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House of Representatives

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.

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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.

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By order of the Joint Committee on Printing.

TRENT LOTT, *Chairman.*

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

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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 created strong 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 home ownership 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 grow 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 what 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 the land, it will destroy the herd, it will destroy the tribe. 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 reconcile with nature in this season 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 colonials 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, over 1.5 million Americans 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 they 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 heroics 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 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.

(6) The bill (S. 1988) 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

Hill Police Department, members of the United States military who protect our great country, our staffs, as well as the people who work for the United States House of Representatives who serve with honor and distinction. We deserve to give them thanks for all that they have done on what surely will be the last day of this first session of Congress. But there is still much work left to be done, and we recognize that we are here to do that.

The Republican leadership of this House has set forth yet again a positive legislative agenda for the remainder of this week and the balance of this first session of the 109th Congress. The goal of this plan is to address a number of outstanding issues that still remain on Congress' calendar before we adjourn, and we must utilize this schedule to make sure we maintain our commitment to improving America's economic and national security.

One of the things, Mr. Speaker, that sets America apart from other nations is that we do not expect others to do the work for us. We take part and get it done ourselves, and that is what this Congress is doing.

Over the past year, we have passed a number of important new education, health care, trade, tax and national security bills that will keep America safer and healthier, create new jobs and improve our economy. This rule will allow the House to consider a number of additional bills today under suspension of the rules that will ensure that Congress can complete more additional work necessary before we go home for the holidays.

This rule makes in order the consideration of eight bills under suspension of the rules. These bills will accomplish important domestic goals such as reforming the Federal deposit insurance system and reauthorizing the Temporary Assistance for Needy Families block grant program through March 31, 2006.

The suspension authority allows us to consider necessary and noncontroversial items such as H.R. 4501, which amends the Passport Act in order to comply with the Intelligence Reform and Terrorism Prevention Act of 2004; a bill to authorize the transfer of items in the War Reserves Stockpile; and H.R. 2329, to allow an officer of a foreign government to receive an award under the Department of State Rewards Program under certain circumstances.

This rule also recognizes the importance of democracy throughout the world. H. Con. Res. 284 expresses the sense of Congress with respect to the 2005 presidential and parliamentary elections in Egypt. Another resolution, H. Res. 545, expresses the sense of the House of Representatives on the arrest of Sanjar Umarov in Uzbekistan.

Finally, we have a great opportunity today to honor a very dear friend of mine and a friend of this House, Helen Sewell, as part of the suspension calendar today. This resolution honors 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 Ford, former President George Herbert 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.

□ 1315

This rule simply provides us with the tools needed to ensure that all of this important work is 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 noncontroversial 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 customary 30 minutes, and I yield myself such time as I may consume.

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

Mr. MCGOVERN. 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 tucked into 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 Hurricanes 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 foursquare for human rights. And 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 bad thing. But despite the apparent 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 also told 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.

Now, putting aside the corruption scandals that hang like a dark cloud over the Congress and the White House, what we see is an inability to govern. When Hurricane Katrina hit the gulf coast, the Federal Government responded miserably. The President put a political appointee in charge of FEMA who was incompetent. The President took responsibility, but ultimately the incompetence and cronyism of his administration led to a disaster that included the loss of many lives.

On the war in Iraq: 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 were 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 so many others, want genuine reform and change. I want accountability.

This all brings me to this Congress. There is a reason why this Congress has only a 25 percent approval rating. It is because you are doing a lousy job. You are trashing the rules and regular order. The selling of legislation to the highest bidder, the hard-ball tactics against your own Members to win votes, your lack of oversight and demand for accountability from this administration, all that and more is catching up to you. People are watching. People do care. They believe that you cannot competently run this government, and they want the government back.

The mess that we have before us cannot be blamed on Democrats. After all, as I have said, Republicans control everything. You cannot blame this on Bill Clinton, even though some of you try, because he has been gone now for a full 5 years. This is your fault. The battles going on behind closed doors are between your right wing and your far right wing. For those of us in the minority, and many on your side who want good government, this is a frustrating period.

Mr. Speaker, nobody denies that leadership of Congress is a hard task, but either you live up to the responsibilities or you acknowledge it is time for a change. After this sorry year, it is time for a change.

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

Mr. SESSIONS. Mr. Speaker, I thank my colleague, the gentleman from Massachusetts, who has very well articulated some of the differences that exist in this body. Our ability to work through those differences is why we come to work.

We recognize and know that we began this year with a presentation of the State of the Union by the President of the United States who clearly outlined those things which would be important goals for the year, not only for Congress but for the American people and certainly those things that deal with the war in Iraq.

My party, the Republican Party, has been very conscientious about those things which we believe we told the American people that we would do last November. We reiterated we would not raise taxes, as the Democrat Party wanted to do. We indicated that we would not cut and run from the war, which is what many people in the Democrat Party want to do. We recognize that those things that are ahead of us are very difficult choices that have to be made.

We have concentrated our activities on an attempt to streamline the budget process and make ourselves available to working with government for more efficiency. We accomplished for the first time this year a chance for all of our appropriations bills to be done by the July 4 break. Given the world as it was, that was a great idea. But we then were struck with a number of the largest hurricanes that have ever hit 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 consternation throughout 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 those 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 spending; 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 from the Democrat Party and those elements 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 the way in which we do. I respect our colleagues who bring adversity and their thoughts to the floor, 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 Republican majority said we were to adjourn, in part because they have not done a very good job of getting our business done.

Secondly, we can argue about priorities and we can argue about policies, and that is all fine and good; but one of the issues that I raised is the issue of competence. When we have disasters in this country, like Hurricane Katrina, the response of the Federal Government was miserable. It demonstrated a stunning incompetence that I am not sure has been fixed yet. People are still not getting response from the Federal Government in the Gulf States that they, quite frankly, deserve.

Thirdly, in terms of debate and how legislation is brought to the floor, I think that is another failure of this Congress. We do have debates in the Rules Committee, sometimes at weird hours, where not a lot of people get to hear them. But routinely, on major pieces of legislation, they are brought to the floor with very little advanced notice. Oftentimes, people do not have a chance to review what is in the legislation.

That is going to happen today with the Defense appropriations bill. No one will have an opportunity to review it. We will find out in a week or 2 weeks from now, because some Washington Post reporter or New York Times reporter or L.A. Times reporter will dig into it and find all these little goodies that none of us have a chance to know about in advance. That is not the way things should be done.

The Rules Committee, for example, routinely shuts us out of offering amendments to important pieces of legislation. We had a controversial resolution on Iraq that was on the floor the other day, and yet an alternative that was proposed by the ranking member of the International Relations Committee was deemed out of order. We had a pension reform bill that some of us had issues with, and we were denied a substitute.

On major bills that matter, we are shut out; and we are oftentimes not allowed the opportunity to try to get our points of view across on the House floor. 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.

Again, I have no problem with the suspensions that are being brought up here today. But in comparison to some of the issues that are facing this country, from poverty to the war in Iraq, to health insurance and the high price of gas, what we are talking about now is killing time with some relatively trivial matters. There are more important issues before us.

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 differences of opinion 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).

