamentary elections, all of those kinds of things which can help diminish that kind of threat are critical, and that is a very important part of this agreement.

So as I listen to my friends on the other side of the aisle, and I am happy to say this agreement is enjoying strong bipartisan support, but as I listen to those on the other side of the aisle who are opposed to this agreement, it is very unfortunate that so many of them do not recognize the tremendous growth that my friend from Florida, the chairman of the Trade Subcommittee, just went through: the 4.3 percent GDP growth, a 5 percent unemployment rate, 215,000 jobs created last month alone in the aftermath of Hurricane Katrina, and all of the other challenges that we faced, that these have come about in large part due to the trade agreements that we have put into place. And why? Because we are opening up new markets around the world. And I thank my friend very much.

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

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

Mr. SHAW. Mr. Speaker, I want to add another provision there, that over the last 3 years, hourly wages have increased in the United States by 8 percent. So a lot of this stuff we have heard is absolutely false.

Mr. DREIER. Mr. Speaker, I thank my friend for that contribution, showing, as I said, that the standard of living in the United States of America is strong.

And the President has put it very well: we are never going to be satisfied until every American who wants a job has a job. We must continue to do everything possible to ensure that that happens, and that again is what this agreement is about.

Ninety-four percent of the world's consumers are outside of our borders, Mr. Speaker. So I believe we must do everything we can to pry open those markets, because the world has access to the U.S. consumer market, and that is a good thing; but what we need to do is gain more and more access to their markets.

So this is a win-win all the way down the line. This is a continuation of what we have seen of the DRCAFTA agreement, the NAFTA agreement, and others that are creating great opportunity for U.S. workers and consumers alike.

And I want to say in conclusion that I am very, very grateful that through this agreement we are getting us back to this notion of bipartisanship, because it is not a Republican or Democratic issue. Trade is an issue that should see the support of Republicans and Democrats. We are happy to provide the lead, but every Democrat who wants to jump on board in support of the cause of free trade is more than welcome, and I am happy the Democrats are understanding the critical importance of this effort.

Mr. CARDIN. Mr. Speaker, let me just remind my colleagues that we are talking about a free trade agreement with Bahrain, a country whose size is about the same as the city of Austin, Texas, and of course a very important country within the Middle East.

Mr. Speaker, I am now pleased to yield 2 minutes to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS of New York. Mr. Speaker, I rise today in strong support of the Bahrain Free Trade Agreement. This agreement is good for the United States, and it is good for Bahrain. It has real trade benefits. But beyond that, it will strengthen relations with one of our most steadfast friends in the Middle East. Progress made on labor and economic reforms can stand as a model for future trade agreements with the Middle East.

The Ways and Means Committee's bipartisan approval of the U.S.-Bahrain Free Trade Agreement is symbolic of the cooperative and supportive relationship that exists between the two countries. This agreement will bring benefits to both countries, strengthen economic ties, and promote social, political, and economic opportunities. The Bahrainis have taken difficult, but important, progressive steps that will elevate standards in Bahrain and help promote stability in the Middle East.

Bahrain has been a steadfast American ally through World War II, the gulf war, and the war on terrorism. Bahrain has implemented multiple substantive reforms over the past few years, including the adoption of a new constitution to transform the country from a hereditary emirate to a constitutional monarchy, the creation of a bicameral legislature, and granting suffrage to all citizens over 18 years of age. In addition, Bahrain has made significant improvements to its labor laws and has dismantled its Arab League boycott of Israel.

My friends, globalization is here. And as Tom Friedman indicated, yes, indeed, the world is flat. We have made sure that we are more interdependent upon one another; and it is good to be interdependent, because with that interdependence, we as a Nation begin to depend on others in this world. The world is much smaller than it was just 40 years ago. As we become dependent upon one another, raising the standards of living all over this world, we then indeed ensure a safer United States of America and a more harmonized world.

I say let us vote for this. It is good for America, it is good for Bahrain, and it is good for the Middle East.

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

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. HENSARLING).

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

Mr. Speaker, again we have an opportunity to stand up for American families. Again, we have an opportunity to stand up for free trade and pass the U.S.-Bahrain Free Trade Agreement.

This is a simple matter. Free trade delivers a greater choice of goods and services to American consumers at lower prices. That means families can buy more using less of their paychecks. More trade means more competition, and competition has always helped the consumer. We have over 200 years of history to prove that.

In fact, Mr. Speaker, over the past few years, prices have dropped for a wide array of goods and services which are produced around the world, such as video equipment and toys. Yet we pay a lot more for products that do not effectively compete with foreign companies, for example, prescription drugs and cable television. Again, competition works. Trade works.

But beyond all of the obvious economic benefits of free trade, we must recognize that fundamentally this is an issue of personal freedom. Nations do not trade with nations; people trade with people. With the exception of national security considerations, every American should have the right to determine the origin of the goods and services they want to purchase. Is this not the land of the free? Have countless generations not fought and sacrificed to secure the blessings of liberty for all Americans?

Maybe we in Congress have the power, but do we have the right to tell Americans that we will not allow them to buy cheaper products because those products may come from other nations? I think not, Mr. Speaker.

Mr. Speaker, this particular trade agreement not only stands for freedom; it stands for friendship. The nation of Bahrain is a friend of the United States and an important ally in the global war on terror. For over 200 years, America has benefited from trade and competition. I urge my colleagues to once again reject protectionism and, instead, stand for prosperity, stand for freedom, and stand with me in voting for this trade agreement.

Mr. CARDIN. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me share with you the real facts of this trade bill; and let me thank Mr. CARDIN, Mr. LEVIN, and Mr. RANGEL for really doing the heavy lifting which has created an opportunity for real debate on a good trade bill.

There are concerns that my colleagues have raised about this trade bill, but I think there are provisions and there are reasons for us to give an open and free flowing discussion to a vital partner that we have had for many, many years.

□ 1615

It is important to note that Bahrain is predominantly a manufacturing country. Its products include oil products and aluminum products, and we know for sure it has lessened its involvement in textiles. But what most Members do not know is that 80 percent of the investment of this country has been invested in the United States. That raises my interest. It is invested in real estate, in banking and other opportunities.

I like trade bills that create jobs and I want to thank my friends in the labor movement who have raised concerns about child employment, about provisions that should be protecting unions and protecting workers. I am concerned about the fact that most of these provisions are in the side letters. It is unfortunate when the Republican administration sat down to negotiate with Bahrain, they did not sit down and create the intelligent and forward-thinking provisions that are in the letters created by the Democratic Ways and Means members.

But these letters, I am told, will have the same sort of authority as provisions in the trade bill, and if they are violated, there will be opportunities for consultation in order to ensure that these provisions are made.

I will be looking forward to receiving additional information that will prohibit child labor, but I think the crux of this trade bill, with the observation that it is certainly timely, to ensure that we do think about labor issues and we fight for the labor issues. I do not stand here to create this divide that my good friend on the other side of the aisle who said you, who are against trade bills. No, we are not against trade bills. But we are against trade bills that singly ignore the rights of workers.

If the Democrats were in control, as we had the opportunity in the Permanent Normal Trade Relations with China, although that is not the best example, but I remember the hard work and the heavy lifting of Democrats to create a better trade bill. That is the problem we have. That these bills are negotiated and they are, if you will, negotiated without a concern for workers.

In this instance I think the Democrats have worked very hard to make this a fair bill for a partner of the United States, who has been a strong partner and a democratic partner. I ask as Members consider this legislation to look at the improvements that have been made and the side bar letters that have created the right kind of negotiated document to help the people who would be benefited in Bahrain, and also help investment here in the United States. We would like to create jobs.

Mr. SHAW. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Speaker, we have heard throughout this debate a lot of reference to the trade deficit. I think it is important to look at that. When you look at our Nation's trade deficit, we enjoy a very large surplus in services, and our trade deficit comes from a trade deficit in manufactured goods.

Mr. Speaker, according to the latest statistics, 94 percent of our trade deficit comes from countries we do not have a free trade agreement with. A free trade agreement like this agreement helps us get fair trade rule so we can trade honestly with each other; and, yes, get an advantage so we can create more jobs, send more exports, and have better paying jobs here at home. I will just repeat that statistic one more time: 94 percent of our manufactured good trade deficit comes from countries we do not have a trade agreement with.

But it is more than that. Trade combines people. What is important about this agreement is beyond the economic value which is very substantial. It is about the human value.

You see, Mr. Speaker, we have good relations between our governments. Our 5th Fleet is located in Bahrain. We have great relations between our diplomats and the Bahrainees, between our President and the emir.

What this agreement proposes to do is put American people in contact with Bahrainee people, put Americans in contact with Muslims, put Americans in contact with Arabs in the Gulf so we can better understand each other. Trade is about individuals combining to join in mutually beneficial behavior and activity and business arrangements, to help their families and help create jobs and grow their economies.

But more than that, trade will help our people better understand the people we do not understand as well. We need a better understanding of people in the Arab world. We need a better understanding of Muslims. This is important because of the climate we face in the world. That is why it is important that we pass this agreement so that the American people can join and bond in friendship with the Bahrainee people in the Gulf Coast in the Middle East so we can have a better understanding of each other. As we understand each other better, we can better secure peace and security for our children.

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

Mr. Speaker, let me thank all of my colleagues who participated in this debate. Let me, once again, remind those who are following this debate that we are talking about a free trade agreement with Bahrain, a country which is about the same size as the city of Austin, whose total trade with the United States is measured in terms of a couple hundred million dollars. It is a country with a high standard of living for that region whose economy produces $19,000 plus per capita of GDP, which is about 4 times higher than we had in dealing with the CAFTA countries. It is also a country that imports labor and helps actually the economy of the region because of its economic opportunities.

I mention that so we can put this agreement in context. Many of my colleagues who have spoken of concern have talked about concern on economic policies related to trade here in the United States, and I join them on many occasions, particularly as they are referring to problems that we are having with trading partners. But that is not the issue that we have before us today.

The issue we have before us today is an agreement with a single country, Bahrain. One issue that we need to be concerned about is whether this agreement will not only advance the traditional barriers to trade by eliminating them, such as tariffs and some of the nontariff barriers, but how does it deal with issues that are becoming more important, such as workers' rights.

On the traditional barriers of tariff and nontariff issues, I have not heard

any debate against this agreement. This agreement, in fact, removes barriers so that U.S. companies and U.S. manufacturers and U.S. farmers will have greater access to the market of Bahrain.

In regards to workers' rights, I agree with my colleagues that have spoken of concern about trade agreements. I think it is time that we graduate international labor standards to core provisions within the trade agreements, and that we have enforcement within the trade agreements.

But I think in judging Bahrain, we need to use the standard that we have used, and that is, does this Nation measure up to international labor standards. The answer to that question is yes. They have passed major reform in 2002. They have acknowledged the difficulties with those laws that need to be changed. They have issued interpretations to comply with ILO standards and have introduced laws that will correct the additional standards, and they have agreed to allow us to use the trade agreement to make sure that in fact these new laws are not only passed, but in fact, Bahrain is living up to ILO standards.

That to me is good faith with an ally, and one in which we can move forward and should move forward. So I think Bahrain has passed the test on an agreement that we should support, but at times there is more than just the economic issues that affect our country that we should be looking at whether we move forward with bilateral regional trade agreements.

In Bahrain's case, I think the evidence is overwhelming. We need to expand opportunities in the Middle East. The best chance for peace in the Middle East is if we can open up the economic opportunities of that region, and Bahrain offers us a country that has stepped forward and offered leadership. In repealing the boycott against Israel and saying that it wants to have open trade in the region, they will now be the fourth nation in that region that we will have a free trade agreement with. We have Jordan, Israel and Morocco. So this represents an opportunity to advance U.S. interest in stabilizing a region of the world that has been of major interest to the United States.

So for all these reasons, this agreement with a very small country that will have minimum impact on the economic activities of this country, I think it will be positive, but it will be minimum because of the size of the country, but represents progress as to how we should evaluate trading relations with other partners. Are they willing to remove barriers? Are they willing to respect international labor rights? Are they willing to be a good neighbor in the region to advance peace and stability? In each of these instances, Bahrain passes this test, and I urge my colleagues to support this agreement.

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

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

Mr. Speaker, I would like to associate myself with some of the remarks of my distinguished friend from Maryland. He is right, Bahrain is a flea on the elephant when it comes to the difference that it will make in economic impact to the United States.

But if we really wanted to help in the Middle East, maybe we would have sold parts for C–130s to Iran and saved 100 people from dying because of our embargo on selling aircraft parts to a country that could not maintain safe aircraft because the United States refused to deal with them.

Maybe we ought to question whether this vote is really whether you trust the administration, an administration that many people think lied to us about getting us into war in Iraq in the first place. Many people think the administration is lying to us about torturing, and here we are talking about what is supposedly a democracy. Is this any more of a democracy than Saudi Arabia? It has a king. It votes, maybe.

I think that the real issue is if we do not get it in writing, if we do not have enforceable rules, can we trust the administration or will the administration continue to sell out to the pharmaceutical industry, which will harm the people of Bahrain, in repayment for campaign contributions?

These are the kinds of things that are at issue here. Do you trust this administration? Do you trust them to help anybody but the very rich? Do you trust them to keep their word about what they are doing? And if you do not, as many of us do not, you will voice that protest and vote against this bill.

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

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

Mr. Speaker, I would also like to associate myself with the remarks of the gentleman from Maryland. I think he spoke quite eloquently about the importance of this agreement to the region.

When the history of the Middle East is written, I think the historians will view this trade bill as an important stepping stone towards the development and imposition of democracies and stability in that part of the world, which is very much in our best interest.

Bahrain has been a great ally through many, many years of troubling times, and times when it was not necessarily easy to be friends with the United States if you are in the Middle East and if you are an Arab country. But they have stood with us. Our Naval base there is quite important. I think it is important that we try to do everything we can to do business with our friends. They have proven to be a great friend of the United States.

We have visited with the ambassador from Bahrain who is a delightful man who is a great salesman for his country. I believe that this is a significant vote. This is not just a flea on an elephant, as Mr. STARK stated. This is an important ally in which we are going to have a free trade agreement. I would urge all Members to vote yes on this most important issue, because I think a message must be sent out loud and strong that we are supporting free trade when we have a good agreement drawn. This has been drawn and approved in a bipartisan way. This is good for the United States. It is not only good for Bahrain, but it is good for the United States.

I would also like to thank Mr. CARDIN, Mr. RANGEL and other Members from the other side of the aisle, as well as Mr. RYAN and Chairman THOMAS, and all of those who have worked hard to bring this along, and of course staff on both sides of the aisle. Congress cannot operate without staff, and I would like to thank them for what they have done in putting this agreement together.

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

Mr. KILDEE. Mr. Speaker, I rise in opposition to H.R. 4340, the Bahrain Trade Agreement. Although our trade with Bahrain is limited, this agreement is a symptom of what is wrong with our Nation's trade policies.

I firmly believe that we should have a thorough review of the impact of these free trade agreements so that we can create a national trade policy that protects the American manufacturing industries. We need an American trade policy that encourages the export of American manufactured goods, not our American manufacturing jobs.

Mr. Speaker, that is why I have introduced H.R. 4407, a bill to impose a 2-year moratorium on negotiating or conclusion of any additional free trade agreements. As our trade deficit continues to set new records, we should call a 'timeout' on this headlong rush into these free trade agreements. Our current domestic trade policy encourages the closing down of American factories and moving them overseas, usually to a country where wages are low and environmental standards are lower. This race to the bottom has real consequences, and it's time to stop negotiating bad trade deals that make American jobs our leading export.

For years, the American people have been promised that bilateral and regional trade agreements would throw open the doors of international markets eager for American goods. However, in the 10 years following passage of the North American Free Trade Agreement (NAFTA), which I opposed, millions of American jobs have been lost, threatening entire industries that were once bedrocks of this country. And China and Japan continue to manipulate their currencies without any significant pressure from our government, tilting an already uneven playing field further away from America.

Nearly three million manufacturing jobs have been lost since the Bush Administration took office in 2001. In 2004, the United States had a record $162 billion deficit on goods trade with China and a $617 billion trade deficit on goods and services worldwide. Eliminating tariffs and allowing companies to exploit foreign labor has destroyed entire American industries and has resulted in the highest American

trade deficit ever, placing America at a huge economic disadvantage.

Mr Speaker, our current trade policies have failed the American worker and the average American family. We cannot continue to the hemorrhaging of our manufacturing jobs and expect our economy to be strong.

Mr. Speaker, I urge my colleagues to vote no on this free trade agreement with Bahrain, and any free trade agreements in the future, until we can create an American trade policy that is in the best interests of the American people.

Mr. HOYER. Mr. Speaker, the House of Representatives is today considering a proposed free trade agreement between the United States and Bahrain. I support this agreement, and will vote in favor of the required implementing legislation. I also anticipate this agreement will enjoy strong bipartisan support in Congress.

In general, I have advocated free trade and open markets because I believe that American businesses and workers can compete and win in the global economy. Furthermore, I believe that increasing global interdependence presents our Nation with an opportunity to promote democratic reform, the rule of law and respect for basic human rights.

The agreement provides that all bilateral trade in consumer and industrial products will become duty-free immediately, as will 98 percent of U.S. agricultural exports, with the remaining tariffs phased out over 10 years. Textiles and apparel trade will also become duty free immediately for products that contain American or Bahraini yarn.

Key U.S. service sectors that will benefit under the agreement include audiovisual, express delivery, telecommunications, computer and related services, distribution, healthcare, services incidental to mining, construction, architecture and engineering. Furthermore, on the issue of intellectual property rights, the Agreement requires each government to criminalize end-user piracy, providing strong deterrence against piracy and counterfeiting.

Beyond the economic benefits that will accrue to the United States, this agreement is an important opportunity to bring increased development, prosperity and stability to a key ally and strategic partner in the region. Not only has Bahrain supported and participated in Operations Enduring Freedom and Iraqi Freedom, as well as the first Persian Gulf War in 1991, the country has also served as the host to U.S. Naval forces in the Middle East for more than 50 years. This free trade agreement will further strengthen the already close US.-Bahrain relationship.

I have and will continue to support free trade agreements that strike the balance of expanding markets for American companies, while also providing a level playing field for American workers and improved living and working conditions for foreign workers by guaranteeing fair wages and basic workplace protections abroad. I am confident that these goals will be met with respect to Bahrain, in part thanks to a number of labor reforms that have been recently implemented by the government.

I will consider future trade agreements one at a time, taking into consideration the specific labor and environmental conditions that exist in the countries we seek to trade with, as well as the provisions included in the agreements to protect workers—both here and in the other countries—and environmental concerns. I will determine my position as those agreements are finalized.

Mr. CROWLEY, Mr. Speaker, I rise today in strong support of the United States Bahrain Free Trade Agreement.

As the Co Chair of the Caucus on Bahrain with my good friend from Wisconsin Mr. RYAN, we have worked closely to make today reality.

Bahrain has been a close friend of the United States for over 100 years and this agreement is taking us to a new level in our friendship.

This friendship is built on trust and respect for each other, so much so that the US Navy's Fifth Fleet operates in Bahrain, a friendly and secure environment for the fleet that watches over a dangerous region.

Bahrain continues to lead all gulf nations in political and economic reforms.

They have taken the bold step by rescinding its economic boycott of Israel. This lays the foundation for an economic relationship with Israel that will help develop both Bahrain and the entire gulf region.

Bahrain conducted its first national legislative elections in over 25 years, electing 40 members to the Representatives Council.

Women were not only allowed to vote, they also became the first women in the Gulf to run as candidates in national elections.

Bahrain is making the necessary changes by amending all provisions of its labor laws that so they are fully compliant with the International Labor Organization (ILO).

I would like to commend Ambassador Naser Al Belooshi for the fine work he has done to iron out some of the labor issues that had held this agreement up.

The Ambassador working with the Finance Minister showed great poise and determination to meet the labor requirements that Democrats pushed for before we would support this agreement.

The strong labor provisions that Bahrain has agreed to will help U.S. business thrive in Bahrain

This agreement provides market access for U.S. industrial, agricultural, and consumer products.

The agreement will greatly benefit the services sector and provide U.S. companies with the highest degree of access to service markets of any U.S. FTA to date.

Financial service companies will have the right to establish subsidiaries, branches, and joint ventures in Bahrain. Health and life insurance companies will have market access once this agreement is enacted.

This agreement is the first step in the political and economic reforms for the Middle East and I strongly believe the U.S. should continue to work with moderate Arab nations such as Bahrain to help balance out some of the more extreme elements in today's Middle East.

Mr. Speaker, I support this agreement and urge all of my colleagues to vote for this bill.

Mr. OXLEY, Mr. Speaker, I rise in support of the free trade agreement between the United States and Bahrain, a country which is and seeks to increase its stature as the 3leading financial center for the Middle East. As chairman of the Financial Services Committee, I want to focus on the benefits to American financial services and economic interests from this agreement.

Mr. Speaker, as you know, the United States runs a large and growing trade surplus in the services sector. It was $55.9 billion in 2002 and $96.1 billion in 2003. As the most innovative and competitive country in the world, the United States has a strategic interest in fostering greater opportunities for our financial firms, consultants, accountants, and other high-end service professionals to export their services and products worldwide.

This is not a zero-sum game. The knowledge transfer from increased American exports of financial and other related services will help people in other countries develop more efficient and economically valuable capabilities, fostering economic growth abroad as well as an increased customer base for American goods and services. The multiplier effect associated with increased access to capital for foreign firms is also significant. To the extent that capital formation abroad also encourages growth of stock and bond markets, free trade in financial services can provide good working experience for how decisions can be taken through transparent decision-making processes which are the hallmarks of democracy.

This free trade agreement with the leading financial center in the Middle East will substantially open financial services markets in the region for American firms. At a time when high oil prices are generating large pools of capital in the Middle East, we have a strategic interest in making it easier for American financial firms to provide their intermediation services in the region. We also have a strategic Interest in making it easier for Middle East investors to become more integrated into the global economy.

Bahrain is also a valued ally in our fight against terrorist financing. It has demonstrated a strong commitment to cooperate with the U.S. on these issues. Bahrain's anti-money laundering law, passed in 2001, makes money laundering an extraditable offense. It has a "know-your-customer" standard and requires all financial institution employees to take a course annually on how to implement this law. In addition, Bahrain hosts the newly created Middle East and North Africa Financial Action Task Force, which is the key multilateral group that creates standards throughout the region to fight terrorist financing and money laundering.

Mr. KIND. Mr. Speaker, I rise today in support of the United States-Bahrain Free Trade Agreement Implementation Act. Passage of this FTA will help strengthen our relationship with Bahrain, building a more secure and productive future for our countries and citizens.

As a cochair of the New Democrat Coalition, I have long believed that when instituted correctly and fairly, trade agreements open up foreign markets to U.S. goods, create new opportunities for companies and their employees, and lift the standard of living for people in the country with whom we are trading. As our nation leads the world into the 21st century, we should not shy away from opportunities to guide and expand global trade.

U.S. goods exported to Bahrain totaled $302 million in 2004, constituting .03 percent of total U.S. merchandise trade in 2004. Of that total, Wisconsin exported over $4 million in goods last year to Bahrain, with the majority of the exports in machinery and manufacturing. I am pleased that The U.S.-Bahrain FTA will provide substantial market access for U.S. services providers, including financial services. One hundred percent of bilateral

trade in consumer and industrial products will become duty-free immediately, and 98 percent of U.S. agricultural product exports to Bahrain would be immediately duty free, with 10-year phaseouts for the remaining items such as alcohol and tobacco.

Moreover, securing a FTA with Bahrain is a positive foreign policy and national security step for the United States. Bahrain has been a strong and stable state in the Persian Gulf region and a friend to the United States. The U.S. Navy's 5th Fleet is based in Bahrain, and the United States has recognized the importance of our relationship with this country by establishing a joint U.S.-Bahrain Defense Cooperation Agreement and designing Bahrain as a ''Major Non-NATO ally.'' This FTA strengthens relations with one of our proven strategic allies in an unstable region.

Further, it is critically important that trade agreements are balanced and fair for workers and companies. I am pleased, therefore, that Bahrain has agreed to take the additional steps necessary to comply with basic international labor standards that are integral to ensuring that the benefits of globalization are broadly shared among the people. Bahrain has committed in writing and with a clear and immediate timetable to amend all provisions of its labor laws that are not consistent with basic International Labor Organization (ILO) standards. In addition, the United States Trade Representative has committed to report periodically to Congress on Bahrain's fulfillment of its agreement and is prepared to invoke Article 15.6 procedures if Bahrain fails to carry out these commitments.

Again, Mr. Speaker, I am happy to support this FTA with Bahrain today. It is in our best interest to engage Bahrain and complete this bilateral free trade agreement. I urge my colleagues to support H.R. 4340.

Ms. MATSUI. Mr. Speaker, I rise in support of the rule and the underlying bill, the U.S.-Bahrain free trade agreement implementation act.

Through cooperation—Democrats working alongside Republicans on the Ways and Means Committee, who then coordinated with the administration—we have before us a strong trade package that will open markets, advance free trade and cement America's ties to a strategically important ally in the Middle East.

And with the changes that are coming to Bahrain's labor laws, this agreement will ensure that the fundamental rights of workers are protected. It is my hope that in the future, these worker protections will be incorporated into the core of trade agreements, rather than through side agreements. This is a standard to which the United States should hold all its trading partners.

Though the magnitude of this particular trade pact is relatively small, the global trading system is at a critical juncture. The United States' leadership on trade is being tested—here in Congress and in Geneva.

For that reason, I am pleased that today we have both parties working together to advance free and fair trade.

I hope that this agreement receives broad support and that July's contentious and mean-spirited CAFTA debate is the low point, only to be seen in the rearview mirror. Because in the long term, the only way for America to continue to lead the world forward on trade is for us to work across the aisle here in the House.

I urge my colleagues to allow today's debate to serve as a first step toward reviving the bipartisan consensus on trade policy that has served this Congress so well in the past.

Mr. WAXMAN. Mr. Speaker, it is with some hesitation that I rise in support of the U.S.-Bahrain Free Trade Agreement or FTA.

As the home to the 5th Fleet of the U.S. Navy, Bahrain is a key Gulf ally. I believe this agreement will reinforce that bond with stronger economic ties. The Bahrain FTA also presents an opportunity to build upon trade agreements with Morocco, Jordan, Israel and the Palestinian Authority and provides an incentive for economic integration throughout the region.

Another reason I support the agreement is that the Bahrain government has formally abolished all laws related to the Arab League's boycott of Israel. This is an important precedent for the upcoming FTA negotiations with the UAE, Oman, Egypt, and other Middle East nations. While I am disappointed that the Saudi Arabian government refused to take the same action in the process of its accession to the World Trade Organization, I am hopeful that future trade agreements will be an effective mechanism to make this unfair and illegal discrimination a relic of the past.

In addition, Bahrain has taken significant steps to adopt laws that reflect the five core standards of the International Labor Organization and the USTR has agreed to periodically review Bahraini compliance with these laws. There was an exchange of letters to clarify that the U.S. can seek enforcement of Bahrain's labor laws under the Labor Chapter of the FTA. Labor laws should be enforceable in every FTA. While the issue should have been dealt with inside of the agreement, rather than in a side letter, the Bahrain FTA highlights the missed opportunities on labor protections in our trade agreements with Chile, Singapore and Central America.

The reason I hesitate is that the Bahrain FTA also has a series of pharmaceutical protections to delay the approval and availability of generic medicines. Provisions such as these, which have been included in the intellectual property chapter of a number of recent agreements, are a serious mistake. They fail to take into account the needs of poor countries where the absence of generic competition can mean the difference between life and death. They undermine the Doha Declaration, which was adopted to make it easier for countries to respond in the event of a public health crisis. They do not reflect the careful balance in U.S. law between the protection of innovation and access to affordable medicine.

I voted against the Central America and Morocco FTAs precisely because I felt strongly that the adoption of these measures by such poor countries would significantly reduce access to medicine. The difference here is that Bahrain is a relatively wealthy nation with a strong public health structure. Health care in Bahrain is delivered through a system of public hospitals and clinics that are available for free to Bahraini citizens and accessible to foreign residents for a nominal fee. While the FTA's pharmaceutical rules are ill-conceived and will create additional burden and expense for the Bahrain government, the changes should not diminish access to care.

It is hard to fathom, therefore, that the same provisions are being negotiated right now for an FTA with four Andean nations. Bahrain has a population under 1 million people and a low incidence of infectious diseases. In contrast, Colombia, Ecuador, Peru and Bolivia have a combined population of nearly 100 million and more than 200,000 patients suffering from HIV/AIDS. Health care coverage in these countries is available to few and many live in extreme poverty. The contrast is stark. Yet, the USTR is adamantly pursuing a ''one size fits all'' approach that would require the Andean nations to adopt the same pharmaceutical protections adopted in Bahrain.

The pharmaceutical industry has spoken openly about its efforts to raise drug prices and profit margins around the world. Drug companies are aggressively trying to use trade agreements to force policy changes they could not otherwise achieve. It is time for the USTR to stop callously helping them put profits ahead of public health. The damage in Bahrain may be limited, but the consequences elsewhere may be severe.

Ms. ZOE LOFGREN of California. Mr. Speaker, continuing my support for an overwhelming majority of free trade agreements, I cast my vote in favor the U.S.-Bahrain Free Trade Agreement (FTA). In the past I have expressed serious concerns over copyright provisions contained in some free trade agreements negotiated by the Bush Administration that arguably constrain the ability of the United States to modernize our laws to reflect the realities of technology. I have been repeatedly reassured that notwithstanding these copyright provisions, the United States would still be able to modernize our copyright laws. I am also pleased that in other areas of the U.S.-Bahrain FTA, the President finally followed Democratic recommendations to ensure the adoption and enforcement of internationally-recognized basic standards for the people of Bahrain.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in support of H.R. 4340, the United States-Bahrain Free Trade Agreement Implementation Act. This agreement is an example of the success that bi-partisan engagement on trade issues can generate, and this agreement should be a model, a starting point, for how we can achieve success in the future.

During consideration of this agreement in the Ways and Means Committee, Democrats expressed their concern about the treatment and application of international labor standards in the agreement. Since that time, both the Administration and Bahrain have worked at our urging to include Bahrain's commitments to begin applying international labor standards immediately in their county as well as their timetable to bring all of their laws into ILO compliance as conditional and enforceable elements of the agreement. In other words, as we argued during the CAFTA debate, workers rights should enjoy the same level of protection we place on goods and intellectual property rights, a balance that was sorrowfully left out of the CAFTA agreement. In addition to this, the Bahraini government has demonstrated its world leadership by recently becoming one of the first Arab League nations to remove its boycott on Israeli goods and services.

These steps are encouraging, and indicate that countries are willing to accept minimum standards if the United States insists they be part of free trade agreements: The agreement shows that working together bipartisanly on trade issues will produce agreements that address the standards we feel every trade

agreement America signs onto should meet: the broad fulfillment of America's economic interests, the opening of fair markets for America's goods and services and the reversal of America's ever-growing trade deficit.

Mr. KIRK. Mr. Speaker, today I support H.R. 4340, The U.S.-Bahrain Free Trade Agreement. Bahrain is an important political, economic and military ally, and in the years since 9/11, has been a valued partner in the War on Terror. The U.S.-Bahrain Free Trade Agreement will strengthen this key relationship and bolster the important reforms currently taking place in Bahrain.

Bahrain deserves special recognition for its military cooperation with the United States military. Since 1995, Bahrain has been home to the U.S. Navy's 5th Fleet. From this location, the 5th Fleet's area of responsibility encompasses 7.5 million square miles and includes the Arabian Gulf, Red Sea, Gulf of Oman and parts of the Indian Ocean. As a Commander in the Navy Reserve, I fully appreciate the value of Bahrain's willingness to host our fleet in this strategic region.

The U.S.-Bahrain Free Trade Agreement is also significant because it rewards Bahrain for its rapprochement towards Israel. Last month, Bahraini Foreign Minister Sheikh Muhammad bin Mubarak confirmed that his country decided to lift its boycott of Israeli products. In the face of the Arab League's efforts to intensify the boycott, Bahrain has taken a bold and symbolic step towards peace in the Middle East.

Bahrain has shown that it is committed to reform, and we are equally committed to joining with them with open markets. I proudly support this bill that expands trade bilaterally and moves closer to the vision of a peaceful, democratic, and freely trading Middle East.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 4340, the "United States-Bahrain Free Trade Agreement Implementation Act." In spite of my support, I do have some concerns. For example, as in all other U.S. Free Trade Agreements (FTA's) the text of the U.S.-Bahrain Free Trade Agreement requires only that the two countries enforce their own labor laws. It is my understanding that in 2002, Bahrain completed a major revision to its own labor laws to comply with internationally-recognized standards and to ensure that working people in its country share fully in the benefits of globalization. However, six provisions of Bahrain's law, as currently written, raise concerns with regard to basic international labor standards. These six provisions have been identified by the U.S. Department of State and the International Labor Organization (ILO).

These concerns force me to believe that the workers' rights provisions in the Bahrain FTA are somewhat weak. In contrast to the U.S.-Jordan FTA, the Bahrain agreement contains only one enforceable provision on workers' rights which is an obligation to enforce domestic labor laws.

While the labor chapter also contains a commitment to uphold the ILO core workers' rights and not to weaken labor laws, these provisions are explicitly excluded from coverage under the dispute settlement chapter, rendering them essentially useless from a practical standpoint. To put it bluntly, under this agreement, a country could ban unions, set the minimum age for employment at ten years old, and reinstate slave labor. While I believe this will not happen, the fact that it could raises concerns.

Before closing, let me note that I appreciate the efforts made to negotiate a commitment from the Bahraini government to bring its labor laws up to ILO standards in the near future, and I hope that this agreement is honored. I must also note that a commitment to improve labor laws in the future is not an adequate substitute for having decent labor laws in place, especially when the labor provisions in the agreement raises concerns. To this end, I am pleased to note that I have been promised a letter from the Bahrain government expressing the fact that child labor will not be an issue and that such labor will not be used as a result of this agreement. Unfortunately, if the promise is not honored, there is no recourse that can take in the context of the FTA itself, other than to engage in consultations. While I overall support free trade agreements, I strongly believe that we need to make sure that we are not setting ourselves up for a pit fall.

□ 1630

The SPEAKER pro tempore (Mr. BONILLA). All time for debate has expired.

Pursuant to House Resolution 583, the bill is considered read and the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SHAW. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

GENERAL LEAVE

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

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

There was no objection.

MOTION TO GO TO CONFERENCE ON H.R. 3010, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Mr. REGULA. Mr. Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 3010) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, with the Senate amendment thereto, disagree to the Senate amendment, and agree to the further conference asked by the Senate.

The Clerk read the title of the bill.

The motion was agreed to.

MOTION TO INSTRUCT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. Obey moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 3010, be instructed to insist that the conference agreement include $4.183 billion for the Low-Income Home Energy Assistance Program (LIHEAP), an increase of $2.176 billion over the House bill and $2 billion over the Senate bill, to help the elderly and the poor cope with rising energy prices, and that the additional cost be offset through reductions in tax cuts for households with incomes above $1,000,000. The additional amounts above the House-passed level should be appropriated to the LIHEAP contingency fund, and in allocating the funds among States the Secretary should be directed to give due regard to estimated increases in the heating and cooling costs for low-income households during fiscal year 2006 as compared to the previous year.

POINT OF ORDER

Mr. REGULA. Mr. Speaker, I make a point of order against the motion because it violates clause 9 of rule XXII by proposing to direct the conferees to exceed the scope of matters committed to conference.

I ask for a ruling from the Chair.

The SPEAKER pro tempore (Mr. BASS). Does any Member wish to be heard on the point of order?

Mr. OBEY. Yes, I do, Mr. Speaker.

Mr. Speaker, 2 weeks ago the Labor, Health appropriation bill was defeated on this floor largely because it contained inadequate investments in education and health. Today, the bill is back, and what this motion would do is to say to the majority that if they do not want to recognize the need for additional education and health funding, that they at least recognize that an emergency situation exists with respect to the rapidly rising home heating costs with natural gas, for instance, expected to be 50 percent higher than it was last year and with only 15 percent of persons in the country who are eligible getting help from LIHEAP as it is.

I would simply ask the majority to withdraw the point of order in order to allow us to simply proceed to at least debate and vote on the question of rearranging priorities so that we can add $2 billion to the Low Income Heating Assistance Program and fully pay for that by cutting back the scheduled tax cut for persons who make over $1 million to $131,000. I think that is quite ample for them. I would urge the gentleman from Ohio to withdraw his point of order.

The SPEAKER pro tempore. The Chair is prepared to rule on the point of order.

The Chair finds that the proposed instructions dwell their operative focus on matters not within the scope of differences committed to the conference by the two Houses.

On these premises, the Chair holds that the motion is not in order.

The point of order is sustained.

MOTION TO INSTRUCT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a second motion to instruct conferees.

The Clerk read as follows:

Mr. Obey moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 3010, be instructed to insist that the conference agreement include $4.183 billion for the Low-Income Home Energy Assistance Program (LIHEAP), including $2 billion in emergency funding, thereby bringing the total for LIHEAP to $2.176 billion over the House bill and $2 billion over the Senate bill, to help the elderly and the poor cope with rising energy prices. The emergency funds should be appropriated to the LIHEAP contingency fund, and in allocating the funds among States the Secretary should be directed to give due regard to the estimated increases in the heating and cooling costs for low-income households during fiscal year 2006 as compared to the previous year.

POINT OF ORDER

Mr. REGULA. Mr. Speaker, I make a point of order against the motion because it violates clause 9 of rule XXII by proposing to direct the conferees to exceed the scope of matters committed to conference.

I ask for a ruling from the Chair.

The SPEAKER pro tempore. Does any Member wish to be heard on the point of order?

Mr. OBEY. Yes, I do, Mr. Speaker.

Mr. Speaker, the last motion sought to increase funding for the Low Income Heating Assistance Program by $2 billion and fully pay for that with an offset on the revenue side of the ledger. The gentleman from Ohio did raise a point of order against that. We would have preferred to fully fund the amendment, but given the fact that the majority has chosen to exercise its rights under the rules of the House to raise a point of order, this is the only remaining avenue that we have to try to increase funding for Low Income Heating Assistance, recognizing that there is indeed an emergency; and we would simply ask that the amount of money for Low Income Heating Assistance be increased by $2 billion and recognized as emergency funding under the Budget Act so that we can proceed to deal with the very real problem that persons in this country will have heating their homes with higher energy prices. If we are not allowed to do that, then there is no way that we are going to be able to provide substantial help to them.

The SPEAKER pro tempore. The Chair is prepared to rule on the point of order.

As in the previous motion, the proposed instructions exceed the scope of conference.

The point of order is sustained.

Mr. OBEY. Mr. Speaker, because we have no other way to bring this to the House, I most reluctantly appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is: Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE OFFERED BY MR. REGULA

Mr. REGULA. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER pro tempore. The question is on the motion to table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OBEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on tabling the appeal of the Chair will be followed by 5-minute votes on passage of H.R. 4340; and motions to suspend the rules and pass H.R. 4388 and H.R. 4440.

The vote was taken by electronic device, and there were—yeas 226, nays 196, not voting 10, as follows:

[Roll No. 615]

YEAS—226

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—196

Abercrombie
Ackerman
Allen
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Woolsey
Wu
Wynn

NOT VOTING—10

Andrews
Brown-Waite, Ginny
Clay
Davis (FL)
Hastings (WA)
Nadler
Napolitano
Pelosi
Pence
Wexler

□ 1709

Ms. HARMAN, Mrs. MALONEY and Messrs. ETHERIDGE, EMANUEL, BLUMENAUER, DINGELL, LARSON of Connecticut and LANGEVIN changed their vote from ''yea'' to ''nay.''

Ms. HART, Ms. HARRIS and Mr. HEFLEY changed their vote from ''nay'' to ''yea.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mrs. NAPOLITANO. Mr. Speaker, on rollcall No. 615, had I been present, I would have voted "nay."

UNITED STATES-BAHRAIN FREE TRADE AGREEMENT IMPLEMENTATION ACT

The SPEAKER pro tempore (Mr. BASS). The pending business is the vote on passage of H.R. 4340 on which the yeas and nays are ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. SHAW) that the House suspend the rules and pass the bill, H.R. 4340, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 327, nays 95, not voting 10, as follows:

[Roll No. 616]

YEAS—327

Ackerman
Aderholt
Akin
Alexander
Allen
Bachus
Baird
Baker
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carter
Case
Castle
Chabot
Chandler
Chocola
Cleaver
Cole (OK)
Conaway
Cooper
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeGette
Delahunt
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutknecht
Hall
Harman
Harris
Hart
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinojosa
Hobson
Hoekstra
Honda
Hooley
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (OH)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Mack
Maloney
Manzullo
Marchant
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCotter
McCrery
McDermott
McHenry
McHugh
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Otter
Oxley
Pearce
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (WI)
Ryun (KS)
Salazar
Sanchez, Loretta
Saxton
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—95

Abercrombie
Baca
Baldwin
Barrett (SC)
Berry
Bishop (UT)
Boucher
Brady (PA)
Brown (OH)
Brown, Corrine
Capuano
Carnahan
Carson
Clyburn
Coble
Conyers
Costello
Davis (IL)
Davis, Jo Ann
DeFazio
DeLauro
Doyle
Evans
Everett
Fattah
Filner
Goode
Green, Al
Green, Gene
Grijalva
Gutierrez
Hastings (FL)
Hayes
Higgins
Hinchey
Holden
Holt
Hostettler
Inglis (SC)
Jackson (IL)
Johnson, E. B.
Jones (NC)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kucinich
Lantos
Lee
Lipinski
Lynch
Markey
McCollum (MN)
McGovern
McIntyre
McKinney
Menendez
Michaud
Millender-McDonald
Miller (NC)
Mollohan
Murtha
Napolitano
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Rahall
Rogers (AL)
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanders
Schakowsky
Scott (VA)
Serrano
Slaughter
Solis
Spratt
Stark
Strickland
Stupak
Taylor (MS)
Taylor (NC)
Thompson (MS)
Tierney
Visclosky
Waters
Watt
Woolsey

NOT VOTING—10

Andrews
Brown-Waite, Ginny
Clay
Davis (FL)
Hastings (WA)
Nadler
Pelosi
Pence
Royce
Wexler

□ 1720

Ms. CORRINE BROWN of Florida changed her vote from ''yea'' to ''nay.''

Mr. McDERMOTT changed his vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

TAX REVISION ACT OF 2005

The SPEAKER pro tempore (Mr. BASS). The pending business is the question of suspending the rules and passing the bill, H.R. 4388, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. MCCRERY) that the House suspend the rules and pass the bill, H.R. 4388, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 423, nays 0, not voting 9, as follows:

[Roll No. 617]

YEAS—423

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa

Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—9

Andrews
Brown-Waite, Ginny
Clay
Davis (FL)
Hastings (WA)
Nadler
Pelosi
Pence
Wexler

□ 1728

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GULF OPPORTUNITY ZONE ACT OF 2005

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 4440.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. MCCRERY) that the House suspend the rules and pass the bill, H.R. 4440, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 4, not voting 13, as follows:

[Roll No. 618]

YEAS—415

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—4

Berkley
Gibbons
LoBiondo
Porter

NOT VOTING—13

Andrews
Brown-Waite, Ginny
Clay
Davis (FL)
Gutierrez
Hastings (WA)
Johnson, E. B.
Nadler
Pelosi
Pence
Scott (VA)
Slaughter
Wexler

□ 1745

Mrs. JO ANN DAVIS of Virginia changed her vote from ''nay'' to ''yea.''

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ANDREWS. Mr. Speaker, I regret that I missed seven votes on December 7, 2005. Had I been present I would have voted "yes" on S. 467 (Terrorism Risk Insurance Extension Act of 2005); "yes" on H.R. 4096 (Stealth Tax Relief Act of 2005); "yes" on H. Con. Res. 196 (Honoring the pilots of United States commercial air carriers who volunteer to participate in the Federal flight deck officer program); "no" on the Motion to Table the Appeal of the Ruling of the Chair regarding H.R. 3010; "no" on H.R. 4340 (United States-Bahrain Free Trade Agreement Implementation Act); "yes" on H.R. 4388 (Tax Revision Act of 2005); and "yes" on H.R. 4440 (Gulf Opportunity Zone Act of 2005).

APPOINTMENT OF CONFEREES ON S. 467, TERRORISM RISK INSURANCE EXTENSION ACT OF 2005

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that the House insist on its amendment to the Senate bill (S. 467) to extend the applicability of the Terrorism Risk Insurance Act of 2002, and request a conference with the Senate thereon.

The SPEAKER pro tempore (Mr. MCCAUL of Texas). Is there objection to the request of the gentleman from Ohio? The Chair hears none and, without objection, appoints the following conferees:

From the Committee on Financial Services, for consideration of the Senate bill and the House amendment, and modifications committed to conference: Mr. OXLEY, Mr. BAKER, Ms. PRYCE of Ohio, Mrs. KELLY, Messrs. KANJORSKI, CAPUANO, and CROWLEY.

Provided that Mr. ISRAEL is appointed in lieu of Mr. CAPUANO for consideration of sections 4, 5, and 7 of the Senate bill, and sections 103 and 105 of the House amendment, and modifications committed to conference.

From the Committee on the Judiciary, for consideration of sections 2 and 6 of the Senate bill, and modifications committed to conference: Messrs. SENSENBRENNER, GOODLATTE, and CONYERS.

For consideration of the Senate bill and the House amendment, and modifications committed to conference: Mr. SESSIONS.

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 3010, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

Messrs. REGULA, ISTOOK, WICKER, Mrs. NORTHUP, Ms. GRANGER, Messrs. PETERSON of Pennsylvania, SHERWOOD, WELDON of Florida, WALSH, LEWIS of California, OBEY, HOYER, Mrs. LOWEY, Ms. DELAURO, Mr. JACKSON of Illinois, Mr. KENNEDY of Rhode Island, and Ms. ROYBAL-ALLARD.

There was no objection.

COMMUNICATION FROM DISTRICT REPRESENTATIVE OF HON. GARY G. MILLER OF CALIFORNIA, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Pat Fabio, District Representative of the Honorable GARY G. MILLER of California, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, December 5, 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 I have been served with a civil subpoena, issued by the Superior Court of Orange County, California, for testimony.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

PAT FABIO,
District Representative.

PERSONAL EXPLANATION

Mr. GERLACH. Mr. Speaker, due to a long-scheduled meeting with the Secretary of Veterans Affairs this afternoon regarding the future of the Southeastern Pennsylvania Veterans Cemetery, I was unable to be present on the floor during rollcall votes 612, 613, and 614. Had I been present, I would have voted ''yea'' on rollcall No. 612, ''yea'' on rollcall No. 613, and ''yea'' on rollcall No. 614.

REDISTRICTING IN THE STATE OF TEXAS

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, over the last 48 hours a number of us had the displeasure of reading in The Washington Post an article detailing the antics of the process of redistricting in the State of Texas. Many of us who were engaged in that process a good year or two years ago remember sitting down and presenting a very fair case to the Justice Department lawyers that the plan that was offered by Texas Republicans would undermine the Voting Rights Act and be discriminatory.

Lo and behold, though we presented a very fair case, and the Justice Department lawyers agreed with us and wrote accordingly, what came out of the Justice Department was completely different. I cannot imagine any greater abuse of power than what happened in the Texas redistricting plan, where the lawyers for the Justice Department, civil servants who did their work and indicated that the plan would violate the Voting Rights Act of 1965, were not allowed to prevail.

I would ask the Attorney General present now to investigate what occurred with respect to the Texas redistricting plan. We all know politics are in play, but they should not be in play in the works of our various executive agencies to provide the truth to the American people.

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.

JUSTICE FOR MURDER VICTIMS

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

Mr. POE. Mr. Speaker, Kenneth Lee Boyd committed a violent and vicious crime on the evening of March 4, 1988, in North Carolina. On that night, Boyd armed himself with a .357 Magnum pistol and committed cold-blooded murder against members of his very own family.

On that evening, Boyd picked up his children from his father-in-law's home and told the boys they were going for pizza. But that was a lie. With the pistol sitting in the seat of the car between Boyd and his children, he went back to his father-in-law's home, a place where his estranged wife was staying.

His 13-year-old son, Christopher, sensing something was up, tried to hide that pistol. And when Boyd pulled up to his father-in-law's driveway, Christopher, frightened, jumped from the car and ran to warn his grandparents and his mother.

Boyd then approached the house and began his shocking shooting spree. He first shot and killed his father-in-law, Thomas Curry, through the door. He then found his estranged wife in the doorway of her bedroom. He shot her several times and then went outside and reloaded his murder weapon, came back and shot her some more. In the end, it was decided Julie Boyd was shot a total of eight times.

Boyd went back outside, shot some more, and this time at his brother-in-law, Craig Curry, who was moving Boyd's children and a nephew to a wooded area to safety. The bullet missed Craig, who was trying to hide in the woods.

Boyd then returned to the home, called 911, informed the operator he had just killed his wife and father-in-law and told them to come get him. When the police arrived, he surrendered.

Last week, finally, Kenneth Boyd became the 1,000th execution to take place in the United States since the Supreme Court allowed the death penalty to resume in 1976. Last week, Kenneth Boyd was finally punished for his sins and crimes that he committed over 17 years ago.

Last week, when justice was served, the weak-kneed do-gooders and media had a heyday. Headlines surfaced and everyone focused on the number 1,000. Boyd was portrayed as a martyr. If the media was so gung ho keeping score, why did very few of them also report the number 558,000?

Mr. Speaker, this higher number is the total number of murder victims since the ruling in 1976. That is 558,000 people murdered by killers here in the United States. And who is carrying the torch for their cause? We continuously hear about the murderers, but we hear very little about the victims of crime.

Mr. Speaker, as a former judge and prosecutor, I have witnessed firsthand how victims are being treated in the justice system. Being a victim is a terrifying and unforgettable nightmare; then to become a victim at the hands of the criminal justice system is shameful, especially in a system that claims to have justice for all. The first duty of government must be to protect its citizens and victims, and victims should never be ignored to the benefit of criminals.

A Federal judge in Houston is now playing his role in overlooking the victims of crime as well. In June 1994, Charles Raby was sentenced to death for the 1992 slaying of 72-year-old Edna Franklin. Her throat was slit twice, her ribs were broken, and her body was stabbed numerous times with a knife. Charles Raby is currently on death row waiting to be executed, but he has filed another lawsuit challenging the constitutionality of lethal injection on the grounds it is cruel and unusual punishment.

U.S. District Judge Lynn Hughes recently denied a motion by the State Attorney General to dismiss Raby's ridiculous claim, and now he will be given access to State documents and employees to try to prove this worthless claim. This man brutally killed a 72-year-old woman with a knife and Judge Hughes is concerned his execution may be painful. Where was this Federal judge when Edna Franklin was brutally executed? This ought not to be.

Mr. Speaker, victims deserve to be treated better than this. We as a culture must not stand by and do nothing while those 558,000 were murdered and others hurt in our country. We must support victims of crime, and we must make sure the criminals who commit crimes against them pay for those acts of violence.

There are too many victims who cannot stand up for their own rights, and so it is up to us as concerned citizens, justice officials, public policymakers, and Members of this Congress to stand up for the rights of every homicide victim in this Nation to honor their memories through action. By continuing our commitment to helping the families and friends of murdered victims, and promoting a crime policy that ensures a place at the table of justice for them, we honor those lives that were stolen by senseless violence.

The theme of the 2005 National Crime Victims Week put it best: Justice is not served until crime victims are. That is just the way it is.

MEDICARE PRESCRIPTION DRUG BENEFIT

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

Mr. EMANUEL. Mr. Speaker, on December 8, 2003, President Bush signed the Medicare drug benefit act into law. At the signing, the President hailed the law as the greatest advance in health care coverage for America's seniors since the founding of Medicare. Here we are 2 years later, less than a month before the program begins, and so far the benefit as it relates to the consumer, i.e. the senior citizens, the 42 million senior citizens across this country, is an absolute failure.

It has failed because my colleagues on the other side who wrote this bill refuse to adhere to the number one rule of any business, which is that the customer comes first. And that customer in this case is senior citizens.

This bill was never designed with senior citizens in mind. It was designed with the pharmaceutical industry and the private insurers in mind, who are making on average $130 billion to $132 billion over the next 10 years in more profits than they would have made had this bill not been in place.

Senior citizens all over this country, regardless of district, regardless of region, regardless of income, regardless of education are all saying the same thing, that the bill is too complex. Part D, as it relates to prescription drugs, is way too complex. This is a case where simplicity trumped choice. We have given them so much choice, it is so complicated that nobody can figure out how to get the ''benefit'' of the prescription drug.

In fact, the drug manufacturers will see an extra $130 billion in profits over the next 10 years. Private insurers, we actually have an HMO slush fund where private insurers are rewarded with up to $130 billion in additional profits over the next 10 years because of overpayments.

□ 1800

So it is not just bad for our senior citizens, but because we are paying more, it is bad for our taxpayers. We could be doing better.

There are also three other provisions in this bill that left the basic principles of the private sector out.

First, competition. We should have allowed the reimportation of pharmaceutical products from Canada and Europe. That competition of pricing that goes on in Canada, France, Germany, England, Ireland, with what happens here in the United States, we would have had prices that are 50 percent cheaper. That is good for our senior citizens and good for our taxpayers who are being asked to pay for a pharmaceutical bill that is $800 billion over 10 years, not the $400 billion as advertised.

