The House met at 1 p.m.

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

Eternal God, ever faithful and close to Your people, hear our prayer today.

No matter how strong or powerful or how meek and humble each of us may be, we all stand in need of Your wisdom to guide our judgments, and we rely on Your love to uphold all our relationships.

Bless the work of the people which is committed to the U.S. House of Representatives today, that this Nation may grow in righteousness and, as a democratic republic, be an example to other nations of the earth.

This we ask of You, 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 Texas (Mr. Poe) come forward and lead the House in the Pledge of Allegiance.

Mr. Poe led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 10 one-minutes on each side.

ECONOMY PROMOTES AMERICAN FAMILIES

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

NOTICE

If the 109th Congress, 1st Session, adjourns sine die on or before December 20, 2005, a final issue of the Congressional Record for the 109th Congress, 1st Session, will be published on Friday, December 30, 2005, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–60 or S–123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Thursday, December 29. The final issue will be dated Friday, December 30, 2005, and will be delivered on Tuesday, January 3, 2006. Both offices will be closed Monday, December 26, 2005.

None of the material printed in the final issue of the Congressional Record may contain subject matter, or relate to any event that occurred after the sine die date.

Senators’ statements should also be submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at “Record@Sec.Senate.gov”.

Members of the House of Representatives’ statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at http://clerk.house.gov/forms. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT–60.

Members of Congress desiring to purchase reprints of material submitted for inclusion in the Congressional Record may do so by contacting the Office of Congressional Publishing Services, at the Government Printing Office, on 512–0224, between the hours of 8:00 a.m. and 4:00 p.m. daily.

By order of the Joint Committee on Printing.

TRENT LOTT, Chairman.
Mr. WILSON of South Carolina. Mr. Speaker, while I would be happy to report all of the good news about today's economy, it would certainly take me more than 1 minute.

By decreasing taxes and eliminating unnecessary government regulations, President Bush and Republican leaders have produced economic growth that has delivered a long list of benefits to the American families.

Four point five million new jobs have been created since May 2003. Home sales reached a record high in October with the highest percentage of American adults in history. Consumer prices decreased last month by 0.6 percent, the largest decrease since 1949. Energy prices recently dropped by 8 percent. The unemployment rate is lower than the average of the past 3 decades. The economy grew at 4.3 percent over the last 10 quarters. Productivity soared in the last quarter by 4.7 percent, reducing fears of inflation.

Although we are pleased about these excellent economic indicators, we are not satisfied. House Republicans will continue to promote policies that create jobs for all American families.

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

DRILLING IN THE ARCTIC

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

Mr. KUCINICH. Mr. Speaker, the drilling for oil in the coastal plain of the Arctic Refuge, called by the Gwich'in Tribe "the Sacred Place Where All Life Begins" will disrupt caribou calving grounds, lead to the long-term decline not only of the herd, but of the Gwich'in Tribe which depends on the herd for survival.

Christian teaching tells us to do unto others as we would have them do unto ourselves. We learn from other spiritual insights that we do unto others we actually do to ourselves. We cannot in the consciousness of true American spirit return to a history of exploitation of native tribes anymore than we could return to a history of slavery or a history where women had no rights.

We must make our stand now to change our path by changing who we are. When we perpetrate acts of violence onto others we are damaging ourselves as humans. We cannot do this to the Arctic Refuge because it will destroy food, it will destroy the herd, Another part of the true America will die.

We must not only search for alternative energy. We must search for an alternative way to live. We must escape this cycle of destruction. We must recommit in this country to the path of peace. We must find a new path to peace on Earth with our native brothers and sisters and within ourselves.

CHRISTMAS 1776

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

Mr. POE. Mr. Speaker, one week from today is Christmas, and on Christmas in 1776, Americans were at war for freedom. General Washington and his colleagues crossed the Delaware River into New Jersey and defeated the British who were caught celebrating.

This Christmas Americans are at war for freedom in lands far, far away. They, like Washington's men, will not be home for Christmas.

The price of freedom is eternal vigilance, they say. The price is also counted in the cost of human sacrifice. Our troops in Iraq and Afghanistan that will never return for another Christmas gave their lives for the same ideas that Washington's men gave their lives for. We call it freedom. Mr. Speaker, you notice I say gave their lives, not lost their lives, because their lives were voluntarily sacrificed on the altar of liberty.

In the War of Independence, 4,600 Americans died, and in all wars for freedom, those who laid down their lives have died. They gave their youth for freedom's future. So, as the church bells ring this Sunday before Christmas, let us be reminded of the ring of the Liberty Bell that tolls the words: "Let freedom ring throughout the land."

That's just the way it is.

PROGRESS IN IRAQ

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

Ms. FOXX. Mr. Speaker, I rise today to honor the Iraqi people for their third successful democratic election, the United States Armed Services men and women, and the American people who support our military and their families.

Mr. Speaker, democracy dealt terrorism another major blow on Thursday with the successful free Iraqi election. This election was a crucial victory for Iraq's new democracy and a defeat for terrorists who seek to destroy that democracy. The Iraqi people have proven them long for freedom and continue to fight the terrorists who wish to take their freedom away, and with the continued help of American and coalition forces, Congress and the President, Iraq will soon be a prosperous and freedom-loving Nation.

Mr. Speaker, we all know the valiant heroes of our military and the sacrifices they have made to ensure our safety. They have fought bravely and served honorably. No one can ever dispute the character of our Armed Forces.

I salute the Iraqis for taking the next step toward a free nation and our Armed Forces for helping them.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 631 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 631
Resolved. That it shall be in order at any time on the legislative day of Sunday, December 18, 2005, for the Speaker to entertain motions that the House suspend the rules relating to the following measures:

(1) The bill (H.R. 1185) to reform the Federal deposit insurance system, and for other purposes.

(2) A bill to reauthorize the Temporary Assistance for Needy Families block grant program through March 31, 2006, and for other purposes.

(3) The resolution (H. Res. 545) expressing the sense of the House of Representatives on the arrest of Sanjar Umarov in Uzbekistan.

(4) The concurrent resolution (H. Con. Res. 284) expressing the sense of Congress with respect to the 2005 presidential and parliamentary elections in Egypt.

(5) The bill (H.R. 4501) to amend the Passport Act of June 4, 1920, to authorize the Secretary of State to establish and collect a surcharge to cover the increased demand for passports as a result of actions taken to comply with section 7209(b) of the Intelligence Reform and Terrorism Prevention Act of 2004.

(6) The bill (S. 1888) to authorize the transfer of items in the War Reserves Stockpile for Allies, Korea.

(7) The bill (H.R. 2329) to permit eligibility in certain circumstances for an officer or employee of a foreign government to receive a reward under the Department of State Rewards Program.

(8) A resolution honoring Helen Sewell on the occasion of her retirement from the House of Representatives and expressing the gratitude of the House for her many years of service.

The SPEAKER pro tempore (Mr. LATHAM). The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. McGovern), 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.

This resolution provides that certain specified measures may be considered under suspension of the rules at any time on the legislative day of Sunday, December 18, 2005.

Mr. Speaker, we are gathered here on a beautiful Sunday afternoon in Washington, D.C., December 18, 2005. We have had our priest to open up this beautiful House today, asking that America and Americans understand our responsibilities. We are here today because we still have work yet to be done, but there are people that we need to give thanks to.

Mr. Speaker, our families expected us home weeks ago, but we are here because we have an obligation and a duty.

Mr. Speaker, we are here today under protection of members of the Capitol
December 18, 2005

CONGRESSIONAL RECORD — HOUSE

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Helen for her outstanding service to the United States House of Representatives throughout her work in the Republican cloakroom. During this time, Helen has not only touched the lives of countless Members who have served in this body but also counts President George W. Bush; Senator Herbert K. Walker Bush and George W. Bush as good friends. It is an honor to stand here today and to join my colleagues in recognizing Helen Sewell for her over 70 years of service in the United States Congress.

All of these bills scheduled for consideration today by the House leadership are on behalf of the American public who enjoy broad support from both Members of the majority and the minority parties.

This rule simply provides us with the tools needed to ensure that all of this important work can be completed before we adjourn and leave Washington to join our families and our communities to celebrate the holidays.

Mr. Speaker, I encourage my colleagues on both sides of the aisle to support this non-controversial and balanced bill.

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

Mr. McGovern. Mr. Speaker, I thank the gentleman from Texas (Mr. Sessions) for yielding me the custody of this bill.

Mr. Speaker, I do not object to this rule that will allow for the consideration of a number of suspension bills, and I expect that these bills, all of them, will be approved if not unanimously certainly overwhelmingly by this House.

As we gather here today, the Sunday before Christmas and Chanukah, it is the process and the way the Republican leadership are running this House that I strongly object to. These last few days, in fact the entire year, I think is a great example of how not to run a government.

Sometime today we expect to consider and vote on the Defense appropriations bill. No one will have time to read and examine the final product. We will not know what last-minute goodies are included in the bill. Mr. Speaker, we read news reports that drilling in the Arctic will be in the bill, but we do not know if ANWR is included because we have not yet seen it. And what drilling in Alaska's wilderness has to do with the Pentagon is beyond my comprehension, but there are some in the Republican leadership who do not care about the regular process and want to tuck this in the Defense bill because they know it cannot be enacted on its own.

We also do not know exactly what else is attached to the Defense appropriations bill. Is there funding for Hurricane Katrina, Rita, and Wilma? And if so, what are the details? Will there be funding for the prevention of a possible avian flu pandemic? Are there campaign finance reform provisions included in any of these bills? And if so, who approved them?

And then there is the Defense authorization bill, which has been held up for much time because the White House did not want language in it that banned torture. This is the United States of America, Mr. Speaker. If we stand for anything, it is out loud and clear for everyone. For how can we say that torture is something that we, as a civilized society and as a decent people, should reject.

Now, the President, from news reports, has apparently now accepted the language by Senator McCain which would ban torture, which is a good thing. But some suspect that it is only because the Justice Department has assured him that he can get around the language banning torture, and that is a low bar.

But despite the great capitulation of the White House on the issue of torture, we still do not have a Defense authorization bill, and nobody can tell us why.

We are already held a budget reconciliation bill will come up today. Does anyone have a clue what will be in that bill? This is a bill that will impact all of our citizens and could potentially have an adverse impact on the most vulnerable of our citizens. Mr. Speaker, whether you are a liberal, a conservative, or whether you want more government or less, I think most of us would agree that whatever government we have must be competent and responsive to the people.

Now, the Republicans control all of government. They control the House of Representatives, they control the Senate, and they control the White House. It is clear that they are unable to be effective stewards of our government.

Mr. Speaker, whether in the------------------

We were there with no post-invasion plan, no weapons of mass destruction, no ties between the Iraqi government and al Qaeda, and no imminent threat to the security of the United States of America; yet we rushed into war. Whether the intelligence was manipulated or not, clearly this government did not do its job. It failed, and over 2,100 Americans are now dead.

But now we are in Iraq, Mr. Speaker. We are there with no post-invasion plan, we are there with no-bid contracts that have led to massive corruption and fraud, our soldiers lack the most basic protective equipment, and
with a chain of command that resulted in grave abuses of human rights by some of our own uniformed men and women and some of our Iraqi allies. Ultimately, the President again took responsibility. But, Mr. Speaker, with all due respect, I am tired of the speeches. I, like many others, would not raise taxes, as the Democrat Party has been very conscientious about those things which we believe we told the American people to do. And certainly those things that deal with the war in Iraq.

We have had, I think, the most important goals for the year, not only for the United States of America, the largest storms in the history of the world. We have worked through adversity. It has not been easy. It has caused great grief in the United States. But I am pleased to tell you that this Congress has still come to work, we have debated the ideas, and it is the Republican Party that has the responsibility as a result of our being the majority party to come up with a plan of how to lead.

We have attempted to work as much as possible with the President of the United States and with our colleagues on the other side of the Capitol in the United States Senate on things that would empower America. One of those things which we think we have done a very good job on is to say that we disagree with the rhetoric that says we have to raise taxes; that we have to increase the deficit; that we have to have government to be the answer. We still reject those ideas here on what we think will be the last day of the first session of the 109th Congress; I still reject that in the face of adversity. And I do think and others today who bring their case forward we respect those thoughts and ideas. I respect very much the disagreement that we have in the Rules Committee on a regular basis. The articulation not only by the gentleman from Massachusetts but by others is very measured and very well said. However, we simply disagree with that; and that is why we will proceed in the way in which we do. I respect our colleagues who bring adversity and their thoughts and ideas forward and we will continue to do that today.

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

Mr. MCGOVERN. Mr. Speaker, before I yield to the gentleman from Ohio (Mr. KUCINICH), I just want to say a couple of things.

First of all, we are here 3 weeks after the Senate majority said we were to adjourn, in part because they have not done a very good job of getting our business done. And I would say that I think the American people are starting to catch on to that, and they do not like that form of government. This is supposed to be a deliberative body where important issues get debated.

The deficit. You have accumulated the biggest deficit in the history of the United States of America as a result of your policies. That is not a success story, in my opinion. Again, we can differ on policies, but let us approach this legislation in a responsible way, and that means giving all sides, including people on your side, who have different opinions the opportunity to be able to debate these things fully on the House floor.

Mr. Speaker, I yield 6 minutes to the gentleman from Ohio (Mr. KUCINICH).
I want to say that as we stand here in this season of peace and goodwill towards all, we need to reflect on how rules create a climate that can either achieve peace or go in the opposite direction. I agree with my colleague from Massachusetts that war is an issue here.

Now, there are some who say we are not in Iraq for oil. I would take issue with that. The drilling for oil in the Arctic National Wildlife Refuge makes the connection between war and energy policies and exploitation. I would suggest we need to move to a new paradigm, where we can achieve peace through efficiency, where we can achieve peace through wind and solar and geothermal and biomass and green hydrogen, where we can achieve peace through conservation.

Yet today, through a change in the rules, we will see a bill brought before us that will enable drilling in the Arctic National Wildlife Refuge. It is not only not necessary that we do that, because we all understand that this is a nonrenewable source of energy, there is an endpoint, but we also need to understand there are moral implications. There is a moral dimension to the plan to drill in the Arctic National Wildlife Refuge. This plan will lead to the destruction of the humble, natural way of life, the religion, the culture and the health of the Gwich’in Tribe, which for more than 20,000 years has lived on their ancestral lands in harmony with the natural world.

Now, many of us observed our religious traditions today. Every day the Gwich’in observes their religious traditions in the Arctic in harmony with the natural world. The drilling for oil in the coastal plain of the Arctic Refuge called by Gwich’in the sacred place where all life begins will disrupt the culture, and we will lead to long-term decline not only of the herd but of the Gwich’in Tribe, which depends on that porcupine caribou for its survival.

We cannot minimize this. The Gwich’in have a basic human right to survive. We hold these truths to be self-evident that all men and women are created equal, endowed by our Creator with certain inalienable rights, the right to life, liberty and the pursuit of happiness.

Well, the bill to drill in the Arctic Refuge will deprive the Gwich’in of their right to life, liberty and the pursuit of happiness. Christian teaching tells us to do unto others as we would have them do unto ourselves. We learn from other spiritual insights that what we do unto others we actually do to ourselves.

We cannot in the consciousness of the American people that they cannot get an up-or-down vote on something of a critical policy nature which relates to not only the past but the future of this country.

There is a moral dimension to the plan because it will destroy the land, it will destroy their herd, it will destroy the Gwich’in Tribe, and another part of the true America will die.

Mr. Speaker, we must not only be in the search for alternative energy, we must begin a search for an alternative way to live. We have to escape this cycle of destruction. It is time for us to reconcile nature.

Here we are in a season of peace and goodwill towards all. We must begin today to find a new path to peace on Earth with our native brothers and sisters, with the Gwich’in and with ourselves.

Mr. Sessions, Mr. Speaker, we have had an opportunity again today to hear wonderful debate on the floor of the House of Representatives, the gentleman from Cleveland, speaking about some of those things which he deeply believes in. I also have a deep belief that we should be drilling in the Arctic National Wildlife Refuge.

The American way of life, our ability to have energy independence, the opportunity for us to be able to explore and find energy will determine, in my opinion, the success or failure of the economy of the United States. I do understand that many people who talk about this new way of life simply want us to ride bicycles and to destroy our economy to where we are no better or no worse than a Third World nation.

America, I believe, has set itself on a course where we believe that there is no problem bigger than a solution, and that we will find those avenues through research and development that can lead us on. An example of this would be we have utilized technology in our past for some 25 years. We have used about 21 million barrels of oil a day. It has been about constant what we have done and will do will lead this country is said to stand for from other spiritual insights that what we do unto others we actually do to ourselves. We learn from other spiritual insights that what we do unto others we actually do to ourselves.

We cannot in the consciousness of the American people that they cannot get an up-or-down vote on something of a critical policy nature which relates to not only the past but the future of this country.

But I would say that this body, Mr. Speaker, needs to be mindful of a future that we are not afraid of, that the past which some of our Members would want us to go to find this opportunity be free of a new world with global people who have been incapable of solving their own problems and addressing change is not the direction we should go.

We need to support an economy. We need to move forward to make sure we are solving the world’s problems. Poverty and hunger are still problems in this world. We have opportunity today, as we handle bills, to solve some of the most basic problems through research and development, through medicine, and I would say how we solve these problems.

These problems, Mr. Speaker, are what America develops and spends their precious resources on to help the people of the world.

Yes, we know that there are people who want to go back and who want us to ride bicycles everywhere we go and to have an economy that is far different and do not do trade with the world, and isolate America, and cut and run from the war, and do not accept the responsibilities of the world leadership.

Mr. Speaker, I reject that thought process. I believe it will be done through the constant prodding and leadership of this House of Representatives, through our Speaker, Dennis Hastert, and through committee chairman like David Dreier from the Rules Committee, who give of themselves some 27 years of service as Mr. Dreier has given. Yes, we will even talk about years of service for Helen Sewell, who for over 70 years came to work almost every day for the benefit of America’s future.

This is simply an experiment that we are engaged in, Mr. Speaker. There is no blueprint. There is no direction to say how we will handle things in the future, for we know not, any of us, what lies ahead of us.

But I have the confidence that the Republican Party and the things which we have done and will do will lead this Nation, and I know that we understand a vision, and we shall not perish. In God we trust.

Mr. Speaker, I reserve the balance of my time.
Mr. McGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I would respectfully suggest to my friend, this isn’t about returning to just riding bicycles. This is about getting off a treadmill of dependence on oil, which leads us inevitably to war, which leads us to the destruction of the global climate, which leads us to separation from each other.

We are in a moment right now where we are going to determine the future of this country and we cannot maintain our economic power in the world if we continue to rely on oil, because it is a nonrenewable source of energy. That is why drilling in the Alaskan National Wildlife Refuge is a false solution, in addition to being a violation of the human rights of the Gwich’in. There is no need to distort what this debate is about.

You know, we are in Iraq because of oil. We are not signing the Kyoto Climate Change Treaty because of oil. We ought to realize this world is interconnected and interdependent, that we are one with the world. The sooner we understand that, the sooner we end this separation process, the sooner we put us in a position where we have our troops right now in the Middle East at war. We need to change our direction.

Mr. McGOVERN. Mr. Speaker, let me end as I began here with a plea that we strive for a better process. This is not the way we should be running our government, bringing bills to the floor at the last minute without having given people the opportunity to read what is in them. We should have learned last year. When the Republican majority brought a bill to the floor, we had to meet again and fix it because someone snuck a provision in there that would allow certain Members of the Congress and their staffs to be able to review people. We went back and quickly fixed that after it became public that it was in the bill.

We can do so much better than what we see going on right here at this present time. I think this more than anything else is one of the reasons why I think we need a change of leadership in the Congress. I think there needs to be checks and balances. There aren’t checks and balances right now. There needs to be oversight, there needs to be accountability.

We need to do the people’s business in a more deliberative way. We have to move away from this pattern of locking people out of opportunities to be able to participate in debates and offer their amendments.

Mr. Speaker, having said all of that, we have no objection to this rule that will allow for fuller between now and the time that some of these important conference reports come to the floor.

I will close with this. I think every one of our colleagues needs to know that you are not going to know what is in any of these bills that are coming to the floor. You will find out in the newspapers. That is not the way this government should run.

Having said that, we have no problem with the rule.

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

Mr. SESSIONS. Mr. Speaker, I thank the gentleman from Massachusetts for his support of this rule. The gentleman very clearly understands as a result of his career that he has spent not only serving as a member of professional staff but also a Member of Congress that Congress does engage in a lot of issues and ideas.

I would submit to him two things: Number one, that the process that we are going through is not perfect. It has existed this way because we have chosen the form of government that we have whereby two bodies get together on pieces of legislation that are of importance. This is something that we have lived through for a long period of time.

I would say to the gentleman that I respect his disagreement about how we should do everything in the day, and in the light of day and hold everything for days and let everybody know. In fact, almost every single piece of any bill has been debated and voted on. There are positions that Senators and Members of this House have taken that I hope are included. I hope that even though they may not be something that was completely understood by one body or another, they were well thought through thoughts and ideas that would be contained.

I believe that the idea of the Arctic National Wildlife Refuge is one that has been debated in this country for over 10 or 12 years. It is time for resolution. For someone that does not understand that putting this on the DOD bill would be appropriate, I wonder who uses more energy than anyone, and it would probably be the Department of Defense. I think there is an intrinsic interest in us making sure that our own security of this country is participated in and by as a result of this being on the bill.

Mr. Speaker, lastly, I disagree with those who say that we need a change of leadership.

Mr. Speaker, I am proud of DENNIS HASTERT and his leadership of this House of Representatives and those Members, whether they be from Iowa, Texas, California or Massachusetts, who come to this great body for service of this great Nation. Once again, I am proud of that which we do.

AMENDMENT OFFERED BY MR. SESSIONS

Mr. SESSIONS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Sessions of Texas.

Add at the end the following:

(9) The bill (H.R. 797) to amend the Native American Housing Assistance and Self-Determination Act of 1996 and other Acts to improve housing programs for Indians.

(10) The bill (H.R. 358) to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the desegregation of the Little Rock Central High School in Little Rock, Arkansas, and for other purposes.

(11) The resolution (H. Res. 456) expressing support for the memorandum of understanding signed by the Republic of Indonesia and the Free Aceh Movement on August 15, 2005, to end the conflict in Aceh, a province in Sumatra, Indonesia.

(12) The concurrent resolution (H. Con. Res. 275) expressing the sense of Congress regarding state education curriculum in the Kingdom of Saudi Arabia.

Mr. Sessions. Mr. Speaker, again I urge my colleagues to join me in supporting this rule to provide that suspensions will be in order at any time on the legislative day of December 18, 2005.

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

The previous question was ordered.

The SPEAKER pro tempore (Mr. Latham). The question is on the amendment offered by the gentleman from Texas (Mr. Sessions).

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

The resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. PUTNAM. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 632 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Rs. 632

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported by the legislative day of Sunday, December 18, 2005.

The SPEAKER pro tempore. The gentleman from Florida, (Mr. PUTNAM) is recognized for 1 hour.
Mr. PUTNAM. Mr. Speaker, for the purpose of debate only I yield the customary 30 minutes to the gentlewoman from California (Ms. MATSUI), pending December 18, 2005.

Mr. PUTNAM. Mr. Speaker, House Resolution 632 is a same-day rule that waives various provisions of rule XIII, which requires a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee against certain resolutions reported from the Rules Committee. It applies the waiver to any special rule reported on the legislative day of December 18, 2005. H. Res. 632 allows the House to consider a rule and underlying legislation that may be reported today.

Mr. Speaker, it is imperative that we pass this same-day rule. This resolution will lay the foundation for the House to complete its business and send outstanding legislation to the Senate and eventually the President for his signature. We are working to move our processes along towards adjournment of the first session of the 109th Congress.

Mr. Speaker, I urge my colleagues to support this same-day rule so we can move forward to serious consideration of the remaining legislation for which we are staying here and working through the weekend to complete.

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

Ms. MATSUI. Mr. Speaker, I yield myself such time as I might consume.

Ms. MATSUI asked and was given permission to revise and extend her remarks.

Ms. MATSUI. Mr. Speaker, today we consider H. Res. 632, a martial-law rule allowing the House to bring bills to the floor on the same day that the Rules Committee meets to report that bill.

But significantly, the martial-law rule does not specify which bills may be brought up. Instead, it is a blank check for the majority party to bring up virtually any bill in Congress up until the speaker gavels this legislative day to a close.

Mr. Speaker, this is a highly unusual procedure. I would like to take a moment to explain to the American people exactly how out of the ordinary it is.

This is the first time that a totally open-ended blanket martial-law rule has been brought to the House floor. Every other rule of this procedure has specified at least a category of legislation. This rule is unprecedented for the power it grants the majority.

Mr. Speaker, some Members may argue that the blanket nature of this rule allows them to conduct business efficiently by allowing them to bring up the first thing that is ready to pass.

I, however, take a different view. This will tarnish the honor of this institution by restricting the democratic process. It will allow bills to come up with absolutely no prior notice to Members. Members may not have time to examine what is in the bill. They may not have even heard of the bill before.

There is a risk that last-minute language could be written incorrectly, or that it could have unintended consequences. There is the risk that controversial provisions could be inserted without proper review.

And Members in this review time, we will be forced to simply hope that this did not occur. Mr. Speaker, I believe that Members need more of a guarantee than that before we cast our votes.

Mr. Speaker, such a harsh rule impedes the democratic process. It did not have to be that way. The House leadership chose not to conduct floor business on Friday of last week, or on Monday of this week. This type of schedule has been commonplace all year long.

So I must conclude that we are here not out of necessity, but because the Republican leadership is unable to govern. Once again, it seems as though the majority party is trusted with conducting the business of the American people in an open manner.

I urge my colleagues to reject this blanket martial-law rule. Members should have adequate time to review bills before they vote for them.

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

Mr. PUTNAM. Mr. Speaker, the gentlewoman is correct when she characterizes this as an unusual time. It is almost 2 o’clock on a Sunday afternoon and the Congress is in session. These are very unusual times as we approach the end of this first session of the 109th Congress. I do not think anybody would dispute that. I certainly know that our workforce of members who are scattered around the country manning Christmas parties and Christmas pageants as single parents while we are here doing the people’s business over the weekend would agree that these are highly unusual times.

I would note that this same-day rule has passed the committee two times on a voice vote, and these concerns were not elevated to the point of even demanding a roll call vote.

These are unusual times, I would certainly agree. And in order for us to bring this unusual session that has been marked by catastrophic events throughout our country which were unforeseen, this unusual session that has seen an unusually productive legislative agenda pass both the House and the Senate and be signed into the law by the President, as we mark the end of this year and do everything we can to pass the legislation that will directly benefit our troops, both at home and abroad, and the American people and the Defense Appropriations Bill, as we do everything we can in an unusual way on a Sunday night and probably into the wee hours of Monday morning, to do everything we can to guarantee that our friends and neighbors on the gulf coast in Louisiana and Mississippi and Alabama and south Florida who were hit by Katrina and Rita and Wilma will get the relief that they promised and that is so important as so many of them struggle to bring their lives back together, yes, we will continue to operate in this unusual scenario on a Sunday afternoon and Sunday night to do our job, to finish the work that is on our plate.

The House has very successfully moved its appropriations legislation in a very timely manner. But, frankly, while we finished prior to the July recess, Katrina hit during the August recess, Wilma and Rita hit after that. So while we were following the regular order that both sides of the aisle should be very proud of, both sides of the aisle should be very appreciative of our hardworking colleagues who made that happen, it all went out the window when you get hit by a category 5 and then another category 5 and then another category 4 while we were on August recess alone.

So certain unusual factors have impacted this unusual year, which lead us to the unusual situation of being here on a Sunday passing a same-day rule so that we can move forward on the important items that remain.

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

Ms. MATSUI. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, I think it is important for the American people to know that under martial law, anything can be brought up and put into any bill; and it will take weeks, months or longer before many people even understand what happened.

But I want to demonstrate a knowledge of one thing that every Member of Congress must be aware of, that the Democratic Appropriations bill was folded into it a provision which will permit drilling in the Arctic National Wildlife Refuge. Every Member of Congress must be aware of that. No one can say after it happens that they did not know. And according to all news reports up to this moment, it is the intention of the majority to put that provision into the Defense appropriations bill.

It is a very interesting admission. Drilling for oil is linked to our warfighting capabilities. If we do not drill for more oil in this refuge, perhaps we can, instead, explore our peacemaking capabilities. There is no question that our presence in Iraq was, in part, linked to a quest for domination of oil resources. I mean, let us be frank. The first objective, when our troops went in, they were told by their leaders in the administration to get control of the Iraqi oil ministry. Everyone remembers that. And Americans remember, too, the high oil prices that this country has suffered in the last year.
Now, let me ask each Member of Congress, is there any connection between high oil prices and the growing monopolies within the energy industry? The fewer oil companies we have it seems the prices keep going up and up.

Now, the oil companies are afraid of? They are afraid of alternative energy. They are afraid of energy from the sun, from wind, geothermal, biomass, green hydrogen, because the oil companies know that it will cut their profits. So, naturally, the oil companies want to keep on drilling. They so badly want to keep on drilling that they are going to drill in Alaska, or in the Arctic National Wildlife Refuge, if the Defense appropriations bill passes.

Every American should know that that is not going to mean lower oil prices; it is going to mean higher oil prices because it will once again show the domination of the oil companies on our political process.

We could talk about our economy, and we should. High oil prices are bad for our economy. Is that not a message that we should be going towards alternative energy? If we waste resources inevitably will lead to war. Is that not an argument for renewable energy? Is that not an argument for breaking up the energy monopolies? Oil companies do not want alternative energy. They want us to keep on drilling. They want to grab access to oil whether it is in Iraq or ANWR or anywhere else.

Wherever we are depending on more oil, they get more profits.

This is a time for us to take a direction towards conservation. In that way I consider myself a conservative. Waste not, want not. It is time for us to take a stand for protection of the environment. The administration has spurned any efforts to cause America to join with the world community in signing the Kyoto Climate Change Treaty, and at the same time we see billions of dollars wasted because of the tremendous suffering that has been caused in our gulf coast region, but I would say that we have wasted the gulf coast region because we did not have an alternative energy policy years ago. We act like there is no connection between climate change and our energy consumption patterns.

Wake up, America. Understand that all these things are interrelated, that we are interdependent and interconnected, that the choices we make today on our energy policy will echo through the years as to the direction the country will go in.

It is time for us to take a stand today for the protection of human rights. The Gwich’in Tribe is this humble tribe that depends on the porcupine caribou for its subsistence, and drilling in that Alaskan refuge is going to destroy the calving grounds of the porcupine caribou.

Mr. PUTNAM. Mr. Speaker, while I would love to engage the gentleman in his theory that big oil companies caused Hurricane Katrina on the rule about consideration of legislation on the same legislative day, I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I would just like to say that I urge my colleagues to reject this blanket martial-law rule. Members should have adequate time to review the bills before they vote for them.

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

Mr. PUTNAM. Mr. Speaker, these are unusual times as we struggle through the important deliberations of this Congress to make sure that our troops are cared for through the Department of Defense appropriations process and that our gulf coast friends and neighbors receive the assistance that they need and have been promised and are owed by their countrymen in the wake of the devastation wrought by these hurricanes.

This rule lays the foundation for us to move that important legislation in a timely way. And martial law around the world means troops on the streets, tanks on the streets, the military setting mandatory curfews where people cannot act in a free and virtuous way.

Only in America would the opportunity for 535 elected representatives to come from around the country to haggle and debate and fight and compromise over ways to help their fellow countrymen and move forward with an agenda for liberty and prosperity and security, only in America do we take for granted our liberties such that we would call such a process “martial law.”

Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. LATHAM). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. MATSUI. 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later today.

EXPRESSION OF SENSE OF THE HOUSE ON ARREST OF SANJAR UMAROV

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 545) expressing the sense of the House of Representatives on the arrest of Sanjar Umarov in Uzbekistan.

The Clerk read as follows:

H. Res. 545

Whereas the United States supports the development of democracy, free markets, and civil society in Uzbekistan and in other states in Central Asia;

Whereas the rule of law, the impartial application of the law, and equal justice for all courts of law are pillars of all democratic societies;

Whereas Sanjar Umarov was reportedly arrested in Tashkent, Uzbekistan, on October 22, 2005;

Whereas Sanjar Umarov is a businessman and leader of the Uzbek opposition party, the Sunshine Coalition;

Whereas Sanjar Umarov was reportedly taken into custody on October 22, 2005, during a crackdown on the Sunshine Coalition that included a raid of its offices and seizure of its records;

Whereas Sanjar Umarov was reportedly charged with grand larceny;

Whereas press accounts report that representatives of Sanjar Umarov claim that Mr. Umarov was drugged and abused while at his pretrial confinement center in Tashkent, Uzbekistan, but such accounts could not be immediately confirmed, and official information about the health, whereabouts, and treatment while in custody of Mr. Umarov has thus far been unavailable;

Whereas the United States has expressed its serious concern regarding the overall state of human rights in Uzbekistan and is seeking to clarify the facts of this case;

Whereas the European Union (EU) and the Organization for Security and Cooperation in Europe (OSCE) have expressed concern about the arrest and possible abuse of Sanjar Umarov; and

Whereas the Government of Uzbekistan is party to various treaty obligations, and in particular those under the International Covenant on Civil and Political Rights, which obligate governments to provide for due process in criminal cases: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the law enforcement and judicial authorities of Uzbekistan should ensure that Sanjar Umarov is accorded the full measure of due process in criminal cases; and

(2) the Government of Uzbekistan should observe its various treaty obligations, especially those under the International Covenant on Civil and Political Rights, which obligate governments to provide for due process in criminal cases; and

(3) the Government of Uzbekistan should publicly clarify the charges against Sanjar Umarov, his current condition, and his whereabouts.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.
Ms. ROS-LEHTINEN. 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 record under consideration.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of House Resolution 545 regarding the arrest of Uzbek opposition leader Sanjar Umarov.

Mr. Umarov is a businessman and a leader of the Sunshine Coalition, an Uzbek opposition party that was formed in April in the wake of a popular uprising in neighboring Kyrgyzstan.

The group quickly gained recognition after its condemnation of the severe military crackdown on demonstrators in the eastern city of Andijon earlier this year.

On October 22, 2005, the Uzbek authorities launched a crackdown against the Sunshine Coalition that included a raid of its offices and a seizure of its records. Sanjar Umarov was then charged by the Uzbek regime. Press reports have alleged that Mr. Umarov was drugged and abused while at his pretrial confinement center.

The State Department has expressed its serious concern regarding this case, and last month the Senate passed a companion resolution regarding Mr. Umarov's case. The Congress remains deeply troubled about the overall state of human rights in Uzbekistan, as that regime has become one of the world's most repressive.

Freedom House and our own State Department rank Uzbekistan among some of the world's most notorious human rights violators. As an important first step toward addressing these underlying issues, this resolution calls on the Uzbek authorities to ensure that Mr. Umarov is accorded his full rights under Uzbek law and Uzbekistan's international obligations.

Mr. Speaker, I strongly urge my colleagues to support this important measure.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this resolution.

I first would like to commend my good friend and colleague ILEANA ROS-LEHTINEN for introducing this important measure relating to human rights in Uzbekistan.

Mr. Speaker, the dissolution of the Soviet Union marked an historic triumph for freedom, democracy, and openness in the former Soviet realm. Millions of oppressed citizens of the former Soviet Union, from the Baltic states to Georgia and Armenia, finally won the right to choose their leaders freely and openly and to speak publicly their minds about the future of their nation. This historic movement towards freedom and democracy was not uniform, and pockets of despotic totalitarianism remain within the realm of the former Soviet Union. The Central Asian nation of Uzbekistan is one such authoritarian pocket.

Since Uzbekistan won its independence from the Soviet Union in 1991, it has been ruled with an iron fist by Islam Karimov. Karimov came to power in 1991 in elections that our State Department characterized as “neither free nor fair,” and I fully agree. His term in office has been repeatedly extended through sham referenda and actions taken by his rubber stamp parliament.

During Karimov's brutal tenure, there has been absolutely no progress towards democratic reform. The government has severely limited freedom of speech and the press, and few reporters there write articles critical of the government for fear of being tossed in jail. Independent human rights organizations are denied registration by the government, and their activities are severely limited.

It is in this context that Sanjar Umarov, a successful business leader in Uzbekistan, decided to form an opposition movement. His Sunshine Coalition raised questions about the lack of true democracy in Uzbekistan and the Uzbek government's abysmal performance running the nation. Umarov's party offices were raided in October. He was charged with grand larceny, following the Russian example of concocting alleged business crimes to justify the imprisonment of key opposition leaders. There have been reports that Mr. Umarov has been tortured while in custody and that his lawyer found him naked in his cell, covering his face with his hands, rocking back and forth.

Mr. Speaker, the resolution before the House has a simple message: It urges the government of Uzbekistan to accord Mr. Sanjar Umarov the right to defend himself in court according to the rights provided to him by the constitution of Uzbekistan and that the charges against him be publicly clarified and his whereabouts announced.

Mr. Speaker, the government's continued imprisonment of Mr. Umarov is yet another black eye for Uzbekistan internationally. I strongly urge the Uzbek government to reconsider their unwise action and release Mr. Umarov from jail immediately.

I urge all of my colleagues to support this important resolution.

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

Ms. ROS-LEHTINEN. Mr. Speaker, it is always a pleasure to work with my good friend from California, Mr. LANTOS.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 545.

The question was taken; and (two-thirty) later, without objection in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF CONGRESS WITH RESPECT TO THE 2005 ELECTIONS IN EGYPT

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 284) expressing the sense of Congress with respect to the 2005 presidential and parliamentary elections in Egypt, as amended.

The Clerk read as follows:

H. Con. Res. 284

WHEREAS promoting democratic and free market economies and enhancing and defending democracy in the Middle East are foreign policy and national security priorities of the United States; and

WHEREAS free, fair, and transparent elections constitute a foundation of any meaningful democracy; and

WHEREAS Egypt is the largest Arab nation comprising over half the Arab World's population; and

WHEREAS Congress has long supported Egypt as a partner for peace and stands ready to support Egypt's emergence as a democracy and free market economy; and

WHEREAS a successful democracy in Egypt would definitely dispel the notion that democracy cannot succeed in the Arab Muslim world; and

WHEREAS in his 2005 State of the Union Address, President George W. Bush stated that ‘the great and proud nation of Egypt, which shares the way toward peace in the Middle East, can now show the way toward democracy in the Middle East’; and

WHEREAS in her June 20, 2005, remarks at the American University in Cairo, Secretary of State Condoleezza Rice stated: ‘[T]he Egyptian Government must fulfill the promise it has made to its people—and to the entire world—by giving its citizens the freedom to choose. Egypt's elections, including the Parliamentary elections, must meet objective standards that define every free election’; and

WHEREAS on February 26, 2005, Egyptian President Mubarak proposed to amend the Egyptian Constitution to allow for Egypt’s first ever multi-candidate presidential election; and

WHEREAS in May 2005, President Bush stated that Egypt's presidential election should proceed with international monitors and with rules that allow for a real campaign; and

WHEREAS Egypt prohibited international monitoring in the presidential election, calling such action an infringement on its national sovereignty; and

WHEREAS domestic monitoring of the election became a major point of contention between the government, the judiciary, and civil society organizations; and

WHEREAS in May 2005, the Judges Club, an unofficial union for judges, took the procedural decision to suspend the election if their demand for a truly independent judiciary was not met;
Whereas the Judges Club initially insisted that the 9,000 to 10,000 judges were in no position to monitor the election if plans proceeded for polling at 54,000 stations on one day;

Whereas the government responded to their demands by grouping polling stations to decrease their number to about 10,000, more than matching the number of available judges;

Whereas on September 2, 2005, a majority of the general assembly of the Judges Club decided that Judges would supervise the election and report any irregularities;

Whereas several coalitions of Egyptian civil society organizations demanded access to polling stations on election day and successfully secured court rulings granting them such access;

Whereas the Presidential Election Council, citing its constitutional authority to oversee the election process, reported that the court order for several days, before they granted some nongovernmental organizations access to polling stations a few hours before the polls opened;

Whereas the presidential campaign ran from August 17 to September 4, 2005;

Whereas the presidential election held on September 7 was largely peaceful, but reportedly marred by low turnout, general confusion over election procedures, alleged manipulation by government authorities, and other irregularities;

Whereas the presidential election was a potentially important step toward democratic reforms in Egypt and a test of President Mubarak’s pledge to open the country’s authoritarian political system;

Whereas Mr. Mubarak promised to allow during the presidential campaign a free press and independent judiciary, lift emergency laws that stifle political activity, reduce presidential powers in favor of a more freely elected parliament, and allow a slow but steady transition to a liberal democracy;

Whereas parliamentary elections were held in Egypt in November and December 2005;

Whereas several local human rights and civil society organizations issued a joint statement declaring unease over the Egyptian Government’s criticism of independent civil society organizations, and calling for greater political rights in Egypt;

Whereas the Egyptian Government’s apparent manipulation of the electoral system resulted in a weakening of the secular opposition and a strengthening of the Islamist opposition in Egypt;

Whereas it was reported that Mr. Nour, a secular liberal, was harassed repeatedly by Mr. Mubarak’s security forces and slandered by the Egyptian media, and local election observers reported numerous irregularities in Mr. Nour’s Cairo district;

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

(1) recognizes the presidential election held on September 7, 2005, as a potential first step toward greater political reforms in Egypt;

(2) expresses concern over the widely reported irregularities during the Egyptian presidential election and parliamentary elections held in November and December 2005, including interference by Egyptian security forces, and the apparent failure of the Government of Egypt to ensure that the elections were free, fair, and transparent;

(3) calls on the Government of Egypt to take immediate steps to address these reported violations of the fundamental freedoms of the Egyptian people and to hold those who are responsible for such violations accountable;

(4) recognizes that the development of a democratically-elected representative and empowered Egyptian national parliament is a fundamental reform needed to permit real progress toward the rule of law and democracy in Egypt;

(5) calls on the Government of Egypt to separate the apparatus of the National Democratic Party from the operations of government, to divest all government holdings in Egyptian media, and to end the government monopoly over printing and distribution of newspapers;

(6) calls on the Government of Egypt to repeal the 1977 emergency law which took effect in 1981, as promised by President Mubarak, and in the development of any future anti-terrorism legislation, ensure respect for constitutional political activities, including public meetings and demonstrations, and to allow full parliamentary review of any such legislation;

(7) expresses disappointment over the failure of the Government of Egypt to ensure that the presidential election was free, fair, and transparent;

(8) calls on the Government of Egypt, in future elections to—

(A) ensure supervision by the judiciary of the electoral process across the country and at all levels;
(B) ensure the presence of accredited representatives of all competing parties and independent election observers at polling stations and during the vote-counting; and
(C) allow local and international election monitors full access and accreditation;

(9) urges the President of the United States to take into account the progress achieved by the Government of Egypt in meeting the goals outlined in this resolution when determining eligibility for future military and economic assistance grants;

(10) given the responsibility of the Government of Egypt for the outcome of the 2005 presidential and parliamentary elections, calls on the Government of Egypt not to use the strength of the Islamist opposition in Egypt to justify the failure of the Egyptian Government to comply with its international human rights obligations or to undertake the reforms to which it has committed; and

(11) urges the President and other officers of the Government of the United States to speak with unmistakable clarity in expressing their disappointment in the lack of progress by the Government of the United States with respect to the behavior of the Government of Egypt during the 2005 presidential and parliamentary elections.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

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

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of House Concurrent Resolution 241, as amended. Prior to this year’s election in Egypt, that country’s leader, Hosni Mubarak, promised to undertake a series of steps toward a slow but steady transition to a more democratic society. However, in the wake of the parliamentary elections it is explicitly clear that those commitments remain unfulfilled.

This concurrent resolution, initially drafted amid an atmosphere of hope, has become a consensus proposal passed by the House Committee on International Relations in order to reflect the grave developments that have taken place and to express congressional disappointment with the behavior of the Egyptian government and security forces during the parliamentary elections.

 mentre monitored that polling and counting stations were blocked and that wide-scale arrests were also used as a means of manipulating the electoral process. There were reports of excessive force by Egyptian security services resulting in the deaths of several demonstrators and the wounding of dozens more.

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We must send a clear message to the Egyptian leadership that such behavior is unacceptable and that the concerns contained within this resolution need to be addressed if our bilateral relations are not to suffer.

The resolution before us therefore calls on the government of Egypt to take immediate steps to address the reported violations of the fundamental freedoms of the Egyptian people and to hold those accountable for those actions and it urges the President to take
into account what, if any, progress has been achieved by the Government of Egypt in meeting the goals outlined in this resolution when determining diplomatic engagement with and the type of level of assistance to the Government of Egypt.

This resolution is also forward looking, calling on the Government of Egypt to take a series of confidence-building measures in future elections. This is in the U.S. national security interest and in the interest of the Egyptian people for Egypt to be governed by a representative freely elected and legitimate national government. I ask my colleagues to render their full support to this measure.

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

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

Mr. Speaker, in support of H. Con. Res. 284 and commend my good friend, ILEANA ROS-LEHTINEN and my colleague Mr. ACKERMAN of New York, for sponsoring it.

Mr. Speaker, Egypt held a series of elections this year both presidential and parliamentary. They were the most competitive elections Egypt has conducted in many decades; and, broadly speaking, I commend President Mubarak for that. But that judgment, of course, is rendered against the backdrop of the decidedly non-competitive and unfree elections that have previously marked the quarter century of the Mubarak era.

Accordingly, this resolution is absolutely on target in expressing the deep disappointment and grave concern of this body with the heavy-handed and often violent tactics that the Government of Egypt and its security forces continue to utilize in order to ensure their unbroken dominance. This government-initiated violence apparently was intended to limit voting in certain antigovernment districts. It resulted in nearly a dozen deaths. In other cases, polling stations were simply shut down by the security forces or shadowy groups of nonunformed thugs.

But many of the problems associated with these elections, arguably the most serious problems, had nothing to do with violence. These include the Egyptian Government’s refusal to allow international election monitors and even domestic NGOs meaningful access to polling stations and its transparent and successful effort to eviscerate any meaningful secular opposition to the ruling party.

For example, in seeking to convince Egyptians and the world that the ruling National Democratic Party is the only party in Egypt, against Islamic fundamentalism, the government trumped up legal charges against Mr. Ayman Nour, whose secular reformist agenda catapulted him to a second-place finish in the September presidential elections. This theater-of-the-absurd legal case, an ability to conduct a parliamentary campaign, and he even lost his own parliamentary seat under highly questionable circumstances.

In light of all these problems, Mr. Speaker, it is hardly surprising that barely one-quarter of the Egyptian electorate even bothered to vote, a dismal participation rate which compares most unfavorably with the almost-70 percent of the electorate voting in Iraq.

Mr. Speaker, this body has every right and obligation to take a deep interest in the process of democratization and human rights reform in Egypt, the recipient yet again this year of military and economic support from the pockets of American taxpayers. We have every right to expect that when Egypt pledges to hold free elections, these elections will be truly free.

As our Secretary of State, Dr. Condoleezza Rice, said at the American University in Cairo in June: “Egypt’s elections must meet objective standards that define free elections.” Unfortunately, the elections of 2005 fell far short of these

Mr. Speaker, the administration is set to be seriously contemplating the opening of negotiations for a free trade agreement with Egypt next month. I think that would be a most regrettable step. It should be construed as a signal that the United States is satisfied with the State of Egypt’s progress toward democratization; and as I am confident the vote on this resolution will show, this body decidedly is not satisfied at all.

Mr. Speaker, I do not want to minimize the problems Egypt faces in moving toward democracy in a society where income is extraordinarily low and the illiteracy rate is unbelievably high, nor should we be unconcerned that these elections have revealed that the Fundamentalist Brotherhood, which thrives with the impoverished and ill-educated, remains a powerful force in Egypt. But I remain convinced that the democratic reformation, even if it is primarily driven by free, fair, transparent and truly competitive elections, will allow for the emergence of a secular opposition. That is the right way to go about creating a prosperous and healthy Egypt.

So, Mr. Speaker, these elections may represent a step forward, but a much shorter and far clumsier step than this body, the American people and, most importantly, the Egyptian people have every right to expect. That is why I support this resolution and urge my colleagues to do the same.

Mr. ISSA. Mr. Speaker, I rise today in support of H. Con. Res. 284, a resolution expressing the sense of Congress with respect to the 2005 presidential and parliamentary elections in Egypt.

I consider myself a friend of Egypt and while I believe Egypt deserves praise and recognition for the steps toward democracy it has made this year by moving to a direct vote on the election for the office of President and the reforms that followed I must also, as a friend, express some disappointment and concern about missed opportunities.

Specifically, I was disappointed to see that more was not done to ensure that domestic election monitoring officials would be granted full access to polling and counting stations. I have also been disappointed to learn about the continued severe limitations placed on respected international election observing organizations to gain accreditation and reasonable access to polling and counting sites. The International Republican Institute had a team of international election experts on the ground for the recent parliamentary elections reported, “The November 2005 parliamentary election process does not support the claim that Egypt is in a process of democratic transformation.”

Mr. Speaker, this resolution rightfully focuses Congress’s attention on a number of different aspects of the electoral process in Egypt. While there are many areas where improvement is needed in Egypt, I would like to give credit to Egypt where credit is due. The International Republican Institute made the following assessment in the conclusion section of its “2005 Parliamentary Election Assessment in Egypt” about positive developments in the most recent round of elections:

Despite negative aspects of the 2005 Parliamentary elections, it is possible to highlight several notable achievements when compared with elections in the past. First, the role played by the domestic monitoring groups and the Judges Club in the Presidential election—has been important, as elements of civil society begin to take a more active role in advocating for greater democratic freedoms and pluralism.

In addition, between monitoring groups and independent media, the government has permitted a new level of scrutiny from the domestic and international community.

Several of IRIS’s delegates had spent time in Egypt in the late 1980s and early 1990s, and noted that the public debate about political reform and criticism of the ruling party and the government would have been unthinkable 10 or 15 years ago. The relative freedom with which state-run and independent press can debate these issues is an indicator of progress that should not go unmentioned.

In closing, I stand ready to support Egypt as it moves toward truly competitive democratic elections. This movement is not easy, and I will be among the first to recognize progress made by Egypt as it occurs.

I would also note that despite all shortcomings in the recent elections, Egypt—despite the work that needs to be done—remains a leader in the Middle East when it comes to democracy, its relationship with the United States, and its positive relationship with Israel. I believe it is, in fact, Egypt’s close relationship with the United States that gives this Congress the responsibility to ensure that this relationship enhances prosperity, security, and the democratic freedoms of both peoples.

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

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

The SPEAKER pro tempore (Mr. LATHAM). The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 284.

The question was taken. The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of
Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4501) to amend the Passport Act of June 4, 1920, to authorize the Secretary of State to establish and collect a surcharge to cover the costs of meeting the increased demand for passports as a result of actions taken to comply with section 7209(b) of the Intelligence Reform and Terrorism Prevention Act of 2004, as amended.

The Clerk read as follows:

H.R. 4501

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 “Passport Services Enhancement Act of 2005”.

SEC. 2. AUTHORITY OF SECRETARY OF STATE TO ESTABLISH AND COLLECT A SURCHARGE TO COVER THE COSTS OF MEETING THE INCREASED DEMAND FOR PASSPORTS.

Section 1 of the Passport Act of June 4, 1920 (22 U.S.C. 214) is amended—

(1) in the first sentence, by striking “There shall be collected and paid” and inserting “(a) funds collected and paid”; and

(2) by adding at the end the following new subsection:

“(b)(1) The Secretary of State may by regulation establish and collect a surcharge on applicable fees for the filing of each application for a passport in order to cover the costs of meeting the increased demand for passports as actions taken to comply with section 7209(b) of the Intelligence Reform and Terrorism Prevention Act of 2004.

(b)(2) The bill narrowly defines the uses permitted of the proceeds from this surcharge. It is for the cost of additional personnel, mailing and similar operational costs that are necessary to keep up with the increased passport workload. The authority for the Department to collect this surcharge will expire in the year 2010. Congress will be able to assess whether this surcharge continues to be necessary.

This is an important measure that has been requested by the Secretary of State, and the text has been worked out between the majority and the minority of both the House International Relations Committee and the Senate Foreign Affairs Committee. I urge support for H.R. 4501, as amended.

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

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

Mr. Speaker, this bill represents a bipartisan and bicameral measure. We have worked with our colleagues on the Senate Foreign Relations Committee to draft a bill that will assist the State Department in meeting the ever-increasing demand for U.S. passports.

The 911 bill required that Americans carry a passport when reentering the United States from travel to countries in the Western Hemisphere. This requirement is greatly increasing the demand for passport services.

This bill, which was approved by OMB, will allow the State Department to collect and retain a surcharge of approximately $5 to $8 on each passport. Because the State Department expects there to be a decline in the actual cost of issuing each passport, there will not be an important revenue for issuing passports, which is now $97.

Presently, the U.S. Treasury receives the revenues from fees charged for the issuance of a passport. As a result of this legislation, the State Department will keep the passport fee. The bill narrowly defines the uses permitted of the proceeds from this surcharge.

I urge all of my colleagues to support this critical piece of legislation.

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

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

The Speaker pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 4501, as amended.

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

A motion to reconsider was laid on the table.

AUTHORIZING TRANSFER OF ITEMS IN WAR RESERVES STOCKPILE FOR ALLIES, KOREA

S. 1988

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

SECTION 1. WAR RESERVES STOCKPILE FOR ALLIES, KOREA.

(a) Authority To Transfer Items in Stockpile.—

(1) In General.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2322), the President is authorized to transfer to the Republic of Korea, on such conditions as the President may determine, any or all of the items described in paragraphs (2) and (3).

(2) Covered Items.—The items referred to in paragraph (1) are munitions, equipment, and material such as tanks, trucks, artillery, mortars, general purpose bombs, repair parts, barrier material, and ancillary equipment if such items are—

(A) obsolete or surplus items;

(B) in the inventory of the Department of Defense;

(2) intended for use as reserve stocks for the Republic of Korea; and

(3) as of the date of the enactment of this Act, located in a stockpile in the Republic of Korea or Japan.
moved, disposed of, or both by the Depart-
program under paragraph (1) shall be re-
the War Reserves Stockpile for Allies, Korea as of the termination of
items remaining in the War Reserves
require requirements.
United States for any of the following:
Korea that are available for transfer to the
not the ammunition, equipment, and mate-
tions), and other items of value.
(4) TERMINATION.—No transfer may be
subparagraph of this section after the date that is three years after
the date of the enactment of this Act.
(b) CERTIFICATION REGARDING MATERIAL IN
Stockpile.—Not later than 60 days after the
date of the enactment of this Act, the Secretary of Defense shall certify to the appro-
propriate committees of Congress whether or not the ammunition, equipment, and mate-
riel in the War Reserves Stockpile for Allies, Korea that are available for transfer to the
Republic of Korea is of any utility to the United States for any of the following:
(1) Counterterrorism operations.
(2) Contingency operations.
(3) Stockpile, pre-positioning, or war re-
serve requirements.
(c) TERMINATION OF STOCKPILE.
(1) At the conclusion of the transfer to the Republic of Korea under sub-
section (a) of items in the War Reserves Stockpile for Allies, Korea pursuant to that
subsection, the War Reserves Stockpile for Allies, Korea program shall be terminated.
(2) DISPOSITION OF REMAINING ITEMS.—Any items remaining in the War Reserves Stock-
pile for Allies, Korea pursuant to paragraph (1) shall be removed, disposed of, or both by the Depart-
ment of Defense.
(d) APPROPRIATE COMMITTEES OF CONGRESS
DEFINED.—In this section, the term ‘‘appropriate committees of Congress’’ means—
(1) the Committees on Armed Services, Appropriations, and Foreign Relations of the Senate; and
(2) the Committees on Armed Services, Appropriations, and International Relations of the House of Representatives.

The SPEAKER pro tempore. Pursuant
to the rule, the gentleman from Florida (Ms. ROS-LEHTINEN) and the
gentleman from California (Mr. LANTOS) each will control 20 minutes.
The Chair recognizes the gentle-
woman from Florida.

Section 514 of the Foreign Assistance
Act of 1961 provides no U.S. Depart-
ment of Defense articles which have
been set aside for future use by any for-
eign country may be made available
for that country’s use, unless the transfer is authorized under that act, the Arms Control Export Act, or subse-
cquent corresponding legislation. Con-
consistent with that provision of law, Sen-
ate bill 1988 would authorize the Presi-
dent to transfer to the Republic of Korea certain obsolete or surplus U.S. Department
munitions, equipment, and other materiel.
The prepositioned stocks established
by the U.S. Department of Defense in
Korea and Japan in 1973 in order to
supplement Korea’s military sustainment now constitutes an aging stockpile. Senate bill 1988 would per-
mit the Department of Defense to seek
concessions, such as fair market value,
from the Republic of Korea in exchange
for the transfer of these stocks to Ko-
rea’s inventory. This approach would
be consistent with realignment of the
United States Armed Forces in Korea and the objective of in-
creased Korean self-sufficiency. It
would also reduce the costs to the
United States, otherwise necessitated
by transporting this materiel back to
the United States for disposal and de-
millarization.

This legislation is a good government
bill. Mr. Speaker, and I urge all of my colleagues to support it.
Mr. Speaker, I yield back the balance
of my time.

This motion is agreed to by the following:
Ms. ROS-LEHTINEN. Mr. Speaker, I
move to suspend the rules and pass the
bill (H.R. 2329) to permit eligibility in
certain circumstances for an officer or
employee of a foreign government to
receive a reward under the Department
of State Rewards Program.

The Clerk read as follows:

H.R. 2329

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

This act is entitled The Terrorist Rewards
Enhancement Act

Mr. Speaker, I move to suspend the rules and pass the
bill (H.R. 2329) to permit eligibility in
certain circumstances for an officer or
employee of a foreign government to
receive a reward under the Department
of State Rewards Program.

The Clerk read as follows:

H.R. 2329

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 ‘‘Terrorist Rewards Enhancement Act’’.

SEC. 2. ELIGIBILITY IN CERTAIN CIR-
CUMSTANCES FOR AN AGENCY OF A
FOREIGN GOVERNMENT TO RECEIVE
A REWARD UNDER THE DEPART-
MENT OF STATE REWARDS

Program.

(a) ELIGIBILITY.—Subsection (f) of section
36 of the State Department Basic Authorities
Act of 1956 (22 U.S.C. 2708(f)) is amended—

(1) by striking ‘‘(f) INELIGIBILITY.—An of-
carer’’ and inserting the following:

‘‘(f) INELIGIBILITY.—

(1) IN GENERAL.—Except as provided in
paragraph (2), an officer; and

(2) by adding at the end the following new
paragraph:

‘‘(2) EXCEPTION IN CERTAIN CIR-
CUMSTANCES.—The Secretary may pay a
reward to an officer or employee of a foreign
government (or any entity thereof) who,
while in the performance of his or her of-
icial duties, furnishes information described
in such subsection, if the Secretary deter-
mines that such payment satisfies the fol-
lowing conditions:

(A) Such payment is appropriate in light of
the exceptional or high-profile nature of
the information furnished pursuant to such
subsection

(B) Such payment may aid in furnishing
further information described in such
subsection.

(C) Such payment is formally requested by
such agency.’’;

(b) CONFIRMING AMENDMENT.—Subsection
(b) of such section (22 U.S.C. 2708(b)) is
amended in the matter preceding paragraph
(1) by inserting ‘‘or to an officer or employee
of a foreign government in accordance with
subsection (f)(2)’’ after ‘‘individual’’.

The SPEAKER pro tempore. Pursu-
ant to the rule, the gentleman from
Florida (Ms. ROS-LEHTINEN) and the
Mr. Speaker, I reserve the balance of my time.

Mr. LANTOS. Mr. Speaker, I rise in support of this measure, and I yield myself such time as I may consume.

Mr. Speaker, I want to commend my good friend from Illinois (Mr. KIRK) and my good friend from Florida (Ms. ROS-LEHTINEN) for introducing this legislation.

Mr. Speaker, the United States must do all that is legal and ethically appropriate to locate and apprehend those who have committed heinous acts against the United States and our citizens. An important tool to achieve this objective is the Department of State’s Rewards Program. By giving our Secretary of State the authority to offer a significant cash reward for information leading to the arrest and conviction of terrorists, we recruit additional agents in the fight against global terrorism, ordinary people who may obtain extraordinary information that would allow the United States or a foreign country to apprehend terrorists.

Mr. Speaker, over 4 years after 9/11, Osama bin Laden is still at large, and apparently no closer to being in our custody today than he was on September 12. The United States obviously must do more to bring this monstrous man to justice. Our bill would take another small, but potentially important step in that direction. It would allow our Secretary of State in extraordinary circumstances to authorize a cash reward to a foreign government official who may have provided critical information resulting in the arrest and conviction of such a terrorist. I stress to all of my colleagues that this authority is to be used only where the information is critical to the capture of a key terrorist figure at severe risk or of severe harm to the informant.

Will this authority provide additional incentive for a foreign government official to provide us with this information perhaps with regard to Osama bin Laden? We cannot know that today, Mr. Speaker; but if it might, then we must proceed to provide the Secretary of State with this new authority.

I urge support for this resolution.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I am basing my vote on the support that may constitute to the gentleman from Illinois (Mr. KIRK), the original sponsor of the bill.

Mr. KIRK. Mr. Speaker, the State Department’s Terrorist Rewards Program is one of the most successful and inexpensive programs against international terrorists.

As a staff member to Chairman Gilman, I drafted the enhancements to this program that made it a very successful program in the arrest of United Nations war criminals in Yugoslavia. Chairman HYDE, Chairwoman ROS-LEHTINEN, and Ranking Member LANTOS joined me several years ago in increasing this rewards program to a total offer of $50 million. We also enacted more important reforms that authorize brand new newspaper, radio, and TV ads to increase the impact of this program.

We all know that bin Laden and other radical Islamic terrorists operate and hide where bin Laden and other radical Islamic terrorists operate and hide.

The International Relations Committee has long worked with Congressman Kirk, a member of the Foreign Operations Appropriations Subcommittee, in promoting needed reform and practical changes to the State Department’s Justice Rewards program. This program has in the past helped to capture the masterminds behind global terrorists like Ramzi Yousef and Amil Kanzi, the fugitive killer of the CIA’s several employees, and others.

The latest reform is one that Representative Kirk and the International Relations Committee developed after a visit to a very remote part of Pakistan and the Afghan border earlier this year where bin Laden and other radical Islamic terrorists operate and hide.

This bill is very simple, Mr. Speaker. It provides authorization for the payment of terrorist rewards by the State Department to those entities of foreign governments who might assist us in finding these terrorists under extraordinary circumstances and when the payment of the reward may lead to the capture of other key terrorists as well. We need the help of agencies of government and foreign agencies around the globe to do this difficult job, especially considering the limits on our own human intelligence sources.

In addition, the reward payment must be requested formally in writing by foreign governments and the Secretary of State has complete discretion as to whether to grant it, and the decision is not subject to judicial challenge. It is meant for limited and rare circumstances.

Let us give our frontline U.S. agencies and law enforcement personnel around the globe yet one more tool needed to capture and to bring to justice these global terrorists who mean us evil and great harm. I ask for the adoption of the Terrorist Rewards Enhancement Act.
EXPRESSING SUPPORT FOR THE MEMORANDUM OF UNDERSTANDING SIGNED BY THE GOVERNMENT OF INDONESIA AND THE FREE ACEH MOVEMENT

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 456) expressing support for the memorandum of understanding signed by the Government of the Republic of Indonesia and the Free Aceh Movement on August 15, 2005, to end the conflict in Aceh, a province in Sumatra, Indonesia.

The Clerk reads as follows:

H. Res. 456

Whereas for three decades there has been a continuous armed conflict in Aceh, a province in Sumatra, Indonesia;

Whereas violence between the Indonesian military and the Free Aceh Movement has resulted in an estimated 15,000 deaths in the region;

Whereas the tsunami that occurred on December 26, 2004, killed at least 165,000 people in Aceh and devastated the landscape;

Whereas after months of negotiating through the Crisis Management Initiative chaired by former President Martti Ahtisaari of Finland, the parties agreed to a draft memorandum of understanding to end the conflict in July 2005;

Whereas Mr. Bambang Yudhoyono, Minister of Law and Human Rights of Indonesia, and Malik Mahmud, of the Free Aceh Movement, signed the final memorandum of understanding on August 15, 2005, in Helsinki;

Whereas the memorandum of understanding provides for a disarming of the Free Aceh Movement and troop withdrawals by the Indonesian military;

Whereas the memorandum of understanding provides the people of Aceh with new political powers and the right to retain 70 percent of the revenues from certain natural resource extractions from the province;

Whereas a Truth and Reconciliation Commission and a Human Rights Court will be established for Aceh;

Whereas the Free Aceh Movement has agreed to forego its demand for independence; and

Whereas Indonesian President Susilo Bambang Yudhoyono has provided amnesty and released hundreds of Free Aceh Movement members being held in prison since the signing of the peace agreement: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses support for the memorandum of understanding signed by the Government of the Republic of Indonesia and the Free Aceh Movement on August 15, 2005, to end the conflict in Aceh, a province in Sumatra, Indonesia, and congratulates both parties for their willingness to compromise;

(2) expresses the hope that both parties live up to their commitments under the memorandum of understanding and that peace can finally be achieved in Aceh after three decades; and

(3) encourages the Secretary of State and the Administrator of the United States Agency for International Development to commit resources in guaranteeing the peace and building a strong civil society in Aceh.

The SPEAKER pro tempore (Mr. LATHAM). Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The CHAIRMAN recognizes the gentlewoman from Florida.

GENTLEWOMAN LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to introduce any necessary material on the resolution under consideration.

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

There was no objection. The SPEAKER pro tempore. With the unanimous consent of the House, the Gentlewoman from Florida (Ms. ROS-LEHTINEN) and Mr. Speaker, I yield myself such time as may consume.

Mr. Speaker, I rise in strong support of House Resolution 456, which expresses support for the memorandum of understanding signed by the government of Indonesia and the Free Aceh Movement on August 15, 2005.

For three decades, the province of Aceh in southern Sumatra, Indonesia, was the site of armed conflict between the Indonesian military and the separatist Free Aceh Movement. That seemingly intractable conflict claimed approximately 15,000 lives, including those of many innocent civilians. The dynamics there changed in an even more tragic way on December 26 of last year when a massive tsunami devastated the region, killing more than 160,000 people in Aceh alone. Overshadowed by the horror of that natural disaster, the parties recognized that reconstruction would require an end to the civil conflict. For months they worked toward the drafting of a memorandum of understanding to end this conflict which was completed and signed in late August after the leadership of the Free Aceh Movement relinquished their demands for independence.

The memorandum grants the people of Aceh long-awaited political powers and a greater share of the revenues generated by the natural resources in the province. It provides for the disarmament of the Free Aceh Movement and troop withdrawals by the Indonesian military. I commend the Indonesian government for their foresight and the initiative shown in this instance, and I hope that it might serve as a template for resolving other long-standing conflicts in his great nation.

We share the hopes of the people of Aceh for peace, reconstruction and the development of a civil society in their province. This resolution is a timely show of our support for the peace process. The resolution deserves our unanimous support.

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

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of this resolution.

I first would like to commend my distinguished colleague and good friend from New York (Mr. CROWLEY), a key member of the International Relations Committee, for introducing this important measure related to Indonesia.

Mr. Speaker, the Indonesian province of Aceh has known great sadness and tragedy for decades. A long-simmering civil war between the Free Aceh Movement and the Indonesian military took the lives of over 15,000 innocent civilians over the past 30 years. Tragically, the December 2004 tsunami struck Aceh very hard. At least 165,000 men, women and children of this region of Sumatra were killed as a result of that horrendous natural disaster. The province was utterly devastated.

It is perhaps due to this great human devastation that the leaders of the Free Aceh Movement and the Indonesian government intensified their efforts to work out a solution to the civil war in that part of Sumatra. The devastation wrought by the tsunami allowed all parties to put their differences in perspective and to concentrate on negotiating a peace deal that was so desperately desired by most Acehnese.

If I might digress for a moment, long before I joined Congress I visited Sumatra, and I was impressed by the quality of the extraordinary people of this very important island. It has been a tragedy that the central government and the people of Aceh have not been able to agree until now on a satisfactory solution.

Now we have an agreement between the rebels and the government signed in August of this year, and this is a very positive development. It is also a testament to the staying power of the Finnish negotiators, led by our good friend, the former Finnish President Martti Ahtisaari, who brought the parties together.

I urge all of my colleagues to support this important resolution.

Mr. Speaker, I yield myself such time as he might consume to the gentleman from New York (Mr. CROWLEY), the distinguished author of this legislation.

Mr. CROWLEY. Mr. Speaker, I thank my friend and colleague from California (Mr. LANTOS), the ranking member of our committee and the International Relations Committee, for yielding me this time.

I rise in strong support of House Resolution 456, which expresses support for the memorandum of understanding signed by the Government of Indonesia and the Free Aceh Movement, a document that was signed on August 15 of this year that will end the conflict in
Aceh, a province in Sumatra, Indonesia.

Before I discuss the merits of this resolution, I would like to thank my colleagues who have joined me in support of this resolution, in particular the gentleman from Washington (Mr. McDaniel) and the congressman from Indiana (Mr. Burton) and the gentleman from Florida (Mr. Wexler).

Aceh was brought to my attention in the year 2000 by one of my constituents, Hamah, a human rights lawyer from Aceh. Mr. Jafar told me about the abysmal human rights record of the Indonesian military and others throughout the province of Aceh. Upon his return to Aceh in August of 2000, not long after we met, Mr. Jafar was abducted in Medan, tortured for several weeks, and found mutilated in a mass grave in the fall of 2000. Cases like Mr. Jafar’s happened too often and motivated me to push for an end to his 3-decade-long conflict that he so much wanted to see ended, that took over 15,000 Aceh lives.

This resolution expresses support for the peace agreement signed on August 15 of this year by the Free Aceh Movement and the government of Indonesia. This agreement saw both sides making several concessions in order to broker this peace.

The Free Aceh Movement has abandoned its demands for independence and has agreed to disarm. On the other side, the government of Indonesia has granted amnesty for the Free Aceh prisoners and has agreed to a timeline of troop withdrawal.

The memorandum has also given the people of Aceh new political powers that will allow them to retain 70 percent of the revenue from the natural resources of their province. A truth and reconciliation commission and a human rights court will also be established, giving the people the machinery for justice, as well as for peace.

The considerable compromises that both sides made in this memorandum of understanding shows their willingness to secure peace for the citizens of Indonesia and Aceh.

This resolution acknowledges and expresses support for the memorandum signed by the Indonesian government and the Free Aceh Movement. This resolution further expresses hope that both sides will fulfill their commitments so that peace will be instilled in the region. Lastly, and perhaps most significantly, this resolution encourages the Secretary of State and the Administrator for the United States Agency for International Development to commit resources so that peace can be supported and so that peace will endure.

I support this resolution to show the people of Aceh and the government of Indonesia that the U.S. Congress supports their progress to commit resources so that peace can be supported and so that peace will endure.

Lastly, as my good colleague from California mentioned, the devastation of the tsunami, the tsunami that took so many, many lives, perhaps that tsunami did take many lives and we know it did. This peace accord will ensure, if carried through, that many, many more people within Aceh will not lose their lives, and for that, Mr. Speaker, I ask all my colleagues to support this worthy resolution.

Mr. LANTOS. Mr. Speaker, we have no additional requests for time, and I yield back the balance of our time.

The SPEAKER pro tempore. The gentleman from California (Mr. LANTOS) each will control 20 minutes.

Whereas the events of September 11, 2001, and the global rash of terrorist attacks since then, have created an urgent need to promote moderate voices in the Islamic world as an effective way to combat extremism and terrorism;

Whereas the report of the National Commission on Terrorist Attacks Upon the United States stated that “Education that teaches tolerance, the dignity and value of each individual, and respect for different beliefs is a key element in any global strategy to eliminate Islamist terrorism”; and

Whereas the ascension of King Abdullah to the throne in August 2005 presents a new opportunity for education reform in the Kingdom of Saudi Arabia; therefore, be it

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

(1) urges the Government of Saudi Arabia to reform its textbooks and education curriculum in a manner that promotes tolerance and peaceful coexistence with others, develops civil society, and encourages functionality in the global economy;

(2) urges the President to direct the Secretary of State to use existing public diplomacy channels, international visitor exchanges, professional development, and educational reform programs, including those under the Middle East Partnership Initiative and the Broader Middle East Initiative, to focus on the issue of educational reform in Saudi Arabia in accordance with the objectives enumerated in paragraph (1);

(3) expresses extreme disappointment with the slow pace of educational reform in the Kingdom of Saudi Arabia;

(4) urges the President to take into account progress in meeting the goals outlined in paragraph (1) when determining the level and frequency of United States bilateral relations with the Government of Saudi Arabia; and

(5) requests that the Secretary of State examine the educational system in Saudi Arabia, monitor the progress of the efforts to reform the education curriculum, and report on such progress, in classified form if necessary, to the appropriate congressional committees.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

WHEREAS the Government of Saudi Arabia has tolerated elements within its education curriculum in the Kingdom of Saudi Arabia, leaving thousands of students unprepared to function in the global economy of the 21st century;

WHEREAS the Government of Saudi Arabia has tolerated elements within its education system that promote and encourage extremism;

WHEREAS some textbooks in Saudi Arabian schools foster intolerance, ignorance, and anti-Semitic, anti-American, and anti-Western views;

WHEREAS these intolerant views instilled in students make them prime recruiting targets of terrorists and other extremist groups;

WHEREAS extremism endangers the stability of the Kingdom of Saudi Arabia and the Middle East region, and threatens global security;

WHEREAS the events of September 11, 2001, and the global rash of terrorist attacks since then, have created an urgent need to promote moderate voices in the Islamic world as an effective way to combat extremism and terrorism;

WHEREAS leadership in the Kingdom of Saudi Arabia has expressed its concern about the proliferation of extremism in the region, the need to eliminate Islamist terrorism, and the importance of a peaceful and tolerant society;

WHEREAS the ascension of King Abdullah to the throne in August 2005 presents a new opportunity for education reform in the Kingdom of Saudi Arabia; therefore, be it

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

(1) urges the Government of Saudi Arabia to reform its textbooks and education curriculum in a manner that promotes tolerance and peaceful coexistence with others, develops civil society, and encourages functionality in the global economy;

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The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

WHEREAS the events of September 11, 2001, and the global rash of terrorist attacks since then, have created an urgent need to promote moderate voices in the Islamic world as an effective way to combat extremism and terrorism;

WHEREAS leadership in the Kingdom of Saudi Arabia has expressed its concern about the proliferation of extremism in the region, the need to eliminate Islamist terrorism, and the importance of a peaceful and tolerant society;

WHEREAS the ascension of King Abdullah to the throne in August 2005 presents a new opportunity for education reform in the Kingdom of Saudi Arabia; therefore, be it

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

(1) urges the Government of Saudi Arabia to reform its textbooks and education curriculum in a manner that promotes tolerance and peaceful coexistence with others, develops civil society, and encourages functionality in the global economy;

(2) urges the President to direct the Secretary of State to use existing public diplomacy channels, international visitor exchanges, professional development, and educational reform programs, including those under the Middle East Partnership Initiative and the Broader Middle East Initiative, to focus on the issue of educational reform in Saudi Arabia in accordance with the objectives enumerated in paragraph (1);

(3) expresses extreme disappointment with the slow pace of educational reform in the Kingdom of Saudi Arabia;

(4) urges the President to take into account progress in meeting the goals outlined in paragraph (1) when determining the level and frequency of United States bilateral relations with the Government of Saudi Arabia; and

(5) requests that the Secretary of State examine the educational system in Saudi Arabia, monitor the progress of the efforts to reform the education curriculum, and report on such progress, in classified form if necessary, to the appropriate congressional committees.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.
any form endangers the stability of the Middle East and undermines the efforts to create a conflict-free environment. There is an urgent need to promote moderate voices in the Islamic world as an effective way of fighting extremism.

Educational reform, with an emphasis on tolerance and respect for religious differences, can enhance the possibilities of harmony in this troubled region. Our children need to learn the concepts of peace and tolerance, not war and hatred.

The resolution recognizes the opportunity presented by the ascension of King Abdullah to the thrown in Saudi Arabia to call for education reform in his country. It also establishes that progress on such reform is a priority for the United States and a factor to be considered when determining the level of our diplomatic engagements with the Kingdom of Saudi Arabia.

It also urges the President to direct the Secretary of State to use the means at her disposal to assist the Saudis in such education reform.

Mr. Speaker, I urge my colleagues to support this important resolution. I congratulate my colleague from Florida (Mr. DAVIS) on his efforts and his support of this resolution.

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

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of this resolution.

Mr. Speaker, first, I want to commend my good friend and distinguished colleague from Florida (Mr. DAVIS), a former member of the International Relations Committee, for introducing this most important measure relating to the curriculum in Saudi Arabia. We all appreciate the leadership on this important matter.

Mr. Speaker, as all of us as parents know, we have an enormous obligation not only to ensure that our children receive an education which will enable them to function in this century, but that their education include an important quotient of understanding other religions and other cultures, and an education that resists the temptation to demonize those that we do not understand.

Mr. Speaker, the Government of Saudi Arabia has singularly failed to accomplish this important task. The extremist Wahhabi religious education which is present in Saudi schools encourages and promotes extremism, viciously anti-American, and anti-Semitic attitudes. It fosters hatred and intolerance.

It is no surprise, Mr. Speaker, that 15 of the 19 hijackers on September 11 were Saudi nationals. The vile hatred filling the minds of so many young Saudis schools makes them prime targets for terrorists and other extremist groups. I urge all my colleagues to support this important resolution.

Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. DAVIS). Mr. DAVIS of Florida. Mr. Speaker, I want to thank the ranking member, Congressman LANTOS, for his support on this important matter that has been pending for about 3 years and the chair of the committee, Congresswoman ILEANA ROS-LEHTINEN, my colleague from Florida, and also the cosponsor of this legislation, Mr. KING of New York, the chairmain of the Homeland Security Committee.

As has been described, this resolution is actually very simple. It is constructive pressure on the Kingdom of Saudi Arabia to reform the content of their school system to rid that content of anti-Semitic, anti-Western extremist material that is forced upon the education curriculum in the Kingdom of Saudi Arabia by radical extremists in the Wahhabi sect in Saudi Arabia.

This legislation is the product of two trips I have taken to the Kingdom of Saudi Arabia. Like many Americans, like many Members of Congress, I searched for the answers after September 11 to make sure that what happened on that day would never happen again. My personal search, my search, as a Member of Congress, took me to the Kingdom of Saudi Arabia just a few months after September 11.

I visited, as did other Members of Congress, with the Minister of Education, Saudi Arabia, and with the Crown Prince of Saudi Arabia, now the King of Saudi Arabia. The King of Saudi Arabia understands this problem. For far too long, the Kingdom of Saudi Arabia has allowed radical elements within the country to control the school system. As was mentioned by Mr. LANTOS, it is not a coincidence that 15 of the 19 hijackers on September 11, 2001, came from the Kingdom of Saudi Arabia.

What this legislation specifically says is that the Congress is directing the President of the United States to provide a report to the Congress and to the American people as to the status of efforts by Saudi Arabia to reform their school system, and we are in fact pressuring and calling upon and encouraging the Kingdom of Saudi Arabia to do exactly that.

We need to have a relationship with this country that allows us to be open and honest in expressing our concerns. These are not just issues within the Kingdom of Saudi Arabia. These are not just threats of terrorism to the Kingdom of Saudi Arabia and the Middle East. These are, in fact, as we sadly know from our history, threats to the United States as well.

There has been a report card issued by the 9/11 Commission in the last few weeks about the efforts of this country to learn from September 11. I am sad to report that one of the areas that received a D was the failure of this Congress and this administration to openly discuss changes and to make changes in our policy towards the Kingdom of Saudi Arabia. It is my hope today that this resolution represents an overdue step in that direction as Democrats and Republicans coming together, I believe unanimously, to say to the administration that it is time to speak out on this issue and to do so constructively.

Mr. Speaker, on this Sunday in my hometown of Tampa, in my State, it is a game day for many communities. I believe what the United States Government needs in the war on terrorism is what the same thing that Tampa Bay Bucks need right now in my hometown, which is a strong defense and a smarter offense. A smarter offense is identifying the root causes of terrorism and aggressively addressing them.

This is, in fact, one of the root causes of terrorism. It is the creation of extremism and extremists in the schools of Saudi Arabia in the Kingdom of Saudi Arabia. And this bill represents an attempt to work with the Kingdom of Saudi Arabia to put an end to that root cause of terrorism and with the United States, to put its end to terrorism.