Mr. KUCINICH. Mr. Speaker, I thank my friend from Massachusetts for yielding me this time, and I continue invoking this question about rules and the climate that exists in this House where on one hand we feel we can come together on some things by unanimous consent and by facilitating the work of this House, and sometimes it is the right thing to do; and other times on rules we understand, and we are still

waiting for a rule which would facilitate including the Arctic National Wildlife Refuge in a Defense appropriations bill, and that would be a distortion of the purpose of the rules of the House.

It leads to the greatest fears 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.

□ 1330

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 alternative energies 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 caribou calving grounds, and it 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 true American spirit, of everything this country is said to stand for from its inception, return to a history of exploitation of native peoples any more than we could return to a history of slavery or a history of exploiting women where women had no rights.

We must take our stand now. Now we have to change the path we are on by changing who we are. When we perpetrate acts of violence unto others, we are damaging ourselves as humans. We cannot do this to the Gwich'in Tribe. We cannot do this to the Arctic Refuge 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 for 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 our utilization has been in the United States, and yet we continue to grow our economy. We continue to utilize these things with an increased population through efficiency.

The gentleman from Ohio had a chance to vote for a comprehensive energy bill just this year, a comprehensive energy bill that would put the Federal Government at the apex, at the forefront of making sure that we would lead the way through the government of finding and utilizing new technologies. The government will create a critical mass as a result of the spending which we will do to change government buildings and the way we do business to the most efficient forms that are available to us now and to create the future.

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 for a new world with tribes and 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 the opportunity for us to go to world leaders like Johns Hopkins University Medical Center, a leading edge in technologists and research and development people, people out at Stanford University Medical Center, like Dr. Bill Mobley, who are looking at genes and gene therapy and the opportunity through research and development to solve 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 great Nation, and the people will 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, 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, which puts us in a position where we have our troops right now 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's IRS records. 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 filler 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 the opportunity for us to be here today and his collegial 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 as 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 by and 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.

□ 1345

I do recognize that the other side, the Democrat Party, has different ideas about how to do things. But I am proud of my leadership, and I believe that the service of DENNIS HASTERT and those that are committee chairmen and those that are part of our leadership have stood the test of time to make sure that we are open and ready to do business, that we have the leading-edge thought process of this great Nation, that we are open to hearing from those who can help lead us to the greater pathways, and lastly, that we work with those constitutionally elected officials in a process to make sure that our Constitution is alive and well and a model to the world.

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 to 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 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.

(12) The concurrent resolution (H. Con. Res. 275) expressing the sense of Congress regarding the 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. RES. 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 on 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 which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

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

Mr. PUTNAM. Mr. Speaker, House Resolution 632 is a same-day rule that waives clause 6(a) 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 the process 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 rare use 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 by not giving Members 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 cannot be 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 wives and husbands and families 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 role 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 cataclysmic 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 through the Department of 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 have the relief that has been promised them 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 4 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 appropriators 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 Defense appropriations bill has 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, what are the oil companies 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 into 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? Reliance on nonrenewable 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.

□ 1400

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, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

EXPRESSING 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, 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 his rights under the Uzbekistan Constitution to defend himself against any and all charges that may be brought against him, in a fair and transparent process, so that individual justice may be done;

(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.

GENERAL 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 include extraneous 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.

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.

Mr. LANTOS. 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 throughout the former Soviet realm. Millions of oppressed citizens of the former Soviet Union, from the Baltics 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 and freedom 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 the resolution, H. Res. 545.

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.

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 freedom and democracy is a foreign policy and national security priority of the United States;

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

Whereas Egypt is the largest Arab nation comprising over half the Arab world's population;

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;

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

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

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.'';

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;

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;

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

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

Whereas in May 2005, the Judges Club, an unofficial union for judges, took the provisional decision to boycott 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 or less matching the number of available judges;

Whereas on September 2, 2005, a majority of the general assembly of the Judges Club decided that the 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, reportedly ignored 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, 2005, was largely peaceful, but reportedly marred by low turnout, general confusion over election procedures, alleged manipulation by government authorities, and other inconsistencies;

Whereas the presidential election was a potentially important step toward democratic reform 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 judges, stating that the government was trying to deprive the organizations of the right of free expression;

Whereas reports prepared by judges who monitored the parliamentary elections indicated that numerous violations occurred in the second and third rounds of voting, including the physical prevention of voters from casting their votes, the closure of roads and streets leading to polling stations, and assaults on several judges as they oversaw the elections and protested the security agencies measures to prevent voters from reaching polling stations;

Whereas other Egyptian nongovernmental election monitors also have complained that security forces blocked thousands of eligible voters from entering polling stations during the parliamentary elections;

Whereas poll monitors and human rights organizations reported that violence initiated by Egyptian security forces, coupled with wide-scale arrests, contributed to poor turnout across the country during the parliamentary elections;

Whereas violence during the parliamentary elections, including reports of excessive force by Egyptian security services, resulted in the deaths of several demonstrators and the wounding of dozens more;

Whereas Ayman Nour, Mr. Mubarak's only serious challenger in the presidential election, was declared in the parliamentary elections to have lost his seat—in a Cairo district that elected him twice before—to a former state security official with reported ties to President Mubarak;

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

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; and

Whereas it is in the national interests of the United States and Egypt that Egypt be governed by a truly representative, pluralist, and legitimate national parliament: Now, therefore, be it

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 grave 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 hold those 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 to allow peaceful, 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 election process across the country and at all levels;

(B) ensure the presence of accredited representatives of all competing parties and independent candidates 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—

(A) the type and nature of United States diplomatic engagement with the Government of Egypt; and

(B) the type and level of assistance to be requested for the Government of Egypt;

(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 the disappointment of the people and 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 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.

GENERAL 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 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 284, 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 free and 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, had to be updated from the version 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.

Election monitors complained 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.

□ 1415

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 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.

Mr. Speaker, it 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, I rise in strong 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 background of the decidedly noncompetitive 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 employ 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 nonuniformed 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 bulwark 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 crippled Nour's 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 some $2 billion 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 every free election.'' Unfortunately, the elections of 2005 fell far short of those standards.

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 would 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 towards 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 true democratization, buttressed 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 so.

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, which 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—as with the Presidential election—has been important, as elements of civil society begin to take a more active role in advocating for greater democratic freedom 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 IRI's delegates had spent time in Egypt in the late 1980's and early 1990's, 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 rarely 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 the security, prosperity, 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, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of

those present have voted in the affirmative.

Ms. ROS-LEHTINEN. 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.

PASSPORT SERVICES ENHANCEMENT ACT OF 2005

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) There shall be 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 a result of actions taken to comply with section 7209(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 8 U.S.C. 1185 note). Such surcharge shall be in addition to the fees provided for in subsection (a) and in addition to the surcharges or fees otherwise authorized by law and shall be deposited as an offsetting collection to the appropriate Department of State appropriation, to remain available until expended for the purposes of meeting such costs.

''(2) The authority to collect the surcharge provided under paragraph (1) may not be exercised after September 30, 2010.

''(3) The Secretary of State shall ensure that, to the extent practicable, the total cost of a passport application during fiscal years 2006 and 2007, including the surcharge authorized under paragraph (1), shall not exceed the cost of the passport application as of December 1, 2005.''.

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.

GENERAL 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 include extraneous material on H.R. 4501.

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.

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 9/11 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 has been 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 increase in the current price 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 part of the passport fee. 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, I rise in support of this measure. The measure before us would 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.