Second, the legislation designed by the Republicans specifically prohibits the Federal Government from negotiating lower prices. Just like Sam's Club does, just like Target does, just like any business that negotiations with their services, they get the best price because of competition, this legislation left the number one principle of private sector, negotiate for the best price.

So what has happened? According to the Government Reform Committee, they found that the new Medicaid drug benefit has done nothing to hold prices down. In fact, today, Medicare prices are 61 percent higher than the average price in Canada for the same medication, and 84 percent higher than the federally-negotiated prices that we do under the Veterans Administration. There is no price system, no competition in this bill as it relates to reimportation and as it relates to negotiation of price.

Third, it puts more barriers in place to getting generics into the market to compete against name-brand drugs. If we followed those three principles: Reimportation to allow competition and choice; negotiation between the government and the prescription drug companies just like the VA does, just like Sam's Club does, just like Target does, just like any company that negotiates with its sources and suppliers to get the best price; and third, allow generics into the market quicker, the taxpayers would have saved money and we would have delivered a better product to our senior citizens, and we would have had price control.

Right now, the only beneficiary out of this are the pharmaceutical companies and the insurance companies. The senior citizens and the taxpayers are being left behind. This bill never had the number one person in mind, the customer, the taxpayer and the senior citizen in mind, when drafting this bill.

It also failed at having a discount card. So few seniors signed up because there was no discount. In the greatest expansion of Medicare in terms of an entitlement, we were originally told this bill was going to cost $400 billion. It is going to cost $800 billion, and it is mounting and there has been nothing done to control the prices.

Once the errors were discovered, CMS directed seniors to Medicare's Web site, even though over 75 percent of the seniors have never used the Internet. There are serious and widespread problems, according to the Government Accountability Office.

Mr. Speaker, the Medicare prescription drug benefit is a failure because it was never designed with a customer in mind.

PANDEMIC PREPAREDNESS

The SPEAKER pro tempore (Mr. MCCAUL). Under a previous order of the

House, the gentleman from Texas (Mr. BURGESS) is recognized for 5 minutes.

Mr. BURGESS. Mr. Speaker, I hope the gentleman from Illinois will be helping his seniors sign up for this program. It is a good program, and my constituents in Texas are benefiting from it.

But I came tonight to talk a little bit about the President's pandemic plan from a legislator's perspective. The past is prologue. We saw in 2003 the beginnings of an outbreak of an illness called SARS. SARS ended up killing 800 people which is a significant number of deaths, but nowhere near as high as it could have been.

Did we defeat SARS with an antiviral, no. Did we defeat SARS with a vaccine, no. In fact, we did not get a vaccine for SARS even though the CDC and the NIH very quickly came up with the genetic sequencing for the DNA on the SARS virus. But SARS was beaten the old-fashioned way, by carefully epidemiology sleuthing and quarantine.

I had a radio host ask me the other day, he thought SARS was perhaps a sham. He kind of dismissed the idea, but the reality is that this disease was contained by those old-fashioned methods, and in fact, it never materialized to the threat we thought it would be. In fact, ask the good people in the tourism business in Toronto if they felt that SARS affected them in that area.

But as we move on to the discussion of avian flu, I am a Republican. I believe in limited government. So do we need a big government solution to the pandemic profile that we may be presented? Well, I have also believed in empowering the individual and believe there is a degree of inertia in big government that hampers the ability to respond to a rapidly evolving crisis. Look at what happened down at the gulf coast with the hurricanes.

But there is a role for government in this situation because the potential for human death and destruction is so vast. It is going to involve the public sector, the private sector, and academia, and all of those areas will need to be on their best game in order to defeat this virus.

What can Congress do and what should Congress do and specifically, what should the House of Representatives do? Well, we hold hearings and we do that pretty well. We have held several hearings in Energy and Commerce about the problem of the pandemic flu. They have educated Members.

Congress can certainly travel. We do that well. In fact, several Members have traveled to other areas in Asia. I know Secretary Leavitt from HHS traveled to Southeast Asia to see what is happening with the virus in birds in that part of the world, and I know several Members who are planning travel in the future. That is a good thing.

We can communicate and talk to the press and talk to the media and talk to each other. We can educate each other and make certain that we are all individually educated about this threat and that we communicate with our State departments of health and our local health departments. This has the potential for being such a big issue that 1 to 2 million Americans dying is so significant that it requires a commitment. It requires reform. It requires change, and I would like to add that it requires a promise.

Under commitment, we have got to commit the money for research and development on vaccines and technologies. We have to streamline the regulatory process at the FDA. The FDA is very close to approving a vaccine for the current bird flu. But the reality is if the virus becomes active in humans, it will change. It will do that through mutation, and this virus may not be effective against the vaccine that is being developed.

So if the virus mutates, there has got to be a way to quickly get that approval through the FDA for the new vaccine.

The distribution network. We are still seeing areas of the country that cannot get the current flu vaccine to distribute to their citizens, so the distributive network for this vaccine is going to have to be significantly improved.

Most importantly, these manufacturing facilities are going to have to be sited within the United States. With all due respect to the former speaker, and wanting to get drugs from Canada and other areas, can we count on the good people in Belgium to give us the vaccine if we need it when their citizens need it as well? This vaccine will have to be manufactured within our shores.

We have to improve the science on producing vaccines. We saw what happened last year with the egg-based vaccine for the flu vaccine: A bacterial contamination ruined a large batch and it was unavailable. We are going to have to progress to the cell-based system. It is time for vaccine manufacturing to come out of the 1950s and get into the 21st century. Our commitment of research and development money will help that happen, and when that happens, the time required to develop the vaccine and get it available to people will vastly improve.

Under the reform criteria, medical liability reform. The medical justice system has to be fair. We are going to need to provide some limits on liability for not just the vaccine itself, but adjuvants that might be added to the vaccine, preservatives that might be added to the vaccine. And what if the outbreak is so severe and the vaccine is in short supply, and it is required to dilute the vaccine. We need some degree of liability production, but at the same time, to ensure indemnification of those first responders who we are going to require to be on the front lines if this pandemic really picks up speed.

We need to change. There is going to have to be some degree of antitrust reform, and this Congress may have been called upon to do that. Some companies have been proactive in discussing what can be done to ramp up productions of vaccines or antivirals, such as Tamiflu.

And finally, a promise. The concept of guaranteed purchase or product or advanced purchase. We need to look to the future. We need to find a universal vaccine.

Mr. Speaker, The Los Angeles Times, on November 14, 2005, wrote, ''Instead of being bamboozled by the flu virus' showy costume changes, scientists would pick dowdy, less prominent parts of the virus, the housekeeping features that do not change year to year and are common to all strains. Presenting these pieces to the human immune system would prompt the vaccinated person to recognize and fight off any influenza virus.''

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4297, TAX RELIEF EXTENSION RECONCILIATION ACT OF 2005

Mr. PUTNAM, from the Committee on Rules, submitted a privileged report (Rept. No. 109–330) on the resolution (H. Res. 588) providing for consideration of the bill (H.R. 4297) to provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006, which was referred to the House Calendar and ordered to be printed.

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

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

CHENEY'S SCORCHED EARTH POLITICS

Ms. WOOLSEY. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Oregon (Mr. DEFAZIO).

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

There was no objection.

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

Ms. WOOLSEY. Mr. Speaker, the White House is fast approaching a new low when it comes to smearing those of us who oppose the disastrous Iraq War. Before the Thanksgiving recess, Vice President DICK CHENEY declared that suggesting the administration deceived the Nation to justify the Iraq invasion, and I quote him, ''is one of the most dishonest and reprehensible charges ever aired in this city.''

Well, first of all, being called ''dishonest'' by DICK CHENEY is kind of like being told by Imelda Marcos that you have a shoe fetish. I thought it was

ironic that the Vice President made these remarks at an event sponsored by a group called the Frontiers of Freedom. Asking hard questions and demanding answers from your government is one of the very foundations of freedom, but DICK CHENEY seems to consider it borderline treason.

Well, shame on him and shame on him for implying that criticism of this war amounts to criticism of the brave men and women in uniform who are on the front lines. The fact is there was exaggeration, manipulation, and down right deception in the run-up to the war. There is report after report of the Bush administration ignoring or downplaying serious misgivings in the intelligence community about the weapons of mass destruction case.

It has been well confirmed that the Vice President himself visited CIA headquarters to lean on analysts and to make sure that they were reaching ''right'' conclusions.

Then there are the Downing Street memos, which claim the intelligence was being fixed around the policy. The Vice President claims that it is a few opportunists who are raising questions about trumped-up intelligence.

Well, guess what, Mr. Vice President, for more than half of the American people, there is a belief that the administration deliberately misled us into war. As the New Republic points out, that is not a few opportunists, more like a few million American citizens. Actually, more than 150 million who do not believe the President and his team told the truth.

What you are seeing is a desperate White House losing its ability to shape public opinion and consequently twisting the truth beyond recognition. This push-back is a clear sign that the wheels are coming off. By roughly a 2 to 1 margin, Americans have lost confidence in the Bush Iraq policy. A majority thinks we need to reduce our troop levels. Before Thanksgiving, 79 Senators voted for an amendment that indicates an interest in moving forward towards full Iraqi sovereignty in the year 2006, and demands more accountability from the administration on the conduct of the war.

And recently, my good friend and esteemed colleague from Pennsylvania, Mr. JACK MURTHA, a Marine Corps veteran with strong defense credentials, came out for bringing our troops out of Iraq.

□ 1815

But instead of engaging in an honest dialogue with him, the first reaction from the other side of the aisle was to resort to fearmongering and character assassination. Representative MURTHA was subjected to the most vile and devious accusations. He was compared to a prominent al Qaeda terrorist. He was said to be emboldening our enemies. It was implied that he was a coward. And then the majority resorted to a gimmick, a cheap stunt distorting Mr. MURTHA's words in an attempt to gain political advantage. I wish that those on the other side of the aisle were half as honorable as they are clever. The American people deserve better. Our troops deserve better than this. They deserve a thorough, substantive, honest debate on the war, not a bill that could not be amended, not a bill brought to the House floor for no other reason than partisan gamesmanship.

Mr. Speaker, a group of Democrats has written a discharge petition to bring the Iraq debate to the House floor, to bring it through legislation around a piece of legislation called Homeward Bound, H.J. Res. 55, to bring it to the House floor so that we can have the debate we need. This discharge petition will allow 17 hours of debate on the Nation's Iraq policy. And unlike the sham bill presented by the majority in response to Representative MURTHA's call to the end of war, it would be brought up under an open rule, a rule that allows amendments to be introduced. I urge my colleagues to sign the discharge petition, allow for a real debate.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 7, 2005.

The Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Ms. Caren Daniels-Meade, Chief, Elections Division, State of California, indicating that, according to the unofficial returns of the Special Election held December 6, 2005, the Honorable John Campbell was elected Representative in Congress for the Forty-eighth Congressional District, State of California.

With best wishes, I am

Sincerely,

KAREN L. HASS,
Clerk.

BRUCE MCPHERSON, SECRETARY OF STATE, STATE OF CALIFORNIA,
Sacramento, CA, December 6, 2005.

The Hon. KAREN L. HAAS,
Clerk, House of Representatives, Washington, DC.

DEAR MS. HAAS: This is to advise you that the unofficial results of the Special Election held on Tuesday, December 6, 2005, for Representative in Congress from the Forty-eighth Congressional District of California, show that John Campbell received 41,450 or 44.7percent of the total number of votes cast for that office.

It would appear from these unofficial results that John Campbell was clearly elected as Representative in Congress from the Forty-eighth Congressional District of California.

To the best of our knowledge and belief at this time, there is no contest to this election.

As soon as the official results are certified to this office representing votes cast in all 268 precincts established for this election, an official Certificate of Election will be prepared for transmittal as required by law.

Sincerely,

CAREN DANIELS-MEADE,
Chief, Elections Division.

SWEARING IN OF THE HONORABLE JOHN CAMPBELL, OF CALIFORNIA, AS A MEMBER OF THE HOUSE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that the gentleman from California, Mr. JOHN CAMPBELL, be permitted to take the oath of office today. His certificate of election has not arrived, but there is no contest, and no question has been raised with regard to his election.

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

There was no objection.

The SPEAKER. Will the Representative-elect please take the well.

Mr. CAMPBELL of California appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter. So help you God.

The SPEAKER. Congratulations, you are now a Member of the 109th Congress.

WELCOMING THE HONORABLE JOHN CAMPBELL TO THE HOUSE OF REPRESENTATIVES

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

Mr. DREIER. Mr. Speaker, when our former colleague, Mr. Cox, was nominated by the President to become the chairman of the Securities and Exchange Commission, it obviously created an opening in one of the most beautiful congressional districts in the entire country in Southern California; and we are very pleased that our new colleague who has just been sworn in, JOHN CAMPBELL, was elected.

JOHN CAMPBELL has an extraordinary history in California. As I look around the Chamber, Mr. Speaker, at our colleagues, very few of them actually have roots in California. The fact of the matter is JOHN CAMPBELL has roots that extend deeper than, frankly, anyone that I know. Our State is a little more than 150 years old; and yet in 1860, the year that Abraham Lincoln was elected President of the United States, JOHN CAMPBELL's great grandfather was elected to the California State legislature. So 145 years later, we have JOHN CAMPBELL now coming to serve in the United States House of Representatives, to me the greatest deliberative body known to man.

Mr. Speaker, on behalf of all of our colleagues from California, from both sides of the aisle, it is a great privilege and honor for me to congratulate and to welcome our new colleague, Mr. JOHN CAMPBELL.

EXPRESSIONS OF GRATITUDE

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

Mr. CAMPBELL of California. Mr. Speaker, thank you all. Thank you, Congressman DREIER.

I wish, Mr. Speaker, to thank my family first for their support and their coming here today. I wish to thank the people of Orange County for the confidence that they have placed in me to have this very honored position. And I look so forward to working with all of you on the many issues that we have coming ahead of us.

I feel so the history as I stand here, what this building, what this room means and what it has held and what it has done. I only hope that I can do honor to those who have served before us here, and that I will help with all of you to do justice to those whose futures we serve.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that in light of the administration of the oath to the gentleman from California, Mr. JOHN CAMPBELL, the whole number of the House is 434.

The SPEAKER pro tempore (Mr. MCCAUL of Texas). 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.)

THE BLAME GAME

Mr. PAUL. Mr. Speaker, I ask unanimous consent to claim my 5 minutes at this time.

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

There was no objection.

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

Mr. PAUL. Mr. Speaker, our country faces major problems. No longer can they remain hidden from the American people. Most Americans are aware the Federal budget is in dismal shape. Whether it is Social Security, Medicare, Medicaid, or even the private pension system, most Americans realize we are in debt over our heads.

The welfare state is unmanageable and severely overextended. In spite of hopes that supposed reforms would restore sound financing and provide for all the needs of the people, it is becoming more apparent every day that the entire system of entitlements is in a precarious state and may well collapse. It does not take a genius to realize that increasing the national debt by over $600 billion per year is not sustainable. Raising taxes to make up the shortfall is unacceptable, while continuing to print the money needed will only accelerate the erosion of the value of the dollar.

Our foreign policy is no less of a threat to us. Our worldwide military presence and our obsession with remaking the entire Middle East frightens a lot of people both here and abroad. Our role as world policeman and nation-builder places undue burdens on the American taxpayer. Our enormous overseas military expenditures, literally hundreds of billions of dollars, are a huge drain on the American economy.

All wars invite abuses of civil liberties at home, and the vague declaration of war against terrorism is worse than most in this regard. As our liberties here at home are diminished by the PATRIOT Act and the national ID card legislation, we succumb to the temptation of all empires to neglect habeas corpus, employ torture tactics and use secret imprisonments. These domestic and foreign policy trends reflect a morally bankrupt philosophy, devoid of any concern for liberty and the rule of law.

The American people are becoming more aware of the serious crisis this country faces. Their deep concern is reflected in the current mood in Congress. The recent debate over Iraq shows the parties are now looking for someone to blame for the mess we are in. It is a high stakes political game. The fact that a majority of both parties and their leadership endorsed the war and accept the same approach toward Iran and Syria does nothing to tone down the accusatory nature of the current blame game.

The argument in Washington is over tactics, quality of intelligence, war management and diplomacy, except for a few who admit their tragic mistakes were made and now sincerely want to establish a new course for Iraq. Thank goodness for those who are willing to reassess and admit to these mistakes. Those of us who have opposed the war all along welcome them to the cause of peace.

If we hope to pursue a more sensible foreign policy, it is imperative that Congress face up to its explicit constitutional responsibility to declare war. It is easy to condemn the management of a war one endorsed, while deferring the final decision about whether to deploy the troops to the President. When Congress accepts and assumes its awesome responsibility to declare war as directed by the Constitution, fewer wars will be fought.

Sadly, the acrimonious blame game is motivated by the leadership of both parties for the purpose of gaining, or retaining, political power. It does not approach a true debate over the wisdom or lack thereof of foreign military interventionism and preemptive war.

Polls indicate ordinary Americans are becoming uneasy with our prolonged war in Iraq, which has no end in sight. The fact that no one can define victory precisely, and most Americans see us staying in Iraq for years to come, contributes to the erosion of support for this war. Currently, 63 percent of Americans disapprove of the handling of the war, and 52 percent say it is time to come home. Forty-two percent say we need a foreign policy of minding our own business. This is very encouraging.

The percentages are even higher for the Iraqis. Eighty-two percent want us to leave, while 67 percent claim they are less secure with our troops there. Ironically, our involvement has produced an unusual agreement among the Kurds, Shiites and Sunnis, the three factions at odds with each other. At the recent 22-Member Arab League meeting in Cairo, the three groups agreed on one issue: they all want foreign troops to leave. And at the end of the meeting an explicit communique was released: ''We demand the withdrawal of foreign forces in accordance with a timetable and the establishment of a national and immediate program for rebuilding the armed forces that will allow them to guard Iraq's borders and get control of national security.''

Since the administration is so enamored of democracy, why not have a national referendum in Iraq to see if the people want us to leave?

After we left Lebanon in the 1980s, the Arab League was instrumental in brokering an end to that country's 15-year civil war. Its chances of helping to stop the fighting in Iraq are far better than depending on the U.N. NATO, or the United States. This is a regional dispute that we stirred up but cannot settle. The Arab League needs to assume a lot more responsibility for the mess that our invasion has caused. We need to get out of the way and let them solve their own problems.

Remember, once we left Lebanon suicide terrorism stopped and peace finally came. The same could happen in Iraq.

Everyone is talking about the downside of us leaving, and the civil war that might erupt. Possibly so, but no one knows with certainty what will happen. There was no downside when we left Vietnam. But one thing for sure, after a painful decade of killing in the 1960s, the killing stopped and no more Americans died once we left. We now trade with Vietnam and enjoy friendly relations with them. This was achieved through peaceful means, not military force. The real question is how many more Americans must be sacrificed for a policy that is not working? Are we going to fight until we go broke and the American people are impoverished? Common sense tells us it's time to reassess the politics of military intervention and not just look for someone to blame for falling once again into the trap of a military quagmire.

The blame game is a political event, designed to avoid the serious philosophic debate

over our foreign policy of interventionism. The mistakes made by both parties in dragging us into an unwise war are obvious, but the effort to blame one group over the other confuses the real issue. Obviously Congress failed to meet its constitutional obligation regarding war. Debate over prewar intelligence elicits charges of errors, lies, and complicity. It is now argued that those who are critical of the outcome in Iraq are just as much at fault, since they too accepted flawed intelligence when deciding to support the war. This charge is leveled at previous administrations, foreign governments, Members of Congress, and the United Nations—all who made the same mistake of blindly accepting the prewar intelligence. Complicity, errors of judgment, and malice are hardly an excuse for such a serious commitment as a pre-emptive war against a non-existent enemy.

Both sides accepted the evidence supposedly justifying the war, evidence that was not credible. No weapons of mass destruction were found. Iraq had no military capabilities. Al Qaeda and Saddam Hussein were not allies (remember, we were allies of both Saddam Hussein and Osama bin Laden), and Saddam Hussein posed no threat whatsoever to the United States or his neighbors.

We hear constantly that we must continue the fight in Iraq, and possibly in Iran and Syria, because, ''It's better to fight the terrorists over there than here.'' Merely repeating this justification, if it is based on a major analytical error, cannot make it so. All evidence shows that our presence in Iraq, Saudi Arabia, and other Muslim countries benefits Al Qaeda in its recruiting efforts, especially in its search for suicide terrorists. This one fact prompts a rare agreement among all religious and secular Muslim factions; namely, that the U.S. should leave all Arab lands. Denying this will not keep terrorists from attacking us, it will do the opposite.

The fighting and terrorist attacks are happening overseas because of a publicly stated Al Qaeda policy that they will go for soft targets—our allies whose citizens object to the war like Spain and Italy. They will attack Americans who are more exposed in Iraq. It is a serious error to conclude that ''fighting them over there'' keeps them from fighting us ''over here,'' or that we're winning the war against terrorism. As long as our occupation continues, and American forces continue killing Muslims, the incentive to attack us will grow. It shouldn't be hard to understand that the responsibility for violence in Iraq—even violence between Iraqis—is blamed on our occupation. It is more accurate to say, ''the longer we fight them over there the longer we will be threatened over here.''

The final rhetorical refuge for those who defend the war, not yet refuted, is the dismissive statement that ''the world is better off without Saddam Hussein.'' It implies no one can question anything we have done because of this fact. Instead of an automatic concession it should be legitimate, though politically incorrect, to challenge this disarming assumption. No one has to like or defend Saddam Hussein to point out we won't know whether the world is better off until someone has taken Saddam Hussein's place.

This argument was never used to justify removing murderous dictators with much more notoriety than Saddam Hussein, such as our ally Stalin; Pol Pot, whom we helped get into power; or Mao Tse Tung. Certainly the Soviets, with their bloody history and thousands of nuclear weapons aimed at us, were many times over a greater threat to us than Saddam Hussein ever was. If containment worked with the Soviets and the Chinese, why is it assumed without question that deposing Saddam Hussein is obviously and without question a better approach for us than containment?

The ''we're all better off without Saddam Hussein'' cliche doesn't address the question of whether the 2,100 troops killed or the 20,000 wounded and sick troops are better off. We refuse to acknowledge the hatred generated by the deaths of tens of thousands of Iraqi citizens who are written off as collateral damage. Are the Middle East and Israel better off with the turmoil our occupation has generated? Hardly! Honesty would have us conclude that conditions in the Middle East are worse since the war started: The killing never stops, and the cost is more than we can bear—both in lives and limbs lost and dollars spent.

In spite of the potential problems that may or may not come with our withdrawal, the greater mistake was going in the first place. We need to think more about how to avoid these military encounters, rather than dwelling on the complications that result when we meddle in the affairs of others with no moral or legal authority to do so. We need less blame game and more reflection about the root cause of our aggressive foreign policy.

By limiting the debate to technical points over intelligence, strategy, the number of troops, and how to get out of the mess, we ignore our continued policy of sanctions, threats, and intimidation of Iraq's neighbors, Iran and Syria. Even as Congress pretends to argue about how or when we might come home, leaders from both parties continue to support the policy of spreading the war by precipitating a crisis with these two countries.

The likelihood of agreeing about who deliberately or innocently misled Congress, the media, and the American people is virtually nil. Maybe historians at a later date will sort out the whole mess. The debate over tactics and diplomacy will go on, but that only serves to distract from the important issue of policy. Few today in Congress are interested in changing from our current accepted policy of intervention to one of strategic independence: No nation building, no policing the world, no dangerous alliances.

But the results of our latest military incursion into a foreign country should not be ignored. Those who dwell on pragmatic matters should pay close attention to the results so far.

Since March 2003 we have seen:

Death and destruction; 2,100 Americans killed and nearly 20,000 sick or wounded, plus tens of thousands of Iraqis caught in the crossfire;

A Shiite theocracy has been planted;

A civil war has erupted;

Iran's arch nemesis, Saddam Hussein, has been removed;

Osama bin Laden's arch nemesis, Saddam Hussein, has been removed;

Al Qaeda now operates freely in Iraq, enjoying a fertile training field not previously available to them;

Suicide terrorism, spurred on by our occupation, has significantly increased;

Our military industrial complex thrives in Iraq without competitive bids;

True national defense and the voluntary army have been undermined;

Personal liberty at home is under attack; assaults on free speech and privacy, national ID cards, the Patriot Act,

National Security letters, and challenges to habeas corpus all have been promoted;

Values have changed, with more Americans supporting torture and secret prisons;

Domestic strife, as recently reflected in arguments over the war on the House floor, is on the upswing;

Pre-emptive war has been codified and accepted as legitimate and necessary, a bleak policy for our future;

The Middle East is far more unstable, and oil supplies are less secure, not more;

Historic relics of civilization protected for thousands of years have been lost in a flash while oil wells were secured;

U.S. credibility in the world has been severely damaged; and

The national debt has increased enormously, and our dependence on China has increased significantly as our Federal Government borrows more and more money.

How many more years will it take for civilized people to realize that war has no economic or political value for the people who fight and pay for it? Wars are always started by governments, and individual soldiers on each side are conditioned to take up arms and travel great distances to shoot and kill individuals that never meant them harm. Both sides drive their people into an hysterical frenzy to overcome their natural instinct to live and let live. False patriotism is used to embarrass the good-hearted into succumbing to the wishes of the financial and other special interests who agitate for war.

War reflects the weakness of a civilization that refuses to offer peace as an alternative.

This does not mean we should isolate ourselves from the world. On the contrary, we need more rather than less interaction with our world neighbors. We should encourage travel, foreign commerce, friendship, and exchange of ideas—this would far surpass our misplaced effort to make the world like us through armed force. And this can be achieved without increasing the power of the state or accepting the notion that some world government is needed to enforce the rules of exchange. Governments should just get out of the way and let individuals make their own decisions about how they want to relate to the world.

Defending the country against aggression is a very limited and proper function of government. Our military involvement in the world over the past 60 years has not met this test, and we're paying the price for it.

A policy that endorses peace over war, trade over sanctions, courtesy over arrogance, and liberty over coercion is in the tradition of the American Constitution and American idealism. It deserves consideration.

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

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

PRESCRIPTION DRUG FLEXIBILITY ACT FOR SENIORS

Mr. LARSON of Connecticut. Mr. Speaker, I ask unanimous consent to speak out of order.

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

There was no objection.

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

Mr. LARSON of Connecticut. Mr. Speaker, I rise this evening in strong support of the Prescription Drug Flexibility Act for seniors. You know, we ask an awful lot of our senior citizens, so many of whom, as Tom Brokaw has eloquently penned, are a part of the greatest generation ever.

After traveling home this past Thanksgiving for the break and having an opportunity to conduct hearings throughout my district and speak to seniors directly, they did not realize that what we have asked of them in signing up for the so-called prescription drug plan under Medicare part D, that they are now required to be accountants, attorneys and actuaries in order to be able to fill out this form. It is a travesty that for so many of our seniors they find this not only confusing and complicated, but very difficult as well, and are unsure as to whether or not they are going to receive any specific relief.

□ 1830

That is why I have introduced legislation that I believe is both pragmatic and provides the opportunity for seniors to seek relief from the burdensome task that faces them.

Specifically, this legislation would accomplish three things. First and foremost it would extend for 2 years the time period in which seniors have to sign up. I think it is incredible to think that we could get 42 million people to sign up for a program in 6 months where in the State of Connecticut they have 44 choices in options to choose from. In many States it is as many as 60, 65 choices that people have to pursue in order to make sure they are making the right decision. And, of course, if they have not signed up in time or they are given misinformation, they receive a penalty for that starting at 1 percent a month and accumulating forward. Just out of simple fairness to the people we are sworn to serve, we ought to make sure that we are extending the time period, and this legislation calls for a 2-year extension.

The legislation further goes on to look at a provision that is commonly referred to as the ''lock-in provision.'' What that means for those that are struggling with this part D is that while the HMOs and insurance companies can opt out of their formularies or of their coverage, you are locked in for at least a period of a year. Well, common sense and fairness would say that if a company is covering you and say you are on Lipitor and then they opt out of that coverage, you ought to have the same right without penalty to opt out and get the kind of coverage that you need and desire.

The third thing that this bill does is also recognize that in the State of Connecticut, more than 44 choices, unfortunately there will be some companies that give misinformation and, again, maybe intentionally, maybe not, but the only people who will pay a penalty in this circumstance are the elderly. We think it is only fair that if they give out misinformation, if they tell people that they have a credible plan and they do not, that they ought to be subject to a fine.

In fact, the troubling thing about this whole piece of legislation, which I was proud to vote against, is that there are no fines for the HMOs or the insurance companies or the people that mislead the elderly. The only fine that this legislation seeks is to fine the elderly if they do not sign up for a program. So this legislation seeks a $10,000 fine per incidence for those who provide misinformation to the elderly.

Now, it is instructive, of course, as to how we got there. This vote, as many know, was passed on this House floor at 5:30 in the morning by one vote. The travesty of this legislation is that on page 59 of this 700-page document, it specifically excludes the Secretary of Health and Human Services from negotiating directly with the pharmaceutical companies. Now, that, by the way, is exactly what the VA Commissioner does on behalf of our veterans. In the State of Connecticut, our veterans pay a $7 co-pay. When we look at our senior citizens and when we look at this bill and when we think of the cost that has been incurred without the creation of any new bureaucracy but simply by having the Secretary of Health and Human Services negotiate directly with pharmaceutical companies, not even having to travel outside to Canada and becoming refugees within their own health care system, Americans ought to be entitled to get the same kind of deep discounts that we provide our veterans.

That, in fact, is exactly what other nations of the world see fit to do for each one of their citizens, which is why, as Mr. EMANUEL pointed out earlier, in the United States we are paying on average 60 percent more for prescription drugs than our neighbors in Canada and Mexico and, in fact, in all the industrialized nations of the world. Why? Because they negotiate directly. And the pharmaceutical industry is not losing any money abroad. So I think it is morally incumbent upon this Congress to take up that legislation that will correct that process.

But what passed that fateful day is law; so we must advise our seniors to proceed cautiously and hopefully providing them a window in time where they can make the correct decision. There will be, as some of the advertisements say that are paid for with Medicare and Social Security dollars, an opportunity for some to benefit; and I encourage them to do so.

URGING CONGRESS TO DEFEND THE CONSTITUTIONAL RIGHT OF MILITARY CHAPLAINS

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

Mr. JONES of North Carolina. Mr. Speaker, as I am on the floor tonight, I think about the great history of this country and the fact that this Nation was founded by people of faith; and yet in this great Nation today, our chaplains in the military are being told if they should be of the Christian faith that they cannot outside of their church pray in the name of Jesus Christ.

Mr. Speaker, to me this is very alarming when we have a President, President Bush, who is a man of faith, who went to China and criticized the Chinese, or at least encouraged the Chinese, to allow the Chinese to have more religious freedom.

This never seemed to be a problem until about 1998. For whatever reason, those in the leadership of the chaplain corps of the military decided that they needed to encourage those of faith, particularly the Christian faith, not to pray in the name of Jesus Christ outside of the church.

Mr. Speaker, I want to say I would be on the floor tonight if this were happening to the Jewish chaplains, to the Muslims chaplains in the military. I would be on the floor defending their first amendment right because that is exactly why our men and women in uniform are in Iraq and Afghanistan, to defend freedom; and yet within this country we are having our chaplains being denied their freedom to pray in the name of their faith.

Mr. Speaker, 72 of us have written a letter to the President of the United States, three Senators have joined us, and we have asked the President to please use his executive authority as Commander in Chief to say that as long as I am Commander in Chief that I will guarantee that the chaplains in this great military will have their first amendment rights protected, whether they be Muslim, Jewish, or Christian. Mr. Speaker, I include this letter for the RECORD.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 25, 2005.

President GEORGE W. BUSH,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: We are disappointed and gravely concerned to learn that the Christian military chaplains are under direct attack and that their right to pray according to their faith is in jeopardy. As you may know, the Air Force leadership recently released proposed guidelines that will restrict

how Air Force chaplains can pray, and if approved, those guidelines may well be implemented throughout the entire DoD. We believe that the Air Force's suppression of religious freedom is a pervasive problem throughout our nation's Armed Forces, and it has come to our attention that in all branches of the military it is becoming increasingly difficult for Christian chaplains to use the name of Jesus when praying. There are currently no laws or regulations that prohibit chaplains from praying according to their respective denominations or different faiths, and we are deeply concerned that chaplains are now being instructed on what to say when they pray.

Throughout our nation's history, chaplains not only have remained an integral part of our military, but they also have always prayed according to their faith tradition; and Christian chaplains have always been able to pray using the name of Jesus. We believe that if Christian chaplains are chosen to pray before a professional setting, then they—as with the chaplain of any other faith—have a constitutional right to adhere to the religious expressions of their faith. Praying in the name of Jesus is a fundamental part of Christian belief and to suppress this form of expression would be a violation of religious freedom.

The current demand in the guidelines for so-called ''no-sectarian'' prayers is merely a euphemism declaring that prayers will be acceptable only so long as they censor Christian beliefs. Current surveys in the military indicate that upwards of 80 percent of soldiers identify themselves as Christians, and such censorship of Christian beliefs is a disservice not only to Christian chaplains, but also to the hundreds of thousands of Christian soldiers in the military who look to their chaplains for comfort, inspiration, and support, just as our military soldiers of other faiths look to the chaplains of their faith.

While some military members may find certain prayers to be offensive and wrongly claim that they are not non-pluralistic, we believe these restrictions raise constitutional issues involving the Establishment. Free Exercise and Free Speech Clauses of the First Amendment (There are numerous other offensive provisions throughout the proposed guidelines. including the onerous provision that chaplains can only speak of their faith with officers—the ''peer to peer'' provision). Officially inhibiting or defining what chaplains can and cannot say in effect establishes an official religion and burdens our military's chaplains' right of free speech.

We are requesting that you, as Commander and Chief, protect by Executive Order the constitutional right of military chaplains to pray according to their faith.

With deep concern,

Walter B. Jones, Sam Johnson, Joseph Pitts, John Hostettler, Trent Franks, Joel Hefley, Scott Garrett, Robert Aderholt, Virginia Foxx, Dave Weldon, J. Gresham Barrett,Randy Neugebauer, Jo Ann Davis, Michael Bilirakis, Frank R. Wolf, John Culberson, Henry Brown, Melissa Hart, Steve Chabot, Louie Gohmert.

Jeb Hensarling, Virgil H. Goode, Jr., Rob Bishop, Darrell Issa, Spencer Bachus, Michael E. Sodrel, Ron Lewis, Steve King, W. Todd Akin, Robin Hayes, Donald Manzullo, Marilyn Musgrave, Mark Souder, Mike McIntyre, K. Michael Conaway, Jim Ryun, Charles W. ''Chip'' Pickering, J. Randy Forbes, Todd Tiahrt, Ron Paul.

Katherine Harris, Tom Price, Sue Myrick, Bob Beauprez, Roger Wicker, Howard P. ''Buck'' McKeon, Jeff Miller, Gil Gutknecht, Rodney Alexander, John Sullivan, Joe Wilson, John R. Carter, Mike Rogers, Bob Inglis, Luis Fortuño, Bobby Jindal, Michael Turner, Michael McCaul, Wally Herger, C. L. ''Butch'' Otter, Michael C. Burgess, Dan Burton, Phil Gingrey.

Mr. Speaker, a couple of other points and then I will start closing.

For 4 years I have heard from chaplains around this Nation in letter, meeting with them in person, by telephone, and they have told me just how concerned and disappointed they are that they do not have the freedom. Let me at this time read a letter from a marine major written to me in May of this year, getting ready to go to Iraq. He is in Iraq tonight, and I hope and pray that all of our men and women in uniform are safe.

He said: ''Dear Congressman Jones, I am a member of the military, and there is something that I think you should know.

''Before my last change of command, my chaplain came to me and asked if I minded if he mentioned Jesus in his prayer given at the start of the ceremony. I was surprised by the question since the prayer was for me and my family and we are Christian and we specifically desired he do so. He alluded to the fact that he and other chaplains have been asked not to mention Jesus Christ. This startles and frightens me that one's faith is being infringed upon even within our own military. I strongly believe in religious freedom, and I hope you understand my grave concerns about forces that would try to limit it.

''I hope you can find support to stop this intolerance that is creeping into all walks of life. Sincerely.''

This, again, is a marine major who is in Iraq fighting for freedom for the Iraqis and for those in Afghanistan.

Mr. Speaker, the last letter I want to make reference to is from a chaplain in the United States Army, and he wrote: ''Thank you for your interest in ending the religious persecution that exists in our military today. I am a chaplain in the United States Army, and I can tell you in all honesty that religious persecution is taking place in the Army on a daily basis. The persecution centers on Christian chaplains praying in the name of our Lord Jesus Christ. Additionally, I have personally been subject to heavy-handed intimidation by a senior chaplain.''

Mr. Speaker, there is story after story after story that I could share with the Members on the floor tonight, but because of time, I can only give those two situations. But this is a grave situation that we in Congress, like the young man tonight from California that was sworn in, Mr. CAMPBELL, hold up our hand to protect the constitutional rights of the people of this great Nation. Please, Mr. Speaker, as I close, I ask that we in this Congress defend the first amendment right of all of our chaplains.

And I close by asking God to please bless our men and women in uniform and God continue to bless America.

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

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

CONGRATULATING THE UNIVERSITY OF PORTLAND'S WOMEN'S SOCCER TEAM FOR WINNING THE NATIONAL CHAMPIONSHIP

Mr. BLUMENAUER. Mr. Speaker, I ask unanimous consent to take the Special Order time of the gentleman from Maryland (Mr. WYNN).

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

There was no objection.

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

Mr. BLUMENAUER. Mr. Speaker, we have had a great deal of give and take on the floor this evening, important issues that we have discussed throughout the day. But I am pleased this evening to rise to recognize the outstanding accomplishments of the women's soccer team for the University of Portland, which this last weekend won their second national championship in the last 3 years. The Lady Pilots finished the season undefeated. They set a single-season attendance record, or rather their rabid fans did, over 40,000, the first time this has ever happened.

Mr. Speaker, it is a very solid program that was built by the late Clive Charles, the legendary soccer coach, a solid foundation that has made a tremendous difference for women's soccer in our State of Oregon and around the country.

It is my pleasure to extend congratulations to President Bill Beauchamp, Coach Garrett Smith, and the players: the 2005 College Cup MVP for the offense, Christine Sinclair; the defensive MVP, Cori Alexander; and College Cup all tournament team members, Stephanie Lopez, Angie Woznuk, Megan Rapinoe, and Lindsey Huie. They are truly a work of art to watch, the camaraderie, the spirit, the drive and determination of this team. It has performed at an outstanding level for over a dozen years now.

Somewhere in heaven I know the late Clive Charles is smiling, and in Portland the entire community is cheering.

POLITICAL PROGRESS IN IRAQ

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

Ms. ROS-LEHTINEN. Mr. Speaker, 65 years ago today our Nation was attacked by enemies of freedom, and we heeded the call to action. The Greatest Generation battled tyranny and then led the effort to help Europe rebuild.

On September 11, 2001, another day that will live in infamy in our Nation's

history, our mission once again became clear. On that day 4 years ago, Islamic fanatics killed 3,000 souls, but would have delighted in killing 10 or 100 times that number. Our shores and subsequently those of our allies were attacked.

Collectively, we resolved to root out and eliminate the scourge of evil responsible for these threats. And as a global leader, refusing to be victimized and surrender to those who seek our destruction, the United States assumed the responsibility, as it has done many times before, to protect not just our homeland but, in the words of Woodrow Wilson, to make the world safe for democracy.

And so it is that for freedom's sake we must fulfill our mission in Iraq.

I am proud that my stepson, Douglas Lehtinen, and his fiancee, Lindsay Nelson, are serving as marine officers in Iraq, flying F–18s. The men and women in their squadron are proud of their mission of victory in Iraq.

Vice President DICK CHENEY summed things up quite appropriately on Tuesday of this week when he addressed our troops in Fort Drum, New York. He said, ''Were we to leave, Iraq would return to the rule of tyrants and become a massive source of instability in the Middle East.''

□ 1845

Our mission is not easy. But our efforts and the noble sacrifice of our fine troops are yielding results. The naysayers and the fatalistic, those who question the ability of our U.S. forces to succeed refuse to acknowledge the political and psychological transformation that is taking place in Iraq, and the long-term positive impact that our efforts in Iraq will have in helping to curtail the spread of Islamic extremist and jihadist activities.

Today, Saddam Hussein is on trial for his crimes against humanity. And most of the villainous heirs to his legacy have been neutralized. Together with our Iraqi allies, we are prevailing against a brutal insurgency and assisting the people of Iraq in their efforts to create a truly representative free market Arab democracy in a region polluted with despotic regimes.

Tangible examples of success include, in January, the people of Iraq held their first free democratic election for the transitional national assembly. The turnout for this election was astonishing. Roughly 8.5 million Iraqis risked their lives to participate.

This was followed by the drafting of a new constitution. The debate on the various provisions in the Constitution was a perfect example of how the Iraqi people are exercising those fundamental freedoms protected from a Democratic society.

Today, the Iraqi people prepare for elections next week that will continue Iraq's transformation from a brutal totalitarian state to a free and Democratic Nation. But it is not just our observations that tell the story of the progress that we are making and the need to forge ahead.

Iraqis themselves are expressing optimism as shown by a survey last month by the International Republican Institute. This survey indicated that 56 percent of Iraqis thought that things would be better in 6 months. Just the other day, The Washington Post quoted an Egyptian democracy advocate who was an early opponent of the war in Iraq, admitting that any way you look at it, toppling Saddam Hussein has unfrozen the Middle East he said, just as Napoleon's 1798 expedition did. Elections in Iraq forced the theocrats and the autocrats to put democracy on the agenda, he said.

Not least significantly, Mr. Speaker, Iraq's quest for liberty has had an interesting ripple effect throughout the region. For example the Syrians have been significantly pushed back in Lebanon, and Assad's tyrannical regime has been impressively weakened.

To those who claim that we need to pack up and depart, mission incomplete, who demand the need for benchmarks and the transfer of authority, I say open your eyes. For 2 years, we have been doing just that. Setting benchmarks and meeting them.

Benchmarks relating to the transfer of authority. Benchmarks for Iraqis to take helm of leadership positions, for elections to choose a national assembly. Benchmarks to select a constitution. My colleagues, let us recall the words of former President Ronald Reagan, who said, the ultimate determinant in the struggle now going on for the world will be but a test of wills and ideals, a trial of spiritual resolve for the values we hold, the beliefs we cherish, and the ideals to which we are dedicated. With freedom on our side, we cannot fail.

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

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

PROGRESS IN IRAQ

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

Mr. OSBORNE. Mr. Speaker, Iraq's final general election will be held a week from tomorrow, December 15. Iraqis have paid a great price to get to this point. 30 years under Saddam Hussein, the last 2½ years, thousands of Iraqi have died in a conflict.

The United States has paid a great price. Over 2,000 of our finest soldiers have been killed, many more have been wounded, billions of dollars have been spent, some have said this is a quagmire, some have compared it to Vietnam. And yet, I think it is appropriate to mention at this time that progress has been made.

Now I will mention several areas in which considerable progress has been made. First of all, in the area of education, 774 schools have been built or renovated since the conflict began. We see an 80 percent increase in attendance in schools in Iraq. Most of these increases are due to young women who have never attended school previously.

We have had 36,000 teachers trained in Iraq since the conflict began. In the area of health care, 17 hospitals either have been built or are currently under construction. 142 health clinics are under construction today or have been completed. And 3.2 million children under the age of 5 have been vaccinated. This is roughly 97 to 98 percent of that population.

As far as the economy is concerned, we see many small business starting to spring up. Cell phones, satellite dishes, newspapers, television stations are apparent at every turn. And there are 1 million more automobiles today in Iraq than prior to the conflict. So the economy is not perfect, but it is getting better.

As far as the government, we have mentioned many times that the constitution, of course, has been written out, approved October 15 by more than 70 percent of the people. The Sunnis voted in large numbers. And now the election is December 15.

As far as the plan to get out of Iraq, the exit strategy, we often hear that there is no plan. The plan has been very clear from almost day one to train and equip 270,000 Iraqis. To date we are at 211,000 Iraqis trained and equipped. There are many areas of Iraq that are totally under Iraqi control with no U.S. forces present or even as back-ups.

This is something that oft times is not reported. So this is a critical time. We often hear people say, well, the Iraqis want us to leave. I think that is true. They would like to see us out of there. But if you ask them, they will tell you, not yet. Not at this point. Not at this turning point.

So I think that we have all of this discussion now going on about our pulling out. And this discussion to the effect that we are losing, that we cannot win. These comments go world-wide, and they are made by policy makers, often here in Washington. And they certainly carry weight in the Middle East. And I would like to make an observation from the world of athletics, something I know a little bit about. There are some principles of competition that I think apply, not just to athletics, but to military conflict as well.

And I would say, first of all, number 1, never tell your team that you cannot win. You would not tell them that before the game, you would not tell them at half time, you would not tell them in the fourth quarter that they cannot win and that they are not winning, because there is such a thing as self-fulfilling prophecy.

This is something that no coach would do, nobody who is responsible

would do this to people that you care about, to people that you want to win, it is something that simply would not be done. And the soldiers that we talked to, I have been to Iraq three times. I talked to them. They do not believe they we are losing. They think that we can win. They think this is very winnable. They see accomplishment.

And the reason that we have so many soldiers reenlisting to go back over there for a second and third tour is because they see the accomplishment. They would not do this if they thought they were losing. A second principle is never give encouragement and reason for optimism to an opponent.

This is something you would never do in an athletic contest. So as the game goes along, and as you enter the fourth quarter, what you do is you carry yourself as though you are winning. You do not show fatigue. You do not show injury. And so you do not give encouragement. You do not allow people to believe that somehow they are going to wear you down. And so this is something that I think is critical that we carry that understanding.

And so if we pull out prematurely, much as a Captain from Nebraska told me when I was in the Middle East, he said this. Number 1, if we pull out early, those killed and wounded will have sacrificed in vain. That is very true. What do we tell their families? How do you go and address a mother or father who have lost a solider, when we have really quit?

Secondly, large numbers of Iraqis will die and we will have broken a promise. We told them we would not pull out. This is a promise we made. And then thirdly, we will certainly encourage terrorism everywhere. Anytime terrorists feel that they are winning, or that their methods are effective, all you do is encourage more terrorism worldwide, and the United States will become a bigger target.

So as I have talked to many Iraqi women, and I am the co-chair of the Iraqi Women's Caucus, what they will tell you consistently is this, we now have hope. We now see a future. Iraqis truly believe that things are getting better. They think that things will be better 6 months, a year from now. And I hope that the American people will have the same feeling, the same confidence, the same optimism, because this is something that we cannot afford to lose.

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

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

IN HONOR OF LANCE CORPORAL ROGER WAYNE DEEDS

Mr. GUTKNECHT. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Arizona (Mr. FRANKS.)

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

There was no objection.

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

Mr. GUTKNECHT. Mr. Speaker, I rise today to honor Lance Corporal Roger Wayne Deeds, who served in the Second Marine Division from Camp Lejeune, North Carolina.

Corporal Deeds died November 16 while searching for insurgents in the town of Ubaydi, Iraq. He was killed by small arms fire as he returned to the scene of combat to rescue a fellow Marine. Corporal Deeds spent his favorite years in Truman, Minnesota, where his mother, Joyce, still lives.

Roger Deeds leaves behind a 16-month-old son and a 7-week-old daughter that he never met. He lived in Goldsboro, North Carolina with his wife, Sarah. Mr. Speaker, it is with great sadness that I honor the memory and the service of this brave American. It is fitting to offer tribute on a day already set aside for remembrance.

The anniversary of the attack on Pearl Harbor that took place on December 7, 1941. Much like the brave soldiers who fell that day, Corporal Deeds made the ultimate sacrifice in the defense of freedom.

Mr. Speaker, the attack on Pearl Harbor thrust our Nation into a terrible world war. Today we find ourselves in the midst of war once again, a very different kind of war. 64 years ago, in the aftermath of the attack on Pearl Harbor, President Roosevelt in this very Chamber addressed the country.

His closing thought is as appropriate now as it was then. He said, ''With confidence in our Armed Forces, with the unbounding determination of our people, we will gain the inevitable triumph, so help us God.''

We owe Corporal Deeds a debt of gratitude we can never repay. He chose to set aside the safety and comfort of a life spent at home in order to defend freedom for people who will never know his name.

He now takes his place in that long line that Douglas MacArthur said has never failed us. I thank the Deeds family for giving their loved one to this service. I hope it brings some comfort to know that the thoughts and prayers of thousands of Minnesotans are with them.

May God have mercy on his soul. May He continue to bless America and all who defend her.

□ 1900

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

(Mrs. MALONEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

CONGRATULATING CINCINNATI CHAMPION HIGH SCHOOL SPORTS TEAMS

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

MR. CHABOT. Mr. Speaker, I am fortunate to represent a district which includes many outstanding high schools and an even larger number of gifted high school athletes who have brought countless State championships home to my congressional district in a number of sports. Just this fall, Cincinnati witnessed two women's high school volleyball teams, Seton and Roger Bacon, capture the Division I and Division II crowns respectively.

In the Division I final, Seton overcame what looked to be insurmountable odds in its game against defending State champion Toledo St. Ursula. Just last year, the Saints were defeated in the State semi-finals by Toledo St. Ursula, and this year's final looked as if it were headed toward a similar outcome, with Seton dropping the first two sets of a five-set match to a formidable foe.

However, Seton battled back by rallying to win the next two sets. Overall, the match featured 53 tied scores, and in the end Seton avenged last year's loss with a 15–12 victory in set five to give head coach Kerry Butkovich her first State title. The win capped off an outstanding 24–5 record and also marked Seton's sixth volleyball title in program history and its first since 1996.

I have got a couple of newspapers here. This is the Price Hill Press, and they have a photograph here, and the caption reads below the photograph: ''Seton High School Volleyball Team Accepts the State Division I Trophy from Ohio High School Athletic Association Assistant Commissioner Deborah Moore.'' And from left are the students who were the athletes here: Annie Lucas, Gina Coffaro, Becky Hendrian, Emily Kelly, Lindsey Svec, Chelsea Graham accepting the trophy, Megan Henderson, Megan Griffin, Chelsea Graman, Libby Walter, and Emily Sullivan.

Now, not to be outdone by its Girls Greater Cincinnati League rival, the Roger Bacon Lady Spartans captured their second straight State Division II volleyball championship later that same day. Roger Bacon dominated its opponents throughout the entire season, finishing a remarkable 29–0. In the finals, the team from St. Bernard stymied Walsh Jesuit, winning four sets. A testament to the Lady Spartans' domination was the fact that they lost only eight sets the entire year.

Led by significant contributions from each of its five seniors, Roger Bacon has become a mainstay in the State finals recording its third State title for

head coach Caryl Schawe, while making its fifth State appearance in the last 7 years. And the second from the Hilltop Press are the girls on that particular team, and the caption reads: ''The 2005 State Division II Volleyball Champions From Roger Bacon. Front row from left, Courtney Hausfeld, Vicki Auer, Carrie Prickel, assistant coach Andrea Schwartz, middle row manager Annie Kathman, Julie Brunsman, Kelsey Rose, Katie Veatch, Jamie Frey; top row assistant coach Jodi Kirch, Ali Wilson, Katie Westerfeld, Heather Hausfeld, Lauren Newron, and head coach Caryl Schawe.''

Now, the women were not the only ones representing the city of Cincinnati with State championship trophies in the month of November. The boys' cross-country team at my alma mater, La Salle High School, literally went the distance to capture Ohio Division I cross-country team title at the State meet in Columbus. Having been voted the unanimous number one ranking in the final Associated Press coaches' poll, the Big Red Express did not disappoint. The team bested its second place performance from last year by posting the lowest overall score in the State boys' Division I meet since 2001, this time defeating runner-up North Canton by an incredible 66-point margin.

The victory was a first for La Salle's cross-country team, which had four second place State finishes since 2000, and is a testament to the continued hard work and dedication of head coach Frank Russo who garnered his first State title in 23 years of coaching. That is the third one from the Hilltop Press over here. The caption in that one read: ''The La Salle Boys Cross-Country Team Placed First in the State Meet on Saturday. Front row from left are Dominic Lanzillotta, Tim Mink, Kyle Hoffman, and Jeff Ehler. Back from left are assistant coach Dean Fulmer, David Mette, Mitchell Heusmann, Corey Spriggs, Jake Nusekabel, Kyle Lang, Greg Bader, Ricky Lutt, Andrew St. George, head coach Frank Russo, and assistant coach Joe Muenchen.''

Continuing the longstanding tradition of excellence, each of these three schools has come to symbolize these student athletes have learned invaluable lessons of commitment, teamwork, and perseverance that will serve each of them well as they prepare for their future.

Cincinnati has much to be proud of, thanks to these outstanding young men and women; and it is an honor for me to congratulate them on the floor of the House of Representatives. Congratulations Seton; congratulations Roger Bacon; and congratulations to my alma mater, La Salle.

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

(Mr. GOHMERT 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 Pennsylvania (Mr. WELDON) is recognized for 5 minutes.

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

STRENGTHENING THE ECONOMY

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

Mr. PRICE of Georgia. Mr. Speaker, I want to thank the leadership for allowing me to spend some time this evening talking about an issue that is of utmost importance to the American people. I am constantly amazed at news reports at home, when I go home and I watch television news and I read the newspaper and see what is being portrayed as usual for the American public.