I want to urge my colleagues to join Congressman Peter King and me, Congressman LANTOS, and Congresswoman Ros-Lehtinen in strongly and unanimously supporting this resolution.

Mr. LANTOS. Mr. Speaker, I want to commend my friend for his thoughtful and powerful statement.

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

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

The SPEAKER pro tempore (Mr. GILLMOR). The question is on the motion offered by the gentlewoman from Florida (Ms. Ros-Lehtinen) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 275.

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. LANTOS. 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.

NATIVE AMERICAN HOUSING ENHANCEMENT ACT OF 2005

Mr. RENZI. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 797) to amend the Native American Housing Assistance and Self-determination Act of 1996 and other Acts to improve housing programs for Indians.

The Clerk read as follows:

Senate amendments:
Page 3, line 14, strike out “and” and insert the following: of 1968 (42 U.S.C. 3601 et seq.); and
Currently, tribal governments may not exercise Indian preference for USDA programs because it would be considered a civil rights violation by giving preference based on racial designation. Indian preference is something tribal governments value greatly in their effort to apply the laws of the United States to Indian citizens. This is not a race issue. Indian preference recognizes the political designations of tribes as sovereign entities that have entered into a government-to-government relationship with the United States. This legislation will help to ensure greater tribal use of USDA rural development grants and programs.

Additionally, because another program that tribes used for their youth programs existed when the Native American Housing Assistance Act was enacted, accessibility to Youth Build funds was taken away. The Youth Build program assists communities by building new housing for needy families.

Not only are tribes now prohibited from applying for Youth Build funds, but other organizations serving Native youth are prohibited as well; yet the statistics are overwhelming:

The suicide rate for young indigenous youth is three times the national average. Alcohol-related deaths among Native American ages 15 to 24 are 17 times higher than the national average. Native youth ages 12 to 20 are 58 percent more likely to be victims of crimes than any other race in this category.

As of February, 2001, the latest statistics available, 74 percent of youth in custody in the Federal Bureau of Prisons systems were Native American youth, an increase of 50 percent since 1994.

Native American youth represent only 1 percent of the American population and yet constitute as much as 3 percent of the prison population. These grim statistics speak to the importance of programs that teach life skills and give a sense of community to children in Indian Country. It is clear that these children should be able to participate in the Youth Build program that will help build better neighborhoods, more self-esteem, and make a difference for their future. The Native American Housing Enhancement Act will help Native Americans build strong homes, strong communities, and help many to achieve the American Dream of homeownership.

Mr. Speaker, I would like to thank our subcommittee chairman, Mr. Ney of Ohio, for helping me push this legislation through. Also, without the assistance and partnership of Mr. BARNEY FRANK of Massachusetts and Mr. DENNIS KUCINICH, we could not have gotten this pushed through. It has really been a bipartisan piece of legislation. I urge my colleagues to support this legislation, and I look forward to its passage.
Mr. Speaker, I yield myself 30 seconds. Mr. Speaker, I would like to appreciate the gentleman mentioning our colleague from Utah (Mr. Matheson), who has been very active in this, and also the staffs from our committee have worked very well together. I think it is the first time that such attention has been devoted at both the Member and staff level. I am very appreciative of our ability to do that together.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. Kucinich). Mr. KUCINICH. Mr. Speaker, I thank the gentleman from Massachusetts, and I want to thank him for his advocacy for Native American housing. I rise in strong support of H.R. 797, the Native American Housing Enhancement Act of 2005, sponsored by the gentleman from Arizona (Mr. Renzi). I want to thank him for the quality of spirit which led him to propose this.

I would like to say that I have had the opportunity to visit with many tribal communities over the last few years, and I understand the need for this legislation. I also want to thank the gentleman from Ohio (Mr. Ney) for his advocacy on this issue. He and I have worked together on this housing issue, and I am glad to be here with him. This bill requires federally recognized, self-governing Indian tribes to comply with the Indian Civil Rights Act, title II of the Civil Rights Act of 1964, if they received financial assistance from the Agriculture Department for farm housing.

Under current law the Department can provide loans to farm owners to improve housing conditions for themselves or their workers. The Indian Civil Rights Act prohibits tribes from making laws that restrict freedom of religion, freedom of speech or freedom of the press. It also sets out the requirements pertaining to fair due process for people who are arrested.

The measure also exempts tribes currently in compliance with the Indian Civil Rights Act and tribes acting under other federally affordable housing programs in compliance with certain sections relating to fair housing and other civil rights laws which overlap with provisions in the Indian Civil Rights Act.

Finally, the bill provides consistency across tribal housing programs by treating tribes applying for housing programs within the USDA the same as tribes applying for housing programs within HUD. It allows tribes to comply with title II of the Indian Civil Rights Act of 1968 rather than title VI of the Civil Rights Act of 1964 when securing Federal funds for USDA housing programs.

This bill will encourage home ownership and enhance housing opportunities for Native Americans around the country. It gives tribes more flexibility when developing housing improvement projects. Native American housing needs considerable improvement. Approximately 90,000 Indian families are homeless or underhoused. Nearly 33 percent of Native American homes are overcrowded, while 33 percent lack adequate solid waste management systems, and 8 percent lack a safe indoor water supply. This is a good bill that will supply tangible benefits.

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

Mr. RENZI. Mr. Speaker, the gentleman from Massachusetts mentioned the gentleman from Utah (Mr. Matheson). Without the gentleman from Utah, I actually attended the hearing, we could not have gotten this done.

The Navajo Reservation is 18 million acres, larger than the State of West Virginia. It spans the State of Arizona, Utah and New Mexico. I also want to thank the gentlewoman from New York (Mrs. Maloney) and the gentleman from Ohio (Mr. Ney), everyone pulling together on this.

The new housing land map that just came out shows that that portion of America is the largest poverty-ridden land mass in the State. I know these gentlemen have a history, the gentleman from Ohio (Mr. Ney) and the gentleman from Massachusetts (Mr. Frank), of working hard on poverty issues. I thank you so much for stepping up, particularly in this time, when finally it is becoming aware that the remaining poverty in this country, one of the largest land masses of poverty in the Nation, is up there in that four Corners area.

Mr. Speaker, I have no other speakers, and I yield back the balance of my time.

Mr. Speaker pro tempore (Mr. Gillmor). The question is on the motion offered by the gentleman from Arizona (Mr. Renzi) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 797.

The question was taken; and (two-thirds of those having voted in favor thereof) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.
(1) weigh 26.73 grams; (2) have a diameter of 1.500 inches; and (3) contain 90 percent silver and 10 percent copper.

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

(c) NUMISMATIC ITEMS.—For purposes of section 5112(b) of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

SEC. 4. DESIGN OF COINS.

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

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

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

(2) a design and the year of issuance, 2007; and

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

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

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

(2) reviewed by the Citizens Coinage Advisory Committee established under section 5134 of title 31, United States Code.

SEC. 5. ISSUANCE OF COINS.

(a) MINTING AUTHORITY.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

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

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

SEC. 6. SALE OF COINS.

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

(b) PREPAID ORDERS AT A DISCOUNT.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS AT A DISCOUNT.—

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

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

SEC. 7. SURCHARGES.

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

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

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

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

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

(c) LIMITATION.—Notwithstanding subsection (a), no surcharge shall be included with respect to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual 2 commemorative coin program issuance limitation under section 5134(f) of title 31, United States Code (as in effect on the date of the enactment of this Act). The Secretary of the Treasury may issue guidance to carry out this subsection.

(d) CREDITABLE FUNDS.—Notwithstanding any other provision of the law and recognizing the unique partnership nature of the Department of Interior and the Little Rock School District at the Little Rock Central High School National Historic Site and the significant contributions made by the Little Rock School District to preserving and maintaining the historic character of the high school, any non-Federal funds expended by the school district (regardless of the source of the funds) for improvements at the Little Rock Central High School National Historic Site, to the extent such funds were used for the purposes described in paragraph (1), (2), or (3) of section 5134(f), shall be considered to be creditable funds for purposes of section 5134(f)(1)(A)(ii) of title 31, United States Code, with respect to the Secretary of the Interior.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from New York (Mrs. MALONEY) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on this legislation and to include extraneous material therein.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from New York (Mrs. MALONEY) each will control 20 minutes.

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume. I rise in support of H.R. 358, the Little Rock Commemorative Coin Act, introduced by the gentleman from Arkansas (Mr. SNYDER).

This legislation authorizes the Treasury to mint a dollar coin during the year 2007 in honor of the 50th anniversary of the desegregation of the Little Rock Central High School in 1957.

These events, which have gone down in history, were the first major tests of the Supreme Court’s landmark 1954 decision in Brown v. Board of Education that segregation in schools was unconstitutional.

None of us who were alive in 1957 will ever forget seeing those nine African American children walk bravely into Central High School surrounded by Federal troops and a raging mob. Their courage in the face of hatred and their resolute determination to overcome hatred served as a beacon of hope to all of us. I don’t believe any one of us are aware of what a historic event it was and what a history changing event it has become. Imagine the strength that it must have taken.

Only days before one of the students was almost lynched when she attempted to enter Central on the first day of school, and the Arkansas National Guard kept the other African American students out. The events of the next few days are the stuff of legends.

NAACP lawyer Thurgood Marshall and a future member of the Supreme Court obtained a Federal ruling preventing Governor Orval Faubus from using the National Guard to keep the nine children out of Central High. Although Faubus announced on TV that he would comply with the court order he added that the nine should stay away, and I quote from his own words, stay away for your own safety, end quote. He encouraged his comments, a mob surrounded the school.

Finally, at the request of Congressman Brooks Hays and Mayor Woodrow technical language was added by the Senate, with the full agreement of the chairman and ranking member of the House committee of jurisdiction and of those of the Senate committee of jurisdiction, and in no way either signifies a deviation from the intent or letter of the reform language or establishes a precedent or practice different than that laid forth in the reform language that organizes which are not a practice of the surcharges on the sale of commemorative coins must show the strength of their organization and the widespread public support of the honored organization or project by raising nongovernmental funds in an amount equal to or exceeding the surcharges received.

I urge my colleagues to support this legislation.

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

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

Mr. Speaker, I rise in strong support of H.R. 358, the Little Rock Commemorative Coin Act, introduced by the gentleman from Arkansas (Mr. SNYDER).

The legislation before this Chamber in late June, the House is similar to the language or establishes a precedent or practice different than that laid forth in the reform language that organizes which are not a precedent of the surcharges on the sale of commemorative coins must show the strength of their organization and the widespread public support of the honored organization or project by raising nongovernmental funds in an amount equal to or exceeding the surcharges received.

I urge my colleagues to support this legislation.

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

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on this legislation and to include extraneous material therein.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on this legislation and to include extraneous material therein.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on this legislation and to include extraneous material therein.
Mann, President Eisenhower dispatched 1,000 troops of the 101st Airborne Division to Little Rock to protect the nine school children and federalized the Arkansas National Guard so that Faubus could not order them to intervene.

Incidentally, Brooks Hays lost his next election because of the strong feeling of the community. It was an act of bravery on his part.

On September 23, 1957, the Little Rock Nine, Ernest Green, Elizabeth Eckford, Melba Patillo, Jefferson Thomas, Carlotta Walls, Terrence Roberts, Gloria Ray, Thelma Mothershed and Minnijean Brown, entered Central High School and went to class.

A year later, in 1958, Dr. Martin Luther King, Jr., attended the graduation of Ernest Green, the first African American student ever to graduate from Central High. Mr. Green is now a partner in Lehman Brothers. In fact, all of the Little Rock Nine went on to professional achievements in and strong contributing lives to their communities.

This bill has over 300 bipartisan cosponsors and has been passed by the House by voice vote in June. We consider today the bill, as amended by the Senate, which contains a provision requested by the gentleman from Arkansas (Mr. SNYDER) to fix a problem that we learned of after House passage.

The amendment provides that the Little Rock School District can satisfy the statutory requirement of matching private funds through a local bond issue. In light of the unique circumstances of the Little Rock historical site, I would like to deeply thank the gentleman from Ohio (Mr. OXLEY) and the gentleman from Massachusetts (Mr. FRANK) for their help in solving this problem and moving this legislation forward.

On the 40th anniversary of the Little Rock Nine, President Clinton gave a commemorative coin dollar to the gentleman from New York (Mr. MALONEY) and the gentleman from Arizona (Mr. RENZI) for their support and work on this bill. I also want to thank Ranking Member FRANK and Chairman OXLEY, who were both personally involved in seeing this bill through from the beginning.

I had occasion yesterday to call the Central High School National Historic site. The park headquarters is now in an old gas station that was there in 1957. It has been wonderfully restored. There is a new visitor center that is coming over the next couple of years that should be ready for the 50th anniversary also.

But the person that answered the phone, I heard this young woman's voice and I knew right away who it was. It was Spirit Trickey, who is a park ranger that works at the site. Her mother was Minnie Jean Brown Trickey, one of the Little Rock Nine. And you talk about having a sense of the change. I had the privilege talk before in a speech with tears in her eyes what it has meant for her and her generation, the sacrifices that her mother and the other members of the Little Rock Nine, what their sacrifices meant to her.

So we come here today with two purposes. One is to have these coins issued to remember and honor the Little Rock Nine and the sacrifices of them and their families, but also the very practical one, to help raise dollars to tell the story at the site.

And as Mr. RENZI pointed out, the Little Rock Central High School is a very fine functioning school district. It is not an abandoned historic site. It is run by the Little Rock School District. And so I had this practical problem that the gentleman iterated about how do you do this match when the dollars are raised through tax dollars.

And so I concur with the gentleman from Arizona (Mr. RENZI). The intent of this legislation is not to change the underlying law. It is to say because of the unique situation that this site can meet its match for this commemorative coin dollar by matching the dollars raised through local and State millage, not Federal dollars, but through local millage elections, which they have done and will continue to do.

So I want to thank everyone that participated in this, and again thank Mr. RENZI and Mrs. MALONEY for the passage of this bill.

Mrs. MALONEY. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DAVIS). (Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mrs. MALONEY. Mr. Speaker, I yield 2½ minutes to the gentleman from Texas (Ms. JACKSON-LEE), who incidentally, was born in New York State.

Ms. JACKSON-LEE. Mr. Speaker, I thank the gentlewoman from New York (Mrs. MALONEY), the esteemed and honorable and great leader, not only for her distinguished support of this legislation but for the work that we have been doing regarding Sojourner Truth. I thank the gentlewoman so very much for her leadership, along with a number of friends here on the floor. We are not debating that bill right now, but I do want to mention the wonderful members of the House Administration Committee, the gentleman from Ohio (Mr. NEY), and the gentlewoman from California (Ms. MILLENDER-MCDONALD).

But we are here to salute the legislation that has been offered by the gentleman from Arkansas (Mr. SNYDER), H.R. 358; and I thank the gentleman from Arizona (Mr. RENZI) for contributing to the leadership for this bill now coming to the floor of the House.

This is a story in history that so many of us grew up looking at and our lives and our future depended on. The outright leadership and heroism of the nine young people, all under the age of
21, who accepted the challenge of breaking the bars and the concrete ceiling of segregation in Little Rock, Arkansas, go a very long way to opening the doors of opportunity for those of us who followed. Though it was a secondary school and called upon the State of Arkansas to recognize the importance of educating all children, you can be assured it was a continuing journey. After the Brown v. Topeka Board of Education decision, this was just another milestone, if you will, to providing young people across America who were discriminated against for no other reason than for the color of their skin to have the doors of educational opportunity open to them.

The vision of Mr. Snyder to put forward this coin in order to ensure that funding continues to protect this site goes a long way to allowing us to enjoy it and be, if you will, informed about it. Let me salute the Little Rock 9, as they are adults, and let me salute Mr. Ernie Green, who served in the United States Cabinet of President William Jefferson Clinton, for his ongoing civic leadership, along with his many, many other students who were part of the Little Rock 9.

If we are people who fail to remember our history, Mr. Speaker, we are doomed to repeat the past. This is a forward-thinking legislative initiative. I salute Mr. Snyder for his vision, and it is going to be exciting for the many schools and communities around America to go, and understand how tough it is to be able to fight against all odds, but how important it is to be able to accept the challenge and then win.

With that I ask my colleagues to join in the salute and support of this legislation.

Mr. Speaker, I rise in strong support of the proposed legislation, the "Little Rock Central High School Desegregation 50th Anniversary Commemorative Coin Act."

In 1957, nearly half a century ago, nine African-American students entered Little Rock Central High School in Little Rock, Arkansas. The students were forced to enter the school under the protection of the National Guard, which had been "federalized" by President Dwight David Eisenhower. So contentious was the Brown v. Board of Education decision, which ruled that segregation in schools was unconstitutional, that Arkansas Governor Orval Faubus, had vowed to do everything in his power to prevent integration of Little Rock schools.

The nine students, now referred to as the "Little Rock Nine," were Ernest Green, Elizabeth Eckford, Melba Patillo, Jefferson Thomas, Carlotta Walls, Terrence Roberts, Gloria Ray, Thelma Mothershed, and Minnijean Brown. The integration of these nine brave students, who were discriminated against for no other reason than for the color of their skin, paved the way for the civil rights movement of the 1950s and 1960s. The event was perceived to be so important in forwarding the movement that Dr. Martin Luther King, Jr., attended the graduation of the Little Rock Nine from Little Rock Central High School.

Part of the collected revenue of the sale of this coin—a $10 surcharge per coin—will be used for the protection and preservation of resources and stories associated with the Little Rock Central High School National Historic Site. I believe this effort is especially important. Segregation and discrimination was a dark period of our country's history, and we must retell the stories of our history so we may learn from the mistakes of our past.

Let us honor and celebrate this important historical event of half a century ago, but let us also remember there are still steps to be taken for racial equality. Let this coin remind us of the battles for freedom and equality of yesteryear, and the battles still being fought here and around America today. I urge my colleagues to vote in support of this resolution.

Mrs. Maloney. Mr. Speaker, I do not have any further speakers. I congratulate Mr. Snyder for his leadership on this legislation and Mr. Renzi, and their leadership on many other issues. I yield back the balance of my time, and I urge the unanimous support of this important bill.

Mr. Renzi. Mr. Speaker, I yield myself such time as I may consume. In summation, I do not deserve any credit for this. The credit really deserves to go to the gentleman from Arkansas (Mr. Snyder), the gentlemwoman from New York (Mrs. Maloney), and the delegation from Arkansas who really pulled together the House in a bipartisan fashion. I want to thank the gentleman for pulling together a community, too, down in Arkansas and allowing them to rally around the unique history of their land.

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 Arizona (Mr. Renzi) that the House suspend the rules and concur in Senate amendment to the bill, H.R. 358.

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

A motion to reconsider was laid on the table.

HONORING HELEN SEWELL ON THE OCCASION OF HER RETIREMENT FROM THE HOUSE OF REPRESENTATIVES

Mr. Ney. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 633) honoring Helen Sewell on the occasion of her retirement from the House of Representatives and expressing the gratitude of the House for her many years of service.

The Clerk read as follows:

H. Res. 633

Whereas Helen Sewell, the proprietor of the concession stand in the Republican Cloak Room of the House of Representatives, through her long and devoted service to the House and its Members, has become a House institution in the minds and hearts of House Members;

Whereas Helen Sewell has worked at the counter in the Cloak Room since she was a teenager in the 1960s;

Whereas Helen Sewell's service to the House of Representatives is a continuation of a family tradition, as her father began working in the Cloak Room 87 years ago;

Whereas Helen Sewell, as a result of her almost seven decades of service, has been honored for some of the defining events in the Nation's history and the House's history, including the attack by Puerto Rican nationalists on March 1, 1968;

Whereas Helen Sewell has established personal relationships with many of the 20th century's most important Americans, including Presidents Ford, Nixon, and George H.W. Bush;

Whereas Helen Sewell's dedication to her work, and her careful attention to Members of the House, has provided both nourishment and friendship to Members of the House since the days of the Great Depression;

Whereas Helen Sewell has demonstrated extraordinary strength and endurance by working long and difficult hours past her 80th year;

Whereas Helen Sewell received the 1983 John W. McCormick Award of Excellence for her service to the Congress;

Whereas all who have served as Members in the United States House of Representatives, and who have had occasion to meet Helen Sewell, believe that her service to the House is a matter of historical importance and should be commemorated; and

Whereas Helen Sewell will retire officially from the House of Representatives on December 31, 2005; Now, therefore, be it

Resolved, That the House of Representa-
tives honors Helen Sewell on the occasion of her retirement and expresses its gratitude for her many years of service.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. Ney) and the gentleman from California (Ms. Milender-Donald) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. Ney. Mr. Speaker, I yield myself such time as I may consume. I am not going to be lengthy in my comments because I know our ranking member is going to say something, and then I am going to sit down. I want to commend the gentleman from Pennsylvania (Mr. Weldon), who has asked for this resolution, and rightfully so to ask for it.

When I came to the House around 11 years ago, I guess, one of the first persons I ever met was Helen Sewell. And I soon found out she is probably one of the most important people, in fact, in the U.S. House of Representatives.

Mr. Speaker, a lot of the public would not be aware unless they had the chance to be here on the floor, but in back of the Chamber on one side is the Democrat Cloakroom and on the other side is the Republican Cloakroom. And of course I have been over in the Demo- 
crat Cloakroom. They have got good sandwiches over there, too, which you can buy. And in our Cloakroom on the Republican side, Helen runs a little counter and we call it Helen's Cafe. She makes sandwiches and of course the Members buy those sandwiches or soup, and she has been doing that for such a long time. She is just a fine woman who always has a pleasant smile, and all Members make a good ward constantly to say when she was here.

And as many people in the country know, if they watch C-SPAN of course,
that we will be voting sometimes till 2 and 3, in fact probably this morning we will be voting until 4 a.m. And if in fact we are here voting at 4 a.m. and if Helen were here working, she would be back there still providing people, you know, with pop and water and sandwiches if that is a fitting thing to do. And if you cannot get out of the building at that time to go find something to eat and you are sitting here long hours. So she did that. She provided that nutrition for everybody.

But Helen always did it with such a pleasant smile. Helen is a lovely woman who really gave, frankly, great service to her country by doing what she did; and for that, Helen, on behalf of the House, we think the world of you. We wish you the best in your retirement. And we send all our love to Helen.

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

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

I thank my chairman for his words for this delightful woman who has served so admirably in this House. I am very pleased to first acknowledge Congresswoman ELIZABETH HURD, whom Ms. Sewell is her constituent, and she has sent a note to say that because of a scheduled event here in the District, she is trying to arrive here in time to offer remarks honoring Ms. Helen Sewell, a longtime Washington, D.C. resident.

Mr. Speaker, this long-serving and dedicated staff of the House deserves recognition of the Members of this House and the public alike. I would like to express my appreciation to the gentleman from Pennsylvania, my dear friend Mr. CURT WELDON, for bringing the opportunity today to praise Helen Sewell for her long, loyal, and dutiful service. She deserves being singled out for recognition, and the gentleman from Pennsylvania has captured that in this resolution, and I am sure his words will also be reflective in that as we speak of her service to the House, not only her but her father. So certainly she and her father were and are House institutions.

Having served since she was 15 years old, she has served admirably following those 27 years of her father. We look at the woman when she was young and is still young in spirit to see that she has served almost 7 decades, has been here, has been here as it was said by the reader, during the attack of Puerto Rico nationalисті in March 1 of 1967 and has had personal relationships with many persons and including Presidents Ford, Nixon, and George H. Walker Bush. She has provided much friendship and nourishment to the Members of this House and has had an extraordinary and wonderful life in her long-working years. I would like to say that she deserves this recognition. It is a fitting tribute, and it speaks volumes of the type of institutional dedication that is all too hard to find in our world today.

However, she is a representative of others who labor in this House during the people’s business by supporting us policymakers with our constitutional roles. So Ms. Sewell will be retiring on December 31 after many long-serving years. But there are other staffers who are retiring and who have served admirably as well. While we honor Ms. Sewell on the occasion of her retirement, let us also take this opportunity to thank and to honor the other House officers and staff who will follow her into retirement after serving this House for more than 30 years. Kudos to all of those great folks.

Mr. Speaker, all Members wish her good health and good fortune, and we want her to start a new chapter of her life.

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

Mr. NEY. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Pennsylvania (Mr. WELDON), and I want to thank him for bringing this resolution to the floor. This was his idea on behalf of the House to do it, and we certainly appreciate it.

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Speaker, I, first of all, want to thank the distinguished chairman and the ranking member for their outstanding support of this legislation, and this legislation is extremely important because it sends a signal not just to our colleagues but to the country that this is an institution where we all work together in a very compatible way. Oftentimes people who watch C-SPAN and people who read about the Congress think that we are filled with adversity, do not get along, and nothing could be further from the truth.

This is a great institution. I have had the pleasure of serving here now 19 years. I am in my tenth term, and I have met some wonderful people, people on both sides of the aisle, people who may disagree on the issues but are strong and close friends when we get together when we are not in session or when we have events that are important for this country.

But what makes this institution work are the staff, the people who work behind the scenes, the people who take down the minutes of what is said, the clerks, the people who record, the people who run the C-SPAN camera system, the people who run this institution of the building itself, the Architect of the Capitol and the employees. And while many members of the public do not get to see behind the scenes, there are in fact two Cloakrooms, one for each side of the aisle. Yet we are certainly welcome to go into either Cloakroom anytime. There is no prohibition, and I am sure Helen has served perhaps as many meals to Democrats as she has to Republicans.

And it is appropriate that we honor someone who has been with this institution for one-third of the history of this institution. Can we imagine that, Miss Wellington, to the Republican and country and this institution for a period of time that is equal to one-third of the history of this Nation and this institution. A woman who started following in her father’s footsteps when she was a teenager, he would bring here the group here to the Republican Cloakroom. Her father ran the Cloakroom where, during the hours that we were in session,Members can go back and take telephone calls. They can purchase a sandwich or a cup of soup. They can sit and chat. And Helen was always there for the past 71 years to provide an atmosphere of friendship, an atmosphere of positive reinforcement after Members of Congress from time to time would leave the well after having given lengthy speeches.

And she served during unbelievable times, starting with the Great Depression and serving in this institution when some of the great moments in our country’s history were declared, when every one of the greatest state of the Union speeches were made.

So she is part and a legacy of what makes this institution great, and it is only appropriate that we honor her in this way because, in fact, Mr. Speaker, she served 71 years. There is no employee in the history of the Congress, including Members of the House or Senate, who has served more than Helen Sewell.

Helen could not be with us today, Mr. Speaker, but she is watching this proceeding from her bed at her retirement home. We have talked to Helen’s family. We talked to her daughter, and they are watching with her.

And, Helen, we are not allowed to speak to you directly because that violates the rules of the House, but through the Speaker, I will say to you, Helen, that we wish you well. We are all thinking about you. Many of your friends are signing a card for you, and if you look behind me, these beautiful roses will be delivered to you later on today as a symbol of the love that all 1,500 Members of Congress that you have come in contact feel about your service.

Every Member of Congress has had a chance to interact with Helen Sewell. Think of that. Fifteen hundred Members of Congress that have come and gone over the past 71 years have interacted with this lady.

In fact, Mr. Speaker, we keep these photographs in the back of the Cloakroom that I thought it might be appropriate to let our constituents see. Here is Helen Sewell, and it shows the love by Presidents of the United States who also served as former Members of Congress by the admiration that these Presidents have for Helen that they enjoyed her company, and we can see the high degree of respect that
they would pay her when they frequently visited the House Chambers.

Now, because she worked for us I do not have any photographs of Democrat Presidents, but I know President Clinton was just as fond of Helen Sewell as were Republican Presidents, and it is just that I have a picture of Helen Sewell with one of our dear Presidents.

So, Mr. Speaker, this resolution is a celebration of this institution. It is a celebration of one week before Christmas, where we in fact are wrapping up the business of the people. But we take the time to honor those people who allow this institution to work, the people whom you do not see, the people who do not make the speeches, the people who do not go out and get their pictures on national TV and in the media, but the people whom really we rely on to allow us to be successful.

Helen, we thank you for your great support and the commitment you have made to America in support of our Congress.

Helen has three children: Jameille Thomas, Anthony Sewell, and Ava Fuller.

Ava, thank you for talking to me today and telling me about your mother.

Helen’s father brought her to this institution, and we want to also recognize Helen’s father. And, boy, did he have an appropriate name: Benjamin Franklin Jones. And she was Helen’s father who brought her to this institution 71 years ago to allow her to begin to work and love this institution that was such a critical part of her life.

Helen was also involved with her church. She was active with the Petworth United Methodist Church here in D.C. She was a trustee. She was a church historian. She was an active member of the Northwest Civic Association. Helen has nine grandkids, and I have to tell you, she has too many great grandkids to number, that it is probably in the dozens and dozens.

And we also, Helen, have to tell a few secrets about you, because as these Members of Congress would go into the back Cloakroom to get sandwiches we would sometimes have to get Helen’s attention.

Helen had a small TV set, one of these small 10-inch TV sets. And Helen’s favorite preoccupation, when she was in the Members’ Cafe, was watching the soaps. Helen was a national expert and historian on the soap operas. She could tell us any day of the week who was dating whom and which person was, in fact, in trouble with which person.

Helen, we will preserve those memories of your activities in the Cloakroom and the fact that your famous word of hollering to us “next” will be remembered by all the Members of Congress when we come today. But when they enter the Cloakroom and see that sign above it that says “Chez Helen,” the House of Helen, that was in fact provided by our former colleague Amo Houghton, we want you all to know, Helen, that we love you, that we miss you, that your retirement is a symbol of work that you have put forward and it is a symbol of how we in this institution have to time to time stop and say “thank you.”

Ms. MILLINDER-MCDONALD. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the Congresswoman very much for yielding me this time, and as usual we pay great respect and appreciation for her leadership on so many of these legislative initiatives that bring tribute and honor and respect to Americans throughout the Nation.

Let me thank the chairman of the House Administration Committee. We are always noting that this is a committee that serves the House, and we thank Mr. NEY for his able leadership on providing that outstanding service.

I thank Mr. WELDON for acknowledging he may not be a front but our existence is based upon the hard-working men and women that serve America by serving the United States Congress, both the House and the Senate.

I had that is why I rise, because I had the pleasure in my tenure here to stick my head into the Republican Cloakroom. As my colleagues well know, Members and talk on many issues in our respective Cloakrooms, and we travel back and forth between the Cloakrooms. And I had the opportunity to meet Ms. Sewell and to watch her hold court, if you will, and preside.

We may be presiding here, Mr. Speaker. The Speaker may be in the Speaker’s chair, but I can tell my colleagues, as I watched Helen in well work she was presiding. She knew all the Members. She knew what they liked and disliked. And I would say from her actions, she showed us that she truly loved and respected this institution.

Many of us are here because we love and respect the values of America and this institution. And Helen, through her family’s legacy, Benjamin Franklin Jones, her father, showed that. Is it not amazing that this family has owned this institution, this business that has served in the Cloakroom on the Republican side, for 87 years and to note that she has been here during such challenging times as thousands of State of the Union addresses and, of course, the tragedy of the Puerto Rican nationalists attack on March 1, 1954. She is renowned and known to Presidents Presidents Ford, Nixon, and certainly President George H. W. Bush.

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

Mr. WELDON. Mr. Speaker, I yield to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Speaker, I thank you for allowing me to come to the floor and pay their tributes. May God bless Helen Sewell, and God bless America.

Ms. MILLINDER-MCDONALD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me again thank Representative CURT WELDON for a great tribute to this outstanding woman. What a great Representative you are in bringing this to the floor today and to display all of the beautiful pictures that you have shown to us today in honor of this great lady.

Mr. Speaker, the House of Representatives honors Ms. Sewell on the occasion of her retirement and expresses its gratitude for her many years of service. We thank you, Ms. Sewell.

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

Mr. NEY. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Speaker, I thank the gentleman for yielding me time, and I want to thank Mr. WELDON from Pennsylvania and all those who have come down here this afternoon to honor just a great lady, a wonderful person. For as long as this building stands, Helen’s Cafe will be an intimate part of the U.S. Capitol.

Emerson said heroism is the quiet obedience to the secret impulse of character; and whenever we walked in Helen’s Cafe, that was the sense. We could look at Helen and our stress would wash away with her smile, our anxiety about partisan politics or legislation or not getting something done would somehow become a little bit more eased.

Her remarks at the Members leaning up against that counter talking about this or talking about that would be, “Oh, Lord.” “I can still hear Helen saying ‘Oh, Lord.’” Or if you made a comment about how something was too expensive, of course they were always a fraction of the price of what they would be anywhere else, but if you said something like that, “Helen, this is a...
little pricey. I only got a sandwich and a glass of water,” she said “Oh, Lord.”

Her stories about her family and her father and the perspective has been given here this afternoon. But can you imagine someone coming here while President Roosevelt was the President, Richard Nixon and Jack Kennedy were Members of Congress, and, it has already been spoken, World War II, the Korean War, the Vietnam War, conflicts around the world with the Middle East, the Persian Gulf war, right on up to the present conflict in Iraq.

Her advice to us, and we took it, was, “You need your rest. Rest yourself.” Can you hear Helen saying that? “Rest yourself.” Or if you had a sandwich and you did not want anything to drink she would go around and get you a glass of water. “You have to wash that down with something. It is too dry. You need something to drink. You need your nourishment.” How many times did we hear that? “You need your nourishment. You work too hard.”

Mr. Speaker, we still talk about Helen in Helen’s Cafe. And Miss Helen, Pat is doing a great job. She is following your suit. She is set in Helen’s Cafe because of your gentle, serene example.

By the way, I have to say this through the Speaker, if you are heading across the Bay Bridge on that church bus and you are going to do what you like to do in Delaware, you have a standing invitation to stop at my house to play 500 rummy. Now, we might throw out a few pennies there, but there is a standing invitation from all of us.

Helen, we wish you Merry Christmas, the best of holidays, and your character, that secret impulse that you left us, will linger here for all time.

Thank you, Curt.

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

Mr. Speaker, I am just going to conclude by thanking the Members for being such a ranking member.

This could not have happened without Congresswoman JUANITA MILLENDER-McDONALD being here and taking her time to give tribute, and, of course, the other Members, Congresswoman SHELLA JACKSON-LEE and Congressman GILCHREST. Especially, of course, I want to thank Congressman WELDON of Pennsylvania for doing this, for giving Helen the honor that she so deserves.

Obviously, from everything that we have heard today, I think the whole Nation can understand the feeling we have for Helen and how we miss her being here. Of course, when I conclude, I am going to ask for the RECORD to be kept open because Members are going to want to submit statements for the record to Helen to give her the honor she so deserves. So we wish Helen the best.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Speaker, I thank my very good friend, the chairman of the House Administration Committee, for yielding me time.

I was just crossing a television between football games, getting ready to watch the Redskins beat the Cowboys in just a few minutes, and I caught this on the television. And then it started to come as photographs of Helen up, and I said, My gosh, what is going on down here? And it brought back incredible memories for me.

As I know my colleagues on this side of the aisle, I do not know if my colleagues on the other side of the aisle know, this is my 25th year here. I have served exactly half the amount of time that the Dean of the House, John Dingell, has served. So I have to tell about my first term.

In my first term, Helen Sewell was in an incredible ceremony that then Speaker Tip O’Neill presided over. She was honored in the Sam Rayburn Room right over there, and she was named the Employee of the Year by the U.S. Capitol. I did not know if it has been stated, but on one of the plaques we have right out here in the hallway, and we do not do this terribly often, we have not done it on an annual basis, and, in fact, after Helen Sewell received that reward, I think we went for a long period of time without honoring another employee of the year.

But I listened attentively as my friend from Maryland was talking about Helen making sure that people had enough food and drinks in them to be sustained through these long hours of work. I will tell you as I listened to that, I was thinking, a number of us have been working very long hours, and I will tell you I take my hat off especially to the staff, for there has been literally no sleep for a lot of the staff members who are trying to get this very important work that we are proceeding with completed. But Helen would be here ensuring that everyone was very well fed and she was an inspiration to all of us. I heard the bit about the soap opera and all that she followed so attentively.

But I thank my colleagues for recognizing Helen, because she was one of the first people I met when I came here a quarter century ago, and she could not have been any nicer to me then, and our thoughts and prayers are with her.

I look forward to seeing her cross that Bay Bridge and going to play cards with WAYNE GILCHREST. I think that should be an interesting game that we are proceeding with.

Accordingly (at 4 o’clock and 10 minutes p.m.), the House stood in recess subject to the call of the Chair.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, all communications were taken from the Speaker’s desk and stand as follows:

5860. A letter from the Administrator, Housing and Community Facilities Programs, Department of Agriculture, transmitting the Department’s final rule — Direct Single Family Housing Loans and Grants (RIN: 0575-AC54) received December 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5862. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule — Bifenthrin Pesticide Tolerances for Emergency Exemptions (RPA-HQ-OPP-2005-0276; FRL-7746-5) received December 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5863. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule — Permethrin Pesticide Tolerances for Emergency Exemptions (RPA-HQ-OPP-2005-0276; FRL-7746-5) received December 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5864. A letter from the Commissioner, U.S. Postal Service, transmitting the Department’s final rule — Postal Service regulations as required by the Privacy Act of 1974 (5 U.S.C. 552a), as amended; received December 14, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5865. A letter from the Chairman, Federal Communications Commission, transmitting the Department’s final rule — Postal Service regulations as required by the Privacy Act of 1974 (5 U.S.C. 552a), as amended; received December 14, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.
Protection Agency, transmitting the Agency’s final rule — Acetic acid, ((5-chloro-4-quinolinyl) oxy)-, 1-methylhexyl ester (Clorquantocet-methyl); Pesticide Tolerance [EPA-HQ-OPP-2005-0234; FRL-7753-4] received December 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5876. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department’s final rule — Defense Federal Acquisition Regulation Supplement; Foreign Acquisition [DFARS Case 2005-12008] received December 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5877. A letter from the Acting Director, Defense Ac quisition and Army Logistics, Department of Defense, transmitting the Department’s final rule — Defense Federal Acquisition Regulation Supplement; Foreign Acquisition [DFARS Case 2005-13008] received December 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5878. A letter from the Publications Control Officer, Department of the Army, Defense of Defense, transmitting the Department’s final rule — Armed Forces Discipline; Military and Non-Military Law and Order; Military Liaison and Operations (RIN: 0702-AA50) received December 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5879. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department’s final rule — Adjustable Rate Mortgages (Docket No. FR-4946-P-02) (RIN: 2502-AE26) received December 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5880. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission’s final rule — Commission Guidance Regarding Accounting for Sales of Vaccines and Bacteriologic Countermeasures to the Federal Government for Placement into the Pediatric Vaccine Stockpile or the Strategic National Stockpile [Release Nos. 33-8642; 34-22885; IC-21718] received December 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5881. A letter from the Secretary, Department of Education, transmitting the annual report of the National Advisory Committee on Indian Education for Fiscal Year 2005, pursuant to 20 U.S.C. 114(e); to the Committee on Education and the Workforce.

5882. A letter from the Secretary, Department of Health and Human Services, transmitting the Department’s report on the Community Services Block Grant Statistical Report and Program Performance Measures, which becomes for Fiscal Years 2000 through 2003; to the Committee on Education and the Workforce.


5884. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule — Approval and Promulgation of Air Quality Implementation Plans; CO: PM2.5: California: Air Quality Planning Purposes, Lamar; State Implementation Plan Correction [CO-001-0076a; FRL-8004-9] received December 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.


5887. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule — Quarantine and Noxious Weed Control; Regulatory Exemptions; Insects and Mites; Phytosanitary Measures; USDA Quarantine and Permit Certificate Requirements in the Export Section Programs [DFARS Case 2004-D012] received October 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.


5889. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule — Military and Non-Military Law and Order; Military Liaison and Operations (RIN: 0702-AA50) received December 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5890. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department’s final rule — Defense Federal Acquisition Regulation Supplement; Foreign Acquisition [DFARS Case 2005-12008] received December 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5891. A letter from the Acting Director, Defense Ac quisition and Army Logistics, Department of Defense, transmitting the Department’s final rule — Defense Federal Acquisition Regulation Supplement; Foreign Acquisition [DFARS Case 2005-13008] received December 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5892. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule — Approval and Promulgation of Air Quality Implementation Plans; CO: PM2.5: California: Air Quality Planning Purposes, Lamar; State Implementation Plan Correction [CO-001-0076a; FRL-
NOTICE
Incomplete record of House proceedings.

Today's House proceedings will be continued in the next issue of the Record.
AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BOOZMAN) at 11 o’clock and 53 minutes p.m.

CONFERENCE REPORT ON H.R. 2863, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2006

Mr. YOUNG of Florida submitted the following conference report and statement on the bill (H.R. 2863) making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes:

[Conference report will be printed in a future edition of the RECORD.]

CONFERENCE REPORT ON H.R. 1815, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006

Mr. HUNTER submitted the following conference report and statement on the bill (H.R. 1815) to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes:

[Conference report will be printed in a future edition of the RECORD.]

MAKING IN ORDER AT ANY TIME CONSIDERATION OF CONFERENCE REPORT ON H.R. 1815, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006

Mr. DREIER. Mr. Speaker, I ask unanimous consent that it be in order at any time to consider a conference report to accompany H.R. 1815; that all points of order against the conference report and against its consideration be waived; that the conference report be considered as read; that the conference report be debatable for 40 minutes

NOTICE

If the 109th Congress, 1st Session, adjourns sine die on or before December 22, 2005, a final issue of the Congressional Record for the 109th Congress, 1st Session, will be published on Friday, December 30, 2005, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–60 or S–123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Thursday, December 29. The final issue will be dated Friday, December 30, 2005, and will be delivered on Tuesday, January 3, 2006. Both offices will be closed Monday, December 26, 2005.

None of the material printed in the final issue of the Congressional Record may contain subject matter, or relate to any event that occurred after the sine die date.

Senators’ statements should also be submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at “Record@Sec.Senate.gov”.

Members of the House of Representatives’ statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at http://clerk.house.gov/forms. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT–60.

Members of Congress desiring to purchase reprints of material submitted for inclusion in the Congressional Record may do so by contacting the Office of Congressional Publishing Services, at the Government Printing Office, on 512–0224, between the hours of 8:00 a.m. and 4:00 p.m. daily.

By order of the Joint Committee on Printing.

TRENT LOTT, Chairman.
equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services.

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

Mr. KUCINICH. Reserving the right to object, Mr. Speaker, this report contains hundreds, if not over a thousand pages. Is that my understanding?

Mr. DREIER. Mr. Speaker, will the gentleman yield under his reservation?

Mr. KUCINICH. I yield to the gentleman from California.

Mr. DREIER. Let me just say that this is the conference report that has been out there, has been widely available, and has been written about and addressed by the media and Members.

I know that both the minority and the majority are very enthusiastic about the prospect of moving this extraordinarily important defense authorization conference report as expeditiously as possible, and I thank my friend for yielding.

Mr. KUCINICH. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

VACATING ORDERING OF YEAS AND NAYS ON HOUSE RESOLUTION 632, WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. DREIER. Mr. Speaker, I ask unanimous consent that the House vacate the ordering of the yeas and nays on adoption of House Resolution 632 to the end that the Chair may put the question on the resolution de novo.

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

Mr. KUCINICH. I object.

The SPEAKER pro tempore. Objection is heard.

Mr. DREIER. Mr. Speaker, I will pound the request again.

Mr. Speaker, I ask unanimous consent that the House vacate the ordering of the yeas and nays on adoption of House Resolution 632 to the end that the Chair may put the question on the resolution de novo.

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

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 1815, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006

Mr. HUNTER. Mr. Speaker, pursuant to the order of the House of today, I call up the conference report on the bill (H.R. 1815) to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The SPEAKER pro tempore. Pursuant to the order of the House of today, the conference report is considered read. (For conference report and statement, see prior proceedings of the House of today.)

The SPEAKER pro tempore. The gentleman from California (Mr. HUNTER) and the gentleman from Missouri (Mr. SKELTON) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report now under consideration.

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

There was no objection.

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

To my colleagues who have labored long and hard to get this Defense bill to the floor and to get the conference to the floor, I want to thank everyone. This is a very, very important bill. It does wonderful things for our men and women in uniform.

We have a 31 percent pay raise across the board. We have TRICARE expansion. We have an expansion of hazardous-duty pay and an expansion of combat pay. We have a very substantial section devoted, some $76 billion, to modernization and some $70 billion to research development and testing.

We have a very substantial military construction section that will accrue to the benefit of all of our people in uniform who are concerned about having adequate housing and a good place to work. And most important, Mr. Speaker, this bill moves lots of ammunition, lots of armor, lots of equipment to our people in the warfighting theaters in Iraq and Afghanistan, and it provides also for a $50 billion supplemental authorization to enable us to bridge the time between now and the next supplemental that we can see coming down the pike next year.

This answers our call to duty, Mr. Speaker, which is to provide the tools to our men and women in uniform to win the war against terror. And let me just say at this point, Mr. Speaker, that we could not have done this, especially in such a short period of time, if we did not have such extraordinary members on the House Armed Services Committee, Democrat and Republican, of whom I am very proud; and a wonderful staff which has worked in some cases 16- and 18-hour days to bring this bill to fruition and to work this conference report with a very, very short time schedule.

I want to point out, first, my friend, the gentleman from Missouri (Mr. SKELTON), who is a wonderful friend and partner in this effort to serve our people in uniform. He has just done a great job working with me and working with his members. Our ranking members, our chairmen of the subcommittees all have done a wonderful job, as have all of our members right down through the entire ranks of the members of the Armed Services Committee.

So this is a good bill, Mr. Speaker. It provides the tools for our men and women to do the job. I also want to point out the fact that we have increased 10,000 Army and 1,000 Marine active-duty personnel in this bill. That is a very important point, Mr. Speaker, because we have cut the Army over the last 15 years from 18 divisions to only 10.

It is important to move additional personnel. Right now we have more people on the ground under the President’s license to call up more people; but we think it is important to move the official end strengths, and we have done that in this bill.

So, Mr. Speaker, we have a great bill, and I want to thank all the Members who have participated.

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

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

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

Mr. SKELTON. Mr. Speaker, I first wanted to ask the chairman a question, because I am not sure I heard him a moment ago. Does the chairman confirm that this conference report is the report of the conferees as signed and intended to come to the floor as it was on 3 p.m. Friday?

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

Mr. SKELTON. Mr. Speaker, I yield to the gentleman from California.

Mr. HUNTER. Mr. Speaker, I want to assure my friend that the report that was just filed is the exact precise same report, without a comma changed, that was in fact signed by all members, Democrat and Republican.

Mr. SKELTON. Mr. Speaker, I thank the gentleman, and I rise in strong support of this conference report. Once again, I am proud to be part of the process that delivers our troops the support they need.

Let me take this moment to commend our chairman, Mr. HUNTER, for his work on this bill. This is important...
work, and I applaud all the members of the Armed Services Committee on both sides of the aisle.

Mr. Speaker, I submit for the RECORD at this point two letters, one signed by John Warner and Carl Levin and one signed by Erin Conaton on my behalf.

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC, December 18, 2005.

Hon. DUNCAN HUNTER,

DEAR DUNCAN: On Friday, December 16, we joined you and Ike Skelton in conducting the final meeting of the conference along with other Members of the Senate and House.

At the conclusion of the meeting the "base bill" was agreed upon and signatures of Republican and Democratic Committee Members were requested and affixed to the Conference Report with the expectation that the House, following the customary procedure, would be the first chamber to file. It was our further understanding that this would be done Friday evening.

We are returning to you the signatures of the Senate conference on the condition that there are no changes made in the "base bill" and Conference Report and that the House obtain a Rule which precludes any further amendment.

You have shown strong leadership during this very brief and unusual conference period and we have confidence that you can achieve passage in the House of the "base bill". We believe it is in the interest of the Nation and the men and women of the Armed Forces that our Conference Report as agreed to on December 16 becomes law.

Sincerely,

CARL LEVIN,
Ranking Member.
JOHN WARNER,
Chairman,

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, December 18, 2005.

On Mr. Shelton’s behalf, I am returning the signatures of the House Democratic conference on the condition that there be no changes made in the "base bill" and Conference Report and that we obtain a Rule which precludes any further amendment.

The Armed Services conference members remain attached to the conference report with the same understanding. Thank you very much.

Sincerely,

ERIN CONATA,
Minority Staff Director.

As most of you know, this conference report was ready to be filed Friday at 5 o’clock. The attempt to insert new and unrelated material into the conference report was a failed one. It would have jeopardized the many good things in this package for the troops. I am very pleased that the Republican leadership reconsidered and I thank the Chairman for his efforts to restore the conference report to its original form.

This is a good bill. There are many things in this bill about which we all can be proud. I have long argued that we need more troops, and this bill raises end strength for the Army and this bill about which we all can be proud. I again congratulate Chairman HUNTER and commend all of my colleagues who have worked so hard for its passage.

I am extremely pleased with this bill, and commend all of my colleagues who have worked so hard for its passage.

This statement addresses the provisions regarding the treatment of detainees that were under consideration for inclusion in the FY 06 Defense Authorization Conference Report (referred to as the McCain amendment and Graham-Levin amendment provisions, and sections 1401–1406).

First, I am deeply troubled by the lack of open and meaningful process and debate in the House and Senate on these complex and critical matters that affect our troops and intelligence officers—and our national security.

There are real differences of opinion on these matters—and they should have been given the fullest debate and vetting because of their implications. Yet, they have been negotiated largely behind closed doors by the White House and a select few majority Members of Congress.

With respect to the Graham-Levin amendment provisions (sections 1405) and other detainee provisions (particularly section 1404), there are many unanswered questions and serious concerns about the impact of the provisions on our judicial system and law that has been in existence since the founding of our Nation—and the final negotiated Conference Report language lacks clarity—leaving much open to interpretation.

I expect the courts will have a real challenge interpreting the meaning of these provisions. I also fear that the provisions do not provide our troops and intelligence officers with the clear guidance and protection they need in combating the current wars we are fighting.

In addition, I am concerned about the potential for the provisions to significantly undercut the effectiveness of the McCain amendment (sections 1402 and 1403)—an amendment that would help us regain our standing and leadership on moral issues; obtain reliable intelligence, which is not obtained when torture is employed; and protect our troops and intelligence officers, by setting the standard of treatment by which we expect them to be similarly treated.

Although the main professed intent for the Graham-Levin amendment provisions and other detainee provisions (particularly section 1404) was to limit lawsuits and protect our troops and intelligence officers—I am very concerned about the potential for the provisions to do just the opposite.

Specific concerns with respect to the Graham-Levin amendment provisions include the following:

First, the provisions address many aspects of the Combatant Status Review Tribunals at Guantánamo Bay, Cuba—and Congress has not authorized these procedures and their legality is currently being challenged in federal court. There are concerns that detainees are not given a hearing before a CSRT within a reasonable period of time; they do not have access to their attorneys or evidence; some have not been released from detention after being cleared of wrongdoing by a CSRT; and there has never been a military commission trial, despite the President’s suggestion that, given the events of September 11th, it was necessary to establish these new commissions so people could be tried immediately.

Second, the original Graham-Levin amendment would have prohibited CSRTs from using...
pending cases, affirming that it did not intend the Graham-Levin amendment provisions do
consider coerced evidence. As Senator LEVIN has pointed out, this cuts against the centuries-old principle of Anglo-American law, enshrined in the 5th Amendment to the Constitution, that no person shall be compelled to be a witness against himself. Third, it is not clear what recourse a detainee will have if there is a legitimate claim of torture, in part given the limitations on court jurisdiction. While the original Graham-Levin amendment would have eliminated federal court jurisdiction only for habeas corpus actions, the final negotiated Conference Report provides Graham-Levin provisions limiting access to the United States Court of Appeals for the District of Columbia Circuit. However, there must first be a CSRT or military commission decision—and as noted above, there are serious concerns about the process surrounding these decisions. In addition, even after a CSRT or military commission decision, the Graham-Levin amendment provisions limit access to the Court of Appeals and the Court's scope of review—and do not ensure a sufficient factual record.

It is also important to note that we have tried and tested military regulations in place that are excellent, including Army Regulation 190-8. These regulations have effectively governed detention procedures in our past wars—and made it unnecessary to file habeas and other writs to file habeas corpus actions in military commissions, such as those currently operating at Guantanamo Bay. Many have argued, the problem is really that existing military regulations have not been followed. We could have simply passed an Amendment that addresses this problem going forward and left the courts jurisdiction alone with respect to existing claims. But this was not done and here's where we are.

At least, as Senator LEVIN has emphasized, the Graham-Levin amendment provisions do not apportion adequate habeas corpus cases. The Senate voted to remove language from the original Graham amendment that would have applied the habeas-stripping provision to pending cases, affirming that it did not intend such application. Further, under the Supreme Court's ruling in Lindh v. Murphy, 521 U.S. 320 (1997), the fact that Congress chose not to explicitly apply the habeas-stripping provision to pending cases means that the courts retain jurisdiction to consider these appeals. Finally, the effective date language in the original Graham-Levin amendment, and Senate passed Defense Authorization Bill (S. 1042, section 1092), was retained in the final negotiated language for the Conference Report, thereby adopting the Senate position that the habeas-stripping provision does not strip the courts' jurisdiction in pending cases.

In closing, I emphasize that Congress must exercise diligent oversight on detainee matters going forward. Such matters must be subject to a more open and deliberative process—and handled more thoughtfully and responsibly in the future.

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

Mr. HUNTER. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. WELDON), the distinguishing chairman of the Air, Land Subcommittee.

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise tonight to pay tribute to our distinguished chairman and the distinguished ranking member for such a fantastic job under very difficult circumstances to get this conference report to the floor. This was a very difficult piece of legislation, but the chairman persevered and we are very happy to have the legislation here tonight.

I know our soldiers all around the world are happy that this bill is going to be brought forward because there are so many positive things in it. I have the particular pleasure of serving as the chairman of the Air, Land Subcommittee; and I want to pay tribute to my good friend and ranking member, Mr. ABECROMBIE from Hawaii, who is not here right now, for the excellent work that he did.

In supporting the global war on terrorism in our country, we have included a number of additional programs, including $450 million for up- armored Humvees, $200 million for other armored tactical vehicles, $450 million for small arms, $250 million for ammunition, $200 million for Stinger combat vehicle combat losses, $180 million for radios, $117 million for blue force tracking, $285 million for night vision devices, $35 million to counter improvised explosive devices, $108 million for counter counting rockets, artillery, and mortars, $50 million for Hellfire missiles, and $180 million for unmanned aerial vehicles.

Mr. Speaker, these are all critically important platforms for the troops in the on-going battle against terrorism, as well as the theater of operation.

We have also reinstated the C-130J multiyear procurement. We have put some language on the future combat systems budget. We reduced it by $50 million to make sure we are giving the taxpayers the best possible oversight of the SCS program.

We have also attempted to put some more accountability in the DOD acquisition programs and significant language in the conference report that we are thinking about how to provide the taxpayers and the warfighter with more accountability and more efficiency.

Mr. Speaker, I want to pay particular thanks to the leadership, both Mr. SKELTON and Mr. HUNTER, for including two very important commissions that we worked hard to achieve, the Nuclear Strategy Forum and the EMP Commission. I want to pay particular thanks to Mr. RUSCOE BARTLETT, Chairman BARTLETT, for his outstanding work on this issue. The EMP Commission now will have an ongoing process of evaluating our military platforms against the threat of an EMP.

Overall, Mr. Speaker, this process has been long. I think this is the latest we have ever gone with the Defense authorization bill, and the credit for all of this outstanding work goes to my distinguished chairman. He is a great American. That one goes to, Mr. HUNTER, and the same thing about Mr. SKELTON, everything that we do, they keep in mind the warfighter, the soldier. Each of them has made trip after trip into the theater, into Iraq, into Afghanistan, meeting the troops and more importantly holding the Defense Department accountable to giving our troops the best possible equipment and technology.

I am happy to support this conference report. I would ask all of our colleagues to give an overwhelming vote of support for this. Again I want to thank the distinguished chairman and ranking member for their leadership.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. ORTIZ).

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

Mr. ORTIZ. Mr. Speaker, I am pleased to speak today in support of the Readiness Subcommittee portions of the defense authorization bill. This bill represents a lot of hard work and bipartisan work on the part of the members of this committee. This bill provides nearly $12 billion for the Department of Defense for the operation and maintenance, the needs of our military, and over $12 billion for military construction. In addition, the authorization contains some important policy direction for the Department of Defense. One of the important provisions of the bill would protect the interest of civilian workers in the Department of Defense during public-private competition, another that extends the reimbursement of equipment purchased by soldiers with their own money, and still another will eliminate some of the restrictions that keep our wounded servicemembers from receiving gifts and support from Americans who want to help these soldiers.

I am pleased with these outcomes but I am very disappointed with how the conference on this bill was conducted. The majority leadership's delay on appointing conference for this bill until after the conference report was completed is really shameful. This was not a conference. Only a few Members had a hand in the deliberations and other Members who have an interest in this bill were shut out of this process. I sincerely hope that this will not be the norm for conferring future defense bills. Our national defense deserves a more careful, inclusive and deliberative approach.

The war in Iraq and the global war on terror are creating many challenges for the readiness of our Armed Forces. The services have many pressing needs in every area covered by the Readiness Subcommittee. It is impossible to fully...
Mr. HUNTER. Mr. Speaker, I yield for a unanimous consent request to the distinguished gentleman from Alabama (Mr. EVERETT), who has done such a great job as chairman of the Strategic Subcommittee.

Mr. EVERETT. Mr. Speaker, I want to thank the chairman for the job that he has done and the ranking member for the job he has done.

Mr. Speaker, I want to start by recognizing the gentleman from Missouri, our Chairman, an old-time friend of mine and I think probably the most patient chairman I have ever served with in my years in Congress. His skill in leading this committee has been outstanding.

And the contributions of the gentleman from Missouri. Someone I admire very much and who has good memories of the town I was born in and now live—Dothan, AL.

I rise in support of the conference report to accompany the fiscal year 2006 National Defense Authorization Act (H.R. 1815). This legislation supports the administration’s objective while making significant improvements to the budget request. Moreover, our national security investment must continue the development of transformational capabilities of future systems, and this conference report meets that goal.

In the area of military space, the Department of Defense has embraced the benefits space provides to our warfighter. Unfortunately, the DOD has experienced significant acquisition problems on several high-priority programs. I look forward to working with the DOD to correct areas of concern and ensure their success for the future.

Within the atomic energy defense activities of the Department of Energy, the bill funds the National Nuclear Security Administration at $9.2 billion. The conference report includes language from the House bill preceding procurements from companies that benefit from illegal foreign subsidies. Is that correct?

Mr. HUNTER. That is correct. As the gentleman knows, I have long supported efforts to protect American businesses and workers from illegal trade practices. Unfortunately, the conference were unable to come to an agreement that would allow us to include this important language in the final conference report. Instead, the decisions that were made on many of the highly contentious issues in the bill were made by less than a handful of Members. The national security of this country benefits from the input of many, not the narrow perspective of a few. A great democracy at war must do better. We, my colleagues, can do better. Democrat and Republican, we can do better. Veteran and non-veteran, we can do better. Senior Member and new Member, we can do better.

This bill is a good one. It is a bill that should bring honor on this Congress together united in its support for our fine men and women in uniform, their families and our military retirees but the process the past few weeks has divided us, divided us so deeply that until a few hours ago we weren’t even sure we would have a defense bill this year. Our troops deserve better.

I hope that beginning in February, the Republican leadership will make a concerted effort to pass processes that ensure active and open participation for all Members in future deliberations. Our troops at all times but particularly during a time of war deserve our best democratic deliberations and our united effort. Having made these comments, however, I am aware of the great commitment of Chairman DUNCAN Hunter and Ranking Member Ike Skelton to our troops and to the national security of our country. I thank Chairman Hunter for his continued efforts in getting this bill on the floor tonight.

Mr. HUNTER. Mr. Speaker, if you are one of the 2.5 million people who wear the uniform of the United States, you can know that you have got some great people working for you on this Armed Services Committee. I want to thank the gentleman from Arkansas (Mr. SNYDER) who just spoke, and also thank and commend a very distinguished gentleman from New York (Mr. MCHugh), who works tirelessly to serve our people in uniform as well as they serve this country, the chairman of the Personnel Subcommittee.

Mr. McHugh. I thank the distinguished chairman for his kind comments and for the opportunity to speak.

Mr. Speaker, I have a full statement that without objection I would like to enter into the Record in its entirety and just make a few brief comments if I might.

The hour is late. Fortunately it is not too late. I listened very carefully.
to the comments of the gentleman from Arkansas. I think we could all pick any part of any process by which any bill comes to the floor of this House and have objections. I understand his perspective but I was heartened to hear him say he strongly supports the bill because he should. Because the bottom line, the most important question is, what is the quality of this legislation. The gentleman from Arkansas seems to think it is very good. I agree with him. I can in fact state without hesitation that in my 13 years of having the honor of serving on this committee, this is the best personnel provision package I have seen. If we look at the components of it, a 3.1 percent pay raise, the seventh year in row we have raised pay, reducing the gap between the private sector and our hardworking men and women in uniform, an increase in the hardship duty pay, a doubling in the assignment incentive pay. We require that the government pay for the servicemembers’ group health insurance when people are deployed into theaters like Operation Iraqi Freedom and the OEF theater. We double the enlistment bonuses. We add by $30,000 to the reenlistment bonuses. On and on and on. We provide for an accelerated enhancement for concurrent receipt payments for 100 percent of disabled veterans. We provide a program for the first time that ensures that every member of the Guard and Reserve has access to some form of TRICARE, of the military health care program. Benefit after benefit. It is important that we have a broad range of military programs, the best equipment, the most modern technology, but at the end of the day as in the beginning of the day, the key to the success of the American military are the men and women that put that uniform on and today as we speak are serving so bravely. This is a terrific bill for them. I want to thank the chairman for his great leadership and I certainly urge all the Members of the House to strongly support it. It is the right thing to do for some absolutely amazing people.

Mr. Speaker, I rise today to say that the military personnel provisions of H.R. 1815 address many problems and issues that the men and women in uniform have brought to our attention. The conference report will help to relieve the tremendous pressure being placed on the military services—active, guard, and reserve. To those ends, H.R. 1815 contains these key initiatives:

- A military pay raise of 3.1 percent. The raise is 0.5 percent above the private sector raises and reduces the pay gap to 4.6 percent from 13.5 percent in fiscal year 1999 culminating seven years of enhanced pay raises.
- We recommend continued growth in Army and Marine Corps end strength. Under the conference report, the Army would increase by 10,000 and the Marine Corps by 1,000, bringing the Army end strength to 512,400 and the Marine Corps to 179,000.

This bill also provides recruiting, retention and pay initiatives that would, for active component recruiting and retention:

- Increase the maximum active duty enlistment bonus maximum from $20,000 to $40,000.
- Increase the maximum active duty reenlistment bonus from $60,000 to $90,000.

Provide the Army with unprecedented flexibility to initiate new recruiting incentive programs following 45 days, notice to Congress. Authorize the Army—active duty, Enlisted Reserves, and National Guard—to pay $1,000 to servicemembers who refer recruit candidates for enlistment and those candidates complete technical training.

- Increase the maximum enlistment age from 35 years of age to 37 years of age.
- Authorize the payment of matching contributions to the Thrift Savings Plan for new recruits.

For the Reserve Components, the conference agreement would:

- Authorize a critical skills retention bonus of $1,000 for all military deaths—just combat-related deaths—and two retroactive payments: $100,000 for all military deaths that occurred on or after October 7, 2001; and $150,000 to survivors of all military deaths, not just combat-related deaths, to compensate for the increase in Servicemembers’ Group Life Insurance coverage from $250,000 to $400,000 that became effective for all military members on May 11, 2005. For wounded servicemembers, the conference agreement would provide a special pay of $430 per month while the servicemember is in rehabilitation. In addition, family members would be provided greater travel and transportation allowances to visit wounded and injured servicemembers. The conference agreement expands eligibility for TRICARE to all members of the reserve components, and their families, who continue service in the Selected Reserve. Under the agreement, there would be three eligibility categories: involuntarily mobilized reservists—as in current law: 1 year TRICARE eligibility for every 90 days of mobilized service.

- Persons without employer provided health care, unemployed, self-employed, and any person not meeting the above criteria. This conference agreement also provides enhancements to military justice that would: Establish the offense of stalking, and clearly define the offense of rape, sexual assault and other sexual misconduct in title 10, United States Code, and pattern the elements of the offenses after the Federal statute.

- All in all, the conference report on H.R. 1815 is a significant package of legislation directed at providing maximum assistance to the men and women who are fighting the Global War on Terrorism. I urge all my colleagues to vote “yes” on the conference report.

Mr. SKELTON. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. MARSHALL).

Mr. MARSHALL. I rise today for the purpose of engaging the gentleman from California (Mr. HUNTER) in a colloquy.

Mr. HUNTER. I would be happy to join with my colleague from Georgia in a colloquy.

Mr. MARSHALL. Mr. Speaker, the portions of this bill governing the treatment of detainees can serve as a welcome clarification for the rest of the world that America condemns torture in the strongest terms. These changes should help the world to see that America respects freedom when it fights for freedom. I would appreciate the chairman’s thoughts on this.

Mr. HUNTER. Will the gentleman yield?

Mr. MARSHALL. I yield to the gentleman from California.

Mr. HUNTER. I agree that the language contained in the conference report can both be flexible enough to allow our personnel to protect America’s security interests and fair enough to protect our personnel without placing themselves in legal jeopardy when they employ the means any reasonable person would in a given interrogation.

If I might depart from the colloquy just a bit in deference to my colleagues in the House, the Senate injected the straight Senate detainee language about humane treatment and the House injected and insisted on a section called personnel protections which gave defenses to uniform and nonuniform personnel in detainee actions. It also provided for counsel to be employed or provided by the government. That was the essence of the provisions that were injected into the conference on the House side.

I thank the gentleman for letting me expand.

Mr. MARSHALL. Mr. Chairman, is it your understanding that the bill’s language clarifying the United States’ 1994 reservation to the United Nations’ Convention Against Torture is intended to prohibit conduct that shocks the conscience, the standard adopted by the United States Supreme Court in R芦m芦n v. California?

Mr. HUNTER. Will the gentleman yield?

Mr. MARSHALL. I yield to the gentleman from California.

Mr. HUNTER. That is my understanding.

Mr. MARSHALL. Mr. Chairman, is it also your understanding that the bill does not extend constitutional rights to noncitizens of the United States?

Mr. HUNTER. That is my understanding.

Mr. MARSHALL. I thank the gentleman for his clarification.

Mr. HUNTER. I would be happy to yield to the gentleman who chairs the Projection Forces Subcommittee, the wonderful gentleman from Maryland (Mr. BARTLETT), who lives on the Monocacy River and spends so much of his time and has spent a lot of time working on the issues of shipbuilding and power projection of maritime forces and he has done a wonderful job.
Mr. BARLETT of Maryland. Mr. Speaker, I want to commend Chairman HUNTER and Ranking Member S KELTON for compiling the impressive task of this conference report in such a short period of time. I also want to thank my subcommittee ranking member, Mr. TAYLOR, for his tireless efforts and dedication to the preparation of this report while simultaneously coordinating Katrina relief efforts in Mississippi. The intense work involved in preparing the conference report has been accomplished only with the assistance of our able and hard-working staff and I really want to commend their efforts and the quality of the work they have so diligently done.

Mr. Speaker, this conference agreement provides the men and women in our Armed Forces the tools to effectively project our Nation’s power and influence around the globe. The initiatives within this bill to build the Navy of the future, authorize advance procurement funding for the Navy’s next generation platforms while continuing development and buildout of the littoral combat ships and Virginia Class attack submarine fleet.

I am also pleased that this conference report takes steps to improve our U.S. shipbuilding industry to make it more efficient and commercially competitive in the future. Only by applying downward pressure on shipbuilding costs will we be able to afford a fleet of sufficient size to meet the national security needs and global commitments of tomorrow.

This agreement authorizes multiyear contract authority for additional C-17 aircraft if procurement is consistent with the results of the Quadrennial Defense Review. Furthermore, we encourage the Secretary of the Air Force to evaluate options for maintaining C-17 production capability until results of the C-5 modernization programs are available.

This conference agreement is an important milestone in making our country more secure. The National Defense Authorization Act for Fiscal Year 2006 is critical in meeting the challenges and demands placed upon our Armed Services today, supplying a foundation on which to build well into the future. I urge my colleagues to join me in support of our Army, our Navy, our Air Force, our Marines by voting for the Fiscal Year 2006 National Defense Authorization Act.

Mr. S KELTON. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. SPRATT) for the conference report and I encourage my colleagues to do the same.

Mr. SPRATT. Mr. Speaker, I yield the gentleman from South Carolina (Mr. SPRATT) for the conference report and I encourage my colleagues to do the same.

Mr. Speaker, we have handled, the conference has handled, leadership has handled, and the staff, a record number of amendments in a record period of time. And while I have problems with the process, I commend them for the end result. It is a good piece of work.

There are many good features to it. We retained intact the McCain language which prohibits the United States from engaging in torture of prisoners. There are a number of very fine personnel improvements here which our service personnel dearly deserve. We have given the military the ability to start up something called a caps reliable replacement warhead program but at the same time put it within reasonable and restrictive bounds, which I think is smart. And I could go on and on. There are some good features to this bill.

I want to yield what remains of my time to the gentleman from Georgia (Mr. MARSHALL).

Mr. MARSHALL. Mr. Speaker, I would simply add to what my friend from Mississippi has said and others have said that this bill is the culmination of months of work by the committee in a bipartisan way to give the men and women who have in uniform, particularly those men and women in harm’s way what we believe they need in order to carry on their duty on behalf of the United States.

I think everybody on the committee agrees with me that everything that we can possibly do to support them we are going to. I want to compliment the chairman, the ranking member, and other members of the committee for a job well done.

Mr. HUNTER. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. HOEKSTRA), the distinguished chairman of the Intelligence Committee.

Mr. HOEKSTRA. Mr. Speaker, I rise in support of the conference report, although I am concerned about provisions of the bill that have the potential to create a chilling effect that would harm the ability of the intelligence community to gather vital information to protect our country. I want to first thank Chairman HUNTER for his outstanding personal efforts to safeguard our Nation’s intelligence capabilities and our intelligence personnel.

I appreciate his close coordination with me and with the Intelligence Committee during the negotiations on this bill.

Let me be crystal clear: The United States does not engage in torture, and the United States abides by its treaty obligations with respect to cruel, inhuman, and degrading treatment. The principles that the conference report relating to cruel and inhuman and degrading treatment should not be controversial or even offensive. As the President said earlier this week, we should make it clear to the world that we do not engage in torture. But I also want to say that any substantial discomfort that this bill could be read more broadly than intended and have a detrimental effect on our national security. After the 9/11 attacks, we learned the hard way that excessive restrictions on our intelligence agencies such as the Detainee Doctrine and the “wall” between intelligence and law enforcement often had a chilling effect on our ability to gather information that we knew was important to our national security. The National Defense Authorization Act for Fiscal Year 2006 now includes similar restrictions on our intelligence and national security agencies, which might have unintended consequences. These provisions are in our nation’s law, or in the practice of our government, and they are not intended to, and do not, modify the substantive definition of cruel, inhuman, and degrading treatment. It does not modify the substantive definition of cruel, inhuman, and degrading treatment that the United Nations Committee against Torture and other international agreements require our conduct to meet.

Mr. BARLETT. Mr. Speaker, I want to record my substantial discomfort that this bill could be read more broadly than intended and have a detrimental effect on our national security. After the 9/11 attacks, we learned the hard way that excessive restrictions on our intelligence agencies such as the Detainee Doctrine and the “wall” between intelligence and law enforcement often had a chilling effect on our ability to gather information that we knew was important to our national security. The National Defense Authorization Act for Fiscal Year 2006 now includes similar restrictions on our intelligence and national security agencies, which might have unintended consequences. These provisions are in our nation’s law, or in the practice of our government, and they are not intended to, and do not, modify the substantive definition of cruel, inhuman, and degrading treatment that the United Nations Committee against Torture and other international agreements require our conduct to meet.

Mr. SPRATT. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. SPRATT) for the conference report and I encourage my colleagues to do the same.

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

Mr. Speaker, we have handled, the conference has handled, leadership has handled, and the staff, a record number of amendments in a record period of time. And while I have problems with the process, I commend them for the end result. It is a good piece of work.

There are many good features to it. We retained intact the McCain language which prohibits the United States from engaging in torture of prisoners. There are a number of very fine personnel improvements here which our service personnel dearly deserve. We have given the military the ability to start up something called a caps reliable replacement warhead program but at the same time put it within reasonable and restrictive bounds, which I think is smart. And I could go on and on. There are some good features to this bill.

I am not criticizing anyone in particular when I say that I find fault with the process, but I have been on this committee for 23 years, all the time I have served here. And, unfortunately, over the time these were largely the result of the fact that the Senate put us on an abbreviated schedule, they were late getting their bill done, we have had to do this with much too much time.

This bill is the bill right here that we are about to consider, and we only saw it really in final form on Friday afternoon. We were appointed at one hour, and at the very next hour we were meeting. It is our first and only formal meeting. I hope we do not set a precedent in the process in the future, and that is why I express this concern now. The bill itself I support.
I am also very concerned about what is happening to the defense appropriations bill, and I do not want to see it happen to our defense authorization bill. We do not want our bill to become a must-pass piece of legislation to which other bills with wholly unrelated legislation get attached. That is what we must-pass legislation, a moving vehicle. That could have happened to this very bill, and it is the reason we are standing here at 12:30 at night instead of dealing with it yesterday after adjournment. That could have happened to us. That could have happened to the defense authorization bill. There was an effort to stick this language in our surface transportation, which the gentleman from Minnesota (Mr. OBERSTAR) asked and was given permission to revise and extend his remarks.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR asked and was given permission to revise and extend his remarks.

Mr. OBERSTAR. Mr. Speaker, for all the meritorious provisions of this bill dealing with national defense, there is one that has nothing to do with national defense, and that is the provision on Peotone Airport, Illinois. The language would make it a requirement of Federal law that the governing body of South Suburban Airport in Will County, Illinois be comprised of a majority of local residents of the county.

There was an effort to stick this language in our surface transportation, SAFETEA-LU, last summer. I vigorously objected. It has nothing to do with surface transportation. It has nothing to do with the substance of that bill. So now here it reappears. And this is a total contradiction to the often professed Republican stance that the Federal Government should not tell local governments how to run their business. It is an unprecedented change in the longstanding policy of the Department of Transportation and the FAA that State and local governments determine the structure of airport organizations and management and the Federal Government regulates airport safety. This is objectionable.

Mr. OBERSTAR. As the gentleman from Minnesota knows, the ANWR position is not in this bill.

Mr. KUCINICH. The amendment was outside the jurisdiction of the Committees on Armed Services in the Senate and the House with respect to alleged clandestine detention facilities. The amendment was outside the jurisdiction of the Intelligence Committee.

Mr. KUCINICH. So it is not covered in this report is what he is saying? Mr. HUNTER. That is correct. Mr. KUCINICH. Mr. Speaker, I thank the gentleman for his explanation. Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, in the combination of institutional incompetence and ideological extremism that is confronting this bill at this hour with further important legislation to go, all kinds of stuff gets put in and the regular process gets degraded.

I just want to call attention to one wholly irrelevant provision, irrelevant to the Peotone Airport. The Boy Scouts of America have been found by States and cities to be violating their anti-discrimination policies with regard to both sexual orientation and religion, and some cities have said that they do not want the Boy Scouts to follow their State or city’s policy getting free facilities. That I suppose can be debated or not as to whether it is right or wrong, but it does not seem to me that there is any argument for having it in the Armed Services authorization bill in a Congress run by supposed States rights conservatives, a provision that says to every city in America you will let the Boy Scouts use your facilities for free whether or not you think they violate the law against discrimination based on religion or sexual orientation.

Now, that is probably going to be found unconstitutional, but I find that to be way beyond the scope of this bill and an example of the degradation of the legislative process that it is in here.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR asked and was given permission to revise and extend his remarks.

Mr. OBERSTAR. Mr. Speaker, for all the meritorious provisions of this bill dealing with national defense, there is one that has nothing to do with national defense, and that is the provision on Peotone Airport, Illinois. The language would make it a requirement of Federal law that the governing body of South Suburban Airport in Will County, Illinois be comprised of a majority of local residents of the county.

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Mr. Speaker, I rise in strong opposition to the provision on Peotone Airport, which was inserted into this conference report at the last minute. The amendment would make it a federal requirement that the governing body of the South Suburban (Peotone) airport in Will County, Illinois be comprised of a majority of local residents of the county.

Insertion of this provision in the Conference Report is but the latest example of the abuse of the conference process, legislative provision, which couldn’t be passed on its merits, as a separate bill. The provision was never considered by the Committee of jurisdiction, the Transportation and Infrastructure Committee. Last summer, there was an unsuccessful, last minute effort to add this provision to the Transportation bill, SAFETEA-LU.

Now the provision appears again in a Conference Report that has nothing to do with aviation, or transportation. The provision was not in either of the defense bills that went to conference. It is now protected against points of order. Regrettably, this type of abuse of the process seems to happen every time a major conference report comes before the House.

In addition to the abuse of process, the provision is bad policy. It is an unprecedented change in the longstanding policy that state and local governments determine the structure of airport organizations and management while the federal government regulates airport safety. The FAA is a safety organization, and its highest priority is to ensure the safe and efficient operation of the airport and airway system, not to arbitrate disputes between local authorities. The State of Illinois should determine what body will govern and develop the Peotone airport and how that body should be structured.

Mr. Speaker, I deeply regret that the conference process has been abused to pass this undesirable provision.

At the appropriate place in the bill, insert the following:

SEC. 1063. AIRPORT CERTIFICATION.

For the airport referred to in paragraph (1) to be eligible to receive approval of an airport layout plan by the Federal Aviation Administration, such airport shall ensure and provide documentation that—

(1) the governing body of an airport built after the date of enactment of this Act at site number 05606.3A and under number 17-0027 of the National Plan of Integrated Airport Systems is composed of a majority of local residents who live in the county in which such airport is located; and

(2) the airport complies with sections 303, 363A, and 363B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253-263b) as implemented by the Federal Acquisition Regulation issued pursuant

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, I thank my friend for yielding me this time. I rise in support of the conference report, and I express my appreciation that this report affirms the principle that a great power should not need to resort to inhuman tactics to pursue its objectives. The三是 interaction that is in this conference report is entirely appropriate.

I also appreciate the fact that it strikes the proper balance between an affirmation of our principles and an understanding that our intelligence agents must act with discretion and flexibility when dealing with the very difficult job that we have given them. This is an important affirmation that strengthens our country, that improves our intelligence, and makes us safer.

Mr. Speaker, let me just say one last thing before my great colleague winds up on his side. The gentleman from Missouri (Mr. SKELTON) is our champion on the Armed Services Committee for military education. That is an area in which he has more expertise than anybody else in this body. And I thought, as we move toward the conclusion of this bill, that it was only appropriate that as a gentleman who knows more history than the rest of us, and in fact, I went over a book that we were going to get him and I found out he was already reading that book. I wanted to dedicate to him and to give to him a book from the committee chairman. It is rather interesting, and it is a book that I hope that we will be able to meet fully, explore each other, discuss, and as we are not able to do that as nearly as fully as we should, let me just say one last time.

Mr. Speaker, I rise to the Gentleman from Texas. Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks. Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the ranking member for making sure the provisions in this conference report are entirely appropriate.

I also appreciate the fact that it strikes the proper balance between an affirmation of our principles and an understanding that our intelligence agents must act with discretion and flexibility when dealing with the very difficult job that we have given them. This is an important affirmation that strengthens our country, that improves our intelligence, and makes us safer.

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To the great gentleman from Missouri (Mr. SKELTON), I hope you have good reading, and let me know the high points.

Mr. SKELTON. Mr. Speaker, the chairman, Chairman HUNTER, flatters me. It is rather interesting, and it is important for me to point out that my late wife, Susie Skelton, went to All Saints High School, which is in the middle of the Vicksburg, Mississippi battlefield. And because of that, that has special meaning to our family and, Mr. Speaker, I am most appreciative.

This is an excellent bill. It includes language regarding detainees, pay raises, and medical help. I hope that this does not set a pattern on process. I realize that there was a time problem with the Senate passing the bill so late, and with the Thanksgiving recess coming up. But I hope that the panels will be able to meet fully, explore each issue, and able to do that as nearly as fully as we should, we had to rely on our wonderful staff, and they did an outstanding job.
Mr. Speaker, I would like to present Senator Isakson’s, a Member of the other body, his bill originally signed by him naming that program the Ike Skelton Early Commissioning Program Scholarship.