Mr. Speaker, the Intelligence Reform and Terrorism Prevention Act requires U.S. citizens to obtain and utilize passports when reentering the United States from other foreign jurisdictions within the Western Hemisphere. The Department of State, therefore, is facing a massive increase in demand for passports in anticipation of this new security requirement. Our Secretary of State estimates that demand could grow from less than 9 million applicants in fiscal year 2004 to over 17 million a year by the end of fiscal year 2008.

Mr. Speaker, the Department of State desperately needs the resources to increase its passport adjudication and production capabilities to meet this demand. Our measure will enable the State Department to collect the new surcharge from passport fees and provides the Secretary with the authority to use the proceeds from this surcharge to pay for the staff, equipment, and facilities she will need to meet this critical national security mandate.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1988) to authorize the transfer of items in the War Reserves Stockpile for Allies, Korea.

The Clerk read as follows:

S. 1988

Be it enacted by the Senate and House of Representatives of the United 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. 2321h), 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 paragraph (2).

(2) COVERED ITEMS.—The items referred to in paragraph (1) are munitions, equipment, and materiel 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;

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

(D) as of the date of the enactment of this Act, located in a stockpile in the Republic of Korea or Japan.

(3) VALUATION OF CONCESSIONS.—The value of concessions negotiated pursuant to paragraph (1) shall be at least equal to the fair market value of the items transferred, less any savings (which may not exceed the fair market value of the items transferred) accruing to the Department of Defense from an avoidance of the cost of removal of such items from the Republic of Korea or of the disposal of such items. The concessions may include cash compensation, services, waiver of charges otherwise payable by the United States (such as charges for demolition of United States-owned or United States-intended munitions), and other items of value.

(4) TERMINATION.—No transfer may be made under the authority of this subsection after the date that is three years after the date of the enactment of this Act.

(b) CERTIFICATION REGARDING MATERIEL IN STOCKPILE.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall certify to the appropriate committees of Congress whether or not the ammunition, equipment, and materiel 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) Training.

(4) Stockpile, pre-positioning, or war reserve requirements.

(c) TERMINATION OF STOCKPILE.—

(1) IN GENERAL.—At the conclusion of the transfer to the Republic of Korea under subsection (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 Stockpile for Allies, Korea as of the termination of the War Reserves Stockpile for Allies, Korea program under paragraph (1) shall be removed, disposed of, or both by the Department 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 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.

□ 1430

GENERAL 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 include extraneous material on the Senate bill under consideration.

The SPEAKER pro tempore (Mr. LATHAM). 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.

Mr. Speaker, I rise in support of Senate bill 1988, a bill to authorize the transfer of items in the War Reserve Stockpile for Allies, Korea.

Section 514 of the Foreign Assistance Act of 1961 provides no U.S. Department of Defense articles which have been set aside for future use by any foreign country may be made available for that country's use, unless the transfer is authorized under that act, the Arms Control Export Act, or subsequent corresponding legislation. Consistent with that provision of law, Senate bill 1988 would authorize the President to transfer to the Republic of Korea certain obsolete or surplus U.S. Department of Defense 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 permit 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 Korea's inventory. This approach would be consistent with the ongoing realignment of the United States Armed Forces in Korea and the objective of increased 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 demilitarization.

Senate bill 1988's provisions are nearly identical to those contained in section 752 of House Resolution 2601, the Foreign Relations Authorization Act for the Fiscal Years 2006 and 2007. H.R. 2601 passed the House on July 20 by a recorded vote of 351–78. The Senate has not yet completed floor consideration of a Foreign Relations Authorization Act. It passed a stand-alone bill, Senate bill 1988, on November 9, 2005, authorizing the transfer of these stocks to the Republic of Korea. Since timely action was necessary to assure the proper management and the disposition of reserved stocks located in that region, this limited purpose bill is before us today. I hope my colleagues will join me in supporting this bill.

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, this bill will grant important authorities to the United States military related to stockpiles in South Korea. In particular, it will allow the United States to sell or transfer equipment to the South Korean military for use or disposal.

This will ensure that the United States is not forced to transport unnecessary or obsolete military equipment back to the continental United States at a considerable cost.

The authority contained in this legislation must be renewed from time to time, and that time has, once again, come. The authority remains an important tool in our defense strategy and should be renewed.

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.

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 Senate bill, S. 1988.

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

A motion to reconsider was laid on the table.

TERRORIST REWARDS ENHANCEMENT ACT

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

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 CIRCUMSTANCES FOR AN AGENCY OF A FOREIGN GOVERNMENT TO RECEIVE A REWARD UNDER THE DEPARTMENT 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 officer'' 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 CIRCUMSTANCES.—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 official duties, furnishes information described in such subsection, if the Secretary determines that such payment satisfies the following 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) CONFORMING 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. 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.

GENERAL 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 include extraneous material on the bill 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.

Mr. Speaker, I am very pleased to support the suspension of the rules to bring Representative KIRK's bill, the Terrorist Rewards Enhancement Act, House Resolution 2329, to the floor, and I strongly support its passage.

The bill has Chairman HYDE's full and vigorous support, and is much needed in the hunt for Osama bin Laden and other terrorists around the globe.

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 lead to the capture of key 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.

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 Florida (Ms. ROS-LEHTINEN) and my good friend from Illinois (Mr. KIRK) for introducing this legislation.

Mr. Speaker, the United States must do all that is legal and ethically appropriate to bring to justice terrorists 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, 2001. 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 pleased to yield such time as he may consume 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.

Mr. Amil Sanzi killed Americans outside CIA headquarters before fleeing to Pakistan. Matchbox covers with his face on them provided the impetus for the key tip that led to his arrest, conviction, and execution. Uday and Qusay Hussein, the murderous sons of Saddam Hussein, were found and cornered by a tip from this program. Today, we are hunting down Osama bin Laden, Ayman Zawahiri, and Mullah Omar, the leaders of al Qaeda and the Taliban dictatorship.

I have conducted two official missions to the Afghan-Pakistan border where conventional wisdom has located the probable sites of the al Qaeda core leadership. I assessed this rewards program and proposed improvements to change its effectiveness. We found that the radio, newspaper, and TV ads in Pakistan are working. Under Richard Griffin, the Assistant Secretary of State for Diplomatic Security; Ryan Crocker, our very able Ambassador to Pakistan; and David Noordelas, a very able diplomatic security professional, we executed a $200,000 TV and radio campaign that led to dozens of new tips against leaders of the al Qaeda core.

We are about to relaunch this program, and it will be even more successful.

But there is one problem. Many officials in this part of the world make only $200 or $300 a year. This bill gives the President and Secretary of State the flexibility to authorize rewards for the arrest of the top, key, high-value targets: bin Laden, Zawahiri, Zarqawi, people who lead al Qaeda and its war on Americans. We need this flexibility to grant such rewards.

The arrest of Osama bin Laden is a mission of near messianic importance to the American people, and we have a winner here in the rewards program. With the reforms the House passes today, we increase the odds that we will crush the al Qaeda core in some of the most remote parts of the Earth.

I want to thank Chairwoman ROS-LEHTINEN, Ranking Member LANTOS, and John Mackay of the International Relations staff for his particular help on this key issue that will add enhancements to one of the most successful anti-terror programs in the United States.