If you just followed those stories, you would not believe that there was anything that was good or positive going on in our Nation. You would not believe that the economy, for example, was doing very, very well. So one of the things that I try to do, and I know others try to do as well, is to try to assist and bring about some truth in reporting. So tonight what we would like to do is spend a little time talking about the economy, for the American people know better than what they see on the nightly news and what they read in the newspapers.

In fact, so many of the folks that I talk to at home are really tired of the gloom and doom that gets reported on the news and frankly gets stated over and over and over here in Congress by some Members. They are tired of Congressmen and -women who put politics and partisanship over good policy, and I hear so often back home that folks say, Why can't you just get something done on behalf of the American people?

Well, a lot of good things are getting done, and we are going to spend a little time tonight talking about our economy and some things that Congress is doing and has done to assist the American people, to help American families, to help American children, to help American communities. It is important that we do that, because there is good news to tell. So what we would like to do is spend a little time tonight and review so many of the positive things that have been done to create really an economy that is on the move. I would like to begin by just sharing a number of different charts that demonstrate clearly that the economy is growing.

This is a chart here that I think really crystallizes so many of the good stories that we have to tell. This chart begins in the first quarter of 2001; and along this axis here is the annual change in GDP, or gross domestic product, that is, how well is the economy doing. As you see for the first number of quarters of 2001 and 2002, it is kind of going along, kind of bumping up and down, and then there is a remarkable change that occurs in early 2003. From then on, from the second quarter of 2003 on, what we see is a gross domestic product growth in every quarter, 10 quarters in a row of a growth of greater than 3 percent and oftentimes greater than 4 percent. In fact, the most recent quarter grew at a rate of 4.3 percent.

The individual who wants to know how to continue that kind of growth and who is excited about policies that encourage growth would say, Well, what happened? What happened at that point to bring that kind of growth about? As most people know, what happened was that the tax cuts, the tax relief that Congress enacted on behalf of the hard-working American taxpayers went into effect, and that has resulted in this incredible, incredible growth in the economy that continues, that continues unabated. And what Congress has an opportunity to do this week is to continue and extend that tax relief, hopefully, to be able to continue the lines that we have seen grow in the economy.

This is another chart that demonstrates the kind of response that the American economy has to that kind of activity. This talks about the creation of new jobs in our country. In fact, since the spring of 2003, there have been 4.46 million new jobs that have come about, and this chart shows the percent increase each month from early 2002 through the current time. You see, again, there is that remarkable change that occurs in the early part and mid-part of 2003, where the growth in the number of jobs is remarkable. Again, the inquiring individual would want to know, Well, what changed there? What made it so that we did not have negative growth in jobs, we had positive growth in jobs? As everybody well knows now, that change was the tax relief, the tax relief that Congress enacted that took place in early 2003.

Just to put those numbers all together, this chart, which is a little busy, shows two very clearly distinct lines. One is the green line down here that is the number of jobs that increase in our Nation each month; the red line is the level of unemployment. And as you see, at the beginning of 2003, the unemployment rate was taken up here somewhere around 6 percent and the number of jobs began to increase at this point when the tax relief package went into effect. We see that continued increase; and in fact right now the unemployment rate is down at 5 percent, which is lower than the average for the decades of the 1970s and the 1980s and the 1990s.

Some economists will tell you that 5 percent unemployment rate is full employment, because you have got a number of folks who are between jobs or are working to find other places of employment that is their design. So 5 percent is basically full employment. The number of new jobs that was created last month, 215,000 new jobs. So there is good news to tell.

I have been joined tonight by many of my colleagues, and many of them will share some of the same kinds of good-news stories with you. First, I would like to yield the time to Congresswoman BLACKBURN from Tennessee. She has been such an incredible leader in this Congress in the area of tax relief and in making certain that we enact the kinds of policies here that result in smaller government, lower taxes, and more opportunity for Americans. With that, let me yield to Congresswoman BLACKBURN.

Mrs. BLACKBURN. I thank the gentleman from Georgia, and I thank you for your leadership on this issue. One of the things that we are so fortunate to have in this body is such a wide variety of experience from our Members that bring that experience to bear here as we look at how we grow the economy, how we exercise economic opportunity, how we make certain that free enterprise stays free. Just as the gentleman from Georgia has mentioned, it is no secret, everybody knows that this economy, this wonderful U.S. economy, truly is our Nation's, our world's economic engine. It is the envy of all of the world. It is, I guess, something that is really a little bit uniquely American. There is something about us. We strive to do things a little bit better. Maybe it is that Yankee ingenuity. Maybe it is that we are out here with that good old common-sense know-how, but we are always trying to do things faster, better, more efficiently, more effectively; and one of the things we certainly want to do is to build a strong economy so that our children know that they are going to have hope and opportunity and the ability to dream big dreams and create a really exciting life for themselves and for their families. I guess that is just kind of the American way of doing things. We try to improve it. Give us something, and we are going to build a better mousetrap. Then we are going to figure out how to get that mousetrap into the marketplace.

In today's economy, we look at it and we say, How do we get that into a global marketplace? We know in order to do that it means you have to stay competitive. We know that as you look at policies, creating the right environment so that job growth can take place, so that economic growth can take place, that when we see that right environment created, then free enterprise and the private sector take over and they do what they do well. The gentleman has shown us the charts which tell this story. You go back and you look at 2003 and look at when those tax reforms were implemented, and what we saw was an economy that took off.

What we are seeing is consistent economic growth every single month. We are reaping the benefits from that. We see that our GDP growth continues to be very consistent. It was 4.1 percent last quarter. There are some really wonderful benefits that come from this. As the gentleman mentioned, 4,460,000 new jobs. Those are new jobs. Many of those jobs are jobs that are basically in new sectors, technology sectors, sectors of the economy that will lead to an economic renaissance and lead to an economic renaissance in this country.

□ 1915

It works out to be 194,000 jobs a month that we have been creating over the past several months, and I find it so interesting that the unemployment rate is near all-time lows. When we look at the charts on that, we see that as these tax reforms have been put in place, and I applaud the Senate, I applaud the administration, and I certainly applaud the leadership in this House for pushing forward these tax reforms in 2003, and as we see those going into place and we see the GDP growth and we see the jobs creation and we watch the unemployment level fall to near historic lows, there is also another benefit from this.

Our colleagues who are joining us here on the floor this evening certainly are watching this one with us, and it is that we are seeing the deficit reduced through two ways. We have talked so many times on this floor about there being two ways that we work through reducing the deficit and reducing the size of government and right-sizing the Federal Government, and that is, we reduce spending and continue to work to root out waste, fraud and abuse, focusing on that spending column, but at the same time, we put the focus on economic growth. That is where our focus rightfully should be.

This is an aggressive economy, and it is, therefore, a reason, and tomorrow this House is going to move forward and take some excellent steps to pass a bill that is going to continue these tax reforms.

At this time, I am going to yield back to the gentleman from Georgia so that he can yield to another of our colleagues, and we can continue with our discussion this evening on the benefits that lie ahead by extending these tax reforms and continuing to work toward having a Federal income tax system that is flatter, that is fairer, that is simpler and having one that is going to work to energize our economy. I will yield back at this point for further discussion.

Mr. PRICE of Georgia. Mr. Speaker, I thank the gentlewoman from Tennessee and thank her for her leadership in so many areas, but especially in the area of focusing on right-sizing government, making certain that savings are appropriate for the American people and tax policies appropriate for the American people.

You have been such a leader, and I know that you were planning on leading this hour this evening but you had another engagement. I look forward to sticking around for the vast majority of this hour, but at this point, I am going to yield back to the Chair so that the Chair may allow you to control the hour that you had planned on earlier and I look forward to working with you.

THE ECONOMY

The SPEAKER pro tempore (Mr. MCCAUL). Under the Speaker's announced policy of January 4, 2005, the balance of the majority leader's hour is re-allocated to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, at this time, I would like to yield to the gentlewoman from North Carolina for a couple of minutes. She is going to talk with us about her time on the road this week with the President as the President visited in her area in North Carolina, and she had the opportunity to not only talk tax reforms with the President, but to listen to her constituents in North Carolina and to hear what was on their mind as they enjoyed that visit and as they had prepared for that visit. At this time, I yield to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Speaker, I thank the gentlewoman from Tennessee (Mrs. BLACKBURN) for yielding.

I want to reiterate what our colleague from Georgia has said. We are grateful to you for the leadership you have provided in these Special Orders in trying to get the truth out about the issues. Our colleagues on the other side of the aisle seem to think that by saying things that are not true, they can make them true. I am glad that we have an opportunity to correct the record.

Mr. Speaker, this past Monday, I had the great honor and privilege to host President George W. Bush in North Carolina's 5th Congressional District. The President came to discuss our country's impressive economic growth at the John Deere-Hitachi manufacturing plant in Kernersville.

It is an honor to have many flourishing companies like Deere-Hitachi in the 5th District. I am proud of this facility for being a model of how U.S. manufacturing companies can compete successfully in the global economy. Employment at Deere-Hitachi recently doubled in size to over 750 direct employees. These are all good, high-skilled, well-paid jobs.

A portion of Deere-Hitachi's growth has been fueled by the localization of models that were formerly produced in Asia to Kernersville, North Carolina. This has had a tremendously positive impact on our local economy.

Thus, I am sure you can imagine how disturbed I was to hear that the political hacks over at the Democratic National Committee tried to twist the President's visit to this highly successful plant into something negative. The DNC chairman even had the audacity to ask, ''Where are North Carolina's manufacturing jobs?'' Shame on the Democratic National Committee for insulting North Carolina's thousands of highly skilled manufacturing workers who are driving our national economy.

The DNC's remarks were a slap in the face to many hardworking men and women who work for successful North Carolina manufacturing companies, manufacturers like Dell, Sara Lee, American Emergency Vehicles, Vaughn-Bassett Furniture, Reynolds American, Weyerhauser, and so many more that I cannot begin to name them all. We are making great strides and putting people to work, and all the Democrats want to do is attack us.

American workers are the best in the world. If we give our workers a level playing field and get the Federal Government off their back by cutting taxes and regulations, then the American worker can compete with and outperform anyone anywhere.

As you know, our country has had to endure some trying times during the past 5 years, many of which were beyond our control. We have gone through a recession that began in the previous administration, the terrorist attacks of September 11, 2001, many terrible natural disasters and more. However, we have persevered and we are prospering.

You have heard many facts already presented by my colleague from Georgia, and you will hear many more, but the fact that we made it through these crises and have a booming economy is a real testament to the strength and diversity of the U.S. economy. And it is a testament to the hard work and ingenuity of the American worker.

We all have a lot to be grateful to our President for. Under his watch, our economy is flourishing and getting stronger by the day. In a report issued last week by the Bureau of Labor Statistics, our economy created 215,000 new jobs during the month of November. Over 4.4 million jobs have been created since May 2003, as has already been stated.

This latest jobs report is yet another indicator that our economy is thriving. More Americans are working than ever before in the Nation's history. Unemployment is down to 5 percent, which is lower than the average of the 1970s, 1980s, and 1990s. This is due to the hard work of the American people and sound Republican policies such as lower taxes, legal reform and less government influence in the lives of our Nation's entrepreneurs and small business owners.

These Republican policies are working. We are cutting taxes and letting people keep their hard-earned money, which they can invest back into our economy if they choose. Individual families know best how to spend their hard-earned money, not the Federal Government.

In addition to our Nation's job growth, our U.S. economy is showing other signs of expansion. The U.S. gross domestic product growth of 4.3 percent is at its fastest pace since 2004. The GDP growth in the third quarter is one full point above the 3.3 percent rate.

Further, our country is at the lowest rate of core inflation in more than 2 years. The increase in the rate of inflation was lower than initial expectations with the price index of consumer spending rising 4.2 percent, compared with initial estimates of 3.7 percent.

In addition, the sales of new single family homes should be the largest 1 month gain in 12 years. Sales of new single family homes increased by 13 percent in October and pushed sales to an all-time high of 1.2 million units.

Again, I am proud of President Bush's leadership and agenda for a strong economy. My colleagues and I have a duty to keep this economic momentum going by making tax relief permanent and working against the Democratic leadership's efforts to raise taxes. Look for the Democrats to continue their tired political attacks on the Republicans' effective economic policies, but do not hold your breath for them to come up with good ideas. Their only alternative is to tax, tax, and tax some more.

As we work to pass the Tax Relief Extension Reconciliation Act of 2005, I hope our Democratic colleagues will join us in supporting this commonsense bill. The future of America's economic prosperity is at stake.

I look forward to working with President Bush and the rest of my colleagues in Congress to make tax relief permanent, exercise spending restraint and cut the Federal deficit in half by 2009.

Again, I want to thank the gentlewoman from Tennessee (Mrs. BLACKBURN) for her leadership in letting us present the facts to the American people, not the stories that are being told by our Democratic colleagues.

Mrs. BLACKBURN. Mr. Speaker, I thank the gentlewoman from North Carolina and I thank her for taking the time this week to look at how workers continue educating themselves and preparing and participating in a changing economy, a changing job market.

I mentioned the diversity of experience that comes to this body and what goes into looking at these policies and how we remain competitive, what we need to do to be competitive and the decisions we make, how tax and government budgeting and spending affects the budget. The gentlewoman from North Carolina spent her time in education. Ms. FOXX came to us after working at post-secondary education and looking for avenues to best encourage individuals to become lifelong learners, to continue improving and honing those skills so that they were productive in the job market, and I thank her for her leadership.

I thank her for the time spent with the President and with the North Carolinians this weekend as they were able to showcase their facility and showcase what they are doing to be a leader in being competitive in a global economy.

At this time, I would like to recognize the gentleman from Texas (Mr. HENSARLING) who has worked tirelessly not only on budgeting and not only on looking at how we budget, but looking at what happens with tax policy and the ramifications that that has throughout our economy, both for our large businesses, our small businesses and for our families. We appreciate the leadership that he has brought to the budgeting issue, looking at both sides of that ledger, your inflows and your outflows.

Mr. Speaker, I yield to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Speaker, I certainly thank the gentlewoman for yielding and certainly appreciate her leadership in this body on helping promote policies that promote economic growth in jobs and being a true leader in trying to help reform government programs that too often take away from family programs because they are wasteful, they are duplicative, they are inefficient, there is no accountability. She is one of the true leaders in Congress on these issues.

Mr. Speaker, there is a lot of good news that Americans have tonight. Clearly, this Nation faces a number of challenges and we know about them, and families are still struggling to meet high energy costs. Yet this Republican Congress has been bold in enacting new energy legislation to help address that.

Families still have challenges in the high cost of health care, but this Republican Congress is doing things to help bring down the costs, particularly for small businesses and to make it easier to see a doctor in America as opposed to sue a doctor in America.

But although we still face a number of challenges, as we have just have come away from our great Thanksgiving holiday, we need to remember the things that we need to give thanks for and all the good things that are happening in America.

One of the things that I do not think a sufficient number of Americans appreciate is just how great this economy is today. It is absolutely amazing, Mr. Speaker, that this economy, not this government, not this government but the economy, men and women all over the Nation, rolling up their sleeves and risking capital, have gone out and created over 4 million new jobs since President Bush's economic growth program was enacted by this Republican Congress.

□ 1930

That is over 4 million new taxpaying jobs, jobs with a future, jobs that allow

the American families to create their housing program, their nutritional program, their health care program, and their educational program. That is incredibly good news.

We have now had 2½, 2½ years where the economy has grown at over 3 percent a quarter. That is just unparalleled historic economic growth that is helping elevate and enrich the lives of millions and millions of Americans and allowing them to take care of their families and for them to realize their American Dream.

Now, another aspect that too many people do not realize, because some people, particularly the Democrats, tell us that tax relief is a bad thing for the American people, that tax relief somehow hurts the deficit, well, we know that the deficit is too high. But guess what? The deficit has been falling. And why? I wish it were because spending was decreasing here. We are fighting those battles. But tonight we are here to talk about the values of tax relief and how important it is that we prevent a Democrat tax increase. And if we do not act this week, we will have yet another huge Democrat tax increase on the American people.

The American people do not realize, or perhaps not enough of them realize, that in Washington, DC, spending is forever and tax relief is temporary. Unless we enact legislation this week, there will be an automatic tax increase on the American people. And besides what that is going to do to the American family, it will hurt the deficit. Tax relief has proven to be part of the deficit solution, not part of the deficit problem.

Mr. PRICE of Georgia. If the gentleman will yield for just a moment, I appreciate the gentleman's insight and expertise because it really crystallizes so importantly the correct way to view tax relief and deficits.

This is a chart I know the gentleman is familiar with, and it shows the current deficit that we have and it shows a decreasing deficit, in fact, a significantly decreasing deficit, with the deficit declining $138 billion. That is $138 billion in the last 18 months, and that is at the same time that we have seen tax relief.

I wonder if the gentleman would mind commenting about that and how it is that tax relief can result in deficit reduction.

Mr. HENSARLING. Well, I thank the gentleman from Georgia for his insight, and I certainly appreciate his bringing the chart because it dramatically illustrates this phenomena: that if you will simply allow the American people to keep more of what they earn, allow small businesses to keep more of what they earn, they will roll up their sleeves and expand. They are going to go out and create a new transmission repair shop on one street corner or a new barbecue stand on another corner. Somebody will have the capital to finally go out and maybe create the new generation of some revolutionary new software.

But you cannot have the benefits of capitalism without capital. And the Democrats on this side of the aisle, they want to take away the people's capital. They want to feed this wasteful Washington bureaucracy. They want to grow the Federal budget. We want to grow the family budget. And when we do, jobs are created. And guess what? People go to work and they pay more taxes.

As the gentleman knows, it is not just us creating figures out of thin air. It is not just somebody's opinion. It is fact. I hold in my hand here the latest report from the U.S. Treasury. This is the Treasury report. What does it tell us? It tells us that from last year individual income taxes, after we decreased the rates, we decreased the rates, guess what? Individual income tax revenues rose almost 15 percent. Corporate income taxes. Corporate income taxes. We cut their rates, and guess what? They paid more taxes. There was almost 47 percent more tax revenue from corporate income taxes once we cut the rates.

Again, you cannot have capitalism without capital. So what we need to do is we have to work this week to prevent that automatic Democrat tax increase. Increasing taxes, sending more money to Washington, that is going to ultimately fuel our deficit. And the American people inherently know that when it comes to the fiscal challenges that we face, it is not because the American people are undertaxed; it is because Washington spends too much.

Mrs. BLACKBURN. If the gentleman will yield, I want us to talk a little more about the deficit dropping, because that is one of the true benefits that we do see from this.

And individuals who are at home and watching and listening to this conversation that we are having tonight, they can go to the Treasury Department Web site, they can go to the Congressional Budget Office and they can pull up these figures so that they can see these are solid figures. These are not our numbers. This is not political spin. These are figures and facts. This is what has been reported.

We know that Federal tax revenues increased in fiscal year 2005 by $274 billion. We know that that is the reason this deficit is $138 billion lower than it had been estimated to be. Now, this is the reason that we are seeing such a change in what the deficit is. This is the reason we are seeing growth.

The gentleman mentioned the policies, the robust economy and what are some of the benefits that come from this. What happens with small business when there is more money left at the end of the month and they can get in there and say, you know, we want to do some things. Business investment. Reinvestment in the business that you own. That is up over 10 percent. It is up over 10 percent. That is men and women that believe in what they are doing.

Mr. PRICE of Georgia. If the gentlewoman will yield.

Mrs. BLACKBURN. I will gladly yield, yes.

Mr. PRICE of Georgia. Mr. Speaker, I appreciate the gentlewoman's pointing out the increase in tax revenue and the gentleman from Texas pointing that out, because it is lost on some folks.

It was not lost on President Kennedy, by the way, nor was it lost on President Reagan, who understood clearly that if you decrease tax rates for individuals and corporations, what happens is that the economy becomes vibrant. It becomes enthusiastic in its zeal. And what happens is that you increase tax revenue.

This is a chart that shows the tax revenue, total tax revenue for the Nation in 2003 of $1.78 trillion. And, remember, that is when the tax relief, the tax cuts went into effect. As the gentlewoman and the gentleman from Texas so clearly stated, now we have tax revenue of $2.14 trillion in 2005. And that is a done deal. That is fiscal year 2005. That year is over. That year is over.

So what we see is a decrease in tax rates for individuals and corporations and an increase in tax revenue. And as has been so clearly stated, if we allow, if Congress allows the Democrat tax increase that they are planning on this week, if we allow that to occur, then what we will see is a decrease in revenue and a decrease in the vibrancy of the economy.

Mrs. BLACKBURN. If the gentleman will yield, let us talk about some of these provisions that are in the bill that is going to be before us. Because we do not want the Democrat tax increase to take place, and that is why the leadership in this House is working to be certain that we pass our Tax Relief Extension Reconciliation Act. And if individuals are going to go on and look at this, it is House Resolution 4297. I think they would like to see some of the provisions that are in here.

The gentleman from Texas and I have worked long and hard on one provision which is in here, which is continued deductibility of State and local sales taxes from your Federal income tax filing. In my State of Tennessee that is something that is mighty important, because we are one of those great States that does not have a State income tax. We have fought hard in Tennessee to be sure that we stay income-tax free, and we are.

We want to continue this deduction. It is a deduction that we worked hard last year to get restored, and we thank another gentleman from Texas, Mr. BRADY, for his incredible leadership on this issue, and we thank the leadership of the House for working so closely with us on it. But that sales tax deductibility is something we encourage everyone in this body, everyone who is in a State that does not have a State income tax to support this legislation tomorrow because it is so important to the individuals in our States. It is estimated that in Tennessee this is worth about $1 billion a year to the State of Tennessee.

Mr. PRICE of Georgia. If the gentlewoman will yield, I want to get this straight, because I think it is incredibly important for the American people to understand what is going to happen this week in the House.

As I heard the gentlewoman say, if an individual in this Chamber votes ''no'' on H.R. 4297, that means that they want to see the American people not be able to deduct sales tax, State and local sales tax?

Mrs. BLACKBURN. If the gentleman will yield, yes, for those of us in non-income tax States that means that you are voting to take that deduction away from them.

Another one that you would be voting to take away is the above-the-line deduction for out-of-pocket teacher-classroom expenses. Extending that deduction for our Nation's teachers is included in this bill.

I have so many of my friends that I went through college with who are teachers, and many of them have been teaching for about 30 years now. This is something that is important to them, because they spend a lot of their out-of-pocket money buying little things, buying little things that are going to enrich the classroom day.

The above-the-line deduction for higher education expenses, as I was saying earlier, the research and development tax credit, now that is something that is so important to our companies in this country. When you talk about the BioShield projects, biotech developments in agricultural products, in pharmaceuticals, when you talk about technology and the needs that we have there for our Nation's first responders, for our military, all of that comes in research and development.

When you talk about looking at what businesses are investing in as they are working, our small business manufacturers, whose output is up for the first time in a couple of decades, they are investing in this research and development to build a better mousetrap.

Mr. Speaker, I yield to the gentleman from Texas for comment on this.

Mr. HENSARLING. Well, this is an excellent line of debate that the gentlewoman is developing here. And again it is very important that the American people know this week we do not have a bill on the floor to provide tax relief for the American people. We have a bill on the floor to prevent a Democrat tax increase. There will be an automatic tax increase on the American people if we do not pass this legislation, and one of the things that we will lose is the ability of small businesses to expense what we call depreciable assets up to $100,000.

Now, before I became a Member of Congress, I was a small businessman. I have gone out there, I have rolled up my sleeves, and I have risked capital. I have signed the front of a paycheck. I helped start a business that had a dozen employees, and it was not easy. It was not easy. We could not have started that business without capital. Yet the Democrats want to take away our ability to form capital and create small businesses, which is the job engine of America. That is where all the new jobs come from, is small business.

Now, what is going to happen if we lose this? Let me give one example, one story from my congressional district. I am very proud to have the ability to represent the Fifth Congressional District of Texas. It starts in east Dallas and goes through great communities like Mesquite. It takes in rural east Texas, which is a wonderful place to live and raise a family, but sometimes a tough place to make a living.

I went to visit a business, small business called Jacksonville Industries, in my congressional district, located in Jacksonville, TX. They are a zinc and die cast business, and I do not totally understand what they do; but they had 20 employees when I went to visit them. Well, due to competitive pressures, prior to being able to benefit from our tax relief economic growth program, they were on the verge of having to lay off two people. Now, that is 10 percent of their workforce. They were going to have to lay off 2 of 20 workers.

Thanks to this provision, small business expensing that we passed way back, they were able to go out and buy a new piece of machinery. Now, I do not recall what it is called or precisely what its function was, but I know what it did. It made them more competitive. And instead of laying off two workers, they hired three new workers. And that is one small business in one rural part of Texas, but that is happening all over the Nation.

□ 1945

We are allowing families and small businesses to keep more of what they earn, and yet the Democrats want to take that away from them. They want to take that capital back.

We were talking earlier about how do you cut tax rates and increase tax revenue. Think about this one example in Jacksonville Industries. They were getting ready to lay off two workers, and they end up hiring three because they are more efficient and keep more of what they earn and buy new equipment and machinery. That is five people that could have been on unemployment and food stamps and welfare, five people taking from the Federal Treasury because they had dire needs. But instead of five people taking from the Treasury, it is five people paying into the industry.

That is how it happens. That is how you cut tax rates and increase revenues. That is five Americans who are putting a roof over their family's head and start putting money in the college fund. That is the difference that this has made. And yet the Democrats want, at Christmastime, if you can believe that, want to present the American people with a big, fat tax increase.

Mrs. BLACKBURN. Mr. Speaker, the gentleman is exactly right because that is what it would be. At this time of year, coming in and voting a tax increase, voting a tax increase on our Nation's small businesses, voting a tax increase on our Nation's families. To us, that is unacceptable. We know that the rate of economic growth in this Nation, the jobs growth, has shown that the tax reforms that have been passed work and they yield results.

Another provision that is included in this bill is the welfare-to-work tax credit. As the gentleman from Texas was saying, individuals who may not have had a job are able to get a job because of the growth we are seeing in the small business sector. And the welfare-to-work tax credit for those businesses that are hiring individuals who have received public assistance for an extended period of time, that would go away. So then it becomes a tax increase on those businesses if they are no longer able to avail themselves of that.

The 15-year depreciation period for restaurants and for leasehold improvements for that industry, that is included in this bill. I know in so many of my towns in the 7th Congressional District in Tennessee, this is very important to these small businesses. They depend on this. They need this.

Mr. Speaker, I yield to the gentleman from Georgia.

Mr. PRICE of Georgia. Mr. Speaker, I appreciate the gentlewoman pointing out some of the specific provisions of H.R. 4297 that we will be dealing with tomorrow.

I served in the Georgia State legislature, and we worked for years to try to get tax deductibility for teachers for their out-of-pocket expenses. I do not know a single teacher that does not spend some of their own money to kind of fill the hole, to provide some of those items in the classroom, especially in the elementary grades, that make so much more valuable the education that our children receive.

As I understand it, a no vote on H.R. 4297 means you do not want to allow for those deductions, you want to increase taxes on teachers if you vote against this bill? Is that accurate?

Mrs. BLACKBURN. The gentleman is accurate on that. Individuals that vote no on this tomorrow would be voting to increase that on our Nation's teachers. They would be voting no on State sales tax deductibility. They would be voting against that, for all of our constituents in Tennessee and Texas and Washington State and Wyoming and other States across the Nation that enjoy that sales tax deductibility.

Another one they would be voting no on is the savers' tax credit for low-income workers who contribute to retirement savings accounts. We talk about doing things that will assist those who are working and need a hand up and need a little bit of help. Focusing on that savers' tax credit, that is something we want to do and we want to see that continue.

The gentleman from Georgia is exactly right, that is something that is

included in this bill, the provisions for our Nation's teachers.

Mr. PRICE of Georgia. Mr. Speaker, there are a couple of other items that are included, and one that I want to highlight is the 2-year extension on the reduced tax rates on capital gains and dividends. It is so incredibly important for Americans to understand and appreciation that if a Member of Congress votes no on this provision, it means that they do not want to extend that tax rate decrease on capital gains and dividends, which is so incredibly important and vital for small businesses, as the gentleman from Texas talked about so eloquently.

Mr. HENSARLING. Mr. Speaker, that is a very important point. I know when this debate takes place tomorrow, and we have heard about so many of the great tax relief provisions which have been passed for American families and small business, and how they are going to be taken away tomorrow if we do not defeat this Democrat tax increase, but the capital gains and dividends, we know the rhetoric. The class warfare rhetoric of our friends on the other side of the aisle, we know it is coming. Yet I sit here and I think they claim they love jobs, they just seem to hate the people who create them. Capital gains and dividends is all about investment. Again, you cannot have the benefits of capitalism and job creation without that capital in the first place.

Since I was quite young, I have held a number of jobs in my life. My first job, I come from an agricultural family. We raised poultry. Frankly, my first job in life was cleaning out chicken houses. It was a job I did not want to hold for later on. Later I bussed tables at the Holiday Inn in College Station, Texas. I used to be a desk clerk at the Ramada Inn. I used to load windows at a window factory in Bryan, Texas. I am trying to live it down, but I actually practiced law once. I was an officer in two different corporations.

The point I am making is of all of the jobs I have had, I have always tried to work hard and tried to learn something and tried to improve myself and move up that ladder. And guess what, in all of the jobs I have had, no poor person ever hired me. No poor person ever hired me. It was somebody who had managed to amass some capital, and he or she went out and risked that capital in a business enterprise that succeeded and because of that I got a job. I received a paycheck.

Again, you cannot love jobs and hate the people who create them. By trying to increase the taxes on capital gains and dividends, you are attacking investors, you are attacking job creators and you are taking away jobs from American families, and that is wrong and that is another reason we must defeat this Democrat tax increase tomorrow.

Mrs. BLACKBURN. Mr. Speaker, there are over 91 million Americans who own shares of stock in companies in this country, 91 million Americans who have invested in that capital creation process, invested in these companies. When we talk about capital gains and dividends, sometimes we think as you are saying, well, that is just somebody else. That does not apply to me. But for individuals that have 401(k)s and retirement plans, yes it does. What we are seeing is that 51 percent of our tax-paying senior citizens are claiming dividend income, and 47 percent of total dividend income earned in America is by senior citizens.

Mr. HENSARLING. Mr. Speaker, over half of Americans are invested in the stock market. They do have some form of dividend or capital gains and it is really their nest egg. Those are the 401(k) plans to help them in their retirement years. That is money that is put away for education for their children, and yet our Democrat colleagues on the other side of the aisle want to tax away that dream. They want to tax away that nest egg by passing a huge tax increase tomorrow. That is over half of Americans in just this one provision. Just this one provision would see a huge tax increase right before Christmas if we do not defeat this Democrat tax increase tomorrow.

Mrs. BLACKBURN. Mr. Speaker, the gentleman is precisely right on that. Again, the bill tomorrow is H.R. 4297. It is the Tax Relief Extension Reconciliation Act, and it is called the tax relief extension because these are reliefs that were passed in 2003. As we have continued to talk through the evening, these are the provisions that have really created this robust economy that we are seeing, 4.1 percent GDP growth just this last quarter. I think it is so important that we keep our focus there. This is a booming economy. This is a growing economy. We are seeing regularly that there is jobs creation that is taking place in our communities.

I love it when I am out in my community, and I know the gentleman from Texas has the same experience, and you are driving down the street and all of a sudden you see an entire group of new stores that are going in. Generally they are small businesses. You walk inside and there is an excitement and energy there that is just indescribable. There is so much of that happening in this Nation's small businesses.

As people have seen their rate of taxation reduced, they have had a little bit more income left with those businesses that they can go back in and reinvest in those businesses, or gather that capital together to start that business or start that small manufacturing plant. That is why we see the business reinvestment dollars up 10 percent. That is why we see jobs creation taking place, why we are seeing over 4 million jobs, 4.46 million jobs created since we started down this path of reforming taxes, reducing those taxes and freeing up free enterprise.

Mr. HENSARLING. Mr. Speaker, I appreciate again the gentlewoman yielding, and I appreciate her point that is so important that tax relief has driven job creation. You take away the tax relief, as our Democrat colleagues are trying to do, and you end up taking away the jobs.

Let me again return to my congressional district. As I said earlier this evening, how proud I am that I have the honor of representing the Fifth Congressional District in Texas. There is a small business there named Hugh Dublin, who has a company called East Texas Right of Way. He has been in business for 8 years. He works hard. His company specializes in the leasing and purchasing of right of ways for different corporate clients. Before we passed tax relief, his company had two full-time employees. That is a small business. But thanks to tax relief, his business expanded and he went out and hired two more. He hired a gentleman by the name of Dan and another gentleman by the name of David. They were unemployed. But thanks to the tax relief package, they got jobs in a business that was growing.

But yet this week, the Democrats want to increase taxes on Hugh Dublin and East Texas Right of Way. They want to take away the paychecks of Dan and David and replace them with welfare checks, and they call that compassion.

Let me tell you another example. There is a gentleman in my congressional district named Eddie Alexander. He has a small business called Triple S Electric. It is an electrical contracting business for residential and commercial. For the past 3½ years, he worked alone and he had one part-time helper. But thanks to the boom in the economy brought about by tax relief, and we have not even talked about the fact that we have the highest rate of homeownership in the history of America and each and every one of those homes needs electricity, since the economic growth package with tax relief was passed, he went out and hired two full-time employees. He hired a gentleman by the name of Jarad, who was unemployed and he hired a gentleman by the name of John, who was also unemployed in Henderson County, Texas. Now all of a sudden, the Democrats want to raise taxes on Eddie Alexander and Triple S Electric.

□ 2000

Mrs. BLACKBURN. A couple of other provisions. Talking about your district and the way this bill tomorrow will affect your district, in this bill, H.R. 4297 tomorrow, there will be a technical correction in there that affects this Nation's songwriters, which of course, so many of them live in my district, and I do believe that they are definitely some of the most creative people and such an important part of our creative community.

But for years, when a songwriter wants to sell their catalog, which is their life's work, it is like selling that small business that Eddie has and that so many of our constituents have, then

they have been taxed at ordinary income tax and had to pay self-employment. This is their retirement. This is their nest egg they have pulled together. And a correction that we will make tomorrow will affect so many of those songwriters that are in Memphis and Nashville and down in Austin and in those areas because it will allow those catalogs to be sold and those individuals to pay a capital gains tax like other small business owners, there again, leaving more money and more of that nest egg for them as they retire and as they are seniors, and allowing them to look at how they do things better, how they grow those small businesses. I yield to the gentleman from Texas.

Mr. HENSARLING. And it is just so important that everybody realize this connection between preserving tax relief, preventing a tax increase and preserving our jobs. Again, over 4 million new jobs created in this economy since we passed tax relief. Why would we want to go back? Why would we want to take that tax relief away and pass a huge tax increase, because that affects real people all across America.

Let me give you another example. I talked earlier about the fact that we are enjoying the highest rate of homeownership in the history of the United States of America. I mean, home ownership, part and parcel of the American Dream. Well, somebody has to go out and help renovate those homes and build new homes. And one of those gentleman is in my congressional district back in Texas, a gentleman by the name of Gil Travers of Travers and Company. He is a home builder. Prior to us passing the economic growth legislation with the tax relief, he had just a handful of workers; but once we passed the tax relief, he had to hire extra workers. He hired a lady named Jan, who was unemployed, to help him clean up some of his job sites. She got so busy that she had to hire two people who were unemployed to help her clean up the job site, a gentleman by the name of Calvin and another lady by the name of Christy, all because of tax relief.

And yet this week the Democrats want to raise taxes on Travers and Company Home Builders. They want to jeopardize the pay checks of Jan and Calvin and Christy and replace them with welfare checks, and they call that compassion.

Mrs. BLACKBURN. Talking about our homes and construction and home sales. In October, home sales reached 7.1 units in October. And the thing that is so interesting is that is just off the historic high of home sales which was in June of this year when there were 7.3 units that were built or were sold. So whether it is new homes being built, whether it is existing homes, the home sales, how amazing that we are seeing home sales reaching such high numbers in both the new construction and the existing home sales category. And I yield back to the gentleman from Texas.

Mr. HENSARLING. Well, again, it illustrates just how valuable the tax relief has been to our economy. We have spoken this evening at length about over 4 million new jobs. Four million new jobs in the future that have been created. Four million new paychecks. That is what compassion is all about. Compassion is not measured by the number of welfare checks that are printed in Washington. It is measured by the number of paychecks that are printed all over the United States of America.

Our GDP growth, 2½ years straight where each and every quarter of economic growth has been over 3 percent. We have consumer spending that is advancing, advanced 4.2 percent during the third quarter. Retail sales are up. Real disposable income for our working families is up since we passed the tax relief package in our economic growth legislation. And manufacturing, which has faced many, many challenges in recent years, manufacturing production is continuing to expand. We have increases in productivity, and the list goes on and on and on. And all of this is threatened if we permit the Democrats to offer their Christmas gift to the American people, a huge tax increase; and that is why it is so vital, so vital tomorrow that we do not allow that to happen.

Mrs. BLACKBURN. I thank the gentleman from Texas, and I thank him so much for being here to talk with us tonight about why this is important legislation and why it is important that we stop a tax increase on the American people. And we have talked about so many of these issues tonight.

Mr. Speaker, this economy is booming. Inflation is low. Unemployment is near historic lows. We saw that 4.1 percent growth with the quarter that ended in September of 2005. And I think it is important to realize that this just did not happen. It did not just happen. And I know that my constituents certainly remember the recession the President confronted when he took office, and they remember the impact that September 11 had on our economy. We did not bury our heads in the sand when that happened. We rolled up our sleeves. We got to work. We passed tax reforms and tax relief, and tomorrow is our opportunity to extend that.

Mr. Speaker, I encourage all Members of this body to join us in supporting H.R. 4297 tomorrow.

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 as the designee of the minority leader.

Mr. MEEK of Florida. Mr. Speaker, it is an honor to come before the House. We would like to thank not only Democratic leader Ms. PELOSI but the entire Democratic leadership, Mr. HOYER, Mr. MENENDEZ and Mr. CLYBURN, our vice chair of the Democratic Caucus.

Mr. Speaker, as you know, the 30-something Working Group comes to the floor to share not only with Members but also with the American people about what is happening good here in the Capitol and also what is happening bad here in the Capitol, and hopefully through a bipartisan effort we can move towards positive change here in the Capitol.

Mr. Speaker, it saddens me to report the fact that this Congress, need it be whatever poll you look at, the American people by 33 percent think that we are doing a good job. Thirty-three percent of the American people feel that this Congress is doing a good job. I would tell you that if it was a grade system, Mr. Speaker, I would assume that, and Members, I would assume that that would be a failing grade.

I have two children that attend school. And if their grades were based on a 33 percent performance, I do not think that they would be moving to the next grade. And I think it is important, Members of Congress, Mr. Speaker, as we start to look at our responsibilities to the American people, not just to our constituents in our districts, but to the American people, because by them sending us to Congress they federalized us to come up here and run this country in the way that it should be.

Mr. Speaker, I also want to remind the Members that this is the people's House. It is not my House. It is not Mr. RYAN's House. It is not Ms. WASSERMAN SCHULTZ's House. Mr. Speaker, all due respect, it is not your House. It is the people's House.

In the Senate, I must add, and we must let all of the Members, we must remind them in the Senate someone can be appointed to the Senate. Of course they have elections. But in a time, let us just say, Mr. Speaker, like in New Jersey, the Governor of New Jersey, the new Governor of New Jersey has the opportunity, who was a U.S. Senator, to appoint someone to be the new U.S. Senator from the State of New Jersey.

But in the House, with a seat being vacated, let us just say someone from New Jersey is appointed to be the Senator. He cannot appoint someone here to the House of Representatives. He would have to set a special election for that seat to be filled constitutionally. So this is the people's House. And so when we start talking about the people of the United States of America, we are closer to them than any other, I think, than any other branch of government.

I would like to say that on the heels of President Bush's speech today on Iraq's economy, I could not help, and Mr. RYAN and I just returned from Iraq. We visited three cities in Iraq and we went to the infamous Green Zone and Baghdad visiting our troops. Many of them were members of the Army, soldiers. Some, Mr. Speaker, on their third deployment to Iraq.

I could not help but pay attention, and I got a copy of the President's

speech and he released a 35-page, 32 pages if you look at glossy cover and all, 35 pages of his strategy for victory there in Iraq.

But he talked about the economy today in Iraq. But I cannot help but say, Mr. Speaker, and to the Members, that it would have been good if the President could have talked about our U.S. economy. I think the reason why he did not talk about the U.S. economy is the fact that we have record deficits, some 3.5 trillion over the next 10 years' deficits. That is not the Kendrick Meek report. That is not the Tim Ryan report. That is not the Congresswoman Debbie Wasserman Schultz report. That is reality.

We are record-breaking as it relates to borrowing money, Members, from foreign countries. This President, along with this Republican majority here in the House and in the Senate, has achieved $4.5 trillion in borrowing money from foreign nations, more than 42 Presidents before him. They were only able to, among all of those Presidents, I mean all of them, I am talking about since we became a country, $4.1 trillion that have been achieved. And I want to correct myself. I am sorry. I have so many numbers here, Mr. Speaker. I want to correct myself. I am glad Mr. RYAN brought this over. $1.05 trillion by this President. I said four and I will correct myself right now because in the 30-Something Working Group, Mr. Speaker, we believe in third-party validators and sharing with the American people and the Members the truth about what is happening here in the Capitol. So maybe 4.05 might have sounded a little better, but we believe in making sure that we give good information. 1.05 trillion, this president, the last 4 years, 2001 to 2005; and he is not done yet. 1.01 trillion, 42 Presidents in the history of this country, Republican, Democrat, and in their lifetime for some of them very early on were members of the Whig Party. From 1776 to 2000, 224 years, Mr. Speaker. And this is from the U.S. Department of Treasury. This is not from the National Democratic Party or anything like that. We just want to make sure, Mr. RYAN, that we have our third-party validators here.

Maybe the President, Mr. RYAN, could have talked about the fact that health care costs increased over 60 percent for small businesses over the last 5 years. Major companies are cutting jobs, and not only their pension plan that they promised, but they are following our lead here under this Republican majority, Mr. RYAN, by the fact that we are not only increasing copayments and the wait for our veterans once they leave the military, they are following our lead. Companies like GM, Delphi, Merck, Verizon and now Ford are now ''reprioritizing.'' That means cutting jobs. That means cutting back on promises that they promised their employees from the beginning.

The average family right now in the United States as relates to natural gas are paying three times more than they paid in 2001. The President could have talked about that, but he did not. He wanted to talk about Iraq because he needs to explain himself. Republican majority, they need to explain themselves.

Sixty percent of Americans, Mr. Speaker, if we like it or not, do not believe that our leadership as relates to leading our effort in Iraq has a sound plan in getting us out of there. So we are going to talk about some of these things tonight. We are going to also talk about, Mr. Speaker, this ongoing culture of corruption and cronyism and incompetence. This is not the Kendrick Meek report. This is just today's papers. This is just today that is outlining a culture of corruption and cronyism and incompetence. So when historians look back on the 109th Congress and the contributions that we made, they are also going to look at the void in leadership and leading this country in the way that they should lead.

We used to give speeches here on the floor, Mr. RYAN, and you know full well about putting burden on future generations.

□ 2015

Well, I can tell the Members right now, Mr. Speaker, and this is not me speaking. They can check with any of the Federal agencies that do the reports or the auditor generals that put out reports on an annual basis. We are putting this generation in the present in jeopardy.

So I am so glad that we have the opportunity tonight to come to the floor, and I am so glad that the gentleman from Ohio (Mr. RYAN) is here, and I am glad that we have a level of consistency for the American people to come to the floor and share this information.

Mr. Speaker, I yield to the gentleman from Ohio.

Mr. RYAN of Ohio. Mr. Speaker, I thank the gentleman for yielding to me.

And I think he is absolutely right. That is the most startling statistic that he has shown us with the money that we have borrowed from foreign interests because we come to the floor nightly, sometimes for a couple hours a night, to talk about the future of the country. And there is no more important part, no more important aspect, of the country than our fiscal stability. And right now we have a Republican Congress, House and Senate, and the President, who are borrowing money consistently from foreign interests, and to have one President do in 4 years what 42 Presidents could not do in 224 years is absolutely outrageous. And for anyone to stand up and somehow defend this fiscal policy that we have is an outrage, and it offends me, to be quite honest, because not only are we borrowing money which we have to pay interest on, we ran a $500 billion deficit, or close to $500 billion. We are not factoring in the war or anything else. We are spending $1.5 billion a week in Iraq, which is a lot of money, and we are close to over $200 billion already there. But to have this money and spend it is one thing, but to not have the money and have to borrow it primarily from the Chinese, the Saudi Arabians, the Japanese, to borrow that money to plug our holes here in the United States puts this country at risk, and it weakens our country.

And we do not come here because we do not have anything better to do tonight. We come here because we take a constitutional oath and we swear our allegiance to the Constitution of the United States.

Mr. MEEK of Florida. Article I.

Mr. RYAN of Ohio. Article I, section 1 of the Constitution creates this House. The first part of the United States Constitution creates this House. So we have an obligation for oversight. We have an obligation to balance the budget, and we have an obligation to protect the future of the United States of America. What more basic fundamental part of our jobs is there other than making sure this country is fiscally stable? And to go out and borrow over $1 trillion, I mean I think it is—this is very important for us to make this point again. In 224 years, 42 Presidents borrowed over $1 trillion from foreign holdings, from foreign interests. Over $1 trillion in 224 years. This President and this Republican-led Congress has borrowed over $1 trillion in 4 years from foreign interests. That weakens our country.

Mr. MEEK of Florida. Mr. Speaker, reclaiming my time, can the gentleman say that again because I just want to make sure that the American people and not only the American people, but the Members who represent them on both sides of the aisle understand what is going on.

This is unprecedented. This is not something that happened 4 or 5 years ago. This is not something that happened 20 years ago. This is not something that happened 40 years ago. This is not something that happened 200 years ago. This is something that is happening now to this country, the first time in the history of the Republic. So when folks say, well, we have to do this, that we have a war going on and we gave unprecedented tax cuts to millionaires and we had 9/11, you know something? Forty-two Presidents had World War I, World War II, had Vietnam, Korea, the Great Depression. I mean, they had a number of issues thrown in the face of this country that we had to deal with. And now under this Republican majority, under the President we have in office now, we are breaking records. We are not breaking records as it relates to our economy and growth. We are breaking records as it relates to putting this country further in debt and borrowing from foreign countries.

Mr. RYAN of Ohio. And, Mr. Speaker, if the gentleman will continue to yield, people say what does the 30–Something

Group have to do with all of this, what does our group have to do with all of this? Listen, this is the future of our country. There is no greater issue for the 30-somethings or the 20-somethings or those kids in school right now or those college students right now. There is no greater issue because the money, we do not just borrow it from the Chinese. We have got to pay interest on it, and our national debt right now is $8 trillion. So who is going to pay this and who is going to pay the interest on it? And I think it is $300 billion a year we are paying just in interest on the debt that we have. $300 billion. So just imagine if we could get to a position where we were in the late 1990s.

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

Mr. MEEK of Florida. I yield to the gentleman from Massachusetts.

Mr. DELAHUNT. Mr. Speaker, I think that is a very important statistic to discuss during the course of our conversation this evening. The interest payments that the American taxpayers are required to make every single year amount to some $300 billion on the debt that has been accumulated because of the policies of this White House, this Republican House of Representatives, and this Republican Senate.

Mr. RYAN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. MEEK of Florida. I yield to the gentleman from Ohio.

Mr. RYAN of Ohio. Mr. Speaker, the Republican majority tomorrow is going to extend or reinstitute tax cuts for the wealthiest people in the country.

Mr. DELAHUNT. And how are they going to pay for them?

Mr. RYAN of Ohio. Up to $70 billion, they are going to go to the Chinese, to the Saudi Arabians, Mr. Speaker, to the Japanese governments.

Mr. DELAHUNT. To the Koreans.

Mr. RYAN of Ohio. To the Koreans, and they are going to borrow the money. There is no one, Mr. Speaker, that could possibly hear this argument, no Member of Congress that could possibly hear this argument and not think to themselves why would we cut taxes by $70 billion for the wealthiest people in the country and have to borrow the money from the Chinese to pay for it?

Mr. DELAHUNT. Mr. Speaker, if the gentleman will continue to yield, I think it should be rephrased. Why should we borrow more money from foreign governments and from foreigners who invest in this country to pay wealthy Americans money? This is not a tax cut. This is a welfare program financed by nonAmericans, to a substantial degree, to provide more disposable income to the most affluent among us. I dare say this sacrifices our national security.

We hear many in this Chamber, particularly on the Republican side, express concern about China. We are in the position now where we need China to fuel our economy. We need many of those Middle Eastern nations who are not democratic to fuel our economy. As Mr. RYAN and Mr. MEEK pointed out, in excess of $1 trillion has been borrowed from foreigners to pay for tax cuts for the most wealthy of Americans.

This makes no sense, Mr. Speaker. It makes no sense from a national security perspective. If we have concerns about China and China's being a potential adversary, why do we continue to borrow money from the Chinese communist regime? Why, Mr. Speaker? It is a question I would like to have somebody answer.

Mr. RYAN of Ohio. Mr. Speaker, I am not sure, quite frankly, if there is a good answer. I mean, what could possibly be the good answer? And the rhetoric that we get from our friends on the other side is that the tax cuts are stimulating the economy. The tax cuts are creating jobs. And this is laughable. Where? Where? In the Delphi Corporation? Ford just announced they are cutting 30,000 jobs. General Motors? Who is creating the jobs? And I heard our friend on the other side say a little bit earlier he had a company in Texas that went from two jobs to four jobs.

I mean, that is laughable. Ford cuts 30,000, and the argument coming from the other side is there is one company in Texas, Mr. Speaker, that went from two jobs to four jobs. Now, that is economic growth.

Mr. MEEK of Florida. Mr. Speaker, reclaiming my time, here in the 30–Something Group, we believe in third-party validators. We believe in making sure we share with the American people and also with the Members of this House, Mr. Speaker, because sometimes there are a lot of things that are said. Some folks come to the floor and try to make sure that they provide information that somebody might have told them or they may say ''they said,'' but we are actually giving good information, third-party validators. Some are U.S. Government agencies. Some are groups with great credibility.

I can tell Members right now and every American knows because they just pick up a newspaper or turn on the news, Mr. RYAN mentioned just a few companies, but GM, Delphi, Merck, Verizon, and now Ford just to name a few, Mr. Speaker. So when we start talking about the tax cuts, we can go down memory lane to just a month ago. There is so much happening to the American people versus for the American people that we do not have enough time to share it all. We just do not have enough time to share it all.

I mean, we would have to take 10 hours on this floor daily just to report to the Members of the House what is going on in this House. We could not look at another Congress and say, well, that happened in the 101st Congress or that happened in the 93rd Congress or that happened in the 3rd Congress. No. We are setting a new chapter in the record book as it relates to not governing in the way that we should. And I do not want to say ''we,'' Mr. Speaker, because it is the Republican majority, and I just want to make sure Members understand. Folks talk about what the Democrats are doing? What we are doing? Somebody said something about what the Democrats are going to raise. We cannot even bring our proposal to the floor. Do my colleagues know why? They say Democrats are lazy, that they do not want to put anything together. Guess what. We have a number of plans to put this country back in order and make sure that we clean out this deficit spending that the majority is doing, and they will not allow us in the Rules Committee to come to the floor and put our proposals on this floor and let us do it on an up-or-down vote. What they are doing is they are borrowing from this generation and future generations.

Just a few weeks ago, what was it, 14-something billion dollars they took from students, they took from parents that are trying to educate their children? We are getting our clock cleaned by China that, I must add, we are borrowing money from to give billionaires and millionaires tax cuts. We are borrowing money from them. They have more engineers. As a Member of Congress that represents a father or mother that wants to see their daughter become an engineer, forget about it. Unless they are a millionaire or a billionaire, that is the only way she is going to get to college so that she can be able to make this country strong. We are weakening this country and giving subsidies to companies that go overseas, Mr. Speaker, to have a better deal than they are going to have here on U.S. soil, to have better opportunities for our young people.

No Child Left Behind, Mr. Speaker, was a piece of legislation that we all thought at the beginning that could be a bipartisan work product that we can fund to help our future generations and present generation so we can compete against other countries. No. What we are doing now is we are making it easier for U.S. companies to go overseas, send our jobs overseas, and have GM, Delphi, Merck, Verizon, and now Ford lay off workers here. This is not the Kendrick Meek report, Mr. Speaker. This is reality. This is not Walt Disney World. This is the U.S. House of Representatives.

□ 2030

It starts here. We are the People's House. The Republican majority has allowed this to happen. Now, if someone is a Republican or an Independent, or, you know, Libertarian, Green Party, and says I am not a Democrat, I do not subscribe to that, you must subscribe to it, because it is dealing with your household. This is not just Democratic households that the Republican majority cut $4 billion plus out of student loans and student aid. That is going to increase, increase the cost to send your child to college.

So I would say, gentlemen, for the Members that are in their offices right now, for the Members that are paying attention to us on the floor right now,

they have to put in their newsletter to their constituents that you need to look at that college fund that you are setting aside for your child, because, guess what? You need to increase it. Because we just made life harder for you.