Mr. SKELTON. Mr. Speaker, I ask unanimous consent to speak for an additional 1 minute.

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

There was no objection.

Mr. SKELTON. Mr. Speaker, I am indeed flattered, and I do thank the gentleman from Georgia for this unexpected tribute, and a special thanks to Senator Isakson, the fellow Georgian, for his efforts in this. I am indeed flattered, and I will do my best to merit the confidence both of the chairman for his presentation and the presentation Mr. Marshall made, and with deep appreciation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of this bill, but not without great reservation. Despite my concerns, I am pleased to see that the bill really provides $100 million, from $12,000, and eliminates the pay gap between the military and the private sector to 4.6%, from 5.1%. Even more important, the measure authorizes increased mid-grade and senior non-commissioned officers and mid-grade officers. The raises would reduce the pay gap between the military and private sector to 4.6%, from 5.1%. Even more important, the measure increases payments to survivors of deceased military personnel to $2,000 million, from $12,000, and eliminates the requirement that these families have to deduct those payments from the total they can receive from a similar program at the Veterans Affairs Department. The bill also report in- creases the bonuses for enlistment and reenlistment and raises the eligible enlistment age from 18 to 26. These authorities are needed by the Department and most will expire on December 31, 2005.

From a health care prospective, for the first time ever, all reservists who agree to continue service in the Select Reserve will have an opportunity, depending on their status, to buy into a government subsidized TRICARE Standard health care program for themselves and their families. This authority is needed to allow expansion of the program to all drilling Reservists, and enhances the current TRICARE Reserve Select program. H.R. 1815 also extends TRICARE coverage for children of service members killed in the line of duty until 21 years of age, or 23 years, if a full-time student.

Under the bill the Department of Defense is required to report back on its plans to respond to an international and/or domestic outbreak of avian flu. This is very important as our nation combats the potential outbreak of this flu. In addition, the bill establishes the Emerging Infectious Disease Health Task Force that will look at how the Department and the Services can better identify, treat, and support the mental health needs, including Post Traumatic Stress Disorder, for service members and their families. An effort to provide a comprehensive examination of the mental health programs and policies of the Department of Defense and other federal programs, this effort will not be initiated without a defense authorization bill.

Title 3 of the bill allows the Department of Defense to accept gifts on behalf of wounded service members, Defense civilians or their families. Soldiers are currently restricted from accepting more than $20 in gifts. This makes it impossible for well-meaning people to give gifts to wounded troops or their families without violating ethics laws. The provision will only pass as people will not be able to give gifts directly to the soldier. The bill recognizes the diversity of members of the Armed Forces who serve and die in Operation Iraqi Freedom and Operation Enduring Freedom. Additionally, the bill authorizes $30 million to be spent for the Defense Impact Aid. These are funds provided to states that have military bases in communities and these bases are feeding of the economy of the community.

Before closing, let me take a few moments to express my concerns with the bill. In terms of “Star Wars” I would only say, here we go again providing for additional testing on unproven technology that will not ensure our safety. Finally I am disappointed that the bill provides limited judicial review of appeals from service seekers of determinations of enemy combatant status. This does nothing but closes the court doors which going against the principle of judicial review and due process.

Mr. WATT. Mr. Speaker, I support the extension of the Defense Department’s 1207 program, which ensures that the Department’s federal contracting process in no way supports or subsidizes the discrimination that has long existed in the contracting business. The extension of the program through September 2009 is needed to help achieve that goal.

Evidence is now known that minorities historically have been excluded from both public and private construction projects, particularly from defense contracts. Since its adoption in 1986, the Department of Defense’s 1207 program has helped level the playing field for minority contractors, but there is still much work yet to be done.

A 2004 North Carolina study by MGT America, an independent research and consulting firm, revealed that North Carolina continues to underutilize businesses owned by minorities or women, in nearly all categories of transportation contracts. More specifically, African American and Hispanic businesses are underutilized in every business sector of contracts awarded by the North Carolina Department of

Mr. Speaker, I would like present Senator Isakson’s, a Member of the other body, his bill originally signed by him naming that program the Ike Skelton Early Commissioning Program Scholarship.

Mr. SKELTON. Mr. Speaker, I ask unanimous consent to speak for an additional 1 minute.

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

There was no objection.

Mr. SKELTON. Mr. Speaker, I am indeed flattered, and I do thank the gentleman from California.
Transportation. In an earlier Charlotte study, Hispanic contractors reported that they are treated differently and experience more pressure to get the work done. Clearly, efforts to encourage minority participation in government contracting are still necessary.

The Department of Defense’s 1207 program helps to counter discrimination without imposing an undue burden on white-owned businesses. Small businesses owned by white contractors are eligible to receive the benefits of the program if they are socially and economically disadvantaged.

I strongly support the reauthorization of the Department of Defense’s 1207 program.

Mr. ABERCROMBIE. Mr. Speaker, I rise today to address the defense authorization bill conference report for fiscal year 2006. The bill includes language regarding U.S. policy concerning the war in Iraq, which reflects substantially House Joint Resolution 55 of which I am a prime cosponsor, with regard to phased redeployment of U.S. forces in Iraq during calendar year 2006. There is also language in this bill that points out how detainees in the custody of the U.S. Government will be treated. However, it does not address the question of the outsourcing of torture or contracting with third parties for interrogation and detention not subject to the provisions of this bill. We will pay a heavy price in terms of world opinion and this deliberate omission when such activities are revealed.

There are several measures to improve the oversight of major acquisition programs for the Department of Defense. Each year the nation gives the Pentagon hundreds of billions of dollars, and unfortunately the Pentagon spends a good portion of that money buying things: ships, planes, tanks, helicopters, and other items. Unfortunately, in recent years almost every single high-profile defense acquisition program has experienced cost overruns, performance shortfalls, or testing problems. I believe that one reason for these problems is that Congress hasn’t done everything it could to make sure that these important programs stay on track and that the companies building the systems deliver what they promise to deliver. At the end of the day, this is about getting our troops in the field the equipment they need, when they need it. Making sure that happens is one of Congress’ primary Constitutional duties.

I am pleased that this year, the defense authorization bill puts measures in place that will improve Congress’ visibility of several major programs that are facing challenges, including the Future Combat System, the Joint Tactical Radio System, and the new Presidential helicopter. In each case, both myself and my friend from Connecticut, CURT WELDON, are committed to making sure that these programs deliver the capability our military needs at a price we can afford.

I am also encouraged that for the first time, this bill requires the Department of Defense and the military services to report back to us on options for moving to a capital budgeting approach for defense acquisition, which I have advocated. Today, the DOD is one of the few government entities in the United States that continues to cash-finance the purchase of multi-million dollar capital items such as ships and aircraft. It is my hope that the bill passed out of committee and during committee discussions, this cash-finance and budgeting system is leading the Department to make poor decisions on major capital acquisition programs. In effect, the way we budget for new equipment is determining what we end up buying. That is a completely backwards system and one that needs to change. The conference report before us today will require the DOD and the Armed Services to report back to us on a single look at an alternative modern, and more flexible capital budgeting approach that will help the DOD get our troops the equipment they need to do their jobs.

As I indicated earlier, this bill includes language in Section 1227 on U.S. Policy in Iraq that is the result of a recommendation in the report relationship with House Joint Resolution 55, which I introduced with Congressman WALTER JONES this past June. Joint Resolution 55 called for the President to begin the withdrawal of U.S. troops from Iraq in 2006. Similarly, the bill before us today says that: ‘‘Calendar Year 2006 should be a period of significant transition to full Iraqi sovereignty, with Iraqis taking the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of the United States forces from Iraq.’’

I think the bipartisan support in Congress for a phased redeployment and the President’s eventual signature for this measure should signal a significant step toward getting U.S. troops out of Iraq. I’m pleased that despite the recent White House overheated rhetoric about ‘‘total’’ or ‘‘complete’’ victory and casting aspersions on the patriotism of those opposed to this war that we may finally be at a point where we can all agree that in 2006 U.S. troops will begin to come home from Iraq. If the President signs this bill it follows that support for this language requires beginning the drawdown of U.S. forces in Iraq as soon as possible.

Again, as I indicated earlier, this bill contains language clarifying how individuals detained and held by the United States Government will be treated and interrogated. The language originally sponsored by Senator JOHN MCCAIN that prohibits ‘‘cruel, inhumane, or degrading’’ treatment of prisoners is retained in the conference report in its original form. However, the phrase ‘‘torture’’ which is included in the bill—after the President threatened to veto this very same language—I am troubled by an issue that this bill does not address.

This issue is the issue of whether or not the United States condones, by default, the torture of prisoners by ‘‘outsourcing’’ interrogations to other nations. The technique of handing over prisoners in our custody to other countries is called ‘‘extraordinary rendition,’’ and has been described in numerous press reports. In some cases, it may even be an appropriate way to deal with a prisoner wanted for crimes in their home country.

However, what happens to those prisoners when they leave U.S. custody is not addressed in this bill in any way. As a result, while the bill prohibits people in our direct custody and control from being tortured, it is silent—and thus, complicit—with regard to our handing over prisoners to other nations so that they can be tortured on our behalf.

So, while we have made some progress with regard to making it clear to our military and industry it is important to treat prisoners in our custody, I am concerned that this bill doesn’t go far enough. I intend to support this bill today based on what is in it, but I want to make it clear that Congress must, as soon as possible, deal with the issue of the outsourcing of torture. If Congress does not do so soon, there will likely be some kind of incident somewhere involving a prisoner in our care that is handed over to another country and is subsequently tortured, or even killed. When and if those happen, if Congress remains silent on this issue the United States will suffer another needless defeat in the court of global public opinion. When that happens, millions around the world may conclude that Congress condones the outsourcing of torture simply because it has chosen to do nothing about it.

Mr. LANGEVIN. Mr. Speaker, as a member of the House Armed Services Committee, I rise in support of the conference report to H.R. 1815, and thank Chair Hunter and Ranking Member Skelton for their hard work. Once again the committee has demonstrated its commitment to ensuring the security of our nation and the safety of our men and women in uniform.

I am extremely pleased that we were able to consider this measure without extraneous and controversial provisions that would have endangered its passage. Our troops and the civil employees in the Department of Defense have performed valiantly and made enormous sacrifices to safeguard the United States, and H.R. 1815 recognizes their commitment by providing much-needed assistance to them and their families. The conference report includes a pay raise of 3.1% for military personnel, increases certain enlistment and re-enlistment bonuses, and allows certain members of the reserves to buy into the TRICARE health care program for themselves and their families. The measure also increases the endstrength of the Army and the Marine Corps, which should help relieve some of the stress on troops who have experienced repeated deployments.

The legislation also contains $50 billion in supplemental funding to provide force protection equipment, such asS-ap armored Humvees and jammers for improvised explosive devices, to our troops in Iraq and Afghanistan, as well as new replacement equipment that has been degraded by the high operations tempo. Though the military has accomplished a great deal with what they have, we have clear indications that we are wearing down our equipment, perhaps faster than we can replace it. The investment in this bill is an important step, but we must not forget that it will take billions more to completely reset and recapitalize our force.

This bill also contains important language to ensure that Department of Defense does not contract out existing government work without realizing actual cost savings. Earlier in the year, I drew the committee’s attention to DOD’s practice of reorganizing or reclassifying existing government work in order to circumvent required contracting rules without demonstrating savings. The language in this measure closes that loophole and goes much farther by establishing much clearer standards about how DOD can contract out work. I thank the chairman of the Readiness Subcommittee, Mr. Hefley, as well as the committee staff, for working with me and my office to address my original concern, and I will continue to work with the committee to monitor the implementation of these changes to ensure that all parties involved are treated fairly and that taxpayer dollars are used as effectively as possible.
Finally, H.R. 1815 demonstrates its interest in maintaining a strong Navy through a continued commitment to the next-generation destroyer, DD(X). It also includes language affirming the committee’s support of the VIRGINIA-class submarine and directing the Navy to initiate a program to improve future submarine design and construction. This provision should be welcome news to Electric Boat, a major employer in my district, which has announced as many as 2,400 layoffs in 2006, primarily due to insufficient submarine design and construction work. To prevent our submarine design and construction work from being held hostage by low levels, I will continue my efforts to integrate cutting-edge technology into VIRGINIA-class submarines and to increase procurement of these ships to two per year. Given other nations’ investments in their navy and undersea capabilities, we cannot afford for the United State to lose its undersea dominance.

Again, I commend the Chairman HUNTER, Ranking Member SKELTON and my colleagues on the committee for a well-balanced bill, and I urge its adoption.

Mr. Speaker, I rise today in strong support of the conference report for H.R. 1815, the Fiscal Year 2006 National Defense Authorization. This legislation is critically important to our troops and our efforts in the global war on terror. In addition, the conference report for this legislation is critically strong support of the conference report for the Defense Authorization. This legislation is critically strong support of the conference report for the Defense Authorization. I urge its adoption.

Mr. Weller, in that I rise today, a solid bill—a bill that does a lot of good for our servicemembers and their families. It rises basic pay and hardship duty pay. It provides TRICARE coverage for Reservists. It increases the death gratuity for all activated servicemembers. It provides TRICARE coverage for Reservists. It increases the death gratuity for all activated servicemembers. It offers military prosecutors a clear definition of sexual assault and better tools for prosecuting sexual offenses, and it affords in increased protection for victims by emphasizing acts of the perpetrator rather than the reaction of the victim during an assault.

I am particularly happy to note that the final conference agreement includes two important revisions to the Uniform Code of Military Justice (UCMJ). The first revision would update Article 120 of the UCMJ to provide a modern, complete sexual assault statute that protects victims, empowers commanders and prosecutors, and improves good order and discipline of the armed forces.

It offers military prosecutors a clear definition of sexual assault and better tools for prosecuting sexual offenses, and it affords increased protection for victims by emphasizing acts of the perpetrator rather than the reaction of the victim during an assault.

The second provision to the UCMJ involves the add-on death gratuity for a legal, final felony offense, bringing the UCMJ in line with federal laws and the laws of all 50 states. The language in this bill will offer commanders and prosecutors a clear definition of stalking. It will raise awareness, strengthen law enforcement, and underscore the criminality of this conduct to all members of the military community.

Furthermore, it will give commanders a powerful tool to cut stalking off in its early stages—before a stalker’s behavior escalates. I have pushed for these changes for a long, long time, and I am thrilled to see both chambers finally agree on these major steps forward for the military justice system and for the men and women of our armed forces.

Ms. SCHATSKOWSKY. Mr. Speaker, today we are being asked to vote on the Department of Defense Authorization conference report. Once again, the House is being required to vote on a bill in the dead of night, without the opportunity to read the language or consider its ramifications. I am especially concerned that the conference report to the Department of Defense Authorization conference report that were not in the original House bill, were not the subject of Congressional hearings, and have not been carefully scrutinized. Yet, those two provisions—one that undermines the fundamental right of habeas corpus and the other that would prohibit the use of torture to obtain confessions that were not in the original House bill, were not the subject of Congressional hearings, and have not been carefully scrutinized. Yet, those two provisions—one that undermines the fundamental right of habeas corpus and the other that would prohibit the use of torture to obtain confessions that were not in the original House bill—will soon be before the House. I urge my colleagues to reject these provisions in order to protect our time-tested judicial review process and to keep our commitment to end the use of torture.

Mr. UDALL of Colorado. Mr. Speaker, this conference report has flaws, and I dislike the way it was developed. But I think it deserves to be approved, and want to highlight a few reasons why.
I am also pleased that the report fully authorizes Cooperative Threat Reduction funding as well as additional funding for a Department of Energy nonproliferation program to implement agreements between the U.S. and Russia. One of the biggest dangers we face is the threat of nuclear weapons and other weapons of mass destruction in the hands of terrorists. And yet the CTR program is currently funded at a lower level than it was before September 11th. So I am glad that report conferees recognized the importance of increasing CTR funding.

On a less positive note, I am concerned that the report authorizes nearly $50 billion in a “bridge fund”—over and above the $440 billion in the regular bill—for FY06 supplemental appropriations for the wars in Iraq and Afghanistan and the global war on terror. While inclusion in the report does mean that the authorizing process has been followed to an extent, still, the additional money in this bridge fund should be included in the regular budget request, since there is nothing unexpected about the need for these funds. The “emergency” label that these funds bear hides the fact that they increase the size of the budget deficit. I don’t believe this is a responsible way for us to pay for our military operations.

And I have concerns about the provision related to the ability of detainees at Guantanamo Bay to seek judicial review of their situations. The inclusion of this provision could have the effect of allowing use of evidence obtained by coercive interrogations. At least one lawyer representing detainees at Guantanamo has described the combination of the McCain amendment and this provision as one step forward and two steps back. I think we must carefully monitor implementation of this provision and be prepared to consider revisions in the near future.

Further, Mr. Speaker, as a new Member of the Armed Services Committee, I want to express my appreciation to Chairman Hunter and for working with me on a number of provisions in the report that are important to me and my state of Colorado.

In particular, I am pleased that the report includes favorable language on the Pueblo Chemical Depot. I am committed to seeing the site cleaned up and closed. That Act, which I sponsored with Senator Wayne Allard, includes some provisions related to the non-Federal minerals—primarily sand and gravel—at Rocky Flats. The purpose of those provisions is to make clear that while these mineral rights are to be respected as private property, their future development could have adverse effects on the land, wildlife habitat, and other values of the future wildlife refuge. I think the best way to avoid that is for the Federal Government to acquire the minerals. This conference report will facilitate acquisition of part of those mineral rights, and while I think its terms leave room for improvement, its enactment will enable valuable progress to be made.

In conclusion, Mr. Speaker, I think the conference report deserves enactment and I urge its approval.

Mr. MENENDEZ. Mr. Speaker, I rise in strong support of the extension of the Defense Department’s Section 1207 Small and Disadvantaged Business Utilization (SADBU) program through September 2009. I am very pleased to see this program extended in this bill because it has proven to be extremely effective in fighting discrimination in the defense contracting process, and has been tremendously successful in ensuring that African Americans, Latinos, Asians, and Native Americans are able to compete more effectively for government contracts.

The goal of the SADBU program is to provide opportunities for all Americans to take part in the defense contracting process. Since its inception in 1987, the SADBU program has helped to level the playing field for small and disadvantaged businesses. However, there is still a lot that needs to be done. Years of Congressional hearings have shown that minorities have historically been unfairly excluded from both public and private construction contracts in general, and from federal defense contracts in particular. And a recent study by MGT of America revealed that minority-owned and women-owned businesses in New Jersey still faced significant challenges in obtaining state contracts. Many business owners and representatives stated that their opportunities to perform work as subcontractors on state contracts have decreased in proportion to the state’s minority and women business enterprise program. If the federal SADBU program were to end, a lot of the progress we have made to this point would likely be erased. That’s why this extension is so important.

Mr. Speaker, the 1207 program helps to correct the problems of discrimination without imposing an undue burden on other businesses. It is not a quota. It is not a set-aside. It is not a guarantee of contracts or dollars. It is simply about fairness, and the ability of minority-owned businesses to compete more effectively for federal defense contracts. All of us benefit when recipients of federal opportunities reflect America’s diversity, and I’m proud to support the reauthorization of the 1207 program.

Mr. THORNBERY. Mr. Speaker, I will vote in favor of this bill, but I do not support all of the provisions in it. I am especially concerned about the McCain language related to treatment of detainees and terrorism and about the consequences of that language on our ability to prevent attacks against Americans.
A recent editorial in the December 14, 2005 issue of USA Today expresses my views very well, and I include it at this point in the record:

[From USA Today, Dec. 15, 2005]

MISSOURIED MORALITY

(By Andrew C. McCarthy and Clifford D. Stine)

No one favors torture. Torture is already illegal under both U.S. and international law. Nonetheless, the United States is fighting a war against ruthless enemies who obey no rules. We cannot afford to treat all of them with kid gloves all the time.

On the battlefield, we can—and do—kill our enemies. Those we don’t kill but only capture should be treated humanely, despite the fact that they do not return the favor when they seize Americans. But those who have information that could save lives must be interrogated effectively. That does not imply torture. It does imply measures that the McCain amendment would ban.

Contrary to what you might have heard, “ticking-time-bomb” scenarios are not uncommon. Consider the situation faced by Army Lt. Col. Allen West: Fighting near Tikrit, he captured a suspect who refused to divulge information about a planned ambush.

West fired his revolver to frighten the suspect. The terrorism leader was returned to his American comrades. And West was accused of torture, charged with assault and drummed out of the military. Next time, will an officer in the same situation decide to let Americans be killed—believing that’s what Americans back home demand?

Even more common than the ticking time bomb is the scenario in which a “high-value” suspect is captured, for example a senior al-Qaeda commander who might not know about an imminent attack but who does have information on terrorist recruiting, training and communications.

In this circumstance, torture is not only unneeded but also unhelpful. But the use of “stress and duress” techniques, including rewards for cooperation and punishments for defiance, can, over time, induce a subject to reveal what he knows.

Good policy requires clarity and accountability. Though torture is to be avoided, vague terms such as “cruel” and “degrading” inevitably would be stretched to codify terrorism. The Congress should instead set clear standards, consulting intelligence experts and medical professionals to flesh out which techniques should always be prohibited (those likely to cause death or permanent disability), and which are permissible—and most likely to yield reliable lifesaving information.

Accountability means not leaving serious judgments to junior personnel. Harsh interrogation methods, such as covert operations under current federal law, should require approval by a high-ranking administration official.

Obviously, distinctions must be made between terrorist leaders and low-level operatives. Even so, those arguing that it is better to sacrifice the lives of U.S. troops—or even an American city—rather than cause a terrorist temporary discomfort are making a terrible mistake. They urge a self-destructive policy and a misguided morality.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered to be laid on the table.

There was no objection.

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

The amendment was agreed to. The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: “A bill to designate the facility of the United States Postal Service located at 8135 Forest Lane in Dallas, Texas, as the ‘Dr. Robert E. Price Post Office Building’, and for its immediate consideration in the House.”

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

There was no objection.

ROBERT T. FERGUSON POST OFFICE BUILDING

Mr. ISSA. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be discharged from further consideration of the bill (H.R. 1287) to designate the facility of the United States Postal Service located at 332 South Main Street in Flora, Illinois, as the “Robert T. Ferguson Post Office Building,” and ask for its immediate consideration in the House.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 1287

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

SECTION 1. ROBERT T. FERGUSON POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 332 South Main Street in Flora, Illinois, shall be known and designated as the “Robert T. Ferguson Post Office Building.”

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Robert T. Ferguson Post Office Building.”

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. ROBERT T. FERGUSON POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 332 South Main Street in Flora, Illinois, shall be known and designated as the “Robert T. Ferguson Post Office Building.”

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Robert T. Ferguson Post Office Building.”

The amendment was agreed to. The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: “A bill to designate the facility of the United States Postal Service located at 312 East North Avenue in Flora, Illinois, as the ‘Robert T. Ferguson Post Office Building’.”

A motion to reconsider was laid on the table.

DR. ROBERT E. PRICE POST OFFICE BUILDING

Mr. ISSA. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be discharged from further consideration of the bill (H.R. 4246) to designate the facility of the United States Postal Service located at 8135 Forest Lane in Dallas, Texas, as the “Dr. Robert E. Price Post Office Building,” and ask for its immediate consideration in the House.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 4246

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

SECTION 1. DR. ROBERT E. PRICE POST OFFICE BUILDING.

DESIGNATION.—The facility of the United States Postal Service located at 8135 Forest Lane in Dallas, Texas, shall be known and designated as the “Dr. Robert E. Price Post Office Building.”

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Dr. Robert E. Price Post Office Building.”

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STATE SENATOR VERDA WELCOME AND DR. HENRY WELCOME POST OFFICE BUILDING

Mr. ISSA. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be discharged from further consideration of the bill (H.R. 4108) to designate the facility of the United States Postal Service located at 3000 Homewood Avenue in Baltimore, Maryland, as the “State Senator Verda Welcome and Dr. Henry Welcome Post Office Building,” and ask for its immediate consideration in the House.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 4108

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
Mr. ISSA. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be discharged from further consideration of the bill (H.R. 4109) to designate the facility of the United States Postal Service located at 6101 Liberty Road in Baltimore, Maryland, as the “United States Representative Parren J. Mitchell Post Office,” and ask for its immediate consideration in the House.

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

There was no objection. The Clerk read the bill, as follows:

H.R. 4109

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

SECTION 1. UNITED STATES REPRESENTATIVE PARREN J. MITCHELL POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 6101 Liberty Road in Baltimore, Maryland, shall be known and designated as the “United States Representative Parren J. Mitchell Post Office”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “United States Representative Parren J. Mitchell Post Office”.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNITED STATES REPRESENTATIVE PARREN J. MITCHELL POST OFFICE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be discharged from further consideration of the bill (H.R. 4109) to designate the facility of the United States Postal Service located at 6101 Liberty Road in Baltimore, Maryland, as the “United States Representative Parren J. Mitchell Post Office,” and ask for its immediate consideration in the House.

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

There was no objection. The Clerk read the bill, as follows:

H.R. 4109

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

SECTION 1. UNITED STATES REPRESENTATIVE PARREN J. MITCHELL POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 6101 Liberty Road in Baltimore, Maryland, shall be known and designated as the “United States Representative Parren J. Mitchell Post Office”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “United States Representative Parren J. Mitchell Post Office”.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CORPORAL JASON L. DUNHAM POST OFFICE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be discharged from further consideration of the bill (H.R. 4109) to designate the facility of the United States Postal Service located at 6101 Liberty Road in Baltimore, Maryland, as the “United States Representative Parren J. Mitchell Post Office,” and ask for its immediate consideration in the House.

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

There was no objection. The Clerk read the bill, as follows:

H.R. 4109

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

SECTION 1. CORPORAL JASON L. DUNHAM POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 4422 West Scotia Street in Scio, New York, shall be known and designated as the “Corporal Jason L. Dunham Post Office”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Corporal Jason L. Dunham Post Office”.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK

Mr. ISSA. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be discharged from further consideration of the bill (H.R. 4109) to designate the facility of the United States Postal Service located at 6101 Liberty Road in Baltimore, Maryland, as the “United States Representative Parren J. Mitchell Post Office,” and ask for its immediate consideration in the House.

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

There was no objection. The Clerk read the resolution, as follows:

H. Res. 483

Whereas 1 in 3 female high school students reports being physically abused or sexually abused by a dating partner;

Whereas over 40 percent of male and female high school students surveyed had been victims of dating violence at least once;

Whereas victims in adolescence can have serious ramifications for victims, who are at higher risk for substance abuse, eating disorders, risky sexual behavior, suicide, and adult re-victimization;

Whereas the severity of violence among intimate partners has been shown to increase if the pattern was established in adolescence;

Whereas 81 percent of parents surveyed either believed dating violence is not a problem or admitted they did not know it is a problem;

Whereas the week of February 6, 2006, has been recognized as an appropriate week for activities furthering awareness of teen dating violence; and

Whereas recognizing a “National Teen Dating Violence Awareness and Prevention Week” would benefit schools, communities, and families regardless of socioeconomic status, race, or gender: Now, therefore be it

Resolved, That the House of Representatives should raise awareness of teen dating violence in the Nation by supporting the goals and ideals of National Teen Dating Violence Awareness and Prevention Week.

AMENDMENT OFFERED BY MR. ISSA

Mr. ISSA. Mr. Speaker, I offer an amendment.
I want to thank Congresswoman NANCY JOHNSON for all of her help in ensuring that this bill received the attention it deserved and all of the co-sponsors who recognized the importance of this issue. I also want to thank Senator Mike CRAPO for his leadership in the Senate. What a testament to the power of bipartisanship that has been, and how both chambers recognize the severity of this issue.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The SPEAKER pro tempore. The Clerk will report the amendment to the preamble.

The Clerk read as follows:

Strike the preamble and insert the following:

Whereas the American Bar Association’s National Teen Dating Violence Prevention (TDVPI) is a federally funded, comprehensive program that is aimed at putting a stop to the incidence of teen dating violence;

Whereas the TDVPI together with parents, schools and communities intends to positively impact the way teens view and value themselves and others;

Whereas the TDVPI is designed to teach and influence appropriate interpersonal behavior by increasing the knowledge and skills of our nation’s youth enabling them to form lasting and healthy relationships as adults;

And Whereas the week of February 6, 2006 has been recognized as an appropriate week for activities furthering awareness of teen dating violence; Now, therefore, be it

Mr. ISSA (during the reading). Mr. Speaker, I ask unanimous consent that the amendment to the preamble be considered as read and printed in the RECORD.

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

There was no objection.

The amendment to the preamble was agreed to.

The title of the resolution was amended so as to read: “Supporting the Ideals of National Teen Dating Violence and Prevention Week”.

A motion to reconsider was laid on the table.

COMMEMORATING THE LIFE, ACHIEVEMENTS, AND CONTRIBUTIONS OF ALAN REICH

Mr. ISSA. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be discharged from further consideration of the resolution (H. Res. 586) commemorating the life, achievements, and contributions of Alan Reich, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The Clerk read the resolution, as follows:

H. Res. 586

Whereas Alan A. Reich was a well respected and loved member of his family and an inspirational figure in the disability community, whose life was devoted to civic involvement and efforts to improve the quality of life for individuals with disabilities;

Whereas Alan Reich was born in Pearl River, New York;

Whereas Alan Reich graduated from Dartmouth College in 1962, where he was an all-American track and field athlete, received a Bachelor of Arts degree from Harvard University, and was named a member of the Hall of Fame at Middlebury College in 1963, along with a diploma in Slavic languages and Eastern European studies from the University of Oxford, and received an M.B.A. from Harvard University in 1959;

Whereas Alan Reich was a brilliant linguist, who spoke 5 languages;

Whereas Alan Reich served in the United States Army from 1953 to 1957, as an infantry officer and Russian language interrogation officer in Germany, and was named a member of the United States Army Infantry Officer Candidate School Hall of Fame;

Whereas Alan Reich married his best friend and partner in life, Gay Forsythe Reich; they shared 50 years of marriage and were deeply committed to each other and their three children—James, Jeffrey, and Elizabeth;

Whereas Alan Reich was employed from 1960 to 1970 as an executive at Polaroid Corporation, where, at age 32, he became a quadriplegic due to a swimming accident which required him to use a wheelchair;

Whereas, while Alan Reich was told he would not drive or write again, he relearned both skills and returned to work at Polaroid Corporation;

Whereas Alan Reich joined the State Department from 1970 to 1975, as a Deputy Assistant Secretary for Educational and Cultural Affairs;

Whereas Alan Reich then served as Director of the Bureau of East-West Trade for the Department of Commerce, where he was named the President of the United States Council for the International Year of Disabled Persons in 1978;

Whereas, in this position, Alan Reich was the first wheelchair user to address the United Nations General Assembly when it opened the International Year of the Disabled in 1981;

Whereas, in 1982, Alan Reich transformed the Council into the National Organization on Disability, an organization that is active at a local, state, and national level in seeking full and equal participation for people with disabilities in all aspects of life;

Whereas, in 1987, Alan Reich founded the Bimillennium Foundation in 1984, to encourage leaders of nations worldwide to set year 2000 goals aimed at improving the lives of people with disabilities;

Whereas Alan Reich also served as Chairman of the People-to-People Committee on Disability, Chairman of the Paralysis Cure Research Foundation and President of the National Paraplegia Foundation;

Whereas Alan Reich, who used a wheelchair for 43 years, led an effort that raised $65,000,000 to purchase the Franklin D. Roosevelt in a wheelchair to the National Capitol, which is the memorial for President Franklin D. Roosevelt in Washington, DC, for reasons that he best expressed himself at the unveiling of the statue: ‘The unveiling is a major national moment, the removal of the shroud of shame that cloaks disability. The statue will become a shrine to people with disabilities, but it will also inspire everyone to overcome obstacles. When you see the memorial that follows the statue, what will be in your mind is that he did all this from a wheelchair’;

Whereas Alan Reich received the George H.W. Bush Medal in July of 2005, established to honor outstanding service under the Americans with Disabilities Act of 1990.

Whereas Alan Reich, through his leadership in the disability community, encouraged millions of Americans with disabilities to overcome obstacles to lead more independent and successful lives;

Whereas Alan Reich is survived by his wife, partner, and best friend, Gay, their two sons James and Jeffrey, their daughter Elizabeth, and 11 grandchildren; and

Whereas Alan Reich passed away on November 29, 2005, at the home he shared with his family, his community, and his Nation will not be forgotten: Now, therefore, be it

Resolved. That the House of Representatives—

(1) honors the life, achievements, and contributions of Alan Reich;

(2) extends its deepest sympathies to the family of Alan Reich for the loss of a great and generous man.

The resolution was agreed to.

AMENDMENT TO THE PREAMBLE OFFERED BY MR. ISSA

Mr. ISSA. Mr. Speaker, I offer an amendment to the preamble.

The Clerk read as follows:

Strike out the preamble and insert the following:

Whereas Alan A. Reich was a well respected and loved member of his family and an inspirational figure in the disability community, whose life was devoted to civic involvement and efforts to improve the quality of life for individuals with disabilities;

Whereas Alan Reich was born in Pearl River, New York;

Whereas Alan Reich graduated from Dartmouth College in 1962, where he was an all-American track and field athlete, received a Master’s degree in Russian literature from Middlebury College in 1963, along with a diploma in Slavic languages and Eastern European studies from the University of Oxford, and received an M.B.A. from Harvard University in 1959;

Whereas Alan Reich was a brilliant linguist, who spoke 5 languages;

Whereas Alan Reich served in the United States Army from 1953 to 1957, as an infantry officer and Russian language interrogation officer in Germany, and was named a member of the United States Army Infantry Officer Candidate School Hall of Fame;

Whereas Alan Reich married his best friend and partner in life, Gay Forsythe Reich; they shared 50 years of marriage and were deeply committed to each other and their three children—James, Jeffrey, and Elizabeth;

Whereas Alan Reich was employed from 1960 to 1970 as an executive at Polaroid Corporation, where, at age 32, he became a quadriplegic due to a swimming accident which required him to use a wheelchair;

Whereas, while Alan Reich was told he would not drive or write again, he relearned both skills and returned to work at Polaroid Corporation;

Whereas Alan Reich joined the State Department from 1970 to 1975, as a Deputy Assistant Secretary for Educational and Cultural Affairs;

Whereas Alan Reich then served as Director of the Bureau of East-West Trade for the Department of Commerce, where he was named the President of the United States Council for the International Year of Disabled Persons in 1978; and

Whereas, in this position, Alan Reich was the first wheelchair user to address the United Nations General Assembly when it opened the International Year of the Disabled in 1981;

Whereas, in 1982, Alan Reich transformed the Council into the National Organization on Disability, an organization that is active at a local, state, and national level in seeking full and equal participation for people with disabilities in all aspects of life;
While Alan Reich founded the Bicentennial Foundation in 1984, to encourage leaders of nations worldwide to set year 2000 goals aimed at improving the lives of people with disabilities.

Whereas Alan Reich also served as Chairman of the People-to-People Committee on Disability, Chairman of the Paralysis Resource Network, and President of the National Paraplegia Foundation.

Whereas Alan Reich, who used a wheelchair for 43 years, led an effort that raised $1,560,000 to add the statue of President Franklin D. Roosevelt in a wheelchair to the former President’s Memorial in Washington, DC, for reasons that he best expressed himself at the unveiling of the statue: “The unveiling is a major national moment, the removal of the shroud of shame that cloaks disability. The statue will become a shrine to people with disabilities, but it will also inspire everyone to overcome obstacles. When you see the memorial that follows the statue, what will be in your mind is that he did all this from a wheelchair.”

Whereas Alan Reich received the George H.W. Bush Medal in July of 2005, established to honor outstanding service under the Americans with Disabilities Act 1990.

Whereas Alan Reich, through his leadership in the disability community, encouraged millions of Americans with disabilities to overcome obstacles to lead more independent and successful lives;

Whereas Alan Reich is survived by his wife, partner, and best friend, Gay; their two sons James and Jeffrey, their daughter Elizabeth, and 11 grandchildren; and

Whereas Alan Reich passed away on November 6, 2005, and the contributions he made to his family, his community, and his Nation will not be forgotten: Now, therefore, be it

Mr. ISSA (during the reading). Mr. Speaker, I ask unanimous consent that the amendment to the preamble be considered as read and printed in the Record.

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

There was no objection.

The amendment to the preamble was agreed to.

A motion to reconsider was laid on the table.

BUFFALO SOLDIERS COMMEMORATION ACT of 2005

Mr. POMBO. Mr. Speaker, I ask unanimous consent that the Committee on Resources be discharged from further consideration of the Senate bill (S. 205) to authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 205

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 “Buffalo Soldiers Commemoration Act of 2005”.

SEC. 2. ESTABLISHMENT OF BUFFALO SOLDIERS MEMORIAL.

(a) AUTHORIZATION.—The American Battle Monuments Commission is authorized to establish a memorial to honor the Buffalo Soldiers in or around the City of New Orleans on land donated for such purpose or on Federal land with the consent of the appropriate land manager.

(b) CONTRIBUTIONS.—The Commission shall solicit and accept contributions for the construction and maintenance of the memorial.

(c) AGREEMENT.—The Commission may enter into a cooperative agreement with a private or public entity for the purpose of fundraising for the construction and maintenance of the memorial.

(d) MAINTENANCE AGREEMENT.—Prior to beginning construction of the memorial, the Commission shall enter into an agreement with an appropriate public or private entity to provide for the permanent maintenance of the memorial and shall have sufficient funds, or assurance that it will receive sufficient funds, to comply with such agreement.

SEC. 3. BUFFALO SOLDIERS MEMORIAL ACCOUNT.

(a) ESTABLISHMENT.—The Commission shall maintain an escrow account (“account”) to pay expenses incurred in constructing the memorial.

(b) DEPOSITS INTO THE ACCOUNT.—The Commission shall deposit into the account any principal and interest by the United States that the Chairman determines has a suitable maturity.

(c) USE OF ACCOUNT.—Amounts in the account, including proceeds of any investments, may be used to pay expenses incurred in establishing the memorial. After construction of the memorial, any amounts in the account shall be transferred by the Commission to the entity providing for permanent maintenance of the memorial under such terms and conditions as the Commission determines will ensure the proper use and accounting of the amounts.

SEC. 4: AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DELaware WATER GAP NATIONAL Recreation AREA IMPROVement ACT

Mr. POMBO. Mr. Speaker, I ask unanimous consent to take from the Speaker’s table the Senate bill (S. 1310) to authorize the Secretary of the Interior to allow the Columbia Gas Transmission Corporation to increase the diameter of a natural gas pipeline located in the Delaware Water Gap National Recreation Area, to allow certain commercial vehicles to continue to use Route 209 within the Delaware Water Gap National Recreation Area, and to extend the termination date of the National Park System Advisory Board to January 1, 2007, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1310

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

SECTION 1: SHORT TITLE.

This Act may be cited as the “Delaware Water Gap National Recreation Area Improvement Act”.

SEC. 2: DEFINITIONS.

In this Act:

(1) CORPORATION.—The term “Corporation” means the Columbia Gas Transmission Corporation.

(2) PIPELINE.—The term “pipeline” means that portion of the pipeline of the Corporation numbered 1276 that is—

(A) located in the Recreation Area; and

(B) situated on 2 tracts designated by the Corporation as ROW 307 and 16413.

(3) RECREATION AREA.—The term “Recreation Area” means the Delaware Water Gap

December 18, 2005

CONGRESSIONAL RECORD—HOUSE

S. 652

Be it enacted by the Senate and House of Representives of the United States of America in Congress assembled,
National Recreation Area in the Commonwealth of Pennsylvania.

(4) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of the Interior.

(5) SUPERINTENDENT.—The term ‘‘Superintendent’’ means the Superintendent of the Recreation Area.

SEC. 3. EASEMENT FOR EXPANDED NATURAL GAS PIPELINE.

(a) IN GENERAL.—The Secretary may enter into an agreement with the Corporation to grant to the Corporation an easement to enlarge the diameter of the pipeline from 14 inches to not more than 20 inches.

(b) TERMS AND CONDITIONS.—The easement authorized under subsection (a) shall—

(1) be consistent with—

(A) the recreational values of the Recreation Area; and

(B) protection of the resources of the Recreation Area;

(2) include provisions for the protection of resources in the Recreation Area that ensure that only the minimum and necessary amount of disturbance, as determined by the Secretary, shall occur during the construction or maintenance of the enlarged pipeline;

(3) be consistent with the laws (including regulations) and policies applicable to units of the National Park System; and

(4) be subject to any other terms and conditions that the Secretary determines to be necessary;

(c) PERMITS.—

(1) IN GENERAL.—The Superintendent may issue a permit to the Corporation for the use of the Recreation Area in accordance with subsection (b) for the temporary construction and staging areas required for the construction of the enlarged pipeline.

(2) PRIOR TO ISSUANCE.—The easement authorized under subsection (a) and the permit authorized under paragraph (1) shall require that the Superintendent issues a permit for any clearing or construction, the Corporation shall—

(A) consult with the Superintendent;

(B) identify natural and cultural resources of the Recreation Area that may be damaged or lost because of the clearing or construction; and

(C) submit to the Superintendent for approval a restoration and mitigation plan that—

(i) describes how the land subject to the easement will be maintained; and

(ii) includes a schedule for, and description of, the specific activities to be carried out by the Corporation to mitigate the damages or losses of the natural and cultural resources of the Recreation Area identified under subparagraph (B);

(d) PIPELINE REPLACEMENT REQUIREMENTS.—The enlargement of the pipeline authorized under subsection (a) shall be considered to meet the pipeline replacement requirements required by the Research and Special Programs Administration of the Department of Transportation (CPP No. 1-2002-1004-H).

(e) PEER CONSULTATION.—The Corporation shall comply with all other requirements for certification by the Federal Energy Regulatory Commission that are necessary to permit the enlargement of the pipeline.

(f) LIMITATION.—The Secretary shall not grant any additional increases in the diameter of, or easements for, the pipeline within the boundaries of the Recreation Area after the date of enactment of this Act.

(g) EFFECT ON RIGHT-OF-WAY EASEMENT.—Nothing in this Act increases the 50-foot right-of-way easement for the pipeline.

(h) PENALTIES.—On request of the Secretary, the Attorney General may bring a civil action in United States district court to recover damages and response costs under Public Law 101-337 (16 U.S.C. 191 et seq.) or any other applicable law if—

(1) the Corporation—

(A) violates a provision of—

(i) an easement authorized under subsection (a); or

(ii) a permit issued under subsection (c); or

(B) fails to submit or timely implement a restoration and mitigation plan approved under subsection (c)(2)(C); and

(2) the violation or failure destroys, results in the loss of, or injures any park system resource (as defined in section 1 of Public Law 101-337 (16 U.S.C. 191)).

SEC. 4. USE OF CERTAIN ROADS WITHIN DELWARE WATER GAP.

Section 702 of Division I of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4185) is amended—

(1) in subsection (a), by striking ‘‘at noon on September 30, 2005’’ and inserting ‘‘on the earlier of the date on which a feasible alternative is available or noon of September 30, 2015’’; and

(2) in subsection (c)—

(A) in paragraph (1), by striking ‘‘September 30, 2005’’ and inserting ‘‘on the earlier of the date on which a feasible alternative is available or September 30, 2015’’; and

(B) in paragraph (2)—

(i) by striking ‘‘noon on September 30, 2005’’ and inserting ‘‘the earlier of the date on which a feasible alternative is available or noon of September 30, 2015’’; and

(ii) by striking ‘‘not exceed $25 per trip’’ and inserting ‘‘be established at a rate that would cover the cost of collection of the commercial use fee, but not to exceed $40 per trip’’.

SEC. 5. TERMINATION OF NATIONAL PARK SYSTEM ADVISORY BOARD.


The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to re-read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PUBLIC LANDS CORPS HEALTHY FORESTS RESTORATION ACT OF 2005

Mr. POMBO. Mr. Speaker, I ask unanimous consent to take from the Speaker’s table the Senate bill (S. 1238) to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

Mr. KUCINICH. Mr. Speaker, I reserve the right to object.

I have a question for the gentleman. Does the gentleman deal with harvesting of trees of old growth forests in national parks?

Mr. POMBO. No, it does not.

Mr. KUCINICH. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1238

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 ‘‘Public Lands Corps Healthy Forests Restoration Act of 2005’’.

SECTION 2. AMENDMENTS TO THE PUBLIC LANDS CORPS ACT OF 1993.

(a) DEFINITIONS.—Section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1723(c)) is amended—

(1) by redesignating paragraphs (8), (9), (10), and (11) as paragraphs (9), (10), (11), and (12), respectively; and

(2) by inserting after paragraph (7) the following:

(B) PRIORITY PROJECT.—The term ‘‘priority project’’ means an appropriate conservation project conducted on eligible service lands to further 1 or more of the purposes of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6301 et seq.), as follows:

(A) To reduce wildfire risk to a community, municipal water supply, or other at-risk federal land.

(B) To protect a watershed or address a threat to forest and rangeland health, including catastrophic wildfire.

(C) To address the impact of insect or disease infestations or other damaging agents on forest and rangeland health.

(D) To protect, restore, or enhance forest ecosystem components to—

(i) promote the recovery of threatened or endangered species;

(ii) improve biological diversity; or

(iii) enhance productivity and carbon sequestration.

and

(3) by inserting after paragraph (11) as redesignated by paragraph (1) the following:

(12) SECRETARY.—The term ‘‘Secretary’’ means—

(A) with respect to National Forest System land, the Secretary of Agriculture; and

(B) with respect to Indian lands, Hawaiian home lands, or land administered by the Department of the Interior, the Secretary of the Interior.

(b) QUALIFIED YOUTH OR CONSERVATION CORPS.—Section 204(c) of the Public Lands Corps Act of 1993 (16 U.S.C. 1723(c)) is amended—

(1) by striking ‘‘The Secretary of the Interior and the Secretary of Agriculture’’ and inserting the following:

‘‘(1) IN GENERAL.—The Secretary is’’; and

(2) by adding at the end the following:

‘‘(2) PREFERENCE.—

(A) IN GENERAL.—For purposes of entering into contracts and cooperative agreements under paragraph (1), the Secretary may give preference to qualified youth or conservation corps located in a specific area that have a substantial portion of members who are economically, physically, or educationally disadvantaged to carry out projects within the area.

(B) PRIORITY PROJECTS.—In carrying out projects in a specific area, the Secretary shall, to the maximum extent practicable, give preference to qualified youth or conservation corps located in that specific area that have a substantial portion of members who are economically, physically, or educationally disadvantaged.’’.

(c) CONSERVATION PROJECTS.—Section 206(b) of the Public Lands Corps Act of 1993 (16 U.S.C. 1723(d)) is amended—

(1) in the first sentence—

(A) by striking ‘‘The Secretary of the Interior’’;

and

(1) IN GENERAL.—The Secretary may’’; and
(b) by striking “such Secretary” and inserting “the Secretary”; (2) in the second sentence, by striking “appropriate conservation” and inserting the following: “(2) PROJECTS ON INDIAN LANDS.—Appropriate conservation and the Secretary may establish and use conservation centers owned and operated by the Secretary for— (A) use by the Public Lands Corps; and (B) the conduct of appropriate conservation projects under this title.”; and (3) by striking the third sentence and inserting the following: “(3) DISASTER PREVENTION OR RELIEF PROJECTS.—The Secretary may authorize appropriate conservation projects and other appropriate projects to be carried out on Federal, State, local, or private land as part of a disaster prevention or relief effort.” (d) CONSERVATION CENTERS AND PROGRAM SUPPORT.—Section 205 of the Public Lands Corps Act of 1993 (16 U.S.C. 1724) is amended— (1) by striking the heading and inserting the following: “SEC. 205. CONSERVATION CENTERS AND PROGRAM SUPPORT.”; (2) by striking subsection (a) and inserting the following: “(a) ESTABLISHMENT AND USE.— (1) The Secretary may establish and use conservation centers owned and operated by the Secretary for— (A) use by the Public Lands Corps; and (B) the conduct of appropriate conservation projects under this title.”; and (3) by adding the following paragraph: “(c) LIVING ALLOWANCES AND TERMS OF SERVICE.—Section 207 of the Public Lands Corps Act of 1993 (16 U.S.C. 1726) is amended— (1) by striking subsection (a) and inserting the following: “(a) LIVING ALLOWANCES.—The Secretary shall provide each participant in the Public Lands Corps and each resource assistant with a living allowance in an amount established by the Secretary.”; and (2) by striking subsection (c) and inserting the following: “(c) HIRING.—The Secretary may— (1) grant to a member of the Public Lands Corps credit for prior service with the Public Lands Corps, which may be used toward future Federal hiring; and (2) provide that former members of the Public Lands Corps, noncompetitive hiring status for a period of not more than 120 days after the date on which the member’s service with the Public Lands Corps is complete.” (f) FUNDING.—The Public Lands Corps Act of 1993 is amended— (1) in section 210 (16 U.S.C. 1729), by adding at the end the following: “(c) OTHER FUNDS.—Amounts appropriated pursuant to the authorization of appropriations under section 211 in addition to amounts allocated to the Public Lands Corps through other Federal programs or projects.”; and (2) by inserting after section 210 the following: “SEC. 211. AUTHORIZATION OF APPROPRIATIONS. (a) IN GENERAL.—There is authorized to be appropriated to carry out this title $12,000,000 for each fiscal year, of which $8,000,000 is authorized to carry out prior projects and $4,000,000 of which is authorized to carry out other appropriate conservation projects. (b) DISASTER RELIEF OR PREVENTION PROJECTS.—Notwithstanding subsection (a), any amounts made available under that subsection shall be available for disaster prevention or relief projects. (c) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law, amounts appropriated for any fiscal year to carry out this title shall remain available for obligation and expenditure until the end of the fiscal year following the fiscal year for which the amounts are appropriated.”. (g) CONFORMING AMENDMENTS.—The Public Lands Corps Act of 1993 is amended— (1) in section 204 (16 U.S.C. 1723)— (A) in subsection (a) (1) in the first sentence, by striking “Secretary of the Interior or the Secretary of Agriculture” and inserting “Secretary”; (ii) in the second sentence, by striking “Secretary and inserting “Secretary”; and (iii) in the fourth sentence, by striking “Secretary and inserting “Secretary” and (B) in subsection (b)— (i) in the first sentence, by striking “Secretary of the Interior” and the Secretary of Agriculture and inserting “Secretary”; (ii) in the second sentence, by striking “Secretary” and inserting “Secretary”; and (B) in subsection (c), by striking “Secretary of the Interior and the Secretary of Agriculture and inserting “Secretary”; (3) in section 206 (16 U.S.C. 1725)— (A) in subsection (a)— (i) in the first sentence— (I) by striking “Secretary of the Interior and the Secretary of Agriculture are each” and inserting “Secretary is”; and (II) by striking “such Secretary” and inserting “such Secretary”; and (ii) in the second sentence, by striking “Secretary and inserting “Secretary” and (iii) in the fourth sentence, by striking “Secretary” and inserting “Secretary”; and (B) in the first sentence of subsection (b), by striking “Secretary of the Interior or the Secretary of Agriculture and inserting “Secretary” and (C) in subsection (c)— (i) in subparagraph (G)— (I) in subclause (I), by striking “Secretary of the Interior and the Secretary of Agriculture are each” and inserting “Secretary is” and (II) in subparagraph (II), by striking “Secretary of the Interior and the Secretary of Agriculture are each” and inserting “Secretary is” and (ii) in subsection (d), by striking “Secretary or the Secretary of Agriculture and inserting “Secretary” and (B) in subsection (b), by striking “Secretary of the Interior and the Secretary of Agriculture and inserting “Secretary”. The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.
(1) in subsection (b)(3), by striking sub-
paragraph (A) and inserting the following:
“(A) the date that is 1 year after the date
on which the Secretary makes the certifi-
cation required under subsection (b)(3) of
the American Indian Probate Reform Act of 2004
(25 U.S.C. 2201 note; Public Law 108-374);”;
and
(ii) in paragraph (c), by striking “sec-
tion 207(b)(1)(A)” and inserting “subsection
(b)(1)(A)”;
(b) in paragraph (3)(B), by striking “sec-
tion 207(b)(3)(B)” and inserting “sub-
paragraph (A) or (D) of subdivision (a)(2)”;
and
(c) in paragraph (6)—
(i) in the matter preceding “Pro-
ceeds derived and held in an account as trust
property under subsection (b)(1).”,
(ii) by striking “subsection (a)(2)”, and
inserting “subsection (a)(1),”;
and
(iii) by striking “all that follows through
subsection (a).”;
and
(d) section 207(a)(2)(C) in paragraph (9)(C)
(ii) in clause (iii), by striking
“(A) in paragraph (2)
(i) by striking “specifically” after “per-
tains”;
and
(ii) by striking paragraph (B) and in-
serting the following:
“(B) the allotted land (or any interest re-
lated to such land) of 1 or more specific
Indian tribes expressly identified in Federal
law, including any of the Federal laws gov-
erning the probate or determination of heirs
associated with, or otherwise relating to, the
land, interest in land, or other interests or
assets that are owned by individuals in—
“(i) Five Civilized Tribes restricted fee sta-
tus; or
“(ii) Osage Tribe restricted fee status.”;
and
(B) by adding at the end the following:
“(3) EFFECT OF SUBSECTION.—Except to the
extent that this Act otherwise affects the ap-
plication of a Federal law described in para-
graph (2), nothing in this subsection limits
the application of this Act to trust or re-
stricted land, interests in such land, or any
other trust or restricted interests or as-
sets.”;
(3) in subsection (h) as redesignated by
paragraph (1)–
(A) in paragraph (6), by striking “(25 U.S.C.
2205)”;
and
(B) in paragraph (7), by inserting “in trust or
restricted land” after “testator”;
(4) in subsection (j) as redesignated by
paragraph (1)—
(A) in paragraph (2)—
(i) in clause (1), by striking “the date of
enactment of this subparagraph” and insert-
ing “the date that is 1 year after the date
on which the Secretary publishes a notice of
certification under section 8(a)(4) of the
Indian Land Consolidation Act (25 U.S.C.
2201 note; Public Law 108-374);”;
and
(ii) in clause (ii), by striking “the provi-
sions of section 207(a)(2)(A)” and insert-
ing “subsection (a)(2)(A)”;
(B) in paragraph (8)(D), by striking “the provi-
sions of section 207(a)(2)(D) (25 U.S.C.
2206(a)(2)(D))” and inserting “subsection
(a)(2)(D)”;
and
(C) in paragraph (9)—
(i) by striking “section 207(e) (25 U.S.C.
2206(e))” and inserting “subsection (e)”;
and
(ii) by striking “section 207(p) (25 U.S.C.
2206(p))” and inserting “subsection (e)”;
and
(5) in subsection (o) as redesignated by
paragraph (1)–
(A) in paragraph (2)—
(i) in the matter preceding subparagraph
(A), by striking “subsection (a)(2)(A) or
(D) and inserting “subparagraph (A) or
(D) of subsection (a)(2)”;
and
(ii) in subparagraph (A), by striking “sec-
tion 207(b)(1)(A)” and inserting “subsection
(b)(1)(A)”;
(b) in paragraph (3)(B), by striking “sec-
tion 207(b)(3)(B)” and inserting “sub-
paragraph (A) or (D) of subdivision (a)(2)”;
and
(c) in paragraph (6)—
(i) in the matter preceding “Pro-
ceeds derived and held in an account as trust
property under subsection (b)(1).”,
(ii) by striking the second sentence and in-
serting “not more than 1 co-
owner”;
and
(iii) by inserting “including noncompetitive grants,” after
“grants.”

SEC. 4. DESCENT AND DISTRIBUTION.
(a) IN GENERAL.—Section 207 of the Indian
Land Consolidation Act (25 U.S.C. 2206) is
amended—
(1) by redesignating subsections (b) through
(p) as subsections (g) through (o), re-
spectively;
(2) in subsection (g) (as redesignated by
paragraph (1))—
(A) in paragraph (1)(A), by striking “sec-
tion and all that follows through “the
Indian tribe” and inserting section
207(b)(1)(A)” and the Indian tribe”;
and
(B) in paragraph (2)(A)(i)(II)(bb), by insert-
ing in “writing” after “agrees”.

SEC. 5. FRACTIONAL INTEREST ACQUISITION
PROGRAM.
Section 213 of the Indian Land Consol-
dation Act (25 U.S.C. 2212) is amended—
(1) by striking the section heading and in-
serting the following:
“(SEC. 213. FRACTIONAL INTEREST
ACQUISITION PROGRAM.)”;
and
(2) in subsection (a)(1), by striking “(25
U.S.C. 2206(p)).”;

SEC. 6. ESTABLISHING FAIR MARKET VALUE
PROGRAM.
Section 215 of the Indian Land Consol-
dation Act (25 U.S.C. 2214) is amended by
striking the last sentence and insert-
ing the following:
“Such a system may govern the amount of
interest in land otherwise transferred to the
Indian tribe on the reservation of which the
land is located, or in the corporation of which
the shares are held or were derived (or a
successor of such a corporation), with the
approval of the Secret-
ary of the Interior.”

(2) DESCENT AND DISTRIBUTION.—Land and
shares transferred under paragraph (1) shall descend
or be devised to any member of the Indian tribe or
 corporation (or an heir of such a member) in accordance with the
Indian Land Consolidation Act (25 U.S.C. 2201 et seq.),
including a tribal probate code approved under
that Act (including regulations).

(3) VOLUNTARY EXCHANGES.—The Sec-
retary of the Interior may authorize a vol-
untary exchange of land or shares described in
subsection (a) so that the Secretary determines that the exchange is—
“(1) expedient;
“(2) beneficial for, or compatible with,
 achieving proper consolidation of Indian
land; and
“(3) for the benefit of cooperative organiza-
tions.”

SEC. 7. EFFECTIVE DATE.
The amendments made by this Act shall be effective as if included in the American In-
dian Probate Reform Act of 2004 (25 U.S.C.
2201 note; Public Law 108-374).

The Senate bill was ordered to be read a third time, was read the third
time, and passed, and a motion to re-
consider was laid on the table.

TRIBAL CLAIMS
Mr. POMBO. Mr. Speaker, I ask
unanimous consent to take from the
Speaker’s table the Senate bill (S. 1892)
to amend Public Law 107–153 to modify
a certain date, and ask for its imme-
diate consideration in the House.

The Clerk read the title of the Senate
bill.

The SPEAKER pro tempore. Is there
objection to the request of the gen-
tleman from California?

There was no objection.

The Clerk read the Senate bill, as fol-
ows:

S. 1892
Be it enacted by the Senate and House of Rep-
resentatives of the United States of America in
Congress assembled,

SECTION 1. SETTLEMENT OF TRIBAL CLAIMS.
Section 101(a) of Public Law 107–153 (25
U.S.C. 404 note; 116 Stat. 79) is amended by
striking “December 31, 1999” and inserting “December 31, 2000”.

The Senate bill was ordered to be read a third time, was read the third
time, and passed, and a motion to re-
consider was laid on the table.

ARABIA MOUNTAIN NATIONAL
HERITAGE AREA ACT
Mr. POMBO. Mr. Speaker, I ask
unanimous consent to take from further consideration of the bill
(H.R. 2099) to establish the Arabia Mountain National Heritage Area, and
Heritage Area established by section 3.

(b) ENCOURAGEMENT.—The State of Georgia shall give priority to implementing actions within the heritage area.

(c) MANAGEMENT ENTITY.—The Arabia Mountain National Heritage Area Alliance shall be the management entity for the heritage area.

SECTION 4. AUTHORITIES AND DUTIES OF THE MANAGEMENT ENTITY.

(a) AUTHORITIES.—For purposes of developing and implementing the management plan, the management entity may:

(1) make grants to, and enter into cooperative agreements with, the State, political subdivisions of the State, and private organizations;

(2) hire and compensate staff; and

(3) enter into contracts for goods and services.

(b) DUTIES.—

(1) MANAGEMENT PLAN.—

(A) IN GENERAL.—The management entity shall develop and submit to the Secretary a management plan.

(B) BOUNDARIES.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(2) PRIORITIES.—The management entity shall give priority to implementing actions described in the management plan, including the following:

(A) Assisting units of government and non-profit organizations in preserving resources within the heritage area.

(B) Encouraging local governments to adopt land use policies consistent with the management of the heritage area and the goals of the management plan.

(3) PUBLIC MEETINGS.—The management entity shall conduct public meetings at least quarterly on the implementation of the management plan.

(4) ANNUAL REPORT.—For any year in which Federal funds have been made available under this Act, the management entity shall submit to the Secretary an annual report that describes the following:

(A) The accomplishments of the management entity.

(B) The expenses and income of the management entity.

(C) AUDIT.—The management entity shall:

(1) make available to the Secretary for audit all records relating to the expenditure of Federal funds and any matching funds; and

(2) require, with respect to all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make available to the Secretary for audit all records concerning the expenditure of those funds.

(D) FUND USE.—

(1) IN GENERAL.—The management entity shall:

(a) make available to the Secretary for audit, after the date of the enactment of this Act, the management plan submitted under paragraph (b) and the management area that incorporates an integrated and cooperative approach to protect, interpret, and enhance the natural, cultural, historical, scenic, and recreational resources of the heritage area.

(b) BASIS.—The management plan shall be based on the preferred concept in the document entitled "Arabia Mountain National Heritage Area Feasibility Study", dated February 28, 2001.

(c) CONSIDERATION OF OTHER PLANS AND ACTIONS.—The management plan shall:

(1) take into consideration State and local plans; and

(2) involve residents, public agencies, and private organizations in the heritage area.

(d) REQUIREMENTS.—The management plan shall include the following:

(1) An inventory of the resources in the heritage area, including:

(A) a list of property in the heritage area that:

(i) relates to the purposes of the heritage area; and

(ii) should be preserved, restored, managed, or maintained because of the significance of the property; and

(B) an assessment of cultural landscapes within the heritage area.

(2) Provisions for the protection, interpretation, and enjoyment of the resources of the heritage area consistent with the purposes of this Act.

(3) An interpretation plan for the heritage area.

(4) A program for implementation of the management plan that includes:

(A) actions to be carried out by units of government, private organizations, and public-private partnerships to protect the resources of the heritage area; and

(B) the identification of existing and potential sources of funding for implementing the plan.

(5) A description and evaluation of the management entity, including the membership, organizational structure, and fiscal and operational structure of the management entity.

(e) SUBMISSION TO SECRETARY FOR APPROVAL.—

(1) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the management plan shall submit the management plan to the Secretary for approval.

(2) EFFECT OF FAILURE TO SUBMIT.—If a management plan is not submitted to the Secretary by the date specified in paragraph (1), the Secretary shall not provide any additional funding under this Act until such date as a management plan for the heritage area is submitted to the Secretary.

(f) APPROVAL AND DISAPPROVAL OF MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 90 days after receiving the management plan submitted under section (e), the Secretary, in consultation with the State, shall approve or disapprove the management plan.

(2) ACTION FOLLOWING DISAPPROVAL.—

(A) REVISION.—If the Secretary disapproves a management plan submitted under paragraph (1), the Secretary shall:

(i) advise the management entity in writing of the reasons for the disapproval; and

(ii) make recommendations for revisions to the management plan; and

(B) DISAPPROVAL OF MANAGEMENT PLAN.—The Secretary shall:

(i) make available to the Secretary for audit, under this Act to acquire real property or an interest in real property.
(B) DEADLINE FOR APPROVAL OF REVISION.—Not later than 90 days after the date on which a revision is submitted under subparagraph (A)(ii), the Secretary shall approve or disapprove the revision.

(g) REVISION OF MANAGEMENT PLAN.—

(1) IN GENERAL.—After approval by the Secretary of a management plan, the management plan shall be periodically—

(A) review the management plan; and

(B) submit to the Secretary, for review and approval by the Secretary, the recommendations for any revisions to the management plan that the management entity considers to be appropriate.

(2) EXPENDITURE OF FUNDS.—No funds made available under this Act shall be used to implement any revision proposed by the management entity under paragraph (1)(B) until the Secretary approves the revision.

SEC. 6. TECHNICAL AND FINANCIAL ASSISTANCE.

(a) IN GENERAL.—At the request of the management entity, the Secretary may provide technical and financial assistance to the heritage area to develop and implement the management plan.

(b) PRIORITY.—In providing assistance under subsection (a), the Secretary shall give priority to facilities that—

(1) conserve the significant natural, cultural, historical, scenic, and recreational resources that support the purposes of this Act; and

(2) afford the public educational, interpretive, and recreational opportunities that are consistent with the resources and associated values within the heritage area.

SEC. 7. EFFECT ON CERTAIN AUTHORITY.

(a) OCCUPATIONAL, SAFETY, CONSERVATION, AND ENVIRONMENTAL REGULATION.—Nothing in this Act—

(1) imposes an occupational, safety, conservation, or environmental regulation on the heritage area that is more stringent than the regulation applicable to the land described in section 3(b) for the establishment of the heritage area by section 3; or

(2) authorizes a Federal agency to promulgate an occupational, safety, conservation, or environmental regulation for the heritage area that is more stringent than the regulations that would be applicable to the land described in section 3(b) for the establishment of the heritage area by section 3;

(b) LAND USE REGULATION.—Nothing in this Act—

(1) modifies, enlarges, or diminishes any authority of the Federal Government or a State or local government to regulate any use of land as provided for by law (including regulations) in existence on the date of enactment of this Act; or

(2) grants powers of zoning or land use to the management entity.

SEC. 8. REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.

(a) NOTICE AND CONSENT OF PROPERTY OWNERS REQUIRED.—No privately owned property shall be preserved, conserved, or promoted by the management plan for the Heritage Area until the owner of that private property has been notified by writing the management entity and has given written consent for such preservation, conservation, or promotion to the management entity.

(b) LANDOWNER WITHDRAW.—Any owner of private property included within the boundary of the Heritage Area shall have the right to withdraw that property immediately removed from the boundary by submitting a written request to the management entity.

(c) ACCESS TO PRIVATE PROPERTY.—Nothing in this Act shall be construed to—

(1) require any private property owner to allow public access (including Federal, State, or local government access) to such private property; or

(2) modify any provision of Federal, State, or local law with regard to public access to or use of private property.

(d) LIABILITY.—Designation of the Heritage Area shall not be considered to create any liability, or to have any effect on any liability under any other law, of any private property owner with respect to any persons injured on such property.

(e) RECOGNITION OF AUTHORITY TO CONTROL LAND USE.—Nothing in this Act shall be construed to modify the authority of Federal, State, or local governments to regulate land use.

(f) PARTICIPATION OF PRIVATE PROPERTY OWNERS IN HERITAGE AREA.—Nothing in this Act shall be construed to require the owner of any private property located within the boundaries of the Heritage Area to participate in or be associated with the Heritage Area.

(g) EFFECT OF ESTABLISHMENT.—The boundaries designated for the Heritage Area represent the area within which Federal funds appropriated for the purpose of this Act may be expended. The establishment of the Heritage Area and its boundaries shall not be construed to modify or authorize any State or local authority on land use within the Heritage Area or its viewed jurisdiction by the Secretary, the National Park Service, or the management entity.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act $100,000,000, to remain available until expended, of which not more than $1,000,000 may be used in any fiscal year.

(b) FEDERAL SHARE.—The Federal share of the cost of any project or activity carried out using funds made available under this Act shall not exceed 50 percent.

SEC. 11. TERMINATION OF AUTHORITY.

(a) IN GENERAL.—This title may be cited as the "Arabia Mountain National Heritage Area Act".

(b) FUNDING AND PURPOSES.—This Act shall be implemented within the National Park Service, the Department of the Interior, and the Department of Agriculture.

(c) TECHNICAL AND FINANCIAL ASSISTANCE.—In providing assistance under subsection (a), the Secretary shall give priority to facilities that—

(1) conserve the significant natural, cultural, historical, scenic, and recreational resources that support the purposes of this Act;

(2) afford the public educational, interpretive, and recreational opportunities that are consistent with the resources and associated values within the heritage area;

(3) represent distinctive aspects of the heritage area; and

(4) serve, a 535-acre park in DeKalb County, Georgia.

SEC. 12. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) The Arabia Mountain area contains a variety of natural, cultural, historical, scenic, and recreational resources that together represent distinctive aspects of the heritage of the United States that are worthy of recognition, conservation, interpretation, and use.

(2) The best methods for managing the resources of the Arabia Mountain area would be through partnerships between public and private entities to develop diverse resources and active communities.

(b) LOCAL COORDINATING ENTITY.—The local coordinating entity for the Arabia Mountain area shall be the local coordinating entity for the heritage area.

(c) AUTHORIZED—For purposes of developing and implementing the management plan, the local coordinating entity may—

(1) enter into cooperative agreements with the State, political subdivisions of the State, and private organizations.

(2) hire and compensate staff; and

(3) enter into contracts for goods and services.
(b) Duties.—

(1) Management Plan.—

(A) In General.—The local coordinating entity shall develop and submit to the Secretary a management plan.

(B) Considerations.—In developing and implementing the management plan, the local coordinating entity shall consider the interests of local units of government, businesses, and nonprofit groups within the heritage area.

(2) Priorities.—The local coordinating entity shall give priority to implementing actions described in the management plan, including the following:

(A) Assisting units of government and nonprofit organizations within the heritage area.

(B) Encouraging local governments to adopt land use policies consistent with the management of the heritage area and the goals of the management plan.

(3) Public Meetings.—The local coordinating entity shall conduct public meetings at least quarterly on the implementation of the management plan.

(4) Annual Report.—For any year in which Federal funds have been made available under this Act, the local coordinating entity shall submit to the Secretary an annual report that describes the following:

(A) The accomplishments of the local coordinating entity.

(B) The expenses and income of the local coordinating entity.

(C) Use of Federal Funds.—(1) In General.—The local coordinating entity shall not use Federal funds made available under this Act to acquire real property or an interest in real property.

(2) Exception.—Nothing in this title precludes the local coordinating entity from using Federal funds made available under other titles or programs for any purpose for which the funds are authorized to be used.

SEC. 106. MANAGEMENT PLAN.

(a) In General.—The local coordinating entity shall develop a management plan for the heritage area that incorporates an integrated and cooperative approach to protect, interpret, and enhance the natural, cultural, historical, scenic, and recreational resources of the heritage area.

(b) Basis.—The management plan shall be based on the preferred concept in the document entitled "Arabia Mountain National Heritage Area Feasibility Study", dated February 28, 2001.

(c) Consideration of Other Plans and Actions.—The management plan shall:

(1) Take into consideration State and local plans and

(2) Involve residents, public agencies, and private organizations in the heritage area.

(3) Requirements.—The management plan shall include the following:

(A) An inventory of the resources in the heritage area, including—

(i) A list of property in the heritage area that—

(ii) relates to the purposes of the heritage area; and

(iii) should be preserved, restored, managed, or maintained because of the significance of the property; and

(B) An assessment of cultural landscapes within the heritage area.

(2) Provisions for the protection, interpretation, and enjoyment of the resources of the heritage area consistent with the purposes of this title.

(3) An interpretation plan for the heritage area.

(4) A program for implementation of the management plan that includes—

(A) Actions to be carried out by units of government, private organizations, and public-private partnerships to protect the resources of the heritage area; and

(B) The identification of existing and potential sources of funding for implementing the plan.

(5) A description and evaluation of the local coordinating entity, including the membership and organizational structure of the local coordinating entity.

(e) Submission to Secretary for Approval.—

(1) In General.—Not later than 3 years after the date on which funds are made available to carry out this title, the local coordinating entity shall submit the management plan to the Secretary.

(2) Effect of Failure to Submit.—If a management plan is not submitted to the Secretary by the date specified in paragraph (1), the Secretary may provide any additional funding under this title until such date as a management plan for the heritage area is submitted to the Secretary.

(f) Approval and Disapproval of Management Plan.—

(1) In General.—Not later than 90 days after receiving the management plan submitted under subsection (e), the Secretary, in consultation with the State, shall approve or disapprove the management plan.

(2) Action Following Disapproval.—(A) Revisions.—If the Secretary disapproves a management plan submitted under paragraph (1), the Secretary shall—

(i) advise the local coordinating entity in writing of the reasons for the disapproval;

(ii) make recommendations for revisions to the management plan; and

(iii) allow the local coordinating entity to submit to the Secretary revisions to the management plan.

(B) Deadline for Approval of Revision.—Not later than 90 days after the date on which the Secretary receives the revision, the Secretary shall—

(i) approve the revision;

(ii) disapprove the revision;

(iii) make a determination that the revision is not necessary; or

(iv) make a determination that the revision is necessary.

(g) Revisions of Management Plan.—

(1) In General.—After approval by the Secretary of a management plan, the local coordinating entity shall periodically—

(A) review the management plan; and

(B) submit to the Secretary, for review and approval by the Secretary, the recommendations of the local coordinating entity for any revisions to the management plan that the local coordinating entity considers to be appropriate.

(2) Expenditure of Funds.—No funds made available under this Act shall be used to implement any revision proposed by the local coordinating entity under paragraph (1) until the Secretary approves the revision.

SEC. 107. TECHNICAL AND FINANCIAL ASSISTANCE.

(a) In General.—At the request of the local coordinating entity, the Secretary may provide technical assistance and rec

(b) Priority with respect to actions that facilitate—

(1) the conservation of the significant natural, cultural, scenic, and recreational resources that support the purposes of the heritage area; and

(2) the provision of educational, interpretive, and recreational opportunities that are consistent with the resources and associated values of the heritage area.

SEC. 108. EFFECT ON CERTAIN AUTHORITY.

(a) Occupational, Safety, Conservation, and Environmental Regulation.—Nothing in this title—

(1) modifies an occupational, safety, conservation, or environmental regulation on the heritage area that is more stringent than the regulations that would be applicable to the heritage area under any other Federal, State, or local law with regard to public access to and use of the heritage area; or

(2) authorizes a Federal agency to promulgate an occupational, safety, conservation, or environmental regulation for the heritage area that is more stringent than the regulations applicable to the land described in section 4(b) as of the date of enactment of this Act, solely as a result of the establishment of the heritage area by section 4(a).

(b) Land Use Regulation.—Nothing in this title—

(1) modifies, enlarges, or diminishes any authority of the Federal Government or a State or local government to regulate any aspect of land use or other private property (including regulations) in existence on the date of enactment of this Act; or

(2) authorizes a Federal agency to promulgate a regulation that would be inconsistent with the land use planning or land use control of the local coordinating entity.

SEC. 109. AUTHORIZATION OF APPROPRIATIONS.

(a) In General.—There is authorized to be appropriated for—

(1) grants to carry out this title $50,000,000 to remain available until expended, of which not more than $1,000,000 may be authorized to be appropriated for any fiscal year;

(b) Federal Share.—The Federal share of the cost of any project or activity carried out using funds made available under this title shall not exceed 80%.

SEC. 110. TERMINATION OF AUTHORITY.

The authority of the Secretary to provide assistance under this title terminates on the date that is 15 years after the date of enactment of this title.

SEC. 111. REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.

(a) Notification and Consent of Property Owners Required.—No privately owned property shall be preserved, conserved, or promoted as a part of the management plan for the Heritage Area until the owner of that private property has been notified in writing by the management entity and has given written consent for conservation, or promotion to the management entity.

(b) Landowner Withdrawal.—Any owner of private property included within the boundary of the Heritage Area shall have their property immediately removed from the boundary by submitting a written request to the management entity.

SEC. 112. PRIVATE PROPERTY PROTECTION.

(a) Access to Private Property.—Nothing in this title shall be construed to require any private property owner to allow public access (including Federal, State, or local government access) to such private property; or

(b) Liability.—Nothing in this title shall be construed to modify the authority of Federal, State, or local governments to regulate land use.
(d) Participation of Private Property Owners in Heritage Area.—Nothing in this title shall be construed to require the owner of any private property located within the boundaries of the Heritage Area and its boundaries shall not be construed to provide any nonexisting regulatory authority on land use within the Heritage Area or its viewed by the Secretary, the National Park Service, or the management entity.

TITLE II—ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR ACT AMENDMENT

SEC. 201. SHORT TITLE.

This title may be cited as the “Illinois and Michigan Canal National Heritage Corridor Act Amendments of 2005”.

SEC. 202. TRANSITION AND PROVISIONS FOR NEW LOCAL COORDINATING ENTITY.

The Illinois and Michigan Canal National Heritage Corridor was designated in 1984 (Public Law 98–396; 16 U.S.C. 461 note) and amended as follows:

(1) In section 103—

(A) in paragraph (8), by striking “and”; and

(B) by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(10) The term ‘Association’ means the Canal Corridor Association (an organization described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code).”.

(2) At the end of section 112 the following new paragraph:

“(7) The Secretary shall enter into a memorandum of understanding with the Association to ensure appropriate transition of the local coordinating entity to the Association and coordination with the Association regarding that role.”.

(D) By adding at the end the following new sections:

“SEC. 119. ASSOCIATION AS LOCAL COORDINATING ENTITY.

Upon the termination of the Commission, the local coordinating entity for the corridor shall be the Association.

SEC. 120. DUTIES AND AUTHORITIES OF ASSOCIATION.

For purposes of preparing and implementing the management plan developed under section 121, the Association may use Federal funds made available under this title—

(1) to make loans and grants to, and enter into contractual agreements with, States and their political subdivisions, private organizations, or any person;

(2) to hire, train, and compensate staff; and

(3) to enter into contracts for goods and services.

SEC. 121. DUTIES OF THE ASSOCIATION.

The Association shall—

(1) develop and submit to the Secretary for approval under section 123 a proposed management plan for the corridor not later than 2 years after Federal funds are made available for this purpose;

(2) give priority to implementing actions set forth in the management plan, including taking steps to assist units of local government, the Association, and its political subdivisions, private organizations, and other organizations—

(A) in preserving the corridor;

(B) in establishing and maintaining interpretive and educational resources in the corridor;

(3) develop a realistic schedule for completing the tasks; and

(4) in increasing public awareness of and appreciation for the natural, historical, and architectural resources and sites in the corridor; and

(5) conduct public meetings at least quarterly regarding the implementation of the management plan;

(6) submit substantial changes (including any increase of more than 20 percent in the cost estimates for implementation) to the management plan to the Secretary; and

(7) for any year in which Federal funds have been received under this title—

(A) submit an annual report to the Secretary setting forth the Association’s accomplishments, expenses and income, and the identity of each entity to which any loans and grants were made during the year for which the report is made;

(B) make a full audit of the receipts and expenditures of Federal funds; and

(C) require, for all agreements authorizing expenditures of Federal funds by other organizations, that the receiving organizations make available for audit all records pertaining to the expenditure of such funds and any matching funds; and

(8) conduct public meetings at least quarterly regarding the implementation of the proposed management plan.

SEC. 122. USE OF FEDERAL FUNDS.

(A) IN GENERAL.—The Association shall not use Federal funds received under this title to acquire real property or an interest in real property.

(B) OTHER SOURCES.—Nothing in this title precludes the Association from using Federal funds from other sources for authorized purposes.

SEC. 123. MANAGEMENT PLAN.

(A) PREPARATION OF MANAGEMENT PLAN.—

Not later than 2 years after the date that Federal funds are made available for this purpose, the Association shall submit to the Secretary for approval a proposed management plan that shall—

(1) take into consideration State and local plans and involve residents, local governments and public agencies, and private organizations in the corridor;

(2) present comprehensive recommendations for the corridor’s conservation, funding, management, and development;

(3) include actions proposed to be taken by Federal, State, local, non-governmental and private organizations to protect the resources of the corridor;

(4) specify the existing and potential sources of funding to protect, manage, and develop the corridor; and

(5) include—

(A) identification of the geographic boundaries of the corridor;

(B) a brief description and map of the corridor’s overall concept or vision that show key sites, visitor facilities and attractions, and physical linkages;

(C) identification of overall goals and the strategies and tasks intended to reach them, and a realistic schedule for completing the tasks;

(D) a listing of the key resources and themes of the corridor;

(E) identification of parties proposed to be responsible for carrying out the tasks; and

(F) a financial plan and other information on costs and sources of funds;

(G) a description of the public participation process for developing the plan and a proposal for public participation in the implementation of the management plan;

(H) a mechanism and schedule for updating the plan based on actual progress;

(I) a bibliography of documents used to develop the management plan; and

(J) a discussion of the management plan’s impacts and relevant issues relating to the management plan.

(B) DISQUALIFICATION FROM FUNDING.—If a proposed management plan is not submitted to and approved by the Secretary within the date that Federal funds are made available for this purpose, the Association shall be ineligible to receive funds under this title until the Secretary receives a proposed management plan from the Association.