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. 2329.

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

A motion to reconsider was laid on the table.

□ 1445

EXPRESSING SUPPORT FOR THE MEMORANDUM OF UNDERSTANDING SIGNED BY THE GOVERNMENT OF THE REPUBLIC 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 read 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 the tsunami both the Government of Indonesia and the Free Aceh Movement recognized that a peaceful settlement of the conflict would have to be reached to enable the rebuilding of Aceh;

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 Hamid Awaludin, 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 a timetable for disarmament 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 and security 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 Chair recognizes the gentlewoman from Florida.

GENERAL 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 include extraneous 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.

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

Mr. Speaker, I rise in strong support of House Resolution 456, which expresses our support for the memorandum of understanding signed by the government of the Republic 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 President for the foresight and the initiative that he has 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.

A year after the tsunami, Mr. Speaker, hundreds of thousands of Acehnese are still struggling to rebuild their lives and their homes, a process that will take many more years to complete and in thousands of instances will never be completed.

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 modus vivendi.

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 as much 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. MCDERMOTT), the gentleman 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, Jafar Siddiq Hamzah, 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 parties 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 this progress as well.

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.

Ms. ROS-LEHTINEN. Mr. Speaker, I also have no further requests for time, and I yield back the balance of our 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. 456.

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.

EXPRESSING SENSE OF CONGRESS REGARDING EDUCATION CURRICULUM IN SAUDI ARABIA

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 275) expressing the sense of Congress regarding the education curriculum in the Kingdom of Saudi Arabia.

The Clerk read as follows:

H. CON. RES. 275

Whereas the terrorist attacks on the United States on September 11, 2001, were carried out by 19 hijackers, including 15 Saudi Arabian nationals;

Whereas since September 11, 2001, multiple terrorist attacks have occurred inside the Kingdom of Saudi Arabia that were carried out by Saudi nationals;

Whereas Saudi nationals have joined the insurgency in Iraq, carrying out terrorist activities and providing financial support;

Whereas the Government of Saudi Arabia controls and regulates all forms of education in public and private schools at all levels;

Whereas Islamic religious education is compulsory in public and private schools at all levels in Saudi Arabia;

Whereas the religious curriculum is written, monitored, and taught by followers of the Wahhabi interpretation of Islam, the only religion the Government of Saudi Arabia allows to be taught;

Whereas rote memorization of religious texts continues to be a central feature of much of the educational system 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 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: Now, 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 education 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.

GENERAL 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 include extraneous 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.

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

Mr. Speaker, I rise in strong support of House Concurrent Resolution 275, which expresses the sense of Congress regarding modifications in the education curriculum in the Kingdom of Saudi Arabia.

It is unfortunate that some of the textbooks which are used in Saudi Arabian schools foster intolerance, ignorance and anti-Semitic, anti-American and anti-Western views. Extremism in

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. Speaker, I reserve the balance of our time.

□ 1500

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 his 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, anti-Western, 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 in 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 legislation 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 chairman 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 of 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 the same thing that the 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 as well as others.

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''

Page 3, strike out line 24 and all that follows through page 4, line 4 and insert the following: *of 1968 (42 U.S.C. 3601 et seq.); and*

(E) federally recognized Indian tribes exercising powers of self-government are governed by the Indian Civil Rights Act (25 U.S.C. 1301 et seq.); and

Page 4, strike out line 19 and all that follows through page 5, line 10 and insert the following:

"SEC. 544. INDIAN TRIBES.

''Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.) shall not apply to actions by federally recognized Indian tribes (including instrumentalities of such Indian tribes) under this Act.''.

Page 6, after line 2, insert:

SEC. 6. YOUTHBUILD ELIGIBILITY.

Section 460 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12899h–1) is amended by striking ''for fiscal year 1998 and fiscal years thereafter'' and inserting ''for fiscal years 1998 through 2005''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentleman from Massachusetts (Mr. FRANK) 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 in which to revise and extend their remarks and to include extraneous material on this legislation.

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

There was no objection.

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

Mr. Speaker, I am pleased to have the opportunity today to speak on a bill I introduced earlier this year and that passed the House in April, the Native American Housing Enhancement Act. Subsequent changes to this bill by the other body were merely stylistic in nature, and they do not change the substance of this important legislation.

While visiting with my Navajo and Apache constituents, I have learned that there is a need for a focus on long-term housing planning. This legislation will give tribes needed flexibility in spending grant money to enable vital housing projects to be completed more quickly. This bill makes three changes to help Native American communities in rural Arizona and across the Nation better address their housing needs.

The first section of this bill clarifies that tribes are allowed unrestricted access to new Native American housing funds from HUD even if tribes retain program income from previous years.

Currently, a tribe's grant money may be restricted if the tribe is receiving program income in excess of their operating costs. This clarification is critical to ensuring that we are not creating a disincentive for tribes to create income or plan for their future developments.

This bill also brings USDA housing programs into alignment with HUD programs in allowing for Indian preference, which allows tribes to abide by the Indian Civil Rights Act.

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 addressing the needs of their 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 Native 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 become crime victims 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 reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume, and I agree with what the gentleman from Arizona said. We have made a bipartisan effort on our committee, the Committee on Financial Services, to really address the problem of Indian housing, which has shamefully been, I think, ignored and given inadequate attention by both the executive and the legislative branch, and by both parties. There is more than enough blame to go around.

We also need to say, and I am myself a supporter of casino enterprises by Indians, but not every tribe has one. Not every tribe wants one. And we need to deal with the fact that while some people have this image of those tribes which have casinos doing very well, there continues to be some of the worst poverty in America on the reservations and among the tribes.

This legislation is very important. The gentleman from Arizona and I and others, also earlier this year, had a hearing in which I must say I was dissatisfied with the responses we got. There are questions when you do Indian housing that come out of the land title situation, because of the atypicality by American legal standards of Indian landholding; and we have not had at either the legislative or executive branch or on behalf of either party the attention that the people deserve to their housing needs.

This is a step. It is not the end. I am glad we are doing this. But I think I can serve notice, and I know the gentleman from Arizona agrees with me, that next year those people in the executive branch charged with this can be expected to be held to a much higher standard of performance than they have been held to before. We are determined to correct this situation.

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

□ 1515

Mr. RENZI. Mr. Speaker, I want to thank the gentleman from Massachusetts. I am grateful for the partnership. This problem is much, much bigger than party, and he has been a true friend and companion on this issue.

I also want to put the administration on notice that when it comes to this new piece of miracle software that is supposed to be able to fix this title search issue, we are going to follow up here in less than 6 months to find out the results of that implementation and the results of how many clear titles they have been able to procure and to process within a timely fashion.

Home ownership on the Native American reservations around this country is below 30 percent. It is the smallest amount of anywhere in the country of any minority group. Yet home ownership is the way to be able to break the cycle of poverty.

One of the best leaders that we have had, along with the gentleman from Massachusetts (Mr. FRANK), is the gentleman from Ohio (Mr. NEY), who helped, with Mr. FRANK, in the historic hearing that we had on the Navajo Nation, the first hearing since the 1800s

where Indian housing has had a chance to even be heard of or had a field hearing.

I yield such time as he may consume to the gentleman from Ohio (Mr. NEY).