Why do we make life harder for you? We made life harder because we had to make sure that the oil companies had their subsidies while they are making record breaking profits. We had to make sure that the millionaires and billionaires get their tax cut.

It is not just our report. Just pick up the paper. Just take a look at what is going on in this Congress right now. It is not that. It is not the fact that, oh, well, we had to cut the student loan and student opportunities, we had to cut Medicaid and we had to instruct the Veterans Affairs Committee to cut out of their budget millions for veterans to make their lives longer, to make those health care clinics for veterans, have them have fewer hours.

Gentlemen, in some areas of this great country of ours, there are clinics that are only open for 1 day a week for the veterans. One day. So now we have instructed, or the Republican majority has instructed, because we all voted against it, to then cut over $600 million. So that means that maybe they will be open for half a day, Mr. Speaker.

And the President today wants to talk about the economy in Iraq. Wants to talking about what we have done with Iraqi contractors. Please. Why do not we talk about what we have done in U.S. cities?

Mr. DELAHUNT. If the gentleman will yield for a moment. You know, how about building some roads here in the United States? How about rehabilitating schools and constructing new schools with taxpayer dollars generated at the Federal level.

Rather than doing that for the United States here, what about our fellow citizens who were ravaged and are expressing frustration ever every single day in the national media in the aftermath of Katrina, and Rita, and other natural disasters, who are living in cars. What about doing something here, Mr. President, for Americans, rather than assuming the cost of nation building in Iraq?

Mr. RYAN of Ohio. I think the President needs to recognize, and I am not saying this facetiously, he is not the President of Iraq. He is the President of the United States of America. And I do not say that to be flippant. I say that because this President's sole focus throughout his first term and into the second term has been Iraq.

And to give a speech today as Ford announces that they are cutting 30,000 jobs in the United States of America, as Delphi is in bankruptcy, as General Motors is having great difficulty competing, he is giving a speech on the Iraqi economy. It is like we are having a bad dream. I mean, come on. At some point, should not someone around the President or somebody in this Congress tug him on the shirt sleeve and say, hey, Mr. President, we need you. We need your help. This country needs a domestic economic policy.

Borrowing money from the Chinese to subsidize tax cuts for the top 1 percent is not a domestic agenda

Mr. DELAHUNT. At a minimum, the American people deserve a debate. They deserve a debate. They deserve a debate about the implications, not just in terms of our national security, but the implications for the economic future particularly of your generation, by virtue of the costs that are being borne by American taxpayers, let alone my sons and daughters and your generation with their blood in Iraq.

I mean, from what we can infer, since the American taxpayer is bearing almost the entire burden of nation building in Iraq, let us have a debate about the concept of nation building as a key critical ingredient in the foreign policy espoused by this White House and embraced by this Republican Congress.

Because that, I would suggest, Mr. Speaker, is a marked transformation in traditional Republican principles. We have heard, even in the course of the campaign in 2000 and from previous Presidential campaigns, a denigration of nation building in terms of our foreign policy. And yet, what we have done is we have embarked upon a nation building exercise as part of our foreign policy, as part of our international relations. It is being borne by the American taxpayer.

Mr. RYAN of Ohio. The problem with this whole situation, this whole scenario, is that as we are spending $1.5 billion a week in Iraq, and we are borrowing money from the Chinese, over $1 trillion in the last 4 years, not investing in the United States, not investing in education, not investing in research and development, not fixing our health care issue, we are weakening ourselves as a country.

Now we all as Americans want to say we want to be good to other countries. We want to be helpful to other countries. But if you are not strong at home, what good really are you to the rest of the world? We need a strong America, because if America is not strong, you are going to see a communist China rear its ugly head.

And talk about having a debate about an issue. It was in today's paper and on the news last night and today. Osama bin Laden. There is a name we have not heard for a while. Osama bin Laden is still alive leading the jihad.

Why are we not having the discussion about where is Osama bin Laden? This is the man who coordinated and organized the attack against the United States on 9/11. And we are having this huge debate about Iraq and what we should do and when we should leave and how it should go. What about Osama bin Laden?

Mr. DELAHUNT. Let me ask you this. Was al-Qaeda in Iraq prior to the invasion of Iraq?

Mr. RYAN of Ohio. No.

Mr. MEEK of Florida. This working group that we have plays a very important role in making sure that the Members know that we in the minority party here in this House know exactly what they are doing and what they are not doing.

And I can tell you that it is just so powerful, and it serves, to our benefit politically if the country did not have to suffer. You know, as an American I must say, gentlemen, that politically we could just say, well, let us go home. Let us not come to the floor, Mr. Speaker, and share with the Members about what they are not doing and what we should do. Come to the floor and share our proposals from the Democratic side that will fall on deaf ears on the other side, because they do not want to hear our ideas, gentlemen, they just want to criticize what we are trying to do to save this country of ours.

The gentleman from Ohio (Mr. RYAN) mentioned earlier that all they are doing is weakening the country. Now, the facts are, like it or not, Members, on the Republican majority side, like it or not, the bottom line is is that the 9/11 Commission put out a report card. And the Republican majority gets a big fat F because we have been, and as ranking member of oversight on the Homeland Security Committee, we have worked time after time again and put forward proposal after proposal to make sure that U.S. cities are prepared for a terrorist attack.

Interoperability. Mr. Speaker, I want to break that down for the Members. That is making sure that first responders can talk to one another, which we learned from 9/11, that firefighters could not talk to police officers, police officers could not talk to firefighters, they could not talk to the port authority, they could not talk to others as it relates to helping Americans get out of those buildings. And guess what? Lives were lost. Lives were lost.

Mr. DELAHUNT. From September 11 of 2001 to today, has anything changed in terms of our preparedness for a major terrorist attack such as we experienced in New York and here in Washington? Has anything changed according to the 9/11 report of any consequence, of anything substantial whatsoever?

Mr. MEEK of Florida. Well, do not ask me. I mean, look at what the 9/11 bipartisan commission said. I was watching Tim Russert, one of the respected reporters here in Washington, DC, at NBC. And he had the chairman, who is a Republican, past Republican governor, and the vice chairman that was a Member of this House, respected Democrat, on both sides of the aisle they respect him.

And they both said that the administration, present administration, Mr. Speaker, and the Republican majority, gets a big fat F. They did not want to grade. Well, let me just put it this way. They did not want to grade it, but they

said that it is low. Okay. And I think it is important that we understand that interoperability that was a big issue that first responders asked for, they could have saved not only first responder lives, but American lives if they could have talked to one another, because they could not, because they did not have the ability.

Okay. You would assume that we would run out and get that done. No. We did not get it done. The Republican majority did not get it done. It was not prioritized. Yes, the money went there, but guess what? There is a bunch of politics that is going on as it relates to the money and the execution of making sure that U.S. cities have what they need.

Now, Americans again, another example, looked at what happened in Katrina. The Coast Guard could not talk to the police officers. The police officer could not talk to the military. The military could not talk to fire departments that came down to help. Fire departments could not talk to game and fish that were on boats trying to rescue people.

Why? Because the interoperability is not there. We mandate highway dollars. I used to be a State trooper in the State of Florida. I can tell you right now, sometimes we used to be told, you need to write those seatbelt tickets. Why? Because the Colonel of the Florida Highway Patrol says so? No. Because if we do not write seatbelt tickets and we write speeding tickets to folks not wearing their seatbelts, we will lose our Federal money.

You think that if this Congress did that as it relates to making sure that we have interoperability that would save lives if a terrorist attack was to happen? Now it is not a secret. Wherever Americans are living now, Mr. Speaker, first responders could not talk to one another, because the dollars have not been prioritized as it relates to making sure that it happens on behalf of U.S. cities.

I want to make one other point, a couple of points if I may, and I will be quick. Failure to secure the materials for weapons of mass destruction in the national priority. We still do not have HAZMAT uniforms for many of our first responders that are out there.

Failure to improve air cargo inspection as a priority.

□ 2045

We want to shake down people at the magnetometers when they walk through the TSA. Meanwhile, we have containers being placed on these commercial airlines that are unchecked.

Failed to implement an airline passenger prescreening program based on consolidated terrorist watch lists. Still, you have the administration, you have the majority that has failed to do that. We have proposals to do that. I am on Homeland Security. Take it from me, it is on a partisan vote and it goes down if it is heard at all, especially not on this floor.

Failed to review and make changes in the congressional intelligence oversight process. I am going to tell you right now, there are some things that we should have great oversight over but, I hate to report, there are things that we don't even have an opportunity to have a hearing on. I just want to make sure the Members of the House understand, the majority rules here. They set the agenda. They say when something is going to happen. I mean the Republican majority. They set the agenda. They make sure that we have these hearings and they denied hearings as relates to this.

For Republicans to say, well, the Democrats are stopping us from doing certain things, we cannot stop them right now, Mr. Speaker, the Republican majority. That is something that the American people have to do. I can tell you right now, it is not political rhetoric. This is reality. I want to be proven wrong. But this is the report card. The 9/11 Commission has said it and we have been on this floor time after time asking for a Hurricane Katrina independent commission. The State of the Union that is coming up, I don't represent anyone in New Orleans or in the gulf States, but I asked a person that is a victim, an evacuee of that storm, to take my gallery pass for the State of the Union. I want her to be here, to look at the President and this Republican majority and all of us when he marches in here on the floor and talks about how great things are. Meanwhile back at the ranch in New Orleans and in the gulf coast, some areas don't even have power. And they are asking Louisiana and they are asking Mississippi to carry the weight on the cost of recovery. Meanwhile, we have people walking on this floor with a straight face coming here talking about we need tax cuts to help the economy and my constituents need a tax cut, because of the millionaires and billionaires that are getting it.

I want to thank my colleagues for allowing me to get these points out because it is important that we share this information.

Mr. DELAHUNT. They are excellent points. I think your idea about taking your one ticket and allowing a victim of Katrina and the natural disasters that befell our gulf States, invite them to come and sit in this gallery is an excellent concept. We as a group ought to consider asking our colleagues on both sides of the aisle to allow these seats to be filled by American citizens who have had their lives disrupted and their futures placed in doubt and listen to this President tell them that things are good in America and that their government is helping them. Maybe that might prompt some action, Mr. Speaker. Because just recently, 2 nights ago, there was on one of the networks a story about Americans living in cars waiting to go into trailers. How long do we expect our fellow citizens to endure that kind of an existence? We can feel sorry for those all over the globe that experience poverty, that experience tragedy in their lives, but our first obligation is to our own citizens.

When we speak of nation-building, Mr. Speaker, let's start building America again. That is where we should begin. In terms of your points regarding our lack of preparedness for a terrorist attack, let's be very candid. Those levees that were breached in Louisiana, they were breached because of natural forces, forces of nature. They very well could have been breached by a terrorist attack. And what did we see? We saw a lack of preparation, Mr. Speaker, that offended every American and really, I would suggest, shook the rest of the world because they saw an America that they did not realize existed, an America that was ill-prepared to take care of its own people.

Mr. RYAN of Ohio. I think that the key point to this whole thing with the Katrina scenario is that the President ran on he was going to make the country stronger, that he could protect us better than his opponent, which is fine. Katrina happened. It was not a surprise attack. It was not a surprise that Katrina hit the gulf coast. This hurricane was on the Weather Channel for 5 days. And we say, were we really ready? Unfortunately, as Mr. Hamilton and Governor Kean said, that there will probably be another terrorist attack in the United States. We don't want that to happen, of course, but we are not going to have 5 days to prepare for a terrorist attack in the United States. You are not going to be able to turn on the Weather Channel and they are going to say, a terrorist attack is coming for New York City and you have 5 days to prepare for it. That is the number-one responsibility that we have. Article 1, section 1 creates this body and we have an obligation to protect this country. We are not going to have forewarning. We are not going to be tipped off by the Weather Channel. And if we cannot do it with 5 days' preparation, it frightens me at what stage we are at right now and the job we are not doing because we are so focused on all these other things.

I would be happy to yield to my friend who just strutted in from wherever she was.

Ms. WASSERMAN SCHULTZ. I can tell you I just strutted in from helping my first graders with their homework. Just so you know, I have my priorities straight.

I spent a couple of minutes listening to your exchange and cannot help but chime in here and express my deep concern which I know my good friend from Florida (Mr. MEEK) shares as well. We had our Governor and FEMA represent our delegation in advance of Wilma. You have got Katrina and we all are very familiar with the lack of preparation clearly and the aftermath of Katrina and the disaster literally of the aftermath of Katrina but then you fast-forward a couple of months to Wilma when we had 2 months that

FEMA could have learned from some of those mistakes and dealt with the preparedness issues that they were really poor on and the aftermath response issues that they received incredibly poor marks on. You would think that they would have fixed it. But in our case, our Governor and FEMA represented to us that we were the model State. I say this not to be too specific about any one State's preparation, but FEMA and the Florida government represented that our State was the most prepared.

We can tell you that if our State and their response to Wilma is the pride and joy, is the model for preparation in disaster response, then we should all be deeply concerned about the other 49 States and their preparedness and potential response for a natural or a manmade disaster like a terrorist attack.

Mr. RYAN of Ohio. I think this goes right to the point that our friends on the other side, as much as we like some of them, are unable to govern. They just don't know how to do it. There is just total incompetence, from the economy, from the poverty levels, the macroeconomic situation, balancing the budget, lack of fiscal restraint, fiscal recklessness in borrowing $1 trillion from foreign interests over the past 4 years. They just are unable to govern the country. They have had their chance. They have controlled the House and the Senate and the White House, one party, they have had a chance to implement their agenda, and nothing seems to be going right.

Ms. WASSERMAN SCHULTZ. You are absolutely right. On top of that, because we are about third-party validators and it is not all about just what we say, you have Governor Kean and Mr. Hamilton who the other day gave them a list of Fs on almost every major aspect of preparedness and what we should be doing in terms of response to a potential terrorist act. It is just one more example of their lack of caring, of their lack of competence, of the cronyism, of the corruption. Find a C word and this Republican leadership and the administration absolutely fit the bill.

Mr. MEEK of Florida. Can the gentlewoman please elaborate on the C words?

Ms. WASSERMAN SCHULTZ. We have got the first C word which is corruption. It seems like every day we have yet another example, a tragic example, it wrenched my heart to hear that we had a colleague of ours, the former gentleman from California, who pled guilty to bribery, so we have got corruption. We have ethics charges, some which are just accusations, some which have been validated, up and down the ranks of many of our Republican colleagues. That is one C word. Then you shift from corruption to cronyism. There is rampant cronyism throughout this administration. You have only Michael Brown, Brownie, to use as an example. When the President would put in place someone whose claim to fame in terms of his qualifications for being the lead expert on disaster preparedness and response was being the president of the Arabian Horse Association as opposed to having a deeply long resume in emergency preparedness, that just smacks of cronyism. What was his real quality in terms of being hired for that job? He was James Allbaugh's roommate. That was the real qualification when he got that job. You have Mr. Savavian, who was the procurement director in the White House who now has been fired because he was accused of wrongdoing.

Mr. MEEK of Florida. He had the opportunity to resign and then the next day he was indicted. Go ahead.

Ms. WASSERMAN SCHULTZ. Thank you just for the filling in of the facts. The list goes on in terms of the cronyism that is rampant through this administration. So you have corruption. You have cronyism. Then you have, as the gentleman from Ohio just described, the total lack of competence. Example after example. The proposal on Social Security. The way they handled Katrina. The way they handled Wilma. The deficit. We have an $8 trillion deficit.

Mr. RYAN of Ohio. Iraq.

Ms. WASSERMAN SCHULTZ. Iraq. You have an $8 trillion deficit now. We have got corruption, cronyism, competence.

Mr. MEEK of Florida. It is a culture.

Ms. WASSERMAN SCHULTZ. It is a culture.

Mr. RYAN of Ohio. This is not a one-time event.

Mr. MEEK of Florida. I must say that never before in the history of this country has there been leadership, all of these issues of cronyism and corruption, never before at these levels in the history of this country. It is not the Kendrick Meek report, the Debbie Wasserman Schultz report, or the Tim Ryan, the Bill Delahunt report.

Mr. RYAN of Ohio. This country deserves better than that. That is the point that we are trying to make. We do not have to settle for a dictator like some people do in some countries. We are allowed to have high expectations for our leaders in the country.

Mr. DELAHUNT. I want to acknowledge the presence of a good colleague and a good friend and clearly a solid Republican, STEVE KING from Iowa. Let me pose a question to him. The gentleman from Iowa is down here on a regular basis and is an ardent advocate of his point of view. I know we are running out of time.

Mr. MEEK of Florida. I hope he yields to us for the time we are yielding to him because we only have about 6 minutes left.

Mr. DELAHUNT. I think we are coming back for another hour, so we will get him on the other side here.

I will just make this statement and ask for his comment. We have been at war for almost 3 years. It will be 3 years this March. We have not had a single oversight hearing on Iraq in the committees that I serve on, including the House International Relations Committee. Not one.

□ 2100

There are so many questions that the American people have. There are so many questions that we all have, and yet, I would submit that we are not exercising our constitutional mandate to serve as a check and balance on the executive branch. I mean, we do have these allegations of an order of magnitude of corruption that is ongoing in Iraq today.

Let me just quote you from the Washington Times, not a liberal journal. I think you will grant me that.

Mr. KING of Iowa. Mr. Speaker, if the gentleman would yield, I will.

Mr. DELAHUNT. This is a quote from October 28, a column by Bill Gertz and Rowan Scarborough, again, people that would not agree with me or my colleagues on this side of the aisle. Here is what they said: Defense officials tell us the scandal involves massive corruption in Iraq related to the United States and international funds meant for reconstruction efforts and the failure of the administration to control these funds.

I am ranking member on a subcommittee that has requested for months an oversight hearing just simply on these allegations, and I am met with silence. Let me tell you that is wrong. It is a disservice to the American people. It is a disservice to the institution, not a single hearing in 3 years.

Mr. KING of Iowa. Mr. Speaker, if the gentleman would yield, I thank my friend and the gentleman from Massachusetts and colleague on the Judiciary Committee.

I have been to Iraq for the express purposes of oversight of those construction projects, about $12.5 billion administered by the Army and the balance of that $18.5 billion by other entities, the sea bees. Yes, I actually faced a number of questions from the people in Iraq. I did not get to the bottom of that. I do not know that they are in a position to actually have oversight on this in that fashion, but your point that you have made is one that is somewhat new and fresh to me. I have done due diligence, I think, to an extent to see where that money's been spent there. I would very much like to sit down with you and have this conversation so that we could bore into this.

Mr. DELAHUNT. Mr. Speaker, but the American people have a right of transparency and watching and hearing from these people. You make that effort and I understand that you do and you ask questions, but we need to do this in the light of day. There is pervasive corruption ongoing in the rebuilding of Iraq. It is offensive, and this comes from conservative columnists as well as our own military personnel and from multiple, different sources. Yet, the leadership in this House is denying the American people the right to hear.

Ms. WASSERMAN SCHULTZ. Just a few examples of what you are talking about, we are talking about the role of the White House in promoting misleading intelligence when it came to how we got into the war and the Iraq's weapons of mass destruction or lack thereof. We are talking about the responsibility of senior administration officials for the abuses at Abu Ghraib. We are talking about the role of the Vice President's office and the award of Halliburton contracts, no information on that, no accountability. The role of the White House in withholding the Medicare cost estimates from Congress. The identity of the energy industry campaign contributors that met with the Vice President's energy task force.

We could keep going about the corruption, the lack of information, the lack of competence, and in fact, when we come back at our next opportunity in our next hour, we will continue to go on about that.

Mr. RYAN of Ohio. How about the gentleman, I cannot remember his name, a couple of weeks ago came up who had $87 million worth of contracts in Iraq he was in charge of and he was stealing money, hundred of thousands of dollars. In the 1990s he was convicted of fraud, but yet, this administration hired him again. That is incompetence. That is cronyism. That is an inability to execute the proper role of government.

Mr. MEEK of Florida. Mr. Speaker, we just got back from Iraq. We are not even a week out of Iraq. We visited three Iraqi cities, and it was my second trip. I can tell you this, that when you hear uniformed personnel say, well, you know, some of the money, I mean it is like you know people take some of the money for themselves; it is something that happens here in Iraq. This is an accepted kind of thing. This is the U.S. taxpayers' money, and we are just saying, oh, well, you know, that is the way things happen over here.

Let me tell you, when the auditor general really starts to report what is happening with the money we are giving, that is being taken away from U.S. cities and the U.S. taxpayer, meanwhile the majority says, oh, let us govern, we will make sure that we are fiscal and we are responsible, well, when we come back in the next hour I want to talk about being responsible. I think it is important we do that. We will be back in an hour.

I just want you to give the Web site out before we close.

Mr. RYAN of Ohio. 30somethingdems@mail.house.gov.

Mr. MEEK of Florida. Mr. Speaker, I would like to thank Mr. DELAHUNT, Mr. RYAN, Ms. WASSERMAN SCHULTZ and to thank the Democratic leadership for allowing us to have the hour. We would also like to say it is pleasure and honor to address the House of Representatives.

IRAQ

The SPEAKER pro tempore (Mr. MCCAUL). Under the Speaker's announced policy of January 4, 2005, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate the opportunity to address this Chamber and appreciate the opportunity for some dialogue with my colleagues from the other side of the aisle and particularly Uncle Bill from Massachusetts whom I did yield to the last time when he asked me, and so we have a little engagement going.

I think it is constructive dialogue that we have. I know we disagree often. We are looking for the best thing for this country all together, Mr. Speaker, and disagree with the method of how we get there, and sometimes we disagree with our definition and analysis of how we approach these things.

So to begin my hour, Mr. Speaker, I would like to address some of the concerns that were raised in this previous hour, many of which I did not hear in great detail, some of which the philosophy I heard ad infinitum here one or 2 hours a night after our session every week for the last months.

One of the issues that came up, Mr. Speaker, was the issue of weapons of mass destruction, and yes, I have been to Iraq. I have been there three times. The last time there was I came back the latter part of August, and I make it a point to go to the places where some of the other Members of Congress have not gone. I make it a point to find soldiers there, generally I ask for Iowans, anybody here from Iowa. We sit down and talk, and I meet with people all the way up the line to the top brass and also to the U.S. ambassador, representatives of the Iraqi government. I have tracked this through the history of the liberation of Iraq and on through to this point that we are today.

It saddens me a great deal, Mr. Speaker, to hear some of the leaders of the party on the other side and a very small number of people on my side of the aisle who have lost their faith, lost their faith in their own judgment, Mr. Speaker. In fact, we had this debate here in this Congress in the fall of 2002, and this Congress voted by a solid majority to endorse the President's authority to use force to enforce the resolution of the United Nations in Iraq. Those resolutions had to be enforced, Mr. Speaker, and without that, there would have been no teeth whatsoever to the United Nations.

Our President did that. We knew that was going to be the case. We knew when the debate took place in this Chamber that there was going to be a majority decision. I would like to think when we meet here to have these debates, Mr. Speaker, that we stick with the decision of the majority. That is the will of this body. When the will of this body is reflected and the will of the Senate is reflected and that resolution makes its way to the White House, where statutory legislation the President signs it, if it is a resolution the President takes account of the judgment of the House of Representatives and the judgment of the Senate. The judgment of the House and the judgment of the Senate was to endorse the President, the commander-in-chief, and grant him the endorsement of Congress to use authority to enforce the United Nations resolutions, particularly 1441. The President did that.

There is a long argument as to why he did not have an alternative, and our troops went into Afghanistan. Our troops went into Iraq and liberated 50 million people, and they are grateful today, extraordinarily grateful today, to have that opportunity to be free.

If anyone doubts that, look back in your mind's eye to last January when the Iraqis went to the polls to elect their interim parliament. Eight to 8.5 million of the Iraqis went to the polls to vote, and they voted and they dipped their finger in the purple ink. They proudly and they, in fact, defiantly marched out of there with their purple fingers in the air. When they were threatened with their very lives for going to the polls to vote in that January, there were 108 attacks on the polling booths in Iraq by some suicide bombers, all terrorists, trying to intimidate the entire country from voicing their voice of freedom, their voice of directing their national destiny through their elected leaders. Yet, they went to the polls and defied all of those threats and, in fact, upset the predictions from the other side of the aisle, Mr. Speaker.

So the people that did not have faith that there could be legitimate elections in Iraq saw them happen, and those people that were so invested in failure, that they could not abide admitting that there was a success, began to explain it away.

Well, we had kind of an election, kind of a legitimacy came out of the mouth of JOHN KERRY. So how much more legitimate can you get when people defy a threat of death to go for their first time and vote for the first time in their lives, and legitimately, their argument can be made the first time in all history on that piece of real estate. They had that courage to take advantage of that opportunity, and they voted in greater numbers in percentage-wise than Americans did in the presidential election.

Yet, we had people over here that said, well, it is a kind of legitimacy; it really is not a real election; we really do not know how many people that did not participate that would have if somehow or another they believed in the process, had more courage or been less threats on their lives. Yet, they voted in greater numbers than Americans did, and they call it kind of a legitimacy. That was January.

October 15, by then this new parliament has written a new Constitution, another milestone, a milestone that set on the calendar a sequence of events that need to take place in order

to take Iraqis who lived under tyranny, of murderous torture and tyranny, once that is taken, the resources of the country, and focused it on building palaces for themselves and glorifying their own leadership of Saddam Hussein, at the very expense of the people, a country that spent less than 50 cents per person per year on health care, did not let the girls go to school, that did not allow freedom of speech or press or religion, a country where you could not own a satellite dish or there were not free newspapers or there was not a television station that did not project the very opinion of Saddam Hussein himself, that, today, on a very short period of time of liberation, which really took place in the latter part of March of 2003, now nearly every home, everybody in Iraq has access to satellite TV, which is access to the world.

I flew over up in Kurdistan up at Kirkuk, and I looked at the difference. I was over Mosul in October of 2003 and looked down. Two out of three homes had a satellite dish. I flew over the suburbs of Kirkuk up in Kurdistan, and I saw homes there. At each one of the neighboring homes were typical, about two stories, flat roof, many of them had three satellite dishes on one roof. All of those dishes would have been illegal just 3 years ago, Mr. Speaker, along with the mobile phones that are there, the cell phones that now are replete all across Iraq.

There is something like, and I get conflicting numbers, somewhere between 100 and 170 new newspapers, some of them printing the real truth where none of them printed the real truth when it was under Saddam's regime. New radio stations that have grown to significant numbers out there, and television stations, the media has gotten out to the people, and some of it is the truth. It is not all the truth. We all know it is not all the truth in this country.

One thing we have is the check and balance on our mainstream media, who has a certain desire to destroy our effort over there is the bloggers and the Internet. They do tend to get the truth out, and they are a check and balance. In a free country, you will get that check and balance, but people on that side of the aisle do not have that faith in this new freedom that 25 million people began to realize and appreciate in Iraq, that began the latter part of March of 2003, that freedom the Afghanis have known for a little while before that.

Afghanis that had not gone to the polls ever in that place on the globe now have, and they have freedom, and certainly there are uncertainties. Yes, they have enemies. A Nation that has really not known anything but war is not going to be at peace just overnight, and Iraq's had it share of strife. There will be more ahead of us.

We have lost 200 Americans in Afghanistan, and we have lost more than 2,000 Americans in Iraq, and their sacrifice is great value. It has great meaning and it is profound, and their conviction and their demonstration of courage and their leadership and their sacrifice will echo throughout the ages, Mr. Speaker.

□ 2115

It is going to echo a long ways into the future in a way that never would have happened if we had receded from this challenge; if we had listened to the people on the other side of the aisle that wrung their hands and thought we should not have gone to Afghanistan but could not figure out how to say we should not, and so only one Member voted against going into Afghanistan, and that is all.

But we sit there, having lost more than 200 Americans in Afghanistan, and do not hear a peep out of this side. What is the distinction between Afghanistan and Iraq? The difference is between 1,800 American lives. All sacred in my mind. All precious American patriots in my mind. All deserving their legacy for which they paid the ultimate price. All of them deserve our very best, Mr. Speaker. All of them deserve for us to keep the faith, to keep the honor, to keep the pledge, and to keep the commitments that were made in this Chamber in the fall of 2002 when a significant majority voted to endorse giving the President the authority to use force if necessary, and when this Chamber established a policy of regime change in Iraq.

Now we are hearing it from the other side, over and over and over again relentlessly. And what is it about? I will submit this: it is about politics. It is about such a hunger and such a lust for power it would tear down the very destiny of the United States and put our American troops at risk because they want to be in the majority. They want the Presidency and they want the majority in the Senate and they want to change the face of America and send us down another direction that is against the will of the American people.

But why? Why would someone put our troops at risk for political lust? I do not understand that, Mr. Speaker. I look back in history and I wonder when, when has there ever been a precedent where the well-being of America, when disagreements that we have had in this country did not stop at our shores; when we did not have political campaigns that focused on our economy, on our domestic life and the future of America, but joined together to support our military operations overseas when at time of war.

How many of the people over here are saying wrong war, wrong place, wrong time? Howard Dean says a war that cannot be won. JOHN KERRY said wrong war, wrong place, wrong time. TEDDY KENNEDY said it is a scheme cooked up in Texas. Do they not think that our enemies listen to them? Do they think that our enemies know what we know about them, that they really are not the spokesmen for the foreign policy of the United States of America?

They are the naysayers, the critics, and the gadflies. The majority of the American people understand this. We voted in this Chamber when, and I will say the Murtha amendment or the Murtha resolution came up on the floor of this Congress, and that resolution said we should pull out of Iraq immediately. That was the recommendation that was made across the aisle, or at least by the news media. It was not verbatim to the resolution drafted by the individual. We debated that in this Chamber for 3 hours; and when the 3 hours were over and we debated the rule and we debated the resolution, at the end of that 3 hours, Mr. Speaker, the vote went up and three Members of the United States House of Representatives voted to immediately pull out of Iraq. Everyone else, Mr. Speaker, voted to stay the course, voted to support our troops, voted to defend their mission and ratified the authority and the direction that has been given to our military by their Commander in Chief, our President of the United States, George W. Bush.

Those are the facts. Yet night after night after blessed night the team comes down here and relentlessly assaults the integrity of the administration, rearranges the facts of history, and seeks to dupe the American people, believing that somehow or another if they can erode the confidence of the American people, they will not have any alternative but to accept these people as their leaders. It is a frustrating thing to watch. But it would be even more extraordinarily frustrating if I did not have so much confidence in the American people and in their judgment.

History has shown that in times of difficulty and in times of strife the American people have risen up together and that their judgment is sound. They believe in the principles, the Constitution and individual rights, and in freedom; and they know that freedom is not free. They know intuitively that if we are going to support our troops we must support their mission. We cannot separate the two.

We cannot say to a soldier or a marine who puts on that helmet and puts on that uniform and salutes that flag and then goes out and puts their life on the line, that we are for you, but we are against your mission. We can never ask someone to put their life on the line if we do not support their mission.

And we have asked them to do that. And duty and honor and country says that they do that, and they do that proudly. But when we look them in the eye, we know it is a dedication. They take their share of the risk. And when the grim reaper visits some of those homes, it is a sad time. And I draw my strength from those families and their belief in this country and in our freedoms and in our patriotism. It is stronger than the belief that we find in the average American household because they understand.

One of the reasons they understand, I think, is because they have also imparted those values to their sons and daughters who have gone forth to protect our freedom. When that call has come for them, they have stepped up, and we owe them. We owe them 100 percent full support. We owe them all we can that is due them if we are to respect their memory. We have to give our level best as they fight to preserve these freedoms.

Yes, we fight that out on the floor of the House of Representatives, Mr. Speaker; and we fight it out in the debates that take place in the coffee shops, in the workplace, in our churches and schools, and in our homes across this country. But I want the young people to understand that there are certain fundamental truths that we have to stick with; and one of them is that if we are going to support the troops, we must support their mission. We cannot have it both ways.

We cannot have our cake and eat it too. We cannot undermine their mission and say that we support them. And when we argue that somehow or another there could have been a better plan, and we Monday morning quarterback and look back over 3 years and say, gee, knowing what I know now, this is what the President should have done then. It does not help the cause.

When my colleague from Massachusetts seeks to discuss these issues in open hearings, I will not deny his right to ask for that. In fact, I will not deny a congressional right to have those kinds of open hearings. But I will say that it is not constructive for us to have these discussions out in the open. It is constructive for us to have these discussions behind closed doors, to reach a consensus and determine if we need to look further into any of these issues.

Mr. Speaker, we have seen $200 billion get poured into a country for military support and reconstruction efforts, and by the way, the reconstruction efforts were the smallest part of all of that. As I mentioned to Mr. DELAHUNT, I have been there to review the construction that took place in Iraq, $12.5 billion done by the Army and the balance of that, $18.5 billion, that was done by other entities there, including the Seabees and others, subcontractors that were put together.

I looked at the roads and the sewers. I looked at some of the bridges and the streets and the water lines. I have looked at the generating plants. I went up to Kirkuk to see the mother of all generating plants, 725 tons of generator and turbine, two pieces bolted together which came across 1,057 kilometers of open desert and came on a caravan with other components of that mother of all generators which was over a mile long.

That generator, Mr. Speaker, had to arrive at that location out in the countryside near Kirkuk, Iraq, without a bullet wound in it. Because a bullet wound into the windings on that generator would have incapacitated it. But it arrived there safe and sound. They took a big crane and set it into place, the generator. They took the same big crane and set the turbine in place and then bolted them together. Several hundred Iraqi workers began to scurry around and put the pieces together of this mother of all generating plants.

Now, we are told that this is far too dangerous a place for people to invest capital, for them to develop anything or put any commitment into energy. But in that area, for all those months that they constructed that huge generating plant, and after coming across 1,057 kilometers of desert, and after they had to rebuild and reconstruct eight bridges to get the strength there to cross those bridges with that caravan, throughout all of that, there was one little attack by insurgents, and that was fairly feeble, which resulted in one wounded person from a little bit of shrapnel.

There was not a wall built around this generating plant. There is not a trench. There are not terraces pushed up with soldiers behind them all. There are not tanks dug in. They do not have Blackhawks hovering over this generating plant 24 hours a day. It is not sitting there rimmed with armed guards. Sure, it has a little security, but it is not ringed with armed guards. It is out in the countryside near Kirkuk, up in an area where the Kurds live.

And throughout all of that, there sits that generating plant, the mother of all generators, pumping electricity into Kirkuk, pumping it into the surrounding communities. That can be a model of the energy that is unleashed into that part of the country. And I might add that if this were a highly dangerous area, an area that you could not control the security in it, then would there be a 12-inch natural gas pipeline that runs on the surface of the ground down to that generating plant that runs the turbine that turns the generator? Would that not be a highly sabotagable natural gas line? And would they not take that up every night, if they could?

The reason for all that is that those folks up there are not interested in that. And 14 of the 18 provinces in Iraq are not interested in that kind of violence. They have a sense of security. They are building for the future. The children play in the streets. The families plan for their future. They go off on vacation. They go up to the lake and go swimming, like you and I do. Many places in Iraq have a normal, normal life. People on this side of the aisle would not want you to know that.

Many do not want Americans to know that during Saddam's regime he was killing his own people at an average rate, Mr. Speaker, of 182 a day. Now, this was a tough day in Iraq, Mr. Speaker, but I cannot remember the last day in Iraq that there were 182 people that died at the hands of violence. Every day that goes by there are another 182 Iraqis that are alive that would not be otherwise if Saddam were in power.

He is on trial today, and in a few hours they will gavel in in a courtroom in Baghdad, and he will be back under trial again. They are putting together a record, Mr. Speaker, a record of the atrocities that were committed under the regime of Saddam Hussein.

I have met some of the people that were victims of those crimes. The other night I sat down in a coffee shop for 3 hours and talked with a young lady from Kurdistan. She had grown up there in that region, within an hour of Kirkuk. She has a friend, a friend that survived Saddam's gassing of Halabja where 5,000 Kurds were killed: men, women, and children, the most innocents of civilians.

We have all seen the pictures of civilians lying there dead, gassed to death, a mother holding her child and families lying there dead. One of this young lady's friends is an individual that escaped from that gas, that gassing death at Halabja and lived to tell the story.

As she told me the story of that friend, I asked her if she believed that Saddam Hussein had no weapons of mass destruction. Ladies and gentlemen from the other side of the aisle, I challenge you to try to convince that young lady of that. No weapons of mass destruction, when 5,000 of your neighbors are dead, when one of your friends has escaped the gas? How would you convince someone who had lived through that that it did not exist, because we did not find huge warehouses of gas, huge warehouses of chemical weapons, huge warehouses of biological weapons? Because we did not find a nuclear bomb affixed to the tip of a missile that had the capability of going to Tel Aviv? Would that have been enough? Or Washington, D.C.? Would that have been enough not to have detonated?

I submit, Mr. Speaker, that the people on this side of the aisle have so much political capital invested in failure that they cannot abide victory. In fact, I challenge the people that will come out here on this floor in another 40-or-so minutes to define victory for me. Define victory for the American people.

□ 2130

Let us hear what is the upside of this. I hear a relentless drumbeat of pessimism night after night after night. The pessimism is so deep and so dark, I could not wake up in the morning and face myself if I thought the world were really like that. What is victory, Under 30 Group? How would you define victory? And I will submit that they will never, Mr. Speaker, define victory because the investment in defeat is so great and the fear of victory is so great that they know as soon as they define victory, they will not be able to raise the bar again and again. They will not be able to redefine victory again and again and again. They will not be able

to challenge the wisdom of this administration and continually give us a pessimistic viewpoint that causes so many people in this country to lose faith on where this Nation is going.

I will define victory. Victory was defined by this administration, in fact, more than 2 years ago. It was defined shortly after the Iraqis were liberated in March and early April of 2003. Our President laid these principles out clearly. It was already defined in advance, and now I can back up and I can tell you the sequence of events.

You liberate the Iraqi people, do so militarily. Our troops did that in a miraculous way. Even though detractors said you do not have enough troops to do that, Colin Powell had over half a million, you are going to do it with less than half, how can you hope to do so when you are going up against one of the largest armored militaries in the world? How can you go across the desert with your own armor in a fashion that has never been done before? How can you attack a city and liberate that city that is larger than any city that has ever been invaded and occupied by a foreign power in all of the history of the world. It will be another Stalingrad, they said. But before we got to the Baghdad, about 3 days in we got hit with a 4-day sandstorm and then there we were all bogged down in this quagmire.

It was said the Iraqis are the only people that can see in the sand, and here our troops were hiding. The argument is will be slaughtered by the Iraqis because they are desert fighters, and our troops do not know about that environment.

Mr. Speaker, it turned out to be entirely different. The world found out that our airplanes could see through that sand and they could identify the Iraqi armored columns. The Iraqis had their heads in the sand and they were waiting that storm out. And a lot of them did not live to see the end of that storm because we had the ability to see through the sand and we hit their armored columns, and we knocked much of that out during those days. And when the sand stopped blowing, our armored columns started up again and they headed up to Baghdad.

Mr. Speaker, it was the longest and fastest advance across the desert in history. They arrived in Baghdad almost in a sequential column between our Army and our Marine Corps from two different directions. On a Thursday they went in and drove around through Baghdad with a tank and a couple of armored personnel carriers and looked up at the hotels and buildings. Essentially they met no resistance to speak of. They came out of Baghdad and said we really have liberated the city, and they had. It is the largest city in the history of the world to be invaded and occupied and liberated by a foreign power. It is an astonishing accomplishment.

Was there an effort then to go forward from that martial law period of time and establish a civilian government in Iraq, you bet. In Mosul, the liberation took place in March, and in May, they elected a governor and a vice governor from Mosul. They sat down and again to craft how to govern that region.

I met with those people in October 2003. They were doing business as usual. It was already usual in Mosul. So we went from liberation to martial law to the civilian government. We went to the Coalition Provisional Authority under Paul Bremer. Under that we had regional elections in some regions. We put the people that lived there in power. That was another great milestone.

Under the CPA, we had local governments that were functioning well. We needed to get the head of this government put back on again, and that was Paul Bremer's job to do that. He knew that we needed to hand over that authority to a Civilian Provisional Authority in Iraq. That happened in June. The date was set, but unlike most of the milestones for any other effort in history, the Iraqis and the American military did not just meet that deadline. Generally they get delayed, delayed, delayed, but they beat the deadline by 48 hours and took over control of Iraq with an interim civilian government from Paul Bremer and the CPA. Another milestone reached, Mr. Speaker.

And that milestone went on. As the interim Iraqi government began to put the pieces in place so they could begin to get some connections between Baghdad and the rest of the country, and it was their job to prepare for an election. That election took place in January. That elected the interim government, and their number one job was to craft a constitution. Between January of this year and October 15 of this year, they crafted a constitution. It was a tough task. A lot faster than we crafted our Constitution here in the United States of America. This Constitution that I carry by my heart every day I have a jacket on for a pocket for it, it was a struggle to get our Constitution established. We had a Constitutional Convention.

We had an effort for ratification. Essentially it happened in 1789. We had a Declaration of Independence on July 4, 1776, so 13 years and several months later, we had a constitution ratified by the people. We have not been in Iraq anywhere near 13 years, and I do not expect the effort is going to take anywhere near that long.

It was a struggle to establish this constitutional republic that we have in the United States of America, and it is a struggle to establish a free government in a region of the world that has not had one before. But the Iraqi people stepped up and reached each milestone and crafted a constitution. Now 108 polling places were attacked by terrorists in January in the election that elected the interim government, the interim parliament that crafted the constitution.

By October 15, 2005, the election that ratified the constitution that was drafted by that interim parliament, there were 19 attacks on polling places as opposed to the 108 that took place in January. That is a measure of progress, Mr. Speaker.

We look throughout Iraq and we measure progress after progress. But now we are sitting here with a ratified constitution and our interim parliament and an election coming up December 15. Of all of the milestones that have been laid out in this sequence that I have talked about, liberation, local elections, establishment of the Coalition Provisional Authority, an election to elect the interim parliament whose job it was to run the country, a constitution, you add all those things all up, and this election on December 15 is more important than the others by far because this election puts in place a parliament in Iraq that truly represents the people. It will be the voice of the people and it is a certified voice of the people. It will be, among the Arab world, the most legitimate voice of any Arab people in the world.

I would submit there is only one place where an Arab can go for a fair trial outside of Iraq, and that might be Israel. We are watching a fair trial take place in Iraq today, and that will be the second place in the Arab world where a person can go to get a fair trial. When this election takes place on December 15, 2005, several days from now, it will put in place a parliament that is elected by the people of the sovereign nation of Iraq. They will select a prime minister, and they will then be more legitimate than any other Arab nation that sits at the United Nations.

And the sovereignty that comes from that and the consent of the people that empowers their representatives in almost the same fashion as we consent as people to empower representatives here, will give this government the authority to move quickly and decisively down the paths of progress.

I am hearing naysayers. I am hearing detractors. Why? Why when we are roughly a week from time we are going to have a certifiable, sovereign nation of Iraq that has the ability to sit down and negotiate oil development contracts with some of the most effective oil companies in the world, to come into this country that is rich with resources, so rich with resources that oil seeps to the top of the ground, and I have seen it, Mr. Speaker.

So rich with resources that more oil wells need to be punched in and more pipelines need to be laid and refineries built, and the export of the wealth of Iraq will pour the capital back into that country, and we will see that economy start to grow and multiply and flourish. Why do we hear these negative comments and detractors? Do they not know that our soldiers over there want and need their support? That the people that watch al-Jazeera TV see these voices as quasi American

leaders. They see these as people that are directing the policy of the United States of America. They do not understand that the Commander-in-Chief is not listening to this every night. Thankfully he is not listening to this every night, and I hope he is not.

The Commander-in-Chief has to lead us down a path without regard to public opinion. He will take into account our judgment, but the destiny of this country is more important. If the mainstream media and the relentless drumbeat on the floor of the House takes the confidence of the American people down so low that they have lost their will, it is the job of the President of the United States to step up and take the debate to the American people and do the fireside chats in this modern technological world, lift our spirits up and give us the facts. I am here to help him do that.

He has given us some of these fireside chats and speeches. He understands, as I understand, that our freedom, our freedom depends upon our soldiers, yes, but it also depends upon our will. There is something that is a universal truth throughout all of history and that is a war is never over until the loser realizes they have lost. That is a fact, Mr. Speaker. War is never over until the loser realizes they have lost.

If you are down in the dumps and you are losing your soldiers and troops and you are losing your ability to combat a battle, losing your munitions, losing the funding network, you are really down and out, there would be some people in this country that think that I am talking about the American or coalition forces, and I am talking about Zarqawi's people. They are down and out. They can barely put together enough munitions to conduct any kind of opposition. They do not have a lot of logistical support. They are hiding in caves and cowering in mud huts in places throughout Iraq, and they are going out one or two every day dying for their cause, dying for a lost cause.

Mr. Speaker, I will submit that the people on the other side, the al Qaeda people, the Zarqawi people, they have it pretty tough where they are right now. A lot of them are dead. Perhaps 75 percent of their leadership is dead. We decapitated the number 3 man in Afghanistan within the last week.

They have been writing letters back and forth from Zarqawi to Bin Laden. We know they are short of resources. One of them asked, could you kindly send me $100,000. Zarqawi wrote a letter a while back that said in this country we do not have any place to hide. This is not Vietnam. They do not have any mountains. They do not have any forests to hide in. The only place they can hide is in the homes of the Iraqis, and Iraqi homes that are willing to hide al Qaeda terrorists, he said, are as rare as red sulfur.

Red sulfur does not mean a lot to us here. I submit it is quite rare. Red sulfur fits in the category of maybe as rare as hen's teeth or chicken lips or frog hair. It is a rare commodity. He draws the distinctions between Vietnam and Iraq: No mountains to hide in, no forests to hide in, and the homes they have to cower in where Iraqis are willing to house them are as rare as red sulfur, rare as chicken's teeth, rare as chicken lips, rare as frog's hair.

So they feel that taste of defeat. When they are about ready to give up, we can take the tone of that letter some months ago, and have to think they are very close to the end.

Then we hear the voice from the other side that says we cannot win. Howard Dean, This war cannot be won. The esteemed gentleman, the ranking member of the Armed Services Committee, This war cannot be won.

In the same debate he said, Our military has accomplished their mission, bring them home.

Was not their mission to win? And how do you define your exit strategy? Victory, Mr. Speaker. That is how we define the exit strategy, victory. There is no other exit strategy. In fact, I would submit why would you want to leave.

□ 2145

I certainly want the Iraqis to take over the defense of their own country, and that is our administration's policy, and it is one that I support. There are over 210,000 Iraqis in uniform that are trained, and you will hear again from this side of the aisle, Mr. Speaker, that there is only one battalion that is combat ready. One battalion. Maybe there was a time there was only one battalion, that there was not one American in that was truly combat ready that had the logistical support that they could go out and engage in combat without cooperation, coordination with American troops and American know-how and American logistics and American ingenuity and ability. Maybe one.

Mr. Speaker, I would submit to you that 30 to 40 percent of the Iraqis that are in uniform, trained, equipped, ready for combat, having the courage to defend their country, 30 to 40 percent are engaged and ready to engage; and some of them have some American advisers there, and these people on this side of the aisle argue that disqualifies them from defending their country. I wonder what the mothers and the fathers and the wives think when they have an Iraqi soldier that is killed in the line of duty and they are told by the floor of the United States Congress that they were not really qualified for combat, they really were not ready to defend their country.

Mr. Speaker, these people are ready. They have the courage. And many of them are ready for combat. Many have been in combat. Most of them go in combat with American soldiers, and it is a good thing for us to have. I would not want to say there are 210,000 Iraqi troops with uniforms and equipment and training and they are all ready to go into combat right now and all we have to do is just turn them all loose, Mr. Speaker, and they can all go into combat and at the same time, same day, same night American troops come back to their home bases, to their wives, their husbands, their sons and daughters and their parents. I wish they could, Mr. Speaker, but that would not be prudent. It would not be wise and it would not be good policy.

It would not be good policy not to have an American involvement there to go through a transition, a transitional period, Mr. Speaker, that provides for a gradual transfer of power so that the Iraqis that are willing and eager to defend their country are handed over those reins of responsibility in a fashion that ensures success. So maybe sometime ago there was only one battalion that did not have any American involvement. About that same time that you heard the remarks about one battalion, one Iraqi battalion that did not have any American involvement, at that time we really did not have any American bases either that were under the control of the Iraqis.

But since that time, we have 20 bases that have been handed over to the Iraqis to manage, 20 military bases. Have you heard that from the other side of the aisle? Have you heard that the Iraqis have taken over the control of 20 bases? Because we have confidence that they can provide the security and the logistics out of those places and dispatch their troops, take care of the communications, food and housing and training, all the munitions and equipment, the logistics that take place there and provide the security in the region.

Twenty bases the Iraqis have today that they did not have when the allegation was made that there was only one battalion that was combat ready. So you get a real twisted view here, because we have people that get out of bed every morning and they scour the television, they scour the newspapers, and they scour the Internet trying to find the most negative that they can so they can bring this down, hustle down here and trot out onto the floor of the House of Representatives, Mr. Speaker, and begin to inform the American people of the most pessimistic view point, not always substantiated, by the way, but the most pessimistic view point possible because they want to dispirit the American troops.

Well, that is some of the effect, only our people are so courageous and they do not listen to you all that much. But they are sure, in a word, encouraging our enemies. Osama bin Laden, Zarqawi, Zawahiri, Muqtada Al-Sadr, all of those people. They believe that the Americans are going to lose their will; and if we lose our will, so will the rest of the coalition forces. Last night I put a poster up here on the floor that showed a picture of Muqtada Al-Sadr, big old blow up of his bearded face, and the quote beneath his face that I heard come out of al-Jazeera TV in Kuwait

City. The quote was, he said it in Arabic, I watched the English subtitles, if we keep attacking Americans they will leave Iraq the same way they left Vietnam, the same way they left Lebanon, the same way they left Mogadishu.

Now, if you are an enemy, and you are dispirited like Zarqawi was dispirited when he wrote the red sulfur letter, and you hear that quote out of one of their leaders, by the way that same quote has come out of, in similar language has come out of the mouths of all four of those leaders that I have talked about, Muqtada Al-Sadr, the non-al Qaeda, the Shiite leader who is actually I will call him a revolutionary in some fashion. But Zarqawi, Zawahiri, bin Laden, Muqtada Al-Sadr, all of them have made statements that you will find out there on the Internet that says the Americans have left in the past. They have pulled out of places like Vietnam, Lebanon, Mogadishu. They will pull out of Iraq. Just persevere, blow yourself up one more time, get your 72 virgins, turn yourself into smithereens, take a few people with you if you can and you will be adding to this cause somehow and some of the rest of us will figure out how we can come in here and create this civil war that will split this nation into three different section.

What is the future for Iraq if we let that happen? Think about it for a minute. What is the alternative? What is this idea that was presented by the chairman of the Democrat National Committee that we ought to evict ourselves from Iraq and pull ourselves out of there and go someplace where we are wanted. Did you ever know there was a need for an army or you were really wanted? Anybody ever invite you all in there and say, gee, we like you folks. Why do you not come in here and stay because we like the way you spend your money downtown. Actually, there is a place in Germany like that. They are glad to have us. But that is not a reason to send an army there. An army goes a place generally where you are not wanted to free the people that are under the tyranny of those who do not want you there.

But Mr. Dean has advocated that we pull our troops out of Iraq and go to another Middle Eastern country where we are more wanted, and then we can fight Zarqawi from there. Boy, you know, Zarqawi, I wonder if he is writing those press releases for Mr. Dean. That is what I would want if I were Zarqawi. I would be trying to convince Americans, get your troops out of here. Why do you not go someplace where you are wanted, and then Zarqawi would be free to turn Fallujah into an armed camp, to turn Ramadi into an armed camp, to turn Tikrit into an armed camp, to turn all of the Sunni Triangle into an armed camp and pull in money from around the rest of the Arab world and bring in and arm all the troops and recruit more al Qaeda and turn it into a training camp, and, yes, develop more weapons of mass destruction, both gas, biological to get the money.

We are watching what is happening over in Iran. Nuclear. Add that all together, take the advice of the chairman of the Democrat National Committee and pull our troops out of Iraq, go to an Arab country where we are more wanted so we can fight Zarqawi from there, Mr. Speaker? That does sound like something that has been put out by Zarqawi himself. And it would be the very worst scenario that we can imagine. We are there now. Zarqawi is at least under our thumb. We have him surrounded. We do not know exactly where he is, but we have him surrounded. So we have to stay there; we have to finish this job. And every time we squeeze them down a little more, a little more, it gets harder and harder, and Zarqawi gets ready to write a letter and to sound a little more desperate each time when he puts out a plea for help that goes to Osama bin Laden, who essentially has not had much of a voice in what is going on in this effort for a good long time, Mr. Speaker.

Pull out of Iraq. Go to a place where we are more wanted in the Middle East to fight Zarqawi from there. Think what happens if we ever pull out of Iraq. If we pull out of there, and it is not clear to history that we have a victory, if we pull out on our own free will, if we redefine victory ourselves, history will define it anyway. History will define victory as the effort that prevailed. And we have said here is what we want: we want the Iraqi people to be in charge of their own country; we want them to have free elections; we want them to elect a parliament, which they will do December 15.