(C) APPROVAL OF MANAGEMENT PLAN.—The Secretary shall approve or disapprove a proposed management plan submitted under this title not later than 180 days after receiving the proposed management plan. If action is not taken by the Secretary within the time period specified in the preceding sentence, the management plan shall be deemed approved. The Secretary shall consult with the local entities representing the diverse interests of the corridor including governmental agencies, educational institutions, universities, and private property owners prior to approving or disapproving the management plan. The Association shall conduct semi-annual public meetings, workshops, and hearings to make the public aware of the plan and to provide public comments and feedback to the Association. The Secretary shall seek consensus from the local entities representing the diverse interests of the corridor including governmental agencies, educational institutions, universities, and private property owners prior to approving or disapproving the management plan.

(D) ACTION FOLLOWING DISAPPROVAL.—If the Secretary disapproves a proposed management plan within the time period specified in subsection (c), the Secretary shall advise the Association in writing of the reasons for the disapproval and shall make recommendations for revisions to the proposed management plan.

(E) APPROVAL OF AMENDMENTS.—The Secretary shall review and approve all substantial amendments (including any increase of more than 20 percent in the cost estimates for implementation) to the management plan. Funds made available under this title may not be expended to implement any changes made by a substantial amendment until the Secretary approves that substantial amendment.

SEC. 124. TECHNICAL AND FINANCIAL ASSISTANCE TO OTHER FEDERAL AGENCIES.

(A) TECHNICAL AND FINANCIAL ASSISTANCE.—Upon the request of the Association, the Secretary may provide technical assistance, on a reimbursable or nonreimbursable basis, and financial assistance to the Association to develop and implement the management plan. The Secretary is authorized to enter into cooperative agreements with the Association and other public or private entities to develop the management plan. The Secretary shall give priority to actions that in general assist in—

(1) conserving the significant natural, historical, cultural, and scenic resources of the corridor; and

(2) providing educational, interpretive, and recreational opportunities consistent with the purposes of the corridor.

(B) DUTIES OF OTHER FEDERAL AGENCIES.—Any Federal agency conducting or supporting activities directly affecting the corridor shall—

(1) consult with the Secretary and the Association with respect to such activities; and

(2) cooperate with the Association in carrying out their duties under this title;
“(3) to the maximum extent practicable, coordinate such activities with the carrying out of such duties; and
“(4) to the maximum extent practicable, consult with or encourage such activities in a manner which the Association determines is not likely to have an adverse effect on the corridor.

SEC. 125. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—To carry out this title there is authorized to be appropriated $10,000,000, except that not more than $1,000,000 may be appropriated to carry out this title for any fiscal year.

“(b) 50 PERCENT MATCH.—The Federal share of such activities carried out using any assistance or grant under this title shall not exceed 50 percent of that cost.

SEC. 126. SUNSET.

The authority of the Secretary to provide assistance under this title terminates on the date that is 15 years after the date of enactment of this section.

SEC. 202. PRIVATE PROPERTY PROTECTION.

The Illinois and Michigan Canal National Heritage Corridor Act of 1984 is further amended by adding after section 126 (as added by section 402) the following new sections:

SEC. 127. REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.

“(a) NOTIFICATION AND CONSENT OF PROPERTY OWNERS REQUIRED.—No privately owned property shall be preserved, conserved, or promoted by the management plan for the corridor until the owner of that private property has been notified in writing by the Association and has given written consent for such preservation, conservation, or promotion to the Association.

“(b) LANDOWNER WITHDRAWAL.—Any owner of private property included within the boundaries of the corridor shall have their property immediately removed from the boundary of the corridor by submitting a written request to the Association.

SEC. 128. PRIVATE PROPERTY PROTECTION.

“(a) ACCESS TO PRIVATE PROPERTY.—Nothing in this title shall be construed to:

“(1) require any private property owner to allow public access (including Federal, State, or local government access) to such private property; or

“(2) modify a provision of Federal, State, or local law with regard to public access to or use of private property.

“(b) LIABILITY.—Designation of the corridor or any corridor activity to create a dangerous or hazardous condition or to have any effect on any liability under any other law, of any private property owner with respect to any persons injured on such private property.

“(c) RECOGNITION OF AUTHORITY TO CONTROL LAND USE.—Nothing in this title shall be construed to modify the authority of Federal, State, or local governments to regulate land use.

“(d) PARTICIPATION OF PRIVATE PROPERTY OWNERS.—Nothing in this title shall be construed to require the owner of any private property located within the boundaries of the corridor to participate in or be associated with the corridor.

“(e) EFFECT OF ESTABLISHMENT.—The boundaries designated for the corridor represent the area within which Federal funds appropriated for the purpose of this title may be expended. The establishment of the corridor and its boundaries shall not be construed to provide any nonexisting regulatory authority or power within the corridor or its viewshed by the Secretary, the National Park Service, or the Association.

SEC. 203. TECHNICAL AMENDMENTS.

Sections 10, 16 of Illinois and Michigan Canal National Heritage Corridor Act of 1984 are amended—

(1) by striking subsection (b); and

(2) in subsection (a)—

(A) by striking “(a)” and all that follows through “For each” and inserting “(a) For each”;

(B) by striking “Commission” and inserting “Association”; and

(C) by striking “Commission’s” and inserting “Association’s”;

(d) by redesigning paragraph 2 as subsection (b); and

(E) by redesigning subparagraphs (A) and (B) paragraphs (1) and (2), respectively.

Mr. POMBO (during the reading). Mr. Speaker, I ask unanimous consent that the SPEAKER pro tempore, Mr. Speaker, I reserve the right to object.

What is the amendment about? Can you read it?

The SPEAKER pro tempore. Does the gentleman object to dispensing with the reading?

Mr. KUCINICH. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. The amendment is considered as read.

There was no objection.

Mr. WELLER. Mr. Speaker, I rise today to express my support for H.R. 2099. Among its provisions, H.R. 2099 reauthorizes the Illinois and Michigan Canal National Heritage Corridor to receive appropriations and transfers management entity status from the federal, I&M Commission to the non-profit Canal Corridor Association. I would like to commend Chairman Pombo and the House Committee on Resources for their hard work on this important piece of legislation.

The I&M Canal changed the nation in 1848 when it opened the first shipping route between New York and New Orleans, designating Chicago as the nation’s greatest inland port. While the canal eventually fell into disuse due to new transportation methods and routes, in 1982, business and industry leaders founded the Canal Corridor Association to help revitalize the I&M Canal region, and in doing so, created a national model for regional partnership, conservation and renewal. I am proud to say that the I&M Canal National Heritage Corridor was America’s charter National Heritage area, being created by an act of Congress in 1984. For 20 years, the federal I&M Commission has worked to carry out the mission of the I&M Canal National Heritage Corridor. Its efforts have been particularly successful during the past five years that Phyllis Ellin has provided strong leadership as the Executive Director of the Commission.

Since 1984, the I&M Canal National Heritage Corridor has increasingly become an engine of economic growth in communities along the I&M Canal, proving the cultural, environmental, historic and tourism resources that the canal offers.

Under the leadership of the CCA, through the governance of the I&M Canal, will continue to successfully educate citizens of the nationally historical importance of the I&M Canal and to play a pivotal role in the continued economic redevelopment of the region.

Once again, I would like to thank Chairman POMBO and the entire Resources committee for making sure this important legislation passes before we adjourn.

Ms. MCKINNEY. Mr. Speaker, I rise today to support a bill that is close to my heart as well as the hearts of many others in the 4th Congressional District of Georgia. That is, H.R. 2099, the Arabia Mountain National Heritage Area Act. It would establish Arabia Mountain as a National Heritage Area, a recognition that is long overdue.

Arabia Mountain, a hidden treasure in its own right, is a place where natural, cultural, historic and recreational resources are intricately woven together to form an interconnected, nationally unique landscape. A true Georgia treasure—and an American one, too. Arabia Mountain spans 4,000 acres and three counties.

Arabia Mountain is part of an area in eastern Metropolitan Atlanta that has been linked to human settlement and activity for thousands of years. This area is home to the mountain, but also lakes, rivers, quarries, marked trails, and farmland in the surrounding area.

The history of human settlement in this region is intimately connected to its geological resources, starting over 7,000 years ago with the quarrying and trading of soapstone. Not only is this home for deer, beavers, and other animals but a place where everyday people can find peace and get away from the hustle and bustle of urban sprawl and enjoy a piece of America’s true beauty.

Arabia Mountain is home plants that only can be found on the mountain. Arabia Mountain is truly a national heritage area.

Arabia Mountain is also a place where families can come together to take a hike, be a part of a class, and even enjoy a cookout. We are in the midst of a season that causes us to remember the most important things in our lives—family.

Mr. Speaker, is what Arabia Mountain is about. It is a place where you can watch the sunset with someone you love, photograph unique flora, discover Georgia’s lizards with your child, or blowout her candles at a birthday party. I invite my colleagues on both sides of the aisle to vote yes on H.R. 2099, the Arabia Mountain National Heritage Area Act. Arabia Mountain is, indeed, a genuine American beauty.

Finally, Mr. Speaker, I’d like to take this opportunity to thank Georgia Senators SAXBY CHAMBLISS and JOHNNY ISAKSON for their support of this bill; and my staff for preparing this
bill and helping it get to the Floor of the House today. I'd especially like to thank Congress-
man POMBO, Chairman of the House Re-
sources Committee and his staff and NICK RA-
hall, its Ranking Member, and his staff, for
their advice and counsel as this bill went through
the legislative process in the House.

The unanimous consent in the nature of a sub-
stitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to
reconsider was laid on the table.

JUNIOR DUCK STAMP REAUTHOR-
IZATION AMENDMENTS ACT OF 2006

Mr. POMBO. Mr. Speaker, I ask unanimous consent that the Com-
mittee on Resources be discharged from further consideration of the bill
(H.R. 3179) to reauthorize and amend the Junior Duck Stamp Conservation
and Design Program Act of 1994, and ask for its immediate consideration in
the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gen-
tleman from California?

Mr. OBEY. Reserving the right to ob-
ject, Mr. Speaker, for the last 8 hours, we have been dealing with a majority
leadership that has stripped out of the appropriations process and out of the
conference virtually every major under-
taking we have had on those bills. We have had the United States Senate
down our throats an ANWR provi-
sion. And then after we were assured in conference that there would be no lan-
guage with respect to drug company in-
demnification, 3 hours after the con-
ference report we get 45 pages of lan-
guage which Senator FRIST and the Speaker of the House demanded be in-
cluded in the conference report after the conference was specifically told it
would not be in there.

Now, I want to know how do we have assurances on any bill brought to this
floor under unanimous consent that that same kind of nonsense is not oc-
curring in these instances? I have a re-
ponsibility as the ranking member of the Appropriations Committee to try
to defend the integrity of this House, and I will use any opportunity I can to
point out how the majority leadership in this House is destroying the prin-
ciple that is supposed to be the greatest deliberative body in the world.

How long is the bill? Because, Mr.
Speaker, I am tempted to demand that
every single bill that comes up tonight be read in its entirety.

The SPEAKER pro tempore. The bill
is four pages.

Mr. OBEY. I would like to have the
bill read.

The SPEAKER pro tempore. Under this unanimous-consent procedure a bill is reported after the bill is read.

Mr. OBEY. Mr. Speaker, I will with-
draw that request because I did not in-
form the gentleman ahead of time, and he just happened to get in the line of
fire on something he should not have been involved in.

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

Mr. OBEY. Absolutely.

Mr. POMBO. The bills that we are doing are bills that have been before the committee for a long time. The particular bill you are
objecting to is a bill that the gen-
tleman from Texas (Mr. Ortiz) has been working on for years. It is some-
thing that matters to him. He was
sitting right behind you just a minute ago, and I am sure he would be happy
to explain it to you. We are not adding anything new into the bill of the gen-
tleman from Texas (Mr. Ortiz).

Mr. OBEY. I am not objecting to any bill, and I am not suggesting you did. What I am doing is using the only avenue available to me since we are oper-
ating under some very strange rules in this House to point out that even if these matters had been cleared on both sides of the aisle, there is really no way for the individual Member to protect himself if the leadership of this House
is going to depart from what ought to be the custom in this place of not dic-
tating what goes into conference re-
ports.

Mr. POMBO. If the gentleman will
yield, these bills have been worked out. They have been cleared by the gen-
tleman from West Virginia (Mr. RA-
hall) and myself. Most of these bills are on the Senate side of the aisle, and
they are bills that have been worked on for a number of years. There is nothing
in here that has changed. I understand your frustration. It happens every year when we get to the end of the session that stupid stuff happens.

Mr. OBEY. With all due respect, what
does not happen is that the leadership
does not abuse its power routinely to
alter the contents of conference re-
ports. So I know the gentleman didn’t
alter the contents of conference re-
tports.

Mr. NUSSLE submitted the following
conference report to accompany the bill
(H.R. 2863) making appropriations for the Department of Defense for the fiscal year ending
September 30, 2006, and for other pur-
poses, which was referred to the House Calendar and ordered to be printed.

The request is withdrawn.

REPORT ON RESOLUTION WAIVING
POINTS OF ORDER AGAINST CON-
FERENCE REPORT ON H.R. 2863,
DEPARTMENT OF DEFENSE AP-
PROPRIATIONS ACT, 2006

Mr. COLE of Oklahoma, from the Com-
mittee on Rules, submitted a privi-
ileged report (Rept. No. 199-361) on the
resolution (H. Res. 639) waiving points of order against the conference report
to accompany the bill (H.R. 2863) mak-
ing appropriations for the Department of Defense for the fiscal year ending
September 30, 2006, and for other pur-
poses, which was referred to the House Calendar and ordered to be printed.

CONFERENCE REPORT ON S. 1932,
DEFICIT REDUCTION ACT OF 2005

Mr. NUSSLE submitted the following
conference report and statement on the
Senate bill (S. 1932) to provide for rec-
ognition of the concurrent resolution on the
budget for fiscal year 2006 (H. Con. Res. 95):

WAIVING POINTS OF ORDER
AGAINST CONFERENCE REPORT
ON H.R. 2863, DEPARTMENT OF
DEFENSE APPROPRIATIONS ACT,
2006

Mr. COLE of Oklahoma, Mr. Speaker,
by direction of the Committee on Rules, I call up House Resolution 639 and ask for its immediate consider-
ation.

The Clerk read the resolution, as fol-
lowing:

[Conference report will be printed in
a future edition of the RECORD.]

H. Res. 639

Resolved. That upon adoption of this reso-
lution it shall be in order to consider the
conference report to accompany the bill
(H.R. 2863) making appropriations for the De-
partment of Defense for the fiscal year end-
ing September 30, 2006, and for other pur-
poses. All points of order against the con-
ference report and against its consideration

December 18, 2005
are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mr. BOOZMAN). The gentleman from Oklahoma (Mr. COLE) is recognized for 1 hour.

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

GENERAL LEAVE

Mr. COLE of Oklahoma. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include tabular and extra-neous material on H. Res. 639.

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

There was no objection.

Mr. COLE of Oklahoma. Mr. Speaker, today the Rules Committee met and reported the rule for consideration of House Resolution 639.

Mr. Speaker, the rule waives all points of order against the conference report and against its consideration and provides that the conference report shall be considered as read.

Mr. Speaker, I rise today to urge support of the rule for H. Res. 639 and the underlying bill.

Normally in these situations, Mr. Speaker, we focus on matters such as force levels, military capabilities, procurement, pay and benefits for our men and women in uniform, and budgetary concerns, and of course, in the course of this debate and debate on the underlying bill we will. Before we do, however, I think we ought to reflect on the nature, the mission and the morale of our current military forces.

The United States military is the most remarkable, capable and multi-faceted armed force in the history of the world, but it is much more than a proficient military force designed to protect our country. It contains our finest and our most dedicated citizens, it embodies and exhibits our best ideals and traditions, and it projects our values as well as our power around the world.

We should always remember that the men and women who wear the uniform of the United States are all volunteers. They represent every race, every ethnic group, every geographic region, every shade of political opinion in this country.

Their mission is not just to defend our country but to spread and defend freedom around the world. While they are feared by our enemies, they are respected by our friends and seen as a source of protection and assistance in times of need and disasters by people all over the world. Their recent performance in the tsunami and the Pakistani earthquake disasters are an indication of that.

Our men and women embody the best of who we are as a people. This was brought home to me when I visited the 101st Airborne in Mosul in October of 2003. I had the occasion to talk to a gentleman who was on the city council that dangerous and troubled city, and who was about to retire. Having our discussion I pointed out that his city was one of the most ethnically diverse in Iraq. It had Kurds, it had Sunnis, it had Shiites, it had Turkmen, it had other groups in that country.

I asked him the question which is still pertinent today, how can you get all these different groups to work together. He answered in a rather unusual way. He said first, you did it in your country and you have given us an extraordinary example of how it can be done; we see it in your military, again, every religion, every race, every ethnic group, both genders, cooperating for a common purpose. That is what I want for my people, what you demonstrate in your military.

This remarkable force is once again engaged in defending our country, confronting our enemies and extending freedom in Afghanistan and Iraq and other troubled spots around the world. This mission, as the President noted earlier this evening, is dangerous and difficult. Yet we are succeeding as we have seen in historically unprecedented elections in Afghanistan and Iraq.

And the morale in the forces, despite the challenges they face, is high. Reenlistment rates, as reported in the Washington Post today, are among the highest in our history, and those rates are often even higher among units involved in operations in Afghanistan and Iraq.

Mr. Speaker, our job here in this Congress is to make sure that this magnificent armed force of dedicated Americans has the equipment, the training and the resources to defend our country and accomplish their very many important missions.

I believe this bill accomplishes that important mission and keeps faith with the men and women in the uniform who have volunteered to defend our country.

There are many highlights in this bill. It appropriates $97 billion for military personnel and fully funds the pay raises that have been promised for next year. It adds $123.6 billion for operation and maintenance, $76.5 billion to procure, $72.1 billion for research development test and evaluations, and over $50 billion in emergency wartime appropriations.

Mr. Speaker, there is no doubt that this bill directs the expenditures of vast amounts of money. Frankly, I wish the bill were even more generous in that regard as I believe we need to expand the size of our forces in the years ahead.

However, it is important to note and for the American people to realize that our military is by any measure a bargain. It consumes only a fraction of our national wealth, and that fraction has declined dramatically over recent decades.

President Eisenhower and President Kennedy served our country with great distinction at the height of the Cold War. Military costs that percent of the national wealth and 50 percent of the Federal budget. Ronald Reagan began to rebuild the military in the 1980s, another critical juncture in the Cold War. It consumed only 6 percent of our national wealth and about a third of the Federal budget. And today, even in the difficult time of war, it consumes only 3.6 percent of the national wealth and about 18 percent of the Federal budget. This suggests our military, by historical standard, is more efficient and less burdensome than at any time than at least 1940.

Mr. Speaker, this Defense Appropriations Act also contains a number of items which, while not usually found in such legislation, are nevertheless important to our security and the welfare of our Nation.

These include the prohibitions that allow for the drilling of oil and natural gas in the Arctic National Wildlife Reserve, where there is an estimated 10.4 billion barrels of oil. This measure will generate billions of dollars of revenue for the Federal Government. It is critical to the energy security of America, and it is favored by bipartisan majorities in both Houses of Congress and by the President.

Another item in this bill is over $3.7 billion set aside to deal with the avian flu preparedness initiative. That is only half of what the President requests, but it is enough to get things moving and enough to give Congress the time to come back and more fully consider this appropriation in next year’s session.

There is also hurricane disaster relief for troubled and distressed Americans across the Gulf coast, all of which is reprogrammed and additional funds.

Finally, there are offsets in this bill, $23 billion plus, for FEMAC disaster relief fund reprogramming, $8.5 billion across-the-board cuts in discretionary spending except in Veterans Affairs, and over $1 billion in other rescissions.

Mr. Speaker, this is a good rule and a good bill, and it deserves the support of this House of Representatives. To that end, I urge the support of the rule and the underlying bill.

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

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

Ms. SLAUGHTER. Mr. Speaker asked and was given permission to revise and extend her remarks.

Ms. SLAUGHTER. Mr. Speaker, I want to do something I have never done before and that is talk about the process in the Rules Committee.

I listened to the gentleman from Wisconsin (Mr. OSEY), and I really am astonished at the deterioration of process in this House. I want it strictly on the
... record for this debate today that those of us in the Rules Committee, the four Democrats, all voted to expunge from this bill the matter of the 45 pages of liability added after the conference was over. I realize that we waive everything in Rules, but I did not think that all the work of the House back in Jefferson's Manual had just been waived.

We are very distressed about it. The process has been awful. We have been here for 2 days doing suspensions, for heaven's sake. What we are doing here, this is where I stand and I can guarantee every Member here that you are going to spend your whole time home in January and I understand we are working 6 days in February, so we are going to be around the district a lot, you are going to be explaining what was in this bill and why you did not know it and why you did not do something about it.

In doing so, I have to say that probably two of the the nicest people in the House of Representatives, Chairman Young and Chairman Lewis, I think have their names attached to this. I feel badly for them as well.

This bill determines how we as a Nation will spend our resources, at home and abroad, and in order to do the best to protect low Americans our shared values and our common interests. And in doing so, people around the world will rightly view this legislation as a testament to the values our Nation has chosen to embrace and promote, how we have chosen to defend ourselves at this critical moment in history.

Our international credibility and the moral weight of our words continues to be damaged by every new allegation of detainee mistreatment at the hands of our forces and our government. With every new revelation of secret detention facilities operating beyond public scrutiny, we take a perilous step toward that which we wish to defeat.

Closed domestic spying and wiretaps approved by this White House and carried out by our top law enforcement agencies, without congressional knowledge or judicial review, force citizens, here and abroad, to question this Nation's commitment to its own ideals. How determined are we to create an open world ruled by clear and established laws if we are abandoning them at home?

The creation of clandestine CIA facilities beyond the oversight of Congress and the world community, the troubling misuse of American power, undermining the goodwill born of the sincerest efforts of our fighting men and women, that is not the work of my America.

My America won two world wars and faced down fascism without resorting to torture. My America survived those troubling times without abandoning the civil and personal liberties which made us different and made our way of life sustainable for America. My America practices what it preaches.

I applaud the fact that Senator McCain's torture amendment has been added to this appropriations bill. Mr. McCain understands that torture is not just morally reprehensible. It also gives us bad intelligence, undermines our credibility and endangers our troops by providing their enemies with an excuse to mistreat them if they are captured. Most of my fellow Members in this House see the wisdom in Senator McCain's words.

At the same time, there have been reports suggesting that the Army Field Manual, enshrined by Mr. McCain, is being undermined by actions which threatens to undermine his efforts. If this is true, this Congress must vigilantly monitor what is added to the list of acceptable interrogation procedures given to our troops, and we must further guarantee that our Nation continues to exemplify the kind of society we hope to encourage.

Today, we fund continued operation of the defense community and all those who are part of it. We do so gladly because we believe, as we always have, that ours is the way of life that should not perish.

But to change the values of our society at the moment we are fighting to preserve them at home and champion them abroad is not just the height of irony. Mr. Speaker, it would be the height of tragedy.

We have many questions to answer about how the United States will define itself in the years ahead and how we will interact with the world. I hope that we will have the time and the wisdom to reflect on what kind of America we in Congress wish to create for future generations. I hope we take that question seriously in the second half of this session.

I have faith in this body just as I have faith in this Nation that we possess the wisdom to do what is right and the courage to right what is wrong if only we will use it. The very nature of our democracy depends on it.

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

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Mr. COLE of Oklahoma, Mr. Speaker, I yield myself such time as I may consume for a couple of quick remarks.

First, I share the gentlewoman's concern about allegations of torture and misbehavior of any kind, and I am pleased that this legislation contains compromise language worked out between the President and Senator McCain that I think will take care of any concerns.

We know that, frankly, any instances of misbehavior, whenever they have been identified, and I can say this from having sat in numerous hearings on the Armed Services Committee, have been dealt with swiftly and severely by the appropriate authorities on our side. We do not ever condone torture.

As for spying and those conversations, Mr. Speaker, think the Senate has been well within his power, particularly in the aftermath of 9/11, to keep up an appropriate level of surveillance on people who wish to do harm to the United States of America. This body has been informed about that. The ranking members and chairmen of the Intelligence committees have been kept apprised of this, according to what I have been told at least.

And finally, on process, we quite often get hung up on this. I hope we spend at least some time talking about the merits of this very important bill.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. CONAWAY).

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

Mr. CONAWAY. Mr. Speaker, I thank my good friend from Oklahoma for yielding me this time.

I serve on the Armed Services Committee, and I am proud of the underpinnings of the rule that is the way we provide for the defense of this country, with all of the equipment and gear and training and personnel that we have in place. But I want to speak specifically to a provision that is in the rule on the bill relating to the drilling in the Arctic National Wildlife Refuge.

I come from west Texas, where a good slug of the daily production in America comes from, the area that I represent; and we have been drilling there for a long, long time in a responsible manner.

America imports crude oil every day in the millions of barrels. To the extent that we can reduce that dependency on foreign crude to improve the national security of this country. We have drilled in ANWR three test wells; and with the best science we have and the best estimates that we have, we should be able to produce between 800,000 and a million barrels a day. Now, if you come from oil country, you know that until you drill it, you do not know if the production is going to be there. But let us say for the sake of argument that that production is going to be there. I believe the current drilling companies, drilling operators, and contractors can do that drilling in an environmentally sensitive and responsible manner.

To put the 2,000 acres we intend to drill on in perspective, if you take the full front page of the Wall Street Journal, every letter on that page, the drilling in ANWR is the equivalent of one letter on that page. Now, I am not trying to minimize the responsibility of the commitment to do this drilling in an environmentally sensitive manner, but we will do that in this regard.

Drilling in ANWR will improve our daily production of crude oil, it will reduce the amount of crude oil that we will have to buy, and that purchase of crude oil from foreign countries obviously aggravates the trade deficit.

So I speak in favor of the rule and the underlying legislation and encourage my colleagues to vote "yes" on the rule and this bill.
Mr. Speaker, the Republican leadership of this House has decided that this war-time Defense bill is the proper vehicle to resolve the debate on ANWR. Now, I know this is not the first time that substantive legislation has been added to an appropriations bill, but it is certainly one of the worst.

The problem is especially outrageous about the willingness of the majority party leadership to allow the Defense Department bill, in a time of war, to be held hostage to totally unrelated special interest items. The Defense bill should be about delivering equipment and support to our troops. Instead, it is being used to deliver a multimillion dollar bonanza to the oil companies.

That action represents a fundamental breach of the Separation of the integrity of the legislative process, in my view. This legislation allows one Senator to grease the skids to allow the passage of ANWR by sprinkling enough money around this bill in selected accounts to buy over the Senate to get the necessary passage. I think that ought not happen, but that is what is going to happen if we pass the rule.

I have another objection to what is happening here tonight. I have in my hand 45 pages of language which we were told in writing during the conference would not be included in the conference committee report. This is language which relates to indemnification of the pharmaceutical industry and the establishment of a compensation fund.

What happens under this language is that individuals have their right to sue in case they are made very ill or in case they somehow are engaging in something that is either unprecedented or unfair or untoward in some way. Frankly, this is a matter that has been discussed extensively and debated extensively by Members on both sides of the aisle on this. They have held hearings on it, but this is simply a case where the majority of Congress and the President are working their will and passing a very important piece of legislation.

As to the avian flu matter that my good friend discusses, I still would point out that wrongful action lawsuits are still permitted under this legislation. A fund has, as he points out, been established. It has not been filled up yet, but it is in being. And, finally, we are only appropriating roughly half of what the President requested. We will be back and review this issue again, and I suspect we will review not only funding mechanisms but liability protections as well.

So I do think this is the last time we are going to discuss it; but it is critical that we begin the process so that if, God forbid, something I know all of us on each side does not want to happen, but something should occur, this country is well down the road for preparation, and we can move quickly to meet the needs of our citizens.

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

Mr. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts (Mr. MARKEY).

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

Every Member of the House should understand that they are about to cast the most important environmental vote of the decade. The vote on the rule on the Defense appropriations bill is a vote to drill in the Arctic National Wildlife Refuge. This provision was not in the House bill. This amendment was not debated in the Senate. In violation of all House rules, this provision has been added to the Defense appropriations bill. A can’t-pass measure has been added to a must-pass measure in order for the Republicans to give an early huge Christmas gift to the oil companies of the United States.

It is not enough that the Republicans have already tipped American companies $100 billion worth of profits, now, here on the Defense appropriations bill, the Republicans, waiving all rules of the House, have taken on the number one environmental issue of the decade and they have slapped it onto the Defense appropriations bill.

The Republicans have said, or President Bush has said, the war in Iraq had nothing to do with oil. But here we are at 20 or 2 in the morning, with the Defense appropriations bill out here for the Republicans and what are they doing on the Defense appropriations bill? They are attaching an oil amendment to drill in the Arctic Wildlife Refuge. That is what the Republicans do not fight wars over oil, do not corrupt the way in which the rules of the House are conducted in order to advance the agenda of the oil industry is once and for all put to rest here where the Members cannot even vote straight up or down on whether or not they want to drill in the Arctic National Wildlife Refuge.

And let me make it clear to everyone who might have some pangs of conscience about what we are doing for drug companies in this bill, that was just added. We are doing stuff for the oil companies in this bill that was just added. We are doing stuff for drug companies in this bill that was just added. And if you think for a minute after we vote down this rule because it is the single worst anti-environmental bill in history that they are not going to have the bill right back out here in a nanosecond, then you are kidding yourself.

So that is not the cover. If you want to drill in the Arctic Wildlife Refuge, then do so. But the one thing that Members from having a straight up or down vote on the Arctic National Wildlife Refuge.

We reach this point at the end of the year where the House and the Senate majority, lead by the White House, is contorting the rules of both institutions in a way which will set precedence for a generation in order to accomplish a goal which should not in fact be considered on this Defense appropriations bill. So in order to preserve the integrity of the rules of the
Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

Let me quickly make a point that oil and gas drilling is something if you are from Oklahoma you know something about. And, frankly, in the history of my State, we have had over half a million wells drilled.

The technology today is unbelievably different. I sometimes think when I listen to my friends on the other side or friends from States that are not energy States, they sort of have the picture of the old movie “Boom Town” with Spencer Tracy and Clark Gable that all oil wells are wooden derricks about 6 feet apart. That is not what modern energy exploration is all about. Frankly, we do it again and again across this country.

As to the fact of this being an unusual method of passing ANWR, I would remind my friends on the other side that ANWR has passed this House repeatedly by large bipartisan majorities. As a matter of fact, I would talk to my good friends on the other side, 30-odd, who have consistently supported them and suggest that a vote against the rule is to vote against ANWR and is to take out your own vote and, frankly, cancel your own interest. So I hope you consider that if you happen to be someone who has previously been in favor of this measure.

Finally, I would like to point out that this legislation adds enormous amounts of new money in addition to LIHEAP to deal with the heating challenge that we undoubtedly will have this winter, and I think that is a wise measure.

Mr. Speaker. I yield 3 minutes to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman for yielding me this time, and I want to tell him that he is aging himself when he talks about Clark Gable and Spencer Tracy in that movie.

Let me start off by saying that I looked at this bill, and 95 percent of it I agree with; but there is one area I do not. I am probably going to vote for the rule, but I have a terrible problem with this Avian Flu Pandemic Compensation Fund, so-called. I think my colleagues need to know really what is in this language, this 40-some pages that were added very late in the day.

First of all, I do not believe anybody is going to collect any money at all. The fund does not have any money in it, number one. Number two, when you look at the language, it gives carte blanche authority to the vaccine companies, but it does not provide a mechanism for people to get compensation if they are damaged or injured.

Let me just read to you what it says. It says, “If injury was caused by the vaccine, ‘shall have the burden of proving by clear and convincing evidence willful misconduct by each covered person’,” i.e. the manufacturers, “sued and that such willful misconduct caused death or serious injury, a manufacturer is presumed not to have engaged in willful misconduct if they acted consistent with guidelines or recommendations by the Secretary of Health and Human Services regarding the administration” of the vaccine.

So, basically, the manufacturers are protected no matter what. No matter what. And then it goes on to say that the Secretary of Health and Human Services has to decide whether or not they engaged in willful misconduct, and that is a determination that he would have to make. And if he does not make that determination, there is no action whatsoever a damaged person could take.

Now, we had a similar problem with the smallpox vaccination problem in 2003, and first responders would not be vaccinated because there was not adequate provisions for compensation in the event they were damaged. They would not take action.

Now, what would happen if we had an avian flu pandemic and people found out there might be damage caused to them by the vaccination and there was no recourse for them whatsoever, which is the case, in my opinion? Would they take the vaccination knowing they might be damaged, or would they risk not getting the avian flu and maybe be a conductor of this epidemic and spread it all over the country?

I really believe this language should not have been put in this bill. I believe we should give liability protection to the pharmaceutical companies, but we should do it in conjunction with things that are going to protect the American public from vaccinations that hurt them. And this does not do that. It just does not do that. And I am very sorry that this was added to this legislation at the 11th hour. I think it is a tragic mistake and God help us. God help us if we have the kind of problems that could happen and be damaged by the thousands by this vaccination. It will not be checked out. We will not have time if we have an epidemic for it to be tested again and again. And you could have tens of thousands, the Vaccines of thousands of people die or hurt from the vaccination itself and they would have no recourse whatsoever.

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

Let me take just a second to say I agree with Mr. BURTON, and also it does not just include vaccine. It is some other medical devices as well that are indemnified.

Mr. Speaker, I yield for a unanimous consent request to the gentleman from California (Mr. GEORGE MILLER).

(Mr. GEORGE MILLER of California asked, was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California.

Mr. Speaker. I rise in strong opposition to this rule because of the inclusion of the drilling in the Arctic Wildlife Refuge.

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

Mr. MORAN of Virginia. Mr. Speaker; this is wrong. It is indefensible. And the only reason that it is being done is because the majority has the power to do it. There are a great many Members of the majority, I can see them right now, that know that the defense appropriations bill is not the vehicle with which we should be establishing profoundly important environmental policy. Whether or not to drill in the Arctic National Wildlife Refuge is an issue that has been divisive and contentious, that is bound to delay this bill and for nothing to do with this defense appropriations bill. It should not be here. And yet we are going to do it because the majority can get away with it at 2:00 a.m. in the morning.

We have been debating this for decades, whether or not to allow our national wildlife refuges to be opened for drilling. Good people of good intention on both sides can make their arguments, but they should be made in the authorizing committee, not at 2:00 a.m. in the morning, not slipped into an appropriations bill when we are sitting in conference at the last minute just because the chairman can do it. He figures he can force Members to have to choose between supporting the troops and protecting the environment. That is a false choice. I do not believe that the policy is right. To save a penny a gallon, we are going to establish this precedent, we are going to drill in what is really the Serengeti of the Arctic meaning that our future generations will not be able to enjoy this wilderness in the same way because we have jeopardized the ecology of this pristine wilderness.

Beyond the fact that the policy is wrong is that the process stinks. It is indefensible to be doing this at this time on this bill, forcing Members into this kind of a false choice. This policy of protecting our wildlife refuges has been upheld through four Republican Presidents, three Democratic Presidents. It should. It is a very important environmental priority. The process you are using to change this policy does not show respect for the integrity of this body. That is why this rule should be defeated. This provision should not be part of the defense appropriations bill. It does not belong here. We should not be debating it at 2:00 a.m. in the morning. And just because
people can do it, because they have the power to do it does not mean it is right, and it will come back to haunt us.

Mr. COLE of Oklahoma. Mr. Speaker, I yield 3½ minutes to the gentleman from California (Mr. POMBO), the distinguished chairman of the Resources Committee.

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

Mr. POMBO. Mr. Speaker, obviously ANWR is a controversial issue and it is something that this House has debated a number of times. This House has passed it a number of times. It is somewhat ironic that here, at 2 o’clock in the morning, as Mr. MORAN points out, that we are hearing that this deserves to be debated again. And I guess we will debate it again because we have debated it probably half a dozen times since I have been here, probably 20 or 30 times our creation of ANWR. We have talked about what we can do to harness those resources that exist there. The House has spoken a number of times. It has passed a number of times through the House in a strong bipartisan vote.

ANWR today represents the largest potential reserves of new energy resources in this country, and if you look at supply and demand right now we do not have enough oil, enough natural gas in the world to meet what the demand is and that is why the price keeps going up. And the oil companies do like that. They like the price to continue to go up. And we have Members coming down here tonight who have always voted against every new potential energy source. Everything that we have brought to the floor they are opposed to. They are opposed to ANWR. They are opposed to anything that creates new energy in this country. And yet they are still arguing about the high price of energy. It is a direct result of their votes. It is a direct result of the policies that they have pushed through for years. And I think it is kind of funny when I hear people talk about using parliamentary procedural rules to get this into this particular bill.

A majority in the House supports opening up ANWR to responsible energy development. A majority in the Senate supports opening it up, and yet they used procedural rules in the Senate to stop it from becoming part of the national bill not once, not twice, but three times. They have used procedural rules to stop it even though a majority supported it in both bodies of Congress and continue to support that today.

We need to do something about energy in this country. We need to produce more of our own energy. We continue to be dependent on foreign energy sources and we as a Congress need to stand up and begin to do that. We need to continue to develop new energy sources. There are a number of new technologies that have been developed, a number of new ways that we can conserve and get more out of the energy that we have. But we have to begin to produce more energy in this country and quit being dependent on Middle Eastern countries and other countries around the world for our energy. That is why we are in this mess right now. We want to oppose every new source of energy that anybody comes up with and say that you want to do something about it. I support the rule. Vote for the rule and vote for the underlying bill.

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

I recall the last time ANWR was debated that major oil companies said they had no interest in ANWR and it was purely speculative whether there is oil there or not.

Mr. Speaker, I yield to the gentleman from Ohio (Mr. KUCINICH) for a unanimous consent request.

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

Mr. KUCINICH. Mr. Speaker, I rise in opposition to this bill, principally because of the inclusion of the Arctic National Wildlife Refuge.

I oppose this bill for many reasons including:

1. Bad process—Witholding language so we can’t review the bill is anti-democratic. Adding provisions that would never pass if brought to a legitimate vote to a must pass bill is anti-democratic. Trying to use our desperation to go home to see our families to extort us into voting for a bad bill is anti-democratic. This abuse of power is a shameful display by a nation that claims to be a paragon of democratic virtue.

2. Improper Defense spending—The bill spends over $300 billion. Congress could spend tens of billions less and do a far better job protecting our nation.

The bill continues the misguided strategy of buying weapons that provide us no additional protection. Buying ever more expensive fighter jets, massive naval ships, and a missile defense system provides no additional protection for our nation. No other nation has fighter jets or naval ships that can compete with our Air Force or Navy. The claimed ballistic missile threat is grossly over-exaggerative. Yet, the Army is vastly over-used because of our war in Iraq. To re-establish the Army, we need to cut back of weapon spending. In response, recent press reports indicate the Pentagon wants to cut troop levels and resources for the troops to ensure we can continue spending on unnecessary weapons systems.

In effect, this funding bill forces our troops to fight wars against enemy with the wrong weapons. The F-22, naval ships, and missile defense cannot defeat insurgents fighting a different kind of war. We need a different kind of Army. One that is capable of dealing with the real threats we face. The Soviet Union is gone, and the insurgents of Iraq are not scared of a poorly functioning missile defense system.

3. Drilling in the Arctic National Wildlife Refuge—This bill violates the basic constitutional rights to liberty and pursuit of happiness of the Gw’ick’Native peoples. This bill will help America Achieve Independence. According to a March, 2004 U.S. Geological Survey—will lower U.S. oil imports by between one and two percent per year and even at peak production in 2025 the U.S. would still import 66% of its oil, up from 58% today.

The Arctic Refuge Has Less Than A Year’s Worth Of Oil. According to the most recent figures released by the Energy Information Administration, the United States used over 20.7 million barrels of oil each day in October of 2004. At this rate, over the course of a year the U.S. goes through over 7.5 billion barrels, accounting for more than a quarter of the world’s oil demand. However, since the Arctic Refuge contains only approximately 3.2 billion barrels of economically recoverable oil, it could only sustain the United States for less than a year.

Oil Would Not Reach Consumers For Ten Years. Even if the Arctic Refuge were opened for drilling immediately the oil would not be available for around ten years while the oil companies explored the area and built the infrastructure to transport the oil.

4. Liability exemption for vaccine manufacturers—Liability immunity for pandemic flu vaccines is included in the bill. This giveaway will not result in increased vaccine production, but it leaves consumers with no recourse if they are injured, and for the epidemic. We learned from the smallpox scenario only a few years ago that if the vaccine companies and Congress won’t back the safety of the vaccines, people will not accept them and the epidemic could be worse as a result. This is nothing more than another giveaway to Big Pharma at the expense of public health.

First, it is said that liability concerns are the reason that pharmaceutical manufacturers do not want to manufacture vaccines. An October study published in the Journal of the American Medical Association found otherwise. It found that other more glaring uncertainties, like the absence of a guaranteed market, are the problem. However, the pandemic flu plan appropriates billions of dollars specifically to create this guaranteed market. Chiron, a major pharmaceutical company and vaccine manufacturer, does not need more financial incentives—they have been working on an HSN1 vaccine since 1997. Liability immunity is simply not necessary.

Second, the language could hasten the epidemic. In order for a vaccine to be effective, it must be widely used. But liability immunity like this sends the message that it is expected that people will be injured or worse by the vaccine. If they are, they will have no recourse. Citizens and health workers may refuse the vaccine if neither the vaccine maker nor the government asking them to take it will stand behind its safety. In fact, the American Nurses Association recalled that, “...ultimately, fears about the side effects of the smallpox vaccine and the lack of a comprehensive compensation program discouraged RNs from participating in the program, which caused it to fall far short of its goal.” Fewer vaccine recipients means that the virus could spread faster.
Third, there is reason to doubt the safety of these vaccines. Chiron, the company responsible for the collapse of half of last year’s flu vaccine supply because it allowed contamination during the manufacturing process, is planning to use MF59 in an avian flu vaccine. MF59 is an adjuvant (a vaccine additive used to boost the effectiveness of antigens, which has been involved in mass shootings) that is highly controversial because a primary ingredient, squalene, is on the list of potential causes for the chronic debilitating illnesses experienced by the veterans of the first Persian Gulf War. The adjuvant is unlicensed for FDA despite having been a component of vaccines in several clinical trials over the last ten years. Despite these risks, liability exemption language is being forced into the Defense Appropriations bill with no public debate and no vetting in Congress. At a minimum, this decision should be made in the open before the public, not behind closed doors.

The liability immunity is unnecessary, quite possibly counterproductive, and is being passed undemocratically. It is nothing more than a thinly veiled, enormously profitable pharmaceutical industry.

5. Funding for Avian Flu preparedness. The bulk of the funding is likely to go to stockpiling vaccines and anti-virals like Tamiflu. But, despite months of promises from Roche, there have been no agreements to allow other companies to help quickly build the stockpile to meet our needs. By failing to issue a compulsory license for Tamiflu, we are gambling with public health and the proceeds are going to Roche. If a compulsory license was issued, Roche would still get their royalties. Allowing Roche to control the supply and price is yet another blatant giveaway to one of the most profitable industries in the world.

6. Gulf War Illness funding. Earlier this year, I won an amendment, along with Mr. Shays and Mr. Sanders, to reestablish funding for research into the chronic debilitating illnesses that veterans of the first Persian Gulf war are experiencing. The Veterans Administration has finally recently admitted that these illnesses are NOT due to psychological trauma. That means the specific list of causes is shorter than ever which gives companies a closer shot ever to finding treatment. Yet there is no new funding for this research. I hope the conferees have seen fit to stand behind the funding, along with the House and major veterans groups.

DANCING WITH GHOSTS
(By Dennis Kucinich, U.S. Congressman (D—Ohio))

Early in the morning, Monday, December 19, 2005, the United States House of Representatives voted on the Defense Authorization bill which will contain a provision to permit the drilling for oil in the Arctic National Wildlife Refuge (ANWR). I have taken three opportunities on the floor of the House early today to alert the American people of this backdoor approach to passing a very controversial bill which is desecration of the basic human rights of the Gwich’in people.

When will America get off the treadmill of sacrificing native rights to greed, territorial ambition, and profit? When will we see a day when we can honor the legacy of the Alaskan Natives who labored under the control of Colonel James Forsyth, directed artillery fire against Lakota men, women and children. One hundred and fifty Native Americans were killed in what became known as the Massacre at Wounded Knee in South Dakota.

U.S. Government troops were drawn to the land of the Lakotas to enforce a ban on Ghost Dance Religion, a native mysticism which taught non-violence and included chanting prayers and dancing one could achieve the ecstasy of harmony with the paradisefly of the natural world. The dance was forbidden out of fear that chanting of religious passions would turn to Indian violence against the US Government.

The history of the United States’ relationship with our native peoples has been a one-shame-ridden chapter after another of exploitation and contribution, massacres and apologies. Who in the future United States will apologize to the descendants of today’s Gwich’inn tribe, whose humble, natural way of life, religion, and culture are threatened with extinction? What are the future consequences in the Arctic National Wildlife Refuge? The Gwich’in tribe has lived on their ancestral lands for 20,000 years in harmony with the natural world.

The drilling of the coastal plain of the Arctic Refuge, called by the Gwich’in “the Sacred Place Where All Life Begins” will disrupt caribou calving grounds, leading to a long-term decline not only of the herd, but of the tribe which depends upon it for survival. This will not only violate Gwich’in internationally recognized human rights and make a mockery of our founding principles of belief in the inalienable right of each person to “life, liberty and pursuit of happiness.”

Members of Congress will come to the floor today and say we need to drill to protect our economy, to defend our country, to keep our way of life. I intend to point out the reciprocal nature of our moral decisions.

Christian teaching tells us to do unto others as we would have them do unto ourselves. We learn from other spiritual insights that what we do unto others we actually do to ourselves. We cannot in the consciousness of true American spirit return to a history of slavery, a history where people had no rights, or a history where native peoples are objectified and deprived of their humanity, their culture, their religion, their health, their lives.

We must make our stand now not only as to who the Gwich’in are, but, in a world where all are interdependent and interconnected, who we are, and what we will become based on our decisions today.

When we perpetrate acts of violence, such as drilling in ANWR, we are damaging our own humanity. It destroys the herd, it destroys the Gwich’in. It destroys us all. Another part of the true American will die. We must not only search for an alternative to invading the refuge, but an alternative way to live. We must escape this cycle of destruction. We must reconcile with nature. We must find a path to peace, with our native brothers and sisters and with ourselves.

One hundred and fifteen years ago, the Ghost Dancers were killed. Yet we still meet their ghosts, standing on the coastal plains of the Arctic National Wildlife Refuge.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Speaker, this bill provides sorely needed funds for our troops and their families who deserve the very best of equipment, research and development and support services. We should have passed this bill weeks, even months ago. The administration’s refusal to accept a ban on torture, along with the majority’s decision to use defense spending as a shield for passing controversial legislation, delayed passage of this important measure.

So here we are tonight, poised to push through a measure that would open up the pristine Arctic National Wildlife Refuge to oil drilling, a measure so contentious and wrongheaded they had to hide it behind our courageous troops to get it done. Here we are passing across the board cut on all discretionary spending programs. We are wielding the axe indiscriminately and unmercifully, hurting low income children in need of reading and math help, seniors who need help paying record heating bills this winter, local law enforcement officers who need equipment and training and our Nation’s own FBI counterterrorism efforts.

Here we are passing a landmark package to ready our Nation for a potential outbreak of avian flu. But we shortchange the President’s request, ignoring priority areas and local preparedness, leaving our hometowns woefully unprepared to contend with such a disaster. We ignore the fact that the best responses is prevention, dedicating only meager funds to international efforts to detect and fight avian influenza.

Furthermore, we fail to provide one cent to entice farmers in affected countries who are on the front lines of detection to report incidents of avian flu to the proper health authorities. The flu package included in this bill is ridiculous. We examine all our efforts, and the overly broad liability provisions and inadequate compensation programs are simply unacceptable, dangerous, wrong. Here we are ignoring the blatant need in one of the most wretched corners of the earth, Darfur, Sudan. While the administration and the Republican majority each try to earn their fiscal responsibility stripes by withholding needed funding from the African Union peacekeeping mission, the genocide continues. $50 million, minuscule percentage of the total included in the bill, could save innocent lives in Sudan.

Tonight’s shenanigans have demonstrated that this administration and this majority will ram through whatever legislation they want if given the opportunity. They are simply not committed to do what we can to bring peace and stability to Darfur. We should all be ashamed that this bill is silent on this matter of life and death.

Mr. Speaker, the American people deserve more from Congress than 11th
hour gamesmanship and stealth legislating. This dishonest process and incomplete product should disgust us and our constituents. We can do better.

Mr. COLE of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. Pence).

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

Mr. PENCE. Mr. Speaker, 2005 will be remembered as a year of good intentions, bad disasters, and promises kept. This spring, Congress adopted the toughest budget since the Reagan years, and the Appropriations Committee reported one bill after another, on time and on budget.

Then came the heartbreak that was Hurricane Katrina, 90,000 square miles of the gulf coast destroyed. Congress responded by speeding relief and recovery funds totaling $60 billion in 6 days to rebuild the families and communities destroyed by this storm.

A few months later, many in Washington thought that fiscal discipline was the last thing Congress should be thinking about, preferring raising taxes or raising the national debt to making tough choices, but not this majority.

Seeing that a catastrophe of nature could become a catastrophe of debt, dozens of House conservatives challenged the Congress to offset the cost of Hurricane Katrina with budget cuts. And I will always believe that their effort, which came to be known as Operation Offset, helped spark a national debate that propelled us to this moment tonight.

The American people wanted Washington to pay for Katrina with budget cuts, and Washington got the message.

In direct response to President George W. Bush’s call for offsets, Speaker Dennis Hastert unveiled a bold plan we considered tonight, to find budget cuts, and Washington got the message. As I always believe that their effort, which came to be known as Operation Offset, helped spark a national debate that propelled us to this moment tonight.

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In 1994, the American people said yes to a vision of fiscal discipline, limited government, and promised results. And they gave us the power to change the rules of our democracy.

But with a national debt of $8 trillion, nearly $25,000 for every man, woman, and child, the American people, completing the task of ensuring the continued prosperity of our Nation and our future generations, were ready for action.

The Hastert plan with the across the board cuts included in this bill and $1.6 billion in additional rescissions, the more than $40 billion in entitlement savings in the Deficit Reduction Act, helped spark a national debate that propelled us to this moment tonight.

Whatever you think of the Arctic drilling, and for those who think it is such a great thing I will just tell you, I went out to the Washington Mall. I went for a walk tonight. It is a beautiful night. Saw these beautiful monuments, I went for a walk tonight, and call foul and blow the whistle on this corruption of the Armed Services appropriation process on a bipartisan basis.

Mr. COLE of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, if absolute sincerity the Republican Revolution is taking time. But tonight, the task begins.

After the storm, many in Washington thought that fiscal discipline was the last thing Congress should be thinking about, preferring raising taxes or raising the national debt to making tough choices, but not this majority.

Seeing that a catastrophe of nature could become a catastrophe of debt, dozens of House conservatives challenged the Congress to offset the cost of Hurricane Katrina with budget cuts. And I will always believe that their effort, which came to be known as Operation Offset, helped spark a national debate that propelled us to this moment tonight.

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The Hastert plan with the across the board cuts included in this bill and $1.6 billion in additional rescissions, the more than $40 billion in entitlement savings in the Deficit Reduction Act, helped spark a national debate that propelled us to this moment tonight.

Mr. INSLEE of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE, Mr. Speaker, if absolute power corrupts absolutely, so does oil. And the continued lust, the continued rapacious grab for oil in one of our most pristine areas in this country has corrupted this body absolutely. We stand here in the middle of the night tagging on in this scheme, something that could not pass this body tonight in any other way other than through this subterfuge. And yes, those artificers who tried to run this scheme recognize the Members to vote against any defense bill because all of us, Republican and Democrat, stand for our troops. But I hope we take a little bit of inspiration from our troops. Mr. COLE and I went and visited Baghdad a few weeks ago, this area standing late night sentry duty, and it does get cold in the desert this time of year. Alone, away from the holidays, they are doing a little tough duty. And maybe we can have a few Democrats and Republicans do a little tough duty tonight and call foul and blow the whistle on this corruption of the Armed Services appropriation process on a bipartisan basis.

Mr. COLE of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the minority whip, to make a good point.

Mr. HOYER. Mr. Speaker, Lewis Carroll continues to write their material. Mr. PENCE, your Republican leadership has taken us $1.5 trillion into deficit over the last 60 months. That is the so-called revolution. Seventeen years you have controlled the presidency. You have taken us $1 trillion into debt. Bill Clinton was President of the United States for 8 years, $62.5 billion surplus. This time you cut $50 billion. But when we cut $250 billion not one of you had the guts to vote for it.

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

Mr. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I believe that there are certain expectations that are part of the defense budget. It is a matter of national security. It would have been better to be part of the energy. It should have been, but by maneuvering that did not happen. But it is a matter of national security that we can provide oil and gas.

Rinse through history. Why did the Germans fail in the Battle of the Bulge? Because they ran out of gasoline. And there in East Texas where I grew up, man, they were just pumping that oil and gas right out as fast they could to help the Nation survive.

Folks, it is a matter of national security. We need every part of the solution in order to conquer our energy needs. All the alternative energy needs to be part of the solution.

The majority has passed this time and again out of our subcommittee, out of our committee, and to the floor. This is the thing to do.

And just submit, in conclusion, for all those whose transportation is a bicycle that you yourself made, without the use of any plastic or metal, you have a right to complain. Everybody else is a hypocrite.

Mr. SLAUGHTER of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the minority whip, to make a good point.

Mr. HOYER. Mr. Speaker, Lewis Carroll continues to write their material. Mr. PENCE, your Republican leadership has taken us $1.5 trillion into deficit over the last 60 months. That is the so-called revolution. Seventeen years you have controlled the presidency. You have taken us $1 trillion into debt. Bill Clinton was President of the United States for 8 years, $62.5 billion surplus. This time you cut $50 billion. But when we cut $250 billion not one of you had the guts to vote for it.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).
pay. One school district in particular is spending $196,000 a day to a total of approximately $30 million. They have received reimbursement of $164,000. It is obvious that we will need to provide more funding in a very short order.

The levee money has not been put in, and we need more money for the levees. We have not put in enough money for the wetland restoration, which is crucial for the entire gulf coast region.

Many of our constituents will be, in essence without funds for housing in the first quarter of the new year. Many of the travel trailers are not placed because the electricity cannot be in place because the companies are bankrupt.

And so I hope that my colleagues will look at this as a serious responsibility that requires further study, further assessment and more money.

Might I also say that our troops need these dollars. And I would imagine that we want to give these dollars. And with that, we would have hoped that there would have been a free independent debate on the ANWR question so that we could move forward with this defense appropriation without the addition of ANWAR. This is an unnecessary and unfair misuse of this legislation and the environment.

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

Ms. SLAUGHTER. Mr. Speaker, I have no further requests for time. May I inquire how many requests my colleague has?

Mr. COLE of Oklahoma. I have no further requests. I am prepared to close.

Ms. SLAUGHTER. Let me take my remaining time then, to close.

Mr. Speaker, let me end as I began, deploring the process. This is the third legislature that I have served in. I am always proud to have been elected by people to represent them and their interests.

We cannot take care of their interests any more. Mr. Speaker. We can only stand here in the middle of the night, when obviously I am beginning to think that is the plot, because we know that nobody is going to be listening to this, not even those who love us most.

But a lot of harm is going to be done here. Not the least of it is the fact that the process was so flawed that even after the conference report was signed, 45 more pages were added to do harm. I deplore that. I look for better days for the Congress of the United States for it to get back to the rules, and that once again, Mr. Jefferson’s Manual, and not a Senate and House conference, will rule this House.

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

Mr. COLE of Oklahoma. Mr. Speaker, we have had a good debate here today. We have talked a lot about ANWR. And I want to point out, to my good friends again, this body has repeatedly passed ANWR. As a matter of fact, Mr. Speaker, I would like to submit for the

RECORD the last vote we had in this House on this issue, where 231 of our Members favored ANWR and only 200 opposed.

AMENDMENT NO. 3 OFFERED BY MR. MARKY

The Acting CHAIRMAN. The pending business is the demand for a record vote on the amendment offered by the gentleman from Massachusetts (Mr. MARKY), on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electrical device, and there were—aye 200, noes 231, not voting 3, as follows:

AYE—200

Baker (NH)
Barnes (CT)
Barrett (GA)
Baucus (MT)
Beaudry (AK)
Beck (WA)
Begich (AK)
Beilenson (CA)
Bentley (AL)
Bennett (AR)
Benum (OK)
Berman (CA)
Berkley (CA)
Berry (MO)
Biggs (AZ)
Bilirakis (FL)
Bishop (GA)
Bishop (UT)
Blair (MO)
Blanks (GA)
Blankenship (WV)
Boehner (OH)
Boehlert (NY)
Boehner (IN)
Bolwell (IL)
Bono (CA)
Bono (GA)
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Boswell (OK)
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Boyd (GA)
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Boyce (NY)
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Brown (GA)
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So the amendment was rejected. The result of the vote was announced as above recorded.

Mr. Speaker, the other body also has had a bipartisan majority in favor of ANWR. Indeed, this Congress, if I recall correctly, actually passed ANWR in the 1990s only to vetoed it. So this is an issue that is well known, well discussed, well explored.

I have no complaints that my friends on the other side of the aisle who oppose ANWR have been very successful, very consistent in using the legislative process to their advantage. They have every right to do so. I am surprised at the outrage now that the proponents, who, after all, do represent the majority in both bodies, and have a President who shares their view. This issue has finally managed to use the legislative process to its advantage.

We would not be dealing here with ANWR if our good friends on the other side had not resorted to every single expedient to keep us from getting it passed. Having done that, I do not think they can claim with any legitimacy when we finally are able to do that.

I am very proud it is on this bill. I think it is important for the country’s energy security, and I appreciate the Appropriations Committee working in this fashion to get it on.

We have also talked a great deal tonight about avian flu, and that is an interesting topic and an important topic and one, frankly, where we could face a very difficult situation in our own country.

I would just point out to my friends that we do continue to reserve the right for people to sue if wrongful action takes place. We have only appropriated, as was pointed out, half of what the President has requested so that we can come back, frankly, and consider this again. And I suspect we will look at this issue not only in terms of finance but liability and administration of the programs as we move forward. So I do not think our debate is final, but I do think it is important that we move ahead, that we appropriate these funds, that we send a signal to our adversaries around the world and a powerful signal to our friends as well.

More importantly, it is a recognition and a signal to the men and women that wear the uniform of the United States that we will only defend each and every day but also represent and represent our values around the world in a way that is quite unique in world history and one which, on both sides of the aisle, I know, we are extraordinarily proud of. It is a good bill. It is an important step. This rule allows the bill to move forward.

Mr. Speaker, I urge that we support the rule and support the underlying bill.

Mr. COOPER. Mr. Speaker, if anyone needed evidence that this Congress is being managed in an incompetent and corrupt fashion, tonight’s debate is it.

At 2 o’clock in the morning we are finally taking up some of the most important defense bills of the year. A bill that contains excesses and irrelevancies that make it very difficult for the average taxpayer back home should be ashamed of what we are doing tonight, especially in the name of our soldiers, sailors, airmen and marines.

We have just learned that many of these special interest provisions were added in the dark of night, with no notice to the Appropriations Committee. Pharmaceutical companies, oil companies, and Lord knows what other special interests are probably smiling at this late hour, but the average taxpayer back home should be ashamed of what we are doing tonight, especially in the name of our soldiers, sailors, airmen and marines.

We have just learned that many of these special interest provisions were added in the dark of night, with no notice to the conference. Pharmaceutical companies, oil companies, and Lord knows what other special interests are probably smiling at this late hour, but the average taxpayer back home should be ashamed of what we are doing tonight.

Mr. Speaker, as our troops risk their lives to promote democracy in Iraq and Afghanistan, we should not be degrading our democracy here at home. I strongly support the troops and the many excellent provisions in the defense authorization and appropriations bills on their behalf. We should honor their sacrifice by passing legislation for them, not using them as a shield for special interests. We should also honor them by refusing the $4 billion cut in the defense budget that was inserted in this bill in order to fund the extraneous provisions. You didn’t hear about that defense cut, did you, while the Republicans were bragging on their efforts on defense?

The only reason these special interest provisions have been added is that Republican leadership knows that they could not pass in the light of day, when the public is allowed to see what we are doing. These provisions could not pass on their own strength, in either house or day or night.

Given the few minutes that we have been allowed to read these conference reports of many hundreds of pages, no one on the House floor tonight really knows what is contained in these bills, because all normal House procedures have broken down. Rumors are rampant that other embarrassments have been added to worthy defense bills, simply because they are viewed as “must pass” legislation. We simply don’t have time to verify or debunk these rumors. The only safe vote tonight for the American taxpayer is a “no” vote. Let’s stay in session a few more days, even though the Christmas holiday approaches, and do the job right. Our troops deserve no less.

Mr. SCHWARTZ of Michigan. Mr. Speaker, I rise to a point of order. Our Armed Forces, a strong supporter of our troop’s efforts in the war on terror and a member who believes we can and will achieve victory in Iraq. However, the amalgamation with the DoD Appropriations Bill of the Act allowing exploration and drilling in the Arctic National Wildlife Reserve is an act which raises disingenuousness to an art form. There are, apparently, no limits on the maneuvers the proponents of ANWR drilling will attempt in order to despoil one of the last truly wild and unsullied wilderness areas in the United States. For those of us who are legitimately concerned about the Aysmally low opinion the people of the United States hold of their Congress, they need look only at this attempt to adjourn the question of oil drilling in a pristine wilderness with the funding of our armed services. If it is the sense of the Congress that it is appropriate to open ANWR for oil exploration, put the issue to an up or down vote, a vote on ANWR only, not a vote that can only be described as a murky obfuscation. Oppose this resolution, and we all have the opportunity to vote on a clean defense appropriations bill.

Mr. COLE of Oklahoma. 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 SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON S. 1932, DEFICIT REDUCTION ACT OF 2005

Mr. PUTNAM, from the Committee on Rules, submitted a privileged report (Rept. No. 109-363) on the resolution (H. Res. 640) waiving points of order against the conference report to accompany the Senate bill (S. 1932) to provide for reconciliation pursuant to section 201(a) of the concurrent resolution on the budget for fiscal year 2006, which was referred to the House Calendar as an order to be printed.

That upon adoption of this resolution, it shall be in order to consider the conference report to accompany the bill (S. HRES. 640) waiving points of order against the conference report to accompany the Senate bill (S. 1932) to provide for reconciliation pursuant to section 201(a) of the concurrent resolution on the budget for fiscal year 2006, which was referred to the House Calendar as a privileged order to be printed.

Resolved. That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (S. HRES. 640).
have faced. This Congress has stepped up to the task of providing recovery and reconstruction funds for the devastated areas. We have passed two supplemental appropriations bills thus far and are set to provide additional relief when we pass the Department of Defense appropriations bill. The unforeseen events in the gulf changed the focus of the last half of the year and will continue to have an impact on this Nation for years to come.

This bicameral budgetary focus brings me to the legislation we are set to consider when this rule passes. For the first time since 1997, the congressional budget resolution included deficit reduction instructions to authorizing committees to find and achieve mandatory program savings for a more accountable government. It does this by finding smarter ways to spend and slowing the rate of growth of government. This deficit reduction provides a downpayment toward hurricane recovery and reconsiders, and most importantly, puts us on a path toward long-term fiscal health.

The Deficit Reduction Act fights back against the out-of-control growth of mandatory programs that are set to consume 62 percent of our total budget in the next 10 years if left unchecked. The conference report will stimulate reform of entitlement programs, many of which are outdated, inefficient, and wasteful. I am pleased that the legislation begins a longer-term effort at slowing the growth of entitlement spending.

In another unusual occurrence this year, those on the other side of the aisle called for deficit reduction. However, their proposals increased taxes on the American family. I am pleased to say that this House has delivered deficit reduction without raising the tax burden of the working American. Our goal is to control government spending and fund America’s future with more of their own money instead of sending more to the government. The authorizing committees from both Chambers have worked hard to find savings within their individual jurisdictions. They did this using their own individual expertise through regular order. And I commend the authorizing chairman and committee members for their aggressive oversight that has yielded $60 billion in efficiencies. The conference report allows programs and agencies to weed out abuse, fraud, and inefficiency so that we can channel more Federal dollars to the programs that succeed and save Americans the way they intended, putting health care for those who need it the least.

Mr. Speaker, I reserve the balance of my time.
and forced to step down in the wake of scandal.

We saw our troops and the people of Iraq struggle heroically to lift not just the weight of a vicious insurgency but also the burden of poor planning and unfilled promises from the White House.

And here again today, the American people will be made victims of unscrupulous, disingenuous leadership.

On the opening day of the 109th Congress, almost 1 year ago, the first act of this Congress was to try to destroy the House ethics committee under the guise of ethical reform.

Unfortunately, my colleagues in the majority have committed to ending this session of Congress on the same sad note with which they began it, by employing unacceptable, unprecedented tactics and trying to deceive the American people out of pure political self-interest at the expense of this body and our shared values.

We are another year like this. We need to start investing in America’s future, not letting those in power invest only in their friends at America’s expense. It is time for real reform, for real integrity, for real leadership. It is time for a change, and together we can do better.

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

Mr. PUTNAM. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. COLE), my colleague on the Rules Committee.

Mr. COLE of Oklahoma. Mr. Speaker, our friends on the other side of the aisle asked us, Were we sent here to do this?

Frankly, I can only speak for my district and tell Members that is exactly what I was asked to do. When I talk to my constituents at home, they tell me government is too big, taxes are too high. Do something about it.

We all know the numbers here, and we also have a lot of sound and fury tonight about how horrific and dramatic this bill is.

In reality, it is not. We are talking about a little over $40 billion out of a $1.45 trillion revenue stream over the next 5 years, less than one-half of 1 percent.

We will not cut spending. Spending, instead of going up annually at 6.4 percent a year, will go up at 6.3 percent. We will not cut Medicaid. Instead of going up at 7.3 percent, it will go up at a little over 7 percent.

This is, though, an important first step, where we begin to deal with non-discretionary entitlement spending. That is going to be, I think, the big challenge over the next decade. I am very proud that this Congress has begun to grapple with that problem. I look forward to the process as we continue to do so.

Ms. SCHAKOWSKY. Mr. Speaker, Merry Christmas. Happy Hanukkah, and meanwhile, the Republicans are stealing from the stockpots and taking away the hopes and dreams of aspiring students, slashing safety nets that help millions of our seniors and kicking seniors to the curb with this budget package that is contrary to every-thing about the true spirit of Christmas as I understand it.

People of all faiths know that budgets are not just numbers or percentages. There is no more moral document that we in Congress work on than the budget. What we choose to pay for and what we choose to cut are moral choices about how to run our country, to support the abundance of those who have much; and the need in the rest of the country did not subside. It is not the students who are responsible for historic deficits. Poor people did not cause our fiscal decline.

If we want to get our fiscal house in order, then we should start with the tax cuts that mostly benefit the wealthiest households. Millionaires are getting an average of $103,000 in tax cuts this year because of cuts from 2001 and 2003, and next year they are going to get another $20,000 as two more tax cuts take effect. And the Republican bills passed last year $108 billion in tax cuts this year. Tell me, who is going to pay for those?

Deficits matter. But the one we should be talking about today is the moral deficit of those who would balance tax cuts for the wealthy on the backs of the working poor. I believe, as best said by President Franklin Delano Roosevelt, that, “the test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have little.”

Mr. Speaker, tonight we have a choice about the type of leaders we want to be and what our country stands for. We can decide to do the morally responsible thing. We can do what is right. Mr. Speaker, together, America can do better.

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

Mr. Speaker, I would remind my friends on the other side of the aisle that this is the deficit reduction package, and we will have another opportunity to consider the tax reconciliation package, but their places to the tax cuts or tax reform or tax relief, and I am very proud of the work that the Budget Committee and all the other committees have done, is not in this bill.

Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Kansas (Mr. RYUN), a colleague on the Budget Committee.

Ms. SLAUGHTER. Mr. Speaker, I can understand why this budget bill is coming up at 2:30 in the morning Washington time. If I had a bill this bad, I would want it to come up at 2:30 in the morning as well. I think the American people, those at least who are watching at this time of day, perhaps out in Hawaii, if nowhere else in America, ought to know what this does in combination with everything else Republicans are doing.

This bill, along with its tax cuts, $220,000 a year, in fact, to those making $1 million a year in dividend income, will make a sham out of the American prospect of shared sacrifice during time of war. This budget bill that the House is about to vote on will actually increase the college education costs of the sons and daughters of our Iraqi war trouble. We combat right at this moment by up to $25,000, up to $25,000 student tax on the backs of men and women who are this morning bearing the burden for fighting America’s wars. I do
not know how you could get more un-
fair than that.

The fact is that the Republicans' claim of supporting compassionate conservatism now comes clear at 2:30
in the morning. They are going to provide
cuts for working families and the poor and cuts for the rich. The dif-
fERENCE is the cuts for the poor and
working families are going to be cuts
to the Women, Infants, and Children
program that helps low-income chil-
dren get prenatal care. It is going to cut
to funding that helps disabled chil-
dren get a better education. It is going
to cut funding that helps local school
 districts pay for working families’ educ-
ations.

And, yes, in just a few weeks, they
will come back and also have cuts to be
fairer to the wealthy. They will cut
income. You are going to get a $220,000 a
year cut.

What is fair about that, given that
we are going to have a student tax on
the backs of sons and daughters of
Iraqi war troops? We are going to cut
special education. In fact, this is $4 bil-
lion of the Republican tax cut that
they wanted to do. No Child Left Be-
hind, let us blow that out the window
along with the phrase “compassionate
 conservatism.”

This bill, combined with the other
cuts we are going to vote on this morn-
ing, will see that 200,000 low-income
children would find their tutoring as-
sistance eliminated. This bill throws
out the window help for seniors and people
of all ages around the country struggling
to pay their high utility
bills this winter.

This bill and the Republican leader-
ship make Scrooge look like a philan-
thropist. I would challenge them to
show me one major religion in the world
that preaches at any time of the
day, whether it is 2:30 in the morning
or 2:30 in the afternoon. I would chal-
lenge, Mr. Speaker, the Members of the
Republican Party only the floor right
now to stand up and tell me what
major religion in the world asks that
we take the most from those who have
the least and ask nothing from those
who have the most. That is what the
combination of this budget bill, along
with their tax cuts and their spending
cuts, is all about.

So I think what the American people,
at least those that are up at this time
of day, are seeing, is all the rhetoric is
not matched by the record of the Re-
publicans. Compassionate conserv-
ativism. These budgets, these bills are
neither conservative nor compas-
sionate. Leave No Child Behind, this
bill is going to leave millions of chil-
dren behind, along with seniors and a
lot of hardworking families trying to
pay their bills every month and provide
a better life for their children.

As far as being strong on national de-
fense, you know, you look at what the
Republicans are doing this morning,
they are going to cut $8.5 billion out of
President Bush’s defense bill. I wonder
what Republicans would say if Demo-
crats proposed that?

Republicans are hurting the Amer-
ican people, and this is wrong, at any
time of the year.

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

Mr. Speaker, in amongst the theo-
logy you would never know that the
Department of Education programs
have skyrocketed since 1994; the De-
partment of Veterans Affairs’ budgets
have skyrocketed since 1994, invest-
mment in our defense continues to go up,
support for our troops and their train-
ing, as well as their widows and loved
ones and the level of support there,
continue to go up, and overall manda-
tory spending in this budget continues
to go up.

It is the rate of growth that we are
here to discuss, and the fact that it is consuming our budget, some-
thing that some aspects of the other
side of the aisle have expressed concern
about, which is getting our arms
around the budget deficit. This Deficit
Reduction Act offers them the opportu-
nity to do that.

Mr. Speaker, I am pleased to yield 2
minutes to my friend, the gentleman
from Mississippi (Mr. WICKER).

Mr. WICKER. Mr. Speaker, I thank
my friend from Florida, who could also
have mentioned that spending on Fed-
eral health programs, the Balanced
Budget Act of 1997, has tripled in the
decade of Republican rule in this
House of Representatives. So I am
proud of the accomplishments we have
made in that regard.

Mr. Speaker, there has been a great
deal of debate tonight about the
growth in the national debt, and cer-
tainly it is something we are very in-
terested in. In the debate on the pre-
vious rule, accomplishments were
pointed out on the discretionary spend-
ing and funding that is time-
controlled by the appropriations process.
But we will never get a handle on def-
icit reduction, we will never be able
to accomplish this challenge of the
growth in the national debt unless we
get a handle on our mandatory spend-
ing, those entitlement programs that
are on autopilot. They spend year in
and year out, whether there is an ap-
propriation bill or not.

Mandatory programs will grow this
year at twice the inflation rate. If we do
nothing about the mandatory spending
programs, they will increase from their current 54
percent of the Federal budget to an un-
believable, unchecked 62 percent of
total Federal spending in a decade. So
clearly this is the key area in budget
deficit reduction, and that is why we
have a plan to implement reforms to
provide savings for the American peo-
ple in the area of mandatory programs.

One example, of course, would be the
Medicaid program, a program which
Governors, Democrat and Republican,
from around the country have come to
Congress about, saying please help us
to save this valuable program by slow-
ing the growth rate. Under the under-
lying bill that this rule would provide,
Medicaid will grow at a rate of 7.5 per-
cent over the next 10 years, instead of
a rate of 7.7 percent. For these reasons,
I support the rule and the underlying
bill.

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

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

Mr. Speaker, this bill would be the
Deficit Reduction Act of 2005. What it
should really be entitled is the Deficit
Increase Act of 2006. It reminds me of
the old joke of Monsigneur O’Malley,
who goes up into the pulpit on Sunday
and says, “On Wednesday night in the
church hall, Father Murphy will lec-
ture on the evils of gambling. On
Thursday night in the church hall,
bingo.”

Here tonight we are being lectured by
the Republicans on the need to reduce
the deficit. How? Well, we are going to
cut Medicare for the poorest in our
country. We are going to cut Medicaid
for the poorest in our country. We are
going to cut education programs for
the kids who need it the most across
our country. And they are going to cut
out $41 billion from the poor and the
working class in our country who need
it the most right before the holidays.

And then their plan is to come back
here in January with a $56 billion tax
break for millionaires, dividend cuts
all across the board for the wealthiest
in our country.

So what we are going to have here is
a lecture tonight on the need to cut
and to ensure that the poorest sac-
rifice, and then in January, bingo, $56
billion in cuts for the wealthiest in our
country, increasing, if you can do the
math here, I am not sure the Repub-
licans can do math, $41 billion in cuts,
$56 billion in tax breaks, mostly for the
wealthiest, meaning $5 billion more and dig the hole even
deeper.

The Republicans do not understand
that they are in violation of the first
law of holes, which is when you are in
one stop digging. And so what they do
is in order to cover for a tax break for
the wealthiest, they cut the poorest
and they simultaneously increase the
deficit for subsequent generations all
at the same time. And when do they do
it? At quarter to 3 in the morning,
when the people who are going to be
hurt the most are suffering. And when
are they going to tell the people who
are going to benefit? Next year around
campaign time when they, once again,
remind them that if you want to get
tax breaks for the wealthiest in Amer-
ica, then vote yourself a Republican in
Congress, because that is what tonight
is about; a hypocrisy coefficient at
historic highs. And tonight, if you
want to ensure that we protect those
most in need in our country, vote “no”
on this hypocritical Republican attempt to increase the deficit in our country while calling it the Deficit Reduction Act of 2005.

Mr. PUTNAM. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. CONAWAY), a member of the Committee on Ways and Means.

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

Mr. CONAWAY. Mr. Speaker, I rise tonight in support of this rule and also the underlying bill that will come up later on. I am a CPA. I have spent 30 plus years in business dealing with clients and families and other businesses. Our family business or our family home runs by a budget; it cannot run at a deficit very long. Our businesses cannot, certainly State and local governments cannot do it. About the only one that can is the Federal Government. Simply because the Federal Government does run a deficit or can does not mean it should.

The only way to whack down a deficit is to cut spending and raise revenue. Tonight we are about cutting spending; actually, cutting a reduction in the growth in spending. The problem with spending, and I suspect even my good colleagues on the other side of the aisle use the phrase “we need to cut Federal spending.” It rolls off the tongues very easily, but it is, quite frankly, very hard to do it. It is hard to get that done. We have been at this since February, and it is going to be hard.

It is hard because every single dollar that comes out of the Treasury has a constituent attached to it, has a special interest group attached to it. If we listened to much of the rhetoric here tonight, every single one of the reductions in the rate of growth that we talk about affects a program that is the single most important program in the entire Federal Government. Logic does not allow that to happen. We cannot have every single program that we do in this Federal Government be the most important. We have to set some priorities, and reducing the rate of growth that this bill does is an appropriate way to do it.

I would also like to respond to the religion issue that was brought up earlier. I cannot speak to all religions, but I can speak to the faith that I follow. I am a reasonably good student of the New Testament and there is plenty of evidence, plenty of scripture where Christ instructs me to take my wealth, resources, and benefits and help those who are poor and needy, all of those kinds of things. I cannot find anywhere where the Christ tells me to take money from everyone else and fix those programs, fix those problems for the needy in our country. That is the one priority that we need to focus on. The religion that might have a concept like that.

So I speak tonight in favor of the rule and also the underlying bill.

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

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, a lot of euphemisms on the other side, such as the cuts in the rates of growth, suggesting that that is just a neutral act when it takes place. They have cut about $40 billion out of this budget in this package that we are going to vote on in a little while. Twelve billion of that comes from student loan accounts, and about $7 billion, 70 percent, almost $8 billion of that, 70 percent of those cuts come off the backs of students and their parents.

They increase the cost of college education over the next few years by almost $8 billion. That means that students that are struggling to finish their education will be required to acquire a college education so they can participate in this economic system, will have thousands of dollars added on to the cost of the borrowing that they must engage in. They must engage in that because the cost of education is outstripping the ability of middle income families to supply that money for that education for those children. So the Republicans’ idea is to make college even more expensive. At a time when we worry whether we will have enough college graduates to meet the needs of the economy, their idea is make it more expensive.

Yes, the Democrats do have a better idea, and that is to try to open up the access to college and lessen the cost of college.

Then, if that is not enough, if that is not enough, if you get to the other part of the program like Medicaid, they say they are going to reduce the cost of increase. Well, that cost of increase is done by the premiums and the copayments to the poorest people in this country. Those premiums and copayments is about $19 billion over 5 years, $100 billion over 10 years. And if it is not enough that they increase your copayments and their premiums, then they take away the benefits. They are going to take away eyeglasses from elderly people, hearing aids from elderly people, and if Tiny Tim was here today they plan to take away his braces. All of that is the Republicans at Christmastime. Take away the crutches of old people, the hearing aids of old people and eyeglasses, because those are the benefits that are listed and the benefits that they plan to cut to the poorest people whom need health care.

They are going to add on billions of dollars to the States because of the changes in the work requirements, unfunded mandates. So you can talk about slowing the growth, but the growth in the costs to parents of students going to college, the growth in the costs of people who need health care who are poor, the growth in the cost of people who need those services under health care, all of those increases. Now, maybe that does not sound like a tax increase to you, but if you are poor and you are trying to pay for your health care and it costs you more, that kind of looks like a tax increase. If you are going to add on thousands of dollars to student loans, that is a tax increase.

What we have here is one cruel, one inhumane, one insensitive budget by the Republican Party.

STUDENT AID

The Republican conference report cuts $12.7 billion from the federal student aid programs in order to help finance tax breaks for the wealthiest Americans.

This Republican raid on student aid represents the single largest cut to the student aid programs ever.

70 percent of the gross savings generated by this bill are achieved by continuing the practice of forcing student and parent borrowers to pay excessive interest rates in and increasing new charges on parent borrowers.

This bill puts college even further out of reach for millions of American students and families.

To make matters even worse, the Republican bill puts billions of dollars in student aid at risk by cutting all of the critical funds ($2.2 billion) used to carry out and administer the student aid programs.

As a result, this bill puts the safe delivery of Pell Grant scholarships, loans and other aid to millions of students at risk.

In the face of rising college costs and soaring loan debt, Republicans have failed to provide any real relief for rising tuition costs.

Since 2001, tuition at 4-year public colleges has risen by 40 percent.

And now to make matters even worse Republicans are going to make it even harder for families to pay for college.

Democrats have a better idea—to make college more affordable without costing taxpayers an extra dime.

We can do it by cutting excessive government subsidies paid to banks and lenders in the student loan industry, and using the savings to make student loans more affordable than they are today and to boost the Pell Grant scholarship.

By the year 2020, the United States is projected to face a shortage of up to 12 million college educated workers, directly threatening America’s economic strength.