Mr. NEY. Mr. Speaker, I want to thank the gentleman from Arizona for yielding me the time and also my colleagues on both sides of the aisle for their hard work to bring this legislation to the floor. It is important, it is bipartisan. We had the hearing in which were present the gentleman from Arizona (Mr. RENZI), the gentlewoman from California (Ms. WATERS), the gentleman from Utah (Mr. MATHESON). It was the first hearing that we could find in the history of the House actually held on the tribal ground.

When we also looked in the subcommittee at the issues for people to be able to get a house, can you imagine if you had to wait 1 or 2 years to get your title? I think the interest rates had probably changed by that time.

I applaud the work that you have done, Congressman RENZI, on that issue. It is so important because of the conditions for native Americans in the housing, and, again, very proud of the work that you have done, Congressman RENZI, and the bipartisan effort by our colleagues on both sides of the aisle to help people who really need the assistance.

Mr. FRANK of Massachusetts. Mr. Speaker, first I would yield to the gentlewoman from New York (Mrs. MALONEY) for a unanimous consent request.

(Mrs. MALONEY asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY. Mr. Speaker, I rise in very, very strong support of this important legislation for the Indian American community.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I 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. 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 1968, 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 who 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.

The 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 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.

LITTLE ROCK CENTRAL HIGH SCHOOL DESEGREGATION 50TH ANNIVERSARY COMMEMORATIVE COIN ACT

Mr. RENZI. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment 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.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Little Rock Central High School Desegregation 50th Anniversary Commemorative Coin Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) September 2007, marks the 50th anniversary of the desegregation of Little Rock Central High School in Little Rock, Arkansas.

(2) In 1957, Little Rock Central High was the site of the first major national test for the implementation of the historic decision of the United States Supreme Court in Brown, et al. v. Board of Education of Topeka, et al., 347 U.S. 483 (1954).

(3) The courage of the ''Little Rock Nine'' (Ernest Green, Elizabeth Eckford, Melba Pattillo, Jefferson Thomas, Carlotta Walls, Terrence Roberts, Gloria Ray, Thelma Mothershed, and Minnijean Brown) who stood in the face of violence, was influential to the Civil Rights movement and changed American history by providing an example on which to build greater equality.

(4) The desegregation of Little Rock Central High by the 9 African American students was recognized by Dr. Martin Luther King, Jr. as such a significant event in the struggle for civil rights that in May 1958, he attended the graduation of the first African American from Little Rock Central High School.

(5) A commemorative coin will bring national and international attention to the lasting legacy of this important event.

SEC. 3. COIN SPECIFICATIONS.

(a) DENOMINATIONS.—The Secretary of the Treasury (hereinafter in this Act referred to as the ''Secretary'') shall mint and issue not more than 500,000 $1 coins each of which shall—

(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 5136 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) DESIGN REQUIREMENTS.—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 INSCRIPTIONS.—On each coin minted under this Act there shall be—

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

(2) an inscription of the year ''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 5135 of title 31, United States Code.

SEC. 5. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—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) SALE PRICE.—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 7(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) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS AT A DISCOUNT.—

(1) IN GENERAL.—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 from the sale of coins issued under this Act shall be promptly paid by the Secretary to the Secretary of the Interior for the protection, preservation, 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 education programs and historic preservation projects.

(3) Establishment of cooperative agreements to preserve or restore 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 may 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 5112(m)(1) 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 preserve and maintain 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 subsection (b), shall be deemed to meet the requirement of funds from private sources 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 thereon.

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

There was no objection.

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume. I rise in support of H.R. 358, the Little Rock Central High School Desegregation 50th Anniversary Commemorative Coin Act, which was introduced by the gentleman from Arkansas (Mr. SNYDER). This legislation recognizes a uniquely important moment in the history of this Nation and the civil rights movement.

Passage of this legislation will allow the Secretary of the Treasury to issue coins commemorating the 50th anniversary of the desegregation of Little Rock Central High School in Little Rock, Arkansas. The legislation before the House is similar to the language passed by this Chamber in late June, with the important addition of language that slightly alters the mechanism for the distribution of surcharges that would be generated by the sale of these coins.

However, this bill preserves the important reforms made a decade ago in the Commemorative Coin Reform Act that specifies that non-Federal funds must be raised to match the surcharge money received. It further recognizes the unique partnership between the Department of Interior and the Little Rock School District at the Little Rock Central High School National Historic Site and the significant financial contributions made by the district to preserve and maintain the historic character of the high school.

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 the author of the reform language, 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 organizations which are named recipients 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). This bill 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.

Those 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 bigotry serves as a shining light 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. Encouraged by his comments, a mob surrounded the school.

Finally, at the request of Congressman Brooks Hays and Mayor Woodrow

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 25, 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 Congressional Gold Medal. There was a celebration here in the Library of Congress, and in this Congress I had the opportunity of meeting many of them and congratulating them for their historic life-changing courage that helped so many others through their courage and acts.

□ 1530

I urge my colleagues to support this bill.

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

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

I thank the gentlewoman from New York (Mrs. MALONEY) and particularly want to thank the gentleman from Arkansas (Mr. SNYDER) for pulling together the support, the vast amount of support on a bipartisan basis to recognize the pain and suffering the Little Rock Nine have given to move this country forward.

Mr. Speaker, I have no additional speakers, and I reserve the balance of my time.

Mrs. MALONEY. Mr. Speaker, I yield as much time as he may consume to the gentleman from Arkansas (Mr. SNYDER), the author of this important resolution.

Mr. SNYDER. Mr. Speaker, I thank the gentlewoman from New York (Mrs. 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 to the end.

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 have heard Spirit 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 we 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 taxes, 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.)

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentlewoman from New York for yielding time. I also want to commend the gentleman from Arkansas (Mr. SNYDER) for introducing this legislation. I never miss an opportunity to comment on anything that was taking place in Arkansas at that time because at that time I was a young contemporary of the Little Rock Nine. As they went into high school, and some were seniors, I was a freshman in college a few miles away down at the University of Arkansas at Pine Bluff. Of course at that time it was Arkansas AM&N College. And I remember vividly Daisy Bates, the outstanding head of the NAACP, who actually grew up down in the little part of Arkansas, in rural Arkansas where I came from.

Wiley Branton was the outstanding attorney. They were our heroes. Of course, as the gentlewoman from New York has indicated, all of the Little Rock Nine have gone on to become outstanding citizens. I have had the good fortune to know some of them or members of their family. I did student teaching at the school where Mrs. Patillo taught, who was Melba Patillo's mother, and so I knew her at that time. Minnie Jean Brown and I spent a weekend together last year down at Southern Illinois University, where she was a speaker at the university where she graduated. And all of us have seen Ernie Green throughout the country, as he has become a distinguished civic and business leader. Of course Ernie was the Undersecretary of Labor during the Carter Administration.

So I simply come to urge support. Again, I commend Mr. SNYDER, an outstanding Representative who represents all of the people in that great city and in that great area. And I urge its passage.

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

Ms. JACKSON-LEE of Texas. 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 a 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 school children 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 September 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, Themla Mothershed, and Minnijean Brown. The integration of these nine brave students, along with other heros of the time like Rosa Parks, 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 in 1958.