We want them then from that parliament to elect a prime minister, set up a civilian government, a government that represents the people of the state of Iraq, a sovereign state, a sovereign nation. They will go sit at the United Nations, and they will have more credibility there than any other Arab nation, Mr. Speaker. That is our definition of victory, and it is going to take a while for the violence to disappear in Iraq. And the reason for that is, Mr. Speaker, that as I said earlier, a war is never over until the loser understands that they have lost. If we stand on the floor of the House of Representatives and tell our enemies that here is how you win, if we tell them we cannot win, but they have, some of them are going to believe us. I do not believe it. Some of the American people believe it. I do not believe it.

I believe that Iraq is going to be a certified sovereign free nation on the date of December 15, and maybe it will take a little while to count the votes, and maybe it will take a little while to elect a prime minister, and maybe it will take a little while to gavel in that first parliament, and it will take a little while for them to get all the kinks out of their new government. And it will take a little while to get the enemy, the insurgents, purged out of that society.

But as they see this inevitable march, this inevitable march towards freedom, the enemy will begin to understand that they have lost. When they understand that they have lost, then we will have victory because the rest of the principles are there. We have followed the sequence of liberation, Coalition Provisional Authority, interim Iraqi civilian government control, an elected interim parliament, draft the Constitution, put it on the ballot October 15, get a great turn out, ratify that Constitution, and now set an election for December 15. We are now a free people. Free people go to the polls again, and I predict they will go to the polls again in greater numbers than the percentage of the American people do, because people that have never had freedom cherish it even more.

That will be the definition for victory, Mr. Speaker, when we see a free people that are controlling their own destiny and going to the polls and directing their own leaders. They have got their Constitution. It is ratified. They have a tremendous amount of natural resources, and some day very soon after December 15 they can sign a contract with one or a dozen companies that have the technology and the skills and the capital to develop that massive amount of oil that they have. It is theirs. It has been our principle that it has been their oil from the very beginning. Our Commander in Chief said that to the world. And, in fact, if you go read the Iraqi Constitution there are two references in there as to the possession of their oil, and it is their oil.

And it is there for the Iraqi people, and the Constitution defines that it will be distributed proportionally in a fair fashion and equally across the country so that there is equal development of Iraq from that wealth. And soon, within 6 months I will predict we will start to see the oil export from Iraq. Right now, the only thing that is really exporting from Iraq with any kind of profits are dates, and it is about half the date crop that it used to be. That can be improved too.

But when the oil starts to flow out, it is their oil, the profit is theirs, the capital comes in. And when you have capital that comes in, you know what you have. You have capitalism. And capitalism really is the solution to this. We have the military who are doing their job. And behind the military solution is the political solution which is taking place on December 15 in this election. And when that free parliament is established and they elect a prime minister, the next step is hand over some of this development to some people that will risk some of their capital to develop those oil fields so that capitalism can sweep into that country, sweep into that country and so the linkage of military solution, the political solution and the free enterprise

capital solution all come to pass, all in their sequence, Mr. Speaker.

When that happens, then we do have a definition for victory in Iraq. And we cannot expect miracles, and it is hard and it is bloody and it is costly. But they can become, and in fact I believe they are, the Lode Star for the Arab people. This inspiration that gets established, when people are cynics in the world think that because of what ethnicity you are, what tribe you belong to, what country you come from, what religion you might be, you cannot handle freedom, well, I agree with the President. Freedom beats and yearns in the heart of every person and all people yearn to be free.

Now we have not gone to war and fought and handed them their freedom. They fought alongside us and some of that freedom they have earned, and they needed to earn it because it is precious and it has more value if it is them earning that freedom instead of us. But I believe this has been a very noble thing that we have done, Mr. Speaker; and I look around the world and I think throughout history, when has this country ever gone to war against another free people? I will say never. Never once in the history of the world has the United States ever gone to war, a clash of arms, against another free people, because we resolve our differences in open debate here on the floor of the House of Representatives and the Senate and across this country.

And one of those things also that beats in the heart of all of us is we have a certain capacity for change in all of us.

□ 2200

That change is within us. It is natural, and it is human, and it is described pretty much in the book ''The Case for Democracy'' by Natan Sharansky. He spent a fair part of his life in the gulag up in the Soviet Union, and he watched how there they struggled for their very lives and very survival. And the effort that came from them just to stay alive every day consumed almost everything that they did, and he thought that was the world that a lot of people lived in too, but that was a narrow thing that he was in at the time.

When he was liberated from the gulag, he went to Israel, and he became a free person in a free society that had a democracy and open dialogue, and he went to the Knesset, and he watched that debate that was taking place there, and he saw that same energy go into the debate in the Knesset, sometimes arguing and debating and struggling over things that he saw as minutia because he had spent a lot of his years on survival, and the same effort on survival was being burned up and consumed on minutia in a free country.

And he concluded, and I think rightfully, that we all have within us this energy for change, this desire for change, and we will use that energy for a constructive change whether we do so in open debate and dialogue like we do in this country, like they do in Israel, or whether we use that same energy and desire, when we do not have this freedom of speech, to take it out on our neighbor, take it out on our enemy, and do so in a violent fashion and often in the form of terrorism. That is the habitat that breeds terror, the habitat that is anathema to freedom.

So some years ago, shortly after September 11, we had a guest lecturer there at Buena Vista University, Storm Lake, Iowa. Benazir Bhutto, former Prime Minister of Pakistan. She gave a wonderful lecture, and it was fascinating. And afterwards we sat down and had a little one-on-one conversation, and I asked her a couple of questions, and one of them was what percentage of the Muslim world are inclined to be supportive of al Qaeda. How great in numbers are our enemy?

She did not hesitate. In fact, her answer was so spontaneous that I concluded that she had answered that question before, and she said, Not very many, perhaps 10 percent.

Well, not very many, perhaps 10 percent of 1.2 or 1.3 billion people is a whole lot of enemies, in my opinion. That is 120 to 130 million scattered throughout the world. We cannot attack all of them, and we cannot turn our military effort on all of them. We have to find another solution.

So I asked her then how do we get to this point where we can ever define victory? What is victory going to be? How will we ever craft a victory given this global enemy we have that is committed to our death, people who believe that their path to salvation is in killing us?

She said, You have to give them freedom. You have to give them democracy. You have to give them an opportunity for their future, and they will turn their minds, their hands, their hearts from hatred and killing towards their families, their neighborhoods, their communities, their mosques.

That is the difference, and that is the climate that we need to create. That is that climate that is there in Afghanistan, and that is that climate that we are in the process of creating in Iraq. That is how Afghanistan and Iraq can link together and be the inspiration that shows the world that freedom can echo across the Arab world the same way it did across Eastern Europe when the Wall went down on November 9, 1989. And that is some insight.

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

Mr. KING of Iowa. I yield to the gentleman from Massachusetts.

Mr. DELAHUNT. Mr. Speaker, I appreciate the gentleman's embrace and affection for freedom. We all aspire to that.

I think I might have misheard, but I guess what I am asking for, is the gentleman making the statement tonight that the invasion of Iraq, the reason that we invaded that country was to liberate that country, or did we have another rationale when we debated here in this Chamber about whether to invade Iraq?

Mr. KING of Iowa. Mr. Speaker, reclaiming my time, there were a number of motives, and I will concede there were other motives; but in the 60 seconds that I have left, I am not going to be able to address all of that.

I will just say that, yes, liberation was part of that; and, in fact, I believe it is the broader vision, this vision that has been brought to this global effort by our President. I think he is a leading thinker on this in the world. Not a receptive adviser, but I think he is a leading thinker. And that is why I raise this issue. It is bigger and broader than weapons of mass destruction. It is bigger than many of the things that are discussed here on the floor of this House, and I bring this message here so that we can see the benefits of the sacrifice and the reason to carry on and the price if we fail to do so.

30-SOMETHING WORKING GROUP

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

Mr. RYAN of Ohio. Mr. Speaker, as we come back on the 30-something Special Order, I yield to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Speaker, let me pick up where we left off. And where we left off, obviously, was my very brief conversation with my friend from Iowa (Mr. KING), because I can never remember a debate on the floor of this House or in any committee of this House where the rationale that was put forth by the proponents of the resolution authorizing the President to invade Iraq was to liberate the Iraqi people.

And clearly the headlines, we all remember the phrases such as mushroom cloud, links to al Qaeda, the potential for an imminent attack on the United States. The gentleman indicates that it was one of those reasons.

What I find interesting, Mr. Speaker, is why was Iraq selected. Because as I look over the map, if it was a combination of reasons, why did we not invade Iran where we had hard evidence relative to weapons of mass destruction, where we knew that they possessed the capability, where there clearly was a denial of freedom? Why did we select Iraq?

And, Mr. Speaker, if we were so concerned about democracy, if the White House had this unstated vision and goal, why did they put a coalition of the willing together that embraced some of the most tyrannical regimes on the face of the Earth? Why did we embrace Islam Karimov in Uzbekistan whose human rights record was the equal of the human rights record of Saddam Hussein? Why did Islam Karimov come to the White House and have a photo opportunity with President Bush? Why did we embrace

Turkmenbashi, another thug, Mr. Speaker, the President of Turkmenistan, who has created a cult of personality that is bizarre, who changed the names of the months of January and June? January he named after himself; and June, demonstrating his filial love for his mother, named after his mother?

Mr. Speaker, with all due respect, if democracy was the motive behind the invasion of Iraq, I fail to see the evidence, because we associated ourselves with those who deny freedom every day to their own people. They were part of the coalition of the willing. What message does that send to the world that we select despots and thugs and tyrants, some are good because they happen to serve our instant interests, our interests of the moment, but some are the worst human violators on the globe?

And with all respect to our traditional allies, Egypt and Saudi Arabia, if the President wants to bring democracy to the dark corners of the world, he does not have to go that far. He does not have to take our young men and women and put them in harm's way. When I hear that it was democracy and liberation that motivated this invasion, I cannot accept that. The evidence does not bear that out, and it was the burden of proof on the administration. They never met the test. Their rationale and their excuse were the weapons of mass destruction.

No one on this side is a pessimist, I can assure you. But it is time we leveled with the American people. It is time that we spoke the truth. It is time that we injected realism into this discourse, into this conversation that we are obliged to have with the American people.

As far as the troops are concerned, they know, Mr. Speaker, that the minority party is with them, and they know that because we have fought for their benefits when they come back from this war that we sent them to.

Mr. MEEK of Florida. Mr. Speaker, will the gentleman yield?

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

Mr. MEEK of Florida. Mr. Speaker, let me just say what Mr. DELAHUNT is saying makes so much sense, but I can tell him the reason why we have reams and reams of paper about how government is not working now is the fact that we are governing under a culture of corruption, cronyism, and incompetence. One cannot operate a business under a culture of corruption, cronyism, and incompetence. They can just not do it. They cannot do it. It is impossible to achieve. And it is wrong. So when we have historic levels of corruption, incompetence, and cronyism, it is just hard for us to govern in that way.

People are wondering why am I picking up my newspaper not only seeing indictments but seeing plea agreements by the very people that are elected to come up here to govern on behalf of the American people. So why is it even shocking, Mr. Speaker, to some Members why we have so much corruption in the Federal system? And we come in here as though let me grab a cup of coffee or a latte like it is another day at the office. It is not another day at the office. It is not another day here in Congress. We are concerned, but maybe the majority could also get a little concerned about what is going on.

Let me just mention something because Mr. DELAHUNT just hit a couple of points, and I just want to mention something because here in the 30-Something Working Group, as my colleagues know and others, and I am so glad that Mr. RYAN claimed this hour, the bottom line is this: we have a White House where members of the White House have been indicted or previous members who resigned the day before they were indicted and serious national security breaches in the White House.

□ 2215

Mr. Speaker, this is not hearsay, this is fact. We have Federal investigators now, they are not talking about someone who took a trip somewhere on the Government's credit card. They are not talking about that, you know, someone went to lunch with someone and, you know, the bill was $3,000 and they had eight lobsters. They are not talking about that. They are talking about outing CIA agents. They are talking about information being leaked out that is jeopardizing national security.

They are also talking about issues as it relates to, you know, the influence of the private sector and corruption and not possible cronyism, but cronyism and incompetence. That is what is going on here now. And even here in the Congress, unprecedented investigations, inquires not by the Congress, but by other agencies that are policing us.

So when people start saying, well, why is all of this happening? It is happening because we are not, well, the Congress, the majority, is not governing the way that they should govern and policing themselves. I think it is important as we look at this culture of corruption and cronyism and incompetence that we put it in the right perspective.

We know that a lot of this is allegations. We will just say allegations. I want to make sure that we say that, but I want to also make sure that Members know exactly what is going on. This is not regular business in the Congress. The 109th Congress, historians will reflect, and in the present, will say, this has never happened before in the history of the Republic.

So when folks start talking about, well, you know, I do not know what you are talking about, I am going to tell you another thing. They are coming to the floor, the majority tomorrow, to pass tax cuts on behalf of billionaires and millionaires.

Meanwhile, just before we left here, they cut student loans. Cut Medicaid, cut child support enforcement. Somebody please tell me this is a misprint. But it is not. And going after deadbeat dads. So I wonder how the state attorneys and sheriffs are going to feel about that?

They cut many programs that we need in this country. Meanwhile back at the ranch, we are going to turn our back on what is going on in Iraq and what is going on here in Washington, D.C. as though it is not a big deal.

So I think the gentleman from Massachusetts (Mr. DELAHUNT) is in order when he talks about some of the decisions that are being made.

And one of any colleagues on this side said just because the Republican leadership says it is true does not mean that it is true. We were here on this floor late one night in the 108th Congress, and even in this Congress, but in the 108th Congress on the prescription drug bill. And the gentleman from Ohio (Mr. RYAN) does it so well, I want you to talk about what they said and what the reality was.

Just because they say it does not mean that it is true. The President says complete victory. What is complete victory? What is complete victory? Is it until the last insurgent says I am no longer going to be one?

Mr. RYAN of Ohio. We have a quote over here. Victory means exit strategy, said Governor George Bush during Kosovo. Exit strategy. And here we are a couple of years into the war with no exit strategy. And if you ask for an exit strategy, you are helping out the other side.

Well, wait a minute. We are spending $1.5 billion a week. We have lost well over 2,000 lives, thousands and thousands of soldiers have been injured. Do we not have a right in the Congress of the United States, the House of Representatives, to at least ask when are we leaving? Is it 4 months? Is it 6 months? Can we at least have a discussion on why we should not talk about it, or is it just my way or the highway? I mean, we have an obligation here to do that.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, you know, there has been a whole lot of twisted-up debate on time tables and whether we are insisting on a time table and withdrawal, and whether the withdrawal is immediate or 6 months.

When we talk about the drawn-down of troops, and the fact that we need to make sure that it is the Iraqi people that are ultimately responsible for running their own country, we are referring to the President's objectives that he said that he wants to see.

And the other day I heard the President talking about that we will withdraw and begin to withdraw troops from Iraq when we have objectives that are reached.

Well, what the heck does that mean? Does it mean that when 50 percent of the Iraqi battalions are fully independent? Does it mean 75 percent? Where are the benchmarks? I mean, it

is fine to say that we need to have objectives about this. We should not leave or withdraw troops until we meet objectives.

But what are those objectives? I need something concrete to be able to go home and tell my constituents. I mean, we have got 2,013 American lives that have been lost, and 50 percent of those kids have been kids under the age of 22. There is some serious accountability that needs to be brought to bear here.

And, you know, vague references to objectives that should be met by the President is not what I call accountability, not when you have $223 billion being spent on this war.

Mr. RYAN of Ohio. I look at this like your homework when you are in school, and your teacher gives you some homework. The homework is due next Thursday. You have got to have X, Y and Z done. And, you know what, if it is due on Thursday, most kids will do it on Wednesday. Right? That is just human nature. And I am thinking that maybe we need to tell the Iraqis, your homework needs to be done by May. Okay? And it better be done.

If you do not tell them the homework needs to be done by May, then they are not going to do it. So if it is indefinite, there is no end in sight, that is not what the American people want.

Mr. PALLONE. Mr. Speaker, I feel a little bit funny talking about this, because I listened to the gentleman from Iowa (Mr. KING) who is now in the Speaker's chair. I guess he cannot respond because he is in the Speaker's chair.

So I will try not to be too critical. But when I listened to him talk about the war earlier this evening, our Republican colleague, I just think there is a lot of confusion on the Republican side about what the goal is.

And I think what the gentleman from Ohio (Mr. RYAN) said and my colleague from Massachusetts (Mr. DELAHUNT), they are getting to it.

When I listened to the gentleman from Iowa (Mr. KING), it was almost as if on the one hand the enemy was Saddam Hussein, but then on the other hand, the enemy seemed to be the whole of Iraq and all of the Iraqi people.

Now my understanding of this war, I mean, I did not support it, did not vote for it. But my understanding, when the President articulated it, was that we had this dictator, Saddam Hussein, who was basically keeping his people down. He was a dictator. He was not expressing their will.

And once we got in there and got rid of him, that the people were going to welcome us with open arms and feel liberated. Yet I saw a poll yesterday that was done by a British outfit, that said that something like 70 or 80 percent of the people of Iraq thought that we should not be there anymore. 40-something percent thought it was fair to physically attack American troops because they were occupying Iraq.

And so, you know, my feeling is when you get to the point where most of the Iraqi people who we were there to liberate feel that we do not belong there, or even to the point where even the majority are willing to take shots at us because they think that we should get out, then I think we have lost sight of what our purpose is.

And my big contention is that we need to get out in order to achieve victory, because if victory means an Iraq with stability, and where the insurgents do not hold sway, that is not going to happen because we are viewed as an occupying power. That is not going to happen until we leave.

So an exit strategy is important. It seems to me if you want to achieve a victory in the sense that you want to have a stable, Democratic Iraq, I do not see how you have that as long as we are there and the insurgents keep using us as the theme for them to continue to oppose our presence.

But I want to get back also to this whole culture of cronyism, and the other thing that the gentleman from Florida (Mr. MEEK) mentioned. I think that the problem that the Republican leadership has is partially ideological, but also partially corruption in the sense that, you know, if you look at what they do, a lot of it is because they are sort of captured by their own ideology.

Victory means that we have to stay indefinitely until every Iraqi likes us. You know, on the other hand, the reality is that more and more of the people do not want us there. So they got into this idea of what victory means or what success means, and they just do not want to break from it. They are not looking at what is happening practically.

I see the same thing happening here on domestic issues. In other words, you know, tomorrow we are going to vote on this tax cut, which primarily goes to the wealthy and to the corporate interests. Right? The theory behind the tax cut, the ideology is that, you know, if you give everybody a tax cut, that is going to spur the economy.

The reality is the economy is not doing that well. The people are complaining all of the time to me about the loss of jobs overseas. They do not have pension. They do not have health care, good jobs, good benefits.

Mr. RYAN of Ohio. They have been saying this for 5 years about this tax policy. They have.

Mr. PALLONE. On the one hand they are stuck in their own ideology which is that the tax cuts for the wealthy and the big corporations are going to grow the economy, but on the other hand they are also stuck in this ideology in what they are trying to do legislatively, because they know that this helps their political cronies.

They are trying to help the big special interests. They are trying to help the corporations. They are trying to help wealthy people at the expense of the average guy. They make cuts in programs that help the average person like student loans, like Medicaid and housing and all of the other things that my colleague from Florida mentioned.

They do not care about the average person, not only because their ideology says that that is not what they should be doing, because they should be cutting taxes, but also because helping the average person does not put any money into their campaign coffers. They are not looking for a $5 donation from the guy next door. They are looking for the big donation in their campaign coffers from the big corporate interests.

That is what this is all about. So they mask what they do by saying that somehow it is the right thing to do. It is not practically speaking. It does not work. We are getting further into debt. The economy is not improving. The Iraq war is getting worse. We are spending more money in Iraq. We have no money for domestic programs.

They justify it by saying, well, this is the conservative or Republican way to do things. But it just does not work. It does not work for the average person. It does not work for America and our goals as a country. And at the same time, they do it because it helps them politically because they get more campaign money from the pharmaceuticals, from the defense contractors, from the Halliburtons, from the Bechtels, from all of these groups.

So the American people have to understand that this is not working. It has got to be changed. And the only answer is essentially when the election comes next year, you got to throw these guys out. You got to bring back a Democratic majority that is going to work for the average person, that is going to have an exit strategy for Iraq, that is going to be worried about the debt so we do not go further into debt.

As my colleague says, you know, we can certainly work with the Republicans. We are not saying that we cannot. But this Republican leadership is hell bent on helping the wealthy, helping the corporate interests at the expense of the little guy. And we just see it more and more every day. And tomorrow is a perfect example of it with this.

We pass this budget that cuts all of those domestic programs and help the average man. And we are using those budget cuts to fund tax cuts for corporate interests. I yield.

Ms. WASSERMAN SCHULTZ. Your reference to what their philosophy is with pursuing this tax reconciliation, this tax cut package tomorrow as not being a conservative philosophy.

I will commend to you our colleague, the gentleman from California (Mr. CARDOZO's) comments, who is one of the leaders of the Blue Dogs. In his special order last night, with the gentleman from Arkansas (Mr. ROSS), it is the politics of Scroogeonomics, because as we approach the holiday season, what they are doing and what they are engaging in, the Republican leadership is engaging in, Scroogeonomics.

We can only hope that tonight, as many of our Republican colleagues'

heads hit their pillow, we can only hope that they are visited tonight by the ghost of Christmas past, because that is how we are going to ensure, it is probably the only way that we will ensure it, through a visit of the ghost of Christmas past, that they are shown what the essential ramifications are if they actually move forward and pass this proposal, the cuts to child support, enforcement, the cuts to food stamps, the horrendous cuts in financial aid that they just handed down a couple of weeks ago in the budget reconciliation, Budget Cut Act.

Now tomorrow they want to give tax cuts to people who are in the top two-tenths of 1 percent of the wealthiest Americans.

□ 2230

We are not making this up. This is factual. That is who the vast majority of these tax cuts will go to. What is unbelievable in this Scrooge-onomics proposal of theirs is that they actually have the audacity to call the budget reconciliation act the Budget Deficit Reduction Act when you have got $50 billion in budget cuts in that and then tomorrow they are going to adopt, hopefully they won't, hopefully we will have enough of our colleagues visited by the ghost of Christmas past and they will have their consciences tweaked and they will vote ''no'' tomorrow, but then tomorrow we could potentially adopt $70 billion in tax cuts. I just helped my first graders with their math homework, but even they could figure out that that adds $20 billion to the deficit, $20 billion in which we already have $27,000 for every man, woman, child and newborn baby in this country. That is how much each of us owes.

Mr. PALLONE. The thing that is amazing, I know you were sort of hinting at the holiday analogy there, I cannot help, this is the 2 weeks between Thanksgiving and Christmas, or Hanukkah, too. I cannot help thinking of the analogy. I try not to necessarily throw religion into the debate.

Ms. WASSERMAN SCHULTZ. I was referring to the holidays.

Mr. PALLONE. But think about the sort of Christmas analogy. We all talk about religion, and certainly Christianity, I am a Christian, preaches about how you are supposed to help the poor and help the downtrodden, and here we are in the holiday season cutting programs to the poorest people, the victims of Katrina, their health care under Medicaid, their housing, their ability to get food stamps or food programs. Then I also think about the manger in the story of Jesus and his birth, there is the idea that the family went around and they couldn't find a place that would take them, they couldn't find housing and so they ended up staying in the manger because there was no place else to go. That is how I feel. You read about these housing cuts and I feel like this is like Mary and Joseph and Jesus walking around, they can't find a place to sleep and they have to end up on the street. What happened to this whole idea of Christian values or religious values? It is like thrown out the window at the very time when most people are thinking about it.

Ms. WASSERMAN SCHULTZ. When you are talking about your faith, my faith, I am a member of the Jewish faith, our faith talks about the spirit of Tikkun Olam and giving back to our community and thinking of those who are less fortunate. We are referring to the party that claims to corner the market on faith-based values. If you look at every aspect of their agenda, there is not a component of their agenda that has anything to do with what our faith traditions teach us or with values or with making sure that the least of us and the least among us are assisted. We are supposed to be their voice. If you had listened to the religious leaders who have come to this Capitol and talked about how abominable they think this proposal is, both the budget reconciliation bill and the tax cut package tomorrow is, then you would know that they do not have the moral high ground in this debate whatsoever.

Mr. MEEK of Florida. The gentlewoman is 110 percent right. I would say, and I will even give credit to some of our colleagues on the Republican side, the few within the conference, that agree with making sure that we carry ourselves in a responsible way. In the hour before, we were going to talk a little bit about responsibility and you are talking about responsibility. You are talking about a social and leadership responsibility that we have in the People's House, or what is supposed to be the People's House.

The gentleman from Massachusetts talked about decisions that have been made here in the past and now in the present. When you have a bad idea in many cases, when you start off by saying, like, for instance, a leader can say, I was wrong, or I wasn't quite on point and I'm willing to work with others to make sure that we reach the goals that we set out to do in the first place. What is happening now, Mr. Speaker, the Republican majority and the White House, it is like we don't even want to meet with you. We have conference committees where we have members on this side, ranking members that are saying, I didn't even know that the conference committee was meeting because they are not even notified. That is what is going on. This is not fiction. It is fact.

I just want to point out just a few things real quick. Third-party validator on the action that is supposed to take place tomorrow. I just want to make sure that the Members get this. Economic Policy Institute, www.epi.org. They can get in their office and pull this up. It is the report that is noted, ''The Bottom That Wasn't.'' The economy has little to show for $860 billion in tax cuts, mainly to the billionaires and millionaires.

It goes further back and I want people to pay very close attention to page 12. I just want to make sure that the Members pay attention to page 12 and I think they can read it for themselves. They can pull this up on the Web. You want to talk about responsibility? One of the most respected Members of this House, Mr. JACK MURTHA, stood up and said that things are not as they say they are in Iraq.

Our troops, and we just returned back from Iraq, are doing everything that they can do. We met with the 1st Cav. We went to Camp Victory. We went on to Mosul and a couple of other cities within Iraq. We heard time and time again, yes, we are here but we are here on our third and second deployment. Let me just put on my Armed Services hat here for one second. For us to look at a redeployment strategy, and Mr. MURTHA is right. He has the President running around here giving four and five speeches every week on trying to justify why we should be there and how we should be there. One leader in the Senate, the Democratic leader, Mr. Speaker, in the Senate said, we need to take the training wheels off the Iraqi government and let them know that our military has delivered. Our military has allowed them to be able to have elections come the 15th of December. But no one is talking about the fact which we learned sitting down not only with our military leaders in Iraq but also sitting down with the Iraqi leaders to find out that this parliament that is going to be elected, this governing council that is going to be elected in Iraq, including a prime minister, will not be seated until March of 2006. So folks talk about, oh, December 15 is going to be a wonderful day. They are not going to even get seated, have their power, until March. I guess the Potomac two-step will kick in again. First it was when we get the security forces to the point, and we have to watch the math here when you start talking about this. How many people do we have trained? You hear one number. That number was combat troops, not police combat units. Okay, you have to talk about the interior ministry that has a whole other police force. Only one brigade or two brigades and we have handed this area over. The bottom line and what Mr. MURTHA is saying, for us to be able to allow other countries to become a part of this effort that we set out on, we have to allow them to be a part of it. We are saying we have it.

Tony Blair, the number-one ally, Mr. Speaker, in this war in Iraq, has already said to his country that we're out next year. Period. Done. Not any of this, it's dependent on the training of the troops or it's dependent on how well the parliament and the new government that is in place, it's all dependent on this, that and the other. He said, We're out next year. Period. Our troops are coming home. That is the message to the Iraqi government that they have to get their act together. It

would be okay if it was an international effort in putting money into Iraq, but what the President is saying, he goes down to New Orleans and gives a speech a week after the storm that we will rebuild New Orleans. Meanwhile, Time, Newsweek, you name it, every major periodical, be it daily or weekly, special reports have said that it is not happening.

We are telling Louisiana, hey, you have got to come up with $300 billion to make it happen. They don't have any money right now. The bottom line is that just because they say it does not mean it is true. Mr. MURTHA, third-party validator, had a press conference today and eight letters that he gave to the press and to the American people. The thing that makes Mr. MURTHA so credible in this argument, ladies and gentlemen, is the fact, Mr. Speaker, that he is the ranking member and was the member of defense appropriations and he knows where the bodies are. He knows the Potomac two-step when he sees it. It is not about the fact that everyone likes him in this Congress. We all love Mr. MURTHA. But the bottom line is that he can deliver the message. The real issue instead of the administration and the majority running around here trying to discredit a decorated Marine, trying to discredit someone that has stood with the military foot and toe, someone that wrote letters, the first letter about Kevlar and making sure that our troops have what they needed when they didn't have it and discredit him, they should be trying to sit down with him and others and talk about a bipartisan plan that we can allow other countries to come in under a NATO force and that is what is going to happen after we say, okay, this is our strategy, we want to let the Iraqi people know our military is the number-one military on the face of the earth. You give them direction as it relates to what we want to do policywise, they will do it. They will train. They will make sure the people are in place. But as long as we sit there and say, We're not going to stop until complete victory and we don't know what complete victory is, you have to be precise. It is not even leadership when someone is vague and we are spending billions of dollars in Iraq. I think it is important when we start talking about folks carrying out the responsibility they have to carry out.

Whichever way you look at it, there are Republicans that are saying, Yeah, we need to figure out a redeployment plan, but no one wants to talk about redeployment as it relates to getting our troops out of harm's way. Meanwhile back at the ranch here in this country, we have mothers and we have fathers and we have those that are seeing their loved ones, especially if they are soldiers in the Army, that are being deployed for 12 to 16 months. Think about that, in your third deployment. I left for 5 days and it was like I was gone for a year from my family. Think about the person that leaves and you don't see them for 12 months, 16 months, and every day. I cannot even explain to you of some of the phone calls. I cannot even start explaining to you some of the phone calls that I receive from mothers and from daughters and from husbands saying, I cringe every time the news report comes over the television, three more U.S. troops, 10 more U.S. Marines. And we are still here saying, We're here until we carry out complete victory. You have got to talk about responsibility.

Mr. PALLONE. Just real quickly, you started off saying about how we just don't get the true facts from the Bush administration. It is so true. You listen to the President and you would think that the war was going well and everything is getting better. But we had the 10 Marines that were killed this week. The number of casualties now, we figure by the end of this year, is going to be the highest year ever. The number of casualties keeps rising. The President made a statement the other day about how the economy is getting better. We have lost more jobs in the 5 or 6 years that he has been in office than any President since, I guess, Herbert Hoover. And I don't know who he is talking to, but when you go back to New Jersey and you talk to people, the jobs keep getting lost, the factories keep closing down, the jobs that are replacing them are not as good as the previous ones. That is a big problem is that this administration simply does not present the facts and they just make up stories about what is really happening in Iraq and in America. I appreciate your comments. I just wanted to add that.

Ms. WASSERMAN SCHULTZ. When Mr. MURTHA, who has taken each of us, no matter what generation of Member we are, has taken each of us under his wing, I know I have had an opportunity to learn from him and be mentored by him and I am not on Armed Services or Homeland Security or any of the committees of reference but yet he is still willing to sit down. What was the response on the other side of the aisle to Mr. MURTHA's jump-starting this dialogue and doing what essentially the Nation has been begging for and that is to make sure that this body has a dialogue and has a debate and a discussion? To question Mr. MURTHA's patriotism. That was their reaction. It wasn't, Gee, how can we sit down and hash out our differences. It wasn't, Well, we don't agree with you on redeployment. No matter how you feel about to what degree or how quickly we should withdraw the troops, there is no question that Mr. MURTHA is a man with 37 years of experience in the Marines and 30 years in this body, having been the chair of the defense appropriations committee on which he is now the ranking member. That is what they do.

□ 2245

They undermine and undercut and insidiously insult the patriotism of an unbelievable American like JACK MURTHA, and it is outrageous. He deserves better and the country deserves better than where they have taken this debate.

Mr. DELAHUNT. Mr. Speaker, if I can, what we have here, the issue has been discussed in the news in many venues across the country, about whether the pre-war intelligence was hyped, distorted, and whether the American people were misled by the White House, by the Secretary of Defense, by the Vice President.

Let me put that aside for a moment and suggest that this rosy scenario, this euphoric, unrealistic picture that is now being painted about the realities that exist currently in Iraq is also distorted, is also misleading.

As the gentleman from New Jersey (Mr. PALLONE) indicated earlier, the empirical data, the surveys that are being conducted in Iraq have a totally different conclusion and paint a picture of a reality that has to be disturbing to all of us. Just bear with me for just a moment.

This was a poll that was done by the British Ministry of Defense. It was conducted back in October of this year. It reveals the following: 45 percent of Iraqis believe attacks against British and American troops are justified, rising to 65 percent in some provinces. Eighty-two percent, Mr. Speaker, of the Iraqi people are strongly opposed to the presence of coalition troops.

Mr. Speaker, according to this poll, less than 1 percent of the population believe coalition forces are responsible for any improvement in security.

According to this British Ministry of Defense poll, 67 percent of Iraqis feel less secure because of the occupation, and 72 percent do not have confidence in the multinational force.

This is not a question or an issue of pessimism being put forth by Democratic Members of Congress. What this demonstrates, I would submit, is the reality of Iraq today, and that is why we disagree because what we are suggesting is what we hear from the White House, what we hear from some of our colleagues in the majority party, is unrealistic. It is false.

We are not suggesting that any one of our colleagues is lying, but the facts do not support their conclusions. We all wish it was true, but Mr. Speaker, it is not true and let us accept the truth. Let us insist on honesty.

Mr. MEEK of Florida. Mr. Speaker, can I just break it down one more time?

Mr. DELAHUNT. Please.

Mr. MEEK of Florida. It is a culture of corruption and cronyism and incompetence. It is just that simple. It is just that simple. Mr. Speaker, we can outline this thing as much as possible. I mean, we can go into tomorrow morning if the rules would allow it, but it is just a culture. You cannot operate a business, you cannot operate an educational institution, and you definitely cannot operate a government under a

culture of corruption, cronyism and incompetence.

Mr. RYAN of Ohio. You have people getting indicted left and right. You have contractors and administrators in the government stealing money. I will give you one story that is both full of corruption and cronyism.

An administrator in the U.S. Government who is in Iraq, who is in charge of $87 million in contracts, gets caught taking kickbacks of a couple hundred thousand dollars. That is corruption. In the 1990s he was convicted of fraud, and they put him in anyway because he was the friend of the proper person he needed to be friends with. That is cronyism, and the whole process of not being able to administer the public dollars in an efficient and effective fashion is incompetence.

The American taxpayers work very hard and they send the money down to us, and they trust us to spend that money in a way that will benefit the government and the safety and security of the United States. To put $87 million in the hands of a crook is not only incompetent, but it is wrong and it highlights their inability to govern.

They control the House and the Senate and the White House. They have been in charge for years of all three branches. They have had the opportunity to implement their Republican agenda on taxes, on poverty, on college tuition, on foreign policy, on everything. It has been a miserable failure across the board.

Quite frankly, I think it is an insult to the American people because we do not live under a dictatorship. We live in a democracy, a representative government. America has always been great, as Leader PELOSI was saying today to the 30 Something Group this morning, because we have these high expectations of what the government should do and what the government should be. I am tired of this body taking advantage of the busyness of the American people.

Why is it that just because they can get away with it they do it? That is not right because America cannot lead the world if it is not strong here at home, and these constant tax cuts for the wealthy and cutting billions of dollars out of college tuition, Mr. Speaker, how are we supposed to invest in the country?

Mr. DELAHUNT. When you talk about corruption, I have a question for the administration, and it will go unanswered. I dare say the fact that it will go unanswered is a demonstration that our own democracy is not functioning as it should and that we are putting our democratic institutions, particularly this institution, at risk of erosion, because we are not allowed to ask questions that the American people want answers to.

Let me give you one question. Ahmed Chalabi is the deputy prime minister of this interim government. He is an individual who was convicted in a Jordanian court for embezzlement of some $100 million. He became a darling, if you will, of the neo-conservative movement in this country. It is alleged that he provided false intelligence that served those that were advocating the invasion in Iraq.

Later, it was reported in the news that Mr. Chalabi was under investigation by the Federal Bureau of Investigation; that there was in Iraq a search of his personal residence because he was suspected of providing intelligence that put American military personnel at risk to Iran; that he was a double agent for the Iranian government. Yet several weeks ago, he is meeting with the Vice President in this country and is going around here in Washington.

Please, will someone tell us what happened? Was there any validity to those allegations?

Mr. MEEK of Florida. Well, he could not go to the Jordanian embassy when he was here in Washington because if he went to the Jordanian embassy they would have arrested him on the spot. The embassy is Jordanian ground, just like our embassy is in Jordan, because they have a warrant for his arrest. But better yet, we are doing business with, again, a culture of corruption, cronyism and incompetence, period.

One thing I also wanted to say, we are talking about a redeployment, i.e., how we are going to have an exit strategy. There are people that are running in a December 15 election that will be seated in March, and guess what is some of the platform. We want our own independence. There was actually a call for the U.S. to give their exit strategy. They are ready to go.

So we are saying that we are there on behalf of democracy. Now they have a form of democracy. They are going to have it in March, and we are still saying they are not ready. Now we are in judgment of them saying they are not ready, but we are saying we want them to have a democracy. Just imagine if someone was to come over here to help us and say, well, we are not going to leave until we think you are ready to govern your own country.

It goes against the very logic and principles even in our own Constitution saying that we want to help democratize other areas, and then when it comes down to it, U.S. cities are suffering and the money that we are spending over there. When their government is seated and one of the actions of business there was we want to govern our own country, we can take care of our own problems, better yet, we are going to tell them, no, we cannot, and once again, Mr. MURTHA is talking about redeploying our troops to Kuwait and some other area in case there is a threat as it relates to terrorism of the U.S., of the United States of America, the flag that we all salute, Mr. Speaker. Then our troops will go in and make sure.

But if there is some sort of war or conflict between different factions within Iraq, that is an Iraqi issue. When did that become our responsibility? We are not the Congress of the world, and the President is not the commander-in-chief of the world. There was not a ballot box over in Iraq outside with absentee ballots of our troops sending their votes in.

So I think it is important, as we look at how we are going to deal with the gulf States, how are we going to deal with health care, how are we going to make sure that small businesses are able to provide on behalf of their employees, how are we going make sure that U.S. companies are going to be able to stand for their pensions that folks signed up for, worked 15 years to find out when the golden 20 or 25 happens that it is not going to be there for them?

□ 2300

How are we going to continue to break our promise to veterans when we told them what we would do when they retire or they become veterans of health care? We are breaking our promises.

So to talk about the Iraqis and complete victory, I want to have complete victory as it relates to veterans; I want to have a complete victory as it relates to providing health care, Ms. WASSERMAN SCHULTZ.

Ms. WASSERMAN SCHULTZ. You are absolutely right. Unless you believe that the contracting and the culture of corruption and cronyism and incompetence is reserved for contracting only in the Iraq gulf coast region.

We have a third-party validator, in the New York Times today, where in the gulf coast here we have Rosemary Barbour, the wife of the nephew of Haley Barbour, Mississippi's Governor and former Republican National Committee chairman, who now has apparently received $6.4 million in contracts by her company, and 10 separate contracts from FEMA or the General Services Administration without any bid. A no-bid contract.

Mr. MEEK of Florida. Now, wait, wait, wait, Ms. WASSERMAN SCHULTZ. Can you please say that one more time? I am sorry, Mr. Speaker.

Mr. DELAHUNT. Repeat that. That is unbelievable.

Ms. WASSERMAN SCHULTZ. The wife of the nephew of Haley Barbour, Mississippi Republican Governor, former RNC chairman, she has received $6.4 million in contracts for things like laundry service and showers and delivering tents. Not emergency needs 3 months after Katrina hit that would seem to require no-bid contracts, but 10 separate contracts from FEMA and the General Services Administration, no-bid contracts, of $100,000 or more.

Now, if that is not cronyism.

Mr. MEEK of Florida. Culture.

Ms. WASSERMAN SCHULTZ. And a culture of corruption.

Mr. RYAN of Ohio. And incompetence.

Ms. WASSERMAN SCHULTZ. That we have been talking about, then I do not know what that is.

Did that contract have to be no bid? What made the wife of the nephew of the Governor, who is a former RNC chairman, who just also happens to have been a Republican Party activist, what made her the most qualified? Coincidentally? Coincidentally? Oh, gee, she just happens to be related to the Governor of Mississippi, who is the former RNC chairman and who happened to get a no-bid contract, 10 no-bid contracts for services that I would not deem emergency, that needed to not take the time we would like to require in terms of accountability for reviewing contracts and making sure it goes to the responsible bidder, the person who is going to provide that service in the most economical way.

I know we are coming in on our last few minutes.

Mr. RYAN of Ohio. We have a few minutes, but the majority treats government like it is their own personal sandbox.

Ms. WASSERMAN SCHULTZ. Yes, like it is their piggy bank.

Mr. RYAN of Ohio. Exactly. And they can do whatever they want to do, take care of their friends, and do it using the taxpayers' dollars.

Ms. WASSERMAN SCHULTZ. And, Mr. RYAN, if we could point to some of these things and they could justifiably say these are anomalies, these are outlandish things that only happen on occasion, but, look: pages and pages. Look how thick this notebook is. I am not making this up.

Mr. MEEK of Florida. Ms. WASSERMAN SCHULTZ, you have local contractors. You have local contractors that are saying they are not getting work. They are saying they are not getting work.

Ms. WASSERMAN SCHULTZ. They do not have the connections. That is why they are not getting the work.

Mr. MEEK of Florida. They are not getting the work.

Mr. RYAN of Ohio. And the workers are not getting the prevailing wage.

Mr. MEEK of Florida. But, meanwhile, say it again before we close. Just read what you read about the contracts, just in case some Member went and picked up some coffee or something.

Ms. WASSERMAN SCHULTZ. The wife of the nephew of the Republican Governor of Mississippi, former RNC chairman, $6.4 million in contracts, 10 separate contracts from FEMA and the GSA that were no-bid, for services like providing laundry equipment, delivering tents, and maintaining showers for relief workers.

Mr. RYAN of Ohio. Wait a minute. I think you guys are being a little hard on the Governor here, because his press secretary says that ''the Governor had no knowledge whatsoever of Rosemary's receiving that contract.''

Mr. MEEK of Florida. Mr. RYAN, just stop.

Mr. RYAN of Ohio. No, I think you are being a little hard on him. His press secretary, KENDRICK, said he did not know anything about it. Are you saying you do not believe him?

Mr. MEEK of Florida. Just because he says it, does not mean it is true.

Mr. RYAN of Ohio. You are saying you do not believe him.

Ms. WASSERMAN SCHULTZ. No, we are saying there is a continuation of the culture of cronyism and corruption, and it is time to give government back to the people. And that is what we want to do next year, give government back to the people; make sure government can be responsive to the people's needs and provide for the needs of the people who need the most help.

Mr. RYAN of Ohio. And time and time again you have the act itself, everybody knows what is happening, and then you have the press secretary come out, just like the White House press secretary said Scooter Libby did not know anything. Karl Rove did not know anything. No one knew anything, but the facts say something completely different, Mr. MEEK.

And it is a shame that this culture of corruption, cronyism, and incompetence is so pervasive throughout the United States Congress and our government.

Mr. MEEK of Florida. Before you give the Web site out, Mr. RYAN, I want to say that for every time we have pointed out a culture of corruption and cronyism and incompetence, they are still at work doing it.

Ms. WASSERMAN SCHULTZ. We can do better.

Mr. MEEK of Florida. That is the sad part.

Mr. DELAHUNT. We can do it together.

Mr. RYAN of Ohio. Together America can do better and a stronger America begins right here at home.

30somethingdems@mail.house.gov. Thirty, the number, somethingdems@mail.house.gov.

Thank you, Mr. DELAHUNT, Mr. PALLONE, Mr. MEEK, and Ms. WASSERMAN SCHULTZ.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. GINNY BROWN-WAITE of Florida (at the request of Mr. BLUNT) for the week of December 6 on account of medical reasons.

Mr. HASTINGS of Washington (at the request of Mr. BLUNT) for today after 3:00 p.m. and the balance of the week on account of attending a funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. EMANUEL, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. WYNN, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Mr. LARSON of Connecticut, for 5 minutes, today.

Mrs. MALONEY, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

(The following Members (at the request of Mr. GUTKNECHT) to revise and extend their remarks and include extraneous material:)

Mr. GUTKNECHT, for 5 minutes, today and December 8.

Mr. PAUL, for 5 minutes, December 14.

Mr. WELDON of Pennsylvania, for 5 minutes, today.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 52. An act to direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah.

S. 136. An act to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist certain local school districts in the State of California in providing educational services for students attending schools located within Yosemite National Park, to authorize the Secretary of the Interior to adjust the boundaries of the Golden Gate National Recreation Area, to adjust the boundaries of Redwood National Park, and for other purposes.

S. 212. An act to amend the Valles Caldera Preservation Act to improve the preservation of the Valles Caldera, and for other purposes.

S. 279. An act to amend the Act of June 7, 1924, to provide for the exercise of criminal jurisdiction.

S. 1886. An act to authorize the transfer of naval vessels to certain foreign recipients.

ADJOURNMENT

Mr. RYAN of Ohio. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 6 minutes p.m.), the House adjourned until tomorrow, Thursday, December 8, 2005, at 10 a.m.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

> ''I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true

faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.''

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 109th Congress, pursuant to the provisions of 2 U.S.C. 25:

JOHN CAMPBELL, California, Forty-eighth.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5510. A letter from the Regulatory Specialist, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — One-Year Post-Employment Restrictions for Senior Examiners [Docket No. 05-19] (RIN: 1557-AC94) received November 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5511. A letter from the Regulatory Specialist, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Assessment of Fees [Docket No. 05-20] (RIN: 1557-AC96) received November 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5512. A letter from the Regulatory Specialist, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Fair Credit Reporting Medical Information Regulations [Docket No. 05-18] (RIN: 1557-AC85) received November 28, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5513. A letter from the Legal Information Assistant, Office of Thrift Supervision, Department of the Treasury, transmitting the Department's final rule — One-Year Post-Employment Restrictions for Senior Examiners [No. 2005-48] (RIN: 1550-AB99) received November 17, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5514. A letter from the Secretary, Department of Energy, transmitting the Department's report entitled, ''Report to Congress on Energy Savings Performance Contracts,'' as required by section 1090 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005; to the Committee on Energy and Commerce.

5515. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule — Medical Devices; Immunology and Microbiology Devices; Classification of Cystic Fibrosis Transmembrane Conductance Regulator Gene Mutation Detection System [Docket No. 2005P-0397] received November 14, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5516. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule — Public Information Regulations [Docket No. 2004N-0214] Recceived August 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5517. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Prevailing Rate Systems; Redefinition of the Adams-Denver, CO, Nonappropriated Fund Wage Area (RIN: 3206-AK91) received November 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5518. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Prevailing Rate Systems; Change in the Survey Cycle for the Harrision, Mississippi, Nonappropriated Fund Federal Wage System Wage Area (RIN: 3206-AK96) received November 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5519. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Solicitation of Federal Civilian and Uniformed Service Personnel for Contributions to Private Voluntary Organizations — Sanctions Compliance Certification (RIN: 3206-AK71) received November 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5520. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Department of Defense Human Resources Management and Labor Relations Systems (RIN: 3206-AK76) (RIN: 0790-AH82) received November 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5521. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the 2004 annual report of the National Center for Preservation Technology and Training (National Center), pursuant to 16 U.S.C. 470 et seq.; to the Committee on Resources.

5522. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmosperhic Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No. 041110317-4364-02; I.D. 053105F] received November 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5523. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmosperhic Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Surfclam and Ocean Quahog Fisheries; Suspension of Minimum Atlantic Surfclam Size Limit for Fishing Year 2006 [Docket No. 031015257-3308-02; I.D. 101705B] received November 14, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5524. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmosperhic Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Comprehensive Amendment to the Fishery Management Plans of the U.S. Caribbean [Docket No. 050729208-5267-02; I.D. 060805B] (RIN: 0648-AP51) received November 14, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5525. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmosperhic Administration, transmitting the Administration's final rule — Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Spiny Dogfish; Open Access; Routine Management Measure; Closure Authority [Docket No. 050302053-5120-03; I.D. 042605G] (RIN: 0648-AT38) received November 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5526. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmosperhic Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fishery of the Northeastern United States; Extension of Emergency Fishery Closure Due to the Presence of the Toxin That Causes Paralytic Shellfish Poisoning [Docket No. 050613158-5237-02; I.D. 090105A] (RIN: 0648-AT48) received November 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5527. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmosperhic Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Closure of the Eastern U.S./Canada Area and the Eastern U.S./Canada Haddock Special Access Program Pilot Program [Docket No. 040804229-4300-02; I.D. 081705H] received November 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5528. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmosperhic Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery [Docket No. 051028281-5281-01; I.D. 101705C] (RIN: 0648-AT99) received November 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5529. A letter from the National President, American Gold Star Mothers, Incorporated, transmitting the organization's report and financial audit for the years ending June 30, 2005 and 2004, pursuant to 36 U.S.C. 1101(63) and 1103; to the Committee on the Judiciary.

5530. A letter from the Assistant Secretary for Civil Works, Department of the Army, transmitting the Department's review and recommendation on the Louisiana Coastal Area (LCA), Louisiana, Ecosystem Restoration Program Report (the LCA study report) produced by the Army Corps of Engineers in December 2004; to the Committee on Transportation and Infrastructure.

5531. A letter from the Assistant Secretary for Management and Chief Financial Officer, Department of the Treasury, transmitting in accordance with Section 645(a) of Division F of the Consolidated Appropriations Act, FY 2004, Pub. L. 108-199, a report of the amount of acquisitions made by the Department from entities that manufacture articles, materials, or supplies outside the United States in Fiscal Year 2004; to the Committee on Transportation and Infrastructure.

5532. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule — Milk in the Arizona-Las Vegas Marketing Area; Order Amending the Order [Docket No. AO-271-A37; DA-03-04-A] received November 29, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5533. A letter from the Assistant Secretary of Employment Training, Department of Labor, transmitting the Department's final rule — State Accomplishment of Performance Goals for Trade Adjustment Assistance (TAA) and North America Free Trade Agreement Transitional Adjustment Assistance (NAFTA-TAA) Participants — received November 29, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5534. A letter from the Acting Chief, Publications and Regulations, Internal Revenue

Service, transmitting the Service's final rule — Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Rev. Rul. 2005-77) received November 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5535. A letter from the Supervisor, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Administrative, Procedural, and Miscellaneous (Rev. Proc. 2005-72) received November 16, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5536. A letter from the Supervisor, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Administrative, Procedural, and Miscellaneous (Rev. Proc. 2005-73) received November 16, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5537. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Last-in, First-out Inventories (Rev. Rul. 2005-73) received November 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5538. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Section 7872 — Treatment of Loans with Below-Market Interest Rates (Rev. Rul. 2005-75) received November 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5539. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Section 1274A — Special Rules for Certain Transactions Where Stated Principal Amount Does Not Exceed $2,800,000.00 (Rev. Rul. 2005-76) received November 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5540. A letter from the United States Trade Representative, transmitting the reports of the Advisory Committee for Trade Policy and Negotiations, and the policy, technical, and industry trade advisory committees chartered under those Acts, on the U.S.-Oman Free Trade Agreement, pursuant to 19 U.S.C. 2155(e)(1); to the Committee on Ways and Means.

5541. A letter from the Acting Deputy Secretary, Department of Defense, transmitting the semiannual report of the Inspector General for the period April 1, 2005 through September 30, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Intelligence (Permanent Select).

5542. A letter from the Regulations Coordinator, CMS, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Exclusion of Vendor Purchases Made Under the Competitive Acquisition Program (CAP) for Outpatient Drugs and Biologicals Under Part B for the Purpose of Calculating the Average Sales Price (ASP) [CMS-1325-IFC3] (RIN: 0938-AN58) received November 3, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

5543. A letter from the Secretary, Department of the Interior, transmitting in compliance with the requirements of Subtitle F, section 3182 of the National Defense Authorization Act for Fiscal Year 2002 (Pub. L. 107-107), a report on regarding the future of Rocky Flats National Wildlife Refuge; jointly to the Committees on Resources and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PUTNAM: Committee on Rules. House Resolution 588. Resolution providing for consideration of the bill (H.R. 4297) to provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006 (Rept. 109–330). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. CROWLEY (for himself, Mr. MARKEY, Mr. MCDERMOTT, and Mr. PALLONE):

H.R. 4452. A bill to prohibit the Assistant Secretary of Homeland Security (Transportation Security Administration) from removing any item from the current list of items prohibited from being carried aboard a passenger aircraft; to the Committee on Homeland Security.

By Ms. FOXX (for herself, Mr. HENSARLING, Mr. LUCAS, Mr. FLAKE, Mr. TANCREDO, Mrs. MUSGRAVE, Mr. KINGSTON, Mr. PITTS, Mr. GARRETT of New Jersey, Mrs. BLACKBURN, Mr. WAMP, Mr. BURTON of Indiana, Mr. AKIN, Mr. CANTOR, Ms. WOOLSEY, Mr. NEUGEBAUER, Mrs. CUBIN, and Mr. SAM JOHNSON of Texas):

H.R. 4453. A bill to require reimbursement by the Federal Emergency Management Agency of any amounts borrowed for purposes of the National Flood Insurance Program, and for other purposes; to the Committee on Financial Services.