If we want to keep the American economic strong in the face of fierce global competition, then we must not allow financial barriers to prevent even a single qualified student from going to college.

American should be investing in the skills of a new generation of students so they can prosper and make America’s economy stronger.

Democrats believe in America that works for everyone, not just the few.

That’s why Democrats oppose this Raid on Student Aid.

WELFARE

The anti-family nature of this bill is also proven by its appalling treatment of the working poor.

The poverty level in America is a national disgrace.

America has more and deeper poverty than any other developed country except Mexico.
And the number of Americans living in poverty has increased for the fourth year in a row. So today, 37 million Americans—many of them full-time workers—live in poverty.

That’s 13 percent of all Americans and in every 3 poor people in this country is a child. This is a disgrace.

Yet the Republicans have included in this bill a welfare proposal that is clearly bad for America’s poorest families by forcing states to adopt policies that will make it even harder for the working poor to become self-sufficient, to move off welfare, and to stay off welfare.

We cannot judge welfare reform primarily by the number of people on or off of welfare assistance but by how many families still live in poverty.

And studies show that many former welfare recipients remain poor and lack a steady job after leaving welfare.

Welfare reform will be successful only when families leave welfare for decent jobs and economic stability.

That’s why the Democratic proposals for welfare reform have focused on giving states the flexibility, incentives, and resources to implement innovative programs and address individual needs and differences.

Unfortunately, the welfare legislation in this conference report moves us farther away from making work pay and hurts America’s working poor.

The welfare provisions in this report impose massive new mandates that will force states to shift resources away from workers and their families.

The non-partisan Congressional Budget Office estimates the cost to states of meeting the new welfare requirements is $8.4 billion over the next 5 years.

And CBO expects states to try and avoid some of these costs by increasing the use of sanctioning and imposing new barriers to poor families seeking assistance.

If states do adopt such policies, the likely result is that the number of children and families living in deep poverty will continue to increase.

Matters will be made worse for states and families by the grossly inadequate child care funding in this conference agreement—even though we know that access to stable child care is essential for parents’ efforts to stay employed.

The Congressional Budget Office estimates that the child care funding in this bill is $11.5 billion short of what is needed to meet the new work requirements and ensure that current child care funding keeps pace with inflation.

The consequence is that even by the Administration’s estimations, more than 300,000 children will be cut from this program over the next 5 years.

That’s why the welfare approach in this bill has been opposed by Governors and Mayors across this country.

And why the Senate has been unwilling to adopt this unsound way.

Yet apparently, a backroom deal struck by the Republican Leadership in the House and the Senate is trying to hide irresponsible welfare legislation as part of this much larger conference agreement.

House Republicans have unsuccessfully tried to get this anti-family welfare legislation passed into law for 3 years and finally decided the only way they could do it was in the middle of the night when America is asleep.

That the Republican party considers themselves the party of family values is a joke and the legislation before us makes that painfully clear.

Do what’s right for all of America’s families and vote no.

Mr. PUTNAM. Mr. Speaker, we have run through the gospels and now we are on to Dickens. We have heard it all. We would take away the crutches, the eyeglasses, and the hearing aids from Tiny Tim. I guess the other side would just tax him.

I am pleased to yield 4 minutes to the distinguished chairman of the Education and Work Force Committee, the gentleman from Ohio (Mr. BOEHNER).

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

Mr. Speaker, if this bill was anywhere near as difficult and as bad as my friends would have described, there would be no Member of the House who would vote for it.

Now, I think all of us realize that our Nation is going broke. You would argue that we are not taxing enough. Most of my colleagues and I would argue that we are spending too much. And if you look at Federal revenues over the last 10 years, 20 years, you will see that there is never an increasing rise in Federal revenues.

The problem we have is we have a spending problem. We are spending money that we do not have year in and year out, and we are passing those bills on to our kids and theirs. It is not fair.

We decided we are going to take a bite at the apple, and we are going to try to do something about it.

Before us we are going to have about a $41 billion deficit reduction program. It is going to reform many Federal programs to provide savings to reduce the budget deficit. In my committee we are going to take $16.2 billion of reforms to lower that deficit, about $3.6 billion of that will come in the form of strengthening the Pension Benefit Guaranty Corporation, raising the premiums on employers who pay into that system, and making some other changes that will produce those savings.

The higher education side is rather unique. We are able to increase benefits for American students while at the same time reducing and reforming those programs to save $12.6 billion. We keep the current law fixed interest rates on those programs to save $12.6 billion. We keep the current law fixed interest rates in the future.

We phased out origination fees for those in the Pell program from 3 percent down to 1 percent over the next 5 years. We increase loan limits for students, freshmen, up to $3,500 per year in guaranteed programs. The second year, we increase it to $4,500. We eliminate the single holder rule. We increase loan rates and loan volumes for graduate students. At the same time, we reform the way we count the fees that we pay to lenders. We eliminate the 9.5 percent loans and eliminate recycling. We eliminate floor income, we reduce the insurance rate for the lenders from 98 to 97 percent, and we give guarantors incentives for rehabilitating loans rather than to put them into the consolidation program. This is a good deal for American students.

And top of that there is $3.7 billion in this bill to start an academic competitive grant for Pell-eligible students who are interested in math, science, and specialized languages. We all know that we have problems with enough mathematicians and scientists in America, and this program is aimed at Pell-eligible students trying to encourage them into math and science and giving them significant grants in their junior and senior year to make sure they graduate as mathematicians and scientists.

All of this is being done on behalf of students, while saving, producing savings of $12.6 billion to help reduce the deficit.

Now, I think all of us have a job to do when it comes to reducing this deficit.

Again, my colleagues want to raise taxes. I do not think that we have a revenue problem; I think we have a spending problem. And I think reforming these Federal programs, especially in a way where we can provide additional benefits for students, is a win-win for the American people. It is a good bill. We ought to vote for it.

Mr. SLAGHT. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN asked and was given permission to revise and extend his remarks.

Mr. LEVIN. Mr. Speaker, what irony. This is the Deficit Reduction Act. We just heard; what was the deficit in November? $83 billion. You have the gall to come here and talk about deficit reduction? $83 billion in one month. Your priorities are clear. You do not bring up the tax bill tonight because you are afraid to combine a bill that cuts $20 billion, over half of which goes to people making 1 million bucks a year, with these budget cuts.

Mr. Speaker, we scared you off, some of your intentions on child support, which would have resulted in $24 billion less over the next 10 years collected for the kids of America. You have now reduced it to $8.4 billion. That is how much less children are going to receive. And the irony is that the States that are hurt the most are the States that are best performing. And then when it comes to welfare reform in the 1990s, many of us worked together to change our laws. We did it in a way that provided adequate child care and Medicaid. President Clinton would not sign the bill until those provisions were in there. You could not get an immediate welfare reform package through the Senate, so what you have done is to stick it in this bill. That is what you are doing.

The child care provision, only about $1 billion. It would take $11 billion for...
the States, if the States met the work requirements, $11 billion more in child care, and you do not help at all in terms of health care. What you do is change the formulas so that there is going to be on the States a cost in order to meet this in the next 5 years of over $8 billion.

So you are going to hurt the States, you are going to hurt kids of a parent or parents who are moving from welfare to work, and you are going to provide totally inadequate child care for those people who are moving from welfare to work.

Your priorities are very clear, very clear, a tax cut for millionaires and hurting the kids of the United States of America. Frankly, I do not care what time of the year it is; it is bad every day of the year to do that, and I hope we will turn this down.

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

I share the gentleman’s concern about the budget deficit. That is why I am proud to announce that the deficit is $1.34 trillion less than what was estimated a year ago, thanks to the strength of the economy.

I understand his concern about the ongoing growth of mandatory programs, which is why we have in place a deficit reduction package that helps us to get our arms around the fact that two-thirds of the Federal budget will be on auto pilot if we do not act.

Mr. KINGSTON. Mr. Speaker, I yield 3½ minutes to my friend from Georgia (Mr. KINGSTON).

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

I just want to say, if we look at what our budget has done in terms of Federal student aid, for student grants it has nearly doubled in 10 years. For Federal loans, it has gone up about 30 or 40 percent. There are more tax benefits for education.

For the Medicaid that we are getting accused of slashing to death, we are debating here a difference in growth of 7.7 percent versus 7.5 percent.

The spending growth in SSI has been increasing at an annual rate of about 4.4 percent, and it has gone from $29 billion to $36 billion in the last 5 years.

The spending growth in foster care in 2000 was $5.7 billion, and today it is $6.8 billion. The spending growth in child support grew from about $1 billion in 2000 to $4 billion today.

We keep hearing about tax cuts for the rich. Why do people with more money get more tax reductions when you look to change tax policy? That is because they are paying the taxes.

What are the results of these economic decisions which we are making sometimes and too often on a nonpartisan basis because we do not get the support that we feel we should get from both parties on this? But what are the results of this?

Gross domestic product, we have had an increase of 4.3 percent in the third quarter. Real gross domestic product has increased about 3 percent for the last 10 consecutive quarters.

For employment, 215,000 new jobs were added in November alone, and this year so far 1.8 million jobs. The unemployment rate was 5 percent in November. The unemployment rate has fallen from 6.3 percent in June of 2003 to the current 5 percent level.

Productivity has increased at a robust 4.7 percent annualized in the third quarter. Manufacturing has been expanding for 10 consecutive months. Services have been expanding for 32 consecutive months.

Business investment from its low in 2003 has been increasing for over 24 percent, and home sales, certainly the barometer of health in the United States of America, everybody’s dream to own their own home, and new home sales rose to another high in October. Sales of existing homes, which account for 85 percent of all home sales, retreated in October but remain close to record levels.

The economy is robust. These policies speak for themselves. If you do not confiscate money from folks in the form of taxes, participatory taxes, and confiscate money from folks in the form of taxes, participatory taxes, and if you do not overspend and expand the Federal Government, the economy in the United States of America works miracles because the rising tide lifts all boats. There are more jobs than ever before.

There is an old expression, when the carpenter has work everybody’s employed. That is what these economic policies are doing, and I support this bill. There are things in there I do not like, just like everybody else, but overall, cutting spending and cutting taxes grows the economy and creates jobs. So I stand in support of the rule and the bill.

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

Mr. LARSON. Mr. Speaker, I stand in support of the rule and the bill.

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

Mr. LARSON. Mr. Speaker, I thank the gentleman for his thoughtful comments about the cuts that people are facing.

Mr. Speaker, I yield 30 seconds to the gentleman from Missouri (Mr. CLEAVER).

Mr. CLEAVER. Mr. Speaker, there was a statement made earlier that the New Testament spoke about individuals as opposed to government, and I would be glad to enter into a colloquy with anyone who would purport to demonstrate that. I can show you for the remainder of the night a litany of scripture that would suggest almost unanimously that God has a responsibility. Jesus authenticated government, and then Paul asked that we pray for the government.

This issue that we are dealing with, if we are going to bring religion into it, I think we have some obligation to at least deal with the Holy Writ in the fashion that it was written.

Mr. PUTNAM. Mr. Speaker, I am pleased to yield 2½ minutes to the gentleman from Texas (Mr. HENSARLING).

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

Mr. Speaker, we are here tonight to debate a very historic bill, although I do not believe the rhetoric from the other side is necessarily historic.

We are hearing a lot tonight about cuts and compassion, but when I look at this bill, all I seem to see is increases in spending. So I am trying to figure out where the reductions in spending have actually taken place. Mr. Speaker, people are entitled to their own opinions. They are just simply not entitled to their own facts.

After this set of reforms is passed, Federal outlays are going to grow 4.3 percent. Mandatory is going to grow 6.3. Medicaid is going to grow 7.5. I am still looking for the cuts.

I think maybe, Mr. Speaker, I have found those cuts now that I look, and that is every time we increase a program of the Federal budget, we are having to decrease some program of the family budget.
This is a very historic piece of legislation because tonight we start that process, those first few steps towards reforming out-of-control government spending. We know what that future is, Mr. Speaker, if we do not do something about it. 

Already Chairman Greenspan of the Federal Reserve has said, “As a Nation, we may have already made promises to coming generations of retirees that we will be unable to fulfill.”

The Brookings Institution has said, Expected growth in our entitlement programs along with projected increases in interest on the debt in defense will absorb all of the government’s currently projected revenue within 8 years, leaving nothing for any other program. So no veterans programs, no student loans, no housing programs.

Where is the compassion in this, Mr. Speaker, if we follow the Democrat plan and do nothing for reforming our entitlement programs? The GAO says that we will have to double taxes on our children just to balance the budget if we do not begin this process of reform. Now, where is the compassion there?

And let us start to lecture us about the least of these. I submit to you, Mr. Speaker, that the least of these are those who are too young to vote and those who have yet to be born. Who represents them here this evening? Who speaks out for them?

Let us have compassion for the next generation and let us enact this rule, let us enact this underlying bill, and let us save this next generation from a fiscal calamity.

Mr. PUTNAM. Mr. Speaker, I reserve 3 minutes to the gentleman from Oregon (Mr. DeFazio).

Mr. DeFazio. Mr. Speaker, 3:10 a.m. The Republicans do all their best worst work at this time in the dark of night. Whole new things are being done right here. They have bifurcated Santa Claus. We have two Santa Clauses. We have Santa who is going to wriggle down the chimney and he is going to steal from the least among us. He is going to take $16 billion out of student loans, kids struggling to get ahead. Why? So we can finance tax cuts on dividend paying stocks.

He is going to take money from struggling families in the form of Medicaid, and Medicare. Oh, he is going to give another $1 billion to the LIHEAP program, thank you to Santa thief.

He has also given $9 billion in subsidies to oil, coal and gas industry in the so-called treasuries of an energy bill that passed this House.

But that old St. Nick, he is still alive, thank God. Republicans have kept him alive, but he is in the Bahamas with the expatriate people who are avoiding taxes, clinking champagne glasses at midnight, French, owing to the sensibilities of the Republicans here and those French, and he is giving them wonderful benefits.

We are going to reduce taxes on people who earn over $300,000 a year so their tax rate on dividends or capital gains is less than the tax rate paid by the checkout clerk at the supermarket. Now, that is fair. That is equitable. By God, because those people are going to trickle down on the backs of America, as they trickle we are actually creating a sea of red ink and their yachts float higher and their mansions get bigger. A few lucky folks will get to wash the decks of the yachts and to cut their lawns.

Now, this is what the Republicans say. We do not have a revenue problem. We are hemorrhaging revenue. If we just restored the tax rates of the booming 1990s, when the wealthy were doing quite well, the yachts and mansions and increasing incomes, we would gain $386 billion if they just paid the same rate of taxes they did before you took over everything.

That is 10 times the cuts here, 10 times the thief is stealing from the students, the old folks and the poor, 10 times as much. We do not have a revenue problem. No, your contributor wealthy investor class is doing very well. They just have to wait until next year for their gratification, but we are going to stick it to the most suffering among us here early this morning.

Mr. Slaughter. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. McDermott).

Mr. McDermott. Mr. Slaughter asked and was given permission to revise and extend his remarks.

Mr. McDermott. Mr. Speaker, the week before Christmas and here we are, gathered, most of the children in their bed even in my district by now, and the elves have been working. So here we are.

The Republican Party, since the days of Reagan, have lived by the motto of Mrs. Thatcher, that there is no society, there is only individuals. Now, that is contrary, as you heard from the gentleman from Missouri, to what the Bible says. We all start the story of the Bible, the Christian story, in Isaiah. And in Isaiah the prophet is categorizing what is going on in Jerusalem and why it is falling as the injustice and the materialism and the wealth accumulated. Here is what Isaiah said, verse 23, first chapter. Right off the bat: “Everyone loves a bribe and runs after gifts. They do not defend the fatherless. The widow’s cause does not come before them.”

For us to be here in the middle of the night taking whatever it is, $50 billion, $50 billion, nobody on this floor knows what is in this budget, let us admit that right up front, except about seven of our colleagues, those most sick and the poor whose only access to health coverage is Medicaid; and those whose nutrition depends on food stamps or school lunches.

In our history, every one of us has been raised with the Christmas story, either the biblical Christmas story or the Dickens Christmas story of the coal and the Grinch. You think about all the stories we have about what happens at Christmas time, and you have the nerve to come out here with a budget at this time of year where you cut child support, you cut food stamps, you cut Medicaid; and then you say to people, Merry Christmas and a happy new year.

That takes the height of gall, or else no feeling whatsoever. There is no way you could stand up and talk about these issues if you understood what people at the bottom really have to deal with. Most of us make $150,000 as a minimum. The average income in this country is about a quarter of that, or a fifth of it. Those people are scraping along, and we are doing everything we can to make it impossible for them to live a decent life because of our own, as the prophet says, our own greed and materialism.

Mr. Putnam. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. Gohmert).

Mr. Gohmert. Mr. Speaker, we keep hearing there are all these vicious tax cuts. There are no cuts in this bill. A vote for this bill means we are voting not to raise taxes.

And it has done my heart good to hear so many religious references to Jesus and to the Bible. I would point you in that direction. Jesus never said, go ye and use and abuse your taxing authority. Take from others to give. He said, you do it. And I would offer you the example of Zacharius when he met Jesus. What did he do? He went and cut taxes.

Ms. Slaughter. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. Corrine Brown).

Ms. Corrine Brown of Florida. Shame, shame, shame. You know, I am really glad that I am not a Republican. You know, Christianity is not what you say; it is what you do. And today you all practice what I call all the time, the biblical Christmas story. During Christmas time you are robbing from the poor, the working people, to give tax breaks to the rich. Humbug.

The Republicans today are trying to be the Grinches that stole . . .

Not Christmas, but health care from the poor.

Republicans are practicing what I call reverse Robin Hood, robbing from the poor to give to the rich.

In the season of giving, the Republicans are taking from the poor to line the pockets of the wealthiest Americans.

Well, I say Bah Humbug! Bah Humbug to you and your policies.

Those who will suffer will be: single mothers seeking child support; students struggling to go to college loans, foster kids; the sick and the poor whose only access to health coverage is Medicaid; and those whose nutrition depends on food stamps or school lunches.
Mr. PUTNAM. Mr. Speaker, we have worked our way through Dickens, Dr. Seuss, and the entire New Testament. I want to see what else awaits us.

Ms. SLAUGHTER. Mr. Speaker, I yield the balance of my time to the gentlewoman from California (Ms. PELOSI), the minority leader.

Ms. PELOSI. I thank the gentlewoman from New York for yielding me this time and for her eloquent presentation of this rule against this terrible, terrible, as the Congresswoman from Florida said, shameful bill. I want to also pay tribute to Mr. SPRATT of South Carolina, our ranking member on the Budget Committee, as I rise in opposition to this rule and in opposition to this bill. Mr. SPRATT, anybody in our country who cares about the opportunity, about responsibility, about community is enormously in your debt that you put forth and the great and excellent work that you do on behalf of the American people. Thank you, Mr. SPRATT.

Mr. Speaker, I yield earlier this evening and told me, well, actually it was earlier this morning, and he told me he had just received the budget bill, 700 pages. Now, we all know one thing for sure. No one in this Congress has read the whole bill. In just a short while, we will be voting on a bill that no one has read. But we do know certain things about it that make it very objectionable, not just to us but to the religious community in America.

Mr. Speaker, “Christmas is coming, the goose is getting fat, please to put a penny in the old man’s hat. If you haven’t got a penny, a ha’penny will do. If you haven’t got a ha’penny, God bless you.”

With this budget bill, the special interest goose is getting fat, very, very fat. Do we say God bless you with this budget when Congress leaves here without passing a budget which comes close to meeting the needs of America’s families who are struggling to pay their home heating bills and pay the price at the pump? This same Congress gave ob-scene subsidies to oil companies that are making historic profits this year; yet we give a small token to America’s families to help pay the bills to those oil companies.

Do we say God bless you with this budget when we leave here without extending the time that our seniors need to understand the befuddling prescription drug bill that has been handed to them with a tin hat? Democrats have a better idea of extending the time for seniors and lowering the cost of prescription drugs. But, no, the pharmaceutical and health industry goose is getting fat off this Congress at the expense of the nation’s seniors.

And, really, what is so sad about it is that when it comes to meeting the needs of our young people and opportu-

nities for them, we do not say God bless you, we say to them we are adding $5,800 more to those who use student loans. How could that be right while at the same time we give tax cuts to those making over $1 million a year; and at the same time we are moving the deficit and heaping mountains of debt onto those same young people?

Mr. Obey calls this Scroogenomics. Scroogenomics. But, really, associating Scrooge with this Republican budget is the last straw. He was one that saw the evil of his ways, Scrooge did. These Republicans are so blinded by the greed of their special interest friends that they are stuck in their cruel ways.

That is why leaders of every religious denomination have prayed in this rotunda, have prayed in churches across America, and as recently as a couple of days ago were arrested, over 100 of them and their representatives on the steps of the Cannon Building, to protest this budget.

Religious denominations prayed and lobbied Congress that Congress would do the right thing. They said that they were drawing a moral line in the sand against this budget. Democrats joined them in drawing that line in the sand between a Republican government of the privileged few instead of the government of the many, which is the American way.

Mr. Speaker, I associate myself with the remarks of the gentlewoman from Florida when she says, shame on you. It is shameful that this Congress will adjourn passing this immoral budget, meeting the greed of the special interest friends of the Republicans instead, again, as I said, of the needs of the American people.

Mr. Speaker, as we leave for this Christmas recess, let us say God bless you to the American people by voting against this Republican budget statement of injustice and immorality. And let us not let the special interest goose get fat at the expense of America’s children.

The gentleman from Washington State (Mr. McDermott) quoted the prophet Isaiah. My favorite saying from Isaiah is when he said: “To minister to the needs of God’s creation is an act of worship. To ignore those needs is to dishonor the God who made us.”

Let us vote “no” on this budget as an act of worship and for America’s children.

Mr. PUTNAM. Mr. Speaker, obviously, I came prepared for the wrong debate. I brought the good economic news that is being told and shared and being invested all across this great land. Productivity numbers up, unemployment at 5 percent, nearly full employment for the country. Record numbers. Robust GDP growth quarter after quarter. The news that important reforms to Medicaid and Medicare will be moving forward, allowing those programs to continue to grow at, in some cases, double the rate of inflation, double the rate of the CPI that most people use as their common benchmark. And the news that there is a record amount of money into LIHEAP.

We brought those facts and figures to a debate that was about deficit reduction, that was about the future of America. The other side brought Dr. Seuss. The other side brought Dickens and nursery rhymes and enough theology to field an old-time revival, but to do nothing about the serious health of this country; to do nothing about the fact that if we move forward with their Dickens economic plan, that if we move forward with their Dr. Seuss approach to economics that two-thirds of the Federal budget will be on autopilot; that if we move forward with their plan, these programs will continue to have the inefficiencies and the fraud that makes for an unresponsive, unreactive government that squanders people’s money and then does not even invest it back into a program that serves the very people who need it the most.

That is the crime in this, Mr. Speaker, that we have a thoughtful, long-term plan for the fiscal health of this country, something that future generations will say marked the turning point, the first reconciliation bill, the first real attempt at deficit reduction since 1997 to turn that ship of state toward a brighter tomorrow. It cannot be summed up in some cute little nursery rhyme. It is important stuff. Sometimes it is dry stuff; sometimes it is dull stuff. But, by golly, it is important.

It is important to each and every American because it impacts how much money their government takes from them and how wisely that government uses that money for the needs of its people.

□ 0330

Mr. PUTNAM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Res. 639 and H. Res. 640.

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

There was no objection.

Mr. PUTNAM. 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.
The SPEAKER pro tempore. The pending business is the question on adoption of H.R. 1815 on which the yeas and nays are ordered.

The Clerk read the title of the bill.

The question is on the conference report.

The vote was taken by electronic device, and there were—yeas 374, nays 41, not voting 19, as follows:

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Yeas—214

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So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2663, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. The question is on the resolution.

This will be a 5-minute vote.

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The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

**EXPRESSING SENSE OF CONGRESS WITH RESPECT TO THE 2005 ELECTIONS IN EGYPT**

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 284, as amended.

This will be a 5-minute vote.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Ms. ROS-LEHTIENEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 284, 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 388, nays 22, not voting 24, as follows:

<table>
<thead>
<tr>
<th>Yea</th>
<th>Nay</th>
<th>Not Voting</th>
</tr>
</thead>
<tbody>
<tr>
<td>388</td>
<td>22</td>
<td>24</td>
</tr>
</tbody>
</table>

**REMARKS BY THE HON. JOE BARTON (TX-16)**

Mr. BARTON of Texas. Mr. Speaker, last Thursday evening I had an event occur that at the time my thought was, why me, Lord? But as I stand here today, I actually can say it is one of the greatest blessings of my life because since that time I have learned how great and how good this institution is and this country is. Literally thousands of people, many of whom I have never heard of, have sent good wishes and prayers to me and my family.

I am not going to embarrass anybody on this floor, but some of the meanest, toughest reputations on both sides of the aisle have called me and shown themselves to be some of the biggest softies I have ever known.

So I just want to say from the very bottom of my very, very sore heart, God bless this institution. This is the greatest institution for good the world has ever known.

And I want to also say God bless the Lord for sending me my sweet wife, Terri, who is watching this and has been with me every step of the way.

Let us work together this next year for a better good of America because when we do what is good for America we do what is good for the world.

Thank you for your prayers. God bless you all.
Mr. CONYERS changed his vote from "yea" to "nay."”

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

---

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2669

Ms. HARRIS. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2669, the Pet Animal Welfare Statute of 2005.

The SPEAKER pro tempore (Mr. YOUNG of Florida). Ms. HARRIS, is there objection to the request of the gentlewoman from Florida?

There was no objection.

---

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2669, the Pet Animal Welfare Statute of 2005.

The SPEAKER pro tempore (Mr. YOUNG of Florida). Ms. HARRIS, is there objection to the request of the gentlewoman from Florida?

There was no objection.

---

CONFERENCE REPORT ON H.R. 2663, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2006

Mr. YOUNG of Florida. Mr. Speaker, pursuant to House Resolution 639, I call up the conference report to accompany the bill (H.R. 2663) making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes.

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

There was no objection.

---

Mr. YOUNG of Florida. Mr. Speaker, the Defense appropriations bill, which this conference report is about, is also the vehicle for a number of other issues. Those other issues have been discussed very thoroughly during consideration of the rule, so I am going to reserve my comments strictly to the area of the Defense appropriations bill.

Mr. Speaker, this bill is to provide for the security of our Nation and to appropriate the funds to pay for the equipment, the training, the consumables, but more importantly, for the men and women who serve in our uniform, those who make it possible for us to sleep tonight, well, not tonight, because we are not sleeping tonight, but to make it possible for Americans to sleep tonight, knowing that they are secure because of these brave warriors who are prepared to protect America at any instance.

This bill, for example, includes the money for the pay raise for the members of our military. The bill provides a bridge fund of $50 billion for the conduct of the global war against terror in Afghanistan and Iraq and other places. It provides for replacing the equipment that has been destroyed or worn out during the conduct of the war. It provides additional funding to provide more effective ways to protect against and defend against the terrible tragic IEDs. It provides armor for our vehicles.

Mr. Speaker, I am going to be brief. I just want to hit some of the highlights of what the bill does. I want the Members to know that this appropriations bill funds the insurance and death gratuities that we have increased for the members of our military. It provides basically the President's request for a fairly aggressive shipbuilding program.

Mr. Speaker, this is a really good Defense appropriations bill. It was strongly supported when it passed the House 6 months ago, Mr. Speaker; but because of other delays, we are just now getting to vote on this final package. This is a good bill, and I do not think there is any controversy associated with the defense part of this conference report.

Mr. Speaker, I include the following tabular material for the RECORD.
## DIVISION A - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT FY 2006 (H. R. 6633)
(Amounts in thousands)

<table>
<thead>
<tr>
<th>Category</th>
<th>FY 2005</th>
<th>FY 2006 Request</th>
<th>House ¹</th>
<th>Senate</th>
<th>Conference vs. Enacted</th>
</tr>
</thead>
</table>
### TITLE I
**Military Personnel**
- Military Personnel, Army: 24,347,007
- Military Personnel, Navy: 24,153,951
- Military Personnel, Air Force: 2,546,242
- Reserve Personnel, Army: 2,084,022
- Reserve Personnel, Navy: 1,451,650
- Reserve Personnel, Air Force: 5,017,129
- National Guard Personnel, Army: 3,002,190
- National Guard Personnel, Air Force: 2,546,242

Total, title I, Military Personnel: 109,731,158

### TITLE II
**Operation and Maintenance**
- Operation and Maintenance, Army: 25,744,624
- Operation and Maintenance, Navy: 38,547,245
- Operation and Maintenance, Marine Corps: 8,390,351
- Operation and Maintenance, Air Force: 17,449,816
- Operation and Maintenance, Defense-Wide: 2,424,380
- Operation and Maintenance, Army Reserve: 1,327,638
- Operation and Maintenance, Navy Reserve: 2,424,380
- Operation and Maintenance, Marine Corps Reserve: 1,47,169
- Operation and Maintenance, Air Force Reserve: 2,424,380
- Operation and Maintenance, Army National Guard: 4,442,288
- Operation and Maintenance, Navy National Guard: 4,472,738
- Overseas Contingency Operations Reserve: 15,020
- Environmental Restoration, Army: 298,500
- Environmental Restoration, Navy: 397,999
- Environmental Restoration, Air Force: 23,684
- Environmental Restoration, Defense-Wide: 288,161
- Overseas Contingency, Disaster, and Civil Aid: 59,000
- Former Soviet Union Threat Reduction Account: 493,200

Total, title II, Operation and Maintenance: 121,062,909

### TITLE III
**Procurement**
- Aircraft Procurement, Army: 2,654,641
- Aircraft Procurement, Navy: 1,007,000
- Aircraft Procurement, Air Force: 1,195,702
- Aircraft Procurement, Defense-Wide: 2,896,147
- Procurement of Weapons and Tracked Combat Vehicles, Army: 2,067,900
- Procurement of Ammunition, Army: 1,590,900
- Procurement of Ammunition, Navy: 4,672,700
- Procurement of Ammunition, Air Force: 1,027,459
- Procurement of Ammunition, Defense-Wide: 2,075,130
- Procurement of National Security Equipment: 599,000
- Defense Production Act Purchases: 42,760

Total, title III, Procurement: 77,870,403
<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>House</th>
<th>Senate</th>
<th>Conference</th>
<th>FY 2005</th>
<th>FY 2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2005</td>
<td>FY 2006</td>
<td>House</td>
<td>Senate</td>
<td>Conference</td>
<td>House</td>
</tr>
<tr>
<td>RESEARCH, DEVELOPMENT, TEST AND EVALUATION</td>
<td>10,688,989</td>
<td>9,733,824</td>
<td>10,827,174</td>
<td>10,520,592</td>
<td>11,172,597</td>
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<tr>
<td>Research, Development, Test and Evaluation, Army</td>
<td>17,043,812</td>
<td>18,037,991</td>
<td>18,481,862</td>
<td>19,567,024</td>
<td>18,993,135</td>
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<tr>
<td>Research, Development, Test and Evaluation, Navy</td>
<td>20,890,022</td>
<td>22,812,351</td>
<td>22,984,866</td>
<td>21,856,010</td>
<td>21,999,649</td>
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<td>Research, Development, Test and Evaluation, Defense-Wide</td>
<td>20,903,624</td>
<td>20,833,416</td>
<td>19,314,630</td>
<td>19,301,618</td>
<td>19,788,590</td>
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<tr>
<td>Total, title IV, Research, Development, Test and Evaluation</td>
<td>89,932,182</td>
<td>69,355,040</td>
<td>71,456,852</td>
<td>70,405,962</td>
<td>72,132,238</td>
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**TITLE V**

REVOLVING AND MANAGEMENT FUNDS

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount FY 2005</th>
<th>Amount FY 2006</th>
<th>House</th>
<th>Senate</th>
<th>Conference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defense Working Capital Fund</td>
<td>1,174,210</td>
<td>1,471,340</td>
<td>1,154,340</td>
<td>1,154,940</td>
<td>1,154,940</td>
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<tr>
<td>National Defense Reserve Fund</td>
<td>1,204,626</td>
<td>1,468,504</td>
<td>1,399,459</td>
<td>579,954</td>
<td>1,089,056</td>
</tr>
<tr>
<td>Total, title V, Revolving and Management Funds</td>
<td>2,378,836</td>
<td>3,138,844</td>
<td>2,733,799</td>
<td>1,743,894</td>
<td>2,243,495</td>
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</table>

**TITLE VI**

OTHER DEFENSE PROGRAMS

<table>
<thead>
<tr>
<th>Program</th>
<th>Amount FY 2005</th>
<th>Amount FY 2006</th>
<th>House</th>
<th>Senate</th>
<th>Conference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operation and Maintenance</td>
<td>17,287,419</td>
<td>19,247,137</td>
<td>19,184,357</td>
<td>19,345,087</td>
<td>19,299,787</td>
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<tr>
<td>Procurement</td>
<td>367,035</td>
<td>375,319</td>
<td>355,716</td>
<td>377,319</td>
<td>379,119</td>
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<tr>
<td>Research and Development</td>
<td>506,942</td>
<td>169,156</td>
<td>444,236</td>
<td>510,506</td>
<td>542,106</td>
</tr>
<tr>
<td>Total, Defense Health Program</td>
<td>18,171,348</td>
<td>19,784,612</td>
<td>19,583,712</td>
<td>20,237,662</td>
<td>20,231,212</td>
</tr>
</tbody>
</table>

**TITLE VII**

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

<table>
<thead>
<tr>
<th>Program</th>
<th>Amount FY 2005</th>
<th>Amount FY 2006</th>
<th>House</th>
<th>Senate</th>
<th>Conference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operation and Maintenance</td>
<td>239,400</td>
<td>244,600</td>
<td>244,600</td>
<td>244,600</td>
<td>244,600</td>
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<tr>
<td>Procurement</td>
<td>310,466</td>
<td>354,944</td>
<td>376,844</td>
<td>413,344</td>
<td>422,344</td>
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<tr>
<td>Total, Central Intelligence Agency Retirement and Disability System Fund</td>
<td>550,866</td>
<td>599,544</td>
<td>621,644</td>
<td>657,984</td>
<td>666,944</td>
</tr>
</tbody>
</table>

**TITLE VIII**

GENERAL PROVISIONS

<table>
<thead>
<tr>
<th>Program</th>
<th>Amount FY 2005</th>
<th>Amount FY 2006</th>
<th>House</th>
<th>Senate</th>
<th>Conference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional Transfer Authority (Sec. 8025)</td>
<td>3,500,000</td>
<td>4,000,000</td>
<td>3,500,000</td>
<td>3,750,000</td>
<td>3,750,000</td>
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<tr>
<td>Indian Financing Act incentives (Sec. 8026)</td>
<td>8,000</td>
<td>8,000</td>
<td>8,000</td>
<td>8,000</td>
<td>8,000</td>
</tr>
<tr>
<td>Disposal &amp; Lease of 500+ Real Property</td>
<td>125,000</td>
<td>125,000</td>
<td>125,000</td>
<td>125,000</td>
<td>125,000</td>
</tr>
<tr>
<td>Overseas Milt. Acad. Invest. Recovery (Sec. 8034)</td>
<td>25,000</td>
<td>25,000</td>
<td>25,000</td>
<td>25,000</td>
<td>25,000</td>
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<tr>
<td>Army Historical Foundation (Sec. 8033)</td>
<td>125,000</td>
<td>125,000</td>
<td>125,000</td>
<td>125,000</td>
<td>125,000</td>
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<tr>
<td>Resiliencies (Sec. 8045)</td>
<td>779,457</td>
<td>779,457</td>
<td>779,457</td>
<td>779,457</td>
<td>779,457</td>
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<tr>
<td>State and Local Grant Programs (Sec. 8019)</td>
<td>18,000</td>
<td>18,000</td>
<td>18,000</td>
<td>18,000</td>
<td>18,000</td>
</tr>
<tr>
<td>Travel Cards (Sec. 8044)</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
<td>4,000</td>
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<tr>
<td>Special needs students (Sec. 8110)</td>
<td>5,500</td>
<td>5,500</td>
<td>5,500</td>
<td>5,500</td>
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<tr>
<td>Fisher House (Sec. 8034)</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
<td>2,000</td>
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<tr>
<td>CASK/Foreign Contract Growth (Sec. 8086)</td>
<td>-200,000</td>
<td>-200,000</td>
<td>-200,000</td>
<td>-200,000</td>
<td>-200,000</td>
</tr>
<tr>
<td>Contracted Advisory and Assistance Services (Sec. 8087)</td>
<td>-200,000</td>
<td>-200,000</td>
<td>-200,000</td>
<td>-200,000</td>
<td>-200,000</td>
</tr>
<tr>
<td>Aircraft Procurement, Navy</td>
<td>34,000</td>
<td>34,000</td>
<td>34,000</td>
<td>34,000</td>
<td>34,000</td>
</tr>
</tbody>
</table>
### DIVISION A - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT-FY 2006 (H.R. 2693)

**Fiscal Year 2005**

| Operation and Maintenance, Defense-wide           | 40,000 | 39,900 | -100,000 |
| JT cost growth reduction                         | 107,000 | 107,000 | 0         |
| Working Capital Funds Cash Balance (Sec. 8004)   | 3,900,000 | 3,900,000 | 0         |
| Ctr for Mil Recruiting Assessment & Vet Emp (Sec. 8099) | 8,000 | 8,000 | 0         |
| Various grants (Sec. 8008)                       | 204,000 | 204,000 | 0         |
| Assured management improvements                  | 7,100,000 | 7,100,000 | 0         |
| Transportation Working Capital Fund               | 1,200,000 | 1,200,000 | 0         |
| DoD GCC health demonstration program            | 2,500,000 | 2,500,000 | 0         |
| Contract offsets                                  | 80,000 | 80,000 | 0         |
| Budget withholds                                 | 350,000 | 350,000 | 0         |
| Unobligated balances                            | 768,100 | 768,100 | 0         |
| Travel costs (Sec. 8109)                         | 100,000 | 100,000 | 0         |
| SCN Transfer-DSGN (Sec. 8116)                    | -178,300 | -178,300 | 0         |
| Procurement Offset (Sec. 8117)                   | 1,000,000 | 1,000,000 | 0         |
| Army Venture Capital Funds (Sec. 8118)           | 15,000 | 15,000 | 0         |
| Centers for Disease Control and Prevention, Avian Flu | 381,000 | 381,000 | 0         |
| Hurricane Katrina Expenses                       | 3,913,000 | 3,913,000 | 0         |
| Department of Labor, State Unemployment Insurance and Employment Service Operations (emergency) | 14,000 | 14,000 | 0         |
| Office of the Inspector General (emergency)      | 5,000 | 5,000 | 0         |
| Revised Economic Assumptions (Sec. 8125)         | -771,300 | -771,300 | 0         |

**Fiscal Year 2006**

| Operation and Maintenance, Defense-wide           | 40,000 | 39,900 | -100,000 |
| JT cost growth reduction                         | 107,000 | 107,000 | 0         |
| Working Capital Funds Cash Balance (Sec. 8004)   | 3,900,000 | 3,900,000 | 0         |
| Ctr for Mil Recruiting Assessment & Vet Emp (Sec. 8099) | 8,000 | 8,000 | 0         |
| Various grants (Sec. 8008)                       | 204,000 | 204,000 | 0         |
| Assured management improvements                  | 7,100,000 | 7,100,000 | 0         |
| Transportation Working Capital Fund               | 1,200,000 | 1,200,000 | 0         |
| DoD GCC health demonstration program            | 2,500,000 | 2,500,000 | 0         |
| Contract offsets                                  | 80,000 | 80,000 | 0         |
| Budget withholds                                 | 350,000 | 350,000 | 0         |
| Unobligated balances                            | 768,100 | 768,100 | 0         |
| Travel costs (Sec. 8109)                         | 100,000 | 100,000 | 0         |
| SCN Transfer-DSGN (Sec. 8116)                    | -178,300 | -178,300 | 0         |
| Procurement Offset (Sec. 8117)                   | 1,000,000 | 1,000,000 | 0         |
| Army Venture Capital Funds (Sec. 8118)           | 15,000 | 15,000 | 0         |
| Centers for Disease Control and Prevention, Avian Flu | 381,000 | 381,000 | 0         |
| Hurricane Katrina Expenses                       | 3,913,000 | 3,913,000 | 0         |
| Department of Labor, State Unemployment Insurance and Employment Service Operations (emergency) | 14,000 | 14,000 | 0         |
| Office of the Inspector General (emergency)      | 5,000 | 5,000 | 0         |
| Revised Economic Assumptions (Sec. 8125)         | -771,300 | -771,300 | 0         |

**Total, Title VIII, General Provisions**

|                              | 4,845,012 | 6,206,600 | 6,206,600 |

**DEPARTMENT OF DEFENSE-MILITARY**

| Military Personnel            | 8,015,755 | 8,015,755 | 0         |

**Operation and Maintenance**

| Operation & Maintenance, Army (contingency operations) | 20,398,450 | 21,915,547 | 21,348,886 |
| Operation & Maintenance, Navy (contingency operations) | 1,907,800 | 1,804,400 | 1,810,500 |
| Operation & Maintenance, Marine Corps (contingency operations) | 1,072,150 | 1,275,800 | 1,833,126 |
| Operation & Maintenance, Air Force (contingency operations) | 3,559,000 | 2,014,900 | 2,483,900 |
| Operation & Maintenance, Defense-wide (contingency operations) | 626,000 | 980,000 | 805,000 |
| Iraq Freedom Fund (contingency operations) | 3,500,000 | 4,100,000 | 4,658,686 |
| Operation & Maintenance, Army Reserve (contingency operations) | 35,700 | 53,700 | 48,200 |
| Operation & Maintenance, Army Reserve (contingency operations) | 9,400 | 6,400 | 6,400 |
| Operation & Maintenance, Marine Corps Reserve (contingency operations) | 23,950 | 27,950 | 27,950 |
| Operation & Maintenance, Air Force Reserve (contingency operations) | 7,000 | 3,000 | 5,000 |
| Operation & Maintenance, Army National Guard (contingency operations) | 159,500 | 201,500 | 183,000 |
| Operation & Maintenance, Air National Guard (contingency operations) | 13,400 | 7,200 | 7,200 |
| **Total, Operation and Maintenance** | 32,358,450 | 32,458,397 | 32,217,848 |

**Procurement**

| Aircraft Procurement, Army (contingency operations) | 348,100 | 232,100 | 232,100 |
| Missile Procurement, Army (contingency operations) | 80,000 | 55,000 | 55,000 |
| Procurement of Weapons and Tracked Combat Vehicles, Army (contingency operations) | 455,427 | 910,700 | 880,190 |

**Total, Procurement**

|                              | 32,358,450 | 32,458,397 | 32,217,848 |
### DIVISION A - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT-FY 2006 (H.R. 2863)

(Amounts in thousands)

<table>
<thead>
<tr>
<th>FY 2005 Enacted</th>
<th>FY 2006 Request</th>
<th>House S/</th>
<th>Senate</th>
<th>Conference</th>
<th>Conference vs. Enacted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Procurement of Ammunition, Army (contingency operations)</td>
<td>13,900</td>
<td>355,700</td>
<td>203,000</td>
<td>+273,000</td>
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<tr>
<td>Other Procurement, Army (contingency operations)</td>
<td>1,061,270</td>
<td>3,916,000</td>
<td>3,174,900</td>
<td>+3,174,900</td>
<td></td>
</tr>
<tr>
<td>Aircraft Procurement, Navy (contingency operations)</td>
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<td>+138,837</td>
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<td></td>
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<tr>
<td>Weapons Procurement, Navy (contingency operations)</td>
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<td>56,700</td>
<td>110,900</td>
<td>+110,900</td>
<td></td>
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<tr>
<td>Procurement of Ammunition, Navy and Marine Corps (contingency operations)</td>
<td>144,721</td>
<td>49,845</td>
<td>38,885</td>
<td>+38,885</td>
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<tr>
<td>Other Procurement, Navy (contingency operations)</td>
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<td>116,048</td>
<td>49,100</td>
<td>+49,100</td>
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<tr>
<td>Procurement, Marine Corps (contingency operations)</td>
<td>389,900</td>
<td>2,303,700</td>
<td>1,710,145</td>
<td>+1,710,145</td>
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<tr>
<td>Aircraft Procurement, Air Force (contingency operations)</td>
<td>115,300</td>
<td>118,058</td>
<td>115,300</td>
<td>+115,300</td>
<td></td>
</tr>
<tr>
<td>Missile Procurement, Air Force (contingency ops.)</td>
<td>2,400</td>
<td>17,000</td>
<td>17,000</td>
<td>+17,000</td>
<td></td>
</tr>
<tr>
<td>Other Procurement, Air Force (contingency operations)</td>
<td>103,900</td>
<td>132,073</td>
<td>182,075</td>
<td>+182,075</td>
<td></td>
</tr>
<tr>
<td>Procurement, Defense-Wide (contingency operations)</td>
<td>310,000</td>
<td>2,627,000</td>
<td>1,300,000</td>
<td>+1,300,000</td>
<td></td>
</tr>
<tr>
<td>National Guard and Reserve Equipment (emergency)</td>
<td>2,857,214</td>
<td>9,851,683</td>
<td>7,980,932</td>
<td>+7,980,932</td>
<td></td>
</tr>
<tr>
<td><strong>Total, Procurement</strong></td>
<td>2,857,214</td>
<td>9,851,683</td>
<td>7,980,932</td>
<td>+7,980,932</td>
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</tbody>
</table>

### Research, Development, Test and Evaluation

<table>
<thead>
<tr>
<th>FY 2005 Enacted</th>
<th>FY 2006 Request</th>
<th>House S/</th>
<th>Senate</th>
<th>Conference</th>
<th>Conference vs. Enacted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Research, Development, Test &amp; Evaluation, Army (contingency operations)</td>
<td>13,100</td>
<td>13,100</td>
<td>+13,100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Research, Development, Test &amp; Evaluation, Navy (contingency operations)</td>
<td>72,000</td>
<td>13,100</td>
<td>+13,100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Research, Development, Test &amp; Evaluation, Air Force (contingency operations)</td>
<td>17,800</td>
<td>12,500</td>
<td>+12,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Research, Development, Test and Evaluation, Defense-Wide (contingency operations)</td>
<td>75,000</td>
<td>25,000</td>
<td>+25,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total, Research, Development, Test and Evaluation</strong></td>
<td>88,100</td>
<td>92,300</td>
<td>50,600</td>
<td>+50,600</td>
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</table>

### Defense Working Capital Funds (contingency operations)

<table>
<thead>
<tr>
<th>FY 2005 Enacted</th>
<th>FY 2006 Request</th>
<th>House S/</th>
<th>Senate</th>
<th>Conference</th>
<th>Conference vs. Enacted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defense Working Capital Funds (contingency operations)</td>
<td>2,065,000</td>
<td>2,718,400</td>
<td>2,516,400</td>
<td>+2,516,400</td>
<td></td>
</tr>
<tr>
<td>Defense Health Program (contingency operations)</td>
<td>2,000</td>
<td>2,000</td>
<td>+2,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additional transfer authority (contingency operations)</td>
<td>(2,500,000)</td>
<td>(2,500,000)</td>
<td>(2,500,000)</td>
<td>+2,500,000</td>
<td></td>
</tr>
<tr>
<td><strong>Drug Interdiction and Counter-Drug Activities, Defense (contingency operations)</strong></td>
<td>45,284,619</td>
<td>51,300,000</td>
<td>50,000,000</td>
<td>+50,000,000</td>
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</table>

### Total, Title IX

<table>
<thead>
<tr>
<th>FY 2005 Enacted</th>
<th>FY 2006 Request</th>
<th>House S/</th>
<th>Senate</th>
<th>Conference</th>
<th>Conference vs. Enacted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total for the bill (net)</td>
<td>391,153,312</td>
<td>397,214,410</td>
<td>445,448,117</td>
<td>445,289,753</td>
<td>+51,636,441</td>
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### CONGRESSIONAL BUDGET RECAP

<table>
<thead>
<tr>
<th></th>
<th>FY 2005 Enacted</th>
<th>FY 2006 Request</th>
<th>House $5</th>
<th>Senate</th>
<th>Conference vs. Enacted</th>
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<tbody>
<tr>
<td><strong>Scorekeeping adjustments:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Lease of defense real property (permanent)</td>
<td>12,000</td>
<td>12,000</td>
<td>12,000</td>
<td>12,000</td>
<td>$12,000</td>
</tr>
<tr>
<td>Disposal of defense real property (permanent)</td>
<td>17,000</td>
<td>15,000</td>
<td>15,000</td>
<td>15,000</td>
<td>$15,000</td>
</tr>
<tr>
<td>Army Venture Capital Funds</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
<td>1,000</td>
</tr>
<tr>
<td>DOD, Army &amp; Air Force Transfer to Civilian</td>
<td>-1,800</td>
<td>-2,500</td>
<td>-2,000</td>
<td>-1,000</td>
<td></td>
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<tr>
<td>Defense function</td>
<td>1,000</td>
<td>2,500</td>
<td>2,000</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Navy &amp; Air Force &amp; Space Command</td>
<td>-18,000</td>
<td>-18,000</td>
<td>-18,000</td>
<td>-18,000</td>
<td></td>
</tr>
<tr>
<td>Non-defense function</td>
<td>-40,000</td>
<td>-40,000</td>
<td>-40,000</td>
<td>-40,000</td>
<td></td>
</tr>
<tr>
<td>DOD, Defense wide transfer to Forest Service</td>
<td>40,000</td>
<td>40,000</td>
<td>40,000</td>
<td>40,000</td>
<td></td>
</tr>
<tr>
<td>Iraq Freedom Fund transfer to Coast Guard</td>
<td>10,707,483</td>
<td>10,707,483</td>
<td>10,707,483</td>
<td>10,707,483</td>
<td>$10,707,483</td>
</tr>
<tr>
<td>Less emergency appropriations</td>
<td>-75,972,708</td>
<td>-45,254,819</td>
<td>-55,232,000</td>
<td>-50,000,000</td>
<td>$25,972,708</td>
</tr>
<tr>
<td><strong>Total, scorekeeping adjustments</strong></td>
<td>-75,955,708</td>
<td>10,734,483</td>
<td>-34,520,136</td>
<td>-44,497,517</td>
<td>-39,265,517</td>
</tr>
</tbody>
</table>

**Adjusted total (include scorekeeping adjustments):**

|                      | 391,172,312 | 407,948,893 | 404,936,046 | 400,950,600 | 403,524,236 | $12,351,924 |
|                      | (391,061,949) | (407,948,893) | (404,936,046) | (400,950,600) | (403,524,236) | (+$11,870,010) |
| Revisions | -779,837 | -683,550 | -498,800 | -405,723 | -373,914 |
| **Total (including scorekeeping adjustments):** | 391,172,312 | 407,948,893 | 404,936,046 | 400,950,600 | 403,524,236 | $12,351,924 |

**Amount in this bill:**

|                      | (487,128,020) | (397,214,419) | (429,456,182) | (445,448,117) | (442,786,753) | ($24,238,267) |

**Scorekeeping adjustments:**

|                      | -75,955,708 | 10,734,483 | -34,520,136 | -44,497,517 | -39,265,517 | $36,680,191 |

**Total mandatory and discretionary:**

|                      | 391,172,312 | 407,948,893 | 404,936,046 | 400,950,600 | 403,524,236 | $12,351,924 |
|                      | 239,400 | 244,600 | 244,600 | 244,600 | 244,600 | $5,200 |
| Discretionary | 390,832,912 | 407,704,293 | 404,691,446 | 400,706,000 | 403,279,836 | $12,346,724 |

**RECAPITULATION**

| Title I: Military Personnel. | 103,731,158 | 98,253,263 | 97,405,063 | 95,680,837 | 96,987,063 | $6,734,095 |
| Title II: Operations and Maintenance. | 121,062,463 | 126,926,542 | 124,907,922 | 124,966,550 | 123,915,920 | $2,250,040 |
| Title III: Procurement. | 77,679,803 | 76,635,410 | 76,806,886 | 75,817,187 | 75,589,415 | $-1,140,368 |
| Title IV: R&D, Development, Test & Evaluation. | 69,332,182 | 69,356,040 | 71,056,092 | 70,407,582 | 72,132,238 | $-2,200,056 |
| Title V: Research, Development, Test & Evaluation. | 2,378,836 | 3,119,844 | 2,753,799 | 1,734,894 | 2,243,996 | $134,840 |
| Title VI: Related Agencies. | 20,651,300 | 22,302,567 | 22,450,567 | 22,405,187 | 22,740,371 | $2,183,897 |
| Title VII: Defense wide transfers (net). | 557,866 | 590,444 | 621,444 | 657,944 | 666,944 | $109,078 |
| Title IX: Additional appropriations (net). | -6,945,012 | 63,000 | -1,586,780 | 2,077,980 | -3,184,973 | $4,660,139 |
| **Total, Department of Defense.** | 391,153,312 | 397,214,419 | 439,456,182 | 445,448,117 | 442,786,753 | $42,789,753 |
| Other defense appropriations. | 4,707,708 | 4,734,683 | 4,726,683 | 4,716,683 | 4,707,708 | $-50,000 |
| **Total funding available (net).** | 487,128,020 | 397,214,419 | 439,456,182 | 446,448,117 | 447,594,417 | $24,338,267 |
| Scorekeeping adjustments. | -75,955,708 | 10,734,483 | -34,520,136 | -44,497,517 | -39,265,517 | $36,680,191 |
| **Total mandatory and discretionary.** | 391,172,312 | 407,948,893 | 404,936,046 | 400,950,600 | 403,524,236 | $12,351,924 |

**RECAP BY FUNCTION**

|                       | 239,400 | 244,600 | 244,600 | 244,600 | 244,600 | $5,200 |
| Discretionary: General purpose discretionary: | 390,832,912 | 407,704,293 | 404,691,446 | 400,706,000 | 403,279,836 | $12,346,724 |
| Defense discretionary. | 390,832,912 | 407,704,293 | 404,691,446 | 400,706,000 | 403,279,836 | $12,346,724 |

**FOOTNOTES:**

1/ Includes budget under Procurement title.
2/ Sec. 9004 of Public Law 108-287.
3/ Contributions to Department of Defense Retiree Health Care Fund (Sec. 725, P.L. 108-375).
4/ Includes Title IX contingency operations funds.
5/ Includes funding contained in the House Military Quality of Life & Veterans Affairs Appropriations Bill.
### DIVISION B
**Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza, 2006**

#### TITLE 1
**Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico**

#### CHAPTER 1
Department of Agriculture

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2006</th>
<th>Conference</th>
<th>vs Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Working capital fund (emergency)</td>
<td>70,000</td>
<td>35,000</td>
<td>-35,000</td>
</tr>
<tr>
<td>Agricultural Research Service</td>
<td>6,000</td>
<td>8,000</td>
<td>-2,000</td>
</tr>
<tr>
<td>Rural Housing Service</td>
<td>10,000</td>
<td>20,000</td>
<td>+10,000</td>
</tr>
<tr>
<td>Rural community development</td>
<td>45,000</td>
<td>45,000</td>
<td>0</td>
</tr>
<tr>
<td>Rural electrification and telecommunication</td>
<td>8,000</td>
<td>8,000</td>
<td>0</td>
</tr>
<tr>
<td>Commodity assistance program</td>
<td>4,000</td>
<td>6,000</td>
<td>+2,000</td>
</tr>
<tr>
<td>Food and Nutrition Service</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Provisions</td>
<td>160,000</td>
<td>195,000</td>
<td>+35,000</td>
</tr>
<tr>
<td>Watershed and flood prevention operations (emergency)</td>
<td>200,000</td>
<td>300,000</td>
<td>+100,000</td>
</tr>
<tr>
<td>Emergency forestry conservation reserve program</td>
<td>404,100</td>
<td>404,100</td>
<td>0</td>
</tr>
<tr>
<td>Total, Chapter 1</td>
<td>486,200</td>
<td>1,079,100</td>
<td>+592,900</td>
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</table>

#### CHAPTER 2
Department of Defense

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2006</th>
<th>Conference</th>
<th>vs Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Military personnel</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Army (emergency)</td>
<td>29,430</td>
<td>29,430</td>
<td>0</td>
</tr>
<tr>
<td>Navy (emergency)</td>
<td>57,691</td>
<td>57,691</td>
<td>0</td>
</tr>
<tr>
<td>Marine Corps (emergency)</td>
<td>14,193</td>
<td>14,193</td>
<td>0</td>
</tr>
<tr>
<td>Air Force (emergency)</td>
<td>105,034</td>
<td>105,034</td>
<td>0</td>
</tr>
<tr>
<td>Reserve (emergency)</td>
<td>11,100</td>
<td>11,100</td>
<td>0</td>
</tr>
<tr>
<td>Reserve (emergency), Army</td>
<td>33,015</td>
<td>33,015</td>
<td>0</td>
</tr>
<tr>
<td>Reserve (emergency), Marine Corps</td>
<td>3,020</td>
<td>3,020</td>
<td>0</td>
</tr>
<tr>
<td>Air Force (emergency)</td>
<td>2,370</td>
<td>2,370</td>
<td>0</td>
</tr>
<tr>
<td>National Guard personnel, Air Force (emergency)</td>
<td>220,668</td>
<td>220,668</td>
<td>0</td>
</tr>
<tr>
<td>National Guard personnel, Marine Corps (emergency)</td>
<td>77,718</td>
<td>77,718</td>
<td>0</td>
</tr>
<tr>
<td>Subtotal, Military personnel</td>
<td>554,535</td>
<td>554,535</td>
<td>0</td>
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</table>

#### Operation and Maintenance

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2006</th>
<th>Conference</th>
<th>vs Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operation and maintenance, Army (emergency)</td>
<td>156,166</td>
<td>156,166</td>
<td>0</td>
</tr>
<tr>
<td>Operation and maintenance, Marine Corps (emergency)</td>
<td>543,690</td>
<td>544,026</td>
<td>+1,336</td>
</tr>
<tr>
<td>Operation and maintenance, Air Force (emergency)</td>
<td>7,343</td>
<td>7,343</td>
<td>0</td>
</tr>
<tr>
<td>Operation and maintenance, Defense-wide (emergency)</td>
<td>29,027</td>
<td>29,027</td>
<td>0</td>
</tr>
<tr>
<td>Operation and maintenance, Reserve (emergency)</td>
<td>16,118</td>
<td>16,118</td>
<td>0</td>
</tr>
</tbody>
</table>
### Div. B - Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza - 2005 (H.R. 2683)

<table>
<thead>
<tr>
<th>FY 2006 Request</th>
<th>Conference vs Request</th>
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</thead>
<tbody>
<tr>
<td><strong>Operation and maintenance, Navy Reserve (emergency)</strong></td>
<td>480,094</td>
</tr>
<tr>
<td><strong>Operation and maintenance, Marine Corps Reserve (emergency)</strong></td>
<td>16,331</td>
</tr>
<tr>
<td><strong>Operation and maintenance, Air Force Reserve (emergency)</strong></td>
<td>2,966</td>
</tr>
<tr>
<td><strong>Operation and maintenance, Army National Guard (emergency)</strong></td>
<td>96,855</td>
</tr>
<tr>
<td><strong>Operation and maintenance, Air National Guard (emergency)</strong></td>
<td>46,098</td>
</tr>
<tr>
<td><strong>Subtotal, Operation and Maintenance</strong></td>
<td>1,952,218</td>
</tr>
</tbody>
</table>

### Procurement

<table>
<thead>
<tr>
<th>Procurement</th>
<th>FY 2006 Request</th>
<th>Conference vs Request</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Procurement of weapons and tracked combat vehicles, Army (emergency)</strong></td>
<td>1,600</td>
<td>1,600</td>
</tr>
<tr>
<td><strong>Procurement of ammunition, Army (emergency)</strong></td>
<td>1,000</td>
<td>1,000</td>
</tr>
<tr>
<td><strong>Other procurement, Army (emergency)</strong></td>
<td>43,350</td>
<td>43,350</td>
</tr>
<tr>
<td><strong>Procurement, Navy (emergency)</strong></td>
<td>3,886</td>
<td>3,886</td>
</tr>
<tr>
<td><strong>Procurement of ammunition, Navy and Marine Corps (emergency)</strong></td>
<td>2,800</td>
<td>2,800</td>
</tr>
<tr>
<td><strong>Shipbuilding and conversion, Navy (emergency)</strong></td>
<td>1,987,000</td>
<td>1,987,000</td>
</tr>
<tr>
<td><strong>Other procurement, Navy (emergency)</strong></td>
<td>150,150</td>
<td>150,150</td>
</tr>
<tr>
<td><strong>Procurement, Air Force (emergency)</strong></td>
<td>170,300</td>
<td>170,300</td>
</tr>
<tr>
<td><strong>Procurement, Defense-wide (emergency)</strong></td>
<td>12,062</td>
<td>12,062</td>
</tr>
<tr>
<td><strong>National Guard and Reserve equipment (emergency)</strong></td>
<td>19,260</td>
<td>19,260</td>
</tr>
<tr>
<td><strong>Subtotal, Procurement</strong></td>
<td>2,268,763</td>
<td>2,309,779</td>
</tr>
</tbody>
</table>

### Research, Development, Test and Evaluation

| RD&EE, Navy (emergency) | 27,612 | 2,482 | -25,130 |
| RD&EE, Air Force (emergency) | 6,200 | 6,200 |
| RD&EE, Defense-wide (emergency) | 32,720 | 32,720 |
| **Subtotal, RD&EE** | 66,532 | 41,382 | -25,150 |

### Revolving and Management Funds

| Defense working capital funds (emergency) | 7,224 | 7,224 |
| Defense health program (emergency) | 201,550 | 201,550 |

### Trust Funds

| Surcharges, sales of commissary stores, Defense (emergency) | 44,341 | 44,341 |
| Other Department of Defense Programs |
| Office of the Inspector General (emergency) | 310 | 310 |
| O.P. - Additional transfer authority (emergency) | 750,000 | -750,000 |
| **General reduction** | -737,089 | -737,089 |
| **Total, Chapter 2** | 5,115,473 | 4,375,349 | -740,124 |

### Chapter 3

#### Department of Defense - Civil

| Corps of Engineers - Civil |
| Investigations (emergency) | 4,600 | 57,300 | +52,700 |
| Construction (emergency) | 292,300 | 104,417 | -187,883 |
| Flood control, Mississippi River and tributaries (emergency) | 100,000 | 53,750 | +46,250 |
| Operation and maintenance (emergency) | 154,600 | 327,517 | +172,917 |
| Flood control and coastal emergencies (emergency) | 938,000 | 2,277,965 | +1,339,965 |
| General expenses (emergency) | --- | 600 | +600 |
| **Total, Chapter 3** | 1,380,500 | 2,939,249 | +1,558,749 |
### Chapter 4

#### Department of Homeland Security

<table>
<thead>
<tr>
<th>Description</th>
<th>FY 2006 Request</th>
<th>Conference vs Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries and expenses (emergency)</td>
<td>27,100</td>
<td>-9,000</td>
</tr>
<tr>
<td>Construction (emergency)</td>
<td>26,700</td>
<td>-16,300</td>
</tr>
<tr>
<td>Immigration and Customs Enforcement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries and expenses (emergency)</td>
<td>13,848</td>
<td>-848</td>
</tr>
<tr>
<td>Coast Guard</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating expenses (emergency)</td>
<td>190,935</td>
<td>-7,335</td>
</tr>
<tr>
<td>Acquisition, construction, and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>improvements (emergency)</td>
<td>138,660</td>
<td>-62,160</td>
</tr>
<tr>
<td>U.S. Secret Service</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries and expenses (emergency)</td>
<td>-3,600</td>
<td>3,600</td>
</tr>
<tr>
<td>Office for Domestic Preparedness</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State and local program (emergency)</td>
<td>-10,300</td>
<td>10,300</td>
</tr>
<tr>
<td>Federal Emergency Management Agency</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administrative and regional</td>
<td>87,102</td>
<td>-80,000</td>
</tr>
<tr>
<td>operations (emergency)</td>
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<td></td>
</tr>
<tr>
<td>Disaster relief (transfer out</td>
<td>-1,100</td>
<td>(1,100)</td>
</tr>
<tr>
<td>emergency)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disaster assistance direct from</td>
<td></td>
<td></td>
</tr>
<tr>
<td>program (by transfer emergency)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total, Chapter 4</strong></td>
<td>430,743</td>
<td>280,100</td>
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</table>

### Chapter 5

#### U.S. Fish and Wildlife Service

<table>
<thead>
<tr>
<th>Description</th>
<th>FY 2006 Request</th>
<th>Conference vs Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction (emergency)</td>
<td>61,000</td>
<td>-31,000</td>
</tr>
<tr>
<td>National Park Service</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction (emergency)</td>
<td>38,000</td>
<td>-19,000</td>
</tr>
<tr>
<td>U.S. Geological Survey</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Surveys, investigations and research (emergency)</td>
<td>5,300</td>
<td>5,300</td>
</tr>
<tr>
<td>Minerals Management Service</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Royalty and offshore minerals</td>
<td>31,500</td>
<td>-15,500</td>
</tr>
<tr>
<td>management (emergency)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Protection Agency</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Leaking underground storage tank</td>
<td>15,000</td>
<td>-7,000</td>
</tr>
<tr>
<td>program (emergency)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Department of Agriculture</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forest Service</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State and private forestry</td>
<td>30,000</td>
<td>30,000</td>
</tr>
<tr>
<td>(emergency)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>National Forest System</td>
<td>20,000</td>
<td>20,000</td>
</tr>
<tr>
<td>(emergency)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital improvement and maintenance (emergency)</td>
<td>2,000</td>
<td>2,000</td>
</tr>
<tr>
<td>Forestry disaster assistance fund</td>
<td>50,000</td>
<td>-50,000</td>
</tr>
<tr>
<td>(emergency)</td>
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<td></td>
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<tr>
<td><strong>Total, Chapter 5</strong></td>
<td>218,700</td>
<td>138,300</td>
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### Chapter 6

#### Employment and Training Administration

<table>
<thead>
<tr>
<th>Description</th>
<th>FY 2006 Request</th>
<th>Conference vs Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Training and employment services</td>
<td>125,000</td>
<td>125,000</td>
</tr>
<tr>
<td>(emergency)</td>
<td></td>
<td></td>
</tr>
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</table>
### Division B - Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza - 2006 (H.R. 3633) (Amounts in thousands)

<table>
<thead>
<tr>
<th>FY 2006 Request</th>
<th>Conference Request</th>
<th>Conference vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Health and Human Services</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration for Children and Families</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Social services block grant (emergency)</td>
<td>500,000</td>
<td>550,000</td>
</tr>
<tr>
<td>Children and families services programs (emergency)</td>
<td>90,000</td>
<td>90,000</td>
</tr>
<tr>
<td>Department of Education</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elementary and secondary - K-12 start-up (emergency)</td>
<td>---</td>
<td>750,000</td>
</tr>
<tr>
<td>Homeless education</td>
<td>---</td>
<td>5,000</td>
</tr>
<tr>
<td>Elementary and secondary - K-12 impacted students (emergency)</td>
<td>---</td>
<td>645,000</td>
</tr>
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<td>Higher education (emergency)</td>
<td>200,000</td>
<td>200,000</td>
</tr>
<tr>
<td><strong>Total, Chapter 6</strong></td>
<td>715,000</td>
<td>2,345,000</td>
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</tbody>
</table>

### Chapter 7

#### Department of Defense

**Military Construction**

- Military construction, Navy and Marine Corps (emergency) | 314,629 | 291,219 | -23,410 |
- Military construction, Air Force (emergency) | 44,305 | 52,612 | +8,307 |
- Military construction, Defense-wide (emergency) | 45,000 | 45,000 | --- |
- Military construction, Army National Guard (emergency) | 414,118 | 374,300 | -39,818 |
- Military construction, Air National Guard (emergency) | 36,000 | 36,000 | --- |
- Military construction, Naval Reserve (emergency) | 120,132 | 120,132 | --- |

**Family Housing**

- Family Housing, construction, Navy and Marine Corps (emergency) | 86,165 | 86,165 | --- |
- Family Housing operation and maintenance, Navy & Marine Corps (emergency) | 48,889 | 48,889 | --- |
- Family Housing, construction, Air Force (emergency) | 313,000 | 279,000 | -34,000 |
- Family Housing operation and maintenance, Air Force (emergency) | 47,019 | 47,019 | --- |

#### Department of Veterans Affairs

- Medical Services (emergency) | 198,265 | 198,265 | --- |

#### Departmental Administration

- General operating expenses (emergency) | 24,971 | 24,971 | --- |
- National Cemetery Administration (emergency) | 200 | 200 | --- |
- Construction, major projects (emergency) | 1,150,500 | 367,000 | -783,500 |
- Construction, minor projects (emergency) | 1,800 | 1,800 | --- |
- Armed Forces Retirement Home (emergency) | 20,900 | 65,000 | +44,100 |
- General provision MAVEN (emergency) | 3,000 | 3,000 | --- |

**Total, Chapter 7** | 2,872,193 | 2,039,772 | -832,421 |

### Chapter 8

**Department of Justice**

**Legal Activities**

- Salaries and expenses, United States Attorneys (emergency) | 9,000 | 9,000 | --- |
- United States Marshals Service |
- Salaries and expenses (emergency) | 9,000 | 9,000 | --- |
- Federal Bureau of Investigation |
- Salaries and expenses (emergency) | 52,700 | 45,000 | -7,700 |
- Drug Enforcement Administration |
- Salaries and expenses (emergency) | 12,700 | 10,000 | -2,700 |
### Division B - Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza - 2005 (H.R. 3823)

#### (Amounts in Thousands)

<table>
<thead>
<tr>
<th>Bureau of Alcohol, Tobacco, Firearms and Explosives</th>
<th>FY 2006 Request</th>
<th>Conference</th>
<th>Conference vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries and expenses (emergency)</td>
<td>24,600</td>
<td>20,000</td>
<td>-4,600</td>
</tr>
<tr>
<td>Federal Prison System</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buildings and facilities (emergency)</td>
<td>18,000</td>
<td>11,000</td>
<td>-7,000</td>
</tr>
<tr>
<td>Office of Justice Programs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State and local law enforcement assistance (emergency)</td>
<td>---</td>
<td>125,000</td>
<td>+125,000</td>
</tr>
<tr>
<td>Department of Commerce</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>National Oceanic and Atmospheric Administration</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operations, research, and facilities (emergency)</td>
<td>17,200</td>
<td>17,200</td>
<td>---</td>
</tr>
<tr>
<td>Procurement, acquisition and construction (emergency)</td>
<td>37,400</td>
<td>37,400</td>
<td>---</td>
</tr>
<tr>
<td>National Aeronautical and Space Administration</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Exploration capabilities (emergency)</td>
<td>324,800</td>
<td>348,800</td>
<td>+24,000</td>
</tr>
<tr>
<td>Small Business Administration</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office of the Inspector General (emergency)</td>
<td>5,000</td>
<td>5,000</td>
<td>---</td>
</tr>
<tr>
<td>Disaster loan program (emergency)</td>
<td>444,000</td>
<td>444,000</td>
<td>---</td>
</tr>
<tr>
<td>Total, Chapter B</td>
<td>976,400</td>
<td>1,079,400</td>
<td>+103,000</td>
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</tbody>
</table>

#### CHAPTER II

**Department of Transportation**

Federal Aviation Administration

Facilities and equipment (emergency)                      | 40,600         | 40,600     | ---                    |

Federal Highway Administration

Emergency relief program (emergency)                      | 2,325,000      | 2,750,000  | +425,000               |

Maritime Administration

Operations and training (emergency)                        | 7,500          | 7,500      | ---                    |

Department of Housing and Urban Development

Public and Indian Housing: Katrina disaster housing assistance (emergency) | 390,300        | 390,300    | ---                    |

Community Planning and Development

Community development fund (emergency)                     | 1,500,000      | 11,500,000 | +10,000,000            |

Community development fund (SHOP) (emergency)             | 50,000         | ---        | -50,000                |

HOME investments partnership program (emergency)           | 70,000         | ---        | -70,000                |

Housing Assistance: Hurricane Katrina recovery

Homesteading (emergency)                                  | 200,000        | ---        | -200,000               |

Office of the Inspector General (emergency)                | ---            | ---        | ---                    |

The Judiciary

Courts of appeals, district courts, and other services (emergency) | 65,596         | 18,000     | -47,596                |

General Services Administration

Federal buildings fund (emergency)                          | 75,000         | 38,000     | -37,000                |

GP - government wide transfer authority

Transfer out (emergency)                                   | -4,500,000     | ---        | -4,500,000             |

By transfer (nonemergency)                                | -4,500,000     | ---        | -4,500,000             |

Total, Chapter II                                         | 4,723,996      | 14,744,400 | +10,020,404            |

Total, Title I                                           | 17,124,205     | 28,999,970 | +11,875,765            |
### TITLE II

**EMERGENCY SUPPLEMENTAL APPROPRIATIONS TO ADDRESS PANDEMIC INFLUENZA**

**CHAPTER 1**

Department of Agriculture

<table>
<thead>
<tr>
<th>Item</th>
<th>FY 2008 Request</th>
<th>Conference vs Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office of the Secretary (emergency)</td>
<td>---</td>
<td>+11,350</td>
</tr>
<tr>
<td>Agricultural Research Service</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td>Salaries and expenses (emergency)</td>
<td>---</td>
<td>+7,000</td>
</tr>
<tr>
<td>Cooperative State Research, Education, and Extension Service</td>
<td>---</td>
<td>+1,500</td>
</tr>
<tr>
<td>Research and educational activities (emergency)</td>
<td>---</td>
<td>-19,850</td>
</tr>
<tr>
<td>Animal and Plant Health Inspection Service</td>
<td>91,350</td>
<td>71,500</td>
</tr>
<tr>
<td>Department of Health and Human Services</td>
<td>---</td>
<td>+20,000</td>
</tr>
</tbody>
</table>

Total, Chapter 1: 111,350

**CHAPTER 2**

Department of Defense

Operation and maintenance

<table>
<thead>
<tr>
<th>Item</th>
<th>FY 2008 Request</th>
<th>Conference vs Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operation and maintenance, Defense-wide (emergency)</td>
<td>10,000</td>
<td></td>
</tr>
<tr>
<td>Defense health program (emergency)</td>
<td>120,000</td>
<td></td>
</tr>
</tbody>
</table>

Total, Chapter 2: 130,000

**CHAPTER 3**

Bilateral Economic Assistance

United States Agency for International Development

<table>
<thead>
<tr>
<th>Item</th>
<th>FY 2008 Request</th>
<th>Conference vs Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child survival and health programs fund (emergency)</td>
<td>75,200</td>
<td></td>
</tr>
<tr>
<td>International disaster and famine assistance (emergency)</td>
<td>56,330</td>
<td></td>
</tr>
</tbody>
</table>

Total, Chapter 3: 131,530

**CHAPTER 4**

Department of Homeland Security

<table>
<thead>
<tr>
<th>Item</th>
<th>FY 2008 Request</th>
<th>Conference vs Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office of the Secretary and executive management (emergency)</td>
<td>---</td>
<td>+67,083</td>
</tr>
<tr>
<td>Management and administration (emergency)</td>
<td>---</td>
<td>-47,083</td>
</tr>
</tbody>
</table>

Total, Chapter 4: 47,083

**CHAPTER 5**

Department of the Interior

<table>
<thead>
<tr>
<th>Item</th>
<th>FY 2008 Request</th>
<th>Conference vs Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. Fish and Wildlife Service</td>
<td>7,398</td>
<td>7,398</td>
</tr>
</tbody>
</table>
### Division B - Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza - 2006 (H.R. 2863) (Amounts in thousands)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>National Park Service</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operation of the national park system (emergency)</td>
<td>525</td>
<td>525</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>U.S. Geological Survey</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Surveys, investigations and research (emergency)</td>
<td>3,670</td>
<td>3,670</td>
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<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td><strong>Total, Chapter 5</strong></td>
<td>11,593</td>
<td>11,593</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

**CHAPTER 6**

Department of Health and Human Services

Office of the Secretary

Public health and social services emergency fund:

<table>
<thead>
<tr>
<th></th>
<th>FY 2006 (emergency)</th>
<th>FY 2007 (emergency)</th>
<th>FY 2008 (emergency)</th>
<th>Conference vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3,200,000</td>
<td>3,300,000</td>
<td>100,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2,300,000</td>
<td>2,300,000</td>
<td>-2,300,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1,180,000</td>
<td>1,180,000</td>
<td>-1,180,000</td>
<td></td>
</tr>
<tr>
<td><strong>Total, Chapter 6</strong></td>
<td>6,680,000</td>
<td>3,300,000</td>
<td>-3,360,000</td>
<td></td>
</tr>
</tbody>
</table>

**CHAPTER 7**

Department of Defense

Department of Veterans Affairs

Veterans Health Administration

Medical Services (emergency) | 27,000 | 27,000 | ... |
| **Total, Chapter 7** | 27,000 | 27,000 | ... |

**CHAPTER 8**

Department of State

Administration of Foreign Affairs

Diplomatic and consular programs (emergency) | 17,000 | 16,000 | -1,000 |

Educational and cultural exchange programs (emergency) | 1,500 | ... | -1,500 |

Emergencies in the diplomatic and consular service (emergency) | 20,000 | 15,000 | -5,000 |

**Total, Chapter 8** | 38,500 | 31,000 | -7,500 |

**Total, Title II** | 7,137,256 | 3,789,756 | -3,347,500 |

**FY 2006** | 3,677,256 | 3,789,756 | 112,500 |

**FY 2007** | 2,300,000 | ... | -2,300,000 |

**FY 2008** | 1,160,000 | ... | -1,160,000 |

**Title II Endnotes:**

1/ Funds requested by the Administration under HHS Public Health and Social Services emergency fund.
### TITLE III

#### RECISSIONS AND OFFSETS

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Department</th>
<th>Operations (Recission)</th>
<th>FY 2006 Request</th>
<th>Conference vs Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Agriculture</td>
<td>Natural Resources Conservation Service: Conservation</td>
<td>-10,000</td>
<td>-10,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rural Utilities Service</td>
<td>High Energy Cost Grants (Recission)</td>
<td>-30,278</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Distance Learning, Telemedicine, and Broadband</td>
<td>direct loan financing (Recission)</td>
<td>-9,920</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Food and Nutrition Service: Food Stamp Program (Recission)</td>
<td>-37,000</td>
<td>-11,200</td>
</tr>
<tr>
<td></td>
<td>Foreign Agricultural Service</td>
<td>Public Law 480 Title I Ocean Freight Differential Grants (Recission)</td>
<td>-35,000</td>
<td>-35,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Public Law 480 Title I Direct Credit and Food for Progress (Recission)</td>
<td>-10,000</td>
<td>---</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total, Chapter I</strong></td>
<td><strong>-132,198</strong></td>
<td><strong>-66,100</strong></td>
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<table>
<thead>
<tr>
<th>Chapter</th>
<th>Department</th>
<th>Support for International Sporting Competitions (Recission)</th>
<th>FY 2006 Request</th>
<th>Conference vs Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>II</td>
<td>Defense</td>
<td>Disposal of Dept. of Defense Real Property (Recission)</td>
<td>-26,000</td>
<td>---</td>
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<tr>
<td></td>
<td></td>
<td>Lease of Dept. of Defense Real Property (Recission)</td>
<td>-45,000</td>
<td>-45,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Overseas Military Facility Investment</strong></td>
<td><strong>-60,000</strong></td>
<td><strong>-60,000</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Recovery (Recission)</td>
<td>-5,000</td>
<td>-5,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>AID, Army (Recission)</td>
<td>-48,000</td>
<td>---</td>
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<tr>
<td></td>
<td></td>
<td><strong>Total, Chapter II</strong></td>
<td><strong>-154,800</strong></td>
<td><strong>-60,000</strong></td>
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<table>
<thead>
<tr>
<th>Chapter</th>
<th>Department of the Interior</th>
<th>Bureau of Reclamation</th>
<th>Water and related resources (Recission)</th>
<th>FY 2006 Request</th>
<th>Conference vs Request</th>
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<tbody>
<tr>
<td>III</td>
<td>Energy</td>
<td>Defense site acceleration completion (Recission)</td>
<td>-283,000</td>
<td>---</td>
<td>+283,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total, Chapter III</strong></td>
<td><strong>-283,000</strong></td>
<td><strong>---</strong></td>
<td><strong>+283,000</strong></td>
</tr>
</tbody>
</table>

### CHAPTER 3

#### United States Agency for International Development

<table>
<thead>
<tr>
<th>Assistance for the Independent States of the former Soviet Union (Recission)</th>
<th>FY 2006 Request</th>
<th>Conference vs Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>International Narcotics control and law enforcement (Recission)</td>
<td>-15,700</td>
<td>---</td>
</tr>
<tr>
<td>Andean counternarcotics initiative (Recission)</td>
<td>-9,900</td>
<td>---</td>
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</table>
## Division B: Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza - 2006 (H.R. 2803)

**FY 2006**
**Conference vs. Request**

<table>
<thead>
<tr>
<th><strong>Export-Import Bank</strong></th>
<th>Request</th>
<th>Conference</th>
<th>vs. Request</th>
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</thead>
<tbody>
<tr>
<td>Subsidy appropriation (recession)</td>
<td>-25,000</td>
<td>-25,000</td>
<td>---</td>
</tr>
<tr>
<td>Total, Chapter 3</td>
<td>-45,000</td>
<td>-25,000</td>
<td>+20,000</td>
</tr>
</tbody>
</table>

### CHAPTER 4

**Department of Homeland Security**

**U.S. Coast Guard**

| Operating expenses (recession) | -260,533 | -260,533 | --- |

**Federal Emergency Management Agency**

| Disaster relief fund (emergency) | -17,130,000 | -23,409,300 | -6,279,300 |
| Total, Chapter 4 | -17,390,533 | -23,409,300 | -6,279,300 |

### CHAPTER 5

**Department of the Interior**

**Bureau of Land Management**

| Management of lands and resources (recession) | -500 | -500 | --- |
| Wildland fire management (recession) | -34,952 | --- | +34,952 |

**U.S. Fish and Wildlife Service**

| Landowner incentive program (recession) | -2,000 | -2,000 | --- |
| Private stewardship grants (recession) | -500 | --- | +500 |
| Cooperative endangered species conservation fund (recession) | -5,000 | -1,000 | +4,000 |
| State and tribal wildlife grants (recession) | -5,000 | --- | +5,000 |

**National Park Service**

| National recreation and preservation (recession) | -6,877 | --- | +6,877 |
| Construction (recession) | -34,000 | --- | +34,000 |
| Land acquisition and state assistance (recession) | -28,278 | --- | +28,278 |
| Departmental management, PIF (recession) | -5,000 | --- | +5,000 |

**Environmental Protection Agency**

| State and tribal assistance grants (recession) | -166,000 | --- | +166,000 |

### CHAPTER 6

**Department of Agriculture**

**Forest Service**

| State and private forestry (recession) | -9,000 | --- | +9,000 |
| Wildfire management (recession) | -500,000 | --- | +500,000 |
| Total, Chapter 6 | -579,907 | -500,000 | +579,907 |

### CHAPTER 7

**Department of Labor**

**Employment and Training Administration**

| Training and employment services (recession) | -70,000 | --- | +70,000 |

### HHS

**Construction facilities improvement program (recession) | -281 | --- | +281 |
| Health centers loan guarantee program (recession) | -6,943 | --- | +6,943 |
| Nursing education loan repayment program (recession) | -430 | --- | +430 |
| Pell Grant Federal capital contribution to student loan revolving funds (recession) | -100,000 | --- | +100,000 |
## Division B - Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza - 2006 (H.R. 2803)

(Amounts in thousands)

<table>
<thead>
<tr>
<th>FY 2006 Request</th>
<th>Conference vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Centers for Disease Control</td>
<td></td>
</tr>
<tr>
<td>Disease control, research, and training (recession)</td>
<td>-7,000</td>
</tr>
<tr>
<td>National Institutes of Health</td>
<td></td>
</tr>
<tr>
<td>Buildings and facilities (recession)</td>
<td>-15,000</td>
</tr>
<tr>
<td>Department of Education</td>
<td></td>
</tr>
<tr>
<td>Office of Safe and Drug-free Schools, Safe Schools and Citizenship education (recession)</td>
<td>-4,960</td>
</tr>
<tr>
<td>Office of Special Ed and Rehab Services, Special education (recession)</td>
<td>-50,653</td>
</tr>
<tr>
<td>Office of Vocational and Adult Education</td>
<td></td>
</tr>
<tr>
<td>Vocational and adult education (recession)</td>
<td>-95,329</td>
</tr>
<tr>
<td>Corporation for Public Broadcasting: Program and financing (recession)</td>
<td>-10,000</td>
</tr>
<tr>
<td>Total, Chapter</td>
<td>-360,596</td>
</tr>
</tbody>
</table>

### CHAPTER 6

Department of Commerce

<p>| | |</p>
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Emergency steel guaranteed loan program account (recession)</td>
<td>-49,000</td>
</tr>
<tr>
<td>National Institute for Standards and Technology</td>
<td></td>
</tr>
<tr>
<td>Industrial technology services (recession)</td>
<td>-6,000</td>
</tr>
<tr>
<td>Department of State</td>
<td></td>
</tr>
<tr>
<td>Diplomatic and consular programs (emergency)</td>
<td></td>
</tr>
<tr>
<td>Embassy security, construction, and maintenance (recession)</td>
<td>-50,653</td>
</tr>
<tr>
<td>Broadcasting Board of Governors</td>
<td></td>
</tr>
<tr>
<td>Broadcasting capital improvements (recession)</td>
<td>-3,800</td>
</tr>
<tr>
<td>Federal Communications Commission</td>
<td></td>
</tr>
<tr>
<td>Salaries and expenses (recession)</td>
<td>-13,480</td>
</tr>
<tr>
<td>Total, Chapter 6</td>
<td>-122,260</td>
</tr>
</tbody>
</table>

### CHAPTER 7

Department of Transportation

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>Federal Railroad Administration</td>
<td></td>
</tr>
<tr>
<td>Contract authority (recession)</td>
<td></td>
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<tr>
<td>Federal Railroad Administration</td>
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<tr>
<td>National railroad passenger corporation (recession)</td>
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<tr>
<td>Department of the Treasury</td>
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<tr>
<td>Internal Revenue Service</td>
<td></td>
</tr>
<tr>
<td>Processing, assistance, and management (recession)</td>
<td></td>
</tr>
<tr>
<td>Health Insurance Tax Credit Administration (recession)</td>
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</tr>
<tr>
<td>Department of Housing and Urban Development</td>
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</tr>
<tr>
<td>Community Planning and Development</td>
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<tr>
<td>Brownfields Redevelopment (recession)</td>
<td>-24,000</td>
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<tr>
<td>Community Development Loan Guarantees (recession)</td>
<td>-6,000</td>
</tr>
</tbody>
</table>
### Division B - Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza - 2006 (H.R. 2863)
(Amounts in thousands)

<table>
<thead>
<tr>
<th>FY 2006 Request</th>
<th>Conference vs. Request</th>
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</thead>
<tbody>
<tr>
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</tbody>
</table>

#### Housing Programs: Housing for persons with disabilities (recission)

<table>
<thead>
<tr>
<th></th>
<th>FY 2006 Request</th>
<th>Conference vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>-100,000</td>
<td>-100,000</td>
<td></td>
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**Total, Chapter 7:**

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<thead>
<tr>
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<th>FY 2006 Request</th>
<th>Conference vs. Request</th>
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</thead>
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<tr>
<td>-150,000</td>
<td>-1,151,300</td>
<td>-1,001,300</td>
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#### Chapter 8

<table>
<thead>
<tr>
<th>Across-the-board cut (% percent)</th>
<th>FY 2006 Request</th>
<th>Conference vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>-8,500,000</td>
<td>-8,500,000</td>
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**Total, Title III:**

<table>
<thead>
<tr>
<th></th>
<th>FY 2006 Request</th>
<th>Conference vs. Request</th>
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</thead>
<tbody>
<tr>
<td>-19,436,114</td>
<td>-33,532,733</td>
<td>-14,096,619</td>
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</tbody>
</table>

### TITLE V

**GENERAL PROVISIONS AND TECHNICAL CORRECTIONS**

<table>
<thead>
<tr>
<th>DOL-Workers compensation; CDC- Disease control (emergency)</th>
<th>FY 2006 Request</th>
<th>Conference vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>-125,000</td>
<td>+125,000</td>
<td></td>
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</tbody>
</table>

**Total, General Provisions:**

<table>
<thead>
<tr>
<th></th>
<th>FY 2006 Request</th>
<th>Conference vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>+125,000</td>
<td>+125,000</td>
<td></td>
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</table>

**Grand Total:**

<table>
<thead>
<tr>
<th></th>
<th>FY 2006 Request</th>
<th>Conference vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>4,825,347</td>
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<td>-5,443,354</td>
</tr>
<tr>
<td>1,365,347</td>
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</tr>
<tr>
<td>2,300,000</td>
<td>---</td>
<td>-2,300,000</td>
</tr>
<tr>
<td>1,140,000</td>
<td>---</td>
<td>-1,140,000</td>
</tr>
</tbody>
</table>
Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I agree with the chairman.