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 across the world 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 gentlewoman 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 (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 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 1930's;

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 present 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, 1954;

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 Representatives 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 gentlewoman from California (Ms. MILLENDER-MCDONALD) 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 yield a lot of time to 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 Democrat 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, always has a good word 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 and different things, because 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, again, she 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.

□ 1545

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 ELEANOR HOLMES NORTON, 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 providing 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 87 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 Rican nationalists on March 1 of 1957 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 endurance and strength 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 as we carry out 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, that we 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, Mr. Speaker? This woman served this 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 down 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 some of the greatest State of the Union speeches were made.

So she is a 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 interfaced 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. We can see 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 to 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, but it is just that she worked for our side.

This is another photograph of Helen with one of our dear Presidents.

So, Mr. Speaker, this resolution is a celebration of this institution. It is a celebration 1 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. It 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 been told 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 not waiting on Members of Congress, 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 other 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 that miss you 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 from time to time stop and say ''thank you,'' ''thank you'' to those people behind the scenes who make this Congress and this institution such an important part of America's history and legacy.

Ms. MILLENDER-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 that we may be out 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.

And 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 meet 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 Sewell 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 renown and known to Presidents Presidents Ford, Nixon, and certainly President George H. W. Bush.

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Also, I would say that being such a young person and coming to this institution, she is knowledgeable about American history, certainly by listening to bits and pieces from Members. She has seen the war in World War II, the Vietnam War, certainly the Persian Gulf war, and certainly other incidences of history.

Helen Sewell received the 1983 John W. McCormick Award of Service for service to the Congress. As I indicated, this legislation indicates she will retire on December 31, 2005. So I think it is appropriate today that we stand here, among the other responsibilities we have, and be able to salute Helen Sewell on the occasion of her retirement and express our deepest gratitude.

It is important to thank those who serve this institution for their service and to also acknowledge that they love this institution. This resolution is an appropriate tribute to Helen Sewell and to her family, her grandchildren, and her children; and I thank you, Mr. WELDON and Mr. NEY and Ms. MILLENDER-McDONALD for allowing the Members to come to the floor and pay their tributes. May God bless Helen Sewell, and God bless America.

Ms. MILLENDER-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 into Helen's Cafe, we had that 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 her sandwiches were 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 Helen say 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 here today, our ranking members. 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 SHEILA 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 flower arrangement here, and then started to see these 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 know, 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 for the U.S. Capitol. I do not know if it has been stated, but on one of the plaques we have right here out 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 drink 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, very healthy; and she was an inspiration to all of us. I heard the bit about the soap operas 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 when she stops by his house. But I thank my colleagues for recognizing Helen, who has been a great friend to so many of us.

Ms. NORTON. Mr. Speaker, I am particularly pleased to join my colleagues in honoring Helen Sewell as she retires from the House of Representatives. Helen Sewell has honored our city as a longtime resident and the House by devoting extraordinary service under the particularly difficult hours and circumstances of service in the cloak room. Ms. Sewell's devotion to the House, to the people of the United States, and to the District, whom we service, has been so great that she was still serving at 80 years old. Her loyalty to the House and its work has given vital support to Members of Congress and to the important business of the country.

As the House honors Ms. Sewell and wish her well, the residents of the District of Columbia join me in thanking Helen Sewell for dedicated service to the House of Representatives.

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

The SPEAKER pro tempore (Mr. GILLMOR). The question is on the motion offered by the gentleman from Ohio (Mr. NEY) that the House suspend the rules and agree to the resolution, H. Res. 633.

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. WELDON of Pennsylvania. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Res. 633.

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

There was no objection.

RECESS

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

Accordingly (at 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, executive communications were taken from the Speaker's table and referred as follows:

5861. 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 — Bifenazate; Pesticide Tolerances for Emergency Exemptions [EPA-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 — Acetic acid, [(5-chloro-8-quinolinyl) oxy]-, 1-methylhexyl ester (Cloquintocet-mexyl); 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.

5864. 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, Prohibition of Foreign Taxation on U.S. Assistance Programs [DFARS Case 2004-D012] received October 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5865. 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 2003-D008] received December 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5866. A letter from the Publications Control Officer, Department of the Army, Department of Defense, transmitting the Department's final rule — Amred Forces Disciplinary Control Boards and Off-Installation Liason 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.

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-AI26) 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 Bioterror Countermeasures to the Federal Government for Placement into the Pediatric Vaccine Stockpile or the Strategic National Stockpile [Release Nos. 33-8642; 34-52885; IC-27178] 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 Committee on Institutional Quality and Integrity for Fiscal Year 2005, pursuant to 20 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 Report and Report on Performance Outcomes for Fiscal Years 2000 through 2003; to the Committee on Education and the Workforce.

5871. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone; Process for Exempting Critical Uses of Methyl Bromide for the 2005 Supplemental Request [FRL-8007-9] (RIN: 2060-AN13) received December 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

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-0030; FRL-8005-9] received December 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5874. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Control of Air Pollution from New Motor Vehicles and New Motor Vehicle Engines: Technical Amendments to Evaporative Emissions Regulations, Dyamometer Regulations, and Vehicle Labeling [OAR-2004-0011; FRL-8004-7] (RIN: 2060-AM32) received December 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5875. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Control of Air Pollution from New Motor Vehicles and New Motor Vehicle Engines; Modification of Federal On-board Diagnostic Regulations for Light-Duty Vehicles, Light-Duty Trucks, Medium Duty Passenger Vehicles, Complete Heavy Duty Vehicles and Engines Intended for Use in Heavy Duty Vehicles weighing 14,000 pounds GVWR or less [FRL-8005-4] (RIN: 2060-AJ77) received December 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5876. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to Oklahoma Department of Environmental Quality [R06-OAR-2005-OK-0003; FRL-8006-7] 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 — New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to Albuquerque — Bernalillo County Air Quality Control Board [R06-OAR-2005-NM-0005; FRL-8006-2] received December 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5878. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Regulation of Fuels and Fuel Additives: Modifications to Standards and Requirements for Reformulated and Conventional Gasoline Incuding Butane Blenders and Attest Engagements [OAR-2003-0019; FRL-8006-5] (RIN: 2060-AK77) received December 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5879. 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-2003-0156; FRL-8005-5] (RIN: 2060-AG31) received December 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5880. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Iowa [EPA-R07-OAR-2005-IA-0006; FRL-8010-9] received December 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5881. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — List of Hazardous Air Pollutants, Petition Process, Lesser Quantity Designations, Source Category List [OAR-2003-0028; FRL-8009-5] (RIN: 2060-AI72) received December 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5882. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — NESHAP: National Emission Standards for Hazardous Air Pollutants: Standards for Hazardous Air Pollutants for Hazardous Waste Combustors [FRL-8009-3] received December 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5883. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — TSCA Inventory Update Reporting Partially Exempted Chemicals List Addition of Certain Aluminum Alkyl Chemicals [EPA-HQ-OPPT-2005-0047; FRL-7732-6] (RIN: 2070-AC61) received December 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5884. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — TSCA Inventory Update Reporting Revisions [EPA-HQ-OPPT-2004-0106; FRL-7743-9] (RIN: 2070-AC61) received December 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5885. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Memoranda of Understanding between Texas Department of Transportation and the Texas Commission on Environmental Quality [EPA-R06-OAR-2004-TX-0001; FRL-8007-5] received December 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5886. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Exemption of Certain Area Sources from Title V Operating Permit Programs [OAR-2004-0010; FRL-8008-5] (RIN: 2060-AM31) received December 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5887. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's first annual report on Ethanol Market Concentration, pursuant to Section 1501(a)(2) of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

5888. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's report providing a detailed analysis of the effectiveness and enforcement of the provisions of the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003, pursuant to Public Law 108–187, section 10; to the Committee on Energy and Commerce.