By Mr. GRAVES:

H.R. 4454. A bill to amend the Internal Revenue Code of 1986 to provide for the amendment of a claim for abatement, remission, or refund of tax imposed on distilled spirits returned to the bonded premises of a distilled spirits plant; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4455. A bill to clarify the status of retirement benefits provided by the Young Women's Christian Association Retirement Fund under the benefit accrual standards of the Employee Retirement Income Security Act of 1974; to the Committee on Education and the Workforce.

By Mr. BERRY (for himself, Mr. ROSS, Mr. SNYDER, and Mr. BOOZMAN):

H.R. 4456. A bill to designate the facility of the United States Postal Service located at 2404 Race Street in Jonesboro, Arkansas, as the ''Hattie Caraway Station''; to the Committee on Government Reform.

By Mr. TOM DAVIS of Virginia (for himself and Mr. MORAN of Virginia):

H.R. 4457. A bill to identify certain roads in the vicinity of Fort Belvoir, Virginia, as defense access roads for purposes of the Defense Access Road Program; to the Committee on Armed Services.

By Mr. EMANUEL:

H.R. 4458. A bill to amend the Internal Revenue Code of 1986 to increase the credit for certain alternative motor vehicles assembled in the United States and to increase the credit for research related to alternative motor vehicle technology; to the Committee on Ways and Means.

By Mr. FORD:

H.R. 4459. A bill to provide tuition assistance to undergraduate students in exchange for the performance of National service; to the Committee on Education and the Workforce.

By Mr. FOSSELLA:

H.R. 4460. A bill to establish a demonstration incentive program within the Department of Education to promote installation of fire alarm detection systems, or other fire prevention technologies, in qualified student housing, dormitories, and other university buildings, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GIBBONS:

H.R. 4461. A bill to make a technical correction relating to the land conveyance authorized by Public Law 108-67; to the Committee on Resources.

By Mr. GINGREY:

H.R. 4462. A bill to amend the National Voter Registration Act of 1993 to require an individual to provide proof that the individual is a citizen of the United States as a condition of registering to vote in elections for Federal office, and for other purposes; to the Committee on House Administration.

By Mr. HOLT (for himself, Mr. LEWIS of Georgia, Mr. OWENS, Mr. HASTINGS of Florida, Ms. KILPATRICK of Michigan, Mr. GRIJALVA, Mr. BRADY of Pennsylvania, Mr. DEFAZIO, Mr. KENNEDY of Rhode Island, Ms. MOORE of Wisconsin, Mr. BROWN of Ohio, Ms. LEE, Ms. WOOLSEY, Mr. NADLER, Mr. SNYDER, Mr. MICHAUD, Mr. MCGOVERN, Ms. SCHAKOWSKY, Ms. JACKSON-LEE of Texas, Mr. SCOTT of Virginia, Ms. CARSON, and Mr. LANTOS):

H.R. 4463. A bill to prohibit deceptive practices in Federal elections; to the Committee on the Judiciary.

By Mr. LAHOOD (for himself and Mr. RANGEL):

H.R. 4464. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for property owners who remove lead-based paint hazards; to the Committee on Ways and Means.

By Mrs. LOWEY (for herself, Mr. SHAYS, Mrs. MALONEY, Mr. CROWLEY, Ms. MCCOLLUM of Minnesota, Mr. VAN HOLLEN, Mr. HOLT, Mr. MCGOVERN, Mrs. MCCARTHY, Ms. MOORE of Wisconsin, Mr. GRIJALVA, Mr. LEWIS of Georgia, Mr. MORAN of Virginia, Mr. LARSEN of Washington, Ms. SOLIS, Mr. SHERMAN, Mr. NADLER, Mr. GEORGE MILLER of California, Mr. MCDERMOTT, Ms. LEE, Ms. KILPATRICK of Michigan, Mr. CLAY, Mr. SANDERS, Mr. LEVIN, Ms. WOOLSEY, Mr. STARK, Mr. KUCINICH, Mr. ENGEL, Mr. ACKERMAN, Mr. OWENS, Mr. BERMAN, Mr. MCNULTY, Mr. LANTOS, and Mrs. CAPPS):

H.R. 4465. A bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961; to the Committee on International Relations.

By Mr. RUSH:

H.R. 4466. A bill to amend the Communications Act of 1934 to require the Federal Communications Commission to prescribe rules regulating inmate telephone service rates; to the Committee on Energy and Commerce.

By Mr. SENSENBRENNER (for himself and Mr. CONYERS):

H.R. 4467. A bill to authorize salary adjustments for Justices and judges of the United States for fiscal year 2006; to the Committee on the Judiciary.

By Mr. SMITH of Washington:

H.R. 4468. A bill to improve certain compensation, health care, and education benefits for individuals who serve in a reserve component of the uniformed services, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Government Reform, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SOLIS:

H.R. 4469. A bill to amend the Public Health Service Act to provide grants to promote positive health behaviors in women; to the Committee on Energy and Commerce.

By Ms. WOOLSEY (for herself and Mr. KUHL of New York):

H.R. 4470. A bill to amend the Elementary and Secondary Education Act of 1965 to extend the deadline by which State educational agencies and local educational agencies are required to ensure that an educator is highly qualified in order to account for the educator's applicable period of military service; to the Committee on Education and the Workforce.

By Mr. RAMSTAD (for himself and Ms. ESHOO):

H. Con. Res. 311. Concurrent resolution urging Japan to honor its commitments under the 1986 Market-Oriented Sector-Selective (MOSS) Agreement on Medical Equipment and Pharmaceuticals, and for other purposes; to the Committee on Ways and Means.

By Mr. MCCOTTER (for himself and Mr. PETERSON of Minnesota):

H. Res. 589. A resolution creating a select committee to oversee and, where necessary, investigate and maximize the necessarily significant appropriations expended to win the War on Terror, especially within the operational theaters of Afghanistan and Iraq; to the Committee on Rules.

By Mr. TURNER:

H. Res. 590. A resolution recognizing the 10th anniversary of the Dayton Peace Accords; to the Committee on International Relations.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

205. The SPEAKER presented a memorial of the General Assembly of the Commonwealth of Pennsylvania, relative to House Resolution No. 460 memorializing the Congress of the United States to allow subsequent consolidated loans; to the Committee on Education and the Workforce.

206. Also, a memorial of the General Assembly of the Commonwealth of Pennsylvania, relative to House Resolution No. 43 memorializing the Congress of the United States to amend the Social Security Act to provide for long-term caregiver benefits; to the Committee on Energy and Commerce.

207. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution 27 encouraging the Congress of the United States to eliminate caps on funded Medicare resident training positions and related limits on costs per resident used to determine Medicare graduate medical education reimbursement payments and to reexamine the direct and indirect graduate medical education reimbursement rates for graduate medical education in Texas; jointly to the Committees on Energy and Commerce and Ways and Means.

208. Also, a memorial of the General Assembly of the Commonwealth of Pennsylvania, relative to House Resolution No. 454 urging the Congress of the United States to create a task force to develop solutions to rapidly increasing health care costs; jointly to the Committees on Ways and Means, Education and the Workforce, and Energy and Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 195: Ms. GRANGER.
H.R. 226: Mr. WELDON of Pennsylvania.
H.R. 297: Mr. WYNN.
H.R. 305: Mr. HINCHEY.
H.R. 333: Mr. CAPUANO.
H.R. 341: Mr. BOOZMAN.
H.R. 389: Mr. BONILLA and Mr. REICHERT.
H.R. 424: Mr. ABERCROMBIE.
H.R. 515: Ms. BORDALLO.
H.R. 586: Mr. BONILLA and Mr. PETERSON of Minnesota.
H.R. 698: Mr. SHUSTER, Mr. MURPHY, and Mr. BRADLEY of New Hampshire.
H.R. 699: Mr. EMANUEL, Mr. PICKERING, and Mrs. CUBIN.
H.R. 820: Mr. GORDON.
H.R. 839: Mr. JEFFERSON.
H.R. 916: Mr. KING of New York, Mr. BECERRA, and Mr. OSBORNE.
H.R. 921: Mr. THOMPSON of Mississippi.
H.R. 934: Mr. FITZPATRICK of Pennsylvania.
H.R. 949: Mr. DAVIS of Illinois and Ms. VELÁZQUEZ.
H.R. 960: Mr. MORAN of Virginia, Mr. STUPAK, and Mrs. MCCARTHY.
H.R. 972: Mrs. TAUSCHER and Mr. ORTIZ.
H.R. 995: Mr. GONZALEZ.
H.R. 999: Mrs. MCCARTHY.
H.R. 1002: Mr. HINOJOSA, Mr. SWEENEY, and Mr. CUELLAR.
H.R. 1053: Mr. WEXLER, Mr. PETERSON of Pennsylvania, and Mr. LANGEVIN.
H.R. 1120: Mr. HOYER, Mr. CHANDLER, and Mr. ALLEN.
H.R. 1125: Mr. FATTAH and Mr. SIMMONS.
H.R. 1227: Mr. WHITFIELD, Mr. PEARCE, and Mr. INGLIS of South Carolina.
H.R. 1249: Mr. SANDERS.
H.R. 1259: Mr. HINCHEY.
H.R. 1298: Mr. NADLER, Mr. RUSH, and Mr. FATTAH.
H.R. 1322: Mr. MICHAUD, Mr. LANGEVIN, Mr. CAPUANO, and Mr. BROWN of Ohio.
H.R. 1345: Mr. FITZPATRICK of Pennsylvania.
H.R. 1413: Mr. RANGEL, Mr. GONZALEZ, and Ms. MCKINNEY.
H.R. 1426: Mr. SHAYS.
H.R. 1431: Mr. KIRK, Ms. VELÁZQUEZ, and Mrs. JOHNSON of Connecticut.
H.R. 1438: Mr. BARRETT of South Carolina.
H.R. 1443: Mr. RAHALL.
H.R. 1518: Mr. SHAW.
H.R. 1588: Mr. ALLEN and Mr. SANDERS.
H.R. 1616: Mr. RENZI.
H.R. 1649: Mr. BRADY of Pennsylvania.
H.R. 1668: Mr. HIGGINS.
H.R. 1806: Ms. KILPATRICK of Michigan.
H.R. 1951: Mr. FRANK of Massachusetts, Mr. PITTS, Mr. GIBBONS, Mr. KLINE, and Mr. HOLDEN.
H.R. 2012: Mrs. NAPOLITANO.
H.R. 2090: Mr. FATTAH, Mr. MCNULTY, and Mr. SANDERS.
H.R. 2177: Mr. ALLEN, Mr. WOLF, Mr. SANDERS, and Mrs. NORTHUP.
H.R. 2193: Mr. MILLER of North Carolina.
H.R. 2230: Mr. WEXLER.
H.R. 2231: Mr. BROWN of Ohio, Mr. STRICKLAND, Mr. MCINTYRE, and Mr. BACA.
H.R. 2325: Mr. SCHIFF.
H.R. 2359: Mr. EVANS and Ms. MCKINNEY.
H.R. 2370: Ms. HARMAN.
H.R. 2378: Mr. THOMPSON of Mississippi.
H.R. 2637: Mr. KING of New York.
H.R. 2669: Mr. HOLT and Mr. INSLEE.
H.R. 2716: Mr. SHAYS.
H.R. 2717: Mr. CUELLAR and Ms. WATERS.
H.R. 2746: Mr. BERMAN and Mr. KUCINICH.
H.R. 2811: Mr. CASTLE.
H.R. 2861: Mr. CASTLE, Mr. HONDA, Mr. MCNULTY, Mr. BRADY of Pennsylvania, and Mrs. JO ANN DAVIS of Virginia.
H.R. 2892: Mr. LARSON of Connecticut.
H.R. 2943: Mr. SCHIFF, Ms. BALDWIN, and Mr. SHIMKUS.
H.R. 2989: Mr. TOM DAVIS of Virginia.
H.R. 3022: Mr. RAHALL.
H.R. 3063: Mr. MORAN of Kansas.
H.R. 3072: Mr. LEWIS of Georgia and Mr. JACKSON of Illinois.
H.R. 3145: Mr. GORDON and Mr. EVANS.
H.R. 3321: Mr. KENNEDY of Rhode Island.
H.R. 3369: Mr. SABO.
H.R. 3506: Mr. BISHOP of Georgia.
H.R. 3553: Mr. INGLIS of South Carolina.
H.R. 3563: Ms. WATSON.
H.R. 3579: Mr. BROWN of Ohio.
H.R. 3644: Mr. REICHERT and Mr. LOBIONDO.
H.R. 3760: Mr. MEEHAN.
H.R. 3838: Mr. JACKSON of Illinois and Mr. SMITH of Washington.
H.R. 3883: Mr. MCHENRY, Ms. HOOLEY, Mr. PUTNAM, and Mr. WESTMORELAND.
H.R. 3907: Mr. WILSON of South Carolina.
H.R. 3908: Mr. LAHOOD.
H.R. 3925: Mr. NADLER.
H.R. 3931: Ms. WATSON and Ms. DELAURO.
H.R. 3948: Mr. CONYERS.
H.R. 4019: Mr. ENGLISH of Pennsylvania, Mr. SESSIONS, and Mr. KELLER.
H.R. 4047: Mr. PLATTS.
H.R. 4062: Ms. WOOLSEY, Mr. LARSON of Connecticut, and Ms. LINDA T. SÁNCHEZ of California.
H.R. 4063: Mr. SMITH of Washington, Mr. CARNAHAN, Mr. DENT, and Mr. JEFFERSON.
H.R. 4093: Mr. MCCOTTER and Mr. MCHENRY.
H.R. 4096: Mr. SMITH of Texas.
H.R. 4098: Mr. FATTAH, Mr. BISHOP of New York, Mr. SMITH of Texas, Ms. NORTON, and Mr. DICKS.
H.R. 4186: Mr. STUPAK and Mr. RANGEL.
H.R. 4217: Mr. PAUL.
H.R. 4229: Mr. MCNULTY, Ms. LEE, and Mr. NADLER.
H.R. 4231: Mr. KLINE, Mr. PETERSON of Minnesota, and Mr. RAMSTAD.
H.R. 4239: Mr. RYAN of Wisconsin.
H.R. 4246: Mr. PAUL.
H.R. 4254: Mr. OWENS.
H.R. 4278: Mr. CAPUANO.
H.R. 4315: Mr. KLINE.
H.R. 4325: Mr. GOODLATTE.
H.R. 4343: Mr. DINGELL, Mr. MARKEY, Mrs. LOWEY, Mr. WATT, Mr. MEEK of Florida, Mr. MEEHAN, Mr. COSTELLO, Mr. LIPINSKI, Mr. WYNN, Ms. KILPATRICK of Michigan, Ms. WATSON, Mr. MEEKS of New York, Mr. WEINER, Ms. WOOLSEY, Mr. WU, Mr. HOYER, Mr. AL GREEN of Texas, Ms. WATERS, Mr. OLVER, Ms. SCHAKOWSKY, Mr. WAXMAN, Mr. ABERCROMBIE, Ms. BALDWIN, Mr. Nadler, Mr. CARDOZA, Mr. COSTA, Mr. CUELLAR, Mr. GONZALEZ, Mr. GUTIERREZ, Mr. HINOJOSA, Mr. ORTIZ, Mr. PASTOR, Mr. SALAZAR, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SERRANO, Ms. SOLIS, Mr. BISHOP of Georgia, Ms. CARSON, Mr. CLAY, Mr. CLYBURN, Mr. CUMMINGS, Ms. CORRINE BROWN of Florida, Mr. FATTAH, Mr. JACKSON of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Ms. MCKINNEY, Ms. MILLENDER-MCDONALD, Ms. MOORE of Wisconsin, Mr. OWENS, Mr. RANGEL, Mr. SCOTT of Georgia, Mr. THOMPSON of Mississippi, Ms. LEE, Mr. SCOTT of Virginia, Mr. DAVIS of Alabama, Mr. DAVIS of Illinois, Mr. LEWIS of Georgia, Mrs. CHRISTENSEN, Mr. JEFFERSON, Mr. HASTINGS of Florida, Ms. JACKSON-LEE of Texas, Mr. EMANUEL, Mr. TOWNS, Ms. BERKLEY, Mr. FORD, Mr. BUTTERFIELD, Mr. HOLDEN, Ms. KAPTUR, Ms. BEAN, Ms. HERSETH, Mr. SHAYS, Mr. CHABOT, Mr. BARTON of Texas, Mr. ENGLISH of Pennsylvania, Mr. TOM DAVIS of Virginia, Mr. LATOURETTE, Mrs. EMERSON, Mr. WHITFIELD, Mr. FERGUSON, Mr. BILIRAKIS, Mr. BURGESS, Mr. HALL, Mr. DEAL of Georgia, Mr. LAHOOD, Mr. BRADLEY of New Hampshire, Mr. TIAHRT, Mr. OSBORNE, Mr. GALLEGLY, Mr. BRADY of Texas, Mr. BLUNT, Mr. BOEHLERT, Mr. KUHL of New York, Mr. SHIMKUS, Mr. KOLBE, Mr. HOEKSTRA, Mrs. CAPITO, Mr. CASTLE, Mr. KIRK, Ms. ROS-LEHTINEN, Mr. BASS, Ms.

GRANGER, Mr. GILCHREST, Ms. PRYCE of Ohio, Mr. HULSHOF, Mr. COBLE, Mr. WALSH, Mr. HAYES, Mr. HOBSON, Mr. PLATTS, Mr. WOLF, Mr. SAXTON, Mr. WELDON of Pennsylvania, Mr. WALDEN of Oregon, Mr. TIBERI, Mr. TURNER, Mrs. MILLER of Michigan, Mr. OXLEY, Mrs. KELLY, Mr. STEARNS, Mr. CANNON, Mr. GERLACH, Mr. HUNTER, Mr. SOUDER, Mrs. JOHNSON of Connecticut, Mr. MCCRERY, Mr. EHLERS, Mrs. WILSON of New Mexico, Mr. REGULA, Mr. DENT, Mr. LEWIS of California, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. MARIO DIAZ-BALART of Florida.

H.R. 4350: Mr. HIGGINS and Mr. OWENS.

H.R. 4352: Ms. HARRIS.

H.R. 4361: Mr. ACKERMAN, Mr. PETERSON of Minnesota, and Mr. RANGEL.

H.R. 4372: Mr. MENENDEZ.

H.R. 4388: Mr. SHAW.

H.R. 4408: Mr. WICKER and Mr. EVERETT.

H.R. 4410: Mr. MEEHAN.

H.R. 4433: Mr. PEARCE.

H.R. 4437: Mr. FORBES, Mr. BURTON of Indiana, Mr. DREIER, Mr. STEARNS, Mr. COLE of Oklahoma, Mr. CULBERSON, Mr. BACHUS, Mrs. SCHMIDT, Mr. RAMSTAD, Mr. THORNBERRY, Mr. MCCAUL of Texas and Mr. ISTOOK.

H.R. 4440: Mr. MELANCON and Mr. FOLEY.

H. J. Res. 70: Mr. WATT, Mr. EVANS, and Ms. SCHAKOWSKY.

H. J. Res. 73: Mr. FRANK of Massachusetts, Mr. WEXLER, Mr. NADLER, Mr. STARK, Ms. CORRINE BROWN of Florida, Mr. PAYNE, Mr. FATTAH, Mr. FARR, Mr. BRADY of Pennsylvania, Mrs. MALONEY, Ms. WOOLSEY, Ms. WATERS, Mr. BLUMENAUER, Mr. CONYERS, Ms. ESHOO, Ms. NORTON, Ms. CARSON, Mr. CUMMINGS, Mr. MCDERMOTT, Mr. MARKEY, Mr. GRIJALVA, Mr. ABERCROMBIE, Mr. MEEKS of New York, Mr. ROTHMAN, Ms. SCHAKOWSKY, Mrs. JONES of Ohio, Mr. LARSON of Connecticut, Mr. MEEHAN, Ms. MCCOLLUM of Minnesota, and Mrs. CAPPS.

H. Con. Res. 174: Mr. HONDA, Mr. PRICE of North Carolina, Mr. BOOZMAN, and Mr. NADLER.

H. Con. Res. 234: Ms. BALDWIN and Mr. DAVIS of Alabama.

H. Con. Res. 296: Ms. ROS-LEHTINEN, Ms. MCCOLLUM of Minnesota, Mr. LEACH, Mr. MCCOTTER, Mr. PAYNE, Mr. HIGGINS, Mrs. KELLY, Mr. WAXMAN, Ms. NORTON, Mr. FARR, Mr. WOLF, Mr. MCDERMOTT, Ms. JACKSON-LEE of Texas, Mr. HINCHEY, Ms. HARMAN, Mr. GUTIERREZ, Mr. ABERCROMBIE, Mr. DOYLE, Ms. SOLIS, Mr. UDALL of Colorado, Mr. DOGGETT, Mr. KUCINICH, and Ms. LINDA T. SÁNCHEZ of California.

H. Con. Res. 297: Mr. DOGGETT and Ms. WOOLSEY.

H. Con. Res. 309: Ms. BORDALLO, Mr. SERRANO, Mr. KILDEE, and Mr. GONZALEZ.

H. Res. 123: Mr. STRICKLAND.

H. Res. 179: Mr. DELAHUNT.

H. Res. 196: Ms. WASSERMAN SCHULTZ, Mrs. TAUSCHER, Mr. DICKS, Mr. HINCHEY, Mr. ACKERMAN, Mrs. JONES of Ohio, Mr. WYNN, and Mr. SCHIFF.

H. Res. 246: Mr. CUMMINGS.

H. Res. 323: Mr. STARK, Mr. STUPAK, and Mr. CALVERT.

H. Res. 471: Mr. WYNN.

H. Res. 498: Mr. BOOZMAN, Mrs. KELLY, and Mr. MCNULTY.

H. Res. 526: Mr. SANDERS.

H. Res. 556: Mr. CARNAHAN.

H. Res. 566: Ms. HERSETH, Mr. DELAHUNT, Mr. MCINTYRE, Mr. COSTA, Mr. BAIRD, Ms. HARMAN, Mr. POMBO, Mr. MCGOVERN, Ms. BORDALLO, Mr. CLEAVER, Mr. GEORGE MILLER of California, Mr. DEFAZIO, Mr. BOSWELL, Mr. LYNCH, Mr. PETERSON of Minnesota, and Mr. TERRY.

H. Res. 579: Mr. NORWOOD, Mr. BURTON of Indiana, Mr. HOSTETTLER, Mr. WILSON of South Carolina, and Mr. BOOZMAN.

PETITIONS, ETC.

Under clause 3 of rule XII,

90. The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 497 requesting the Congress of the United States pass S.1086 and H.R.2423, ''A Bill To Improve The National Program To Register And Monitor Individuals Who Committ Crimes Against Children or Sex Offenses''; which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

HONORING RETIRING CONCORD TOWN JUSTICE MARY HUBERT

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. HIGGINS. Mr. Speaker, today I rise to honor a woman whose tireless service as Concord Town Justice has made her court the envy of town courts throughout Erie County. I want to honor the service of Judge Mary Hubert.

A native of Buffalo, Judge Hubert has served on the bench as Town Justice in the Town of Concord for many years. She is well known throughout the legal community as a fair-minded and efficient judge.

The Hubert family has served their adopted hometown very well. Judge Hubert's husband, Raymond, is a longtime member of the Concord Town Board, and their combined service has augured well for local residents; they are better for having had the privilege of Judge Hubert's service.

As Judge Hubert now goes into retirement as an active judge, I want to thank you, Mr. Speaker, for allowing me an opportunity to honor her service to the residents of the town of Concord in this manner. My thanks go out to Judge Hubert for her fine service, and my best wishes go out to her, Ray and to their entire family for good luck and Godspeed in the months and years to come.

IN HONOR AND RECOGNITION OF DR. FRANK WILLIAM REIS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in tribute and recognition of Dr. Frank William Reis, upon his retirement that reflects 35 years of exemplary service as an educator and leader within the public school and college arena.

Dr. Reis honorably served our country as a Vietnam war veteran. Following his service, he enrolled in college and earned a bachelor's degree in education, MBA and ME degrees, and a Ph.D. in Educational Policy and Leadership. Equipped with an unwavering commitment to raising the lives of children through the power of education, Dr. Reis brought his enthusiasm and concern for his students into the inner city classrooms of Rhode Island. In 1974, Dr. Reis was named the Rhode Island Teacher of the Year—a rare occurrence at that time for an inner city schoolteacher.

For the past 16 years, Dr. Reis served in critical positions at Cuyahoga Community College, most recently as executive vice president for Administration and chief operating office. His leadership and expertise served to elevate operations throughout the areas of human resources, training and development, public affairs, staff advancement, public safety, information technology, telecommunications and government affairs. Additionally, Dr. Reis instituted the "Jennings Scholar" program that recognizes outstanding public school teachers, K–12, throughout Greater Cleveland. Beyond his abiding dedication to his professional vocation, Dr. Ries has volunteered countless hours as a member and leader within numerous civic organizations, including the Community Organization for Drug Abuse Control, Kidscope, Recovery Resources and the Governor's Regional Economic Advisory.

Mr. Speaker and colleagues, please join me in honor and recognition of Dr. Frank William Reis, whose retirement reflects 35 years of educational excellence and accomplishment. Dr. Reis's steadfast devotion as an educator and leader in education has empowered and inspired countless students, young and old. We wish Dr. Reis and his family an abundance of peace, health and happiness as he journeys onward from here.

IN MEMORY OF VICE ADMIRAL ARTHUR K. CEBROWSKI

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. SKELTON. Mr. Speaker, it is with deep sadness that I inform the House of the death of Vice Admiral Arthur K. Cebrowski, USN, Ret.

Admiral Cebrowski was born in Passaic, NJ. He graduated from Villanova University in 1964. He received a master's degree in Computer Systems Management from the Naval Post Graduate School and attended the Naval War College.

In 1964, he entered the Navy through the Reserve Officers Training Corps. He was a naval aviator and commanded Fighter Squadron 41 and Air Wing 8. He commanded the assault ship USS *Guam,* the aircraft carrier USS *Midway* and the USS *America* Battle Group. He had combat experience in Vietnam and Desert Storm. His joint assignments included service as the director, Command, Control, Communications and Computers, J–6, Joint Staff. He also had served in the Office of the Chief of Naval Operations as director of space, information warfare, and command and control. Admiral Cebrowski retired from the Navy on October 1, 2001, after serving as the president of the Naval War College in Newport, RI. On November 26, 2001, Admiral Cebrowski was appointed to the position of director, Office of Force Transformation.

Mr. Speaker, Admiral Cebrowski was a valuable leader in the U.S. Navy and our country. I know the Members of the House will join me in extending heartfelt condolences to his family.

RECOGNITION OF NIDA'S PSA CAMPAIGN CONNECTING DRUG ABUSE WITH RISK OF HIV/AIDS

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. DAVIS of Illinois. Mr. Speaker, on this our first day in session following World AIDS day, I rise to recognize a public awareness campaign released by the National Institute on Drug Abuse that brings critical attention to the dangerous link between drug abuse and HIV/AIDS.

This campaign seeks to inform our youth how drug abuse can impair judgment and cause risky sexual behaviors that increase the danger of contracting or transmitting HIV.

The connection between drug abuse and HIV/AIDS isn't limited to the risks of injecting drugs and being infected by contaminated needles. It is much bigger than that. Drug or alcohol intoxication changes behavior—inhibitions disappear and the ability to make good decisions is impaired.

Only 1 in 50 high school students report having ever injected an illegal drug. However, young Americans use alcohol and other drugs at high rates. According to NIDA, between 2000 and 2003 about 10 young people (age 13–24) were diagnosed with HIV/AIDS each day.

Today an estimated 1 million people in the United States are living with HIV/AIDS, and, approximately 4 out of 10 U.S. AIDS deaths are related to drug abuse.

My advisory committees on AIDS/HIV and Drugs and Substance Abuse confirm the toll that this dual epidemic has taken. Drug abuse and HIV/AIDS affect our children, our families, and our communities not only in the 7th District of Illinois but also across this nation.

I commend NIDA's efforts in advancing research and public awareness to better understand the pivotal role drug abuse (in all its forms) can play in the spread of HIV/AIDS.

We need to continue to educate our constituents about the risks of drug abuse and HIV infection. We need to provide adequate and accessible treatment for those with drug problems and HIV/AIDS. We need to support what NIDA has established that drug abuse treatment is HIV prevention. Because by limiting and protecting against the risky behaviors associated with drug abuse, we can decrease the likelihood of spreading or contracting HIV/AIDS.

TRIBUTE TO BRONSON METHODIST HOSPITAL

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. UPTON. Mr. Speaker, I rise today to recognize and congratulate Bronson Methodist

Hospital in Kalamazoo, Michigan for providing outstanding health care to the residents of Southwestern Michigan. Bronson was recently honored with the 2005 Malcolm Baldrige National Quality Award, which is our Nation's highest Presidential honor to commend quality and organizational performance excellence.

The 6 recipients of the Malcolm Baldrige Award were selected from a highly competitive field of 64 nation-wide applicants, which were rigorously evaluated by an independent board of examiners.

This prestigious award will come as no surprise to the folks of Southwestern Michigan who have for years relied upon the hard work and treatment provided by Bronson Methodist Hospital. There is nothing more important to us than our health and the health of our family members. I would like to thank Bronson Methodist Hospital for the continued quality service they provide our community and congratulate them once again for being recognized nationally for their hard work and dedication. We are truly fortunate to have such an exemplary hospital working for us in our corner of Southwest Michigan.

TORTURE VICTIMS RELIEF REAUTHORIZATION ACT OF 2005

SPEECH OF

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 6, 2005

Mrs. DAVIS of California. Mr. Speaker, as the House stands poised to consider and pass H.R. 2017, the Torture Victims Relief Reauthorization Act of 2005 (TVRA), I want to express my strong support for this legislation. I am proud to be a cosponsor of H.R. 2017. I want to take this opportunity to recognize the efforts of Survivors of Torture, International (SURVIVORS) in my district of San Diego, California. SURVIVORS is an independent, nonprofit organization dedicated to caring for survivors of politically-motivated torture and their families who live in San Diego County.

San Diego is home to the busiest land border crossing in the world. According to conservative estimates based on International Red Cross Red Crescent Societies' extrapolations of the percentage of torture survivors among refugees from countries where the use of systematic torture is documented, approximately 11,000 torture survivors are living in San Diego County today. They are from countries where the use of systematic torture is documented, including countries in Africa, Southeast Asia, the Middle East, and Latin America.

Since 1997, SURVIVORS has helped more than 500 torture survivors from more than 40 countries to recover from their traumas through a holistic program including medical, dental, psychiatric, psychological, legal and social services. SURVIVORS empowers torture survivors to reclaim the strength and vitality that were stolen from them by brutal dictators and governments. The specialized care SURVIVORS provides these vulnerable individuals helps them to become self-sufficient and healthy members of their families and of our community. SURVIVORS currently serves approximately 200 survivors of torture and their families in San Diego County.

Mr. Speaker, SURVIVORS works with refugees, asylees, asylum seekers, and immigrants who are survivors of torture. By working with this large population in San Diego County, SURVIVORS is strengthening the nation: many of its clients move to other communities in the United States after receiving the care and services necessary to successfully build a new life here. As SURVIVORS continues to work in the community, it receives an increasing number of referrals and requests for services each year. There is also a need to continue making services even more comprehensive.

The professional background of SURVIVORS' clients include: business, religious, government, and farm leaders; university students and educators; journalists; physicians and nurses. They are talented, trained, productive people who feel destroyed. Torturers today are able to create conditions which effectively break down the victim's personality, identity, and his/her ability to live a full life later. At SURVIVORS and groups like it across the nation, these individuals find help to begin reclaiming their lives.

The significant majority of SURVIVORS clients in San Diego suffer from Post-Traumatic Stress Disorder, Major Depressive Disorder, or both. The worst consequences of torture are psychological ''sequelae.'' These are normal yet disabling reactions for ordinary people who have endured the extreme trauma of torture.

People are referred to programs like SURVIVORS through a variety of sources, including: religious and community-based social service organizations, refugee resettlement organizations, immigration attorneys, public health care providers, schools, individuals in the community, and other torture survivors.

Mr. Speaker, the TVRA provides funds for torture treatment centers in the U.S. through the Office of Refugee Resettlement (ORR). Currently, 27 programs in 17 states receive assistance through ORR. The treatment provided by these programs enables survivors of torture to recover their lives and become productive members of their communities. Many of these centers also train mainstream organizations and personnel. This increases the ability of health care providers, schools and other institutions to provide for the special needs of torture victims and contribute to the prevention of torture.

Since 2000, SURVIVORS has received the bulk of its funding from TVRA through ORR; and almost two-thirds of SURVIVORS' current financial support is funded through an ORR grant. TVRA provides funds for foreign treatment centers through the U.S. Agency for International Development (USAID). In some cases, direct investment by the U.S. in torture rehabilitation centers provides important political support and protection, especially when the local embassy, Members of Congress and other American leaders visit these centers. SURVIVORS also receives funding to provide technical assistance and build the capacity of NGOs in Mexico that provide services to survivors of torture.

Mr. Speaker, TVRA also authorizes a contribution to the United Nations Voluntary Fund for Victims of Torture (UNVFVT). Funding from the U.N. helps many centers feel more secure in the dangerous work of aiding torture survivors that a regime has identified as its enemies. The UNVFVT supports nearly 200 treatment programs spanning 70 countries, including nearly all U.S. centers. This funding is also vital to groups like SURVIVORS for direct programs.

In conclusion Mr. Speaker, the TVRA is a vital piece of legislation which funds essential services for survivors of torture throughout the 53rd District of California and San Diego County, and enhances the standing and reputation by exporting America's values in the form of support for foreign treatment centers. I strongly urge my colleagues to join me in supporting this bill that is so important to so many.

HONORING RETIRING CONCORD TOWN COUNCILMAN JOHN ALLAN

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. HIGGINS. Mr. Speaker, today I rise to honor John Allan, whose service as a member of the Concord Town Board will come to an end on December 31, 2005.

Councilman Allan is a man dedicated to effective public service for the residents of the Town of Concord. Few public officials love their hometown the way John Allan does, and his public acts have always had the intention of making life in the town of Concord better for those fortunate enough to live there.

While John's most recent run for public office has proven unsuccessful, it is a virtual certainty that he will remain active in local civic affairs. That is a good thing, for the town of Concord is better for the active public service of individuals like John Allan.

I want to thank you, Mr. Speaker, for offering me this opportunity to honor the public service of retiring Concord Councilman John Allan, and I hope that you will join me in offering to Mr. Allan the House's best wishes of good luck and Godspeed in all of his future endeavors.

U.S. MARINE LANCE CORPORAL DAVID A. MENDEZ RUIZ

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of United States Marine Corporal David A. Mendez Ruiz of Cleveland, Ohio, who bravely, honorably and selflessly heeded the call to duty and made the ultimate sacrifice on behalf of our country.

Family, friends and service to others framed Corporal Ruiz's young life. He gained personal strength and faith from those who knew him best and loved him most, especially his father and mother, Maximiliano and Miriam; sisters and brothers, Sandra, Byron, Laura, Mynor, Zucely, Edgar and Nydia; grandmother, Elvia Ruiz; and his fifteen nieces and nephews.

Corporal Ruiz was born in Guatemala City, Guatemala, on May 26, 1985. In 1991, at the age of six, Corporal Ruiz and his family immigrated to the United States and settled in Cleveland, Ohio. He quickly assimilated to American culture; his easygoing nature and generous heart easily drew others to him. One

month after graduating from Greater Cleveland Christian High School in May 2003, Corporal Ruiz enlisted in the United States Marine Corps, where he served with dedication and honor. In February 2004, he left for first tour of duty in Iraq. Corporal Ruiz left for his second tour of duty on July 4, 2005.

Mr. Speaker and Colleagues, please join me in honor and remembrance of Lance Corporal David A. Mendez Ruiz. I extend my deepest condolences to his parents, brothers and sisters, grandmother, extended family members and many friends. Integrity, kindness, unwavering service to others and endless heart defined his young life and his spirit will live forever in the hearts and memories of everyone who knew and loved him best—his family and friends. Corporal Ruiz's courageous life and legacy of service will be forever honored and remembered by the Cleveland community and by our entire nation.

IN MEMORY OF DAVID HENSON

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. SKELTON. Mr. Speaker, it is with sadness that I inform the House of the death of Dr. David Henson of Jefferson City, Missouri.

Dr. Henson grew up in Orlando, Florida. He attended Florida A&M University where he received a B.S. degree in Biology in 1961. In 1968, he earned a M.Sc.Ed. degree in Chemistry from Tuskegee University. In 1972, Dr. Henson received his Ph.D. degree in Biochemistry from the University of Iowa.

For more than two decades Dr. Henson made significant contributions to the field of higher education. Most notably, he was the Acting Chairperson, Department of Biochemistry, Assistant Dean of Student Affairs, and Associate Professor of Biochemistry at Howard University College of Medicine; Dean of Student Affairs, Associate Dean of Yale College, Lecturer in Molecular Biophysics and Biochemistry and Fellow in Timothy Dwight College at Yale University; Provost and Professor of Chemistry at the Broward Campus of Florida Atlantic University and Associate Vice Chancellor for Academic Services/Student Support Services at the University of Colorado at Boulder. Dr. Henson also served as President and Professor of Chemistry at Alabama A&M University in Huntsville, Alabama, and as Vice President of Student Services at Purdue University in West Lafayette, Indiana. On July 2, 1997, Dr. Henson became the seventeenth President of Lincoln University, Jefferson City, Missouri. Under his leadership Lincoln University experienced unprecedented growth and renewal.

Dr. Henson also was involved in the Jefferson City community. He served on the Board of Directors for the Jefferson City Chamber of Commerce, was a member of the Jefferson City Leadership Forum and the Rotary Club of Jefferson City.

Dr. Henson was a member of Sigma XI Honorary Society, Beta Kappa Chi Scientific Honorary Society, Alpha Phi Alpha Fraternity, Inc., and an Honorary Member of Kappa Kappa Psi Band Organization. Dr. Henson received the "African Americans Who Make a Difference Award", the Howard University College of Medicine Student Council's Award for "Excellence in Teaching", the George Washington Carver Research Foundation Student Award, and an American Council on Education Fellowship.

Mr. Speaker, Dr. Henson was a valuable leader in his community and was respected by everyone who knew him. He will be missed by all. I know the members of the House will join me in extending heartfelt condolences to his family.

HONORING STUDENTS AT LAKE SHORE MIDDLE SCHOOL

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. HIGGINS. Mr. Speaker, on Wednesday, November 30, I was invited to address a gathering of students and faculty at the Lake Shore Middle School, located in the town of Evans in the 27th Congressional District. In addition to having the honor of speaking to a group of very attentive and inquisitive middle school students, I was honored with a presentation of writings in a "memory folder" that I want to talk about here today.

Students in the eighth grade government class of Mr. Keith Dash, a Lake Shore teacher—and former Buffalo State College graduate school classmate of mine—asked his students to write about freedom, and about what they think about when they think of freedom and life in America. A collection of these writings was bound and presented to me at this gathering, and I wanted to take this opportunity, Mr. Speaker, to enter these writings into the CONGRESSIONAL RECORD.

The students contributing to this project are: Joshua Allen, Kelly Carlson, Cody Catalano, Katherine Dinkuhn, Rebecca Swatsworth, Kim Vona, Kalie Weinheimer, and Jessica Westley. I am honored to have received the writings that these students have labored on for so long, and am delighted to enter each student's contribution into the RECORD, as follows:

The most important element in social studies is the U.S. government. I mean we have all these freedoms; write anything, say anything, do anything. We get a fair trial no mater what the odds are. I am trying to say there isn't any place in the world as good as the USA. In the world it is chaos. I mean wars, fights, and riots. I mean we basically are the translators of many languages like English. We are strong and I don't want it to crash.—Joshua Allen

GOVERNMENT

(By Kelly Carlson)

The United States' Constitution is the foundation of our country, what we've built our lives around. To me the most important part of it is the first Amendment in the Bill of Rights. To have freedom of speech, freedom of the press, the very concept that we, the people of America can voice our opinions, is comforting. I value this amendment because, in most countries you're not allowed opinions, let alone to share those opinions with people around you. To me, what I believe in is more important to me than a lot of things.

The most important right that the Constitution gave me is the right to bear arms. My father and I are both hunters. It is important that the animal population is controlled so deer don't get hit by cars and animals don't have to fight each other for food. It is also a good source of food because we eat all the meat of our kill. The right to bear arms is definitely the most important right to me.—Cody Catalano

THE AMERICAN LIFE

We see the obvious differences between,
Us and the citizens of other countries.
Some are industrialized,
While others are third world.

We say what we want to in Maine,
We publish in California.
And worship in Pennsylvania,
In Texas we gather

We buy a gun in Nevada
We drive through Ohio
And vote in New York

Marriage and voting
It's all the same
In the U.S. we can do it all

The constitution states our rights
It says what we can do
It protects us all
And lets us have a view

(By Katherine Dinkuhn)

Voting is the most important to me in Democracy because it lets me have a say in the government. It also allows me to say my opinion and how I feel about my future. For example the person I feel appropriate to run for government, I would vote for. Voting may be an option but I feel that its everyones job but even better its everyones duty.—Rebecca Swatsworth

I think the most important thing in our government is our laws. This is the most important because they keep order within our community and make it a safer place to live.—Kim Vona

When I think of government, I think of the three branches, the constitution and lots of laws. To me, the most important part of the government is laws. The laws I lead my life by, the laws I follow and the laws I can look up to when I need to be pointed in the right direction. They show me right and wrong, good and bad. They let me understand our society today. They explain things like how we became a free country or how slaves became free. But most important, they hold up our society. So, when I think of our government, I think of laws.—Kalie Weinheimer

There are many important ideas in the Constitution of the United States of America. But there is a very important one that means a lot to me. I think the most important thing in the Constitution is the 15th Amendment. This amendment states that all citizens are given equal rights. This is very important to me because I think regardless of race and color all people should be equal—as the Constitution states. Just because people have a different race they should not be treated different. The Constitution protects this right. The Constitution is the guideline to the government of the United States of America. All people should put others' race and color aside. All people are created equal and should be treated equal as well. Living in America would not be as wonderful without that right. Because of this great Constitution many people came to America and this should always be a part of the United States way of life.—Jessica Westley

TRIBUTE TO THE HONORABLE JOHN J. SINDE, PRESIDENT, VILLAGE OF WESTCHESTER

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. DAVIS of Illinois. Mr. Speaker, I rise to pay tribute to The Honorable John J. Sinde who passed away on November 22, 2005. Mayor Sinde was born on November 13, 1925 and continued a lifetime of work until his retirement in May of 2005. John J. Sinde attended Our Lady of Sorrows Grammar School and St. Phillips High School in Chicago. He enlisted in the U.S. Navy for 3½ years and served in the Pacific Theatre. He was honorably discharged in August 1945.

On September 11, 1954, he was married to Ms. Marilyn Honeyman and they adopted three children, John Anthony when he was seven weeks old, Kimberly Marie when she was six months old and James Michael when he was seven days old.

Mr. Sinde went to work for material service in 1949 and remained until 1983. He began his political career in 1973, by getting elected to the Westchester Park District Board where he served for seven years. In 1981, he was elected Village President or Mayor of Westchester, where he served until his retirement in 2005. John J. Sinde served as President of the Village of Westchester for over twenty-four years. He was the true embodiment of civic involvement and public service. Not only did he serve as Village President but he was also President of the Westchester Park District, Westchester Baseball League, President of the Mary Jane Kennedy PTA, President of Westchester Band Parents, Chairman of the North Central Council of Mayors for ten years, manager of the Pee Wees for 21 years, umpire for Westchester Girls Softball, eight years active as a crossing guard until his last illness.

Proudest accomplishments: Village Swimming Pool, New Post Office, New Village Hall Westbrook Corporate Center, new 2,000,000 gallon water tower Children's Memorial Hospital, 1st lighted baseball diamond. A man who truly loved and was committed to his family and to his community.

The Honorable John J. Sinde, President, Village of Westchester. A true servant of the people, may he rest in peace.

TRIBUTE TO DR. WILLIAM C. RICHARDSON

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. UPTON. Mr. Speaker, I rise today to pay tribute to Dr. William C. Richardson, who for the past ten years has shown great leadership and vision as the President and CEO of the W.K. Kellogg Foundation. Throughout his lustrous career, Bill has tirelessly worked for the betterment of his community and has significantly impacted countless individuals both professionally and personally. Although he will be retiring at the end of this year, the dedication and mission to promote and improve philanthropy that Bill has set forth will no-doubt continue long into the future.

Dr. Richardson has been exceedingly active within the public, private, and non-profit sectors of society. He has served as president of the Johns Hopkins University, executive vice president and provost of Pennsylvania State University, and dean of the graduate school and vice provost for research of the University of Washington.

In addition to his great work with the W.K. Kellogg Foundation and our institutions of higher education, Bill is a trustee of the Council of Michigan Foundations, a former chair and board member of the Council on Foundations, and a fellow of the American Academy of Arts and Sciences and the American Public Health Association.

Dr. Richardson has received numerous honors throughout his distinguished career, and I am pleased to call him a friend. I have known Bill for a long time and have often looked towards his leadership for guidance. The great work that Bill and the Foundation have accomplished over the past 10 years has stretched throughout our country and world. The impact that Bill has had on countless communities throughout his career is truly awe inspiring. The folks of southwest Michigan are fortunate to call Bill a neighbor. On behalf of the Sixth District, I wish Bill and his family all the best in retirement—we are all better off because of his service.

HONORING THE LIFE, LEGACY, AND EXAMPLE OF ISRAELI PRIME MINISTER YITZHAK RABIN ON THE 10TH ANNIVERSARY OF HIS DEATH

SPEECH OF

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 6, 2005

Mrs. DAVIS of California. Mr. Speaker, I stand in support of House Resolution 535, which honors the life of former Israeli Prime Minister Yitzak Rabin on the tenth anniversary of his assassination. I would like to join the world community in celebrating his life and legacy. Yitzak Rabin will forever be known as a man of peace who provided many, Arabs and Jews alike, with the promise of change in a region engulfed in violence. His life gives us hope for the progress of the peace process in the Middle East. The anniversary of his death reaffirms the special relationship between the United States and Israel and serves as a reminder that negotiations can be successful and peace between Arabs and Jews can be attained. I hope current leaders in the region honor Rabin and use this opportunity to breathe new life into the peace process.

TRIBUTE TO WIBC–AM INDIANAPOLIS

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. PENCE. Mr. Speaker, each year at the National Association of Broadcasters Annual Marconi Awards dinner, the evening ends with the awarding of the Legendary Station of the Year. The fraternity of radio stations that can call themselves ''legendary'' is an exclusive club. And this year, WIBC–AM Indianapolis joins that group.

For 67 years WIBC has been the 50,000-watt News and Talk of Indiana. The WIBC News Team is the largest in the state, offering 24-hour Local News. It has won a record number of AP and Sigma Delta Chi awards and has received the Murrow Award for three consecutive years. Further, WIBC has been named a Marconi recipient for Station of the Year for the second straight year.

The National Weather Service called WIBC's weather coverage ''life-saving.''

WIBC is the flagship station of the Indiana Pacers and home of the Indianapolis 500 for 51 years.

In the community, WIBC is known for its charitable acts, having raised almost $1 million for the Salvation Army and collected thousands of teddy bears for police to give to traumatized kids.

WIBC's Race for Riley with John Andretti has raised over $500,000 for the Children's Hospital and the station runs thousands of PSAs each year for many more deserving organizations.

WIBC is home to news and personalities that reflect the lifestyle of mid-America. It is the most popular news/talk station in Indiana.

Mr. Speaker, when you talk radio legends, one voice is clear. WIBC.

HONORING MARK SACKETT ON HIS CAMPAIGN TO BE ELECTED TO THE CHAUTAUQUA COUNTY LEGISLATIVE DISTRICT 4

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. HIGGINS. Mr. Speaker, I rise today to honor Mark Sackett, a resident of Chautauqua County for his quest to become the elected representative to the fourth legislative district in the Chautauqua County Legislature. Although Mr. Sackett was not able to realize his dream he has been able to make an impact on other's lives in a different way.

The campaign trail is a difficult path to take. Any person with a dream may enter but only a few are able to reach the end. Mr. Sackett traveled that path with his head held high and a smile on his face the entire way. I have no doubt that his kind demeanor left a lasting impression on the voters of district 4.

Mr. Sackett is a former legislator where he served the people of district 4 for many years. Mark is also a very creative man who never stops thinking of ways to assist a friend. Many people of Sheridan, New York may remember the large gavel that he constructed.

Chautauqua County is blessed to have such strong candidates with a desire to make this county the wonderful place that we all know it can be. Mr. Sackett is one of those people and that is why, Mr. Speaker, I rise to honor him today.

IN HONOR AND REMEMBRANCE OF BARBARA JACOBS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Barbara Jacobs, whose joyous life was framed by family, community, culture and giving to others. Her passing marks a great loss for her family and friends, and also for the people of Cleveland, whom she served with the highest level of commitment, compassion and concern.

Mrs. Jacobs shared her enthusiasm for community service with her late husband, David Jacobs, former owner of the Cleveland Indians. The welfare of her family and her community defined her life. Together, Mr. and Mrs. Jacobs raised three children: Marie, David Jr. and John. They instilled within them the significance of giving to others and helping those in need.

Mrs. Jacobs continued to carry the torch of philanthropy that she shared with her husband. Her unwavering support focused on uplifting the lives of others. Her generous donations will ensure that students have musical opportunities at the Indiana University School of Music; her spirit of giving will allow poor families and individuals to receive free medical treatment at MetroHealth Medical Center; and her focus on healing will continue to provide support and funding for the Ohio Cancer Research Center.

Mr. Speaker and Colleagues, please join me in honor and remembrance of Barbara Jacobs. Her boundless spirit of giving and joy for living will continue to have a profound impact upon the lives of countless families and individuals, from Cleveland, Ohio to the University of Indiana. I extend my deepest condolences to her children, Marie, David Jr. and John; to her five grandchildren and great-granddaughter; to her dear friend and companion, Albert Werner; and to her many extended family members and friends. Mrs. Jacobs' kindness, energy and compassion will live on within every life she touched and she will never be forgotten.

PERSONAL EXPLANATION

HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Ms. CARSON. Mr. Speaker, due to a weather related travel delay, I was unable to record my vote for rollcall suspension votes 609 through 611. Had I been present I would have voted "yes."

EXPRESSING SENSE OF HOUSE THAT DEPLOYMENT OF FORCES IN IRAQ BE TERMINATED IMMEDIATELY

SPEECH OF

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 18, 2005

Mr. ORTIZ. Mr. Speaker, I have great respect for the gentleman from Pennsylvania who speaks with authority about the military matters of the United States.

JACK MURTHA won the American Spirit Honor Medal, received the Bronze Star with Combat "V", two Purple Hearts, the Vietnamese Cross of Gallantry, and the Navy Distinguished Service Medal.

The issues he raised yesterday are profound issues for each and every American. We honor the fallen soldiers by making an honest assessment of our national security needs. We honor our great democracy by having the national conversation about the war in Iraq—but we dishonor democracy by mischaracterizing what JACK MURTHA said—and putting forward a resolution that does not reflect what he asks . . . and stifles real debate on this important issue.

Nobody here really believes the United States should—tomorrow—withdraw all troops from Iraq. But many of us—indeed many Americans—are unhappy with the direction of the war and believe we could have done it better from the beginning.

This is a serious resolution for us to consider; it should not be a political ploy for the leadership to mischaracterize. This is a serious debate that the Congress is not inclined to have—as evidenced by the late scheduling of a mischaracterized bill.

We should be holding hearings about this . . . and we should not be debating any of this on a Friday night when people don't watch the news, we should do it next week and give it 50 hours of debate. What is more important than a debate about our national defense and the security of our troops?

It is instructive to remember that we sent our troops to battle in Iraq ill prepared for what they would encounter. We did not send them with the tools—or in the numbers—they needed to win the war. We sent them with helicopters and rifles that didn't function properly . . . we sent them without the body armor they needed . . . we sent them in humvees without the armor they needed. They were not greeted as liberators—more faulty intelligence—they were greeted with improvised explosive devises . . . and IED attacks have only grown more sophisticated and more frequent on our troops.

Here's where we are right now: when you make a wrong turn and discover that, do you stay on that road because you don't want to admit you are wrong? Or do you find an exit, get off and find your way? By staying in Iraq after our invasion based on faulty intelligence—we are doing irreparable damage to our international friends: Israel, Jordan, Lebanon, Pakistan, Kuwait . . . and the list goes on.

We need to do it right . . . or leave as JACK MURTHA suggests . . . 1. redeploy U.S. troops consistent with the safety of the U.S. forces; 2. create a quick reaction force in the region; 3. create an over-the-horizon presence of Marines in the region; and 4. to diplomatically pursue security and stability in Iraq.

I will vote "no" for the fabricated resolution before the House tonight . . . but I urge the House to follow the advice—the actual advice—of JACK MURTHA.

HONORING RICHARD NEWTON ON HIS CAMPAIGN TO BE ELECTED TO THE CHAUTAUQUA COUNTY LEGISLATIVE DISTRICT 1

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. HIGGINS. Mr. Speaker, I rise today to honor Richard Newton, a resident of Chautauqua County for his quest to become the elected representative to the first legislative district in the Chautauqua County Legislature. Although Mr. Newton was not able to realize his dream he has been able to make an impact on other's lives in a different way.

The campaign trail is a difficult path to take. Any person with a dream may enter but only a few are able to reach the end. Mr. Newton traveled that path with his head held high and a smile on his face the entire way. I have no doubt that his kind demeanor left a lasting impression on the voters of district 1.