Mr. Speaker, I yield 6 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I am going to say something that I said earlier this evening when virtually nobody was here: the Republican leadership has decided that this wartime defense bill is the proper vehicle to resolve the debate on ANWR. As I said, this is not the first time that substantive legislation has been added to an appropriations bill, but it is one of the worst occasions I have ever seen.

There is something especially outrageous and callous about the willingness of the majority party leadership to allow the Defense Department bill in a time of war to be held hostage to totally unrelated special interest items. The Defense bill ought to be about delivering equipment and supporting our troops. Instead, it is being used to deliver a multibillion dollar bonanza to the oil companies.

That act represents a fundamental corruption of the integrity of the legislative process. This legislation allows one Senator to grease the skids to allow the passage of ANWR by sprinkling around money in selected accounts in this bill to buy enough votes in the Senate to assure passage.

All year long, the Republican majority has squeezed programs for working people to pay for tax cuts for those most well off in our society. In the process, the House has become an assembly line for special interest legislation. This bill continues that practice. It slashes crucial activities for the government, cutting $8 billion. It cuts $4 billion out of defense. Some people will say, Don’t worry about it. We will put it back in the supplemental. If that is the case, it is not acceptable. I hope that next year we do not find ourselves in the position we are in today. We ought to grow out of control. That is simply not acceptable. I hope that next year we do not find ourselves in this position.

So all I want to say is I cannot do anything about that, but I am offering a motion to recommit, as I have just described, and I would urge an ‘aye’ vote on the recommittal motion.

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

Mr. YOUNG of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentleman. I thank the gentleman for giving me this time. I do not know what I have ever voted against this bill, and I am not sure I am going to tonight, but I share the view of the ranking Democrat on our committee (Mr. OBEY) that this bill has been misused. This bill, as Mr. YOUNG has said so correctly, is not controversial as it relates to the defense of our Nation and the support of our troops. This bill has been held hostage to the issue of the abuse of detainees for some 3 months. Finally, that was resolved in my opinion correctly. It has been burdened now with very controversial issues, and it has been subjected to a cut of the very defense that it seeks to support. I know that is not what either the chairman of the committee or the chairman of the subcommittee or indeed the ranking member wanted to see happen, but it is a sad handling of this bill.

I thank the gentleman for his leadership on this.

Mr. YOUNG of Florida. Mr. Speaker, I yield such time as he may consume to the chairman of the Appropriations Committee.

I will be offering a recommittal motion to eliminate that across-the-board cut, to eliminate those $8 billion in cuts. But I want to make two other points. We met for 5 hours today and the Senate totally misdescribed the language and that was of their own doing as far as ANWR was concerned. I asked the Senate seven different questions about the effect of their language. They were erroneous in each response that they gave to me.

So after the conference was over they had to go back and rewrite that entire section of the bill. Then they told us in writing that there would be no language, no language with respect to indemnification of the pharmaceutical companies, and then they produced 41 pages, 41 pages of language at the last minute at the instruction of the Speaker and the Senate Majority Leader. They said, oh, this was just a last-minute thing. We did not know we were going to have to do it. However, if you look at it, it was prepared at 11:30 yesterday, and I do not mean Sunday, I mean Saturday. So I want Members of the House to understand what you are doing here is to take away anyone who gets sick or dies, you are telling them their right to sue. You are telling them instead, you can go to the government and get compensation, and then they provide no money in the compensation fund. It is an outrageous rip-off and I wish it were not in the bill, but it is.

So all I am saying is I cannot do anything about that, but I am offering a motion to recommit, as I have just described, and I would urge an ‘aye’ vote on the recommittal motion.

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

Mr. HOYER. Mr. Speaker, I thank the gentleman. I thank the gentleman for giving me this time. The Appropriations Committee made a commitment to move its spending bills individually. This year in reforming the process of adopting our annual spending bills, the Appropriations Committee has made tremendous strides this year in reforming the process of adopting our annual spending bills. The Appropriations Committee has been strongly committed to bringing to this floor individual conference reports for each and every bill.

Early in this process, I made it very clear to my leadership and to our members that the Appropriations Committee would not support an omnibus spending bill in any form. This Committee has done everything in its power to ensure that did not happen.

The Appropriations Committee passed each of the 11 spending bills out of the House floor by June 30th, the earliest that has been done in 18 years.

The Appropriations Committee made a commitment to move its spending bills individually—and regular order within the framework of the Budget Resolution. We have done that. My colleagues, the Appropriations Committee has kept its word. Moving our spending bills individually is the only way for us to maintain fiscal discipline. Lacking regular order, there is a tendency for these bills to become Christmas trees for unrelated legislative proposals and for spending to grow out of control. That is simply not acceptable. I hope that next year we do not find ourselves in the position we are in today.

The conference report—DoD Appropriations bill—is the most important of our annual appropriation bills for it funds our national security.

Frankly, we could have passed this bill weeks ago. Our failure to enact this bill earlier is a disservice to our men and women in uniform. We are at war, we have troops in harm’s way, and here we are—two weeks from the end of the year—and we still have not passed this critical legislation.

Mr. Speaker, the Appropriations Committee has done everything in its power to ensure that did not happen. The Appropriations Committee has made a commitment to move its spending bills individually and within the framework of the Budget Resolution. We have done that. My colleagues, the Appropriations Committee has kept its word. Moving our spending bills individually is the only way for us to maintain fiscal discipline. Lacking regular order, there is a tendency for these bills to become Christmas trees for unrelated legislative proposals and for spending to grow out of control. That is simply not acceptable. I hope that next year we do not find ourselves in the position we are in today.

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Mr. LEWIS of California. Mr. Speaker, I rise simply to express my appreciation for both my chairman, Bill, and for my ranking member for this conference report.

Mr. Speaker, I rise in support of the conference report funding the Department of Defense, hurricane disaster assistance, and avian flu preparedness.

The conference report funds the DoD at $403.5 billion plus a bridge fund of $50 billion for military operations in Iraq and Afghanistan. The conference report also includes a total of $29 billion for disaster assistance to hurricane damaged areas as well as $3.8 billion for avian flu preparedness.

The conference report includes no new net spending for hurricane assistance and avian flu. Any additional expenditures are offset by rescissions of previously appropriated funds in FEMA’s Disaster Relief Fund, rescissions of un obligated balances, and a one percent across the board reduction applied to all FY06 discretionary spending with the exception of VA funding.

Mr. Speaker, I yield to the gentleman for yielding me this time. I do not know that I have ever been so pleased to yield to another gentleman for yielding me this time. I do not know that I have ever been so pleased to yield to another gentleman for yielding me this time.
But tonight, with passage of this conference report, the Appropriations Committee fulfills its commitment to pass all 11 individual bills under the parameters of the budget agreement.

Again, the Appropriations Committee has kept its word and has concluded its work for the year.

I urge my colleagues to support this conference report and close my remarks by wishing all of my friends on both sides of the aisle a Merry Christmas and a Happy New Year.

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to say that the negative comments that we have just heard from two previous speakers, while they relate to parts of this conference report, they do not relate to the defense appropriations bill, which is the main vehicle that we are voting on tonight. So I would just hope that Members will understand we are at war, we need to do a lot for our national security. We need to do a lot for the men and women who provide for that national security and wear our uniform and who go to war, and I just hope that we can give them a strong vote of confidence with a strong vote on this bill.

Mr. DICKS. Mr. Speaker, as we consider the FY 2006 Defense Appropriations Act today in the House of Representatives, I would like to bring to my colleagues’ attention the important contributions of the Ready Reserve Fleet of U.S. ships that helps to multiply the dollars we appropriate each year to the Department of Defense. The Military Sealift Command calls upon American shipping companies to assist in the deployment of forces overseas, provides a unique testament to the nation’s cargo transportation capability. These arrangements are most essential at times when the defense equipment supply chain extends for 8,000 miles, as it does with our current deployments in Afghanistan and Iraq. Clearly we would not have sufficient capability within the Navy to accomplish the enormous task of keeping our troops supplied without the Ready Reserve Fleet. I mention this because I have recently received a copy of a letter from the Commander of the U.S. Transportation Command to a company in my congressional district, the Commander of the U.S. Transportation Command (MSC) sought commercial support and your company answered the call. Since 18 February 2003, six weeks after the start of the deployment of forces to Iraq, SS Northern Lights answered the call to MSC. She continuously operated in support of U.S. forces since that time, never missing a commitment. No other ship, government-owned or commercial, has operated as long in support of these critical operations.

During the charter period SS Northern Lights made 25 voyages and 49 port calls. She carried 12,200 pieces of military gear totaling 81,000 short tons and covering over 2 million square feet.

These statistics clearly demonstrate the value that the U.S. flag shipping industry brings to the Defense Transportation System. At 200,000 sq ft of cargo space, this ship has nearly the capacity of the Fast Sealift Ships, has speeds approaching those of the Navy’s Large, Medium Speed RoRo Ships, and had a perfect record of reliability. Having this kind of response readiness by keeping ships of the Ready Reserve Fleet available for other contingencies as needed. You and your team of professionals showcased the U.S. flag industry at its best. Again, thanks for a job well done.

Thank you.

NORTON A. SCHWARTZ, General, USAF, Commander.

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me begin by noting the time here in the Capitol. Across our country, people are quietly sleeping in their beds. Half way around the world, however, our soldiers are awake, patrolling the streets of Iraq, under the constant danger of enemy attack. (Iraq is 8 hours ahead of our time.) I don’t know if they have CSPAN over there, but if so, I hope they will listen to this debate and understand what the Republicans are saying. If the Republicans are using you, our troops, as a weapon to accomplish things that are unpopular with the American people. At a time of war, it is outrageous that the Republican leadership would abuse their power by holding our troops hostage to sneak in last minute special interest gifts.

Everyone in this house tonight cares deeply about our armed forces, and about the security of this nation, but we are being put in a lose-lose situation. Among other things, H.R. 2863 is a meager and unnecessary aid package for Gulf Coast schools that includes an ill-conceived, divisive school voucher plan. It includes $5 billion in aid to displaced students, which can be used as vouchers paid to private schools—sending federal taxpayer dollars to private and religious schools. Not only does this violate the separation of church and state, but it also includes no accountability requirements on the part of private schools.

It is also very important that I make mention of the fact that H.R. 2863 possibly contains an across-the-board cut totaling over $8 billion that will impact all FY 06 discretionary spending, excluding veterans. Examples of programs impacted are:

- No child left behind (cut by $799 million);
- Federal Bureau of Investigations (cut by $57 million);
- Homeland Security Programs (cut by $300 million across the board);
- Local Law Enforcement Block Grants (cut by $315 million across the board);
- Job and Employment Assistance (cut by 437 million);
- Community Development Block Grants (cut by nearly $400 million across the board).

Before closing, it is important for me to take a moment to speak on the issue of ANWR. For many years I have been a strong proponent of exploration and development. As a matter of fact, I was successful in having an amendment attached to H.R. 6 (energy bill 1) earlier this year that required the Secretary of Interior, in consultation with the heads of other appropriate federal agencies to conduct a study every two years which will assess the contents of natural gas and oil deposits at existing drilling sites off the coasts of Texas and Louisiana. As a Member representing a district that is full of energy companies, I am highly concerned with the energy crisis this country is facing. Many factors contributed to the war in Iraq, to increased demand from China and India have caused a spike in prices. While the factors may vary, the results are constant. Many Americans are suffering from the high cost of gasoline which has exceeded $3 dollars a gallon in some areas. In addition, as winter approaches the price of natural gas is also expected to be exceedingly high which will further increase the burden Americans, particularly those who fall into low income brackets, will have to shoulder as they figure out how to pay for gas to get to work and electricity to heat their homes.

All of the just mentioned factors suggest that we need to take serious steps to locate new sources of oil in this country. Despite this fact, I am not sure that ANWR is the way to go, particularly on this bill. A majority of Americans believe that we should not sacrifice one of our most magnificent places for the sake of, in many cases, full natural gas supply, 10 years from now. The Arctic Refuge is one of the last, wild, untouched places left in the United States—with an abundance of

Katrina families and divisible school voucher plan for the Gulf Coast. In a time of much needed help, the bill only provides $5 to $6 billion in new funding for Katrina relief—not nearly enough to begin the huge rebuilding needed in light of the enormous devastation for the Gulf Coast. Any additional funds from last minute negotiations in the last minute negotiations relating to Arctic Refuge and spectrum savings are highly speculative. The Republican leaders of Congress are also attaching a meager and unnecessarily complicated aid package for Gulf Coast schools that includes an ill-conceived, divisive school voucher plan. It includes $5 billion in aid to displaced students, which can be used as vouchers paid to private schools—sending federal taxpayer dollars to private and religious schools. Not only does this violate the separation of church and state, but it also includes no accountability requirements on the part of private schools.

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and variety of wildlife including caribou, polar bears, snow geese, migratory birds, eagles, wolves, and muskoxen. This is a special interest giveaway that has no place in the defense spending bill. We need more open debate on this important issue. This Arctic Refuge drilling proposal has no business in the Defense Appropriations Bill. Mr. SALAZAR. Mr. Speaker, I rise today to express my frustration over the abuse of procedures in the House of Representatives. For the past day we have waited for a chance to debate and vote on the Defense Appropriations Bill. Now, in the early morning, we will do so without any of us having had a chance to thoroughly review the bill. I will vote for the bill—I believe it is right to support our troops as well as Hurricane Katrina and Rita relief efforts. However, I do not support the last minute moves to open up ANWR for drilling by inserting language into an unrelated bill which requires an up or down vote. If ANWR has such widespread support as some argue, then why is it being pushed through on the 11th hour?

Our focus should be on how we can best protect our nation and our troops deployed overseas. I am troubled that the leadership would use our troops as a weapon to accomplish something which is so unpopular with the American people. I have heard this belief on ANWR drilling expressed over and over again as I travel throughout the district. Yet, somehow, this unproven provision still found its way into the bill. It is a sad day when our troops are held hostage to a last-minute rider. It is a special interest giveaway that has no place in the defense spending bill.

We have just a few unspoiled lands remaining in our country and we need to protect them. Nobody really knows how much oil ANWR holds, and unfortunately, it will require a significant amount of drilling and testing to find out. Once the exploration starts, we’ll have already destroyed part of the environment.

I realize our country has a fundamental imbalance between supply and demand, but drilling in ANWR will provide little relief of that demand. We cannot drill our way out of current energy problems. Likewise, we cannot conserve our way out of our current energy problems. We must diversify our energy portfolio. On my farm, I do not grow just one crop. I must diversify my farming operation to be able to handle the ups and downs of the agriculture markets, and that is what we need to do to with our energy supply. By diversifying our energy portfolio, our country can better handle the volatility of the energy markets.

I know each of us is concerned about how to shape our future energy policy. I can tell you that it should not include ANWR and I will continue on my mission to promote a diverse energy portfolio, one that includes renewable energy sources. It is my hope that we will have a chance to revisit this issue in the near future.

As for the Defense Appropriations Bill, we cannot delay any longer. While I have some serious concerns with the bill, it contains critical funding for our nation’s defense and the safety of the brave men and women fighting in our Armed Forces. It would be a disservice to these men and women for Congress to adjourn for the year without passing a funding bill. It would also be a disservice to our fellow Americans in the Gulf Coast Region who have been waiting for months to receive aid. Hurricane Rita and Katrina may have washed away homes and a lifetime of belongings, but they did not wash away our compassion for others in need. Together we can move forward—together we can do better.

Mr. CARDIN. Mr. Speaker, since President Bush took office in 2001 I have voted to support every annual defense authorization and appropriations bill that has come before this House. Congress has an obligation to act responsibly in providing necessary resources to the troops to carry out the missions authorized by their government. Our troops are under a tremendous strain in Iraq, Afghanistan, and in the global war on terrorism. They have performed admirably, made enormous sacrifices on behalf of their country, and have served longer deployments than expected. Congress should also act responsibly to provide adequate housing and benefits to military families, and to ensure that our veterans returning home to the United States receive the best medical care available.

I am therefore outraged, Mr. Speaker, that the House leadership has played politics with this bill in a time of war—a bill that is more than two months overdue—and has added extraneous provisions to this bill that have nothing to do with military spending, the war on terrorism, or the ongoing war in Iraq and Afghanistan. The plan is shameful, using this military spending bill as a shield for offensive provisions that could never pass in the light of day, such as drilling in the Arctic National Wildlife Refuge and more than $8 billion in across-the-board spending cuts, including a $4 billion cut in defense spending, along with cuts in homeland security, education and health care.

In this breakdown of the democratic process, after midnight we were given a few hours to review a 465-page bill. Members cannot possibly have a clear picture of what they are voting on in these circumstances, and we must read about what is in this bill in the newspapers later this week.

One extraneous provision that was slipped into this military spending bill is a provision authorizing oil and gas drilling in Alaska. I have consistently voted against drilling in the Arctic National Wildlife Refuge. We must establish a comprehensive energy policy that will not only meet our short-term, but also our long-term energy needs, but also strengthen our nation’s long-term energy supply while simultaneously protecting our environment. The stated rationale for drilling in ANWR is achieving the admirable goal of American energy independence, but the oil reserves that may lie beneath ANWR would last for a relatively short time based on current levels of energy consumption. There are also far more effective ways to achieve energy independence, through conservation and use of alternative energy sources. In the long run, gaining the oil that may lie below ANWR simply does not warrant the permanent environmental destruction and pollution that drilling would bring to this area.

This legislation also contains an unacceptable one percent across-the-board cut for most non-defense discretionary spending. Because of the billions of dollars in tax cuts contained in earlier budget reconciliation legislation, these budget cuts will not even pay down the deficit or cover the costs of rebuilding in the aftermath of Katrina. Instead, this bill will make unconscionable cuts in critical domestic services, in a bill that is supposed to provide funding for our military in a time of war.

These one percent cuts will have real impact for example, with an additional one percent across-the-board cut, No Child Left Behind funding will be cut by $1 billion this year.

This bill cuts funding for the FBI by $57 million, at a time when we need to make additional investments in homeland security. Homeland security programs face a $300 million cut from this bill.

In a winter when home heating costs are projected to soar by 44 percent for natural gas and 24 percent for home heating oil, this bill cuts vital LIHEAP funding by $2 billion. The House also rejected an effort to add $2 billion in additional funds for LIHEAP.

While 7.6 million Americans are out of work, this bill will bring the total cuts to adult and youth job training and help for dislocated workers to $529 million, affecting 2 million Americans who would lose critical adult and youth job training, as well as assistance for dislocated workers.

This legislation also omits critical funds needed to meet America’s commitment to protect human rights. I am disappointed that this legislation does not contain, as I have requested to the President in a letter last week, $50 million for the African Union (AU) peacekeepers that are trying to stop the ongoing genocide in the Darfur region of the Sudan. The United States has committed to provide these funds but has yet to provide them.

I therefore cannot support this legislation. By way of contrast, Mr. Speaker, I will support H.R. 1815, the Defense Authorization bill for FY ’06. I commend Armed Services Committee Chairman HUNTER and Ranking Member Skelton for working on a bipartisan basis to produce this legislation. This legislation provides an average 3.1 percent pay increase for military personnel, and funds certain special pay and bonuses for reserve personnel. This bill also reduces the pay gap between the military and private sector, increases payments to survivors of deceased military personnel to $100,000 from $12,000, and further increases military health care (TRICARE) coverage for reservists and their families.

Mr. LANGEVIN. Mr. Speaker, I rise in support of this legislation to fund the functions of our Nation’s military and our brave men and women in uniform, but am deeply opposed to the Republican leadership’s decision to attach unrelated and controversial language, including drilling in the Arctic and school vouchers.

As a member of the House Armed Services Committee, I know how vital the Defense Appropriations Act is for the security of our Nation and the safety of our servicemembers. I
would like to thank the chairman, the gentleman from Florida, Mr. Young, and the ranking member, the gentleman from Pennsylvania, Mr. Murtha, for their steadfast support for our military and for supporting a number of initiatives important to our Nation and to my constituents in Rhode Island. The measure contains important force protection funds, including $1.2 billion for gear such as body armor; $8 billion for equipment such as up- armored Humvees, tactical wheeled-vehicles, and night-vision devices; and $363 million for improvised explosive device (IED) jammers. The legislation also includes much-needed assistance to areas devastated by this year’s hurricanes—funds that are sorely needed by our Gulf Coast communities.

However, I must admit that I am greatly disappointed by the House Republican leadership’s decision to attach controversial provisions to this essential legislation, most notably the Arctic drilling provision. Since I was elected to Congress in 2000, I have consistently opposed efforts to open the Arctic National Wildlife Refuge to energy exploration. I have repeatedly supported legislation to designate lands within the Arctic National Wildlife Refuge as wilderness to prevent the destruction of this environmentally fragile area. Despite claims that we have heard tonight, drilling in the Arctic would have no appreciable effect on gas prices nor would it improve our Nation’s energy independence. We cannot drill, dig, or mine our way out of the problem we have created for ourselves. Instead, we should be encouraging energy conservation efforts, including an increase in vehicle fuel efficiency standards and the development and utilization of energy sources of energy, such as solar and wind power. The American public recognizes the value of the Arctic National Wildlife Refuge and has consistently opposed endangering it by opening it to oil and gas exploration. However, since proponents have never been able to muster the votes to pass the bill on its own merits, they have attached it to this vital piece of legislation, demonstrating their desire to win at any cost, as well as potentially jeopardizing the ability of this bill to be signed into law.

Furthermore, this legislation is required to contain controversial language regarding education assistance for Hurricane Katrina victims—including the implementation of a national voucher program—as well as liability exemptions for the pharmaceutical industry in the section intended to guard against avian flu. As the ranking Democrat on the House Homeland Security Subcommittee for the Prevention of Nuclear and Biological Attack, I understand our Nation’s vulnerabilities with regard to pandemics and have been working with my colleagues to shore up our Nation’s defense. However, rather than address these questions in the light of day, we must vote on them in the dead of night with limited ability to debate the specifics of the measure. I am disappointed and frustrated by the majority’s refusal to conduct its business in an open and forthright manner, instead opting for midnight backroom deals.

It is one of Congress’s greatest responsibilities to protect our Nation by establishing a well-trained and well-equipped military. For that reason, I must support the measure despite my objections to some of the extraneous provisions. I will vote for this legislation, but do not condone the process that directed it to the House floor.

Mr. DEAL of Georgia. Mr. Speaker, I rise in support of the provisions in this bill called the Public Readiness and Emergency Preparedness Act. This is absolutely critical legislation. It addresses parts of the important speech given by the President to address the threat of pandemic flu and other bioterror threats.

The House and Senate Appropriations Energy and Commerce Committee has held several hearings on this important threat and the need to begin to have the manufacturing capacity to produce pandemic flu vaccine. Unfortunately, there is no business model that would have vaccine manufacturers take on the tremendous liability risks to produce such a vaccine. We must address this concern or we will have none. It’s really that simple.

This legislation does not actually provide any liability protection. What the legislation does provide is authority to the Secretary the ability to declare limited liability protection. The Secretary can use these declarations to make sure the vaccine gets developed and to make sure doctors are willing to give it when the time comes.

These are, of course, hypothetical circumstances. So why are we passing this legislation? It’s simple. We cannot afford not to take the important steps of making sure we can get and deliver a vaccine.

We have also provided the outline of a comprehensive plan to address the very serious physical injury that might be caused by a vaccine itself. But again, this is a hypothetical. We don’t have a vaccine yet. There is no pandemic flu yet. And no declaration of liability protection has been issued.

Those who argue we are deficient because we have not yet put money in the compensation fund don’t get it. You really can’t do that until there is a reason to do so. If there is no pandemic flu, there will be no reason for a vaccine to be administered. Indeed, we can’t even produce an effective flu vaccine until we have the specific pandemic strain. Right now there is no need for any compensation funding at all. Those who imply there is such a need are simply not relating these facts properly to the American people.

So what the Republicans tried to do is think through the issues, provide the authority and be prepared, so that the Secretary and any Congress faced with the real deal can act quickly and responsibly.

This legislation also provides billions of dollars in preparedness money to prepare for the threat of a possible pandemic flu, including upgrading the domestic manufacturing capability for a vaccine.

This is the call of the President and I am pleased that Congress is supporting the President in keeping the Nation more secure from the threat of pandemic flu and other bioterror threats.

Mr. POMBO. Mr. Speaker, the adoption of this conference report will allow America to develop the vast oil and gas resources of the Arctic Coastal Plain and help ensure our energy security for ourselves and our children. It is without exaggeration that I say that the bipartisan provision allowing ANWR’s oil and gas to flow to wind would not have been included in this conference report without the tireless work of Dan Young in the House.

Dan has a long history with Alaska provisions, having been Chief of Staff for the Resources Committee under Chairman Don Young. He later worked for Senator Frank Murkowski on the Senate energy and Natural Resources Committee before becoming my key senior advisors on energy policy. Dan was here in 1986 when efforts were first made to embargo this important energy resource. Dan was here when we unlocked ANWR in 1995, only to see it vetoed by President Clinton. This experience taught Dan that with Dan’s intellect, his hard work and his charm and wit, have helped produce this milestone today. Dan is a modest man, but his achievements today are far from modest.

I thank Dan for his vision, his perseverance, his leadership and his integrity. All of America owes a debt of gratitude to this seasoned staffer.

Mr. HOLT. Mr. Speaker, I rise today to support the Department of Defense Appropriations Act for Fiscal Year 2006. I am deeply troubled by the process that led to this bill that has brought us to where we are today with this important bill. Just hours ago, the final text of this bill was made available to members of Congress and the public. This has ensured that members will not only not have time to fully consider or analyze the provisions within this bill we didn’t even have time to read it. This is a poor way to govern and I am disappointed that the majority has chosen to abuse the process so badly on what is traditionally a mostly bipartisan bill.

We should be confident that our service members have the resources they need to do their job to protect, and defend the American people and they should be able to rely on Congress to do its job ethically and thoroughly. But the Republican leadership has chosen to play politics with our soldiers and our country’s national security.

This bill before us now contains important funding for various defense related programs, but it also contains a one percent across-the-board cut in all discretionary spending, except for the Department of Veteran Affairs. This means cuts to food assistance programs, home heating oil assistance, local law enforcement grants, first responder grants, special education programs, the FBI, the No Child Left Behind Act, job and employment assistance grants, and environmental clean up regardless of the problems they cause.

Further, it contains a provisions allowing for a voucher program for schools, and drilling in the Arctic National Wildlife Refuge (ANWR). Both were tucked in this bill at the last moment.

Mr. Speaker, we can do better.

Mr. DAVIS of Illinois. Mr. Speaker, I rise today to express my displeasure with the last minute political maneuvering that occurred early this morning maring the Defense Appropriations Bill. The majority has included in this year’s Defense Appropriations bill a provision that would open the Arctic National Wildlife Reserve (ANWR) to drilling. As bad as that...
idea is, it pales in comparison to the means by which it was brought to the floor for consideration.

By tying the delivery of appropriations to our troops to a misguided oil drilling scheme that failed to pass in the energy bill, the majority is holding our troops hostage. Eitllet we must vote to harm our environment or to short our troops. We should say ‘no’ to this bill and work together to produce a better bill that does not permanently damage our environment for ill-conceived short term goals.

Mr. CASTLE, Mr. Speaker, in the normal course of events, I had intended to support the Conference Report on FY06 Defense Appropriations Act, H.R. 2863.

I believe America’s uniformed men and women deserve the very best in training, equipment, communications, logistical support, health care and pay.

Unfortunately, the Republican leadership has decided to include in this Conference Report controversial issues not related to our national defense.

In addition, other controversial bills have been attached to the defense appropriations bill—transforming it into the vehicle for an omnibus appropriations bill—that I simply cannot support.

Therefore, I will cast my vote against the Conference Report on FY06 Defense Appropriations Act, H.R. 2863. It is essential to emphasize my vote is not against genuine defense appropriations, but several of the extraneous, non-defense provisions and bills that are included in this omnibus measure.

Mr. SCOTT of Virginia. Mr. Speaker, I rise to express my opposition to the Katrina education proposal that I uniformly contains vouchers for displaced students attending private schools. While the Supreme Court has addressed the constitutionality of school voucher proposals, I continue to oppose them because I believe they take away much needed resources and attention from our public schools. Even under the extraordinary circumstances of hurricane Katrina, I continue to believe that vouchers for displaced students to attend private schools is a misguided policy.

I offer into the RECORD a letter from Americans United for Separation of Church and State that further discusses problems inherent in this legislation.


Dear Senator: Americans United for Separation of Church and State, representing more than 75,000 individual members and 9,500 clergy nationwide, as well as coordinating houses of worship and other religious bodies committed to the preservation of religious liberty, urges you to oppose a Hurricane Katrina education proposal that includes private school vouchers and aid to restart private school operations. We understand that this proposal will be attached to the Department of Defense Appropriations bill and we urge your opposition to including it in that measure.

Originally attached to the Senate-passed Budget Reconciliation legislation, the education package, sponsored by Senators Alexander (R-TN), Enzi (R-WY), Kennedy (D-MA) and Dodd (D-CT), constitutes the first national, large scale, education voucher program authorizing funding at $1.2 billion—and sets a dangerous precedent that undermines America’s commitment to fully funding the Nation’s education system.

The current proposal allows up to $6,000 per displaced student (or up to $7,500 per displaced student with a disability) to be sent to any public, private, or religious school nationwide of the displaced family’s choice in order to defray tuition costs. Under the bill, the money would go through State structures to the Local Education Agencies (LEAs), which would hold the money for distribution. The Federal government would fund the LEA to any school educating an eligible child on a per-capita basis. As a result, per-capita funding would go from a government belief that public, private, and religious schools, depending on where displaced families have decided to educate their children, are in need of assistance. The school voucher program, which allows families to decide where students will be educated and sends government money to those schools, is a bad idea. As a result, this is a school voucher program, regardless of the terminology used under the bill. There is no analytical difference between the funding structure under this bill and traditional, “pure” school voucher programs. It would mark the first national Federally-funded voucher program in everything but name.

Although Americans United opposed the Senate-passed Enzi-Kennedy legislation as attached to the Budget Reconciliation bill, the newly crafted compromise eliminates all religious liberty protections afforded to displaced students in that legislation. The Enzi-Kennedy legislation contained some provisions that attempted to ensure that government funds will not be used for “religious instruction, proselytization, or worship.” However, these provisions have been completely removed from the current draft. In addition, the Enzi-Kennedy legislation contained a provision to protect students who participate in religious worship or religious classes. This “Opt-In” provision has been replaced with an “Opt-Out” requirement, placing the entire burden on the displaced parents to object to any religious proselytization and indoctrination of their children.

In addition, neither the Enzi-Kennedy legislation nor the new draft contain a requirement to provide both parents and students notice of their rights regarding participation in religious activities. Although both proposals contain language regarding religious discrimination as to students, both fail to provide enforcement mechanisms or to ensure that displaced students are informed of their right to opt-out and are protected from refusal to participate in religious activity. The argument has been made that some religious schools are the only option for displaced students. It is all the more reason to ensure that any measure contain strong and effective religious liberty protections to ensure that rights of displaced students are protected.

This voucher program could also authorize government-funded religious discrimination propositions. The current provision in barring religious schools from hiring co-religionists only or requiring that employees’ personal conduct conform to the tenets and teachings of the schools’ associated faiths. Vouchers may well result in publicly supported employment discrimination, not only on religious grounds, but also on the basis of gender, sexual orientation, or other protected classes.

In addition, the Enzi-Kennedy legislation provided $450 million in “immediate aid to education” to be distributed to students from school voucher programs in states that have existing voucher programs. This proposal the same level of funding but allows—for the first time—private and religious schools to use federal dollars designated for recovery of student data, purchasing instructional materials and textbooks, and rental of mobile educational units with the requirement that purchased equipment and materials “shall be secular, neutral, and nonideological.” Although we acknowledge the provisions attempts to maintain current law against using Federal funds to buy religious materials, we are deeply troubled by the underlying proposal of allowing scarce Federal dollars to be used to fund private and religious schools for start-up costs.

Americans United is committed to the protection of public education. However, we strongly believe that the Nation’s civil liberties must be upheld even in difficult circumstances, including natural disasters. It is inappropriate to capitalize on the Katrina disaster by attempting to force Congress to approve unsound vouchers policies that would severely undermine America’s longstanding commitment to public education. It is the public schools that have long served as the safety net for all displaced school children. Billions of dollars set aside for these voucher and restart programs should be invested instead into our public schools for the benefit of all students.

If you have any questions about this legislation or opposition to vouchers or would like further information on any other issue of importance to Americans United, please contact Aaron D. Schuham, Legislative Director, at (202) 466-3291, extension 240.

Sincerely,

Barry W. Lynn,
Executive Director.

Mr. CASTLE. Mr. Speaker, I rise today in strong opposition to the decision to attach drilling in the Arctic National Wildlife Refuge to the Defense Appropriations Act conference report. This is a clear abuse of process and I urge my colleagues to join me in opposing this rule, which would allow it.

The Deficit Reduction Act was an inappropriate venue to debate important environmental issue and the Defense Appropriations Act conference report is no different. The inclusion of drilling in the Arctic Refuge is the determination of a few individuals who are willing to put national policy priorities aside for a special-interest agenda.

Drilling in the Arctic Refuge will scarcely make a ripple on our dependence on foreign oil, nor will it increase our national security. Even by the most optimistic estimates, oil from the Refuge will never meet more than two percent of the energy needs in America.

The Arctic Refuge represents one of the last large pristine natural environments left in our country. I strongly believe that the debate on drilling in the Arctic Refuge should be done on its own merits, not as a tagalong to the essential funding for our troops in Iraq and Afghanistan and for relief to hurricane victims.

To include drilling in the Arctic Refuge in a must pass defense appropriations bill, at a time of war, is an abomination. The American people strongly support the Arctic Refuge and I urge my colleagues to vote no on this rule.

Ms. KAPUTR. Mr. Speaker, tonight, Congress will pass the Department of Defense Appropriations Act for fiscal year 2006. This comes not inexpensive, or would save for our troops serving bravely overseas during this holiday season. Passage of this critical legislation will ensure that our servicemen and women in Iraq and Afghanistan will receive much needed supplies, protective equipment and health benefits.

While I wholeheartedly support the underlying bill, I vehemently oppose a last minute amendment that was added by Senator and
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House Republicans that will open up a portion of the Arctic National Wildlife Refuge for drilling. This controversial environmental matter should never be attached to a defense bill. Surely the Senate is acting in the mistrusted tradition the American people call Christmas tree bills. If this ANWR rams fit the description perfectly. Seemingly not content to leave town before selling out to Big Oil one last time, Republican leaders in both chambers have decided to play politics with this must-pass bill and attach to it a provision that is soundly rejected by majorities in both the House and Senate, and, not insignificantly, by the American people. This ANWR rams is a mistake. It is a mistake procedurally. It is a mistake for the country, and it is a mistake environmentally. Opening the refuge to oil exploration will divert a delicate environmental balance and threaten a way of life for the native peoples whose livelihoods depend on that balance. That is why I have consistently supported legislative efforts to ban oil and gas exploration along the northern coastal plain of the refuge, but this is a precedent for the future. America’s last remaining major oil and gas reserves should not be opened up in this way, nor used at this time. They should be preserved for a true national emergency. And that emergency does not exist today.

In my twenty-three years of Congress I have never seen the crucial Defense spending bill used as a catch-all for pushing forward legislation that would not otherwise pass on its own merits. By allowing these unrelated drilling provisions, Republican leaders are subverting the will of this House. No Member, including this one, should be forced to choose between providing for our troops and protecting the environment. No, we should not play politics when it comes to supporting our troops. We owe it to the men and women who serve our country to provide the best training, equipment services and support in a timely fashion.

Proponents of the plan say that opening ANWR to oil and gas interests will help ease our reliance on imported oil and gas. I could not disagree more. Opening ANWR is merely a temporary stop-gap—not a solution. Congress must pass meaningful legislation to address the serious energy crises that face our nation especially our dangerous reliance on imported oil and gas. We cannot continue without the will of this House. No Member, including this one, should be forced to choose between providing for our troops and protecting the environment. No, we should not play politics when it comes to supporting our troops. We owe it to the men and women who serve our country to provide the best training, equipment services and support in a timely fashion.

In closing, Mr. Speaker, I encourage all Members to support the rule and support the underlying conference report for Fiscal Year 2006 DOD Appropriations. Mr. KIRK. Mr. Speaker, I rise in reluctant opposition to the Conference Report to the Fiscal Year (FY) 2006 Department of Defense Appropriations Act. Earlier this evening, I voted in favor of the FY 2006 Defense Authorization bill because it was a good bill, unencumbered by controversial and non-defense related items.

I oppose this bill for several reasons. First, evidence indicates that this bill does not provide what Defense Department officials already know our forces will require in the field. Today, officials in our Army headquarters are working on a new request for money from taxpayers far in excess of what is provided in this Conference Report. Authoritative press accounts indicate that the Department has already identified “urgent” needs exceeding $100 billion above the amounts included in this legislation. This bill only provides half that amount. No doubt we will consider additional appropriations in the spring. We should have done it here and now.

Common sense would dictate that the Congress should include these funds in a bill not yet passed if the Army already knows its current funding request before Congress will fall far short of what uniformed servicemen in the field need. It would appear that instead, we may pass this bill—already known to be inadequate to our needs—and then ask for more money under procedures that waive the budget and will automatically add every dollar in new appropriations to our deficit.

Deliberate and stable management of our defense budget demands better. So do our men and women in uniform. If we know they have urgent needs in the field, it is our duty to meet them.

I oppose this bill for another reason. The calm, stable administration of appropriations follows the rules of the House, precedent, and common sense. Our rules mandate that matters not germane to a bill be excluded. Hence, this should be a defense appropriations bill, nothing else. Our House rules normally exclude matters from final consideration that have not been attached to the bill in either the House or the Senate. That requires elected representatives of at least one chamber to review all matters for consideration in a House-Senate conference. This bill contains matters that are extraneous issues not related to the defense of the Nation. It sets a bad precedent that could bog down other defense bills with controversial, non-defense issues not considered by either chamber. This unusual procedure has previously all members of both the House and Senate from considering these contentious issues.

A key controversial issue included in this bill authorizes the opening of the Arctic National Wildlife Refuge to oil drilling. It was not considered in either the House or the Senate bills. It is not germane to legislation making appropriations for national defense. Like many “Green Republican” members who support the protection of the Refuge, I oppose this bill

Yet in the same way that the war in Iraq has made us less safe, the funding priorities in this bill are for weapons systems and military contractors, and billions of additional funds are unaccounted for in waste, fraud, and abuse. This only undermines our national interest. Mr. Speaker, it’s even worse, Mr. Speaker, is not only does this bill fail to address our security priorities, with the inclusion of provisions to open the pristine Arctic National Wildlife Refuge to commercial drilling, it’s also a prime example of how the Republican majority pays off its campaign contributors in the energy industry.

Mr. Speaker, we must get our funding priorities right. It’s incredible to me that we are provoking unnecessary wars and pursuing outdated defense paradigms while at the same time we are sacrificing the funding needs for our critical efforts here in America like housing, healthcare, and education and our environment.

That’s why, I strongly urge my colleagues to vote against this conference report. Mr. GENE GREEN of Texas. Mr. Speaker, I rise in strong support of the rule for this conference report and for the underlying conference report.

This bill will make our nation’s military stronger, by providing funding for the equipment, salaries, and materials we need to prosecute the War on Terror around the world and the War in Iraq.

On behalf of my constituents, particularly those in our armed services, I have committed to never cutting off support while they are serving in a war zone.

Congress authorized the President to act, based on numerous assurances about the nature of the threat from Saddam. Much of that information turned out to be wrong, and as a result, the resources for the war zone rest with the Administration’s civilian leadership.

Congress’ role should be to provide the necessary support and conduct vigorous oversight of our activities.

This appropriations bill also provides beneficial hurricane relief and improves our national energy security by providing access to ANWR for oil and gas exploration and production.

I want to thank the appropriators for hearing the concern of Texas, which has been hit indelibly by Hurricane Rita. We have 150,000 evacuees in Houston, but funding and red-tape are still major burdens.

On the topic of ANWR, our nation’s energy crisis this year proves we need a more robust supply of petroleum, because hurricanes can disrupt vital production in the Gulf of Mexico. I encourage supporters of oil and gas exploration and production in ANWR to support the rule and support this conference report because this is a historic opportunity to finally achieve what many Congresses could not achieve.

This legislation may not be the ideal vehicle, and I would have preferred to do this on the energy bill.

However, a majority of the House and a majority of the Senate support opening ANWR, but procedural moves in the other body have stood in the way of our energy security.

As a result we need this procedural maneuver to get ANWR done, to provide energy and jobs for America. I have visited the North Slope on several occasions and I can personally attest to the strong environmental protections.
because it includes this controversial, unpassed and non-germane attachment to the Defense Appropriations bill.

This bill does not provide the full funding that the Army already knows is necessary for our troops in the field. The bill runs against House and Senate appropriations conferees not attached by either the House or Senate. It also has provisions totally unrelated to defense issues, opening the door for future defense bills to be slowed by unnecessary controversy.

Mr. Speaker, I have never voted against a defense authorization or appropriation bill. My record is still perfect having always supported all Defense Authorization bills. As a Member of Congress and a naval officer, I have dedicated a good portion of my life to our national safety. My hope on the coming vote tonight is that we can redraft this appropriations bill to add funds the Army already knows it needs while stripping extraneous and controversial provisions from the conference report.

When we do so, we should find a way to pass a defense appropriations final bill that does not provide funds for the unimplemented amendment to the fiscal year 2006 defense bill and does not provide school vouchers to religious schools only because they are located in the Gulf Coast region.

Mr. FRELINGUISYEN. Mr. Speaker, I rise in strong support of H.R. 2863, legislation making appropriations for fiscal year 2006 for the programs under the jurisdiction of the Sub-committee on Defense. And ask unanimous consent to revise and extend my remarks.

At the outset, I want to commend the Chairmen of the House and the Senate Appropriations Committees, Mr. VEDDER of Florida and the Ranking Member, Mr. MURTHA for their leadership on this bipartisan bill, and their staffs.

As my colleagues have noted, H.R. 2863 includes over $403 billion in discretionary funding in the base appropriations bill. An additional $50 billion is provided in a critical “bridge fund” to support ongoing operations in Iraq and Afghanistan. Over 80 percent of this funding will go to the Army and Marine units that are taking the fight directly to our enemies in Iraq and Afghanistan, as well as funds to our Navy and Air Force and Special Forces over there.

Mr. Speaker, I want to commend the conferees for good work in tight fiscal times. Our Committee’s allocation was $3.3 billion below the President’s request. The Senate’s allocation was even more difficult than that—$7 billion below the level sought by the President. We compromised and pegged our top line spending level at approximately $5 billion below the Administration.

This presented the Conference with some significant challenges. We looked carefully at programs in the President’s budget and made selected reductions. And we also recommended less funding for programs encountering technological problems and development delays. With the many competing challenges facing our military as we prosecute the Global War on Terror, this was not an easy task. But we believe we have made appropriate choices to allow us to deter our enemies and to enhance the high-intensity combat capability of the U.S. armed forces.

Mr. Speaker, as we consider this important legislation, we must remain mindful that our troops in Iraq and Afghanistan (all volunteers—active duty, Guard and Reserve) are on the battlefield, as we speak—brave men and women fighting a new kind of war. Everyone is on the “fight line.” There is no “rear area.”

And the sooner these new resources reach them, the better.

As we all know, the Army and the Marines are continuing their battle in Iraq and Afghanistan with an unprecedented level of partnership by their Guard and Reserve components. And young men and women from the Air Force and Navy stand beside them!

Their service and dedication on the battlefields of Iraq and Afghanistan is making our nation safer from terrorists who seek to do us and other freedom-loving nations harm.

Make no mistake—our success in Iraq is hugely important. And our enemies in Iraq are “thinking” enemies. They are adaptable and would like nothing better than to see us “cut and run.” set arbitrary dates for withdrawal and then come back after our departure to re-install a new version of Saddam Hussein or a regime even more oppressive, more fanatical, more horrendous AND more dangerous than the last.

We should never forget that the soldiers we support through this appropriations bill have freed nearly 50 million people in Iraq and Afghanistan from killer regimes where protest and dissent were answered by killing fields and genocide, where women were denied basic freedoms, education, health care and the vote.

Of course, the loss of any young soldier from our ranks is heartbreaking. So are the deaths of innocent civilians killed by roadside bombs.

But we are dealing with Saddam loyalists, jihadis, imported terrorists and domestic criminals who play by no rules and do not hesitate to bomb Iraqi weddings, funerals and gatherings of school children as a common tactic.

Since we are engaged in a Global War on Terrorism, with Iraq and Afghanistan being countries of conflict and violence, our soldiers and Marines need every possible advantage.

This legislation provides our fighting men and women with the resources they need to be more deployable, more agile, more flexible, more interoperable, and more lethal in the execution of their missions. It provides for better training, better equipment, better weapons, paychecks and support for their families at home.

But this Conference Report also provides funding for new equipment, additional trucks, radios, electronic jammers, and up- armored Humvees, attack helicopters, warships and fighter aircraft. Most important, this bill provides an additional $1.2 billion for personnel protection items, such as body armor. As troops rotate in and out of the theater, they need the latest equipment and weapons systems.

It is imperative that we support this Defense Appropriations Conference Report today—our warfighters are depending on us.

In this regard I would note that the bill contains nearly $1.9 billion for the activities of the Joint IED Defeat Task Force. These are the men and women who carry the burden of keeping our troops one, two or several steps ahead of the terrorist insurgents who murder and maim by using lethal roadside bombs and vehicle-borne bombs.

This bill provides the resources. Now this member will be expecting the Task Force to provide effective new tools to our soldiers and Marines in a timely fashion.

Mr. Speaker, I welcome increased funding for research and development. Our bill exceeds the President’s budget by $2.3 billion so that we can speed important new technology from the drawing board to the battlefield.

My colleagues, the Global War on Terror will not be short. It will require deep and enduring commitment.

And looking down the road, we face many potential and real threats. We cannot know what hostile forces we will face next year, much less five years from now! So we must take care to ensure that we have laid the proper foundation for a secure national defense. Investments now will pay off in more capability in the future.

In the years ahead, we will have to evaluate and re-evaluate our investment in such critically important areas as shipbuilding, aircraft procurement, Army weapons systems, and our Air Force and Intel space programs and the industrial base that supports them in both the public and private sector.

My Colleagues, this is a critical bill, designed to preserve and enhance our Armed Forces critical capabilities.

I am pleased to support this Conference Report and the soldiers who proudly wear our Nation’s uniform.

Mr. YOUNG of Florida.

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

The SPEAKER pro tempore (Mr. O’BRIEN of Michigan). Without objection, the previous question is ordered on the conference report.

There was no objection.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBEY moves to recommit the conference report H. Rpt. 109-359 to the conference with instructions to the managers on the part of the House not to include Chapter 8 of Title III of Division B.

The SPEAKER pro tempore. The motion to recommit. The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the conference report.

The vote was taken by electronic device, and there were—yeas 183, nays 231, not voting 20, as follows:
Mr. MOLOHAN, Mr. LUCAS, Ms. ROS-LEHTINEN, Messrs. BUYER, BURGESS and WHITFIELD changed their vote from “yea” to “nay.” Messrs. COOPER, GEORGE MILLER of California, RANGEL, MILLER of New York and Mrs. MCKINNEY changed their vote from “nay” to “yea.”

So the motion to reconsider was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. MCGOVERN. Mr. Speaker, I was inadvertently absent for the rollcall votes on the motion to reconsider the Defense Appropriations Conference Report and the Conference Report itself. If I were present, I would have voted “yes” on the motion to reconsider and “no” on final passage of the conference report for the FY 06 Department of Defense Appropriations.

The SPEAKER pro tempore (Mr. CAMP of Michigan). The question is on the conference report.

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

This will be a 5-minute vote. The vote was taken by electronic device, and there were—yeas 308, nays 106, answered “present” 2, not voting 18, as follows:

[List of yeas and nays]

YEARS—183

[Names of representatives]

[Names of representatives]

YEARS—308

[Names of representatives]
that the House suspend the rules and agree to the resolution, H. Res. 633.

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.

CONFERENCE REPORT ON S. 1932, DEFICIT REDUCTION ACT OF 2005

Mr. NUSSLE. Mr. Speaker, pursuant to House Resolution 640, I call up the conference report on the Senate bill (S. 1932) to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The SPEAKER pro tempore. The House of today.

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

Mr. NUSSLE. Mr. Speaker, pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006, I call up the conference report on the Senate bill (S. 1932) to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The SPEAKER pro tempore. The House of today.

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

Mr. Speaker, we have before us a conference report that everybody should understand that is the plan of our Republican colleagues to cut the deficit. The savings realized from these spending cuts and tax cuts will help offset tax cuts for top-bracket taxpayers. Our Republican colleagues want to avoid that connection of tax cuts and spending cuts made by this bill.

Well, there is a reason for this hiatus between spending cuts and tax cuts. The spending cuts made by this bill will hit the young, the old, the sick, and the poor, and hit them rather hard.

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some of the worst of the House bill provisions are still there. A bit less significant, but still hurtful to the people who are the victims of these particular cuts.

And bear this in mind. Bear this in mind. This still adds up to, for all of the cuts that will be made, even if the deficit, still uses spending cuts to offset tax cuts, and still cuts services for the least among us, the most vulnerable and poorest Americans.

In short, there are many reasons this bill could live up to its title, the Deficit Reduction Act of 2005. It makes deep and painful cuts still, only to pave the way for new and additional tax cuts and never mind the deficit. The result is a larger deficit. So in this respect, today's legislation is like the budget resolution that set it in motion. This is one of a series of fiscal actions that will cause the debt ceiling of the United States at the end of this year to be move to $3.15 trillion.

Because when the Bush administration came to office, it inherited a surplus and predicted that this surplus would endure even if its trillion dollar tax cuts were adopted. Well, the Bush budget was adopted, and in fiscal 2005 the bottom line was not a surplus of $269 billion, as once projected, but a deficit of $320 billion. It was $1.9 billion less than the Speaker had claimed earlier. Even for government work, that is not very close.

Here is the Speaker's press release. We discern that this difference came from the fact that between the Speaker's press release and the release of this volume that we have called the budget resolution, or the budget reconciliation bill, there was a deal made with the medical equipment manufacturers and suppliers with respect to Medicare reimbursement, a deal that costs your total package $1.9 billion. If I am not right, I would like to be corrected, which leads us to ask, if you could adjust for them to the tune of $1.9 billion, couldn't we have gone back and looked at student loans and modified those so it doesn't get inflated on them? Couldn't we have gone back and looked at children with delinquent dads and moderated what we were doing with respect to the cuts in child support enforcement, foster care, and the other things that are still in this bill? If you could do that for the medical equipment manufacturers, couldn't you do it for the least of these?

Mr. Speaker, it may be 5:20 in the morning. But Mr. DINGELL is still up and ready for a good fight. I yield to the gentleman for 4 minutes.

Mr. DINGELL asked and was given permission to revise and extend his remarks.

Mr. DINGELL. Mr. Speaker, I rise against the conference report. I urge my colleagues to vote it down. This might be called a Christmas Carol. The Republicans give tax cuts to every Ebeneezer Scrooge and his friends, and they raise the costs to the Cratchit family and take medical care away from Tiny Tim.

There is no way to hide the fact that these cuts hurt beneficiaries. Cuts in the Medicare program come directly from the families who depend on them, by raising their payments, making health care unaffordable, or by not paying for needed treatments when those families seek care. Millions of children will lose medically necessary benefits and face increases in the amount that they have to pay for them to go to the doctor.

Because this conference report allows, in fact it almost requires States to charge families four times more today than they do to see their doctor at this time, we know this size increase will force people to forgo needed care. Millions of families will seek cuts in important services in mental health, physical and rehabilitation therapies, dental and vision benefits.

What good can come from allowing States to deny eyeglasses to children who cannot see in school or hearing assistance to children who cannot hear?

One in nine children with special health care needs are those who reside in military families and rely on Medicaid for supplemental health care jeopardized by this bill.

The conference report seeks to raise health care premiums for individuals who depend on Medicaid. A major portion of the savings of this provision will come from families, including children, losing health insurance coverage. There are more than 45 million uninsured young in this Nation. Will add significantly to that number. Nearly 40 children's groups, March of Dimes, Family Voices, oppose these cuts. AARP has written to urge the Congress not to harm those who rely on their programs for long-term care. One hundred forty national groups, American Nurses Association, the American Academy of Pediatrics, wrote in opposition to benefit cuts and increases in cost sharing.

There is another little thing here that my colleagues will want to know about, and that is very interesting. The conference report takes away from the moneys that we could give to first responders to adequately cover the spectrum sales that will occur, and it gives those monies as it gives other monies to tax cuts for the well-to-do.

The end result, my dear friend, is that first responders, public health, public safety will be shortchanged. Our first responders risk their lives to leave no one behind, but the Republicans here leave the first responders behind, and they are going to have a nice little tax increase for those who are going to see their television, or to go to the movies. Because of the change from the normal analog spectrum to the digital spectrum which is going to take place in the next few years, telling me how their policies have been here for a quarter of a century, and how we are spin by it. I remember history. I have been here for a quarter of a century, and I have heard the representations made by Republicans in the administration and on this floor over those years, telling me how their policies were going to lead to fiscal responsibility, reduction of deficits, elimination of debt. It hasn't happened. Not
December 18, 2005

CONGRESSIONAL RECORD — HOUSE

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

Mr. SPRATT. I yield to the gentleman from Maryland 3 minutes.

Mr. HOYER. The chairman of the Budget Committee came to this floor and put a bag over his head because he was ashamed of serving in this House. He was ashamed.

Mr. NUSSELE. Would the gentleman yield on that point?

Mr. HOYER. Not yet.

Mr. SPRATT. Well, the gentleman referenced me.

Mr. HOYER. I did reference you and I may do it again, but I will not yield yet.

He came to this floor, and he said he was ashamed. He was ashamed because of a bank scandal. It wasn’t handled very well but there were no tax dollars involved, nobody lost anything and the account at Riggs Bank was never overdrawn. But, my friends, under his administration over the last 5 years, $1.5 trillion in deficits.

Now, let me tell you something. Economic performance, these are facts. This is not Dickens or Chaucer or Shakespeare or anybody else. These are facts from your budget book. Average new jobs per week under Bush I, minus 1.1 percent; Bush II, minus three-tenths of 1 percent; Bill Clinton, plus eight-tenths of 1 percent; Median household income, Bush I, minus eight-tenths of 1 percent; Bush II, minus nine-tenths of 1 percent; Clinton, plus 1.6 percent.

Poverty, Bush I, went up 1.4 percent; Clinton, minus 2.3 percent. Jobs, you talked about jobs. Bush I, plus-2.13 million; Bush II, now about 4 million; Clinton, 21 million new jobs average. Now, let me give you the averages. Bush I, 44,500 per month; Bush II, 46,678 per month; Clinton, 228,000 per month. Real GDP: Bush I, up 2.1; Clinton, plus-3.4 percent; Bush II, plus-2.6 percent.

Now, ladies and gentlemen, we like a lot of polls. The Dow Jones, that is sort of a poll on economic security, growth, confidence in our economy, Dow Jones under Bush I, up 46.7 percent. Under Bush II, now it has gone up a little bit the last few days, about 1 percent, from the time he took over to now.

Now, listen to this, my friends. This is a poll that counts about people who think our economy is doing well. Up under Clinton, remember it was 46 percent under Bush I, 1 percent under this President, under Bill Clinton, 255 percent increase in those 8 years.

So in conclusion, my friend, I will tell you that on every statistic, the representations you have made have been wrong. I will tell you the last 2 months, the last 2 months, ladies and gentlemen, the deficit in America went up $360 billion of deficit spending in just the last 2 months. That is the fiscal management program on the floor today. America ought to reject it, and we surely should on their behalf.

Mr. SPRATT. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. McDermott).

Mr. McDERMOTT. Mr. Speaker, at this hour of the night, I am not sure who in the world is listening to whom. Certainly, none of us are awake. They have all fallen asleep, except those who are total insomniacs.

But I had the experience last week when I was home of going to the City Club in Seattle. And they had a yearly meeting where they talk about how the year has gone and what they expect for the next year. It is sort of looking forward to the next year and what is going to happen, and they pick out important citizens from your city to put on the panel. And the question was asked of the panel, what is the thing you worry about most in the future?

Now, one of the panelists was a guy who some of you may know, his name is Wmore Gates. Sr. He is the father of Bill Gates. He runs the Gates Foundation. And his answer was this: I worry most that people do not realize how close we are to economic collapse in this country. The spending that is spent, and he went on and elaborate, in terms of the issues that we face today, with a bubble of real estate out there, with everybody buying houses on interest-only loans, on the huge credit card debt in this country, on people working 2 or 3 jobs and not having any increase in their wages.

Now, you can look at certain figures and we have the battle here of the figures. And if you are sitting at home thinking what are the facts, ask yourself about all those flying back and forth, because their experience is that their wages are not going up. Prices are still going up. Their cable TV is costing more than it did and their gas is costing more than it did. But their wages are not going up.

Now, they read that the GDP is going well and that more taxes are coming in. That is not affecting the basic people in this society. And this bill, this so-called reconciliation bill, do not know whoever thought that that was a good term for it, because we are not reconciling the people at the top and the people at the bottom. This is a bill directed at the people at the bottom. Those people on the top are doing great.

There is nobody in this room who is going to suffer for a single minute in the next year. Not one single one of you will be cold or hungry or without the ability to go to a doctor or receive a dental appointment when you need it, when you have got a toothache.

How many States are there in the United States that still have a dental program for the people on TANF? Practically none. And we stand out here and say that this is a great budget and you are going to cut, it is baloney. It is a sham and we ought to vote ‘no’ on it.

Mr. SPRATT. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, lest anyone think that we are about to launch a bill here that
This is what happened. They said, $2 billion a year more, because that is still hurts. You either shift that expense to the States that are responsible for child support enforcement, or parents who are looking to delinquent parents to pay their child support will have incent less in the way of child support. It is a false economy.

You say there are no tax increases in your bill. But the PBGC premium increase is certainly equivalent to the same, 3.6 billion in PBGC premiums. And the Medicare part B under the Medicaid and SCHIP. Among other provisions, this bill in effect the automatic spending programs to get rid of waste, fraud, and abuse, and eight committees stepped forward to do the hard work to bring us here tonight.

Mr. Speaker, we have a plan. They do not. It reforms important government programs and saves money for the hardworking American taxpayers.

Let us pass our plan, finish our work, and let us go home.

Ms. JACKSON-LEE of Texas. Mr. Speaker, we have before us perhaps the most important piece of legislation that we will vote on all year, the Budget Reconciliation Spending Cuts Act of 2005. We have turned everything we believe in as a country on its head. The Republicans are actually asking the poor, the downtrodden, the disabled and the young to sacrifice on behalf of the rich. I want to emphasize that these cuts are not meant to free up money to rebuild the gulf coast, or reduce the deficit. In fact, many of these proposed cuts will actually hurt those affected by Katrina. Overall, the plan before the House, when combined with the tax cuts for the rich, will increase the deficit and the national debt.

From a healthcare perspective, there are 45 million Americans living today without any health insurance at all, but this budget cuts $6.9 billion over 5 years from Medicaid and SCHIP. Among other provisions, this bill increases cost-sharing for Medicaid beneficiaries and permits States to reduce benefits. Most of the billions of dollars of savings over 5 years is passed directly on to you, the constituents. This bill does not affect medical fund- ing for children, the elderly, and people with disabilities and making it even harder for families to afford nursing home care.
The conference report includes provisions that will reduce spending on Medicare by a net total of $6.4 billion over 5 years. As founder and co-chair of the Congressional Children’s caucus, as a person who understands the value of our Nation’s youth, and as a mother of two children, I really want to bring focus to the manner in which this bill impacts our Nation’s children. If you have children who are in, or who are considering going to college, I want you to listen to this: this Republican spending cut will place an added burden of $12.7 billion directly on our students over the next 5 years. It is accomplished through added fees on students, and increases of interest rates. Students borrowing money for college will pay thousands of dollars more on their student loans! This is in the face of college costs up over 7 percent this past year alone. Further, this bill targets child support funds as a wasteful government program, cutting $1.5 billion from collections programs for deadbeat dads. It accomplishes this by ending the Federal match on child support spending that States finance with incentive payments.

Another important aspect of this bill is the addition of $600 million for Low-Income Home Energy Assistance Program. I appreciate the addition of this money in to the conference report, but am concerned that this will not be sufficient. Especially around the gulf coast and in my district of Houston, we are experiencing abnormally high energy costs after the damage caused by Katrina and Rita, and many of the infrastructures of homes in the area has been damaged, I hope we can consider subsidizing this LIHEAP program further in this upcoming session.

I would also like to express my concern over the loss of $400 million from the house bill to the conference bill of funding that would go to Katrina health care relief. The $2.1 billion towards Katrina health care relief is a small part of what should be a much more substantial recovery package for the region. I again hope we can find it in our budgets next year to further help the damaged gulf coast and its inhabitants.

Allow me to cite some of the specific cuts I, and our colleagues across the country, will find so objectionable in this conference report:

Medicaid—The bill cuts Medicaid spending by $6.9 billion nationwide.

Medicare—The bill cuts Medicare spending by $6.4 billion nationwide.

Student Loans—The bill cuts spending on student loan program by $12.7 billion over 4 years.

Child Support—The bill cuts $1.5 billion from child support programs over 5 years by ending Federal incentives to states for collections.

This is not how we take care of our own in Texas, and this is not how we do things in the United States. This bill launches an unabashed attack on the American way by slashing funding towards those that are most vulnerable. And don’t you be fooled! These spending cuts aren’t meant to offset the costs of rebuilding the gulf coast, these spending cuts are meant to offset tax cuts that will benefit the rich.

Mr. Speaker, we cannot allow the burden of the $50 billion in tax cuts to be placed on the backs of our Nation’s neediest families. The decision to vote up or down on this legislation isn’t a blurry line involving political ideology; it isn’t a debate of republican vs. democratic philosophy. This is black and white. This cut hurts the children, it hurts the poor, it hurts the old and it hurts the young. I am strongly opposed to this legislation, and I implore my colleagues on both sides of the aisle to vote against these unreasonable cuts.

Mr. CARDIN has risen in strong opposition to the so-called Deficit Reduction Act of 2005. Let’s be clear about this: the majority is moving this bill to make way for tax cuts in the order of $106 billion over five years. To make room to cut programs that help middle-class and low-income Americans. That’s correct: this morning, we are cutting nearly $40 billion over five years from important domestic initiatives. The net result will be a double-whammy on most Americans: an increased deficit that will fall on the shoulders of every man, woman and child and painful cuts to our neediest citizens. Let’s take a closer look at who is targeted by this misguided legislation. First, college students. The conference report cuts $12.7 billion to student loan programs. Students who have higher fees for their loans, parents will have to pay higher interest rates. The barriers to higher education just got higher.

Next, America’s farmers. This bill cuts important far conservation programs by $934 million. It eliminates the Emergency Conservation Program by $649 million, zeroes out the Watershed Rehabilitation Program; and it cuts the Environmental Quality Incentives Programs by $75 million.

Next America’s uninsured families. Even though the number of uninsured Americans at an all-time high of 45 million, this Congress has decided to decimate their safety net, the Medicaid program. The conference report increases Medicaid cost sharing and shifts $12.7 billion to the shoulders of every man, woman and child. Families to get the care they need. The Senate-passed bill had not included any provisions increasing health care benefits or increasing families costs to see their doctor. In addition, under this bill, States may provide any child, without regard to income, with a lesser benefits package than today. States may supplement this reduced level of coverage with additional benefits if they choose, but the requirement for a basic level of care is eliminated by this bill. As a result, low income children are no longer guaranteed vision screenings, therapy services, medical equipment, or other key benefits. From now on, States may offer a choice of coverage to beneficiaries under a “benchmark” package or a so-called Health Opportunity Account, eliminating any requirement that individuals are covered for benefits. This bill sharply increases cost sharing for prescription drugs and would allow States to charge up to 20 percent of the cost of each medication. Medicaid beneficiaries who take many drugs will have to forgo some needed medicines. It also lifts limits on emergency room copayments for all but the poorest beneficiaries. Last but not least are our seniors and persons with disabilities who rely on Medicare. It has been 8 years since the Balanced Budget Act of 1997, a bill that Republicans said would “slow the rate of Medicare growth” by $130 billion, but in reality, has spent more than $260 billion hurting nursing homes, home health agencies, hospitals, doctors, and most importantly, beneficiaries. Two years after BBA’s enactment, Congress began passing a series of “fix” bills to repair the uncomplicated damage from several provisions; to this day, some of the more egregious mistakes, such as outpatient therapy caps and the flawed “sustainable growth rate” formula for the physician fee schedule have still not been fixed. That is why we are rising up against this bill to see that Congress has not learned its lesson. Today, with the needs of children, the elderly, and persons with disabilities even greater than in 1997, the 109th Congress is back with a bill that ignores the urgent needs of those who will be most affected by these cuts, and do not even try to address serious problems with a Medicare drug plan that has befuddled and frustrated millions of seniors and their loved ones.

I am deeply disappointed that the House did not even try to address needed reforms in Medicare. Now we are looking at $8 billion in Medicare cuts that were not considered in the Ways and Means or the Energy and Commerce Committees. We now have a band-aid physician payment fix; unjustifiable arbitrary caps on rehabilitation therapy services, no improvement in payments for lifesaving cancer screenings, higher Medicare Part B premiums for many seniors, no reduction in the unnecessary “stabilization fund” for Medicare HMOs. This was a flawed process and it led to an even more deeply flawed bill. I urge my colleagues to reject this conference report and return in the new year to consider real improvements to these vital programs.

Mr. Langevin. Mr. Speaker, I rise in strong opposition to the conference report on H.R. 4241. This will be the third time this year I have voted against an irresponsible Republican budget plan to cut spending on programs important to the poorest Americans in order to pay for a tax cut for the wealthiest. Frankly, I’m tired of it, and Rhode Islanders are too. We need to return our budget to balance, but not on the backs of those who can least afford it.

The Republicans claim this bill is necessary to offset the enormous costs of Hurricanes Katrina, Rita, and Wilma, but their actions show the majority’s true motives. Shortly after H.R. 4241 passed the House in November, Republicans voted for more than $50 billion in tax cuts, much of which benefit the top earners in the country. These tax cuts cost more than the savings in this bill. However, these paltry savings will come at a high cost, namely higher costs for health care, education and other important services.

I urge my colleagues to join me in rejecting this irresponsible conference report and instead focusing on real debt reduction based on fairness and shared sacrifice.

Mr. BACHUS. Mr. Speaker, I thank the Chairman for yielding time, and I rise in strong support of the Deposit Insurance Reform legislation included in the conference report to S. 1932, the Deficit Reduction Act of 2005.

I want to begin by thanking Financial Services Committee Chairman Oxley for his relentless efforts on moving this deposit insurance reform legislation. He has shown tremendous leadership in steering this complex bill through the legislative process, and I am deeply grateful that he gave the opportunity to work on this landmark piece of legislation. I also want to thank the Ranking Member of the Committee, Mr. Frank for his support. This was truly a bipartisan effort, and I
believe we have a better legislative product because of that. Senator SHELBY and the other Senators on his committee are also to be commended for their fine work.

Deposit insurance reform has been thoroughly discussed and debated over several years. H.R. 3717 passed the 107th Congress by a vote of 411–408, with bipartisan cooperation. H.R. 3717 passed the House in the 107th Congress by a vote of 408–18, and H.R. 522 passed the House in the 108th Congress by a vote of 411–11. During this Congress, Congresswoman HOOLEY and I introduced the same legislation—H.R. 1185—with Chairman OXLEY and Ranking Member FRANK. On May 4, 2005, H.R. 1185 passed the House by a vote of 413 to 10. The legislation is supported by the American Association of Retired Persons (AARP) as well as all of the banking a credit union trade associations.

Federal deposit insurance has been a hallmark of our Nation’s banking system for more than 70 years. The reforms made by this legislation will ensure that this system that has served our savers and depositors so well for so long will continue to do so for future generations.

What does the legislation do? First, it merges the separate insurance funds that currently apply to deposits held by banks on the one hand and savings associations on the other, creating a stronger and more stable fund that will benefit banks and thrifts alike.

Second, the bill makes a number of changes designed to address the “pro-cyclical” bias of the current system, which results in sharply higher premiums being assessed at “down” points in the business cycle, when banks can least afford to pay them and when funds are most needed for lending to jumpstart economic growth. By giving the FDIC greater discretion to manage the insurance funds given industry conditions and economic trends, the legislation will ease volatility in the banking system and facilitate recovery from economic downturns.

Third, the legislation makes monumental changes to law with regard to deposit insurance coverage levels. The system has gone 25 years without such an adjustment—the longest period in its history—and the increases provided for in the legislation are critical if deposit insurance is to maintain its relevance. The conference report establishes a permanent index that will help provide an index to deposit insurance coverage levels keep pace with inflation by indexing coverage from its current level of $100,000 every five years. The indexation, which begins in 2010, applies to all accounts, including retirement and municipal accounts. Without these changes, deposit insurance will wither on the vine, which is an unacceptable outcome for the millions of Americans who depend upon it to protect their savings.

The legislation also immediately increases deposit insurance coverage available to retirement accounts, including IRAs and other defined-benefit plans, from its current level of $100,000 to $250,000. Particularly in light of volatility on Wall Street and other developments that have shaken confidence in the markets in recent years, senior citizens and those planning for retirement need a convenient, conservative, and secure place for their retirement savings. With the higher coverage levels provided for in this bill, the American banking system will give seniors that safe haven. That is why the AARP has enthusiastically endorsed the coverage increases in this bill.

All of us have heard from community bank- ers in our districts about the challenges they face in competing for deposits with large money-center banks that are perceived by the market—rightly or wrongly—as being “too big to fail.” By strengthening the deposit insurance system, the conference report will help small, neighborhood-based financial institutions across the country, particularly in rural America, continue to play an important role in financing economic development. The deposits that community banks are able to attract through the Federal deposit insurance guar- antee are cycled back into local communities in the form of consumer and small business loans, community development projects, and home mortgages. If this source of funding dries up, it will have devastating con- sequences for the economic vitality of small-town America.

I want to again commend Chairman OXLEY for the tremendous leadership he has shown in steering this complex bill through the legis- lative process. I also want to thank Ranking Member FRANK and Congresswoman HOOLEY for all of their work on this legislation.

Let me also take this opportunity to thank the staff members on the House Financial Services Committee who worked on this legis- lation. Both Chairman OXLEY and Ranking Member FRANK are to be commended for as- semblings such a talented group of staff to work on Deposit Insurance Reform legislation. On the majority side, I would like to thank Bob Foster, Carter McDowell, Peggy Peterson, Tom Duncan, Peter Barrett and Dina Ellis who serves as my designee on the Committee. I want to give a special thanks to Jim Clinger who recently left the Committee to work at the Department of Justice. Without Jim’s hard work, dedication and knowledge we would not be here today, and I am grateful for all of his efforts. I would also like to thank Larry Lavender, Warren Tryon and Kim Olive of my staff for their work on this legislation. On the minority side, I would like to thank the following staff members: Jeanne Roslanowick, Jaime Lizarraga, Erika Jeffers, Ken Swab and Matt Schumaker of Congresswoman HOOLEY’s staff.

In closing, Mr. Speaker, let me just say that this legislation will promote the stability and soundness of the banking system. It is also provide assurance to working families, retiree- es, and others who place their hard-earned savings in U.S. banks, thrifts, and credit unions that their FDIC-insured deposits are safe and secure.

Mr. RANGEH, Mr. Speaker, this Budget rec- onciliation spending cut bill asks those with the least to sacrifice the most, while providing the most fortunate with even more.

Today’s Bill: This Budget reconciliation cha- rade is such an affront to working and lower- income families that our national religious leaders have stepped in to say ‘enough is enough.’

The Lutheran Bishops sent a letter saying this bill is contrary to Biblical teachings. The Presiding Bishop of the Episcopal Church has said this reconciliation bill is “tan- tantamount . . . to blasphemy.” And the Conference of Catholic Bishops have said they are “deeply disappointed” with this legislation, especially “its lack of concern for the poor.”