5889. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

5890. A letter from the Deputy Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Revisions to the Import Certificate Requirements in the Export

Administration Regulations [Docket No. 050812221-5221-01] (RIN: 0694-AD50) received December 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

5891. A letter from the Director, Office of Personnel Management, President's Pay Agent, transmitting a report justifying the reasons for the extension of locality-based comparability payments to categories of positions that are in more than one executive agency, pursuant to 5 U.S.C. 5304(h)(2)(C); to the Committee on Government Reform.

5892. A letter from the Assistant Attorney General for Administration, Department of Justice, transmitting the Department's final rule — Privacy Act of 1974; Implementation [AAG/A Order No. 010-2005] received December 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5893. A letter from the President, James Madison Memorial Fellowship Foundation, transmitting the Foundation's Annual Report for 2005, pursuant to 20 U.S.C. 4513; to the Committee on Government Reform.

5894. A letter from the Director, Peace Corps, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2005 through September 30, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5895. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule — Extension of Administrative Fines Program [Notice 2005-30] received December 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

5896. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule — Electioneering Communications [Notice 2005-29] received December 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

5897. A letter from the Legal Analyst, Presidio Trust, transmitting the Trust's final rule — Debt Collection (RIN: 3212-AA07) received December 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5898. A letter from the Assistant Secretary of the Army, Civil Works, Department of the Army, transmitting a copy of the the Final Feasibility Report and Environmental Impact of the Napa Salt Marsh Restoration, California; to the Committee on Transportation and Infrastructure.

5899. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for the Iron and Steel Manufacturing Point Source Category [Docket No. EPA-OW-2002-0027; FRL-8007-8] (RIN: 2040-AE78) received December 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5900. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — Announcement of Contract Awards (RIN: 2700-AD18) received December 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

5901. A letter from the Director, SHRP, Office of Personnel Management, transmitting the Office's final rule — Veterans Recruitment Appointments (RIN: 3206-AJ90) received December 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5902. A letter from the Director, Regulations and Rulings Division, Alcohol & Tobacco Tax & Trade Bureau, Department of the Treasury, transmitting the Department's final rule — Establishment of the Wahluke Slope Viticultural Area (2005R-026P) [T.D. TTB-40; Re: Notice No. 46] (RIN: 1513-AB01) received December 16, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5903. A letter from the Administrator, Office of Workforce Security, Department of Labor, transmitting the Department's final rule — Allocation of Costs of Assessing and Collecting State Taxes that are Collected in Conjunction with the State Unemployment Compensation Tax—received November 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5904. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Sickness or Accident Disability Payments [TD 9233] (RIN: 1545–BC89) received December 16, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5905. A letter from the United States Trade Representative, transmitting reports of the Advisory Committee for Trade Policy and Negotiations (ACTPN) and the Industry Trade Advisory Committee (ITAC) 8: Information and Communication Technologies, and E-Commerce, on the Agreement on Duty-Free Treatment of Multi-Chip Integrated Circuits, pursuant to Section 2104(e) of the Trade Act of 2002 and Section 135(e) of the Trade Act of 1974, as amended; to the Committee on Ways and Means.

5906. A letter from the Portfolio Manager, Critical Infrastructure Protection, Department of Homeland Security, transmitting a copy of the National Critical Infrastructure Protection Research and Development Plan; to the Committee on Homeland Security.

5907. A letter from the Assistant Secretary for Special Operations and Low-Interest Conflict, Department of Defense, transmitting the Department's Fiscal Year 2005 annual report on the Regional Defense Counterterrorism Fellowship Program, pursuant to 10 U.S.C. 2249c; jointly to the Committees on Armed Services and International Relations.

5908. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 7(a) of the Jerusalem Embassy Act of 1995 (Pub. L. 104–45), a copy of Presidential Determination No. 2006-5 suspending the limitation on the obligation of the State Department Appropriations contained in sections 3(b) and 7(b) of that Act for six months as well as the periodic report provided for under Section 6 of the Act covering the period from June 16, 2005 to the present, pursuant to Public Law 104–45, section 6 (109 Stat. 400); jointly to the Committees on International Relations and Appropriations.

5909. A letter from the Acting Assistant Secretary for Economic Development, Department of Commerce, transmitting the annual report on the activities of the Economic Development Administration for Fiscal Year 2004, pursuant to 42 U.S.C. 3217; jointly to the Committees on Transportation and Infrastructure and Financial Services.

5910. A letter from the Chairman, Medicare Payment Advisory Commission, transmitting the Commission's report entitled, ''Home Health Agency Case Mix and Financial Performance,'' pursuant to Public Law 108–173, section 705; jointly to the Committees on Ways and Means and Energy and Commerce.

N O T I C E

Incomplete record of House proceedings.

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

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRSTSESSION

Vol. 151 WASHINGTON, SUNDAY, DECEMBER 18, 2005 No. 164—Part II

House of Representatives

□ 2353

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.*

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

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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 propound 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. 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 3.1 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.

□ 0000

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 endeavor 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. 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,
Chairman, Armed Services Committee, Chairman, National Defense Authorization Act for Fiscal Year 2006 Conference, Washington, DC.

DEAR DUNCAN: On Friday, December 16, we joined you and Ike Skelton in conducting the final meeting of the conferees 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 conferees 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 aud 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 conferees 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 signatures of the outside Democratic conferees 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 this defense authorization bill was wrong. 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 by 30,000 and for the Marine Corps by 4,000. It delivers our service members a well-earned 3.1% pay raise. We can never put a value on the service of those who pay the ultimate price in defense of our freedom, but this conference report increases the death gratuity for all active and activated service members to $100,000, retroactive to October 7, 2001. And for the first time ever, all reservists who agree to continue service in the Selected Reserves will have an opportunity, depending on their status, to buy into a government subsidized TRICARE Standard health care program for themselves and their families.

While much of our attention is focused on the current wars we're fighting, we must not lose sight of other security challenges that loom across the globe. With those in mind, I am also pleased to say that this bill requires the Navy to maintain 12 aircraft carriers. It also authorizes them to buy five more ships, but it does so in a way that will limit the rampant cost growth in the acquisition process.

Those are just a few examples of the good work in this bill. I commend all of the Chairmen and Ranking members of the Armed Services' subcommittees for the excellent work they have done on this conference report and throughout the year.

Finally, I'd like to address an issue to which much attention has been paid, and rightly so—the question of the treatment of detainees. These critical matters suffered the most from the lack of meaningful process and debate.

I am extremely pleased that Senator MCCAIN'S amendment involving the prohibition on torture and uniform standards for interrogating detainees has passed. This is a wonderful step to help us regain our rightful place on the summit of the moral high ground.