Chautauqua County is blessed to have such strong candidates with a desire to make this county the wonderful place that we all know it can be. Mr. Newton is one of those people and that is why, Mr. Speaker, I rise to honor him today.

A PRINCIPLED REPUBLICAN'S CONTINUED SUPPORT FOR FAIRNESS

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. FRANK of Massachusetts. Mr. Speaker, when I was a Member of the Massachusetts Legislature in 1973, I introduced legislation to protect gay and lesbian people against discrimination. To the surprise of many—myself included—one of the strongest champions of that bill turned out to be a Republican State Senator from a socially conservative part of Massachusetts, Robert A. Hall. As he describes in the attached article, he had not thought much about this before, but when he listened with an open mind to the issues involved, he became a supporter. When he found that he was in fact the only one willing to be the floor manager for the bill on the floor of the Massachusetts Senate, he took that on, in the face of a great deal of political wisdom that said he was making a mistake. As he noted, he went on to a very successful further career.

Bob Hall's article in the Madison, Capital Times continues his work in defending fairness. His arguments on the marriage issue seem to me irrefutable, and they come with great credibility given his background and his current set of views. Since it is apparently the intention of the Republican leadership once again to bring a Constitutional amendment before the House that would prevent States from making their own decisions with regard to same-sex marriage, I think it is very relevant that Mr. Hall's persuasive argument be printed here.

[From the Capital Times, Dec. 1, 2005]

ANTI-GAY BILL WON'T HELP YOUR MARRIAGE

(By Robert A. Hall)

I'm opposed to a constitutional amendment prohibiting gay marriage, now being considered by the Wisconsin Legislature.

Oh, I know, I'm an unlikely champion of gay rights. I'm a Marine Vietnam vet who has deep regrets about that war—mostly I regret that we didn't kill twice as many of those totalitarian murderers. I hope we do better in Iraq.

I believe the ''out-now crowd'' are racists who think the Iraqis are too inferior to deserve democracy. Or they don't care, as long as America is defeated and George Bush embarrassed.

I worked hard to defeat John Kerry last November, and will do so again, if he runs.

And I'm a death penalty advocate who thinks we should run it like a barbershop—two chairs, no waiting.

As a member of the Massachusetts Senate, I regularly voted against increasing the state budget more than any other senator.

And don't get me started on guns. I'm not for mandatory concealed carry, but I do think fondly of how polite folks were in the days when gentlemen wore swords.

Living in Madison, I feel a certain kinship with the Israeli ambassador to Baghdad. While I think of myself as a centrist Republican with a libertarian bent, to the average Progressive Dane voter, I'm a fascist pig.

So how did I become a supporter of gay rights?

In 1973, Massachusetts State Rep. Barney Frank had filed bills prohibiting employment and housing discrimination on the basis of sexual orientation.

The bills came before a committee on which I served. There were a lot of jokes and nudging going on—this was the early '70s. Appearing to testify was a bright and charming woman, Elaine Nobel, who would later serve as a state representative herself. Elaine convinced me that supporting Barney's bills was the right thing to do. I told the chairman, Sen. Allen McKinnon, to record me in favor of them.

The bills received a favorable report—but no one in the committee's Democratic majority was willing to carry (be floor manager) for them. So, my back up, I volunteered.

The Republican floor leader had a minor stroke when he learned I was carrying gay rights bills. He had only seven Republicans out of 40 senators. I was 27, single and holding a seat I'd won by nine votes out of 60,000 cast. The common wisdom was that I was a one-term wonder who caught the incumbent senator vulnerable but couldn't be re-elected.

I suspect that I may have been the first legislator in the country to speak for gay rights on the floor of a state legislature. McKinnon spoke for the bills after me. On the roll call, only six senators voted in favor—McKinnon, four other Democrats and myself. And the bills were dead that year.

But I won the next election by 10,000 votes, carrying every city and town in my working-class Democratic district. More legislators decided that supporting anti-discrimination was a safe thing to do. Today, it's the law in Massachusetts—which strangely doesn't seem to have collapsed because of it or because of the gay marriage decision there last year.

Trust me, no true heterosexual wakes up and thinks, hey, I'm really angry with my partner. I think I'll try dating someone from my own gender from now on.

So who is destroying traditional marriage in America?

How about men—and increasingly women—abusing their spouses? How about the heterosexual trend toward infidelity, led by the example of our highest elected leaders? How about men fathering and then abandoning children to poverty and state support? How about a large number of straight people deciding serial marriage and divorce is a cool lifestyle?

Doing something about those trends would really protect marriage.

IN HONOR OF RICHARD WALTER

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. BLUNT. Mr. Speaker, I rise today to honor Richard Walter on his retirement from more than 36 years of dedicated service to the State of Missouri. Richard Walter distinguished himself in Missouri by his commitment to improving the lives of citizens in this great State.

On December 31, 2005, Richard will retire as District Engineer for MoDOT's District 7. The leadership he provided during his time with the department was crucial to the success of several projects currently moving forward in the 7th Congressional District. Just a few of the projects Richard spent his time advocating include the completion of MO 249, commonly known as the Range Line By-Pass, building four lanes of U.S. Highway 71 south from Joplin to the Missouri-Arkansas border, and completing four lanes of MO Highway 13 north of Springfield to Kansas City. These major projects are vitally important to the economic growth and quality of life in southwest Missouri. The citizens of southwest Missouri owe a great deal of gratitude to Richard for his efforts to advance these projects.

I congratulate Richard on his accomplishments during his tenure with the Missouri Department of Transportation and wish him the best in his retirement.

HONORING THE LIFE OF PATRICIA A. KANE

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. HIGGINS. Mr. Speaker, it is with a tremendous amount of sadness that I report to the House on the passing of a gentle woman whose strength of character served her community and the Democratic party in my hometown of South Buffalo, NY, with tremendous honor and distinction. More importantly, she was a woman of valor—a wife, mother, and grandmother of extraordinary stature, and someone who will be missed for generations to come.

Born Patricia Ann Doyle, Pat Kane was, simply put, a legendary figure in Democratic politics for decades. Pat and her husband, Donald F. Kane—another legendary figure and mentor to many of my contemporaries—were part of a large extended family that, along with leaders like former county and State Chairman Joe Crangle and families like the Crottys, Dillons, Keanes, Mahoneys, Whalens and many others, ruled South Buffalo politics from the 1960's to well into the 1990's.

Former House Speaker Thomas P. ''Tip'' O'Neill is often quoted as saying that ''politics ain't beanbag,'' and that statement goes double for the rough and tumble world of South Buffalo politics. Pat Kane was a strong leader, who was no shrinking violet; she was an integral player in many important races over the years, and her absence will be felt for many years to come. Through her gentle example and moral leadership, she made so many of us so much better than we otherwise would have been. She had the guts to say what was on her mind and the integrity to get away with it.

On a more personal level, Pat Kane's graciousness and generosity extended beyond her family to a wide yet close circle of neighbors, classmates, friends and the friends of her six children, of which I was honored to be included. Having attended school with her son, Patrick Timothy, I will always hold the warmest of kind feelings and blessing of happy memories having been a guest in the Kane home many times. Once given, Pat Kane's hospitality and her genuine interest in you could never be forgotten. I am also proud to note that Pat Kane's eldest daughter, Bonnie Kane Lockwood, is a member of my district staff. Bonnie and I have worked together since my initial election to the Buffalo Common Council in 1987, and I am fortunate to have her working with me, because Bonnie possesses both the intellect and the political acumen one would expect from Don and Pat Kane's daughter, and my constituents and I are blessed to have her service on a daily basis.

Pat Kane loved her family, loved her community, and loved the Democratic party, and her influence is seen in the many young women who have become active in local politics over the past several years. I am a better person for having known Pat Kane, and our community is better for her tireless service to it.

Mr. Speaker, on Saturday, November 26, a cold and snowy morning in South Buffalo, Pat Kane left St. Teresa's Catholic Church on Seneca Street toward her final resting place.

Before doing so, her daughter Bonnie delivered a stirring eulogy that was extraordinary in both its content and its delivery. With the House's consent, I want to close my remarks with Bonnie's words from the Mass of Christian Burial celebrating the life of Patricia Ann Kane.

EULOGY OF PATRICIA A. DOYLE KANE

(By Veronica Bonnie Kane Lockwood)

On behalf of our Dad, Don Kane—and the entire Kane Klan—I want to thank Fr. Paul Seil for celebrating the new life of Patricia Ann Kane this morning and for being with us as that new life began. Our cousin, Fr. Paul has been with us so many times before—weddings, christenings—but his finest moment may have been in Room 8—ICD—8th Floor Mercy Hospital Monday, Nov. 21 at 3 p.m., when, surrounded by her loving family—Fr. Paul stepped to my Mother's side and helped her cross over and help us to accept the cross of missing her—knowing she is with us always.

We also know she is with God and—by now; my guess is God has received his first hand-delivered letter from Mrs. Kane. While I cannot imagine the exact contents of the letter—I am confident a couple of dollars were enclosed.

Thank you to all the Clergy here who celebrate my Mother's life—my Mother was a part of your lives too. And, of course, we thank the Sisters of Mercy for being such an important part of my Mother's life—''Pat Kane lived Mercy, taught Mercy and was Mercy''—and we thank the St. Thomas Aquinas Rosary and Altar Society for providing the honor guard this morning.

Thank you Fr. Mitka for welcoming her and all the Kane's back to St. Teresa's—St.

Teresa's was My Dad's parish for more than 70 years—A Navaho boy—he bought a four-bedroom house all the way across the street on Pawnee Parkway before they were married—and St. Teresa's became Mom's parish too! As with so many things in our parent's lives and loves together—Mom made it her own—she is rightly remembered for her leadership and involvement in so much of St. Teresa's history—Msgr. Toomey's Golden Jubilee, the first St. Teresa's Restoration campaign—with Fr. Berg—another success as we can see.

Mom and Dad organized the hot dog concession for the Annual Comeback Run and I know people came back—for Mom's brownies—which she would offer with every hot dog sold! She was a lecturer for many years—so standing here—where she stood many times before—feels very right.

Our family thanks all of you here today. We know you share our loss—one of my great friends said ''thanks for sharing your Mom with me.'' There was no choice—My Mother's life was and her legacy will be about sharing. Her devotion to countless classmates and neighbors, her friends and the friends of her children was imbedded into her very being—it was not what she did—it was who she was!

She gave of herself—listening, organizing, collecting for a worthy cause, her talents—singing Danny Boy—always a favorite, fashion show commentating, the wearing of the hats, the baking of the brownies, the donating of the dollars—(in fact, we realize our true inheritance is all the good she did—because her money went to so many of you here today—a dollar here, five dollars there—that really adds up, you know).

She gave her heart—when she had her heart attack in 1994—her grandson, James—just a little guy then—said—Gram's heart hurts—because she loves too much—and now, all of our hearts hurt because we loved her so much.

And we have to hurt—but we also must give thanks! If that fact escaped any of our attention—it was Thanksgiving Day when the Buffalo News printed her beautiful picture and life story.

We give thanks for Patricia Doyle born almost 76 years ago to Mike and Gert Doyle of South Park Avenue. At 14, her world would be forever changed by the death of her father—she would have go to work at Cecil's dress shop every day after class at her beloved Mt. Mercy Academy to help make ends meet—and dreams of college and a teaching career were ended.

Her life was not to be an easy one—but she made it easy for all of us. She was not a teacher by trade—but our greatest teacher by example—she became a legal secretary where many a Judge and co-worker told us—they worked for Mrs. Kane. She would always say the greatest gift you can give your child is to teach them empathy—understanding the feeling of others—and oh, how she understood.

We give thanks for Patricia Doyle whose goodness and beauty caught the eye and heart of a young man named Donald F. Kane—56 years ago—husband and wife for 52 years—wonderful parents and best friends whose mutual respect for each other made them even more successful as individuals. We strive to be better husbands and wives, better parents and friends—better at whatever we do in the workplace—because of their example.

We give thanks for the best Mother and Mother-in-Law, making us each feel special as individuals but showing us nothing is more important than family. Mom to six, Mother-in-Law to five, Grandma Kano to 14, Sis to two brothers whom she loved so much, a Sister-in-Law who became a good friend and confidant, a Cousin who became an older sister, Aunt Pat to many and 'Chubby Cheeks' to some.

Our Mother always said, ''Make a Difference in this World.'' And we give thanks for the difference she made in all of our lives.

We give thanks to a woman ahead of her time who was always a lady—a politically savvy partner with my Dad—a politically active person on her own—she knew who she was and what she stood for, stayed loyal when it would have been easier to bend, a truth teller—even when we on the receiving end did not always ask for it or want to hear it when it was given—She never had a driver's license—but how she drove us all to be better than we otherwise would have been—A special friend said—''she had the guts to say whatever was on her mind and the integrity to get away with it.''

We give thanks for her words—left to us to read, remember, treasure and share. Before there was E-Mail there was ''Mom-mail!'' Can you imagine the discipline (which I do not have) it took to put paper in the typewriter—with not an insert or delete button in sight—and type out her thoughts to you perfectly—perhaps include an article she clipped or currency for a special treat—what was better than knowing you got a letter from Mom, Grandma Kano, Aunt Pat or Mrs. Kane.

Let me restate that—not all letters brought good news—some brought ''constructive criticism,'' some brought fashion tips including Dr. Scholl's footpads for all of us before a family wedding.

Words were my Mother's actions and her strength. Her own experiences were an endless well of hope and faith, a simple, powerful reminder that you were not alone!

We give thanks for my Mother's love of holidays—and how she helped us get through our first Thanksgiving without her physically present—yet her presence filled the day. We were at my house—watching football, taking the kids to St. Tommy's gym, making fun of me being in the kitchen—and after dinner—Gramps called us together and—told the Grandkids how Grandma Kano talked about what she wanted to do for them for Christmas this year. And of course what she talked about doing—she did—and so—

Gramps called each of them by name and gave them an envelope from Grandma. Tears and thanks were followed by lots of stories and reading from a few of her letters—it is only right to leave you with the words of Patricia Kane—I will read the words but it is her voice I know that you will hear.

''Keep doing what you think is right and realize that not everyone will agree with you. Put a smile on your face—even in the darkest of days, you found Mom with a smile throughout her whole life. Smiles make everyone feel good—yourself and the one to whom the smile is given. God Bless You—keep your head high and your mind ever working and your spirit with God, He will help you every step of the way—I am proof positive of that statement—I love you today and always.''

Thank You Mom—We love you today and always!

PERSONAL EXPLANATION

HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. GREEN of Wisconsin. Mr. Speaker, I was absent from Washington on Tuesday, December 6, 2005. As a result, I was not recorded for rollcall votes No. 609, No. 610 and No. 611. Had I been present, I would have voted aye on rollcall No. 609, No. 610 and No. 611.

IN MEMORY OF GURDEV SINGH SANDHU

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. TOWNS. Mr. Speaker, I was recently informed of the passing of Gurdev Singh Sandhu at the young age of 62. I would like to extend my sympathies to his family and friends. He is survived by his wife Jaswant Kaur Sandhu, whom he married in 1974, his daughters Samreet and Ramneek, his son Sanmeet, his son-in-law Jason Pavlak, and his grandson London Singh Pavlak.

Gurdev Singh Sandhu was a very passionate supporter of Sikh freedom. He came to this country at age 18 and attended Wayne State University. He worked at many careers, including working as an engineer at Motown Records, working at DEA, employment as an engineer at General Dynamics, and a Quality Manager at Thyssen-Krupp Budd Company. He even had a couple of businesses of his own. He was very involved with his children, helping with homework, coaching Little League Baseball, teaching them to ride a bike, and so many other activities. He designed the house where he and his wife lived.

In his last few years, Gurdev Singh Sandhu had learned to play golf, worked in his garden, was active at a local gym, and worked in his yard and on various home-improvement projects. He had recently built a deck and designed his new garage.

Gurdev Singh Sandhu was a strong supporter of the cause of Sikh freedom and the Sikh homeland, Khalistan. He had hoped to live to see Khalistan free. Hopefully, even though he won't be around to see it, this dream will be achieved in very short order.

Again, Mr. Speaker, I would like to extend my condolences to Mr. Sandhu's family and friends and I know that the Members of this House join me in that. May God bless him.

IN TRIBUTE TO MRS. EDITH A. GRAY, DISTINGUISHED CONECUH COUNTY EDUCATOR

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. EVERETT. Mr. Speaker, I rise today to pay tribute to the long service of a distinguished Conecuh County citizen who has contributed to the education of many in Southeast Alabama. Mrs. Edith A. Gray, who turned 95 this year, is truly an inspiration of community service.

A native of Galveston, Texas, Mrs. Gray received her educational training in 1940 at Tuskegee Institute. Already teaching even before she obtained her B.S. degree, Mrs. Gray dedicated over four decades of her life to educating others at Conecuh County Training School.

Gray went on to develop one of the largest and most successful home economics programs in the State of Alabama. She founded the New Homemakers of America (NHA) organization in Conecuh County and the Mother-Daughter-Father-Son organization as a means of bringing families together.

Her insightful programs brought together families to teach them in their own homes a variety of skills from sewing, cooking, decorating, child care, and preserving homegrown foods.

I am pleased to note that due to Mrs. Edith A. Gray's exemplary service she will be honored on December 12 with the office ribbon cutting of the Edith A. Gray Library and Technology Center at Reid State Technical College in Evergreen, Alabama. She is certainly worth of this honor and I extend my personal congratulations to her and her family.

NICS AND MENTALLY ILL

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mrs. MCCARTHY. Mr. Speaker, for months, I have been discussing how Congress can improve the National Instant Criminal Background Check System (NICS) by passing H.R. 1415, the NICS Improvement Act. People who now are barred by current law from possessing a firearm can purchase guns because NICS data is incomplete. The attached article provides more information on why the 109th Congress must pass H.R. 1415.

I want to comment on patient privacy or the stigma of mental illness. The bill contains language directing the Attorney General to work with Federal, State, and local law enforcement and the mental health community to establish protocols for protecting the privacy of information sharing.

My bill does not change current law. The 1968 gun act already bars guns to people "adjudicated as mentally defective or those committed to mental institutions." That is how the law now reads. H.R. 1415 does not change the law.

It is important to remember how the NICS process works. If a NICS search determines that a prospective buyer is barred from getting a gun, then NICS tells the gun dealer that the sale must be "Denied." NICS does not tell the dealer why the purchase is denied. The stigma, if any exists, is that a prospective gun purchaser is denied the gun. Why he was denied does not come into the NICS process.

[From the Hartford Courant, Nov. 27, 2005]

GAPS IN RECORDS ALLOW MENTALLY ILL TO BUY GUNS

(By Mark Sherman)

WASHINGTON.—In Alabama, a man with a history of mental illness killed two police officers with a rifle he bought on Christmas Eve.

In suburban, New York, a schizophrenic walked into a church during Mass and shot to death a priest and a parishioner.

In Texas, a woman taking anti-psychotic medication used a shotgun to kill herself.

Not one of these names was in a database that licensed gun dealers must check before making sales—even though federal law prohibits the mentally ill from purchasing guns.

Most states have privacy laws barring such information from being shared with law enforcement. Legislation pending in Congress that has bipartisan support seeks to get more of the disqualifying records in the database.

In addition to mandating the sharing of mental health records, the legislation would require that states improve their computerized record-keeping for felony records and domestic violence restraining orders and convictions, which also are supposed to bar people from purchasing guns.

Similar measures, opposed by some advocates for the mentally ill and gun-rights groups, did not pass Congress in 2002 and 2004.

The FBI, which maintains the National Instant Criminal Background Check System, has not taken a position on the bill, but the bureau is blunt about what adding names to its database would do.

"The availability of this information will save lives," the FBI said in a recent report.

More than 53 million background checks for gun sales have been conducted since 1998, when the NICS replaced a five-day waiting period. More than 850,000 sales have been denied, the FBI reported; in most of those cases, the applicant had a criminal record.

Legislation sponsored by Rep. Carolyn McCarthy, D-N.Y., says millions of records are either missing or incomplete. "The computer is only as good as the information you put in it," McCarthy said.

In the Alabama case, police say Farron Barksdale ambushed the officers as they arrived at the home of his mother in Athens, Ala., on Jan. 2, 2004. Barksdale had been committed involuntarily to mental hospitals on at least two occasions, authorities said.

Facing the death penalty, he has pleaded not guilty and not guilty by reason of mental disease and defect.

The shootings led Alabama lawmakers to share with the FBI the names of people who have been committed involuntarily to mental institutions. But just 20 other states provide NICS at least some names of people with serious mental illness, a disqualifier for gun purchases under federal law since 1968.

Shyla Stewart had been hospitalized five times in Texas, twice by court order. Yet Stewart was able to buy the shotgun that she later used to kill herself at a WalMart in 2003 because Texas considers mental health records confidential.

The same is true in New York, where Peter Troy was twice admitted to mental hospitals but bought a .22-caliber rifle that he used in the shootings inside a Long Island church in March 2002. Troy is serving consecutive life terms for the killings.

As a result of the church shootings, McCarthy and Sen. Charles Schumer, D-N.Y., introduced legislation that year to close the gaps in the background check system. The bill would have required the states to give the FBI their records and provided $250 million in grants to cover their costs.

The bill passed the House without opposition but stalled in the Senate. In 2004, the measure again had the support of lawmakers who support gun rights, but it did not pass Congress.

McCarthy, whose husband was among six people shot to death on a Long Island Rail Road train in 1993, has introduced it again this year, but it has not yet been taken up by a House Judiciary subcommittee.

Sen. Larry Craig, R-Idaho, a National Rifle Association board member, was a sponsor of the bill in the last Congress and continues to support it, spokesman Dan Whiting said. The NRA supports the concept, but it has not taken a position on McCarthy's legislation, spokesman Andrew Arulanandam said.

Michael Faenza, president and Chief executive of the National Mental Health Association, said forcing states to share information on the mentally ill would violate patient privacy and contribute to the stigma they face.

It's just not fair. On the one hand, we want there to be very limited access to guns," Faenza said. "But here you're singling out people because of a medical condition and denying them rights held by everyone else."

The states that provide some or all mental health records are Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Hawaii, Iowa, Kentucky, Louisiana, Michigan, New Jersey, New Hampshire, New Mexico, North Carolina, Utah, Vermont, Virginia, Washington, and Wyoming.

HONORING RETIRING CONCORD TOWN SUPERVISOR MARK STEFFAN

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. HIGGINS. Mr. Speaker, today I rise to honor a man whose years of service, both as a councilman, and for the last 4 years as Supervisor of the town of Concord, have served his town admirably. Today, I want to honor retiring Concord Town Supervisor Mark Steffan.

Mark Steffan is someone who loved his town with every fiber of his being. A successful businessman, Mark was elected to the Concord Town Board and his recent service as Supervisor has come at a time when more people in Erie County and western New York look to the town of Concord and its incorporated village of Springville as an outstanding place to live, work and raise a family. It is that way because of the dedicated service of public officials like Mark Steffan.

Mark Steffan and his family are moving on with a planned move out of western New York. I want to take this opportunity, Mr. Speaker, to commend Mark Steffan for his service to the residents and the taxpayers of the Town of Concord, and remind him that local residents are better for the service he provided to town government.

CONGRATULATING MR. PETER A. TAMILIN

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today to congratulate Mr. Peter A. Tamilin on his achievements in public service by serving the United States Army for over 33 years.

Mr. Tamilin began his civil service career as an engineer-in-training in the U.S. Army Corps of Engineers in 1972. He held positions of progressive responsibility as a civil engineer in the Walter Reed Area Office, the Baltimore District and the Europe District, and began serving at Headquarters, U.S. Army Corps of Engineers in 1990. In 2002, Mr. Tamilin moved to his current position as the assistant for construction in the Office of the Deputy Assistant Secretary of the Army Installations and Housing, Assistant Secretary of the Army, Installations and Environment. As assistant for construction, he has been an invaluable asset in the development and issuance of installation policy with focus on Military Construction

which included facilities for the Active and Reserve Components and Army Family Housing.

His efforts, recognized within the Army Family Housing, Office of the Secretary of Defense, and Congress, have focused specifically on the Secretariat policy and oversight for the Army's Transformation to the Army Modular Force, Integrated Global Presence and Basing Strategy, and supplemental request to support the global war on terrorism and responses to natural disasters. Throughout his career, he has provided outstanding leadership, advice, and sound professional judgment to his colleagues. He is an exemplary civil servant and will be missed by the United States Army.

Mr. Speaker, in closing, I would like to congratulate Peter Tamilin for his service to our country. I call upon my colleagues to join me in applauding his past accomplishments and wishing him the best of luck in all future endeavors.

PERSONAL EXPLANATION

HON. SHERROD BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. BROWN of Ohio. Mr. Speaker, on Tuesday, December 6, 2005, I was unable to cast votes on two measures on the suspension calendar. I ask that my absence be excused, and that the CONGRESSIONAL RECORD show that had I been present, I would have voted "yea" on H. Res. 535, honoring the legacy of Yitzhak Rabin, and "yea" on H. Res. 479, commemorating the 50th anniversary of the 1956 Hungarian Revolution.

LET'S GET SERIOUS ABOUT SUPPORTING OUR TROOPS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. CONYERS. Mr. Speaker, today's actions are a shameful disservice both to our soldiers in Iraq and to Americans here at home. Republicans are denying the Nation an open debate on the war in Iraq. On tonight's agenda, the Republicans not only have replaced Mr. MURTHA's resolution on Iraq with H.R. 571, a perversion of the Murtha Resolution that Representative HUNTER introduced, and which in no way conveys the sentiment of Representative MURTHA's proposal. They also have had the temerity to characterize it as a "Democratic proposal."

Representative MURTHA's Resolution states that, "The deployment of U.S. forces in Iraq, by direction of Congress, is hereby terminated and the forces are to be redeployed at the earliest practicable date." It also provides for deploying a contingency capability outside of Iraq, and requires America to pursue security and stability in Iraq through diplomacy. The Republican legislation contains none of this language.

I am a member of the "Out of Iraq Caucus" because I believe we should bring our troops home from Iraq as soon as practicably possible, as does Representative MURTHA. The citizens of this country deserve to have a true floor debate on why this is right and on how best to do it. Then their Representatives owe them an up or down vote on this issue. Mr. MURTHA's speech should open serious hearings on the issue, followed by extensive debate on our policy in Iraq.

Mr. Speaker, to paraphrase FDR: Tonight it's clear that the only thing the Bush White House has to fear is public debate itself.

It is the height of hypocrisy for the Republican leadership to schedule a sudden, straitjacketed mini-debate and vote on their version of Mr. MURTHA's resolution. To understand this hypocrisy its necessary to put their deceit in context.

The House Majority Leadership has consistently refused to allow the House to debate H.J. Res. 55, an earlier bill offered by 63 House members in a bipartisan fashion. It would require the President to set forth a plan for withdrawal from Iraq and to begin to implement it next fall. The Republican Leadership has stonewalled efforts to have this bill considered in committee and brought to the Floor for consideration. They have forced us to employ the parliamentary last resort of filing a discharge petition, in order to force the Leadership to let us debate H.J. Res. 55. The issue before the House at this point is not even the merits of that resolution. Instead, it is preservation of the basic democratic process and the ability of the public to hear debate on the most pressing issue facing this country.

Now, in a 180 degree reversal, the Leadership suddenly wants an abbreviated debate on our policy for ending President Bush's disaster in Iraq. Why this bizarre turn-around, Mr. Speaker? The answer is simple. Mr. MURTHA, the Ranking Member of the Defense Appropriations Subcommittee yesterday struck fear in the Leadership and the White House with his statement of plain truths. Because of his stature in this body, the gentlemen from Pennsylvania, with that single speech, shredded the White House's defense of its flawed policies.

Until now, the President and Vice President have relied on questioning the patriotism of their critics on Iraq. They have hidden behind the claim that—any critics of their war do not support our troops and do not respect our troops' sacrifices. They have repeated that outrageous mantra over and over, most disgracefully in President Bush's remarks on Veterans Day.

Those false claims to discredit critics were demolished in one stroke by Mr. MURTHA's statement. The White House knows full well:

that there is no more patriotic Member of this House,

that there is no Member who loves our troops more,

that there is no Member who has supported our troops more, and

that there is no Member who has served in our military more bravely than Mr. MURTHA.

The White House political spinners also realize that the American people are disgusted when attacks on a patriot like Mr. MURTHA are made by elected officials in the White House who sought to evade military service in time of war. So now they resort to this sleazy tactic. They pretend to have the Nation consider the issues raised by Mr. MURTHA's candid analysis, but in reality they seek to sweep those powerful remarks under the rug.

Then they will pretend that the Congress has seriously considered the tragic issues of life and death and claim that this steamrollered vote reflects the fully-informed, considered opinion of our constituents. That's nonsense.

This is a disgrace to the House, and more important, it's a disgrace to all that our men and women in Iraq are fighting and dying for. The American people and our soldiers deserve better than this cheap trick. To those across the aisle who want to prevent the American people from learning the awful truths about Iraq and who seek to stifle real national debate, there is only one thing to say: "Shame on you."

Mr. HUNTER's charade should be defeated.

S. 136; TITLE III—REDWOOD NATIONAL PARK BOUNDARY ADJUSTMENT ACT OF 2005

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. THOMPSON of California. Mr. Speaker, I want to thank Senator FEINSTEIN and Chairman POMBO for their support of my legislation to adjust the boundary of Redwood National Park to include the State of California's recent Mill Creek acquisition. This legislation is included as Title III in S. 136—The Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act.

In 1994, the National Park Service and the California Department of Parks and Recreation established an historic framework for cooperative management of the four redwood parks included in the boundary of Redwood National Park. Now officially known as Redwood National and State Parks (RNSP), this partnership is viewed as a nation-wide model of interagncy cooperative management effort. Prior to the cooperative agreement, there were inefficiencies, duplication of effort, management and operational conflicts and confusion for the visitor. Now the park appears to the visitor and the traveling public as a seamless park unit. A Redwood National and State Park general management plan was adopted in 2000 that guides the future management and protection of these parks. The proposed boundary revision will enable the two park systems to extend the unique RNSP partnership to the Mill Creek acquisition.

The Mill Creek acquisition is contiguous to the existing boundary of RNSP. It is bordered to the west by Del Norte Redwoods State Park, to the north by Jedediah Smith State Park and to the east, by Six Rivers National Forest, Smith River Recreation Area. My legislation adjusts the RNSP boundary to include the State acquisition of the Mill Creek and Rock Creek watersheds.

The California Department of Parks and Recreation acquired the approximately 25,000 acres of redwood forest in Del Norte County in 2002. The addition of this land protected two important watersheds that link the Pacific Coast with the inland mountains. The Mill Creek and Rock Creek watersheds are important coho salmon rearing tributaries to the Smith River, California's largest remaining undammed river. Protecting and restoring habitat for coho salmon in these areas will help increase salmon populations along the Northern California and Southern Oregon Coasts. It will

ultimately help reduce regulatory burdens on all stakeholders in the watershed. Stimson Lumber Company, who logged the area since the mid-1800s and had gradually phased out its timber operations on this property, initiated the sale of the land.

The property was purchased by Save-the-Redwoods-League and the State of California for $60 million. The purchase price was funded by a variety of state sources, including $42.5 million from Proposition 12, Proposition 13, Salmon Habitat Funding (SB271) and the Governor's Land Conservation Matching Grants. Save-the-Redwoods League provided $15 million and the U.S. Fish and Wildlife Service provided an additional $2.5 million.

As a result of negotiations between the State, Save-the-Redwoods-League, Stimson Lumber and Del Norte County, a mitigation payment was established to off-set the loss of local property tax revenue. Del Norte County received a one-time $5 million payment. The county has preserved the principal and hope one day to be able to invest the interest to grow the fund.

This legislation is supported by the State of California, the National Park Service, the County of Del Norte, Save-the-Redwoods-League and many of my constituents. Passing it today will strengthen the management of these lands and benefit visitors who come from across the country and around the world to see the redwoods and it will help protect important coho habitat.

Again, thank you for your support of this bill which will help both the National Park Service and the California Department of Parks and Recreation work more efficiently and cost effectively. I urge your "aye" vote.

TSUNAMI READINESS

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. WOLF. Mr. Speaker, today I shared the letter below from Admiral Lautenbacher, administrator of the National Oceanic and Atmospheric Administration (NOAA), to all U.S. coastal governors as well as the governors of U.S. territories.

During a recent radio broadcast, I heard a NOAA official state that it was not a question of if a tsunami would hit the United States, but when. The letter below from Admiral Lautenbacher confirms this statement.

It is my hope that our coastal states will contact the NOAA National Weather Service state liaison to receive more information about NOAA's TsunamiReady program.

It was only one year ago that the deadly tsunami struck Indonesia. We must not forget this tragedy and should remember how important it is to be prepared in the event of a natural disaster.

UNITED STATES DEPARTMENT OF COMMERCE, THE UNDER SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE,
Washington, DC, November 22, 2005.

Hon. FRANK WOLF,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE WOLF: Thank you for your recent inquiry regarding the National Oceanic and Atmospheric Administration's (NOAA) tsunami education and community preparedness programs.

All coastal communities in the United States are at some risk. It is a matter of when, not if, a tsunami will strike. The anniversary of the devastating Indonesian tsunami of December 26, 2004, can serve as an opportunity to educate residents of the United States about our vulnerability to tsunamis, and help them minimize personal risk.

Many lives can be saved during a tsunami if the community and local emergency managers are educated and prepared. NOAA has a ready-to-implement program available to coastal communities called TsunamiReady. The TsunamiReady program helps ensure a community is prepared—from understanding what is a tsunami, to ensuring a warning notification system is in place, and establishing evacuation routes and response actions in case of a tsunami warning.

One key to a successful warning program is public notification. TsunamiReady uses NOAA Weather Radio All Hazards (NWR) as one method to alert individuals when a warning is issued. NOAA Weather Radio continuously broadcasts National Weather Service forecasts, warnings, and other crucial weather information. NOAA Weather Radios can be programmed to receive information specific to a certain area, and sounds an alarm to alert users to dangerous situations, including tsunamis.

For further information, please contact Kim Campbell (Kimberly.Campbell@noaa.gov), NOAA's National Weather Service Performance and Awareness Branch Chief, at (301) 713–0462 extension 118, or the appropriate State Liaison office from the enclosed list.

We appreciate your ongoing interest in NOAA.

Sincerely,

CONRAD C. LAUTENBACHER, Jr.,
Vice Admiral, U.S. Navy (Ret.), Under Secretary of Commerce for Oceans and Atmosphere.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION NATIONAL WEATHER SERVICE STATE LIAISON OFFICES

Alaska: Anchorage, Robert Hopkins, Tel. 907–266–5117: Juneau, Tom Ainsworth, Tel. 907–790–6804.

Alabama: Birmingham, Jim Stefkovich, Tel. 205–664–7829.

California: Sacramento, Elizabeth A. Morse, Tel. 916–979–3041.

Connecticut: Boston, MA, Robert M. Thompson, Tel. 508–823–1900.

Delaware: Philadelphia, PA, Gary Szatkowski, Tel. 609–261–6600.

Florida: Tallahassee, Paul Duval, Tel. 850–942–8833.

Georgia: Atlanta, Lans Rothfusz, Tel. 770–486–1133.

Hawaii: Honolulu, James Weyman, Tel. 808–973–5270.

Louisiana: New Orleans/Baton Rouge, Paul S. Trotter, Tel. 985–649–0357.

Maine: Portland, Albert W. Wheeler, Tel. 207–688–3216.

Maryland: Baltimore/Washington, James Lee, Tel. 703–260–0107.

Massachusetts: Boston, Robert M. Thompson, Tel. 508–823–1900.

Mississippi: Jackson, Alan Gerard, Tel. 601–936–2189.

New Hampshire: Portland, ME, Albert W. Wheeler, Tel. 207–688–3216.

New Jersey: Philadelphia, PA, Gary Szatkowski, Tel. 609–261–6600.

New York: Albany, Eugene Auciello, Tel. 518–435–9580.

North Carolina: Raleigh/Durham, Darin Figurskey, Tel. 919–515–8209.

Oregon: Portland, Steve Todd, Tel. 503–261–9247.

Rhode Island: Boston, MA, Robert M. Thompson, Tel. 508–823–1900.

South Carolina: Charleston, Mike Emlaw, Tel. 843–744–3207.

Texas: Austin/San Antonio, Joe Arelano, Tel. 830–629–0130.

Virginia: Wakefield, Anthony Siebers, Tel. 757.899–4200.

Washington: Seattle/Tacoma, Christopher D. Hill, Tel. 206–526–6095.

Puerto Rico: San Juan, Israel Matos, Tel. 787–253–4586.

Guam: Guam, Genevieve Miller, Tel. 671–472–0944.

IN RECOGNITION OF MR. HAROLD ''SANDY'' SANDELMAN

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. KNOLLENBERG. Mr. Speaker, I rise today to congratulate Mr. Harold "Sandy" Sandelman, a resident of Laguna Woods, California, for turning 100 years old on November 26, 2005.

Mr. Sandelman, a son of a Russian immigrant, was born in Sault Saint Marie, Michigan, on November 26, 1905. In 1912, his family moved to Detroit, Michigan where Mr. Sandelman attended high school and became known for his ability to sing, dance, and play the banjo. In fact, the students named Mr. Sandelman "Banjo Buddy" because of his passion for playing the instrument.

Following high school, Mr. Sandelman attended Wayne State University for one year. After a year of college, Mr. Sandelman returned to Detroit and worked for Metro Goldwin Mayer selling motion pictures to various theatres in southern Michigan. Mr. Sandelman also worked in the advertising business for several years before becoming a salesman of building materials until he retired at the age of 75.

Mr. Sandelman has also enjoyed a long life of playing golf from age fifteen into his early nineties. His drive, energy and enthusiasm should encourage us all to live life to the fullest.

Mr. Sandelman is the father of Mrs. Carole Lynn Jones who is married to Mr. Robert R. Jones, who resides in Bloomfield Hills, Michigan, a part of Michigan's Ninth Congressional District, which I represent.

Mr. Speaker, once again, I would like to wish Mr. Sandelman a happy 100th birthday.

BRIGADIER GENERAL ERNIE TALBERT

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. CASTLE. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to Brigadier General Ernie Talbert. This amazing man was also the first African American promoted to the rank of general in the 350-year history of the Delaware National Guard. I chose to wait until today to recognize General Talbert's first because today is also another great first—it is Delaware Day, which signifies the birth of our Nation. At his promotion ceremony on December 4, 2005, he was described by Major General Frank Vavala, as

"having a career of firsts . . . a pacesetter, a role model and a champion of change." I find Ernie Talbert to be all of those things and much more. He is a distinguished leader, an insightful and honest man, and a true patriot. Recognizing General Talbert on Delaware Day, which signifies the birth of our Nation, seemed a much deserved honor.

A native of Wilmington, Delaware, General Talbert's military career began in 1973 as a United States Air Force pilot flying C–141s out of Charleston, South Carolina. His 26 years of distinguished service with the Delaware National Guard began in January 1979, and today he is a command pilot with 6,500 flying hours. General Talbert's career with the Delaware Air Guard has been noteworthy in the wide variety of positions he has held including Squadron Commander; Operations Group Commander; Wing Commander and Chief of Staff for the Delaware Air Guard.

General Talbert's impact is certainly not limited to the Delaware National Guard. He is actively involved in many professional and community organizations including the John Porter Chapter of the Tuskegee Airmen; the Delaware Aviation Hall of Fame; the Brig. General Spruance Chapter of the Air Force Association; and the Central Baptist Church.

I congratulate Ernie Talbert for his years of extraordinary service and countless contributions to the Delaware National Guard and the community. General Talbert is an exemplary citizen, and on behalf of all Delawareans I would like to thank him and his family for the many sacrifices they have made during the past 26 years. His recent promotion to the rank of brigadier general is appropriate recognition for a remarkable career.

HONORING THE LIFE OF MAYOR JOHN J. SINDE OF WESTCHESTER, IL

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. LIPINSKI. Mr. Speaker, I rise today to honor the life of Mayor John J. Sinde of Westchester, IL.

Mayor Sinde passed away in the village he loved so dearly on November 17, 2005. After serving 24 years as mayor, Sinde retired from public life due to health issues.

Mayor Sinde was born in Chicago in 1925 and served in the U.S. Navy during World War II. He married his wife Marilyn in 1954 and moved to Westchester in 1963. Ten years later he began his public service on the Park Board and was elected as Village President in 1981.

During his tenure as Mayor, Sinde oversaw the construction of Westchester's administrative building, post office, Westbrook Towers and the Westchester Park District swimming pool which was renamed for him in June.

Mayor Sinde also helped the village of Westchester to receive its own ZIP code, 60154. This act helped to lower insurance rates by allowing insurers to look at the village apart from neighboring communities. Additionally, he assisted in the development of the southwest part of Westchester, including the shopping center at 31st Street and Wolf Road, the subdivisions along Wolf Road, and Westbrook Towers.

It is my honor to recognize and pay tribute to the life of Mayor John J. Sinde who always had the best interests of the village of Westchester at heart.

TRIBUTE TO BOEING BREAKING THE WORLD RECORD FOR LONGEST NON-STEP FLIGHT

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to highlight a remarkable aviation achievement—a new world record for the longest nonstop distance flown by a commercial aircraft.

On October 9, 2005, a Boeing 777–200LR Worldliner touched down at London Heathrow Airport after completing a non-stop flight from Hong Kong, breaking its own world record set just 16 years earlier.

The Boeing 777–200LR, Boeing's newest aircraft, took the long way around, leaving Hong Kong and flying over the Northern Pacific ocean, crossing North America and then over the Atlantic Ocean to complete its record setting 11,664 mile flight, beating out the previous record by 1,164 miles,

The lead pilot for this remarkable flight was Captain Suzanna Darcy-Hennemann, who in the tradition of aviation pioneers like Amelia Earhart, is inspiring the next generation of young women pilots,

Mr. Speaker, this achievement is a milestone in the history of aviation. We have come a long way since Charles Lindbergh's first solo trans-Atlantic flight in 1927, which set the first world record.

I rise today to congratulate Boeing and its record setting crew, and to express on behalf of my constituents in Orange County, many of whom are Boeing employees themselves, my sincere appreciation of all that Boeing has done in service of American aviation.

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Ms. SCHWARTZ of Pennsylvania. Mr. Speaker, during an absence yesterday, I regrettably missed rollcall votes 609–611. Had I been present, I would have voted in the following manner: Rollcall No. 609: "yea"; rollcall No. 610: "yea"; rollcall No. 611: "yea."

HONORING THE ACCOMPLISHMENTS OF DR. JAMES A. BOYD

HON. ROGER F. WICKER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. WICKER. Mr. Speaker, I rise today to pay tribute to Dr. James A. Boyd of Columbus, Mississippi, on the occasion of his 40th anniversary as pastor at Zion Gate Missionary Baptist Church. I want to join with the congregation, his family, and friends in offering congratulations on this special recognition.

Dr. Boyd's dynamic presence in the pulpit and his leadership abilities have given him the opportunity to travel far and wide in service to God and country. He entered the ministry in 1965 when he became pastor of Zion Gate and El Bethel Missionary Baptist Churches in Columbus. He also taught English in the Columbus School System before choosing to become the fulltime pastor at Zion Gate in 1970.

Over the past four decades, Dr. Boyd has played leadership roles in countless organizations and served as evangelist for revivals, seminars, and conferences all across the nation. He is currently serving as president of the Northeast Mississippi Baptist State Convention, Inc., and is a board member of the National Baptist Convention USA, Inc. He is Trustee/Chairman of the Ministerial Institute and College, Homiletic instructor at the college, and lecturer for the Mt. Olivet District Association.

Dr. Boyd is a native of Oktibbeha County, Mississippi, and graduated from Oktibbeha Training School before earning a bachelor's degree from Stillman College in 1964. He also attended Iowa State University and Mississippi State University. He received a doctorate of ministry at San Francisco Theological Seminary in San Anselmo, California. He also received a doctorate of divinity from Mary Holmes College in West Point, Mississippi, in 2002.

Dr. Boyd is married to the former Kathrene Peterson, and they have two daughters and three grandsons.

I ask my colleagues to join me in congratulating Dr. James Boyd for his lifetime of service to God and country.

TRIBUTE TO PHIL RUBENSTEIN

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. SAXTON. Mr. Speaker, I rise today to honor the life of my good friend, Phil Rubenstein.

Throughout his career, Phil selflessly and passionately worked on behalf of the senior citizens in Ocean County, New Jersey, located in my congressional district. For 30 years, his federal career included work with both the Veterans and Social Security Administrations, and once he "retired", he began his second 30-year career—Director of the county's Office of Senior Services.

While leading this office, Phil strove to make seniors' lives better both through new innovations and by improving existing services. For example, he established a transportation system to assist elderly and disabled residents with rides to their radiation, chemotherapy and dialysis treatments—a system that won federal support. This is just one example of the many efforts Phil put forth on behalf of Ocean County seniors.

Phil's hard work and passion for helping seniors earned him numerous federal, state, county and community service awards, and a local medical center even dedicated its education center to him.

During my time in Congress, Phil and I worked closely on a number of issues. Over

the years, it became evident just how much he cared about the seniors of Ocean County, and this commitment never ceased to amaze me.

On November 25, 2005, Phil passed away at the age of 89. He led a full and purpose-driven life, and I can say with confidence on behalf of all of the seniors in Ocean County and myself that he will be missed.

CONGRATULATING REVEREND OTIS SNEED, JR. UPON HIS CONSECRATION TO THE SACRED OFFICE OF BISHOP ACCORDING TO THE APOSTOLIC SUCCESSION

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. LEWIS of Georgia. Mr. Speaker, it gives me great pleasure to recognize Reverend Otis Sneed, Jr., Pastor of God's Church International Fellowship in Atlanta upon his recent consecration to the sacred office of Bishop according to the Apostolic Succession. I offer him my sincere congratulations and thanks for his continued commitment to transforming inner city communities.

Through his strong faith and Christian principles Bishop Sneed has bridged the racial, economic, social, educational and generational gaps in our community. He has served the metro Atlanta community with integrity and honesty. His service to my district has been invaluable and I wish him continued success in all his future endeavors. I ask that the Consecration documents be placed in the CONGRESSIONAL RECORD.

THE INTERNATIONAL FELLOWSHIP OF REFORMED EPISCOPAL CHURCHES

MANDATE OF CONSECRATION

Be it known to all that the Holy Synod of the International Fellowship of Reformed Episcopal Churches has approved the consecration of The Reverend Odis Sneed, Jr. of God's Church International Fellowship with jurisdiction over the State of Georgia and its environs.

Let it be recorded that the very Reverend Duane Ganther of Los Angeles, California is the presenter of this candidate. Said consecration is scheduled to take place at The Elim International Fellowship, The Protestant Cathedral in Brooklyn, New York on Saturday, October the fifteenth at 10:00 am in the year of our Lord, two thousand and five.

Given under our seals at the Archdiocesan office 20 Madison Street, Brooklyn, New York, on Wednesday, September twenty-first, two thousand and five in the year of our Lord.

WILBERT STERLING MCKINLEY,
Patriarch.
TREVOR DOMINIC BENTLEY,
Exarch.

CERTIFICATE OF CONSECRATION

IN THE NAME OF GOD, AMEN.

Be it known to all present that we by divine right Patriarch of the International Fellowship of Reformed Episcopal Churches did on this the fifteenth day of October in the year of Our Lord two thousand and five ordain and consecrate our well beloved in Christ,

THE REVEREND ODIS SNEED, JR.

TO THE OFFICE OF BISHOP

Of the one true Holy Catholic and Apostolic Church and appoint him Bishop of Georgia with his see in Atlanta.

Of whose spiritual advancement, love of the Lord Jesus Christ, educational qualifications and knowledge of Holy Scriptures we are well acquainted,

Given under our seal and signature

In this our thirty-third year of Episcopacy

MOST REVEREND WILBERT S. MCKINLEY,
Consecrator.
MOST REVEREND TREVOR D. BENTLEY,
Co-consecrator.
MOST REVEREND MICHAEL RENE LUNSFORD.

INCARDINATION

INTO

THE INTERNATIONAL FELLOWSHIP OF REFORMED EPISCOPAL CHURCHES

OF

GOD'S CHURCH INTERNATIONAL FELLOWSHIP

INSTRUMENT OF INTERCOMMUNION

IN THE NAME OF THE MOST HOLY AND INDIVISIBLE TRINITY.

ARTICLE I

The International Fellowship of Reformed Episcopal Churches, recognize with gratitude that they are living in a far reaching community of belief of the transmitted Catholic faith as defined in the Holy Scripture and the ecumenical creeds of Nicea and Constantinople. They rejoice in their joint recognition of the divine Revelation and their transmission in the Catholic evidence of Holy Scripture, and in the Apostolic tradition of the Church of all ages of which both are an integral part.

ARTICLE II

The Reformed Episcopal Churches recognize the ecclesiastical office as it is vested in and derived from the Apostolic Succession and personified in the Bishops of the Church as the legal successor of the Apostles.

ARTICLE III

The Reformed Episcopal Churches recognize that the Grace of God is received through prayer and the faithful keeping of the ordinances of Holy Scripture.

ARTICLE IV

The Reformed Episcopal Churches hold the conviction that the Church in all her nuances cannot be subservient to God's intention in the world if she is torn asunder and divided by strife, discord and confusion to the detriment of herself or her mentor, we not only form a part of a unique people, a royal priesthood but the one body of Christ whose mission is to be an anticipating and active sign of the final union of all things, when God in Christ will be all in all.

ARTICLE V

To be shown trustworthy that the Church receives all her life from and through Jesus Christ and the Holy Scriptures. The various Christian denominations must help and correct each other in spite of all differences inherent to mankind and cooperate in all matters which relate to the mission and welfare of the Church, known as ''The One Holy Apostolic Church'' (Una Sancta et Apostolica Ecclesia), the spiritual home of all who confess Jesus Christ as their Lord, Redeemer and Saviour.

ARTICLE VI

Realizing that the above Churches live in and form a common Catholic faith, The International Fellowship of Reformed Episcopal Churches and God's Church International Church take the view of declare publicly that nothing exists between the above Churches which hinders a full communion in Sacris, so that while continuing individually autonomous and independent, a definite form of agreement of the above Churches is possible. This means in fact:

a. Mutual recognition of the validity of their administrations without any restrictions.

b. Mutual admission to Word and Ordinances.

c. Mutual aid to clergy and members of both Churches as able, if need should arise.

d. Cooperation and consultation in the field of general polity and ecclesiastical affairs.

e. Affiliated prelates must attend the Biannual Synodical Convention at a time and place as indicated by the Secretary General of the Synod.

f. Affiliated prelates must submit semi-annual reports to the Archepiscopal offices at 20 Madison Street, Brooklyn, New York.

ARTICLE VII

The Churches acknowledge and bow to the infallibility of Holy Sciptures and thereby are bound by its dictates. Be it clearly stated that no one will be ordained or elevated to the Office of Bishop according to the Apostolic Succession without the consent of the Archbishops, Patriarch, Primate, Metropolitan, and President, meeting in a duly constituted consultative Synod.

Given under our hands and seals:

duly authorized by the Universal Canons as exist in Holy Scripture

WILBERT S. MCKINLEY,
Patriarch.
TREVOR D. BENTLEY,
Exarch.

TRIBUTE TO MAYOR RICHARD C. SNYDER

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. COSTA. Mr. Speaker, I rise today to honor the memory of former Mayor Mr. Richard C. Snyder of Sanger, California. He is survived by his two children Richard A. Snyder, daughter Jerry Ann Latham, four grandchildren, six great grandchildren, and his childhood sweetheart and wife of 59 years, Pearl Snyder.

Mr. Snyder was a well respected man who always put his family and friends first. The residents of Sanger continue to appreciate the work he has done to better their community and lives.

Born on May 6, 1922, Mr. Snyder was destined to live a happy and full life. He graduated from Sierra High School and spent four years of his life serving his country in the United States Air Force. Upon returning from service, Richard married his childhood sweetheart, Pearl on June 12, 1946.

Richard was a man of principle. He served the residents of Sanger, California as a council member, mayor pro tempore, and mayor for a combined total of twenty years.

In addition, Mr. Snyder volunteered as the Assistant Fire Chief for the Sanger Fire Department for 18 years. His kind nature and concern for others led the citizens of Sanger to honor him with the City of Sanger Citation of Appreciation Award on March 3, 1964.

The Sanger Eagles, Veterans of Foreign Affairs, and AmVets are just some of the many organizations of which Richard was a member. A highly decorated veteran, he was the recipient of the Soldier Medal of Valor, Good Conduct Medal, and Distinguished Unit Badge.

Mr. Snyder enjoyed fishing, hunting, swimming, but most of all he loved to spend time

with his beautiful wife, two children, four grand children, and six great grandchildren. There was nothing more important to Mr. Snyder than the happiness of his family and the contentment of his friends.

It is without doubt that the memory of Richard C. Snyder will live on and flourish for all of the generosity that he bestowed and the loyalty he preserved.

CELEBRATING THE BIRTH OF ELIZABETH ANNE GANS

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. WILSON of South Carolina. Mr. Speaker, today I am happy to congratulate Laura and Dan Gans of Alexandria, VA, on the birth of their new baby girl. Elizabeth Anne Gans was born on November 11, 2005 at 3:35 p.m., weighing 7 pounds, 3 ounces and measuring 19.5 inches long. Elizabeth has been born into a loving home, where she will be raised by parents who are devoted to her well-being and bright future. Her birth is a blessing.