The conference report before us includes a number of cuts that would hurt children, the disabled and poor Americans.

This bill picks on our most vulnerable citi- zona who depend on Medicare, Medicaid, SSI, child support, welfare and a host of other crit- ical programs.

Some of the most egregious items in the conference report include:

- Unfunded Welfare Policies: includes new work requirements in the TANF program with- out providing adequate funding for child care. According to CBO, the bill is far short of the nearly $11 billion needed to implement the new work requirements and keep child care funding even with inflation.

- Cuts Child Support Enforcement: CBO tells us that the reductions in child support collec- tions will reduce collections being sent to fami- lies by $8.4 billion over the next 10 years.

- Assistance to Relatives Caring for Abused Children: the report eliminates Federal foster care payments to grandparents and other relatives with limited incomes who are caring for abused children.

- Assistance to the Disabled: the re- port delays the payment of past-due benefits to low-income disabled individuals who are eligible for back payments.

- Medicaid and Medicare cuts: the legislation before us makes extraordinary cuts in Med- icaid that will raise health care costs and re- duce benefits for our nation’s most vulnerable children and individuals. It also contains more than $6 billion of Medicare cuts, including prem- ium increases.

- Protects Special Interests: this agreement protects special interests at the expense of struggling families. Yet, the conference did not have to pursue these Dickiesian cuts. It could have accepted Senate language that reduced overpayments to private insurance companies. Of course, we have gone too far, and completely eliminated these overpayments, which would negate the need for most of the pain and raise more than $20 billion over five years. Instead, it’s gifts for the greedy, and cuts for the needy. We don’t know what the poor, elderly, dis- abled, and foster children have done to de- serve this. And I don’t know why the Repub- licans would wait until the wee hours of the morning, just a few days before Christmas, to show just how mean-spirited they can be.

- For the Republicans to deal this heavy blow to the poorest among us at the same time they reduce taxes for the very rich is not only wrong, but it smacks of being immoral.

Future Tax cuts (February?): The $56 billion Republican tax bill over- whelmingly benefits the very wealthy.

Nearly 50% of the benefit from the exten- sion of capital gains and dividend rate cuts goes to households with incomes over $1 mil- lion.

This tax bill grants these wealthy house- holds an annual benefit of more than $32,000. In contrast—Middle-income families receive only 2 percent of the benefit of the capital gains and dividend rate cuts, resulting in an average annual benefit of $100.

So the rich get richer, the poor get poorer, and the middle class gets left behind. That’s Republican economics.
I urge a "no" vote on this shameful conference report.

Ms. BORDALLO. Mr. Speaker, I rise this morning to address a particular provision included in Title VI of S. 1932, the Deficit Reduction Act of 2005. This provision, Section 6055, is a new Federal mandate imposed upon the Territories and, in my opinion, would inflict serious financial harm on the Territories.

In the 50 States, Medicaid is an individual entitlement. There are no limits on the Federal payments for Medicaid in the 50 States as long as the State is able to contribute its share of matching funds. However, annual Federal Medicaid payments in Guam and in other U.S. territories are subject to different rules and may not exceed a certain amount specified in law. These limitations are set under Section 1108 of the Social Security Act (42 U.S.C. 1396d(g)).

The intent is that Medicaid claims and expenditures in Guam and in the other U.S. territories exceed the limited amounts or ceilings set in U.S. law. Even if the Government of Guam is financially prepared, able and willing to meet its share of the matching requirement, U.S. law will not allow for Federal payments to be made beyond the specified limit. Fortunately, to account for inflation, the law was previously amended to provide for increases beginning in 1999 to the ceilings based on the annual percentage change in the medical care component of the Consumer Price Index. Indexing the ceilings for inflation was a needed and important improvement in the Medicaid program for the U.S. territories. However, even with the inflation indexing, the ceilings provided for in current law fall short of meeting actual, Medicaid-eligible claims in the territories.

Apart from the fundamental and more inherent issues associated with the disparate treatment of the territories in this entitlement program, are the practical and public health problems caused by the seemingly arbitrary and budget-driven federal funding limitations placed on the territories. Medicaid is an important Federal safety net and it is essential that the program be operated efficiently and to the fullest extent needed in the territories.

I am pleased that the Senate receded to the House position and accepted Section 3141 of the Social Security Act of 1994, Title VI of S. 1932, the Deficit Reduction Act of 2005. This provision, Section 6055, as included in the conference report, will provide for adjustments to the Medicaid payments for the U.S. territories based on the annual percentage change in the medical care component of the Consumer Price Index, as specified in law. These Medicaid adjustments address critical health care needs in the territories.

Specifically, Section 6055, as included in the conference report, will provide annual increases for Fiscal Years 2006 and 2007 in the ceilings placed on Federal funding for the Medicaid program in Guam, the Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, and Puerto Rico. The total adjustment for all territories in Fiscal Year 2006 would be $20 million, and in Fiscal Year 2007 the adjustment is $28 million. For Fiscal Year 2008 and subsequent fiscal years, the funding for the Medicaid program in the territories will be calculated by increasing the Fiscal Year 2007 amount by the percentage change in the medical care component of the Consumer Price Index, in the same manner as currently provided in law. The Congressional Budget Office has estimated that these adjustments will amount to additional $140 million in Medicaid payments in the territories over the next five years, and $330 million over the next ten years.

This provision has been included in this conference report as a result of bipartisan negotiations. On September 8 and 9, 2004, in the 108th Congress, I offered an amendment to H.R. 5006, the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act for Fiscal Year 2005 that would have provided an additional $8 million in Medicaid funding that year for Guam, the Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands. A point of order was raised and sustained on the amendment the first time it was offered. However, a modified and second amendment filed to the bill for the same purpose, was debated the following day. This amendment was accompanied by a serious and direct discussion for the first time on the House floor on the issue of Medicaid payments to the territories.

Ultimately, I withdrew the amendment at the request of the gentleman from Texas, Mr. BARTON, who pledged to work with me, my colleagues from the territories, and the gentleman from Indiana, Mr. BURTON, on this issue. The gentleman from Texas, Mr. BARTON, the Chairman of the House Committee on Energy and Commerce, kept his word. The gentleman and his professional staff and counsel have worked patiently and diligently with us to address this issue.

The language included in Section 6055 of S. 1932 is a result of this close collaboration and cooperation. I want to thank the gentleman from Texas, Mr. BARTON, the gentleman from Indiana, Mr. BURTON, who has been an ally and leader on this issue, and the leadership of the budget committees, for their work on this provision.

In the case of Guam, the adjustment made to the ceiling by this bill will bring the Federal Medicaid payments closer to the actual amount of recent annual Medicaid costs. This is especially the case when factoring in Federal grants received under mandatory appropriations made for annual Compact-impact assistance. Guam currently receives $14.2 million every year from the Department of the Interior to defray costs incurred as a result of increased demands placed on health and social services due to the residence in Guam of citizens of the Freely Associated States. This funding was authorized by the Compact of Free Association Amendments Act of 2003 (Public Law 108–188).

However, despite the adjustments made to the ceilings set under Section 1108 of the Social Security Act by this bill, a significant and outstanding issue remains with respect to the application of the Medicaid program in Guam and the other U.S. territories. The Federal Medicaid matching rate, which determines the share of Medicaid expenditures paid for by the Federal Government, is statutorily set at 50 percent for the territories (42 U.S.C. 1396d(b)(2)). However, for purposes of determining Federal matching rates for the States, if qualified for the formula the territories would receive rates as high as 77 percent. I hope that at some point in the future the rate for the territories could be set by the same formula as used for the States or at minimum adjusted to be on par with the rate statutorily set for the District of Columbia.

With the increase in Medicaid payment authorization provided by this legislation, the territories will have more effective health care needs within the fiscal constraints of the Medicaid program. As has been stated, the Medicaid program in the territories is significantly different from the program in the States, and these differences present unique challenges to the territorial governments. I thank the conferees for their attention to and acceptance of this important provision for the territories. This adjustment to Federal funding for Medicaid in the territories will have a significant impact in helping to address health care disparities between the States and the territories. I look forward to continuing to work with my colleagues from the territories, and the leadership of both chambers, to effectively address and eliminate disparities in federal health care financing between the States and the territories.

Mr. GOODLATTE. Mr. Speaker, I rise in support of the conference report for the Deficit Reduction Act of 2005.

Several months ago, when the Committee on Agriculture was given instructions to find savings within the programs under our jurisdiction, we took the task seriously and reported to the Budget Committee a total package that exceeded our original instructions. We did so without the support of our colleagues from across the aisle and found ourselves in a similar situation when the Deficit Reduction Act was brought to the House Floor several weeks ago.

Our efforts to try to gain control of mandatory spending have been politicized and demonized by Members of the other party who claimed that this was the wrong time and the wrong way to rein in mandatory spending. If not now, then when? If we continue to stand by and play the passive observer role, in 10 years mandatory will grow to consume 62 percent of the federal budget. I will also note that throughout this process, we have yet to see a comprehensive proposal to address the minority. This bill will not solve all of our problems and it isn’t a magic solution, but it is a step in the right direction. It is unrealistic to think we can meet the pressing challenges facing our Nation without reducing federal spending and redirecting priorities.

Additional costs associated with recent disasters further necessitate the need for budget reform. The Agriculture Committee has worked with our counterparts in the Senate to come up with a compromise that contributes to the deficit reduction while maintaining the interests of American agriculture. Our producers rely on our domestic agriculture policy. The 2002 Farm Bill, provided our producers with a foundation they could base their decisions on through 2007, which is when we will re-examine the Farm Bill for reauthorization. It would be irresponsible to rip the rug out from under our producers midway through the Farm Bill and I am pleased that this legislation keeps the policies of the 2002 Farm Bill intact.

Mr. Speaker, it is not easy to limit or reduce funding for any program, but it is imperative that we do not abandon the Territories. Instead of continuing to face the problem, we take a stand and vote yes to reducing the deficit and vote yes to responsible spending.
Third, at a time when we are cutting federal Medicaid funds and states are struggling to pay their share of Medicaid costs, Section 3145 would impose a brand new and costly administrative burden on them. The OIG surveyed state Medicaid directors who allow self-declaration. Twenty-five said that they were encouraged by the Centers for Medicare and Medicaid Services to simplify their application processes in order to reduce barriers to health care access. 28 said the requirement for documentation would delay eligibility determinations, twenty-five said it would increase personnel costs and 21 said it would be burdensome and expensive for applicants. This provision is not necessary but it is dangerous. It should be rejected.

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

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

The vote was taken by electronic device, and there were—yeas 212, nays 206, not voting 16, as follows:

YEAS—212

Mr. ABERCROMBIE of Washington.
Mr. ADKINS of Kentucky.
Mr. ADKINS of Tennessee.
Mr. ADKINS of Virginia.
Mr. ADKINS of Wisconsin.
Mr. ALEXANDER of Missouri.
Mr. ALEXANDER of Tennessee.
Mr. ALFREDSON of Wisconsin.
Mr. ALLEN of Georgia.
Mr. ALLEN of Oklahoma.
Mr. ALLEN of Texas.
Mr. ALLRED of New Mexico.
Mr. AMERICAN of Idaho.
Mr. AMERICAN of Ohio.
Mr. AMERICAN of Pennsylvania.
Mr. AMERICAN of Utah.
Mr. AMERICAN of Michigan.
Mr. AMERICAN of Wisconsin.
Mr. AMERICAN of Wyoming.
Mr. AMERICAN of Alabama.
Mr. AMERICAN of North Dakota.
Mr. AMERICAN of North Carolina.
Mr. AMERICAN of West Virginia.
Mr. AMERICAN of Arizona.
Mr. AMERICAN of Washington.
Mr. AMERICAN of Colorado.
Mr. AMERICAN of Connecticut.
Mr. AMERICAN of Ohio.
Mr. AMERICAN of New York.
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Mr. AMERICAN of Maryland.
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Mr. AMERICAN of South Carolina.
Mr. AMERICAN of New Jersey.
Mr. AMERICAN of New Mexico.
Mr. AMERICAN of Utah.
Mr. AMERICAN of Pennsylvania.
Mr. AMERICAN of North Carolina.
Mr. AMERICAN of West Virginia.
Mr. AL GREEN of Texas changed his vote from "yea" to "nay.

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXPRESSING SENSE OF CONGRESS REGARDING EDUCATION CURRICULUM IN SAUDI ARABIA

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 275.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa? (H.R. 3179) to reauthorize and amend the Higher Education Act of 2005 just passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THANKS TO THE STAFF

Mr. NUSSLE asked and was given permission to address the House for 1 minute.

Mr. NUSSLE. Mr. Speaker, I want to first thank all of the staff that worked so hard to bring us to this point in time and the leadership on the Budget Committee, and I would like to pay a special thanks to the floor staff and the official reporters and the clerk staff and everyone who stuck around with us on this very late day and night and into the morning. The sacrifices that everyone makes for us we really do deeply appreciate, and give us our heartiest thanks and best wishes these holidays.

GENERAL LEAVE

Mr. NUSSLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 132, the Deficit Reduction Act of 2005 just passed.

Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 132, the Deficit Reduction Act of 2005 just passed.

JUNIOR DUCK STAMP REALAUTHORIZATION AMENDMENTS ACT OF 2005

Mr. POMBO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 132, the Deficit Reduction Act of 2005 just passed.

Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 132, the Deficit Reduction Act of 2005 just passed.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assem-
bled,--

SECTION 1. SHORT TITLE.

This Act may be cited as the ‘‘Junior Duck Stamp
Reauthorization Amendments Act of 2005’’.

SEC. 2. USE OF PROCEEDS FROM LICENSING AND
MARKETING OF JUNIOR DUCK STAMP
DESIGNS.

Section 3(c) of the Junior Duck Stamp
719a(c)) is amended to read as follows:

“(c) USE OF PROCEEDS.—Amounts received
under subsection (b)—

“(1) shall be available to the Secretary
until expended, without further appropriation,
singly for—

“(A) awards, prizes, and scholarships to in-
dividuals who submit designs in competi-
tions under subsection (a), that are

“(i) selected in such a competition as win-
ning designs; or

“(ii) otherwise determined in such a com-
petition to be superior;

“(B) awards and prizes to schools, students,
teachers, and other participants to further
education activities related to the conserva-
tion education goals of the Program;

“(C) educational materials developed to promote
the Program;

“(D) expenses of distributing and marketing
Junior Duck Stamp designs to the public;

“(E) expenses for licensing and marketing
Juniors Duck Stamp designs;

“(F) expenses for marketing and educa-
tional materials developed to promote the
Program;

“(G) expenses for marketing and educa-
tional materials developed to promote the
Program;

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 6 of the Junior Duck Stamp Con-
719a(d)) is amended—

(1) by striking ‘‘$250,000’’ and inserting ‘‘$350,000’’;

(2) by striking ‘‘fiscal years 2001 through
2005’’ and inserting ‘‘fiscal years 2006 through
2010’’;

(3) by inserting ‘‘(a) AUTHORIZATION.—’’ be-
fore the first sentence; and

(4) by adding at the end the following:

“(b) LIMITATIONS ON USE FOR DISTRIBUTION
to State and Regional Coordinators To
Implement Competitions.—Of the amount
appropriated under this section for a fiscal year—

“(1) not more than $100,000 may be used by the
Secretary to administer the Program; and

“(2) not more than $250,000 may be distrib-
uted to State and regional coordinators to
implement competitions under the Pro-
gram.

SEC. 4. REPEAL.

The second section 6 of the Junior Duck Stamp
668kk(d)) is amended by striking the words ‘‘and
refuge headquarters, respectively, is repealed.’’

The bill was ordered to be engrossed
and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING CERTAIN
REPAYMENT CONTRACTS

Mr. POMBO. Mr. Speaker, I ask
unanimous consent that the Com-
mittee on Resources be discharged
from further consideration of the bill
(H.R. 4000) to authorize the Secretary
of the Interior to revive certain repay-
ment contracts with the Bostwick Irri-
gation District, the Kansas Bostwick
Irrigation District No. 2, the French-
man-Cambridge Irrigation District,
and the Webster Irrigation District
No. 2, all a part of the Pick-Sloan
Missouri Basin Program, and for
other purposes, and ask for its im-
mediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there
objection to the request of the gen-
tleman from California?

There was no objection.

The Clerk read the bill, as follows:

H.R. 4000
Be it enacted by the Senate and House of Rep-
resentatives of the United States of America in Congress assem-
bled,—

SECTION 1. BOSTWICK IRRIGATION DISTRICT IN
NEBRASKA; REPAYMENTS EQUAL-
IZED AND RESERVE FUNDS CON-
TRIBUTIONS EXTENDED.

The Secretary of the Interior may revive
the repayment contract with the Bostwick Irriga-
tion District in Nebraska numbered
000D6B0121 and all amending contracts thereto, by equalizing the annual total rep-
ayment obligation under the contracts for
the distribution works construction charge
and the water supply repayment obligation
for the remaining years of the contract rely-
ing upon the annual water supply repayment obligation as of the date of the enactment of
this Act as the base for equalizing the an-
nual total payments and by extending the date for adjusting the annual deposits into
the distribution works reserve fund and the
district water supply reserve fund for an ad-
nitional 10 years.

The bill was ordered to be engrossed
and read a third time, was read the third
third time, and passed, and a motion to reconsider was laid on the table.

FEDERAL DEPOSIT INSURANCE
REFORM CONFORMING AMEND-
MENTS ACT OF 2005

Mr. POMBO. Mr. Speaker, I ask
unanimous consent that the Com-
mittee on Financial Services be dis-
charged from further consideration of
the bill (H.R. 4636) to enact the tech-
nical and conforming amendments nec-
essary to implement the Federal De-
posit Insurance Reform Act of 2005, and
for other purposes, and ask for its im-
mediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there
objection to the request of the gen-
tleman from California?

Mr. FRANK of Massachusetts. Re-
sponding to the right to the Speaker,
we have before us a very well-done
bill, and what is before us is good and
useful and constructive.

I do have to call attention, however, to a glaring omission caused by the Senate. When our committee consid-
ered this measure to merge the insur-
ance funds, the gentleman from California (Ms. WATERS) offered a pro-
doval to propose to establish what we call life-
line banking, a provision to extend to very
low-income people the ability to get into
the banking system at no cost to
themselves, lessening the likelihood that they would go to payday lenders or check-cashing institutions to send
excessively expensive money orders.

And we worked this out and there were discussions with the representa-
tives of the bankers, and we arrived at
a satisfactory means of paying for it. It
is not a very expensive proposal, and it
would have done significant social
good.

Unfortunately, the Senate simply re-
 fused to consider it. The Senate pro-
cedure on a number of the bills we have
sent over has been arbitrary and the result has been unfortunate. What is
left, it is still a good bill and worth passing; but I did want to call attention to this just to say to some who do not understand this, there are many of us prepared to work constructively with the financial community and the business community to help advance their ability to serve the economy. When they insist that we do that, without paying some attention to the needs of the lowest-income people in this society, they make a great mistake. They are making that mistake here; there is nothing that we can correct.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 4836

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress as-
sembled—

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal De-
oposit Insurance Reform Conforming Amend-
ments of 2005.”

SEC. 2. TECHNICAL AND CONFORMING AMEND-
MENTS.

(a) Technical and Conforming Amend-
ments Relating to Government Deposits.—
Section 11(a)(2) of the Federal Deposit Insur-
ance Act (12 U.S.C. 1811(a)(2)) is amended—
(1) in subparagraph (A)—
(A) by moving the margins of clauses (i) through (v) 4 ems to the right; and
(B) by striking, in the matter following clause (v), “such depositor shall” and all that follows through the period; and
(C) by striking the semicolon at the end of clause (v) and inserting a period;

(2) by striking “(2)(A) Notwithstanding” and all that follows through “a depositor who”—and inserting the following:—

“(2) Government depositors.—

“(1) In general.—Notwithstanding any limitation in this Act or in any other provi-
sion of law relating to the amount of deposit insurance available to any 1 depos-
or, member who is—

(i) a government depositor, for the purpose of determining the amount of in-
sured deposits in subsection (b); and

(ii) except as provided in subparagraph (C), the deposits of a government deposi-
tor shall be insured in an amount equal to the standard maximum deposit insurance amount (as determined under paragraph (1)).

“(B) Government Depositor.—In this para-
graph, the term ‘government depositor’ means a government depositor who—

(i) is a government depositor as defined in section 216(c); and

(ii) is authorized to accept under any other provi-
sion of law relating to the amount of deposit insurance available to any 1 deposi-
or, member who is—

(A) by striking “$100,000” and inserting “an amount equal to the standard maximum de-
posit insurance amount”; and

(B) by adding at the end the following new subclass:

“(e) Standard Maximum Deposit Insur-
ance Amount Defined.—For purposes of this section, the term ‘standard maximum de-
posit insurance amount’ means the amount determined under section 11(a)(1) of the Federal Deposit Insurance Act.”

(b) Conforming Change to Credit Union Insurance Co-
verage. —

(1) In general.—Section 207(k) of the Fed-
eral Credit Union Act (12 U.S.C. 1776(k)) is amended—

(A) by striking “(k)(1)” and all that follows through the end of paragraph (1) and insert-
ing the following:

“(k) Insured Amounts Payable.—

‘(1) Net Insured Amount.—

‘(A) In general.—Subject to the provi-
sions of paragraph (2), the net amount of share insurance payable to any member at an insured credit union that is not well capitalized or adequately capitalized may not exceed the total amount of the shares or deposits in the name of the member (after deducting off-
sets), less any part thereof which is in excess of the standard maximum share insurance amount, as determined in accordance with this paragraph and paragraphs (5) and (6), and consistently with actions taken by the Federal Deposit Insurance Corporation under section 11(a) of the Federal Deposit Insur-
ance Act.

‘(B) Aggregation.—Determination of the net amount of share insurance under sub-
paragraph (A), shall be in accordance with such regulations as the Board may prescribe, and, in determining the amount payable to each insured credit union during any calendar or fiscal year, the Board shall allocate such amount among the insured credit unions on the basis of the net amount of insured deposits and the number of insured share accounts in each insured credit union as of the beginning of such year.

‘(2) Coverage for certain employee ben-
efit plan deposits.—

‘(A) Pass-Through Insurance.—The Ad-
ministration shall provide pass-through share insurance for the deposits or shares of any employee benefit plan.

‘(B) Prohibition on Acceptance of Depos-
its.—An insured credit union that is not well capitalized or adequately capitalized may not accept employee benefit plan deposits.

‘(C) Definitions.—For purposes of this para-
graph, the following definitions shall apply:

‘(i) Capital Standards.—The terms ‘well capitalized’ and ‘adequately capitalized’ shall have the same meanings as in section 216(c).

‘(ii) Employee Benefit Plan.—The term ‘employee benefit plan’ means—

‘(I) has the meaning given to such term in section 3(3) of the Employee Retirement In-
come Security Act of 1974;

‘(II) includes any plan described in section 401 of the Internal Revenue Code of 1986; and

‘(III) includes any eligible deferred compen-
sation plan described in section 457 of the Internal Revenue Code of 1986.

‘(III) Pass-Through Share Insurance.—The term ‘pass-through share insurance’ means, with respect to an employee benefit plan, insurance coverage based on the interest of each participant, in accordance with regulations issued by the Administration.

‘(D) Rule of Construction.—No provision of this paragraph shall be construed as au-
thorizing an insured credit union to accept the deposits of an employee benefit plan in an amount greater than such credit union is authorized to accept under any other provi-
sion of Federal or State law.”
the term ‘standard maximum share insurance amount’ means $100,000, adjusted as provided under section 11a(a)(1)(A) of the Federal Deposit Insurance Act.’

(2) Insurance in Share Insurance for Certain Retirement Accounts.—Section 207(k)(3) of the Federal Credit Union Act (12 U.S.C. 1787(k)(3)) is amended by striking ‘$100,000’ and inserting ‘$250,000’.

(3) OTHER TECHNICAL AND CONFORMING AMENDMENTS.—Section 206(a) of the Federal Credit Union Act (12 U.S.C. 1785(a)) is amended to read as follows:

‘‘(1) INSURANCE LOANS.—

‘‘(A) in general.—Each insured credit union shall display at each place of business maintaining that credit union a sign or signs relating to the insurance of the share accounts of the institution, in accordance with regulations to be prescribed by the Board.

‘‘(B) STATEMENT TO BE INCLUDED.—Each sign required under subparagraph (A) shall include a statement that insured share accounts are backed by the full faith and credit of the United States Government.

‘‘(2) REGULATIONS.—The Board shall prescribe regulations to carry out this subsection, including regulations governing the substance of signs required by paragraph (1) and the manner of display or use of such signs.

‘‘(3) PENALTIES.—For each day that an insured credit union continues to violate this subsection or any regulation issued under this subsection, it shall be subject to a penalty not more than $1,000, which the Board may recover for its use.

‘‘(4) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date on which the regular inspections required under section 2109(a)(2) of the Federal Deposit Insurance Reform Act of 2005 take effect.

SEC. 3. CONFORMING AMENDMENTS RELATING TO ASSESSMENTS AND REPEAL OF SPECIAL RULES RELATING TO MINIMUM ASSESSMENTS AND FREE DEPOSIT INSURANCE.

(a) IN GENERAL.—The Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.) is amended as follows:

(1) Paragraph (3) of section 7(a) of the Federal Deposit Insurance Act (12 U.S.C. 1817(a)(3)) is amended by striking the 0.25% and inserting the following:

‘‘(A) in paragraph (1)(A), by striking ‘‘semi—annual’’;

(B) in paragraph (2)(A), by striking ‘‘semi—annual’’; and

(C) in paragraph (3), by striking ‘‘semi—annual period’’ and inserting ‘‘initial assessment period’’.

(2) Section 8(g) of the Federal Deposit Insurance Act (12 U.S.C. 1818(g)) is amended by striking ‘‘semiannual’’.

(3) Section 9(q) of the Federal Deposit Insurance Act (12 U.S.C. 1819(q)) is amended by striking ‘‘semiannual period’’ and inserting ‘‘assessment period’’.

(4) Section 13(c)(4)(G)(ii)(II) of the Federal Credit Union Act (12 U.S.C. 1232(c)(4)(G)(ii)(II)) is amended by striking ‘‘semiannual period’’ and inserting ‘‘assessment period’’.

(5) Section 22(a)(3) of the Federal Deposit Insurance Improvement Act of 1991 (12 U.S.C. 1834(a)(3)) is amended—

(A) in the matter preceding subparagraph (A) of paragraph (2), by striking ‘‘the Board’’ and ‘‘the Corporation’’;

(B) in subparagraph (J) of paragraph (2), by striking ‘‘the Board’’ and inserting ‘‘the Corporation’’;

(C) by striking subparagraph (A) of paragraph (3) and inserting the following new subparagraph:

‘‘(A) CORPORATION.—The term ‘Corporation’ means the Federal Deposit Insurance Corporation.’’;

and

(D) in subparagraph (C) of paragraph (3), by striking ‘‘Board’’ and inserting ‘‘Corporation’’.

(6) Section 232(a) of the Federal Deposit Insurance Corporation Improvement Act of 1991 (12 U.S.C. 1834(a)(3)) is amended by striking ‘‘$100,000’’ and inserting ‘‘$250,000’’.

(7) The first sentence of section 233 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (12 U.S.C. 1834(b)(2)) is amended by striking ‘‘$100,000’’ and inserting ‘‘$250,000’’.

(b) Definitions Relating to Deposit Insurance Fund.—

(1) Deposit Insurance Fund.—‘‘The term ‘deposit insurance fund’ means the Federal Deposit Insurance Fund, as added by section 2107(a) of the Federal Deposit Insurance Reform Act of 2005.’’

(c) Designated Reserve Ratio.—

(1) The term ‘designated reserve ratio’ means the reserve ratio designated by the Board of Directors in accordance with section 7(b)(3).

(2) Effective Date.—This section and the amendments made by this section shall take effect on the date that the final regulations required under section 2109(a)(5) of the Federal Deposit Insurance Reform Act of 2005 take effect.

SEC. 4. TECHNICAL AND CONFORMING AMENDMENTS RELATING TO RELOCATION OF FIXED DESIGNATED RESERVE RATIO WITH RESERVE RANGE.

(a) In General.—Section 3(y) of the Federal Deposit Insurance Act (12 U.S.C. 1831y(3)) is amended—

(1) by striking ‘‘(y) The term’’ and inserting ‘‘(y) Definitions Relating to Deposit Insurance Fund.—’’;

(2) by inserting after paragraph (1) (as so designated by paragraph (1) of this subsection) the following new paragraph:

‘‘(2) Designated Reserve Ratio.—The term ‘designated reserve ratio’ means the reserve ratio designated by the Board of Directors in accordance with section 7(b)(3).’’

(b) Effective Date.—This section and the amendments made by this section shall take effect on the date that the final regulations required under section 2109(a)(4) of the Federal Deposit Insurance Reform Act of 2005 take effect.

SEC. 5. REPORT TO CONGRESS ON REFUNDS, DIVIDENDS, AND FEE PROPOSALS FROM DEPOSIT INSURANCE FUND.

(a) Submission.—Any determination under section 7(e)(2)(E) of the Federal Deposit Insurance Act (12 U.S.C. 1817(e)(2)(E)) shall be submitted to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives, not later than 270 days after making such determination.

(b) Content.—The report submitted under subsection (a) shall include—

(1) a detailed explanation for the determination; and

(2) a discussion of the factors required to be considered under section 7(e)(2)(F) of the Federal Deposit Insurance Act, as added by section 2107(a) of the Federal Deposit Insurance Reform Act of 2005.

SEC. 6. STUDIES OF FDIC STRUCTURE AND EXERCISE OF CORPORATION ACTIVITIES AND FURTHER POSSIBLE CHANGES TO DEPOSIT INSURANCE SYSTEM.

(a) Study by Comptroller General.—

(1) STUDY REQUIRED.—The Comptroller General shall conduct a study of the following issues:

(A) The efficiency and effectiveness of the administration of the prompt corrective action program under section 38 of the Federal Deposit Insurance Act (12 U.S.C. 1818) when applied to bank holding companies (as defined in section 3 of such Act), including the degree of effectiveness of such agencies in identifying troubled depository institutions and in taking effective action with respect to such institutions, and the degree of accuracy of the risk assessments made by the Corporation.

(B) The appropriateness of the organizational structure of the Federal Deposit Insurance Corporation for the mission of the Corporation taking into account—

(i) the current size and complexity of the business of insured depository institutions (as such term is defined in section 3 of the Federal Deposit Insurance Act);

(ii) the extent to which the organizational structure contributes to or reduces operational inefficiencies that increase operational costs; and

(iii) the effectiveness of internal controls.

(2) REPORT TO THE CONGRESS.—The Comptroller General shall submit a report to the Congress before the end of the 1-year period beginning on the date of the enactment of this Act containing the findings and conclusions of the Comptroller General with respect to the study required under paragraph (1) together with such recommendations for legislative or administrative action as the Comptroller General may determine to be appropriate.

(b) Study of Further Possible Changes to Deposit Insurance System.—

(1) STUDY REQUIRED.—The Board of Directors of the Federal Deposit Insurance Corporation and the National Credit Union Administration Board shall each conduct a study of the following:

(A) The feasibility of establishing a voluntary deposit insurance system for deposits in excess of the maximum amount of deposit insurance for any depositor and the potential benefits and the potential adverse consequences that may arise from the establishment of any such system.

(B) The feasibility of increasing the limit on deposit insurance for deposits of municipalities and other units of general local government, and the potential benefits and the potential adverse consequences that may result from any such increase.

(C) The feasibility of privatizing all deposit insurance at insured depository institutions and insured credit unions.

(2) REPORT.—Before the end of the 1-year period beginning on the date of the enactment of this Act, the Board of Directors of the Federal Deposit Insurance Corporation and the National Credit Union Administration Board shall each submit a report to the Congress on the study required under paragraph (1) containing the findings and conclusions of the reporting agency together with such recommendations for legislative or administrative changes as the agency may determine to be appropriate.

(c) Study of Appropriate Deposit Base in Designating Reserve Ratio.—

(1) STUDY REQUIRED.—The Federal Deposit Insurance Corporation shall conduct a study of the feasibility of using the estimated insured deposits in calculating the reserve ratio of the Deposit Insurance Fund
(2) REPORT.—The Federal Deposit Insurance Corporation shall submit a report to the Comptroller General at the end of the 1-year period beginning on the date of the enactment of this Act containing the findings and conclusions of the Corporation with respect to the study required under paragraph (1), together with such recommendations for legislative or administrative action as the Board of Directors of the Corporation may determine to be appropriate.

(d) STUDY OF RESERVE METHODOLOGY AND ACCOUNTING FOR LOSSES.—

(1) STUDY REQUIRED.—The Federal Deposit Insurance Corporation shall conduct a study of the reserve methodology and loss accounting used by the Corporation during the period beginning on January 1, 1992, and ending December 31, 2004, with respect to insured depository institutions in a troubled condition (as defined in the regulations prescribed pursuant to section 22(f) of the Federal Deposit Insurance Act). The Corporation shall obtain comments on the design of the study from the Comptroller General.

(2) FACTORS TO BE INCLUDED.—In conducting the study pursuant to paragraph (1), the Federal Deposit Insurance Corporation shall—

(A) consider the overall effectiveness and accuracy of the methodology used by the Corporation for establishing and maintaining regulatory capital and accountings for losses at insured depository institutions, during the period described in such paragraph;

(B) consider the appropriate-ness and reliability of information and criteria used by the Corporation in determining—

(i) whether an insured depository institution was in a troubled condition; and

(ii) the amount of any loss anticipated at such institution;

(C) analyze the actual historical loss experience over the period described in paragraph (1) and the causes of the exceptionally high rate of losses experienced by the Corporation in the period 3 years prior to that period;

(D) rate the efforts of the Corporation to reduce losses in such 3-year period to minimally acceptable levels and to historical levels;

(3) REPORT REQUIRED.—The Board of Directors of the Federal Deposit Insurance Corporation shall submit a report to the Congress on the 1-year period beginning on the date of enactment of this Act, containing the findings and conclusions of the Corporation with respect to the study required under paragraph (1), together with such recommendations for legislative or administrative action as the Board of Directors may determine to be appropriate. Before submitting the report to Congress, the Board of Directors shall provide a draft of the report to the Comptroller General for comment.

(e) BASEL II STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall report to the Congress on the effect of the implementation of the new Basel Capital Accord (Basel II) and the proposed revisions to current reserve requirement regulations for non-Basel II institutions.

(2) FACTORS TO BE INCLUDED.—The report required under paragraph (1) shall address the following:

(A) the potential impact of Basel II on capital requirements in the United States, including—

(i) whether there would be a reduction in capital requirements; and

(ii) whether Basel II could hinder enforcement of prompt corrective action laws and regulations;

(iii) the potential implications any changes in capital requirements may have on the safety and soundness of the financial system in the United States.

(B) by gathering available information, the ability of United States banks and bank regulators to implement and comply with the provisions of Basel II, including—

(i) the costs of Basel II for financial institutions and regulators;

(ii) the feasibility and appropriateness of Basel II’s standards;

(iii) the ability of regulators to oversee capital requirement operations of financial institutions;

(C) the ability of the United States financial institution regulatory agencies—

(i) to attract and retain sufficient expertise, both among specialists and examiners; and

(ii) to conduct the necessary oversight of capital and risk modeling by regulated financial institutions subject to Basel II.

(f) BI-ANNUAL FDIC SURVEY AND REPORT ON INCREASING THE DEPOSIT BASE BY ENCOURAGING USE OF DEPOSITORY INSTITUTIONS BY THE UNBANKED.

The Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.) is amended by adding at the end the following new section:

SEC. 49. BI-ANNUAL FDIC SURVEY AND REPORT ON ENCOURAGING USE OF DEPOSITORY INSTITUTIONS BY THE UNBANKED.

(a) SURVEY REQUIRED.—

(1) IN GENERAL.—The Corporation shall conduct a biennial survey on efforts by insured depository institutions to bring those individuals and families who have rarely, if ever, held a checking account, a savings account or other type of transaction or check cashing account at an insured depository institution (hereafter in this section referred to as the ‘unbanked’) into the conventional financial system.

(2) FACTORS AND QUESTIONS TO CONSIDER.—In conducting the survey required under paragraph (1), the Corporation shall take the following factors and questions into account:

(A) To what extent do insured depository institutions address the social and financial literacy outreach?

(B) Which financial education efforts appear to be the most effective in bringing ‘unbanked’ individuals into the conventional financial system?

(C) What efforts are insured institutions making at converting ‘unbanked’ money order, wire transfer, and international remittance customers into conventional account holders?

(D) What cultural, language and identification issues as transaction costs appear to most prevent ‘unbanked’ individuals from establishing conventional accounts?

(E) What is a fair estimate of the size and worth of the ‘unbanked’ market in the United States?

(b) REPORTS.—The Chairperson of the Board of Directors shall submit a biennial report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate containing the Corporation’s findings and conclusions with respect to the survey conducted pursuant to subsection (a), together with such recommendations for legislation or administrative action as the Chairperson may determine to be appropriate.
(iv) in subparagraph (C) (as so redesignated)—

(I) by inserting “that” before “the Corporation,” and

(II) by striking “; and” and inserting a period;

(9) in section 7(i)(7)(F) (12 U.S.C. 1817(i)(7)(F)), by striking “Bank Insurance Fund or the Savings Association Insurance Fund” and inserting “Deposit Insurance Fund”;

(10) in section 8(t)(2)(C) (12 U.S.C. 1818(t)(2)(C)), by striking “deposit insurance fund” each place that term appears and inserting “Deposit Insurance Fund”; and

(11) in section 11 (12 U.S.C. 1821)—

(A) by striking “deposit insurance fund” each place that term appears and inserting “Deposit Insurance Fund”; and

(B) by striking paragraph (4) of subsection (a) and inserting the following new paragraph:

“(4) Deposit Insurance Fund.—

(A) Establishment.—There is established the Deposit Insurance Fund, which the Corporation may use to carry out its insurance purposes, in the manner provided by this subsection; and

(B) Use.—The Deposit Insurance Fund shall be available to the Corporation for use with respect to insured depository institutions the deposits of which are insured by the Deposit Insurance Fund.

(C) Limitation on Use.—Notwithstanding any provision of law other than section 13(c)(4)(G), the Deposit Insurance Fund shall not be used in any manner to benefit any shareholder or affiliate (other than an insured depository institution that receives assistance in accordance with the provisions of this Act) of:

(i) any insured depository institution for which the Corporation has been appointed conservator or receiver, in connection with any type of resolution by the Corporation;

(ii) any other insured depository institution, in connection with any type of resolution by the Corporation; or

(iii) any insured depository institution, in connection with the provision of assistance under this section or section 13 with respect to such institution, except that this clause shall not prohibit any assistance to any insured depository institution that is in default, or that is not in default of, that is acquiring (as defined in section 13(f)(8)(B)) another insured depository institution; and

(D) Deposits.—All amounts assessed against insured depository institutions by the Corporation shall be deposited into the Deposit Insurance Fund.

(E) in striking paragraphs (5), (6), and (7) of subsection (a); and

(F) by redesignating paragraph (8) of subsection (a) as paragraph (5); and

(12) in section 11(f)(1) (12 U.S.C. 1821(f)(1)), by striking “, except that—” and all that follows through the end of the paragraph and inserting a period;

(13) in section 11(i)(3) (12 U.S.C. 1821(i)(3))—

(A) by striking subparagraph (B); and

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

(C) striking “depository institution” (as so redesignated), by striking “subparagraphs (A) and (B)” and inserting “subparagraph (A)”;

(D) in section 11(g)(2)(B) (12 U.S.C. 1821(g)(2)(B)), by striking “institutions, any” and inserting “institutions, the”;

(14) in section 11(a)(1) (12 U.S.C. 1821(a)(1))—

(A) in paragraph (2), by striking “liabilities.—” and all that follows through “Except” and inserting “liabilities.—Except”;

(B) by striking paragraph (2)(B); and

(C) by striking paragraph (5), by striking “the Bank Insurance Fund, the Savings Association Insurance Fund,” and inserting “the Deposit Insurance Fund”; and

(15) in section 11a(a) (12 U.S.C. 1821a(a))—

(A) in paragraph (2), by striking “liabilities.—” and all that follows through “Except” and inserting “liabilities.—Except”;

(B) by striking paragraph (2)(B); and

(C) by striking paragraph (5), by striking “the Bank Insurance Fund, the Savings Association Insurance Fund,” and inserting “the Deposit Insurance Fund”; and

(16) in section 11a(f) (12 U.S.C. 1821a(f)), by striking paragraph (4);

(17) in section 11a(f) (12 U.S.C. 1821a(f)), by striking “Savings Association Insurance Fund” and inserting “Deposit Insurance Fund”;


(19) in section 13 (12 U.S.C. 1823) —

(A) by striking “deposit insurance fund” each place that term appears and inserting “Deposit Insurance Fund”; and

(B) in subsection (a)(1), by striking “Bank Insurance Fund, the Savings Association Insurance Fund,” and inserting “Deposit Insurance Fund”;

(C) in subsection (c)(4)(E)—

(i) in the subparagraph heading, by striking “funds” and inserting “fund”; and

(ii) in clause (i), by striking “any insurance fund” and inserting “the Deposit Insurance Fund”;

(D) in subsection (c)(4)(G)(ii)—

(i) by striking “appropriate insurance fund” and inserting “Deposit Insurance Fund”;

(ii) by striking “the members of the insurance fund (of which such institution is a member)” and inserting “insured depository institution’s”; and

(iv) by striking “the member’s” each place that term appears and inserting “the institution’s”;

(E) in subsection (c), by striking paragraph (11);

(F) in subsection (h), by striking “Bank Insurance Fund” and inserting “Deposit Insurance Fund”;

(G) in subsection (k)(4)(B)(iv), by striking “Savings Association Insurance Fund member” and inserting “savings association”; and

(H) in subsection (k)(5)(A), by striking “Savings Association Insurance Fund members” and inserting “savings associations”;

(20) in section 14(a) (12 U.S.C. 1824a(a)), in the 5th sentence—

(A) by striking “Bank Insurance Fund or the Savings Association Insurance Fund” and inserting “Deposit Insurance Fund”; and

(B) by striking “such fund” and inserting “the Deposit Insurance Fund”;

(21) in section 14(b) (12 U.S.C. 1824b(b)), by striking “Bank Insurance Fund or Savings Association Insurance Fund” and inserting “Deposit Insurance Fund”;

(22) in section 14(c) (12 U.S.C. 1824c(c)), by striking paragraph (3);

(23) in section 12 (12 U.S.C. 1823(d)) —

(A) by striking “Bank Insurance Fund member” each place that term appears and inserting “insured depository institution”; and

(B) by striking “such fund” and inserting “Deposit Insurance Fund”;

(24) in section 18(o) (12 U.S.C. 1828(o)), by striking “depository insurance funds” and “depository insurance fund” each place that term appears and inserting “Deposit Insurance Fund”; and

(25) in section 18(p) (12 U.S.C. 1828p), by striking “depository insurance funds” and inserting “Deposit Insurance Fund”;

(26) in section 24 (12 U.S.C. 1831a) —

(A) in subsections (a) and (d)(1)(A), by striking “appropriating funds” and inserting “appropriating insurance fund” each place that term appears and inserting “Deposit Insurance Fund”;

(27) in section 17(a) (12 U.S.C. 1827a(a)) —

(A) by striking “the Bank Insurance Fund, the Savings Association Insurance Fund,” and inserting “the Deposit Insurance Fund”; and

(B) by striking “any insurance fund” and inserting “the Deposit Insurance Fund”;

(28) in section 17(d) (12 U.S.C. 1827d(d)), by striking “the Bank Insurance Fund, the Savings Association Insurance Fund,” and inserting “the Deposit Insurance Fund”;

(29) in section 18(b) (12 U.S.C. 1828b(b)), by striking “depository insurance funds” and “depository insurance fund” each place that term appears and inserting “Deposit Insurance Fund”; and

(30) in section 18(p) (12 U.S.C. 1828p), by striking “depository insurance funds” and inserting “Deposit Insurance Fund”;

(31) in section 24 (12 U.S.C. 1831a) —

(A) in subsections (a) and (d)(1)(A), by striking “appropriating funds” and inserting “appropriating insurance fund” each place that term appears and inserting “Deposit Insurance Fund”;
(B) in subsection (e)(2)(A), by striking “risk to” and all that follows through the period and inserting “risk to the Deposit Insurance Fund.”; and

(C) by redesignating paragraphs (e)(2)(B)(ii) and (f)(6)(B), by striking “the insurance fund of which such bank is a member” each place that term appears and inserting “the Deposit Insurance Fund”; and

(2) in section 28 (12 U.S.C. 1831e), by striking “affected deposit insurance fund” each place that term appears and inserting “Deposit Insurance Fund”; and

(3) by striking section 31 (12 U.S.C. 1831h); (33) by striking section 31 (12 U.S.C. 1831n(a)(1)(C)), by striking “affected deposit insurance fund” and inserting “Deposit Insurance Fund”; and

(4) in section 32 (12 U.S.C. 1831q), by striking “the deposit insurance fund” each place that term appears and inserting “the Deposit Insurance Fund”; and

(5) by striking section 33 (12 U.S.C. 1831q(a)), in the subsection heading, by striking “FUNDS” and inserting “Funds”;

(6) in section 33a (12 U.S.C. 1831o(k)),—

(A) in paragraph (1), by striking “a deposit insurance fund” and inserting “the Deposit Insurance Fund”;

(B) in paragraph (2), by striking “A Deposit Insurance Fund” and inserting “The Deposit Insurance Fund”; and

(C) by paragraphs (2)(A) and (3)(B), by striking “the deposit insurance fund’s outlets” each place that term appears and inserting “the outlets of the Deposit Insurance Fund”; and

(7) in section 33a(b) (12 U.S.C. 1831o(k)—

(A) by striking “associations.”— and all that follows through “Subparagraphs (e)(2)” and inserting “associations.”—Subparagraphs (e)(2),”;

(B) in subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively, and moving the margins 2 ems to the left; and

(C) in paragraph (1) (as so redesignated), by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and moving the margins 2 ems to the left.

(a) Section 5136 of the Revised Statutes.—The paragraph designated the “Eleventh” of section 5136 of the Revised Statutes of the United States (12 U.S.C. 24) is amended in the 5th sentence, by striking “affected deposit insurance fund” and inserting “Deposit Insurance Fund”.

(b) EFFECTIVE DATES: PROMOTING PUBLIC WELFARE: LIMITATIONS ON AGGREGATE INVESTMENTS.—The 23d undesignated paragraph of section 9 of the Federal Reserve Act (12 U.S.C. 376a) is amended in the 4th sentence, by striking “affected deposit insurance fund” and inserting “Deposit Insurance Fund”.

(c) ADVANCES TO CRITICALLY UNDERCAPITALIZED DEPOSITORY INSTITUTIONS.—Section 103(b)(3)(A)(ii) of the Federal Reserve Act (12 U.S.C. 375(b)(3)(A)(ii)) is amended by striking “affiliated deposit insurance fund” and inserting “the Deposit Insurance Fund”.

(d) AMENDMENTS TO THE FEDERAL HOME LOAN BANK ACT.—The Federal Home Loan Bank Act (12 U.S.C. 1421 et seq.) is amended—

(1) in section 11(c) (12 U.S.C. 1431(c)—

(2) in subsection (e)(2)(A), by striking “SAIF” and inserting “The Deposit Insurance Fund”;

(3) by striking “Savings Association Insurance Fund” and inserting “Deposit Insurance Fund”; and

(4) in subsection (c)(6), by striking “as of the date of filing” and inserting “as of the date of the merger of such funds, the Deposit Insurance Fund.”

(2) in subsection (g) (12 U.S.C. 1441(n)(6)(E)(iv)), by striking “(A) in the subparagraph heading,” and inserting “SAIF-INSURED BANKS” and inserting “CHARACTER CONVERSIONS”; and

(3) by striking “Saving’s Association Insurance Fund” and inserting “saving’s association”;

(4) in subsection (c)(1)(B), paragraphs (7) and (8); and

(5) in section 21A(b)(10)(A)(iv)(II) (12 U.S.C. 141a(b)(10)(A)(iv)(II)), by striking “SAFINGS ASSOCIATION INSURANCE FUND” and inserting “Deposit Insurance Fund”; and

(6) in section 21A(n)(6)(E)(iv) (12 U.S.C. 141b(6)(E)(iv)), by striking “Federal Deposit Insurance Corporation and inserting the “Deposit Insurance Fund”; and

(7) in section 21B(e) (12 U.S.C. 141bb(e))—

(A) in paragraph (5), by inserting “as of the date of the merger of such funds, the Deposit Insurance Fund members” each place that term appears; and

(B) in paragraphs (7) and (8); and

(8) in section 21B(k) (12 U.S.C. 141bb(k)—

(A) by inserting before the colon “,” the following definitions shall apply:—

(B) by striking paragraph (10) and inserting paragraphs (9) and (10) as paragraphs (9) and (10), respectively.

(9) Amendments to the Home Owners’ Loan Act.—The Home Owners’ Loan Act (12 U.S.C. 1461 et seq.) is amended—

(1) in section 5 (12 U.S.C. 1461)—

(A) in subsection (c)(5)(A), by striking “that is a member of the Bank Insurance Fund”; and

(B) in subsection (c)(6), by striking “As used in this subsection and inserting “For purposes of this subsection, the following definitions shall apply:”;

(C) in subsection (a)(1), by striking “is a Bank Insurance Fund”; and

(D) in subsection (a)(2), by striking “a Bank Insurance Fund member until such time as it changes its status to a Savings Association Insurance Fund member” and inserting “insured by the Deposit Insurance Fund”;

(E) in subsection (b)(1)(D), by striking “in purposes of this subsection and inserting “in purposes of this subsection”;

(F) in subsection (b)(1)(D)(i)(II), by striking “insured by the Deposit Insurance Fund”; and

(G) in subsection (b)(1)(D)(i)(II), by striking “the Savings Association Insurance Fund” and inserting “the Deposit Insurance Fund.”

(2) in section 10 (12 U.S.C. 1467a—

(A) in subsection (c)(6)(D), by striking “this title” and inserting “this Act”;

(B) in subsection (c)(7)(B), by striking “Savings Association Insurance Fund or the Bank Insurance Fund” and inserting “Deposit Insurance Fund”; and

(C) in subsection (e)(2), by striking “Savings Association Insurance Fund or the Bank Insurance Fund” and inserting “Deposit Insurance Fund”;

(D) in subsection (e)(4)(B), by striking “subsection (1)” and inserting “subsection (1);” and

(E) in subsection (g)(3)(A), by striking “of this section” and inserting “of this section.”

(F) in subsection (i), by redesignating paragraphs (i) and (j) as (j) and (k), respectively.

(G) in subsection (m)(3), by striking subparagaph (E) and by redesigning subparamphraphs (F), (G), and (H) as subparagraphs (B), (C), and (D), respectively.

(H) in subsection (m)(7)(A), by striking “during period” and inserting “during the period”;

(I) in subsection (o)(3)(D), by striking “sections 5(a) and (t) of this Act” and inserting “sections (a) and (t) of section 5;”.

(5) Amendments to the National Housing Act.—The National Housing Act (12 U.S.C. 1701 et seq.) is amended—

(1) in section 317(b)(1) (12 U.S.C. 1732(b)(1)B), by striking “Bank Insurance Fund for banks or through the Savings Association Insurance Fund for savings associations” and inserting “Deposit Insurance Fund”;


(1) in section 936a(b)(3) (12 U.S.C. 1833a(b)(3)(B), by striking “and inserting after the merger of such funds, the Deposit Insurance Fund,” after “the Savings Association Insurance Fund”; and

(2) in section 1122(c)(1)(B) (12 U.S.C. 3334(c)(1)(B)), by striking “Bank Insurance Fund, the Savings Association Insurance Fund and inserting “Deposit Insurance Fund”;

(h) Amendments to the Bank Holding Company Act of 1956.—The Bank Holding Company Act of 1956 (12 U.S.C. 1441 et seq.) is amended—

(1) in section 2(j)(2) (12 U.S.C. 1441(j)(2)), by striking “Savings Association Insurance Fund” and inserting “Deposit Insurance Fund”; and

(2) in section 3(d)(1)(D)(ii) (12 U.S.C. 1442(d)(1)(D)(ii)), by striking “appropriate deposit insurance fund” and inserting “Deposit Insurance Fund”.

(i) Amendments to the Gramm-Leach-Bliley Act.—Section 114 of the Gramm-Leach-Bliley Act (12 U.S.C. 182a) is amended by striking “any Federal deposit insurance fund” in subsection (a)(1)(B), paragraphs (2)(B) and (4)(B) of subsection (b), and subsection (c)(1)(B), each place that term appears and inserting “the Deposit Insurance Fund”.

(j) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the day of the merger of the Bank Insurance Fund and the Savings Association Insurance Fund pursuant to the Federal Deposit Insurance Reform Act of 2005.
the bill (H.R. 4510) to direct the Joint Committee on the Library to accept the donation of a bust depicting Sojourner Truth and to display the bust in a suitable location in the rotunda of the Capitol, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California? Without objection, the bill was ordered to be taken up in the House.

The Clerk read the bill, as follows:

H.R. 4510

Be it enacted by the Senate and House of Representives of the United States in Congress assembled, SECTION 1. FINDINGS. Congress finds as follows:

(1) Sojourner Truth was a towering figure among the founders of the movement for women’s suffrage in the United States, and no monument that does not include her can accurately represent this important development in our Nation’s history.

(2) The statute known as the Portrait Monument, originally presented to Congress in 1925 on passage of the Nineteenth Amendment guaranteeing women the right to vote and presently exhibited in the rotunda of the Capitol, portrays several early suffragists where Sojourner Truth’s contemporaries but not Sojourner Truth herself, the only African American among the group.

SEC. 2. ACCEPTANCE AND DISPLAY OF BUST OF SOJOURNER TRUTH IN ROTUNDA OF CAPITOL.

(a) ACCEPTANCE OF DONATION OF BUST.—Not later than 2 years after the date of the enactment of this Act, the Joint Committee on the Library shall accept the donation of a bust depicting Sojourner Truth, subject to such terms and conditions as the Joint Committee considers appropriate.

(b) DISPLAY.—(1) In general.—The Joint Committee shall place the bust accepted under subsection (a) in a suitable permanent location in the rotunda of the Capitol.

(2) PLACEMENT NEAR PORTRAIT MONUMENT.—It is the sense of Congress that the most suitable location for the placement of the bust accepted under subsection (a) is a location which is adjacent to the statue known as the Portrait Monument.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. POMBO

Mr. POMBO. Mr. Speaker, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. FINDINGS.

Congress finds as follows:

(1) Sojourner Truth was a towering figure among the founders of the movement for women’s suffrage in the United States, and no monument that does not include her can accurately represent this important development in our Nation’s history.

(2) The statute known as the Portrait Monument, originally presented to Congress in 1925 on passage of the Nineteenth Amendment guaranteeing women the right to vote and presently exhibited in the rotunda of the Capitol, portrays several early suffragists where Sojourner Truth’s contemporaries but not Sojourner Truth herself, the only African American among the group.

SEC. 2. ACCEPTANCE AND DISPLAY OF BUST OF SOJOURNER TRUTH IN ROTUNDA OF CAPITOL.

(a) ACCEPTANCE OF DONATION OF BUST.—Not later than 2 years after the date of the enactment of this Act, the Joint Committee on the Library shall accept the donation of a bust depicting Sojourner Truth, subject to such terms and conditions as the Joint Committee considers appropriate.

Ms. MILLER-MCDONALD. Mr. Speaker, I am happy that tonight this House will pass a bill that enjoys strong bipartisan support of 221 cosponsors that honors the contribution of another woman suffragist—Sojourner Truth. Sojourner Truth was a towering figure among the founders of the movement for women’s suffrage in the United States.

Over 1,000 civic, religious, political, cultural, fraternal, business, and labor organizations and the National Congress of Black Women (NCBW), support this legislation.

Specifically, this legislation directs the Joint Committee on the Library to accept the donation for a bust depicting Sojourner Truth and to display it in an appropriate location within the Halls of Congress.

One of the key components of the “Honor Sojourner Truth” initiative, was the late Dr. C. Delores Tucker and past President of the NCBW, who fought for Congress to pass this legislation.

Recognition of Sojourner Truth as one of the great women’s rights leaders is well deserved.

Mr. Speaker, it has been a pleasure working with you on this very important legislation, and the sponsors of this legislation, Congresswoman SHEILA JACKSON-LEE, who worked tirelessly for the proper legislation and to fulfill a promise made to Dr. Tucker.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of my bill, H.R. 4510 which would direct this Joint Committee on the Library to accept the donation of a bust depicting Sojourner Truth and to display the bust in a suitable location in the Capitol. No one has been more instrumental in helping to bring this vision of mind to reality than the late Dr. C. Delores Tucker who was a close and valued friend for many decades for women’s and civil rights served not only as an inspiration to women, minorities, and other traditionally disadvantaged groups, but to all of society, and her lifelong service indeed worked for its betterment.

From her devout involvement in the Democratic Party to her founding of the Philadelphia Martin Luther King, Jr. Association for Non-Violent Change, she embodied the tenacity and courage necessary to eradicate the disparities and bigotry that continues to constrain the attainment of equality.

Of her many endeavors, qualities were the fact that her service was never for personal gain and that it was boundless—she never hesitated to travel the extra mile to help others. This was evident in her singular work as the lead advocate to urge the recognition and honor of abolitionist Sojourner Truth with the addition of her likeness to the statue commemorating women’s suffrage in the United States Capitol.

Tonight I am sure she is smiling with joy because it is due to her determined, passionate, and powerful efforts that have ultimately resulted in us honoring Sojourner Truth.

I would also like to thank Representatives BOB NEY, JANUITA MILLER-MCDONALD and DIANE WATSON. Their efforts are truly worth mentioning for they have been major contributors in making this monumental moment. In particular, Representative WATSON worked very hard to see that the suffrage movement in the House would include all women who contributed to the movement including an enslaved named Sojourner Truth. It is also important that I mention that Representative MILLER-MCDONALD also worked closely with the late Dr. C. Delores Tucker to see this vision become a reality.

In the beginning of my statement, this long overdue legislation directs the Joint Committee on the Library to accept the donation of a bust depicting Sojourner Truth and to display it in an appropriate location within the Halls of Congress. In a prior iteration of this legislation in the 109th Congress, H.R. 601, we were able to obtain 82 cosponsors in the House, and its companion bill in the Senate, S. 2600, gleaned 20 bi-partisan cosponsors.

The key distinction between those bills and the measure before us today is the fact that the sponsors of this legislation, Congresswoman MILLER-MCDONALD and Sojourner Truth’s great niece, are both living.”

Sojourner Truth was sold several times and suffered hardships under slavery. Her mother endowed her with a deep, unwavering Christian faith that carried her through these trials for her entire life. Forced to submit to the will of her new master she learned to speak English quickly, but would continue to speak with a Dutch accent for the rest of her life. Sojourner Truth was sold several times and suffered hardships under slavery. Her mother endowed her with a deep, unwavering Christian faith that carried her through these trials for her entire life. Forced to submit to the will of her new master she learned to speak English quickly, but would continue to speak with a Dutch accent for the rest of her life. Sojourner Truth was sold several times and suffered hardships under slavery. Her mother endowed her with a deep, unwavering Christian faith that carried her through these trials for her entire life. Forced to submit to the will of her new master she learned to speak English quickly, but would continue to speak with a Dutch accent for the rest of her life. Sojourner Truth was sold several times and suffered hardships under slavery. Her mother endowed her with a deep, unwavering Christian faith that carried her through these trials for her entire life. Forced to submit to the will of her new master she learned to speak English quickly, but would continue to speak with a Dutch accent for the rest of her life. Sojourner Truth was sold several times and suffered hardships under slavery. Her mother endowed her with a deep, unwavering Christian faith that carried her through these trials for her entire life. Forced to submit to the will of her new master she learned to speak English quickly, but would continue to speak with a Dutch accent for the rest of her life.
She even attempted to petition Congress to give the ex-slaves land in the “new West.” Sojourner Truth continued preaching and lecturing until ill health forced her to retire.

As I close, it goes without saying that Sojourner Truth was a great advocate for women and all humanity. She achieved a great deal despite the many hardships she faced. It is because of this that Sojourner Truth truly deserves to be honored and depicted in the Halls of Congress as a member of the suffrage movement.

I urge all my colleagues to support this legislation.

Mr. POMBO (during the reading). Mr. Speaker, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the Record.

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

There was no objection.

The amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: “A Bill to direct the Joint Committee on the Library to accept the donation of a bust depicting Sojourner Truth and to display the bust in a suitable location in the Capitol.”

A motion to reconsider was laid on the table.


Mr. POMBO. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce be discharged from further consideration of the bill (H.R. 4635) to reauthorize the Temporary Assistance for Needy Families block grant program through December 31, 2005, shall continue, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

**H.R. 4635**

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 “TANF and Child Care Continuation Act of 2005.”

**SEC. 2. EXTENSION OF THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT PROGRAM THROUGH MARCH 31, 2006.**

(a) In General.—Activities authorized by part A of title IV and section 1108(b) of the Social Security Act (adjusted, as applicable, by or under the TANF Emergency Response and Recovery Act of 2005) shall continue through March 31, 2006, in the manner authorized for fiscal year 2005, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose. Grants and payments may be made pursuant to this section without regard to any time or manner limitation, or to any otherwise applicable time limitation. For the purpose of this section, the amount of each grant otherwise payable under such section 403(a)(2) to each eligible State (as defined in subparagraph (C)(i) of section 403(a)(2)) by such equal percentage reduction under such section 403(a)(2) does not exceed $73,000,000.

**SEC. 3. EXTENSION OF THE NATIONAL RANDOM SAMPLE STUDY OF CHILD WELFARE AND CHILD WELFARE WAIVER AUTHORITY THROUGH MARCH 31, 2006.** Activities authorized by sections 429A and 1108(a) of the Social Security Act shall continue through March 31, 2006, in the manner authorized for fiscal year 2005, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose. Grants and payments may be made pursuant to this section without regard to any time or manner limitation, or to any otherwise applicable time limitation. For the purpose of this section, the amount of each grant otherwise payable under such section 403(a)(2) to each eligible State (as defined in subparagraph (C)(i) of section 403(a)(2)) by such equal percentage reduction under such section 403(a)(2) does not exceed $73,000,000.
time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first; and when the Senate recesses or adjourns on any day from Friday, January 20, 2006, through Saturday, January 28, 2006, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it shall stand recessed or adjourned until noon on Tuesday, January 30, 2006, or until such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

Sec. 3. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

CONDITIONAL ADJOURNMENT TO THURSDAY, DECEMBER 22, 2005

Mr. POMBO. Mr. Speaker, I ask unanimous consent that when the House adjourns today pursuant to this order, it adjourn to meet at 4 p.m. on Thursday, December 22, 2005, unless it sooner has received a message or messages from the Senate transmitting its adoption of a conference report to accompany H.R. 2863, its adoption of a conference report to accompany H.R. 3010, and its adoption of House Concurrent Resolution 326, in which case the House shall stand adjourned sine die pursuant to that concurrent resolution.

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

There was no objection.

GRANTING MEMBERS OF THE HOUSE PRIVILEGE TO REVISE AND EXTEND REMARKS IN CONGRESSIONAL RECORD UNTIL LAST EDITION IS PUBLISHED

Mr. POMBO. Mr. Speaker, I ask unanimous consent that Members may have until publication of the last edition of the CONGRESSIONAL RECORD authorized for the First Session of the 109th Congress by the Joint Committee on Printing to revise and extend their remarks and to include brief, related extraneous material on any matter occurring before the adjournment of the First Session sine die.

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

There was no objection.

AUTHORIZING THE SPEAKER, MAJOR-ITY LEADER, AND MINORITY LEADER TO ACCEPT RESIGNATIONS AND TO MAKE APPOINTMENTS AUTHORIZED BY LAW OR BY THE HOUSE DURING SECOND SESSION OF THE 109TH CONGRESS

Mr. POMBO. Mr. Speaker, I ask unanimous consent that during the Second Session of the 109th Congress, the Speaker, majority leader, and minority leader may accept resignations and make appointments authorized by law or by the House.

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

There was no objection.

APPOINTMENT OF HON. WAYNE T. GILCHREST OR HON. FRANK R. WOLF OR HON. TOM DAVIS TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH JANUARY 31, 2006

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

HOUSE OF REPRESENTATIVES,
Washington, DC, December 18, 2005.

I hereby appoint the Honorable Wayne T. Gilchrest, the Honorable Frank R. Wolf, and the Honorable Tom Davis to act as Speaker pro tempore to sign enrolled bills and joint resolutions through January 31, 2006.

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

HONORING AND CONGRATULATING SOJOURNER TRUTH

(MS. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, the sun is now rising, and I am very grateful that the sun has risen on the history of this House. Just a few minutes ago, this House passed unanimously H.R. 4510, a bill that I authored and introduced with 232 cosponsors. Let me thank my colleagues for allowing a speaker of truth to be placed by way of a bust in the United States Capitol. Isabella Baumfree, now Sojourner Truth, was one of the earliest and most passionate of the female abolitionists and a fighter for women’s rights and the right to vote. Her cause was championed by Dr. C. DeLores Tucker, one of the most prominent civil rights leaders in the past 40 years and the first African American woman to serve as Secretary of State in the State of Pennsylvania. Allow me to thank Chairman NEY as well as Ranking Member MILLER-McDONALD for their great leadership of the House Administration Committee and Dr. WILSON for her championing of the cause in working with me, the Speaker of the House, the leader of the House, and all of my colleagues who can go home thinking that we are a Nation and a Capitol that respects the history of all Americans. Congratulations to Sojourner Truth in her death for now being placed in the United States Capitol.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. ROYBAL-ALLARD (at the request of Ms. PELOSI) for today and the balance of the week.

Mrs. JO Ann DAVIS of Virginia (at the request of Mr. BLUNT) for today on account of a medical treatment.

Mr. JONES of North Carolina (at the request of Mr. BLUNT) from midnight and the balance of the legislative day of December 18 on account of a medical appointment.

Mr. GARY G. MILLER of California (at the request of Mr. BLUNT) for today on account of illness.

ENROLLED BILLS SIGNED

Mrs. Haas, Clerk of the House, reported and found true enrolled bills of the House for the following titles, which were thereupon signed by the Speaker:

H.R. 358. An act to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the desegregation of the Little Rock Central High School in Little Rock, Arkansas, and for other purposes.

H.R. 797. An act to amend the Native American Housing Assistance and Self-Determination Act of 1996 and other Acts to improve housing programs for Indians.

H.R. 2538. An act to provide for the collection and maintenance of human cord blood stem cells for the treatment of patients and research, and to amend the Public Health Service Act to authorize the C.W. Bill Young Cell Transplantation Program.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate for the following title:

S. 467. An act to extend the applicability of the Terrorism Risk Insurance Act of 2002.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reports that on December 17, 2005, she presented to the President of the United States, for his approval, the following bills:

H.J. Res 75. Making further continuing appropriations for the fiscal year 2006, and for other purposes.

H.R. 327. To allow binding arbitration clauses to be included in all contracts affecting land within the Gila River Indian Community Reservation.

H.R. 6924. To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the predisaster mitigation program, and for other purposes.

H.R. 6936. To provide certain authorities for the Department of State, and for other purposes.
SINE DIE ADJOURNMENT

December 18, 2005

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

SINE DIE ADJOURNMENT

Mr. POMBO. Mr. Speaker, pursuant to the order of the House of today, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. Accord-

ingly, pursuant to the previous order of the House of today, the House stands adjourned until 4 p.m. on Thursday, December 22, 2005, unless it sooner has received a message or messages from the Senate transmitting its adoption of a conference report to accompany H.R. 2863, its adoption of a conference report to accompany H.R. 3010, and its adoption of House Concurrent Resolution 326, in which case the House shall stand adjourned sine die pursuant to that concurrent resolution.

Thereupon (at 6 o'clock and 30 min-
utes a.m.), pursuant to the previous order of the House of today, the House adjourned until 4 p.m. on Thursday, December 22, 2005, unless it sooner has received a message or messages from the Senate transmitting its adoption of a conference report to accompany H.R. 2863, its adoption of a conference report to accompany H.R. 3010, and its adoption of House Concurrent Resolution 326, in which case the House shall stand adjourned sine die pursuant to that concurrent resolution.

December 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.


5867. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department’s final rule — Eligibility of Adjustable Rate Mortgages [Docket No. FR-4946-F-02] (RIN: 2502-A126) received December 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5868. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission’s final rule — Commission Guidance Regarding Accounting for Sales of Vaccines and Biotech Countermeasures to the Federal Government for Placement into the Pediatric Vaccine Stockpile or the Strategic National Stockpile [Release Nos. ST-8672; 34-52385; IC-21778] received December 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5869. A letter from the Secretary, Department of Education, transmitting the annual report of the National Advisory Commission on Institutional Quality and Integrity for Fiscal Years 2004-2005 to the President, U.S.C. 1145(e); to the Committee on Education and the Workforce.

5870. A letter from the Secretary, Department of Health and Human Services, transmitting the Department’s report on the Community Services Block Grant Statistical Performance Outcome for Fiscal Years 2000 through 2003; to the Committee on Education and the Workforce.


5872. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule — Approval and Promulgation of Air Quality Implementation Plans; CO: PM10 Designation of Areas for Air Quality Planning Purposes; Lamar: State Implementation Plan Correction (CO-001-0076a; FRL-8004-9) received December 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5873. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule — Approval and Promulgation of Implementation Plans; Texas: Revisions to Regulations for Control of Air Pollution by Permits for New Construction or Modification [R06-OAR-2005-TX-0390; FRL-8005-9] received December 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.


5877. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule — Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units [EPA-HQ-OAR-2005-0015; FRL-8005-0] received December 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.


Reports of Committees on Public Bills and Resolutions

Under clause 2 of rule XIII, reports of committees were referred to the Clerk for printing and reference to the proper calendar, as follows:

Mr. Young of Florida: Committee of Conference.

Mr. Cole of Oklahoma: Committee on Rules.

Mr. Hunter: Committee of Conference.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:
By Mr. HERGER:
H. Res. 463. A bill to authorize the Reauthorization of the Temporary Assistance for Needy Families block grant program through March 31, 2006, and for other purposes; to the Committee on Ways and Means, considered and passed.

By Mr. OXLEY:
H.R. 462. To enact the technical and conforming amendments necessary to implement the Federal Deposit Insurance Reform Act of 2005, and for other purposes; to the Committee on Financial Services, considered and passed.

By Mr. GILLMOR:

By Mr. HALL:
H.R. 468. A bill to increase domestic supplies of natural gas through an accelerated program of development and deployment of new technologies; to the Committee on Science, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOSSELLA:
H.R. 469. A bill to require community notice for the placement of group houses, and for other purposes; to the Committee on Financial Services.

By Mr. GERLACH:
H.R. 460. A bill to reduce the Nation’s dependence on the Nation’s ability to produce alternative fuels; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Science, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GINGREY (for himself, Mr. NORWOOD, Mr. GARRETT of New Jersey, Mr. CAPITO, and Miss MCMORRIS):
H.R. 461. A bill to amend the Internal Revenue Code of 1986 to increase the deduction under section 129 for the purchase of qualified health care information technology by medical care providers and to allow a credit against tax for applicable telecommunication costs incurred by such providers; to the Committee on Ways and Means.

By Mr. ISSA:
H.R. 462. A bill to enhance the adoption of a nationwide interoperable health information system and to improve the quality and reduce the costs of health care in the United States; to the Committee on Energy and Commerce.

By Mr. KING of Iowa (for himself, Mrs. BLACKHURST, Mrs. MUNOZ, Mr. FEENY, Mr. FLAKE, and Mr. HENAARLING):
H.R. 463. A bill to repeal the wage rate requirements commonly known as the Davis-Bacon Act; to the Committee on Education and the Workforce.

By Mr. MENENDEZ:
H.R. 464. A bill to authorize grants to carry out projects to provide education on preventing teen pregnancies, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Education and the Workforce, 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. SCHWARTZ of Pennsylvania (for herself, Mr. BUTZ, and Mrs. LOWEY):
H.R. 465. A bill to amend title XVIII of the Social Security Act to provide broader and more informed protection to Medicare eligible individuals from abusive marketing practices of Medicare prescription drug plans and MA-PD plans to permit enrollees under Medicare Part D to be sanctioned that have been sanctioned to elect to enroll under other plans; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHERMAN:
H.R. 464. A bill to designate the facility of the United States Postal Service located at 7320 Reseda Boulevard in Reseda, California, as the “Coach John Wooden Post Office Building”; to the Committee on Government Reform.

By Mr. POMBO:
H. Con. Res. 328. Concurrent resolution providing for the site designation of the First session of the One Hundred Ninth Congress; considered and agreed to.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. CONYERS, and Mr. HONDA):
H. Con. Res. 327. Concurrent resolution congratulating President Ellen Johnson-Sirleaf of Liberia for being the first democratically-elected female President of the Republic of Liberia and the first female African head of state, of the Committee on International Relations.

By Mr. MACK:
H. Con. Res. 328. Concurrent resolution condemning the acts of violence, intimidation, and criminal actions of Venezuelan President Hugo Chavez and expressing the sense of Congress that the United States should strongly support the aspirations of the Venezuelan people for democracy and its constitution.

By Mr. CONYERS:
H. Res. 635. A resolution creating a select committee to investigate the Administration’s intent to go to war before Congress was informed; to the Committee on Rules.

By Mr. CONYERS:
H. Res. 636. A resolution censuring President George W. Bush for failing to respond to requests for information concerning allegations that he and others in his Administration misled Congress and the American people regarding the decision to go to war in Iraq, misrepresented and manipulated intelligence information regarding the justification for the war, counterbalanced torture and cruel, inhumane, and degrading treatment of persons in Iraq, and permitted inappropriate retaliations against critics of his Administration, and for failing to adequately account for specific misstatements he made regarding the war, and for failing to comply with Executive Order 12858: to the Committee on the Judiciary.

By Mr. CONYERS:
H. Res. 637. A resolution censuring Vice President Richard B. Cheney for failing to respond to requests for information concerning allegations that he and others in the Administration misled Congress and the American people regarding the decision to go to war in Iraq, misrepresented and manipulated intelligence information regarding the justification for the war, counterbalanced torture and cruel, inhumane, and degrading treatment of persons in Iraq, and permitted inappropriate retaliations against critics of the Administration and for failing to adequately account for specific misstatements he made regarding the war; to the Committee on the Judiciary.
Senate Resolution No. 169 urged the Congress of the United States to take appropriate action to address the hydrogen shortage in the United States due to factory shutdowns caused by the devastation of hurricane Katrina; to the Committee on Energy and Commerce.

235. Also, a memorial of the House of Representa- tives of the Commonwealth of Massa- chusetts, relative to a Resolution supporting the commencement of negotiations on the elimination of nuclear weapons and sup- porting the “Mayors for Peace” initiative; to the Committee on International Relations.

236. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 33 memorializing the Congress of the United States to mandates that federal contracts awarded for re- construction of the Coast region give a preference to local contractors and workers; to the Committee on Government Reform.

237. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 38 memorializing the Congress of the United States to provide financial assistance to the state necessary to maintain public services to the people of Louisiana following the devastation caused by hurricanes Katrina and Rita; to the Committee on Government Reform.

238. Also, a memorial of the House of Representa- tives of the Commonwealth of Massa- chusetts, relative to a Resolution memori-zing the Congress of the United States to address the concerns of citizens concerned for the future of Frederick Law Olmsted National Historic Site; to the Committee on Resources.

239. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 8 mandating the Congress of the United States to develop Louisiana's seaward boundary in the Gulf of Mexico to twelve geographical miles; to the Committee on Transportation and Infrastructure.

240. Also, a memorial of the General As- sembly of the State of California, relative to Assembly Joint Resolution No. 3 memorializing the Congress of the United States to prevent and uphold the intent and substance of the United States Supreme Court decision in Roe v. Wade, relating to reproductive rights and abortion; to the Committee on the Judiciary.

241. Also, a memorial of the Senate of the State of Michigan, relative to Resolution No. 84 urging the Congress of the United States to implement the lesson plan to restore and protect the Great Lakes; to the Committee on Transportation and Infrastructure.

242. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolu- tion No. 57 expressing opposition to the study and construction of an international border crossing in the Downriver area; to the Committee on Transportation and Infra- structure.

243. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 27 memorializing the Congress of the United States to vote against the repealing of the “Byrd Amend- ment” to the Committee on Ways and Means.

244. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 22 memorializing the Congress of the United States to review and consider revising or eliminating provi-sions which reduce social security benefits for those receiving benefits from federal, state, and local government retirement sys- tems; to the Committee on Ways and Means.

245. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Joint Resolution No. 29 urging the Congress of the United States to recognize the statu- tory concessions made by the State of Mont- ana and urged to obtain meaningful and substantive funding for the impacts from the federal wolf reintroduction program that was forced on the state, and reduce the population of the species; to the Committee on Agriculture and Re- sources.

246. Also, a memorial of the Legislature of the State of Pennsylvania, relative to Senate Joint Resolution No. 17 memorializing the Congress of the United States to take spe- cific actions regarding stem cell research and to prohibit human cloning; jointly to the Committees on Energy and Commerce and Science.

247. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 191 memorializing the Congress of the United States to appropriate supplemental funds for the Low-Income Home Energy Assistance Program; jointly to the Committees on Energy and Commerce and Education and the Workforce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 521: Mr. ROGERS of Alabama and Mr. BONNER.
H.R. 691: Mr. BAIRD.
H.R. 772: Mr. HOLT.
H.R. 815: Mr. CAMPBELL of California.
H.R. 1222: Mr. ANDREWS and Mr. BOURCHER.
H.R. 1245: Mr. MILLER of North Carolina.
H.R. 1405: Mrs. CUHIN.
H.R. 1441: Mr. HINCHRY, Mr. MORGAN of Kansas, and Ms. MCCOLLUM of Minnesota.
H.R. 1667: Mr. BROWN of Ohio.
H.R. 2048: Mr. CLEAVER, Mr. GEORGE MILLER of California, and Mr. SNYDER.
H.R. 2699: Mr. SCOTT of Georgia and Ms. MOORE of Wisconsin.
H.R. 2628: Mr. BLUMENAUER.
H.R. 3086: Mr. BROWN of Ohio.
H.R. 3373: Mr. KIND.
H.R. 3922: Mr. MORAN of Virginia, Mr. ROTHMAN, and Mr. AL GREEN of Texas.
H.R. 4098: Mr. PICKERING.
H.R. 4122: Mr. CASTLE.
H.R. 4190: Mr. DOGGETT.
H.R. 4213: Ms. SCHAKOWSKY.
H.R. 4313: Mr. WUCKER and Mr. BEAUPREZ.
H.R. 4318: Mr. KNOUENBERG, Mr. BOURTAVAGE, Mr. MURPHY, Mr. HILLER, Mr. GILLINOW, and Mr. CURTIS.
H.R. 4372: Mr. HUGHES, Mr. PALLONE, Ms. SCHAKOWSKY, Mr. ROSENBERG of Michigan, Mr. TOWNS, and Mr. CUMMINGS.
H.R. 4409: Mr. BERMAN and Mr. INSLEE.
H.R. 4410: Mr. TIERNEY.
H.R. 4463: Mr. VAN HOLLEN.
H.R. 4476: Mr. MC GOVERN and Ms. SCHAKOWSKY.
H.R. 4491: Mr. FITZPATRICK of Pennsylvania.
H.R. 4506: Ms. ESCH.
H.R. 4516: Mr. PRICE of North Carolina, Mrs. CHRISTENSEN, Mr. LUCAS, Mr. PRICE of Ohio, Mr. MURPHY, Mr. TIBERI, Mr. GILLINOW, Mr. ENGLISH of Pennsylvania, Mr. HINOJOSA, Mr. DENT, Mr. SWENNY, Mrs. SCHMIDT, Mr. TURNER, Mr. ALLEGREY, Mr. OBEY, Mr. HARIS, Mr. BISHOP of New York, Mr. SHERMAN, Mr. ALLEN, Mr. INSLEE, Mr. MARIO DIAZ-BALART of Florida, Mr. FENEY, and Mr. WEXLER.
H.R. 4526: Mr. GARRETT of New Jersey.
H.R. 4535: Mrs. BIGGERT, Mr. DAVIS of Kentucky, Mr. GARRETT of New Jersey, and Ms. FOXX.
H.R. 4542: Mr. CASE and Mr. BUSCH.
H.R. 4551: Mr. HERBERG, Ms. FOXX, Mr. MILLER of Florida, and Mr. KING of Iowa.
H.R. 4570: Mr. CUNYERS.
H.R. 4619: Mr. BOHLEIERT, Mr. TOWNS, and Mr. SHAYS.
H.R. 4625: Mr. PETERSON of Pennsylvania and Mr. PICKERING.
H.R. 4627: Mr. PORTER and Ms. BERKLEY.
H.R. 4628: Mr. BERNMAN.
H.R. 4672: Mr. SCHAKOWSKY.
H.R. 4678: Mr. INGLES of South Carolina.
H.R. 516: Mr. MCCARTHY.
H.R. 597: Mr. BORDALLO.
H.R. 601: Ms. FOXX.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolu-tions as follows:

H.R. 2699: Ms. HARRIS.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

91. The SPEAKER presented a petition of the City of Pembroke Pines, Florida, relative to Resolution No. 1927 urging the Con-gress of the United States to refrain from any support or co-sponsorship of S.1504 and to vote in opposition to S.1504; to the Com-mittee on Energy and Commerce.