TRIBUTE TO MR. HECTOR MACLEAN

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. MCINTYRE. Mr. Speaker, I rise today to pay tribute to one of North Carolina's finest gentlemen, Mr. Hector MacLean of Lumberton, NC. Hector's voice and vision have had a profound impact on the citizens of Lumberton and Robeson County. His dedication to and determination for economic development has provided many opportunities for our community to plan, prosper, and prepare for the future. Furthermore, his belief in God and strong emphasis on community service have improved the community and made it a better place for all.

As the former Mayor of Lumberton and a State Senator, Hector played a large role in bringing economic development and positive change to Lumberton and Robeson County. Among other things, he persuaded the Governor to build Interstate-95 within the confines of Lumberton, thereby connecting the area with the rest of the country. His efforts paid off and because of his commitment, Lumberton and Robeson County have continued to thrive.

At the pinnacle of his career, Hector served as the president of the Southern National Bank in Lumberton. He also supported the county and Lumberton community as the chairman of the Robeson County Bicentennial Commission for the celebration held in 1986–1987. In addition, Hector has been honored as an elder emeritus of the First Presbyterian Church in Lumberton.

Samuel Logan Bringle, the legendary leader in the Salvation Army, once said, "The final estimate of a man will show that history cares not one iota about the title he has carried or the rank he has borne, but only about the quality of his deeds and the character of his heart." These words truly reflect the character of Hector MacLean, who is known by persons of all races, ages, and religions for both his kind deeds and his loving, unselfish heart.

When I think of Hector's commitment to the public good, the words "spirit, sacrifice, and service" also come to mind. Hector is the embodiment of a positive spirit—a spirit that inspires others to achieve. The sacrifices he has made to achieve success for southeastern North Carolina has made it a better place to live and work. His spirit and his sacrifices truly demonstrate his long-time career in service, and for this, he will always be recognized and remembered.

Mr. Speaker, Hector MacLean has been an integral part of the positive economic development of Lumberton and Robeson County. On behalf of the citizens of southeastern North Carolina, I thank him for his years of service. May God's strength, peace and joy be with him always.

HONORING THE LIFE, LEGACY, AND EXAMPLE OF ISRAELI PRIME MINISTER YITZHAK RABIN ON THE 10TH ANNIVERSARY OF HIS DEATH

SPEECH OF

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 6, 2005

Mr. LEWIS of Georgia. Mr. Speaker, today I rise in honor of a warrior for peace. Yitzhak Rabin, a former solider, the former chief of staff of the Israeli Defense Force, put down his gun and decided that sacrifice was necessary to achieve peace.

After fighting Israel's enemies his whole life, Yitzhak Rabin chose to talk to his enemies at the negotiating table. He chose to try and end a conflict that pre-dated the birth of the state of Israel by agreeing to exchange valuable land for the end of all bloodshed.

Yitzhak Rabin knew that war was not the answer. He knew that war does not bring along peace. In his 1994 Nobel Prize acceptance speech he said, "There is only one radical means of sanctifying human lives. Not armored plating, or tanks, or planes, or concrete fortifications. The one radical solution is peace."

Mr. Speaker, today I rise to mark the legacy of a leader who not only spoke about peace, but gave his life in the pursuit of peace. His life was taken away from him because he tried to end the bloodshed of his people. Yitzhak Rabin was a leader for peace and today we remember him for that legacy.

TRIBUTE TO MR. KEN DYAR

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. COSTA. Mr. Speaker, I rise today to congratulate Mr. Ken Dyar of Delano, California for receiving the California Teacher of the Year award from the State of California. California State Superintendent of Public Instruction selects 5 Teachers of the Year to honor outstanding teachers.

With his innovated teaching skills and passion to incorporate physical fitness into the lives of his eighth grade students, Ken Dyar is deserving of this honor.

Mr. Dyar was born on May 27, 1965 in Delano, California. Son of Don and Shirley Dyar, Mr. Dyar attended Cecil Avenue Middle School and graduated at the top of his class from Delano High School. He went on to earn a degree from California Polytechnic State University, San Luis Obispo.

Mr. Dyar served as a freshman basketball coach at Selma High School, a fourth grade teacher at Terrace Elementary School and a junior varsity boys basketball coach at Delano High School before discovering his true passion for teaching physical education to junior high students. Currently, Mr. Dyar is the Physical Education teacher at his alma mater Cecil Avenue Middle School in Delano, California.

Mr. Dyar is a member of several education organizations including the National Education Association, California Teacher's Association, Delano Union School Teacher's Association, and the American Alliance for Health, Physical Education, Recreation, and Dance.

The honors and awards that Mr. Dyar has received are numerous. He was named Kern County Educator of the Year, was listed in Who's Who Among American Teachers, was voted Most Motivating Teacher by Cecil Avenue Middle School students.

During this critical period in our nation's history, it is essential to have qualified and dedicated educators to help our youth steer this country in the direction of righteousness and honor. Mr. Dyar exemplifies such an educator and I stand to applaud his efforts. The California Teacher of the Year award is well deserved.

MOURNING GOVERNOR CARROLL A. CAMPBELL, JR.

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. WILSON of South Carolina. Mr. Speaker, with the death of my friend Governor Carroll Campbell, South Carolina lost a true hero today.

Governor Campbell led an extraordinary life, demonstrated by his commitment to his family and his community. As a devoted family man, he was always attentive to his wife, Iris, and his sons, Carroll and Mike. While working in Washington and Greenville, he was widely respected as a business leader who valued integrity and honesty.

Most South Carolinians will remember Governor Campbell for his dedication to improving their lives. Throughout his service in the State Legislature, U.S. Congress, and Governor's office, he was a true statesman. As a member of the State Senate, I was fortunate to witness his passion for restructuring the government and ensuring greater access for citizens. His vision helped create economic development, and helped bring BMW to Greer and Michelin to Lexington.

As a political leader, he effectively changed the face of politics in our country by establishing a Republican majority in South Carolina. On the national level, he was a key ally of Ronald Reagan, George H.W. Bush, and George W. Bush.

The Wilson family extends its deepest sympathy to the Campbell family.

TRIBUTE TO MR. GEORGE GRUGETT

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mrs. EMERSON. Mr. Speaker, I rise today to honor the service of Mr. George Grugett, who has served the Mississippi Valley region and our Nation for 25 years as executive vice president of the Mississippi Valley Flood Control Association. Up and down the river, residents and landowners have been lucky for the expertise and tireless advocacy of Mr. Grugett. His work on their behalf has made the region safer for them and their families, as well as preserved vital river transportation.

The Mississippi River is a strange, and sometimes difficult, neighbor to us in southern Missouri. We are struck by her beauty in times of calm and heartbroken by her unstoppable power in times of flood. Living along the Mississippi River presents unique challenges, which Mr. Grugett has made his life's work to meet.

The infrastructure needs of flood protection are staggering. Levees, pumping stations, locks and dams, berms, floodwalls and river management are all critical components of preserving our relationship with the Mississippi River. Managing the plans, construction and upkeep of these facilities demands a rare, dedicated individual. For 25 years, Mr. Grugett has been that person.

Born and raised in west Tennessee, Mr. George Grugett is no stranger to the service of his country. He is a veteran of World War II, during which he served with the 12th Air Force in Europe. He was educated in civil engineering at the University of Alabama and the University of Mississippi and spent 35 years with the U.S. Army Corps of Engineers before joining the Mississippi Valley Flood Control Association.

Mr. Grugett has received the Meritorious Civilian Service Award and earned a Lifetime Achievement Award from the American Rivers Museum. He has been a faithful guardian of our delicate relationship with the Mississippi River in southern Missouri. I thank him for his great service to the residents of Missouri's Eighth Congressional District and to the people of our Nation.

RECOGNIZING THE 50TH ANNIVERSARY OF THE MONTGOMERY BUS BOYCOTT

SPEECH OF

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 6, 2005

Mr. LEWIS of Georgia. Mr. Speaker, December 1, 1955, became a history-making day, when a brave and courageous Rosa Parks committed one simple act. By sitting down and refusing to give up her seat on a city bus, Rosa Parks ignited a non-violent revolution in America. By sitting down she inspired many of us to stand up and become participants in the modern-day Civil Rights Movement. America is a better country, and we are a better people today, just 50 years later.

The action of the brave and courageous African Americans of Montgomery, under the leadership of Martin Luther King Jr., ushered in a period of great hope and great expectation in America. During the past 50 years, we have seen unbelievable changes. We have seen the end of segregation in public transportation and in places of public accommodation. And the signs that said WHITE and COLORED have come tumbling down. In 50 years, we have witnessed the passage of the Civil Rights Act of 1957, the Civil Rights Act of 1964, the Voting Rights Act of 1965, and the Fair Housing Act of 1968.

It is my hope that as we pause and take note of what happened in Montgomery 50 years ago, another generation will be inspired to take a stand. I hope another generation will be inspired to speak up and to speak out for what is fair, for what is right and for what is just in this nation and the world.

TRIBUTE TO MR. WILLIAM T. POWERS

HON. MARY BONO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mrs. BONO. Mr. Speaker, I would like to recognize and applaud the dedication and tireless service of my dear friend and constituent, Mr. William T. Powers. I ask all of my colleagues to join with me today in saluting this outstanding American.

Mr. Powers has had a long and distinguished career within the banking community. Following 21 years of employment with the Bank of America, Mr. Powers relocated to the desert. He soon saw the realization of his professional goal when, in 1993, he joined the First Community Bank of the Desert (now Pacific Western Bank) as President and Chief Executive Officer. The notable achievements of Mr. Powers' professional career are a reflection of his seemingly boundless capacity for hard work and service.

I would like to give special recognition and thanks to Mr. Powers for the tremendous community service that he has, and continues to render the citizens of the desert. I have personally seen the positive impact of his many efforts on the community in which I live. Mr. Powers has served as the President of many organizations throughout the years including; the American Cancer Society, United Way of the Desert, College of the Desert Foundation, Palm Desert Chamber of Commerce, Indian Wells Desert Symphony. He has also served as the Director or President and Tournament Chairman of the Bob Hope Chrysler Classic since 1998.

Mr. Powers has been joined in his efforts by his lovely wife, Anita, who is also a beloved community figure. The Powers' have been partners in so many efforts that have greatly enhanced the desert community. Together they have raised two children and are the proud grandparents of four.

Mr. Powers stated that the best way he knows how to give back to the community is through excellent service and that that philosophy has permeated his personal and professional life. I join with my community this week in commending and thanking Mr. Powers for his great community service as the Boy Scouts of America honor him as the Distinguished Citizen of the Year. I encourage my colleagues to join me in recognizing and celebrating the many contributions of Mr. William T. Powers.

IN RECOGNITION OF MARSHA PETTY—ARKANSAS'S 2005–2006 TEACHER OF THE YEAR

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. ROSS. Mr. Speaker, it is with tremendous pride that I rise today to recognize Arkansas's 2005–2006 Teacher of the Year, Marsha Petty of Texarkana, Arkansas.

A cum laude graduate from Ouachita Baptist University in Arkadelphia, Marsha has been teaching for 29 years and is an 11th grade chemistry teacher at Arkansas High School in Texarkana. There are few jobs more important, more rewarding, and more difficult than that of a teacher.

I have always held a public school education in the highest regard. As parents, educators, and public officials, we have an obligation, a moral duty, to ensure that students, from pre-school to high school and beyond receive the highest quality education possible. By properly educating our students and providing them with the tools they need in order to become successful adults, they will thrive in today's fast-paced and technological world.

The most important component to our children's education is our teachers. Today more than ever, our educators face new obstacles and challenges. As the son of public school educators, I have a deep respect and gratitude for all educators and their personal commitment to our children.

America is deeply indebted to top-notch educators, such as Marsha Petty, for their continued excellence in the classroom and commitment to our students. Today's teachers shape the very foundation of America's future. It is an honor to extend my heartfelt congratulations to Marsha as the 2005–2006 Arkansas Teacher of the Year.

CELEBRATING THE LIFE OF DR. TJ OWENS

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. HONDA. Mr. Speaker, today I rise with my colleague, Ms. ZOE LOFGREN of California, to honor the life of Dr. TJ Owens of Gilroy, California who recently passed away. I rise to honor a life dedicated to family and the community. His hard work and compassion for those often overlooked helped to illuminate a path of social awareness and service for others to follow. TJ was the person who made a difference in countless lives, giving them hope and showing them that they could achieve their dreams.

The second of nine children, TJ Owens was born on February 4, 1937, in Shreveport, Louisiana to General and Maxine Owens. When TJ was seven, his father moved the family to

Barstow, California. Although his parents did not finish high school, they instilled in TJ the importance of hard work, perseverance and education. Growing up, TJ excelled in academics, student government, marching band and five varsity sports. He received a football scholarship to the University of Idaho but transferred to Fresno State after spending two cold years in Idaho. While at Fresno State, TJ was an outstanding football player, an undefeated boxer, and a member of Alpha Phi Alpha Fraternity. TJ received his bachelor's degree in 1960, making him the first African-American from Barstow to graduate from college. He subsequently earned a Masters degree in Counseling from Santa Clara University and a Doctorate in College Administration from the University of San Francisco.

In 1960, TJ married his college sweetheart, Carol Curtis. The couple had three beloved daughters, Annette, Alisa, and Audrey. They settled in Barstow, where TJ began teaching and coaching at his former high school.

He also launched his social and community activism as President of the Barstow NAACP.

The family moved to San Jose in 1968, where TJ worked as a Counselor at San Jose City College. He was a mentor and friend to his colleagues and students, creating a lasting legacy for the student body. TJ served as an advisor to the Black Student Union at San Jose City College, and organized the Black Studies Program. He was one of the founding members of EOPS (Extended Opportunity Programs and Services), a program that provides college support services for low-income and educationally disadvantaged students. In 1969, TJ also co-founded the San Jose Chapter of the NAACP and served as president of the organization.

TJ married Brenda Jordan in 1984 and became a father to her two children, Milah and Navarro. As a loving parent, TJ instilled his children with the same dedicated work ethic and perseverance that brought him success: All five of his children earned college degrees. He loved his children very much and was so very proud of them, treasuring his time with them.

In 1991, TJ became Vice President of Student Services at Gavilan College. He was elected President of the Gilroy School Board in 2000 and served on the Santa Clara County Grand Jury. He was involved in more than ten organizations, serving as a leader and community role model in all. I first met TJ when I served as a Member of the Board of Trustees of the San Jose/Evergreen Community College District. I know first hand about his leadership and his passion for those in need. Countless young people achieved educational success because of his efforts. TJ was an active member of 100 Black Men of Silicon Valley where he received a Lifetime Achievement Award in 2001.

TJ died on October 17, 2005, surrounded by his family and friends. He is survived by his wife, Brenda Jordan-Owens, his children, Annette, Alisa, Audrey, Navarro, and Milah, and his two grandchildren, Samuel and Tyler.

TJ's death leaves a huge hole in our community. As a pioneer of civil rights, social awareness and community activism, TJ was a friend, mentor and local hero. We are grateful for all that he gave to help so many in our community, inspiring us all with his dedication and showing us how one person can truly make a difference.

CONGRATULATING THE MICHICAN CITY MARQUETTE HIGH SCHOOL BLAZERS ON THEIR BACK-TO-BACK CLASS 1A STATE GIRLS VOLLEYBALL CHAMPIONSHIPS

HON. CHRIS CHOCOLA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. CHOCOLA. Mr. Speaker, when we think of sports dynasties, we often think of the Chicago Bulls, the New York Yankees, or the New England Patriots. But in my District, in Michigan City, Indiana, we think of Marquette High School and the girls volleyball team.

Over the past 7 years, they have won five Indiana High School Athletic Association Class A State Girls Volleyball Championships. From 1999 to 2001, they won back-to-back-to-back titles. This year makes another series of back-to-back titles, having also won the State crown in 2004. And the 2 years they were not State champs, they were State runner-up.

Needless to say, the past 7 years at Marquette High School have been amazing for the girls volleyball team.

Amazing, too, for third-year coach Troy Campbell. His 34-win season was capped off with his team not only winning the title match, but it also earned him his 100th career coaching victory at Marquette.

This year's championship squad includes seniors Sarah Denny, Kalan Sebert, Danielle Barnett, Colleen Trainor, and Michelle Fletcher, juniors Rachel Konrady, Kara Kmiecik, and Tiffany Cerrillos, sophomores Emily Komasinski, Katie Krueger, Alison Griffin, Ashley Pinkney, Mary Catherine Mengel, and Kim Ziarko, and freshmen Danielle Easton, Jenna Furno, Janie Welsh, and Marissa Disbrow.

Assistant coaches Larry Sheagley and Kylee Osborne also deserve a note of congratulations.

Congratulations to all of you, and to the seniors, best of luck on your future endeavors. You have proven you have what it takes to be a champion.

TORTURE VICTIMS RELIEF REAUTHORIZATION ACT OF 2005

SPEECH OF

HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 6, 2005

Mr. RAMSTAD. Mr. Speaker, I am pleased to rise in strong support of H.R. 2017, the Torture Victims Relief Authorization Act.

I am especially proud that the first Center for Victims of Torture in the United States is located in Minnesota. Minnesota's Center for Victims of Torture is certainly one of the premier centers for torture survivors in the entire world.

Minnesota is home to about 30,000 victims of torture, and there are some 500,000 victims of torture in our country. Even though people are becoming increasingly aware of the issue of torture, support and treatment for the victims have often been lacking.

That's where the center, with its excellent leadership, comes in. We in Minnesota have learned much, and now we want to bring that leadership, and the path-breaking work of the center, to the rest of the country.

Mr. Speaker, this important legislation provides support for Minnesota's Center for Victims of Torture and will enable our world-renowned Center to continue providing rehabilitation and other critical services to victims of torture.

All Minnesotans can be proud of our Center for Victims of Torture, which helps victims of torture recover from their horrific pain, suffering and scars.

Mr. Speaker, the issues of torture and human rights have finally penetrated the global consciousness, and I urge my colleagues to support passage of this important legislation.

HONORING LIEUTENANT COLONEL JAMES J. FINKLE, U.S. AIR FORCE (RETIRED)

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. BISHOP of New York. Mr. Speaker, I rise to honor and recognize a great American patriot, retired Lt. Col. James J. Finkle, for his distinguished accomplishments in both the U.S. Air Force and in civilian public service.

James joined the U.S. Air Force in 1968, 4 years before attending the University of Maine, from which he graduated in 1976. Shortly thereafter, he was assigned to the Maine Air National Guard and appointed the first town manager of Veazie, Maine.

James stayed in Maine until 1980, when he was hired by the Suffolk County Legislature's Office of Budget Review. Returning to Long Island, where James was born, did not interrupt his commitment to military service. He transferred to the 106th air rescue wing of New York's Air National Guard located at Gabreski Air Force Base on eastern Long Island.

Within the civilian community, James served as the federal aid coordinator for the Nassau-Suffolk Regional Planning Board. He was promoted by the board to serve as the first administrator of the Suffolk County Pine Barrens Commission, and participated in the evacuation study of the Shoreham Nuclear Power Plant.

Subsequently, James was selected as the director of planning for the Town of Huntington, managing a staff of 15 and guiding the economic development of this suburban community. After working for the Research Foundation of SUNY Stony Brook in 1990, James joined Shoreland Distributors as vice president for administration where he helped direct the company's rapid growth as it became the largest distributor of boat trailers in the nation.

His National Guard service provided a natural transition to his civilian duties, which included recovery in the aftermath of TWA Flight 800. He helped write a definitive account of that experience in Deadly Departure: The True Story of Flight 800 and contributed to the New York Times bestseller, "The Perfect Storm: A True Story of Men Against the Sea" about the 106th air rescue wing.

James returned to active duty to serve in Operation Allied Force, which responded to the crisis in Kosovo in 1999. He also served in media affairs through the aftermath of the September 11th attacks and participated in the

planning stages of the Operation Iraqi Freedom in 2002.

On behalf of New York's first congressional district and indeed a grateful nation, I thank Lt. Col. James Finkle for his service, congratulate him for a distinguished career, and wish him good health, continued success and a happy retirement with his wife Louise and their children, Amanda and Eugene.

REGARDING SUPPORT OF SUBSIDIZED GUARDIANSHIP

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. KENNEDY of Rhode Island. Mr. Speaker, I would like to take the opportunity to express my enthusiastic support of subsidized guardianship. I understand that many times grandparents or other relatives become the primary caregivers to children who are not able to live with their parents. This can become a significant financial challenge and we must offer these families more resources. In my home state of Rhode Island, 4,176 grandparents were financially responsible for meeting their grandchild's basic needs in 2003. Subsidized guardianship programs, which are increasingly used by states around the country—including Rhode Island—allow children living safely with relatives to exit formal foster care and achieve legal permanence. That is why I am proud to be a cosponsor of H.R. 3380, The Guardianship Assistance Promotion and Kinship Support Act, which would allow the use of federal funding to support subsidized guardianship programs.

Today I offer my formal acknowledgement and deepest appreciation for the ongoing service of these caregivers to our country and our nation's most valuable asset, our children.

HONORING THE CLASS ACT GROUP OF MILITARY RETIREES

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. VAN HOLLEN. Mr. Speaker, today is the 64th anniversary of the bombing of Pearl Harbor, the infamous day in 1941 that led us into World War II. It is appropriate that I rise today to honor the military retirees' grassroots organization known as the Class Act Group. After nearly ten years of citizen advocacy, urging Congress to fully restore their promised military health care benefits, this noble group of warriors has decided to call it a day and close its offices.

CAG's roots date back to July 16, 1996, when attorney George E. Day filed a law suit in Federal Court in Pensacola, Florida on behalf of retired Air Force Colonels William O. Schism and Robert Reinlie. The suit alleged breach of contract with military retirees over the age of 65 years by the failure of the U.S. to provide the military medical care it had promised.

But George Day is not just any lawyer. Col. George ''Bud'' Day (Retired) is a veteran of more than 30 years service in the Armed Forces of the United States. He joined the Marine Corps in 1942 and served 30 months in the South Pacific as a noncommissioned officer. He received an appointment as a Second Lieutenant in the National Guard in 1950. He was called to active duty in the Air Force in 1951. He served two tours in the Far East as a fighter-bomber pilot during the Korean War.

In April 1967, Colonel Day was assigned to the 31st Tac Fighter Wing at Tuy Hoa Air Base, Republic of Vietnam. Shot down over North Vietnam on August 26, 1967, he spent 67 months as a Prisoner of War. Colonel Day was the only POW to escape from prison in North Vietnam and then to be recaptured by the Viet Cong in the South. He is also credited with living through the first ''no chute'' bailout from a burning jet fighter in England in 1955.

Colonel Day holds every significant combat award. He is the nation's most highly decorated officer since General Douglass MacArthur. He holds nearly seventy military decorations and awards of which more than fifty are for combat. Most notable are the Medal of Honor, the Air Force Cross, the Distinguished Service Medal, the Silver Star, the Legion of Merit, the Distinguished Flying Cross, the Air Medal with nine Oak Leaf Clusters, the Bronze Star for Valor with two Oak Leaf Clusters, the Bronze Star, the Purple Heart with three Clusters and the POW ribbon. He wears twelve Campaign Battle Stars.

So, Mr. Speaker, Col. Day's long, distinguished record shows that he was a fighter in the field defending his comrades and country and, I can attest, he has been just as determined a fighter in the courtroom, too. He recruited his own army of grassroots soldiers who, in town meetings and over the Internet, gathered together to exercise their constitutional freedoms to fight for their rights, just as Thomas Jefferson, John Adams, Benjamin Franklin and all the Founding Fathers imagined they would.

The CAG suit filed in 1996 was based on the fact that agents of the Federal Government—including military recruiters, active duty members of the uniformed services, and other government officials—routinely promised that the government would provide lifetime health care to military retirees and their dependents if they served a career of at least 20 years in uniformed service.

The promise of lifetime care was made and fulfilled for generations, but until 1956 Congress had never passed a statute that specified what level of care would be provided. On December 7, 1956 a new law took effect with a provision that provided for health care at military facilities on a ''space available'' basis. This new law had the practical effect of defining and limiting the Federal Government's commitment to military retiree health care, by conditioning such care on space availability.

In other words, after 1956, health care that had been promised and routinely delivered for years was no longer assured. As military bases began to close and downsize, the availability of health care became more and more limited. Subsequent laws completely removed Medicare-eligible military retirees from the military health care system.

The 1956 law ''changed the rules in the middle of the game'' for military retirees who entered the service prior to December 7, 1956. When they agreed to enter the service, they had promises—a verbal contract—of lifetime health care that routinely were fulfilled. When they left the service 20 or more years later, they lived under a new set of rules. In short, the health care rug was pulled out from under them.

On November 18, 2002, a Federal Appeals Court ruled that only Congress can authorize the level of health care the government will provide to military retirees; therefore, promises made by military recruiters or government officials were not binding. On June 2, 2003, the Supreme Court declined to consider Col. Day's appeal of the ruling, putting an end to the law suit.

Although the Appeals Court did not rule in favor of the plaintiffs, the language of the Court ruling was very clear that the plaintiffs had won a moral victory:

> Accordingly, we must affirm the district court's judgment and can do no more than hope Congress will make good on the promises recruiters made in good faith to plaintiffs and others of the World War II and Korean War era—from 1941 to 1956, when Congress enacted its first health care insurance act for military members, excluding older retirees. . . .
>
> We cannot readily imagine more sympathetic plaintiffs than the retired officers of the World War II and Korean War era involved in this case. They served their country for at least 20 years with the understanding that when they retired they and their dependents would receive full free health care for life. The promise of such health care was made in good faith and relied upon. Again, however, because no authority existed to make such promises in the first place, and because Congress has never ratified or acquiesced to this promise, we have no alternative but to uphold the judgment against the retirees' breach-of-contract claim. . . .
>
> Perhaps Congress will consider using its legal power to address the moral claims raised by Schism and Reinlie on their own behalf, and indirectly for other affected retirees.

Mr. Speaker, CAG and the nationwide grassroots group did in fact win a substantial legislative victory. In 2000, Congress responded to an intense national grassroots campaign waged by military retirees by enacting Tricare for Life (TFL), which provides health care to Medicare-eligible military retirees (generally age 65 or older). TFL did not go all the way to fulfill the government's promise of lifetime health care for our Nation's warriors, but it was a substantial step forward in that effort.

The military retirees grassroots group also actively encouraged Congress to address the unfulfilled health care needs of many younger military retirees who find they are not well served by the military health care system known as Tricare Standard, a plan for retirees who do not live near military bases that could otherwise provide their promised military health care.

Mr. Speaker, the men and women at the core of the Class Act Group have grown old serving their country. They were heroes in World War II, Korea and Vietnam. And they were heroes in the courtroom and in the halls of government fighting for their rights.

They have fought the good fight, but as good soldiers they know when it is time to regroup. Even with the advent of TFL these grassroots warriors kept fighting for full restoration of their promised health care. But they know that budget battles in Congress have gotten tougher, that new generations of

wounded veterans coming home from Iraq and Afghanistan are fighting for even basic health care, let alone health care in their distant golden years.

And there are other battles that need to be fought by these old warriors. Floyd Sears, one of the hardiest fighters on the grassroots battlefront, the leader of the Internet campaign for the restoration of military retiree health care, saw his home in Biloxi, Mississippi, destroyed by hurricane Katrina. He is living in an RV powered by a generator as he oversees the rebuilding of his house. Jim Whittington, Floyd's best friend and comrade, lost electricity in his Laurel, Mississippi, home for almost a month. He is rebuilding his Internet business. Col. Day is over 80 years old now and is ready to move on and support our new generation of veterans.

Yes, Mr. Speaker, the grassroots warriors have fought the good fight. As the Class Act Group closes its doors, we should honor them and thank them for all they have done for our country. They will always be heroes to me.

IN RECOGNITION OF THE BROWN COUNTY HOME BUILDERS ASSOCIATION'S 50TH ANNIVERSARY

HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. GREEN of Wisconsin. Mr. Speaker, it is my privilege to recognize before this House the Brown County Home Builders Association as they celebrate their 50th anniversary.

As we all know, home ownership in this country has had quite a run over the last few years, with more Americans than ever before settling into their very own homes. Last year alone, 1.18 million families purchased single-family homes—a new record. This has had a direct impact on our economy at all levels, boosting revenues, attracting new business, and spurring community revitalization.

The Brown County Home Builders have made the dream of homeownership a reality for thousands of families in northeastern Wisconsin. For the last 50 years they have helped create safe and affordable housing opportunities for Brown County residents, raising the quality of life in communities throughout my district. Despite its humble beginnings, this great organization has grown from a mere 18 members to over 1,100, and it shows no signs of slowing down.

Mr. Speaker, it is my honor to recognize the Brown County Home Builders Association on this wonderful occasion. Fifty years is an outstanding accomplishment, and on behalf of the citizens of Wisconsin's Eighth Congressional District, I say congratulations.

TRIBUTE TO MR. JOSEPH STACHON

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. LIPINSKI. Mr. Speaker, it is my privilege, as a U.S. Representative, to acknowledge my constituent, Mr. Joseph Stachon, on his retirement from the Chicago Police Department, after serving a loyal career of 30 years with the force.

Not only a dutiful police officer, Joe Stachon has been a loving husband to his wife Barbara, and a loving father to his three children, Joseph, Julie and Jon, and most recently a new title of grandfather—one he will cherish the most, I am sure.

Joseph Stachon has lived his adult life dedicated to protecting his Nation, his city and his fellow veterans proudly. Joe served in the United States Army from 1968 to 1969 in the turbulent Vietnam war and earned the distinguished Bronze Star and Purple Heart medals for his courage and valor. After the war, he then started at the Chicago Police Department, working 12 years in the 12th, 2nd and 14th districts of Chicago. It was that experience and endless training that earned Joe his last 18 years with the forensic division of the Chicago Police Department.

His contribution to his fellow man doesn't stop there. Joe joined Johnson-Phelps VFW Post No. 5220 in Oak Lawn and, when asked, served five times as their post commander. His dedication to his fellow veterans continued as he served as the Third District commander and was a member of the VFW's State of Illinois Ways and Means Committee.

It is fitting this evening that Joseph Stachon be remembered as a loyal brother in the Chicago Police Department, a compassionate comrade to his fellow veterans and last but not least, a devoted husband and father to his wife and family. Joe, you have continually shared your time with many, have accomplished your life's achievements; it is time now to sit back and enjoy these memories with your family.

It gives me great pleasure to acknowledge the lifetime achievements of Mr. Joseph Stachon. I ask that my colleagues join with me in honoring this fine individual on his great service to our Nation and his community and wish Joseph great things as he celebrates the commencement of a new chapter in his life.

THE TERRORISM RISK INSURANCE ACT

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. GUTIERREZ. Mr. Speaker, I am very pleased that we are finally considering this crucial Terrorism Risk Insurance Act (TRIA) extension, which will provide necessary stability for our Nation's economy in a post 9/11 world. I have strongly supported this legislation from the outset, and I congratulate Chairman OXLEY and Ranking Member FRANK for their hard work to bring it to the floor. I urge my colleagues to vote in favor of this important bill.

A stable, secure insurance market is vital to the health of our national economy. More than 4 years ago, the stability of the insurance industry, and all of our Nation's policyholders, were put in jeopardy when insurers and reinsurers lost more than $30 billion as a result of the 9/11 attacks. After these substantial losses, insurers were unable to make terrorism insurance available, which left many of our Nation's businesses vulnerable to unacceptable risk.

In response, Congress overwhelmingly passed TRIA to provide a temporary, limited Federal backstop in the event of another catastrophic terrorist attack. While we still expect the insurance industry to eventually develop methods for making terrorism insurance available without government support, the market has not yet stabilized to the point where this is possible. Extension of TRIA, which is necessary to prevent the chill of development in our cities, has wide, bipartisan support, and should be enacted promptly.

IN HONOR OF JOHN CASTELLANO, AN AMERICAN SOLDIER

HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 7, 2005

Mr. ROHRABACHER. Mr. Speaker, I rise today to speak on behalf of a valiant American soldier who, through no fault of his own, never became an American citizen. 1st Sgt. John Castellano of New York State and California was worthy of becoming an American citizen. I would like to tell you his story.

John Castellano was a native of Sorrento, Italy. He joined the United States Army in 1911. He served with the U.S. armed forces for more than 25 years with honor and distinction. For example, Sgt. Castellano served admirably in World War I and the Pacific Theater of Operations. For his valiant service, he was awarded numerous medals and ribbons, including the "West Indies Campaign" ribbon, the VFW medal, and an award for bravely rescuing a man from drowning on July 21, 1921.

Sgt. Castellano believed that he was a naturalized U.S. citizen by dint of his service to the United States. Unfortunately, through circumstances unknown to us today, he was required but failed to fill out the necessary documents to become a U.S. citizen. As a result, he did not become the American citizen that he always believed he would become. Today, we have members of the Armed Services who assist foreign members of our armed forces to become U.S. citizens. According to recent newspaper articles, foreign soldiers serving with coalition forces in Iraq can become U.S. citizens in less than six months. And it is right to honor those who fight and risk their lives for this great country. Unfortunately, no one was able to assist Sgt. John Castellano, an Italian immigrant, to become a naturalized U.S. citizen so many years ago.

His family lives in my district. Members of the Castellano family learned of this tragedy only in recent years although John Castellano died in 1937. Since they learned of these circumstances, the family has been trying for several years to obtain posthumous citizenship for John. Unfortunately, the law does not allow John to become a U.S. citizen at this late date. Therefore, I am honoring Sergeant Castellano's service to the United States, and want to state for the CONGRESSIONAL RECORD that his service and heartfelt love for this country is commendable and makes him worthy of citizenship.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, December 8, 2005 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

DECEMBER 12

2:30 p.m.

Commerce, Science, and Transportation

To hold hearings to examine the Transportation Security Administration's new security procedures and changes to the prohibited items list.

SD–562

DECEMBER 13

9:30 a.m.

Armed Services

To hold closed hearings to examine the nomination of Dorrance Smith, of Virginia, to be an Assistant Secretary of Defense.

SR–222

10 a.m.

Commerce, Science, and Transportation

To hold hearings to examine the nominations of Deborah Taylor Tate, of Tennessee, and Michael Joseph Copps, of Virginia, each to be a Member of the Federal Communications Commission.

SD–106

DECEMBER 14

9 a.m.

Environment and Public Works

To hold hearings to examine the Environmental Protection Agency's spill prevention control and countermeasure program.

SD–406

11 a.m.

Finance

To hold hearings to examine the nominations of Antonio Fratto, of Pennsylvania, to be Assistant Secretary of the Treasury for Public Affairs, David M. Spooner, of Virginia, to be Assistant Secretary of Commerce for Import Administration, Vincent J. Ventimiglia, Jr., of Maryland, to be Assistant Secretary of Health and Human Services for Legislation, Richard T. Crowder, of Virginia, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador, and Jeffrey Robert Brown, of Illinois, to be a Member of Social Security Advisory Board.

SD–215

DECEMBER 15

10 a.m.

Commerce, Science, and Transportation

Business meeting to consider pending calendar business.

SD–106

Daily Digest

HIGHLIGHTS

The House passed H.R. 4340—United States-Baharain Free Trade Agreement Implementation Act.

Senate

Chamber Action

The Senate was not in session today. It will next meet at 2 p.m., on Monday, December 12, 2005.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 19 public bills, H.R. 4452–4470; and 3 resolutions, H. Con. Res. 311; and H. Res. 589–590 were introduced. **Pages H11219–20**

Additional Cosponsors: **Pages H11220–21**

Reports Filed: Report were filed today as follows:

H. Res. 588, providing for consideration of the bill (H.R. 4297) to provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006 (H. Rept. 109–330). **Page H11219**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Honoring the pilots of United States commercial air carriers who volunteer to participate in the Federal flight deck officer program: H. Con. Res. 196, to honor the pilots of United States commercial air carriers who volunteer to participate in the Federal flight deck officer program, by a yea-and-nay vote of 413 yeas to 2 nays, Roll No. 614; **Pages H11118–20, H11148–49**

Amending the Federal Water Pollution Control Act to reauthorize programs to improve the quality of coastal recreation waters: H.R. 1721, to amend the Federal Water Pollution Control Act to reauthorize programs to improve the quality of coastal recreation waters; **Pages H11120–22**

Amending the Federal Water Pollution Control Act to extend the authorization of appropriations for Long Island Sound: H.R. 3963, to amend the Federal Water Pollution Control Act to extend the authorization of appropriations for Long Island Sound; **Pages H11122–24**

Amending section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App): H.R. 4311, to amend section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App); **Pages H11124–27**

Recognizing the anniversary of the ratification of the 13th Amendment and encouraging the American people to educate and instill pride and purpose into their communities and to observe the anniversary annually with appropriate programs and activities: H. Res. 196, to recognize the anniversary of the ratification of the 13th Amendment and encouraging the American people to educate and instill pride and purpose into their communities and to observe the anniversary annually with appropriate programs and activities; **Pages H11128–30**

Terrorism Risk Insurance Extension Act of 2005: S. 467, amended, to extend the applicability of the Terrorism Risk Insurance Act of 2002, by a yea-and-nay vote of 371 yeas to 49 nays, Roll No. 612—clearing the measure for the President; **Pages H11130–41, H11147**

Stealth Tax Relief Act of 2005: H.R. 4096, to amend the Internal Revenue Code of 1986 to extend to 2006 the alternative minimum tax relief available in 2005 and to index such relief for inflation, by a yea-and-nay vote of 414 yeas to 4 nays, Roll No. 613; **Pages H11141–47, H11147–48**

To allow binding arbitration clauses to be included in all contracts affecting land within the Gila River Indian Community Reservation: H.R. 327, to allow binding arbitration clauses to be included in all contracts affecting land within the Gila River Indian Community Reservation; **Pages H11149–50**

Tax Revision Act of 2005: H.R. 4388, amended, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions; by a yea-and-nay vote of 423 yeas with none voting "nay", Roll No. 617; and **Pages H11150–52, H11181–82**

Amending the Internal Revenue Code of 1986 to provide tax benefits for the Gulf Opportunity Zone and certain areas affected by Hurricanes Rita and Wilma: H.R. 4440, to amend the Internal Revenue Code of 1986 to provide tax benefits for the Gulf Opportunity Zone and certain areas affected by Hurricanes Rita and Wilma, by a yea-and-nay vote of 415 yeas to 4 nays, Roll No. 618. **Pages H11152–63, H11182**

Suspension—Proceedings Postponed: The House completed debate on the following measure under suspension of the rules. Further consideration will continue tomorrow, December 8th.

Securing Aircraft Cockpits Against Lasers Act of 2005: H.R. 1400, to amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes. **Pages H11127–28**

United States-Baharain Free Trade Agreement Implementation Act: The House passed H.R. 4340, to implement the United States-Bahrain Free Trade Agreement by a yea-and-nay vote of 327 yeas to 95 nays, Roll No. 616. **Pages H11117–18, H11163–79, H11181**

H. Res. 583, the rule providing for consideration of the bill was agreed to by a voice vote, after agreeing to order the previous question without objection. **Pages H11117–18**

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act for FY06—Motion to go to Conference: The House disagreed to the Senate amendment and agreed to a further conference on H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006. **Pages H11179–81**

Point of Order sustained against:

Obey first motion to instruct conferees; and **Pages H11179–80**

Obey second motion to instruct conferees. **Page H11180**

Tabling the Appeal of the Ruling of the Chair on Motion to Instruct Conferees on H.R. 3010: Agreed to table the Obey motion to appeal the ruling of the Chair by a yea-and-nay vote of 226 yeas to 196 nays, Roll No. 615. **Pages H11180–81**

Later, the Chair appointed conferees: Messrs. Regula, Istook, Wicker, Mrs. Northup, Ms. Granger, Messrs. Peterson of Pennsylvania, Sherwood, Weldon of Florida, Walsh, Lewis of California, Obey, Hoyer, Mrs. Lowey, Ms. DeLauro, Messrs. Jackson of Illinois, Kennedy Rhode Island, and Ms. Roybal-Allard. **Page H11183**

Terrorism Risk Insurance Extension Act of 2005—Motion to go to Conference: The House insisted on its amendment and requested a conference on S. 467, to extend the applicability of the Terrorism Risk Insurance Act of 2002. **Page H11183**

The Chair appointed conferees: from the Committee on Financial Services, for consideration Senate bill and the House amendment, and modifications committed to conference: Messrs. Oxley, Baker, Ms. Pryce of Ohio, Mrs. Kelly, Messrs. Kanjorski, Capuano, and Crowley. **Page H11183**

Provided that Mr. Israel is appointed in lieu of Mr. Capuano for consideration of sections 4, 5, and 7 of the Senate bill, and sections 103 and 105 of the House amendment, and modifications committed to conference. **Page H11183**

From the Committee on the Judiciary, for consideration of sections 2 and 6 of the Senate bill and modifications committed to conference: Messrs. Sensenbrenner, Goodlatte, and Mr. Conyers. **Page H11183**

For consideration of the Senate bill and the House amendment, and modifications committed to conference: Mr. Sessions. **Page H11183**

Member Sworn—Fiftieth Congressional District of California: Representative-elect Campbell presented himself in the well of the House and was administered the Oath of Office by the Speaker. **Page H11186**

The Chair announces to the House that, in light of the Administration of the Oath of Office to the gentleman from California, the whole number of the House is 434. **Page H11187**

Quorum Calls—Votes: Seven yea-and-nay votes developed during the proceedings of the House today, and appear on pages H11147, H11147–48, H11148–49, H11180, H11181, H11181–82, H11182. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:06 p.m.

Committee Meetings

CFTC REAUTHORIZATION ACT OF 2005; FOREST EMERGENCY RECOVERY AND RESEARCH ACT

Committee on Agriculture: Approved, as amended, the Commodity Futures Trading Commission (CFTC) Reauthorization Act of 2005.

The Committee also held a hearing on H.R. 4200, Forest Emergency Recovery and Research Act. Testimony was heard from Representatives Walden of Oregon and Baird; Dale Bosworth, Chief, Forest Service, USDA; and public witnesses.

BCS/COLLEGE FOOTBALL POST-SEASON

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled ''Determining a Champion on the Field: A Comprehensive Review of the BCS and Postseason College Football.'' Testimony was heard from public witnesses.

UNDERSTANDING THE PEAK OIL THEORY

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled ''Understanding the Peak Oil Theory,'' focusing on H. Res. 507, Expressing the sense of the House of Representatives that the United States, in collaboration with other international allies, should establish an energy project with the magnitude, creativity, and sense of urgency that was incorporated in the ''Man on the Moon'' project to address the inevitable challenges of ''Peak Oil.'' Testimony was heard from Representatives Bartlett of Maryland and Udall of New Mexico; Murray Smith, Minister—Counsellor Government, Canadian Embassy; and public witnesses.

BRIEFING—ROLL OF IMMIGRATION AND CUSTOMS ENFORCEMENT AND FORENSIC DOCUMENT LABORATORY

Committee on Homeland Security: Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment and the Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity met in executive session to receive a joint briefing on the overview and roll of the Immigration and Customs Enforcement (ICE) Forensic Document Laboratory (FDL). The Subcommittees were briefed by departmental witnesses.

AVIAN FLU PANDEMIC

Committee on International Relations: Held a hearing on Avian Flu: Addressing the Global Threat. Testimony was heard from the following officials of the Department of State: Anthony F. Rock, Acting Assistant Secretary, Bureau of Oceans and International Environmental and Scientific Affairs; and Kent R. Hill, Assistant Administrator, Global Health, U. S. Agency for International Development; the following officials of the Department of Health and Human Services: Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases, NIH; and Anne Schuchat, M.D., Acting Director, National Center for Infectious Diseases, Centers for Disease Control and Prevention; Margaret Chan, M.D., representative of the Director-General for Pandemic Influenza, WHO; and a public witness.

U.N. OIL-FOR-FOOD PROGRAM REPORT

Committee on International Relations: Subcommittee on Oversight and Investigations approved a Subcommittee report entitled ''The Oil-for-Food Program: The Systematic Failure of the United Nations.''

OVERSIGHT—INTERNATIONAL IPR REPORT CARD

Committee on the Judiciary:, Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing on International IPR Report Card—Assessing U.S. Government and Industry Efforts to Enhance Chinese and Russian Enforcement of Intellectual Property Rights. Testimony was heard from Chris Israel, Coordinator, International Intellectual Property Enforcement, Department of Commerce; Victoria Espinel, Acting Assistant U.S. Trade Representative, Intellectual Property; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power held a hearing on the following bills: H.R. 862, To redesignate the Rio Grande American Canal in El Paso, Texas, as the ''Travis C. Johnson Canal''; H.R. 2334, City of Oxnard Water Recycling and Desalination Act of 2005; H.R. 2978, To allow the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation to enter into a lease or other temporary conveyance of water rights recognized under the Fort Peck—Montana Compact for the purpose of meeting the water needs of the Dry Prairie Rural Water Association, Incorporated; H.R. 4000, 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 S. 101, To convey to the town of Frannie, Wyoming,

certain land withdrawn by the Commissioner of Reclamation. Testimony was heard from Representative Moran of Kansas; William Rinne, Deputy Commissioner, Bureau of Reclamation, Department of the Interior; Carlos Marin, Acting U.S. Commissioner, International Boundary and Water Commission, Department of State; Andres Herrera, Mayor Pro Tem, City of Oxnard, California; John Morles, Chairman, Assiniboine and Sioux Tribes of the For Peck Reservation; and a public witness.

TAX RELIEF EXTENSION RECONCILIATION ACT

Committee on Rules: Granted, by voice vote, a structured rule providing one hour of debate in the House on H.R. 4297, to provide for reconcilitation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The rule makes in order the amendment in the nature of a substitute printed in the Rules Committee report accompanying the resolution, if offered by Representative Rangel of New York or his designee, which shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment in the nature of a substitute printed in the Rules Committee report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Camp and Neal.

GULF COAST RECOVERY ACT; FEDERAL AND DISTRICT OF COLUMBIA GOVERNMENT REAL PROPERTY ACT; ARMY CORPS OF ENGINEERS SURVEY RESOLUTIONS; GSA RESOLUTION

Committee on Transportation and Infrastructure: Ordered reported the following bills: H.R. 4438, Gulf Coast Recovery Act of 2005; and H.R. 3699, amended, Federal and District of Columbia Government Real Property Act of 2005.

The Committee also approved the following: U.S. Army Corps of Engineers Survey resolutions; and a GSA 3314(b) resolution.

OVERSIGHT—VETERANS AFFAIRS DISABILITY CLAIMS PROCESS

Committee on Veterans' Affairs: Held an oversight hearing on the challenges and opportunities facing disability claims process at the Veterans Benefits Administration. Testimony was heard from the following officials of the Department of Veterans Affairs: Ronald R. Aument, Deputy Under Secretary, Benefits, Veterans Benefits Administration; and James P. Terry, Chairman, Board of Veterans' Appeals; representatives of veterans organizations; and a public witness.

BRIEFING—GLOBAL UPDATES/HOTSPOTS

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Global Updates/Hotspots. The Committee was briefed by departmental witnesses.

BRIEFING—MUSLIM EXTREMISM

Permanent Select Committee on Intelligence: Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence and the Subcommittee on Intelligence Policy met in executive session to receive a joint briefing on Muslim Extremism. The Subcommittees were briefed by departmental witnesses.

HURRICANE KATRINA: PREPAREDNESS AND RESPONSE BY STATE OF MISSISSIPPI

Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina: Held a hearing entitled ''Hurricane Katrina: Preparedness and Response by the State of Mississippi.'' Testimony was heard from the following officials of the State of Mississippi: Haley Barbour, Governor; Brian W. Amy, M.D., State Health Officer; Robert Latham, Director, Emergency Management Agency; Brent Warr, Mayor, Gulfport; Tommy Longo, Mayor, Waveland; Benjamin Spraggins, Director, Harrison County Emergency Management Agency; and Bobby Strahan, Director, Pearl River County Emergency Management Agency; and William Carwile, former FEMA Federal Coordinating Officer, State of Mississippi.

COMMITTEE MEETINGS FOR THURSDAY, DECEMBER 8, 2005

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine perspectives of FEMA's operations professionals relative to Hurricane Katrina, 10 a.m., SD–342.

Full Committee, to hold hearings to examine the nominations of George W. Foresman, of Virginia, to be Under Secretary for Preparedness, and Tracy A. Henke, of Missouri, to be Executive Director of the Office of State and Local Government Coordination and Preparedness,

both of the Department of Homeland Security, 2:30 p.m., SD–342.

House

Committee on Appropriations, Subcommittee on Science, The Departments of State, Justice, and Commerce, and Related Agencies, hearing on Federal efforts related to the exclusion, removal and prosecution of aliens and naturalized U.S. citizens who have committed war crimes or human rights abuses outside the U.S., 10 a.m., H–309 Capitol.

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled ''Improving America's Health: Examining Federal Research Efforts for Pulmonary Hypertension and Chronic Pain'', 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Housing and Community Opportunity, hearing entitled ''Housing Options in the Aftermath of Hurricanes Katrina and Rita'', 10 a.m., 2128 Rayburn.

Committee on Homeland Security, Subcommittee on Prevention of Nuclear and Biological Attack, executive, briefing on the Defense Science Board's 2005 summer study entitled ''Reducing Vulnerabilities to Weapons of Mass Destruction'', 2 p.m., 202 John Adams Building.

Committee on International Relations, to mark up H. Res. 549, Requesting the President of the United States provide to the House of Representatives all documents in his possession relating to his October 7, 2002, speech in Cincinnati, Ohio, and his January 28, 2003, State of the Union address, 10:30 a.m., 2172 Rayburn.

Committee on the Judiciary, to mark up the following bills: H.R. 4437, Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005; and H.R. 972, Trafficking Victims Protection Reauthorization Act of 2005, 10 a.m., 2141 Rayburn.

Committee on Resources, hearing on H.R. 4322, Indian Trust Reform Act of 2005, 10 a.m., 1324 Longworth.

Next Meeting of the SENATE

2 p.m., Monday, December 12

Senate Chamber

Program for Monday: Senate will be in a period of morning business.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, December 8

House Chamber

Program for Thursday: Consideration of H.R. 4297—Tax Relief Extension Reconciliation Act of 2005 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Bishop, Timothy H., N.Y., E2477
Blunt, Roy, Mo., E2468
Bono, Mary, Calif., E2476
Brown, Sherrod, Ohio, E2471
Carson, Julia, Ind., E2467
Castle, Michael N., Del., E2472
Chocola, Chris, Ind., E2477
Conyers, John, Jr., Mich., E2471
Costa, Jim, Calif., E2474, E2475
Davis, Danny K., Ill., E2463, E2466
Davis, Susan A., Calif., E2464, E2466
Davis, Tom, Va., E2470
Emerson, Jo Ann, Mo., E2476
Everett, Terry, Ala., E2469
Frank, Barney, Mass., E2467
Green, Mark, Wisc., E2469, E2479
Gutierrez, Luis V., Ill., E2479
Higgins, Brian, N.Y., E2463, E2464, E2465, E2466, E2467, E2468, E2470
Honda, Michael M., Calif., E2476
Kennedy, Patrick J., R.I., E2478
Knollenberg, Joe, Mich., E2472
Kucinich, Dennis J., Ohio, E2463, E2464, E2467
Lewis, John, Ga., E2474, E2475, E2476
Lipinski, Daniel, Ill., E2473, E2479
McCarthy, Carolyn, N.Y., E2470
McIntyre, Mike, N.C., E2475
Ortiz, Solomon P., Tex., E2467
Pence, Mike, Ind., E2466
Ramstad, Jim, Minn., E2477
Rohrabacher, Dana, Calif., E2479
Ross, Mike, Ark., E2476
Sanchez, Loretta, Calif., E2473
Saxton, Jim, N.J., E2473
Schwartz, Allyson Y., Pa., E2473
Skelton, Ike, Mo., E2463, E2465
Thompson, Mike, Calif., E2471
Towns, Edolphus, N.Y., E2469
Upton, Fred, Mich., E2463, E2466
Van Hollen, Chris, Md., E2478
Wicker, Roger F., Miss., E2473
Wilson, Joe, S.C., E2475, E2475
Wolf, Frank R., Va., E2472

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through *GPO Access*, a service of the Government Printing Office, free of charge to the user. The online database is updated each day the *Congressional Record* is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available through *GPO Access* at www.gpo.gov/gpoaccess. Customers can also access this information with WAIS client software, via telnet at swais.access.gpo.gov, or dial-in using communications software and a modem at 202–512–1661. Questions or comments regarding this database or *GPO Access* can be directed to the *GPO Access* User Support Team at: E-Mail: gpoaccess@gpo.gov; Phone 1–888–293–6498 (toll-free), 202–512–1530 (D.C. area); Fax: 202–512–1262. The Team's hours of availability are Monday through Friday, 7:00 a.m. to 5:30 p.m., Eastern Standard Time, except Federal holidays. ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $252.00 for six months, $503.00 per year, or purchased as follows: less than 200 pages, $10.50; between 200 and 400 pages, $21.00; greater than 400 pages, $31.50, payable in advance; microfiche edition, $146.00 per year, or purchased for $3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954, or phone orders to 866–512–1800 (toll free), 202–512–1800 (D.C. area), or fax to 202–512–2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.