92. Also, a petition of the Town of Chester-field, New York, relative to a resolution urging the New York Congressional Delegation to issue statements of support for the test burn of discarded tires by the International Paper Company; to the Committee on En-ergy and Commerce.

93. Also, a petition of the Board of Super-visors of the County of Los Angeles, Cali-fornia, relative to a petition supporting House Resolution 196 and House Concurrent Resolution 195, both of which relate to the Armenian Genocide of 1915 to 1923, to the Committee on International Relations.

94. Also, a petition of the Oconto County Board of Supervisors, Wisconsin, relative to Resolution No. 50 petitioning the Congress of the United States to restore the cut to the Federal In Lieu of Taxes (FILT) Law and the FY 2005 Level Plus Inflation; to the Com-mittee on Resources.

95. Also, a petition of the Oconto County Board of Supervisors, Wisconsin, relative to Resolution No. 47 petitioning for the relocation of problem gray wolves; to the Committee on Resources.

96. Also, a petition of the Oconto County Board of Supervisors, Wisconsin, relative to Resolution No. 45 petitioning for the in-crease of county forest acreage payments to townships; to the Committee on the Judici-ary.

97. Also, a petition of Mr. Daniel A.D. Gossai, a Citizen of Rancho Palos Verdes, California, relative to a complaint pursuant of conspiracy to deny civil rights, equal pro-tection and due process; to the Committee on the Judiciary.

98. Also, a petition of the Oconto County Board of Supervisors, Wisconsin, relative to Resolution No. 49 petitioning the Congress of the United States to reauthorize and fund Pub. L. 106-393, the Secure Rural Schools and Community Self-Determination Act; jointly to the Committees on Agriculture and Re-sources.
permissible within approved Forest Plans; jointly to the Committees on Resources and Agriculture.

100. Also, a petition of the Oklahoma Floodplain Managers Association, relative to Resolution No. 2905-1 providing recommendations for the reconstruction of the area along the Gulf Coast in Alabama, Mississippi and Louisiana; jointly to the Committees on Transportation and Infrastructure, Energy and Commerce, and Financial Services.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4510
OFFERED BY MS. JACKSON-LEE OF TEXAS
AMENDMENT No. 1: Strike all after the enacting clause and insert the following:

SECTION 1. FINDINGS.
Congress finds as follows:
(1) Sojourner Truth was a towering figure among the founders of the movement for women's suffrage in the United States, and no monument that does not include her can accurately represent this important development in our Nation's history.
(2) The statue known as the Portrait Monument, originally presented to Congress in 1920 in honor of the passage of the Nineteenth Amendment guaranteeing women the right to vote and presently exhibited in the rotunda of the Capitol, portrays several early suffragists who were Sojourner Truth's contemporaries but not Sojourner Truth herself, the only African American among the group.

SEC. 2. ACCEPTANCE AND DISPLAY OF BUST OF SOJOURNER TRUTH IN CAPITOL.
(a) ACCEPTANCE OF DONATION OF BUST.—Not later than 2 years after the date of the enactment of this Act, the Joint Committee on the Library shall accept the donation of a bust depicting Sojourner Truth, subject to such terms and conditions as the Joint Committee considers appropriate.
(b) DISPLAY.—The Joint Committee shall place the bust accepted under subsection (a) in a suitable permanent location in the Capitol.

Amend the title so as to read: “A Bill to direct the Joint Committee on the Library to accept the donation of a bust depicting Sojourner Truth and to display the bust in a suitable location in the Capitol.”.

NOTICE
Incomplete record of House proceedings.
Conference Reports will appear in following books.
The Senate met at 6 p.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER
The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.
O God who reigns forever, judging the nations with righteousness and the people with Your truth, let Your mercy rest upon the nations and Your compassion dwell among the people. Give us a peace in this season of good will that does not depend upon externals, as You empower us to trust You, even in the storms.

Bless America to promote justice and understanding within her boundaries and unto the ends of the Earth.

Strengthen the Members of this body for this evening’s journey, deliver them from any shortsighted policy of selfishness, exploitation, or expediency. Give them the courage to live up to their lofty professions and grant that each of us may overcome fear, apathy, or arrogance that keep us from honoring You. We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE
The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

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

RESERVATION OF LEADER TIME
The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS
The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each.

RECOGNITION OF THE MAJORITY LEADER
The PRESIDENT pro tempore. The majority leader is recognized.

NOTICE
If the 109th Congress, 1st Session, adjourns sine die on or before December 20, 2005, a final issue of the Congressional Record for the 109th Congress, 1st Session, will be published on Friday, December 30, 2005, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–60 or S–123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Thursday, December 29. The final issue will be dated Friday, December 30, 2005, and will be delivered on Tuesday, January 3, 2006. Both offices will be closed Monday, December 26, 2005.

None of the material printed in the final issue of the Congressional Record may contain subject matter, or relate to any event that occurred after the sine die date.

Senators’ statements should also be submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at “Record@Sec.Senate.gov”.

Members of the House of Representatives’ statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at http://clerk.house.gov/forms. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT–60.

Members of Congress desiring to purchase reprints of material submitted for inclusion in the Congressional Record may do so by contacting the Office of Congressional Publishing Services, at the Government Printing Office, on 512–0224, between the hours of 8:00 a.m. and 4:00 p.m. daily.

By order of the Joint Committee on Printing.

TRENT LOTT, Chairman.

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
SCHEDULE
Mr. Frist. Mr. President, we have returned this evening to session awaiting various conferences to finish their work and for House action on the remaining conference reports. We need to remain in session this evening in case those conference reports do become available. When we are certain one way or the other on the timing of the Defense conference reports, we will make a decision on the length of the session. Certainly if the conference report will not be available before midnight, then I do not anticipate a late evening. We should be finished about that within the next couple of hours.

We cannot rule that in or out at this point. Therefore, we will monitor the timing closely and then make further announcements.

For tomorrow, we continue to try to set votes on seven district judges who are on the calendar. If we are not able to reach an agreement for that short-ly—I hope we can set those votes for a time certain so we can alert Members. I will be discussing this shortly with the Democratic leader. Again, we will be doing our best to get word to the Senators shortly as to the schedule for this evening and tomorrow.

People have worked through last night and throughout today on these conference reports and there has been a lot of activity in the last hour or hour and a half. Shortly, I will come back to the floor with something more certain in terms of the schedule for later tonight as well as tomorrow.

RECOGNITION OF THE DEMOCRATIC LEADER
The President pro tempore. The Democratic leader is recognized.

DEFENSE APPROPRIATIONS CONFERENCE REPORT
Mr. Reid. Mr. President, I have said on previous occasions how much I care about this institution, but I have trouble expressing how disappointed I am as to what is going on. The arrogance of power of the Republicans in the House and the Senate is beyond my ability to comprehend. The Republican leadership now is attempting to impose the most cynical and I believe abusive practices in this pending conference report that, if successful, has the potential of changing the way this body operates forever. We will become another House of Representatives.

Any conference report can set the tone of the next hours of debate, the parameters of debate. If the Senate does that, it will no longer be the Senate that was led by some of the greats such as Mansfield andDirksen. I say this respectfully. I do not know how anyone would allow this to happen, those who have the ability to do it. There have been issues I felt strongly about, but I always played within the rules. That is not what is happening here. The game is being changed, the rules of the game are being changed in the middle of the game.

In the Senate and the House, the rules are that the conferees are not allowed to include in the conference report any matter that was not submitted to either House. This affects the House. This violates the possibility of conferences including legislation that would not pass either one House or the other on its own and forces the Congress to reach a consensus on controversial legislation. This process has served the Senate well for more than 200 years.

But the Republicans in Congress and the White House simply do not care about rules and they break them when it suits their interests. This conference report violates Senate rules on scope and is a cynical attempt to leverage support for funding our troops at war in order to include numerous extraneous items for special interests that could not pass the Senate on their own.

They have included—and we all know what this is about—the authority for oil companies to drill in the Alaska Wildlife Refuge. I say to the American people, that this year are making $100 billion. But that is not enough. This abuse of power will have long-term ramifications in this body and is as bad or worse than anything ever attempted before, including the nuclear option. But in the future, if this goes forward, any matter, including nominations of a Secretary of State—you could limit debate for our giving consent on a Secretary of State to 20 minutes equally divided. All you have to do is stick it in a conference report.

There has never been an attempt in the Senate like this to similarly abuse our practices. When they have occurred, they have been ruled out of order or the leaders of the respective parties in this body have said you are going too far. The Senate has a series of precedents prohibiting bootstrapping a procedural fix in the same bill that violated the particular rule. Those precedents should be applied here to prevent this abuse of practice. If this practice is allowed to stand, then the Republican majority, or any majority, can change the rules in the Senate procedure prospectively in a conference committee without any say by the minority party by a simple majority vote on an unrelated conference report.

To show the cynicism of this whole charade, in the same conference report they reverse the rule. Now, try that one on. These rules mean nothing. It is like a game of Monopoly with grade school kids. But this is the Senate. It is not a Monopoly game.

This next few days is going to take longer than a Monopoly game, and some of those take a long time. If the rules are going to be played with—and they are—they are going to have to follow every rule. If you want a vote on a nomination, then invoke cloture on it.

This is a dark day in the history of the American constitutional form of government.

We become the House of Representatives. The Founding Fathers didn’t want two House of Representatives. They wanted a bicameral legislature. But we become the House of Representatives, and the possibilities are endless in an institution that exists to forge a consensus and not act on the whims of whichever majority party is in control at the time. We become similar to the House of Commons. Whoever has the most votes wins. We haven’t worked that way for 216 years.

This abusive practice will allow any majority to alter any rule at any time for the consideration of any measure to advance its short-term political interests and will change the very nature of the Senate. I suggest the absence of a quorum.

The President pro tempore. The PRESIDING OFFICER (Mr. Burns). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll. The PRESIDING OFFICER (Mr. Cornyn). Without objection, it is so ordered.

ORDERS FOR MONDAY, DECEMBER 19, 2005
Mr. Frist. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Monday, December 19. I further ask that following the prayer and pledge, the mourning hour be deemed expired, the journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then proceed to a period for morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER (Mr. Ensign). Without objection, it is so ordered.

PROGRAM
Mr. Frist. Mr. President, tomorrow we expect to have the remaining conference reports from the House of Representatives. Much of our work tonight and all of the activity over the course of the day has been the generation of those conference reports. Since neither of those are going to be available to us this evening, there is no reason for us to remain in session. We will turn to one of those conference reports in the morning and hopefully get closer to finishing our work before Christmas.
the Senate, received a message from the House of Representatives, announcing that the Speaker has signed the following enrolled joint resolution:

H.J. Res. 75. Joint resolution making further continuing appropriations for the fiscal year 2006, and for other purposes.

Under the authority of the order of January 4, 2005, the enrolled joint resolution was signed subsequently by the Majority Leader (Mr. Frist) during the adjournment of the Senate, on December 17, 2005.

MESSAGES FROM THE HOUSE
At 6:02 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House agree to the amendment of the Senate to the bill (H.R. 2320) to provide for the collection and maintenance of human cord blood stem cells for the treatment of patients and research, and to amend the Public Health Service Act to authorize the C.W. Bill Young Cell Transplantation Program.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED
The message also announced that the Speaker has signed the following enrolled bills and joint resolution:

H.R. 3963. An act to amend the Federal Water Pollution Control Act to extend the authorization of appropriations for Long Island Sound.

H.R. 4195. An act to authorize early repayment of obligations to the Bureau of Reclamation within Rogue River Valley Irrigation District or within Medford Irrigation District.

H.R. 4440. An act 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.

H.R. 4938. An act to commend the outstanding efforts in response to Hurricane Katrina by members and employees of the Coast Guard, to provide temporary relief to certain persons affected by such hurricane with respect to certain laws administered by the Coast Guard, and for other purposes.

H.J. Res. 38. Joint Resolution recognizing Commodore John Barry as the first flag officer of the United States Navy.

The enrolled bills and joint resolution were signed subsequently by the President pro tempore (Mr. Stevens).

At 6:36 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2329. An act to permit eligibility in certain circumstances for an officer or employee of a foreign government to receive a reward under the Department of State Rewards Program.

H.R. 4591. An act to amend the Passport Act of June 4, 1926, to authorize the Secretary of State to establish and collect a surcharge to cover the costs of meeting the increased demand for passports as a result of actions taken to comply with section 7209(b) of the Intelligence Reform and Terrorism Prevention Act of 2004.

The message further announced that the House has passed the following bill, without amendment:

S. 1088. An act to authorize the transfer of items in the War Reserves Stockpile for Allies, Korea.

The message also announced that the House agree to the amendments of the Senate to the bill (H.R. 797) to amend the Native American Housing Assistance and Self-Determination Act of 1996 and other Acts to improve housing programs for Indians.

The message further announced that the House agree to the amendment of the Senate to the bill (H.R. 358) to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the desegregation of the Little Rock Central High School in Little Rock, Arkansas, and for other purposes.


ADDITIONAL COSPONSORS
At the request of Mrs. Feinstein, her name was added as a cosponsor of S. 2082, a bill to amend the USA PATRIOT ACT to extend the sunset of certain provisions of that Act and the lone wolf provision of the Intelligence Reform and Terrorism Prevention Act of 2004 to March 31, 2006.

At the request of Mr. Reid, the names of the Senator from West Virginia (Mr. Byrd), the Senator from Vermont (Mr. Jeffords) and the Senator from New York (Mr. Schumer) were added as cosponsors of S. 2082, supra.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW
Mr. Frist. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:37 p.m. adjourned until Monday, December 19, 2005, at 9:30 a.m.
EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. JO ANN DAVIS
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, December 17, 2005

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I was granted a leave of absence for December 16–17, 2005, due to a medical treatment. I would like to state for the record that had I been present, I would have voted the following:

Rollcall 642: Motion to close portions of the Defense Authorization Conference to the Press and Public when matters of National Security are under consideration—Yea.


Rollcall 644: Previous Question on Rule for H. Res. 612—Yea—Expressing the commitment of the House of Representatives to achieving victory in Iraq.

Rollcall 645: Adoption of Rule for H. Res. 612—Yea—Expressing the commitment of the House of Representatives to achieving victory in Iraq.


Rollcall 647: H. Con. Res. 294—Yea—Calling on the international community to condemn the Loughgall, the system of forced labor prison camps in the People's Republic of China, as a tool for suppression maintained by the Chinese Government.

Rollcall 648: Final Passage of H. Res. 612—Yea—Expressing the commitment of the House of Representatives to achieving victory in Iraq.

Rollcall 649: H. Res. 409—Yea—Condemning the Government of Zimbabwe’s “Operation Murambatsvina”.

Rollcall 650: H. Res. 575—Yea—Providing that Hamas and other terrorist organizations should not participate in elections held by the Palestinian Authority.

Rollcall 651: H. Res. 534—Yea—Recognizing the importance and credibility of an independent Iraqi judiciary in the formation of a new and democratic Iraq.

Rollcall 652: Spratt Motion to Instruct Conferences on H.R. 4241—Deficit Reduction Act of 2005—NAY.

Rollcall 653: Goodlatte/Herseth Amendment—Yea.

Rollcall 654: Stearns Amendment—Yea.

Rollcall 655: Sensenbrenner Amendment—Yea.

Rollcall 656: Norwood Amendment—Yea.

Rollcall 657: Westmoreland Amendment—Yea.

Rollcall 658: Gonzalez Amendment—NAY.

Rollcall 659: Sullivan Amendment—Yea.

Rollcall 660: Democrat Motion to Recommit—NAY.


Rollcall 662: H. Res. 598—Condemning actions by the Government of Syria that have hindered the investigation of the assassination of former Prime Minister of Lebanon Rafik Hariri conducted by the United Nations International Independent Investigation Commission—Yea.

Rollcall 663: Adoption of the Rule providing for consideration of motions to suspend the rules—Yea.


HON. G.K. BUTTERFIELD
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Sunday, December 18, 2005

Mr. BUTTERFIELD. Mr. Speaker, I rise today in support of one of the finest educators ever produced by the great State of North Carolina.

This year, Superintendent Larry Price of my hometown of Wilson was named the 2006 North Carolina Superintendent of the Year. This is the highest honor for an educator in our State. The award was given by the North Carolina Association of School Administrators and the State school boards' association and announced at an awards banquet Monday night.

Larry Price has served as superintendent in Wilson County since 1998, overseeing 13 elementary schools, 6 middle schools, 3 high schools, and 2 learning centers. Under his guidance, Wilson County schools have produced thousands of students who have gone on to become doctors, lawyers, teachers, ministers, businessmen, and other professions. An increasing number each year meet or excel in reading and math at all grade levels.

I rise to congratulate Mr. Price on his accomplishment, and wish him many more years of success. Larry, we expect many more great things from you.

PERSONAL EXPLANATION

HON. XAVIER BECERRA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Sunday, December 18, 2005

Mr. BECERRA. Mr. Speaker, on Saturday, December 17, 2005, I was unable to cast my floor vote on rollcall numbers 663 and 664. The votes I missed included a vote to agree on resolution H. Res. 623, providing for consideration of motions to suspend the rules, and a motion to suspend the rules and agree to the Senate amendment on H.R. 2520, the Stem Cell Therapeutic and Research Act.

Had I been present for the votes, I would have voted “nay” on rollcall votes 663 and “aye” on rollcall vote 664.

DEPARTMENT OF JUSTICE APPROPRIATIONS AUTHORIZATION ACT, FISCAL YEARS 2006 THROUGH 2009

SPRECH OF
HON. JOHN CONyers, JR.
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Saturday, December 17, 2005

Mr. CONYERS. Mr. Speaker, as ranking member of the Committee on the Judiciary of the House of Representatives and a co-author of the Violence Against Women Act of 2005, I take this opportunity to reemphasize the importance of certain parts of the legislative history of the provisions involving protections for battered immigrants. Additionally, I want to highlight and provide guidance on the reasoning behind and expectations about some of the provisions that are part of the final bill, the engrossed amendment agreed to by the Senate, which passed the Senate on December 16, 2005 and passed the House on December 17, 2005.

Since the section numbers changed between the version of VAWA 2005’s Protection of Battered and Trafficked Immigrants provisions that passed the House September 28, 2005, and the version that we are considering today, I will provide a list at the end of my statement that cross references the section numbers in the final bill.

Section 801 enhances protection for immigrant victims of trafficking and certain immigrant crime victims by reuniting them with their children and family members living abroad. In the context of trafficking cases and other immigration functions I wanted to clarify for the record that VAWA 2005 contains language in Sections 801, 803, 804, 813 and 832 that are designed to amend sections of the Immigration and Nationality Act (INA) to reflect the current delegation of authority and reassignment of immigration functions from the Department of Justice (DOJ) to the Department of Homeland Security (DHS). When DOJ and DHS are cited as having shared authority under this Act, that shared authority should be limited to instances in which DHS is making an immigration determination in a case in which DOJ has an active federal investigation or prosecution. In cases where the investigation or prosecution is being conducted by a state or local prosecutor, or by another federal government agency, DOJ involvement may not be appropriate or required.

Section 802 creates an exception to unlawful presence for victims of severe forms of trafficking who demonstrate that their trafficking experience was at least one central reason for their unlawful presence in the United States. For the purposes of this section (and similarly for sections 801, 805 and 812 of this Act), I
understand that the term “at least one central reason” is intended to mean that the unlawful presence was caused by, or related to, the trafficking experience and its concurrent process of victimization. Just as this section provides a waiver of unlawful presence inadmissibility, §203(c) of this Act, I would hasten to point out that DHS will exercise its discretion determining good moral character so that T visa recipients are not barred from attaining adjustment of status from a T visa.

Section 804 provides that aliens can qualify for T status if they respond to and cooperate with requests for evidence and information from law enforcement officials. I also want to emphasize that state and local law enforcement officials investigating or prosecuting trafficking-related crimes are permitted to file a request (and certification) asking DHS to grant continued presence to trafficking victims. This section changes references in the INA to conform to the transfer of immigration functions from the Department of Justice to the Department of Homeland Security by replacing references to the Attorney General with references to the Secretary of Homeland Security.

I believe the expansions in protections for children contained in this Act are particularly important. Section 805 ensures that immigrant children who are victims of incest and child abuse receive lawful permanent resident status, including children of immigrant victims of trafficking. The application for adjustment of status to permanent resident of an alien who self-petitioned for permanent resident status shall also serve as an adjustment application for any derivative children. Derivative children of self-petitioners and self-petitioners will receive lawful permanent resident status along with their self-petitioning parents. This section removes the requirement that abused adopted children must live with the abusive parent for two years and assures that child VAWA self-petitioners and derivative children have access to VAWA’s aging out protections and can additionally access any Child Status Protection Act relief for which they qualify. It allows suffers victims of child abuse and incest who were under 21 when abused and have additional time until they turn 25 to file VAWA self-petition.

In this context, I understand that the term “at least one central reason” is intended to mean that the they delay in filing was caused by, or related to, the child abuse or incest and its concurrent process or victimization.

Section 811 defines a “VAWA petition” as an alien who has applied for classification or relief under a number of provisions of the INA. I want to emphasize the importance of the fact that the law assures that adjudication of all forms of immigration relief related to domestic violence, sexual assault, trafficking, or victims of violent crime continue to be adjudicated by the specially trained VAWA unit.

In 1997, the Immigration and Naturalization Service consolidated adjudication of VAWA self-petitions and VAWA-related cases in one specially trained unit that adjudicates all VAWA immigration cases nationally. The unit was created “to ensure sensitive and expeditious processing of the petitions filed by this class of at-risk applicants . . . , to [enforcer] uniformity in the adjudication of all applications of this type” and to “[b]rand the Service’s unique identity as a mechanism for responding to inquiries from applicants, their representatives, and benefit granting agencies.” See 62 Fed. Reg. 16607–16608 (1997). T visa and U visa adjudications were also consolidated in the specially trained VAWA unit. (See, USCIS Interoffice Memorandum HQINV 50/1, August 30, 2001, from Michael D. Cronin to Michael A. Pearson, 67 Fed. Reg. 4784 (January 31, 2002)). This specially trained VAWA unit assures consistency of VAWA adjudications, cases and can effectively identify eligible cases and deny fraudulent cases. Maintaining a specially trained unit with consistent and stable staffing and management is critically important to the effective adjudication of these applications.

I recommend that the same specially trained unit that adjudicates VAWA self-petitions, T and U visa applications, process the full range of adjudications, adjustments, and employment authorizations related to VAWA cases (including derivative beneficiaries) filed with DHS: VAWA petitions T and U visas. VAWA Cuban, VAWA NACARA (§§202 or 203), and VAWA HRIFA petitions. The Secretary of Homeland Security can authorize these procedures. I recommend that this same specially trained unit that adjudicates VAWA self-petitions, T and U visa applications, process the full range of adjudications, adjustments, and employment authorizations related to VAWA cases (including derivative beneficiaries) filed with DHS: VAWA petitions T and U visas. VAWA Cuban, VAWA NACARA (§§202 or 203), and VAWA HRIFA petitions. The Secretary of Homeland Security can authorize these procedures.

Section 814(c) of this Act, battered spouse waiver adjudications under 216(c)(4)(C), applications for parole of VAWA petitioners and their children who have received VAWA cancellation. I also encourage DHS to promote consistency in VAWA adjudications by defining references to “domestic violence” in the INA as “battery or extreme cruelty,” the domestic abuse definition and application for children of victims who have received VAWA cancellation. I also encourage DHS to promote consistency in VAWA adjudications by defining references to “domestic violence” in the INA as “battery or extreme cruelty,” the domestic abuse definition and application for children of victims who have received VAWA cancellation. I also encourage DHS to promote consistency in VAWA adjudications by defining references to “domestic violence” in the INA as “battery or extreme cruelty,” the domestic abuse definition and application for children of victims who have received VAWA cancellation. I also encourage DHS to promote consistency in VAWA adjudications by defining references to “domestic violence” in the INA as “battery or extreme cruelty,” the domestic abuse definition and application for children of victims who have received VAWA cancellation.


The Secretary of Homeland Security can remove an alien who self-petitioned for permanent residence along with their self-petitioning parents. This section removes the requirement that abused adopted children must live with the abusive parent for two years and assures that child VAWA self-petitioners and derivative children have access to VAWA’s aging out protections and can additionally access any Child Status Protection Act relief for which they qualify. It allows suffers victims of child abuse and incest who were under 21 when abused and have additional time until they turn 25 to file VAWA self-petition.

In this context, I understand that the term “at least one central reason” is intended to mean that the they delay in filing was caused by, or related to, the child abuse or incest and its concurrent process or victimization.

Section 817 of this Act gives DHS statutory authority to create in this Act for immigrant victims. Under current law DHS has the authority to consent to the readmission of a previously removed alien (using the existing I–212 process). DHS should make use of its discretion in granting readmission to appropriately assist aliens with humanitarian cases including but not limited to, victims of domestic violence, sexual assault, victims of trafficking and crime victims who are cooperating in criminal investigations.

Under current law, victims of domestic abuse, sexual assault, stalking, or trafficking who have been ordered removed, including expired removal, are subject to reinstatement of removal if they depart the U.S. and attempt to reenter the U.S. Once they are reinstanted in removal proceedings, they cannot obtain VAWA, T, and U relief, even if they have a pending application for such relief. Recognizing these harsh consequences, Congress encourages DHS to make use of its discretionary authority to consent to the admission of such previously removed aliens (using the existing I–212 process).

Section 814 provides that an alien whose petition as a VAWA petitioner has been approved may be granted work authorization. U visa applicants are provided work authorization under existing law. I want to emphasize that this section gives DHS statutory authority to provide work authorization to VAWA self-petitioners without having to rely upon deffered action. I believe that one of the most important protections offered by this section toward prevention of domestic violence is that Section 814 of this bill provides that an alien spouse admitted under the A (foreign diplomats), E–3 (Australian investor), G (international organizations), or H (temporary worker) visa non-immigrant programs accompanying or following to join a principal alien shall be granted work authorization if the spouse demonstrates that during the marriage and continuance of the marriage the alien spouse was battered or has been subjected to extreme cruelty perpetrated by the principal alien. This section is intended to reduce domestic violence by giving victims tools to protect themselves and hold abusers accountable. Research has found the financial dependence on an abuser is a primary reason that battered women are reluctant to cooperate in their abuser’s prosecution. With employment authorization, many abused spouses protected by this section will be able to attain work providing them the resources needed to safely act to stop the domestic violence. The specially trained CIS unit shall adjudicate these requests.

I believe that Section 817 of this Act contains some of the most important protections for grant victim victims. This section enhances VAWA’s confidentiality protections for immigrant victims and directs immigration enforcement officials to not rely on information provided by an abuser, his family members or agents to arrest or remove an immigrant victim in the United States. Threats of deportation are the most potent tools abusers of immigrant victims use to maintain control over and silence their victims and to avoid criminal prosecution. In 1996, Congress created special
protections for victims of domestic violence against disclosure of information to their abusers and the use of information provided by abusers in removal proceedings. In 2000, and in this Act, Congress extended these protections to cover victims of trafficking, certain criminals, and generally for VAWA immigration relief. These provisions are designed to ensure that abusers and criminals cannot use the immigration system against their victims. Examples include abusers using DHS to obtain information about their victims, including the discovery of VAWA immigration relief, interfering with or undermining their victims’ immigration cases, and encouraging immigration enforcement officers to pursue removal actions against their victims.

Immigration enforcement agents and government officials covered by this section must not initiate contact with abusers, call abusers as witnesses or rely on information furnished by or derived from abusers to apprehend, delay and attempt to remove victims of domestic violence, sexual assault and trafficking, as prohibited by section 384 of IIRIRA. In determining whether a person furnishing information is a prohibited source, primary evidence should include, but not be limited to, court records, government databases, affidavits from government officials, and expert decisions by DHS or Department of Justice personnel. Other credible evidence must also be considered. Government officials are encouraged to consult with the specially trained VAWA unit in making determinations under the special evidence standard. I believe that all investigation and enforcement of these provisions should be done by the Office of Professional Responsibility of the Justice Department. For consistency, these cases need to be centralized in one division and I believe that this office is best equipped to address these cases.

The current practice of granting deferred action to approved VAWA self-petitioners should continue. Aliens with deferred action status should not be removed or deported. Prima facie case or denied detainees and immigrants should not be removed by immigration enforcement agents. The specially trained Citizenship and Immigration Services (CIS) unit should review such cases to determine whether or not deferred action and immigration enforcement officials at the Bureau of Immigration and Customs Enforcement do not have authority to order a CIS grant of deferred action to an alien victim. Immigration enforcement officers should refer aliens they encounter who may qualify for relief under this Act to immigration benefits adjudicators handling VAWA cases.

VAWA confidentiality protections in IIRIRA are amended to conform with current practice extending these protections to the Department of Homeland Security in addition to the “Department of Justice and to expand confidentiality protections to the Department of State. These protective provisions were designed to assure that the Secretary of Homeland Security, the Secretary of State, and the Department of Homeland Security take appropriate steps to protect the confidentiality of information regarding victims. In the Notice to Appear issued against the alien, DHS must disclose these facts in the Notice to Appear issued against the alien. DHS must certify that such an enforcement action was taken but that DHS did not violate the requirements of Section 384 of IIRIRA. The list of locations includes a domestic violence shelter, a rape crisis center, and a courthouse if the alien is appearing in connection with a protection order or child custody case. Persons who knowingly make a false certification shall be subject to penalties. Removal proceedings filed in violation of section 384 of IIRIRA shall be dismissed by immigration judges. However, further proceedings can be brought if not in violation of section 384.

I also want to highlight the important protections for all battered women and trafficked victims contained in Section 827 of the bill. With respect to laws and regulations governing identification cards and drivers’ licenses, DHS and the Social Security Administration shall give special consideration to victims of domestic abuse, sexual assault, stalking, or trafficking who are entitled to non-profits, non-governmental organizations to obtain a range of needed assistance and victim services. Referrals should be made to programs with expertise in providing assistance to immigrant victims of violence and can only be made after obtaining written consent from the immigrant victim. Nothing in this section shall be construed as affecting the ability of an applicant to designate a safe organization through which governmental agencies may communicate with the applicant.

This section requires that the Department of Homeland Security and the Department of Justice provide guidance to their officers and employees on the exercise of confidentiality protected by Section 384 of IIRIRA, including protecting victims of domestic violence, sexual assault, trafficking and other crimes from the harm that could result from inappropriate disclosure of information. Congress encourages the DHS to develop a training program that can be used to train DHS staff, trial attorneys, immigration judges, and other DOJ and DOS staff who regularly encounter alien victims of crimes, and to craft and implement immigration protocols on appropriate handling by DHS, DOJ and DOS officers of cases under VAWA 1994, the Acts subsequently reauthorizing VAWA, and IIRIRA.

Section 825 contains a number of amendments particularly important to me. Protecting victims of domestic violence from deportation and assuring that they can have their day in court before an immigration judge to file for VAWA related immigration relief is a central focus of all VAWA immigration protection. I have been involved in developing since 1994 the section of the Act that clarifies the VAWA 2000 motions to reopen for abused aliens, enabling otherwise eligible VAWA applicants to pursue VAWA relief from removal, deportation or exclusion. This section provides that the limitation of one motion to reopen removal proceedings shall not prevent the filing of one special VAWA motion to reopen. In addition, a VAWA petitioner can file a motion to reopen removal proceedings after the normal 90-day period, measured from the time of the final administrative order of removal. A VAWA 2005 post-removal motion to reopen may be filed by a VAWA applicant. Aliens who were denied special VAWA motions under VAWA 2000 may file one new motion under this Act.

Additionally, I feel it is very important that the system of services we provide to domestic violence victims, rape victims and trafficking victims and our protection of courthouses and family courts are places to which victims can safely turn for help without worrying that their abuser may have sent immigration enforcement officers after them when they are seeking service and protection. Section 825(c) establishes a system to verify that removal proceedings are not based on information prohibited by section 384 of IIRIRA. When any part of an enforcement action was taken before the list of locations contained in Section 384 of IIRIRA. The list of locations includes a domestic violence shelter, a rape crisis center, and a courthouse if the alien is appearing in connection with a protection order or child custody case. Persons who knowingly make a false certification shall be subject to penalties. Removal proceedings filed in violation of section 384 of IIRIRA shall be dismissed by immigration judges. However, further proceedings can be brought if not in violation of section 384.

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immigrant victims can receive the protections Congress has created for them. Section 828 requires that regulations implementing both this Act (including materials and dissemination under section 834) and the Act reauthorizing the Violence Against Women Act in 2000, ("VAWA 2000") be within 180 days of this Act’s enactment. In applying such regulations, in the case of petitions or applications affected by the changes made by the Acts, there shall be no requirement to submit an additional petition, application, or certification from a law enforcement agency with the date of the application for interim relief establishing the priority date of counting time towards adjudication of status. However, the Department of Homeland Security may request additional evidence be submitted when the documentation supporting an outstanding VAWA self-petition or justifying interim relief is now insufficient. The Department of Homeland Security shall also craft and implement policies and protocols implementing VAWA confidentiality protections under Section 384 of IIRIRA as amended by this Act.

Last, I want to provide important background information about the reasoning behind the International Marriage Broker Regulation Act of 2005 (IMBRA) that is included in this VAWA 2000 legislation. The final IMBRA legislation was designed to address concerns about the need to create significant reforms to the government in information collection and distribution to foreign fiancée and spouses with regulation of the International Marriage Broker Industry. IMBRA has been designed to address concerns about U.S. citizen abuse by the use of fiancée visa process for petition for aliens outside the United States and abuse them. This Act, establishes the first meaningful federal regulations on international marriage broker agencies (IMBs), companies in the business of matching mostly American male clients to foreign women who will join them in the United States as fiancées or spouses. There have been numerous cases of foreign women who were matched with American men, came to the U.S. live with their new spouses and were subjected to domestic violence, sexual assault or other forms of extreme violence. In some cases, the women have successfully used IMBs and the immigration system to bring in a series of fiancée or spouses who have all suffered from domestic violence from the American sponsor and client. This bill is designed to inform foreign spouses and fiancées entering the United States of the laws relating to such abusive crimes, and the availability of help. In addition, it seeks to prevent abusers from using the immigration system to find new victims.

Sections 832, 833 and 834 are designed to prevent abuse and thereby instilling confidence in the ability of the Department of Homeland Security to distribute information that can help the K visa recipients learn about domestic violence protections available to them in the United States. These sections also provide them with information about their U.S. citizen petitioners’ criminal conviction history. Additionally, this section limits the ability of abusive U.S. citizens to repeatedly petition for K visas for aliens outside the U.S.

A consular officer may not approve a fiancée visa petition without verifying that the petitioner has not previously petitioned for two or more aliens applying for a fiancée or K visa. If the petitioner has had such a petition previously approved, the consular officer must verify that two years have elapsed since the filing of the previous petition. The Secretary of Homeland Security may grant waivers of the two-year waiting period or the limit on filing more than two petitions. The waivers included here were designed to give DHS the discretion to waive both the time and number limitations on new visa applications if filed by nonabusive U.S. citizens. Such waivers may be appropriate, for example, for nonabusive U.S. citizens who live abroad or were raised abroad and may be more likely to marry foreign spouses, or in cases of unusual circumstances such as the sudden death of an alien approved for a prior K visa. Section 832(a) includes a domestic violence victim waiver modeled after the waiver created for immigrant victims of domestic violence by VAWA 2000 (INA Section 237(a)(7)). Waivers shall be granted when the U.S. citizen petitioner demonstrates that they have been subjected to battering or extreme cruelty, that there was a connection between the criminal conviction and the abuse, including efforts to escape the abuse and that they were not the primary perpetrator of abuse in the relationship.

Section 832(a)(2) of VAWA 2005 requires that U.S. citizen petitioners filing K visa applications for spouses they married abroad provide under oath the same criminal information as nonimmigrant fiancées. This section also creates a database to track serial K applications. Upon approval of a second K visa for a spouse or fiancé the U.S. citizen petitioner will be entered into the database maintained by the Department of Homeland Security. Once two spouses or fiancées K visas have been approved, for each subsequent petition filed, DHS will notify both the citizen petitioner and foreign-born spouse about the number of previously filed petitions in the database for a 10-year period. All future K applications will trigger similar notice. The domestic violence pamphlet developed under Section 833 of this Act will be sent to the K beneficiary inagurate spouse along with the multiple filing database information.

I am once again honored to have played a role in reauthorizing the Violence Against Women Act and the protections it affords to immigrant women who suffer from battery and extreme cruelty in our Nation. We have made important changes and adjustments to current law that will ensure that the broad range of domestic abuse victims have access to the immigration relief they need to escape from abuse and begin to rebuild their lives, and those of their children. I am particularly pleased that Congress was able to agree upon passage of the first legislation to provide fiancées and spouses applying for K visas with information that can help them understand what can be life saving information and to truly regulate the international marriage broker industry. I offer my sincere appreciation to the chairman of the Judiciary Committee, F. JAMES SENSENBRENNER, who worked with me for the better part of this year on this bill in shared commitment to protect victims of domestic violence. In addition, I must thank Congressman RICK LARSEN of Washington for his leadership on protecting unsuspecting foreign women who become victims of abuse by sponsoring IMBRA and working with Chairman SENSENBRENNER and me on bringing IMBRA into this bill. I also offer special thanks to my Senate colleagues, Senator APOLLO SPECTER, Senator PATRICK LEAHY, Senator JOSEPH BIDEN, and Senator BERNIE SANDERS for their hard cooperative work to ensure that the Violence Against Women Act of 2005 could be passed into law this year.

I worked closely with Chairman SENSENBRENNER to develop legislative history for the protections offered to immigrant victims contained in Protection of Battered and Trafficked Immigrants Title of the Violence Against Women Act of 2005. The Committee on the Judiciary of the House of Representatives Report to accompany H.R. 3402 that was published on September 22, 2005, provides important legislative history on this Title. Since section numbers have changed in the final bill, I include here cross reference list that will facilitate relating the sections of the final VAWA 2005 provisions we are voting on today with the legislative history sections that describe and support these provisions.

FINAL VAWA 2005 SECTION NUMBER AND HOUSE COMMITTEE REPORT SECTION NUMBER

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<td>922 (Technical Corrections)–901</td>
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Mr. HIGGINS. Mr. Speaker, I rise today to offer my views on H.R. 4437 and this important issue. As a member of the U.S. House Committee on Homeland Security, I have worked actively with both Republicans and Democrats to strengthen our Nation’s laws to protect the American people. Many of the provisions of this bill are under the jurisdiction of the Homeland Security committee, although this version differs substantially from the Committee’s product.

The debate on immigration reform is an important matter for this country. Last year, I voted to pass the 9/11 Commission Recommendations Implementation Act, which authorized an additional 10,000 Border Patrol agents and 4,000 additional Immigration and Customs Enforcement (ICE) officers. Unfortunately, the Bush administration’s budget funds only 210 additional border agents and 80 ICE officers in fiscal year 2006.

I support several amendments to this bill because they take concrete steps to correct real problems with the immigration status quo. For example, I support the Myrick amendment that provides for the removal of an illegal alien who is convicted of driving drunk. I also support the Shadegg amendment to increase penalties for document fraud and crimes of violence and drug trafficking offenses committed by illegal aliens. In addition, I support the Velázquez amendment to reduce the immigration application processing backlog that has choked the system to a virtual standstill. Unfortunately, these reasonable steps cannot overcome the fundamental flaws of H.R. 4437, which takes an unrealistic approach that will exacerbate the problems of the current system by driving the undocumented further underground, deeper into the black market and further estranged from the laws of our country.

We need to reform the broken immigration system in America, but this bill is harsh, punitive and anti-family and does not fix the many problems with the current system. Rather than pass new laws that make innocent children Federal criminals, we should vigorously enforce the laws against illegal immigration that are already on the books, hire the thousands of additional security personnel that have already been authorized to guard our borders and work for a fair, balanced immigration plan that encourages lawfulness, rewards hard work and safeguards families.

I hope my colleagues will join me in rejection of this legislation, so Congress and the President can start over on a more productive approach to fix the broken immigration system. Vote against H.R. 4437.

VICE PRESIDENTIAL SPEECH
HON. CORRINE BROWN OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Friday, December 16, 2005

Ms. CORRINE BROWN of Florida. Mr. Speaker, I congratulate the Iraqi people on a successful election, and movement toward democracy.

I rise today to denounce the Republican leadership for manipulating the War in Iraq for political gain.

However, I want to stand up here and reiterate my opposition to the invasion of Iraq. I have said it before and I will say it again. I am against this war. Our troops have become the targets of the insurgents in Iraq who want us out of their country.

I knew that once we got into the war, there was no getting out. Many of our young men and women were going to get killed for the personal gain of the President.

There is no correlation between 9-11 and the War in Iraq.

Let me repeat: There is no correlation between 9-11 and the war in Iraq!

There was no faulty intelligence. We have people in key positions lying to the American people.

Get Us Out of Iraq!

HONORING THE 57TH MAYOR OF BUFFALO, NEW YORK, HON. ANTHONY M. MASIELLO

HON. BRIAN HIGGINS OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Sunday, December 18, 2005

Mr. HIGGINS. Mr. Speaker, I rise today to pay tribute to the public service and personal strength of character of Anthony M. Masiello, who will complete his third and final term as the 57th Mayor of the City of Buffalo on January 1, 1994. Since that time, he has tackled daunting financial challenges while instituting sweeping changes in the way the city conducts its business and delivers essential services. He initiated and implemented the Mayor’s impact team; a hands-on Task Force comprised of various city departments working together to perform comprehensive clean-up, maintenance and inspection services in the city, the Citizens Service Hotline and the Good Neighbors Planning Alliance to ensure real residential participation in planning the city’s future.

Mayor Masiello led the creation of the Joint Schools Construction Program, an ambitious, pioneering construction and rehabilitation program to provide a 21st Century learning environment for the city’s public school students. In 2000, the Mayor proposed state legislation that allowed the city to construct new schools and renovate existing buildings with private financing and now, more than $150 million is being spent in Phase I of the Joint Schools Construction Project to renovate nine schools.

Eventually all schools will be renovated or rebuilt giving Buffalo School students the proper environment for the city.

Mayor Masiello’s greatest achievement was bringing together the leaders of the local health care and medical school institutions as well as, for the first time, the neighborhood leaders from the Fruit Belt and Allentown, to create the Buffalo Niagara Medical Campus in the City’s center.

Through mutual respect and recognition of the need for improved communication, expert planning for shared needs and future growth, the Buffalo Niagara Medical Campus Board of Directors continues to attract local, state and federal funding which has transformed the Buffalo campus with more than $300 million dollars of investment in state-of-the-art health care and research facilities. Recruiting efforts for national and international medical, scientific and research talent is succeeding and all efforts have the shared goal of enhancing the opportunities for the Campus’ neighbors and its neighborhood. The story and the success of the Buffalo Niagara Medical Campus is rightly attributable to the ability of Mayor Masiello to bring people together, impart the absolute need to work together and help direct the first $14 million in “seed money” that led to hundreds of millions of dollars in real private/public investments.

And it is the Mayor’s commitment to implementation that led to one of the greatest Senate becoming “Buffalo’s Senator.” Re-elected to 7 2-year terms, he rose through the ranks to Minority Whip and Chair of the Democratic Caucus. During his tenure in the State Legislature, then-Senator Masiello secured greater funding for the city’s public school system, increased financial support for Roswell Park Cancer Institute and Children’s Hospital, Buffalo’s nationally known health care institutions. He helped fund housing developments and provided leadership in the passage of the Vietnam Veterans Tuition Assistance Bill.

This commitment to education, health care, housing and the needs of others would forever shadow the Mayor’s greatest achievements in his next elected office.

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And it is the Mayor’s commitment to implementation that led to one of the greatest
I would think of my Dad as I was driving to City Hall so I would just pick myself up and keep going. This is a city worth fighting for and it was my privilege to fight for it for the last 12 years.”

Thank you Mayor Masiello for fighting for Buffalo, for bringing us together and bringing out the best in us and what we can be by continuing to work together. Thank you for leading us to a Better Buffalo.

PENSION PROTECTION ACT OF 2005

SPEECH OF HON. DENNIS MOORE
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES

Thursday, December 15, 2005

Mr. MOORE of Kansas. Mr. Speaker, I rise today to express my support for H.R. 2830, the Pension Protection Act of 2005.

As the nature of our economy has changed in recent decades, our manufacturing sector has experienced difficult times. Many companies in the auto, auto parts, and steel producing industries are now burdened with expensive legacy costs, particularly pension obligations, that are increasingly difficult to honor. Sizable long-term costs related to the need for companies in these industries to seek significant cost savings, sometimes through factory closings and employee layoffs. Consequently, defined benefit pension plans sponsored by some of the companies in these industries, as well as the single- and multi-employer plans in the airline industry, in which several companies have met Chapter 11 bankruptcy protection in recent years, have been turned over to the Pension Benefit Guaranty Corporation [PBGC].

This legislation, while not perfect, seeks to increase private companies’ funding of their employees’ pension plans, as well as improve the financial health of the PBGC by increasing companies’ premiums to the agency. The risk of a taxpayer-funded bailout of the PBGC, which is funded entirely by companies’ contributions, is very real in the near future. According to Bradley Belt, the Executive Director of the PBGC, “Unfortunately, the financial health of the PBGC is not improving. The money available to pay benefits is eventually going to run out unless Congress enacts comprehensive pension reform to get plans better funded and provide the insurance program with additional resources.” Congress has a responsibility to act now to prevent a PBGC bankruptcy and future taxpayer bailout of the agency.

Last year, the PBGC absorbed 120 terminations from defined benefit pension plans, and last month the agency announced that in fiscal year [FY] 2005 it had liabilities of $79.2 billion and assets of $56.5 billion. That amounts to a deficit in the pension insurance program of $22.8 billion. While the FY05 deficit improved slightly over FY04’s deficit of $23.3 billion, the latest deficit figure from the PBGC is somewhat misleading. The agency’s FY05 deficit actually would have increased to $25.7 billion if it had included company-plan terminations announced after the fiscal year ended on September 30.  In addition to plans that filed for Chapter 11 protection in September, including 2 large airlines and a major auto-parts supplier, will likely increase the increases in IRA and 401(k) contribution limits, that have fulfilled their responsibilities to their employees and funded their pension plans as they were supposed to over the years.

Finally, I am very supportive of the provisions in H.R. 2830 that would make permanent several retirement savings provisions that were included in the 2001 tax law, including the increases in IRA and 401(k) contribution limits, that have full adjustments for inflation.

Prior to 2001, the maximum amount that a taxpayer could contribute to an IRA was $2,000 per year. The 2001 tax law gradually increased that limit to $5,000 [by 2008]. I worked to ensure that IRA contribution limits increased in that law, and believe that the permanent extension of those limits will increase the certainty needed in retirement planning. Likewise, I strongly support the bill’s language that would make permanent the saver’s credit for low-income taxpayers. Taxpayers with incomes below $50,000 for a married couple, and below $25,000 for individuals, are eligible to receive a tax credit of up to 50% of contributions up to $2,000 that they have made during the year to employer-sponsored retirement plans or IRAs. Increased incentives for all income brackets to save for their retirements should be a top priority of Congress, and I will continue to work with my colleagues in both parties to improve the national savings rate in our country.
Ms. JACKSON-LEE of Texas. Mr. Chairman, I am very disappointed in the Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005, H.R. 4437. It takes an enforcement only approach at a time when we should be working together on comprehensive immigration reform, and it is full of anti-immigrant provisions that are ill advised and mean spirited.

For instance, sections 201 and 203 of the House Judiciary Committee-reported version of H.R. 4437 would make all aliens who have at any time been unlawfully present in the United States... and other property for providing even life-saving assistance to someone who turns out to be unlawfully present in the United States.

Section 305 would permit States to use State Homeland Security Committee grants, Urban Area Security Initiative grants, or Law Enforcement Terrorism Prevention Program grant funds for preventing or responding to the unlawful entry of an alien or providing support to another entity relating to preventing such an entry. In order to be permitted to use such funds for such purposes, a State would have to be carrying out the activity pursuant to an agreement with a Federal agency.

Section 501 would make the use of expedited removal mandatory against aliens suspected of having entered the United States without inspection who are neither Mexican nor Canadian, who are apprehended within 100 miles of the U.S. international border, and have been in the United States for 14 days or fewer. Detention facilities are not available to house all of the immigrants who will be subject to mandatory detention under this program.

In fact, more than 110,000 aliens were released in FY2005 for lack of bed space. Section 601 would, notwithstanding treaty obligations, permit the U.S. government to send aliens to countries where they are likely to be tortured.

Section 602 would permit the government to subject aliens to indefinite detention without there being any charges against the alien.

Title VII would require the expansion of the Basic Pilot employment verification program to all employers, requiring that they use it to verify the identity and employment eligibility of each of the 54 million persons that get hired each year and the 146 million persons who currently are employed in the United States. It also would dramatically increase the fines employers face if they hire undocumented workers. It also calls for a study of an enhanced social security card that would contain biometric and other personal information on a magnetic strip that all persons in the country would have to use when seeking employment in the United States.

I will just mention one more example. Title VIII contains a provision that would strip courts of the ability to review decisions by immigration officers to deny relief and to deport aliens, including persons whose visas are revoked, persons fleeing persecution. Moreover, it contains a provision in section 806 that would require nonimmigrants coming to the United States temporarily for work, school, or as tourists to waive any right to any review of an immigration officer’s decision as a precondition to getting a visa.

Twenty years of short-sighted, enforcement-only legislation has created the largest illegal population in our nation’s history and H.R. 4432 is just more of the same. Far from being pro-security and pro-enforcement, this bill actually undermines enforcement and security by increasing the population of people here illegally, sweeping under the rug the 11 million here without papers, and ignoring those who will still come to the U.S. because they’re coming to work. As the President, Secretary Michael Chertoff, and other key leaders in both parties have said, we cannot enforce our way out of the problem that is our current immigration system. The problem demands a comprehensive, workable answer that restores respect for the rule of law with fair rules that are evenly enforced—not enforcement without hope for success.

U.S. DEPARTMENT OF STATE’S RECENT ACTION TO REINSTATE FOREIGN MILITARY FINANCING AND DEFENSE EXPORTS TO INDONESIA

HON. TAMMY BALDWIN
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Sunday, December 18, 2005

Ms. BALDWIN. Mr. Speaker, I rise today in strong opposition to the U.S. Department of State’s recent action to reinstate Foreign Military Financing (FMF) and defense exports to Indonesia, by waiving restrictions placed on that aid by this Congress.

In 2000, due to the Indonesian military’s record of abuse in places such as East Timor, Congress responsibly placed conditions on military assistance packages to Indonesia. The restrictions on military aid to Indonesia were included, once again, in the Fiscal Year 2006 Foreign Operations Appropriations bill. Two days after the bill became law in November 2005, the State Department waived all remaining restrictions on Foreign Military Financing and defense exports to Indonesia. This Administration’s action was a clear contravention of the will of this Congress. It greatly diminishes the leverage we have to press for human rights improvements.

Organizations such as the East Timor Action Group and Human Rights Watch are highly critical of this waiver. Indonesian military officers and soldiers who have committed human rights violations have not been prosecuted. At least 15 human rights defenders, including Indonesia’s foremost human rights advocate Munir, have been murdered since 2000. To date, no senior Indonesian officer has been held accountable for crimes against humanity in East Timor in 1999 or before.

To this day, there are reports of the Indonesian military terrorizing the people of West Papua, but documenting these human rights violations is nearly impossible because the government and military severely limit access to the province.

While the people of Indonesia have made democratic advances, these have happened in spite of the military. I believe the Bush Administration’s decision to waive the restrictions this Congress placed on FMF and defense exports to Indonesia could threaten the democratic advances by once again propping up brutal forces. Human rights activists in Indonesia and East Timor have repeatedly called for continued restrictions of U.S. military assistance to Indonesia. I am disappointed the Bush Administration has chosen to ignore them.
hometown, and I ask you to join me to with the chief and his officers congratulations on their Centennial year.

STEM CELL THERAPEUTIC AND RESEARCH ACT OF 2005

HON. W. TODD AKIN
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Sunday, December 18, 2005

Mr. AKIN. Mr. Speaker, I rise today to strongly support the passage of the Stem Cell Therapeutic and Research Act of 2005. This bill will encourage and support the most promising avenue of stem cell research available to us today, and will do so without ending a human life, as is required in embryonic stem cell research. Cord blood is one of the most exciting areas of medical research today and successful treatments have been developed for a wide range of diseases, from sickle cell anemia to leukemia.

The promise of medical research using the stem cells found in umbilical cords is truly amazing. Stem cells from cord blood have already resulted in treatments for at least 67 different human afflictions and future research looks immensely promising. Just one example of this is the successful treatment of numerous children afflicted by Krabbe’s Disease. Dozen’s of children across the country have been saved from an early death by cord blood transplants. This legislation will make cord blood more readily available to save lives and treat numerous conditions.

This summer I had the opportunity to visit a leading center of cord blood-based stem cell research, the St. Louis Cord Blood Bank at Cardinal Glennon Children’s Hospital. The hospital is one of the leaders in this field and is the second largest cord blood bank in the world. It was exciting to see the research being done and hear stories about the lives that have been radically altered by successful cord blood treatments. I believe that the work being done by the St. Louis Cord Blood Bank is just a taste of what can be accomplished in the future.

While embryonic stem cell research may draw more media attention and certainly produces many improbably optimistic promises for the future, cord blood stem cells are already producing treatments. Embryonic stem cell research requires the death of an innocent embryo, but cord blood stem cells are a gift from God that we would be irresponsible to waste. Cord blood stem cell research has already resulted in numerous successful medical treatments, and I believe that this research has a bright future. The support and coordination of cord blood banking and research efforts across the country will benefit our citizens in numerous ways in the years ahead. I urge my colleagues to support the Stem Cell Therapeutic and Research Act of 2005.

MANAGEMENT OF THE MISSOURI RIVER AND THE CROP INSURANCE PROGRAM

HON. KENNY C. HULSHOF
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Sunday, December 18, 2005

Mr. HULSHOF. Mr. Speaker, as my colleagues know, Federal actions that negatively impact private property inflame the passions of farmers. This is certainly the case for the farmers in my district who make their living along the Missouri River, particularly as it relates to the efforts of some to create an artificial spring rise on the Missouri River.

On one side, bureaucrats and fringe special interests—absent sound science or empirical data—want to periodically flood the lower Missouri River basin in the hopes of helping the endangered pallid sturgeon spawn. On the other side, concerned farmers, river stakeholders, Missouri’s congressional delegation, and Governor Matt Blunt will name a few—understand that increasing river flows above the normal river levels during a volatile time of year—one in which farmers are most vulnerable—will cause flooding of adjacent farmland, infrastructure and even entire communities. Those of us on this side of the debate know that only sound science should be used as a basis for our river policy, and actions meant to help wildlife—especially actions that lack scientific merit—should not take precedence over the needs of the people who live and work along the river.

Despite this, the Army Corps of Engineers was compelled to include two artificial spring rises in their 2006 operating plan for the Missouri River. While the broad coalition that opposes this misguided spring rise fully intends to continue fighting implementation of these unproven and scientifically questionable spring rises, I want to make the House aware of an issue that we will need to address, should the Corps move forward with spring rises in 2006.

For years now, some of us opposed to a spring rise made the common sense assumption that the U.S. Department of Agriculture’s Risk Management Agency would serve as a safety net for those adversely affected by the spring rise, providing crop insurance coverage to those harmed by government-induced flooding, such as a spring rise on the Missouri River.

Apparently, it is the opinion of some that this is not the case. Just this week, the Risk Management Agency administrator stated in a letter dated December 15, 2005, that the Risk Management Agency “is prohibited by law from covering losses due to a government-sanction release of water by the Corps because it does not qualify as a naturally occurring event.”

To me, and to those I represent who live along the river, this policy defies logic. Compensation is the rule, not the exception, and the government should not enjoy in this nation is the right to know that our property is free from confiscation absent the protections of the Fifth Amendment. When the government does confiscate a citizen’s property, the United States Constitution requires the government to provide the citizens from whom the property is confiscated full and fair compensation for the property that has been taken.

A matter has come to my attention in which the United States government falls tragically short of meeting this obligation. I refer to those individual property owners in St. Louis County whose property has been confiscated by the Federal Government for use as a public recreational trail under the Federal Trails Act. These citizens’ property was taken more than 12 years ago when it was converted to a recreational trail under the Federal Trails Act, and they have still not received compensation.

This is so despite the fact that the Justice Department has admitted in a settlement agreement and in numerous court pleadings that the Federal Government has confiscated their property and that the Fifth Amendment to the U.S. Constitution requires that the Federal Government pay those property owners the fair value of the property taken. The Justice Department and the property owners each hired appraisers who determined the fair value of the property and after 6 years of litigation in the Federal Court of Claims a settlement agreement was reached.

Yet, two days before this agreement was to be approved by the judge, the Federal Circuit Court of Appeals issued a decision in a Georgia case called Caldwell v. United States. The
Justice Department and the U.S. Court of Claims have interpreted that case as announcing a new rule for the time when a property owner must file a claim to recover the value of his property taken by operation of the Trails Act. This “new rule” is inconsistent with the understanding of Congress when it passed the Trails Act in 1987. As announced by the dissenting opinion in the Caldwell case, is “contrary to all authority.” The Federal Circuit decided that the statute of limitations for Trails Act compensation claims begins to run, not when the property owner’s land is actually taken from the landowner, but when the Surface Transportation Board issues a notice that there is a possibility that the land might be taken in the future.

Mr. Speaker, the “new rule” announced by the Court, as it has been interpreted and applied by the Justice Department and the lower courts, will work a great injustice to a limited number of property owners whose property has been confiscated but will now be denied compensation, while at the same time requiring the Federal Government to pay compensation for property that might never be converted to a public recreational trail. The new Caldwell rule will cost the Federal Government plenty—requiring taxpayers to pay significantly greater interest for compensation claims than before the property was ever taken from the landowners.

Mr. Speaker, this injustice is best illustrated by the letter I received from Gale and Sara Illig. Mr. and Mrs. Illig live in my home county of St. Louis, Missouri and their property was taken by the rail trail organization now claims the right to use the full 100 foot width of the original railroad easement, including the right to cut and remove all of the foliage on this part of our property. We think that recreational trails are a fine thing. It is just that when, as in our situation, the federal government runs the trail through our property without our consent, we believe we should be fairly compensated for this taking of our property. This public trail runs just several feet from our sunroom and across almost the entire southern third of our property.

We have always understood that the U.S. Constitution provided us the guarantee that if our property were to be taken we would be compensated. I mentioned that we are a family of modest means and this is true. This causes us to feel even more painfully the effect that this taking of our property has had upon our own home value. The Justice Department also agreed that they would pay us this money and that they were responsible to make this payment under the Fifth Amendment of the U.S. Constitution. The Justice Department also agreed to pay us interest on this because it has now been 13 years since our land was taken. The Justice Department’s agreement that they would pay us was long overdue but was very welcome.

As we get older we face the realistic understanding that we will not be able to live in our home forever. During the twelve years since the trail was created, Gale has suffered both cancer and a multiple heart valve replacement. The value that we have built up in our home is an asset that we look to provide for our needs when we reach a point where we are no longer able to use this home and need to move into other living arrangements. For this reason the $72,065 plus interest since 1992, while not much money to the Federal Government, is a large sum to us. This is why we were so pleased when the settlement was reached last December.

The government’s agreement is still one of the most outrageous experiences in our life and represents a devastating financial setback for our family. The property owner’s interest and it will provide that those property owners in the limited number of cases affected by this Caldwell decision are, in fact, provided full, fair compensation for the property that the Federal Government took from them while, at the same time ensuring that the Federal Government does not use taxpayers’ funds to pay for claims where it did not take any property and where, ultimately, no recreational trail is ever created. In so doing, we will bring justice on behalf of those owners whose property is taken and we will also preserve and steward the taxpayers’ resources by not paying for claims where no recreational trail for public use is ever created. This bill will provide the constitutionally mandated compensation to those property owners whose lands have been confiscated (as the Justice Department has already admitted) while on a broader level saving the Government from having to pay money for property that is never taken for a public recreational trail and prevent the Federal Government from having to pay interest for a “taking” of property years before the property owner is even aware that the case exists. We are grateful for your help on this matter of such great importance to us.

Warmest regards,

Sarah and Gale Illig

Mr. Speaker, this letter demonstrates my initial point that the Federal Government has dramatically fallen short of President Lincoln’s standard of “providing prompt justice against itself in favor of citizens”. Mr. Speaker, H.R. 4581 remedies this injustice and also returns administration of the Trails Act to a manner consistent with Congress’ intention when initially passed.

THE PURPOSE OF H.R. 4581, THE EASEMENT OWNERS’ FAIR COMPENSATION CLAIMS ACT OF 2005

The Easement Owners’ Fair Compensation Claims Act of 2005 will remedy the injustice worked by the Federal Circuit Decision in Caldwell v. United States. It will establish clearly Congress’s intent regarding when the federal government is required to pay the property owner’s interest and it will provide that those property owners in the limited number of cases affected by this Caldwell decision are, in fact, provided full, fair compensation for the property that the Federal Government took from them while, at the same time ensuring that the Federal Government does not use taxpayers’ funds to pay for claims where it did not take any property and where, ultimately, no recreational trail is ever created. In so doing, we will bring justice on behalf of those owners whose property is taken and we will also preserve and steward the taxpayers’ resources by not paying for claims where no recreational trail for public use is ever created. This bill will provide the constitutionally mandated compensation to those property owners whose lands have been confiscated (as the Justice Department has already admitted) while on a broader level saving the Government from having to pay money for property that is never taken for a public recreational trail and prevent the Federal Government from having to pay interest for a “taking” of property years before the property owner is even aware that the case exists. We are grateful for your help on this matter of such great importance to us.

In short, H.R. 4581 restores the date for starting the statute of limitations to the date

December 18, 2005

CONGRESSIONAL RECORD — Extensions of Remarks
when the property owners’ rights to the property are actually taken by the Federal Government. This is consistent with Congress’s intention when the Trails Act amendments were passed in 1983 and will assure compensation to those property owners whose property the Government already acknowledged taking but not require the Government to pay compensation or interest for property never converted to trail use. H.R. 4581 will not undercut the operation of the Trails Act but will actually make it more cost efficient and will fairly treat those property owners whose property is actually taken for a trail.

HONORING THE WORK OF RAY BECK

HON. KENNY C. HULSHOF
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Sunday, December 18, 2005

Mr. HULSHOF. Mr. Speaker, I rise today in recognition of Ray Beck, the presiding city manager of Columbia, MO, as he is retiring this January after 45 years of service to the city of Columbia. Ray has held numerous positions during his tenure with the city of Columbia, the most notable of which is his current post of city manager, which he has held since 1985.

The second youngest of six children, Ray Beck was born in St. Elizabeth, MO, on November 9, 1932. After graduating from St. Elizabeth High School, Ray went on to earn both a bachelor’s and a master’s degree in engineering from the University of Missouri-Columbia. Ray then dutifully served his country as an officer in the US. Army. He is also a graduate of the US. Army Field Artillery School as well as the US. Army Command and General Staff College.

Ray always knew that his life would be best spent working as a public servant. As my colleagues here in this Chamber can attest, public service can be an extremely rewarding experience. This calling is the reason why I ran for Congress and am fortunate enough to represent the good people of the Ninth District of Missouri. I am saddened to see Ray leave this position with the city of Columbia, as he has not only been an invaluable resource to the city and myself, he has also become a good friend. His counsel and words of wisdom have certainly aided me as we worked collaboratively for the benefit of Columbia.

Columbia looks a lot different today than in 1960 when Ray first started working for the city. Over this time span, Columbia’s population has more than doubled to its current size of roughly 91,000 residents. The cityscape continues to evolve as more and more families and businesses flock to the area. With its strong business climate, close-knit community, excellent public schools and ready access to world-class higher education, Columbia has consistently been ranked as one of the most desirable places to live. Ray can look back with pride at this progress.

Through his official capacities as city manager, Ray has helped Columbia develop into the vibrant city it is today. During his tenure, Columbia established a city-operated waste removal program, expanded the local parks and recreation services, and implemented a municipally operated transit system as well as many other public works projects.

Whether it was working to improve the city’s sewer systems, roadways or public utilities, these infrastructure improvements have made Columbia a better place to live and work. Ray accomplished all of this and much more while working with 14 different mayors.

Aside from his official duties, Ray has always been actively involved in the community. Through his involvement with the National Recreation and Parks Association, the University of Missouri-Columbia Dean’s Engineering Advisory Council, or the Missouri Highways Engineers Association, Ray was always seeking additional resources or contacts that could assist him in his various endeavors for the city. His drive, however, was not only limited to work related activities. Ray should be commended for his good work and involvement with the MU Alumni Association, the United Way and the U.S. Army Retired Officers’ Association, just to name a few.

When Ray retires this January, I suspect he may shed a few tears—some of joy and some of sadness. But when he looks back upon his career, I hope he realizes how much his work has improved the lives of those who make Columbia their home. And for that, I am eternally grateful.

I know his new priorities will no longer focus either on housing or sewer systems, but spending time with his wife, Dee, his 4 children, his 13 grandchildren and his many friends. I only hope that on the day of my retirement I can look back upon a career as accomplished as his.

Ray, I sincerely thank you for your dedication and service to Columbia and the State of Missouri. Congratulations on a well-deserved retirement.
HIGHLIGHTS


Senate

Routine Proceedings, pages S13971–S13973
Messages From the House: Page S13973
Additional Cosponsors: Page S13973
Adjournment: Senate convened at 6 p.m., and adjourned at 8:37 p.m., until 9:30 a.m., on Monday, December 19, 2005. (For Senate's program, see the remarks of the Majority Leader in today’s Record on page S13972.)

Committee Meetings

No committee meetings were held.

House of Representatives


Additional Cosponsors: Page H12290

Reports Filed: Reports were filed today as follows:

Conference report on H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006 (H. Rept. 109–359);

Conference report on H.R. 1815, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2006 (H. Rept. 109–359); 

H. Res. 639, waiving points of order against the conference report to accompany the bill (H.R. 2863) making appropriations for the Department of Defense for the fiscal year ending September 30, 2006 (H. Rept. 109–361); and

Conference report on S. 1932, to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95) (H. Rept. 109–362).

H. Res. 640, waiving points of order against the conference report to accompany the bill (S. 1932) to provide for reconciliation pursuant to section 201(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Rept. 109–363).

Rule for consideration of suspensions: The House agreed to H. Res. 631, providing for consideration of motions to suspend the rules by voice vote, after agreeing to the Sessions amendment by voice vote and the previous question.

Suspensions: The House agreed to suspend the rules and pass the following measures:
Expressing the sense of the House of Representa-
tives on the arrest of Sanjari Umarov in Uzbek-
istan: H. Res. 545, to express the sense of the
House of Representatives on the arrest of Sanjar
Umarov in Uzbekistan; Pages H12178–79

Expressing the sense of Congress with respect to
the 2005 presidential and parliamentary elections
in Egypt: H. Con. Res. 284, amended, to express
the sense of Congress with respect to the 2005 presi-
dential and parliamentary elections in Egypt, by a
yea-and-nay vote of 388 yea to 22 nays, Roll No.
667; Pages H12179–82, H12243–44

Passport Services Enhancement Act of 2005: 
H.R. 4501, amended, to amend the Passport Act
of June 4, 1920, to authorize the Secretary of State
to establish and collect a surcharge to cover the costs
of meeting the increased demands for passports as
a result of actions taken to comply with section
7209(b) of the Intelligence Reform and Terrorism
Prevention Act of 2004; Page H12182

Authorizing the transfer of items in the War Reserves
Stockpile for Allies, Korea: S. 1988, to au-
thorize the transfer of items in the War Reserves
Stockpile for Allies, Korea—clearing the measure for
the President; Pages H12182–83

Terrorist Rewards Enhancement Act: H.R.
2329, to permit eligibility in certain circumstances
for an officer or employee of a foreign governmen
to receive a reward under the Department of State
Rewards Program;

Expressing support for the memorandum of un-
derstanding signed by the Government of the Rep-
ublic of Indonesia and the Free Aceh Movement
on August 15, 2005, to end the conflict in Aceh,
a province in Sumatra, Indonesia: H. Res. 456, to
express support for the memorandum of under-
standing signed by the Government of the Republic
of Indonesia and the Free Aceh Movement on Au-
gust 15, 2005, to end the conflict in Aceh, a prov-
ince in Sumatra, Indonesia; Pages H12185–86

Expressing the sense of Congress regarding the
education curriculum in the Kingdom of Saudi
Arabia: H. Con. Res. 275, to express the sense of
Congress regarding the education curriculum in the
Kingdom of Saudi Arabia; by a yea-and-nay vote of
351 yea to 1 nay, with 2 voting “present”, Roll
No. 671; Pages H12186–87, H12277

Native American Housing Enhancement Act of
2005: H.R. 797, with a Senate amendment, to
amend the Native American Housing Assistance and
Self-Determination Act of 1996 and other Acts to
improve housing programs for Indians;

Little Rock Central High School Desegregation
50th Anniversary Commemorative Coin Act: H.R.
358, with a Senate amendment, to require the Sec-
retary of the Treasury to mint coins in commemora-
tion of the 50th anniversary of the desegregation of
the Little Rock Central High School in Little Rock,
Arkansas; and

Honoring Helen Sewell on the occasion of her re-
tirement from the House of Representatives and
expressing the gratitude of the House for her many
years of service: H. Res. 633, to honoring Helen Se-
well on the occasion of her retirement from the
House of Representatives and expressing the grati-
itude of the House for her many years of service, by
voice vote, after agreeing by unanimous consent that
the House vacate the ordering of the yea and nays
on adoption of the House Resolution to the end that
the Chair may put the question on the resolution de
novo.

Recess: The House recessed at 4:10 p.m. and recon-
vened at 11:53 p.m. Pages H12195, H12199

Year 2006—Conference Report: The House began
consideration of the conference report on H.R. 1815,
to authorize appropriations for fiscal year 2006 for
military activities of the Department of Defense, for
military construction, and for defense activities of
the Department of Energy, to prescribe military per-
sonnel strengths for such fiscal year, by a yea-and-
nay vote of 374 yea to 41 nays, Roll No. 665.
Pages H12200–12, H12242

Agreed by unanimous consent that the House va-
cate the ordering of the yea and nays on adoption
of House Resolution 632 to the end that the Chair
may put the question on the resolution de novo.

Agreed to H. Res. 632, waiving a requirement of
clause 6(a) of Rule XIII with respect to the same day
consideration of certain resolutions reported by the
Rules Committee, by voice vote. Pages H12176–78

Agreed by unanimous consent that it be in order
at any time to consider a conference report to accom-
pany H.R. 1815; that all points of order against the
conference report and against its consideration be
waived; that the conference report be considered as
read.

Pages H12199–H12200

Designating the facility of the United States
Postal Service located at 332 South Main Street
in Flora, Illinois, as the “Robert T. Ferguson
Post Office Building”: The House agreed by unani-
mous consent to H.R. 1287, amended, to designate
the facility of the United States Postal Service lo-
cated at 332 South Main Street in Flora, Illinois, as
the “Robert T. Ferguson Post Office Building”.

Page H12212
Agreed to amend the title so as to read “To designate the facility of the United States Postal Service located at 312 East North Avenue in Flora, Illinois, as the “Robert T. Ferguson Post Office Building”."

Designating the facility of the United States Postal Service located at 8135 Forest Lane in Dallas, Texas, as the “Dr. Robert E. Price Post Office Building”: The House agreed by unanimous consent to H.R. 4246, to designate the facility of the United States Postal Service located at 8135 Forest Lane in Dallas, Texas, as the “Dr. Robert E. Price Post Office Building”.

Designating the facility of the United States Postal Service located at 3000 Homewood Avenue in Baltimore, Maryland, as the “State Senator Verda Welcome and Dr. Henry Welcome Post Office Building”: The House agreed by unanimous consent to H.R. 4108, to designate the facility of the United States Postal Service located at 3000 Homewood Avenue in Baltimore, Maryland, as the “State Senator Verda Welcome and Dr. Henry Welcome Post Office Building”.

Designating the facility of the United States Postal Service located at 6101 Liberty Road in Baltimore, Maryland, as the “United States Representative Parren J. Mitchell Post Office”: The House agreed by unanimous consent to H.R. 4109, to designate the facility of the United States Postal Service located at 6101 Liberty Road in Baltimore, Maryland, as the “United States Representative Parren J. Mitchell Post Office”.

Designating the facility of the United States Postal Service located at 4422 West Sciota Street in Scio, New York, as the “Corporal Jason L. Dunham Post Office”: The House agreed by unanimous consent to H.R. 4515, to designate the facility of the United States Postal Service located at 4422 West Sciota Street in Scio, New York, as the “Corporal Jason L. Dunham Post Office”.

Supporting the goals and ideals of National Teen Dating Violence Awareness and Prevention Week: The House agreed by unanimous consent to H. Res. 483, amended, to support the goals and ideals of National Teen Dating Violence Awareness and Prevention Week, after agreeing to the Issa amendment.

Agreed to amend the title so as to read “Supporting the ideals of National Teen Dating Violence and Prevention Week.”

Commemorating the life, achievements, and contributions of Alan Reich: The House agreed by unanimous consent to H. Res. 586, amended, to commemorate the life, achievements, and contributions of Alan Reich, after agreeing to the Issa amendment.

Buffalo Soldiers Commemoration Act of 2005: The House agreed by unanimous consent to S. 205, to authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers—clearing the measure for the President.

Benjamin Franklin National Memorial Commemoration Act of 2005: The House agreed by unanimous consent to S. 652, to provide financial assistance for the rehabilitation of the Benjamin Franklin National Memorial in Philadelphia, Pennsylvania, and the development of an exhibit to commemorate the 300th anniversary of the birth of Benjamin Franklin—clearing the measure for the President.

Delaware Water Gap National Recreation Area Natural Gas Pipeline Enlargement Act: The House agreed by unanimous consent to S. 1310, to authorize the Secretary of the Interior to allow the Columbia Gas Transmission Corporation to increase the diameter of a natural gas pipeline located in the Delaware Water Gap National Recreation Area, to allow certain commercial vehicles to continue to use Route 209 within the Delaware Water Gap National Recreation Area, and to extend the termination date of the National Park System Advisory Board to January 1, 2007—clearing the measure for the President.

Public Lands Corps Healthy Forests Restoration Act of 2005: The House agreed by unanimous consent to S. 1328, to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests—clearing the measure for the President.

Indian Land Probate Reform Technical Corrections Act of 2005: The House agreed by unanimous consent to S. 1481, to amend the Indian Land Consolidation Act to provide for probate reform—clearing the measure for the President.

Amending Public Law 107–153 to modify a certain date: The House agreed by unanimous consent to S. 1892, to amend Public Law 107–153 to modify a certain date—clearing the measure for the President.

Spent Nuclear Fuel On-Site Storage Security Act of 2005: The House agreed by unanimous consent to H.R. 2099, to amend the Nuclear Waste Policy Act of 1982 to require commercial nuclear utilities to transfer spent nuclear fuel from spent nuclear fuel pools into spent nuclear fuel dry casks and convey to the Secretary of Energy title to all spent nuclear fuel thus safely stored.

Rejected the Obey motion to recommit the conference report to the conference committee with instructions to the managers on the part of the House not to include Chapter 8 of Title III of Division B, by a recorded vote of 183 ayes to 231 noes, Roll No. 660.

Agreed to H. Res. 639, providing for consideration of the conference report, by a yea-and-nay vote of 214 yeas to 201 nays, Roll No. 666, after agreeing to order the previous question.

Deficit Reduction Act of 2005—Conference Report: The House agreed to the conference report on S. 1932, to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95), by a yea-and-nay vote of 212 yeas to 206 nays, Roll No. 670, after ordering the previous question.

H. Res. 640, the rule providing for consideration of the conference report, was agreed to by voice vote.


Authorizing 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: The House agreed by unanimous consent to 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.

Enacting the technical and conforming amendments necessary to implement the Federal Deposit Insurance Reform Act of 2005: The House agreed by unanimous consent to H.R. 4636, to enact the technical and conforming amendments necessary to implement the Federal Deposit Insurance Reform Act of 2005.

Directing the Joint Committee on the Library to accept the donation of a bust depicting Sojourner Truth and to display the bust in a suitable location in the rotunda of the Capitol: The House agreed by unanimous consent to H.R. 4510, amended, to direct the Joint Committee on the Library to accept the donation of a bust depicting Sojourner Truth and to display the bust in a suitable location in the rotunda of the Capitol, after agreeing to the Jackson-Lee amendment.


Reauthorizing the Temporary Assistance for Needy Families block grant program through March 31, 2006: The House agreed by unanimous consent to H.R. 4655, to reauthorize the Temporary Assistance for Needy Families block grant program through March 31, 2006.

Adjournment Resolution: The House agreed to H. Con. Res. 326, providing for the sine die adjournment of the One Hundred Ninth Congress, First Session.

Extension of Remarks: Agreed that Members may have until publication of the last edition of the Congressional Record authorized for the first session of the 109th Congress by the Joint Committee on Printing to revise and extend their remarks and to include brief, related extraneous material on any matter occurring before the adjournment of the first session sine die.

Resignations—Appointments: Agreed that during the second session of the 109th Congress, the Speaker, the Majority Leader and Minority Leader be authorized to accept resignations and to make appointments authorized by law or by the House.

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Gilchrest, Representative Wolf, and Representative Tom Davis of Virginia to act as Speaker pro tempore to sign enrolled bills and joint resolutions through January 31, 2006.

Quorum Calls—Votes: Six yea-and-nay votes and one recorded vote developed during the proceedings of the House today and appear on pages H12242, H12242–43, H12243–44, H12267–68,
H. 12268–69, H. 12276–77, and H. 12277. There were no quorum calls.

Adjournment: The House met at 1 p.m. and at 6:30 a.m. on Monday, December 19th, pursuant to the previous order of the House of today, the House stands adjourned until 4 p.m. on Thursday, December 22, 2005, unless it sooner has received a message or messages from the Senate transmitting its adoption of a conference report to accompany H.R. 2863, its adoption of a conference report to accompany H.R. 3010, and its adoption of House Concurrent Resolution 326, in which case the House shall stand adjourned sine die pursuant to that concurrent resolution.

**Committee Meetings**

**DEPARTMENT OF DEFENSE APPROPRIATIONS, FY 2006—CONFERENCE REPORT**

*Committee on Rules:* Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 2863, Department of Defense Appropriations, FY 2006, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Chairman Young of Florida and Representative Burton.

**DEFICIT CONTROL ACT 2005—CONFERENCE REPORT**

*Committee on Rules:* Granted, by voice vote, a rule waiving all points of order against the conference report to accompany S. 1932, Deficit Control Act of 2005, and against its consideration. The rule provides that the conference report shall be considered as read. The rule provides that Section 2 of House Resolution 619 is amended to read as follows: “On any legislative day of the second session of the One Hundred Ninth Congress from January 3, 2006, through January 30, 2006, the Speaker may dispense with organizational and legislative business,” Testimony was heard from Chairman Nussle.

**COMMITTEE MEETINGS FOR MONDAY, DECEMBER 19, 2005**

*Committee meetings are open unless otherwise indicated*

**Senate**

No meetings/hearings scheduled.

**House**

No committee meetings are scheduled.
Next Meeting of the SENATE
9:30 a.m., Monday, December 19

Senate Chamber

Program for Monday: Senate will be in a period of morning business. Also, Senate expects to consider any cleared legislative and executive matters, including conference reports when available.

Next Meeting of the HOUSE OF REPRESENTATIVES
To be announced.

House Chamber

Program for Monday: To be announced.