However, I am concerned that Senator MCCAIN's language could be undercut by the Graham-Levin Amendment. This amendment was negotiated largely in a closed process by the White House and a select few Majority members. It addresses many aspects of the Combatant Status Review Tribunals and military commissions in Guantanamo Bay but there are serious questions about the procedures and they are currently being challenged in federal court. There are also questions about the Amendment's impact on our judicial system and law that's been in existence since the founding of our nation. I expect the courts will have a real challenge interpreting the Amendment's meaning. At the very least—the Graham-Levin Amendment should not apply retroactively or to any pending cases.

In summary, Mr. Speaker, this is not a perfect bill, but it does great things for our troops. I again congratulate Chairman HUNTER and urge its adoption.

For the past two days, the future of the Defense Authorization bill has been held hostage for an unrelated and controversial piece of legislation that had no connection to defense. My colleagues and I expressed our deep concern with this, and I am truly pleased to see this bill in its original form come before the House tonight.

In a time of war, it is essential that we provide our men and women in uniform with the resources and equipment they need to succeed, and I am pleased that the leadership of this House finally relented and allowed us to do that. Legislation for our men and women in uniform should never be put in jeopardy for political reasons.

This legislation provides for the initiation and continuation of many important policies that will benefit our servicemen and women, as well as their families upon its final passage. This is a wonderful way to honor them during the holiday season for all they have done throughout the year.

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 (section 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 war on terror.

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 (CSRTs) and military commissions at Guantanamo Bay, Cuba—yet 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

evidence obtained with undue coercion. However, the final negotiated provisions for the Conference Report leave open the possibility that CSRTs and military commissions could 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 would 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 provisions eliminate "any other action against the United States or its agents relating to any aspect of the detention" at Guantanamo Bay. Further, it is true that the Graham-Levin amendment provisions allow for review of CSRT and military commission decisions by 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 claims or set up tribunals and 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 apply to or alter pending habeas 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 of 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 distinguished 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. ABERCROMBIE from Hawaii, who is not here right now, for the excellent work that he did.

In supporting the global war on terrorism in our area, we have included a number of additional programs, including $450 million for up-armored Humvees, $260 million for other armored tactical vehicles, $450 million for small arms, $250 million for ammunition, $30 million for Stryker 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 countering 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 ongoing 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 other provisions that we think are going 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. ROSCOE 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. The one thing about Mr. HUNTER and the one 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 making sure that we are in fact 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 $126 billion to 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 conferees 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 conferencing 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

address those needs, Mr. Speaker, but this report reflects a balance of many competing demands to ensure that our troops are equipped and ready to defend our Nation. I appreciate that the Members on both sides of the aisle were able to put this bill together and bring it to the floor this early in the morning.

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 California, 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 we also have 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 legislation establishing the objectives of the Reliable Replacement Warhead program, a program that enjoys bipartisan support to ensure our nuclear stockpile remains reliable, safe and secure.

The Conferees have funded defense environmental cleanup activities at $6.2 billion.

Finally, Mr. Speaker, I would be remiss if I did not recognize my Ranking Member, the gentleman from Texas for his contribution, and the remainder of my subcommittee Members on both sides of the aisle, and their staff. I think we faced some of the most difficult policy decisions in the House Armed Services Committee and I want to express my appreciation for their hard work in protecting this Nation's security.

Mr. HUNTER. Mr. Speaker, I yield to the gentleman from Washington (Mr. DICKS) for a colloquy.

Mr. DICKS. I thank the gentleman for yielding.

Mr. Speaker, I would like to engage the chairman of the Armed Services Committee in a colloquy.

Mr. Chairman, I understand that the conference report does not include the language from the House bill precluding 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 conferees were unable to come to an agreement that would allow us to include this important language in the final conference report.

Mr. DICKS. Mr. Speaker, for over 30 years various European governments have provided subsidies to the European civil aircraft industry. These subsidies helped the fledgling European aircraft industry get started in a highly competitive world market. Now $30 billion in subsidies later, Europe is the world's largest producer of commercial aircraft. Mr. Chairman, would you agree that the aircraft production industry is one of the areas that is of particular concern with respect to foreign subsidies?

Mr. HUNTER. Absolutely. Foreign governments should not be allowed to underwrite the risk of corporations involved in developing new airframes, especially when it is at the expense of the American worker. I want to assure my friend that the Armed Services Committee will continue its oversight on this issue, that we are going to revisit it next year.

Let me just leave the formal colloquy to say to my friend that my philosophy is that the American worker pays the taxes that fund these enormously expensive programs that manifest in this bill for $441 billion, that projects American power around the world in defense of the free world and provides an umbrella of freedom for hundreds of countries. It is only equitable and fair that the American taxpayer who pays for the defense of the free world should be able to involve themselves in making the very expensive equipment that we utilize. I can assure my friend that I will continue to work with him to make sure that when those great Americans in uniform come home from places like Iraq and Afghanistan they have some jobs in the American aircraft industry making the aircraft that support the projection of American Armed Forces.

I thank the gentleman for letting me edit my colloquy a little bit.

Mr. DICKS. And I thank Chairman HUNTER for sharing his views on this important matter and urge support for this conference report.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. SNYDER).

Mr. SNYDER. Mr. Speaker, I strongly support this national defense authorization bill. But while I support this conference report, I am one of many Members very disappointed with the process by which the defense bill has been brought to the floor. Last Thursday the House leadership approved the conferees to the defense authorization bill nearly 3 weeks after the Senate finished consideration of their version of the bill. This 3-week delay denied Members the opportunity to instruct conferees on issues of great importance to them in the defense bill. Members of the committee, particularly our senior members, should have been afforded greater opportunity to participate in informal panel meetings in order to discuss and debate many of the significant provisions that were in either the House or Senate bill. 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 nonveteran, we can do better. Senior Member and new Member, we can do better.

□ 0015

This bill is a good one. It is a bill that should bring our country and this Congress together united in our 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 abide by the 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 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 this bill, as 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 life 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 in strong support of the conference report on H. R. 1815, the National Defense Authorization Act for Fiscal Year 2006.

The military personnel provisions of H.R. 1815 address many problems and issues that the men and women in uniform have brought to us. Additionally, 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 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 agreement, 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 reserve, 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 42.

Authorize the payment of matching contributions to the Thrift Savings Plan for new recruits.

For the Reserve Components, the conference agreement would:

Authorize the same basic allowance for housing as active duty members when mobilized for periods greater than 30 days.

Authorize a critical skills retention bonus under the active duty program up to a maximum of $100,000 over the course of a career.

The conference report also provides for an expanded death gratuity of $100,000 for all military deaths—not 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 for a bit to explain 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 nonuniformed 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 referencing the Senate's 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 Rochin 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. And, 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. Mr. Speaker, I wanted to yield at this time 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 this last year working on the issues of shipbuilding and power projection of maritime forces and he has done a wonderful job.

(Mr. BARTLETT of Maryland asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Speaker, I want to commend Chairman HUNTER and Ranking Member SKELTON for completing 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 Hurricane 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 throughout the globe. 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 Ship 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 supporting our soldiers, sailors, airmen and Marines by voting for the Fiscal Year 2006 National Defense Authorization Act.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Speaker, let me first start by thanking my good friend Roscoe Bartlett for his tremendous help this year. The bill authorizes five ships, more than the administration asked for, unfortunately not as many as I would like to build, but very, very great help of the gentleman from Maryland on the part of adding an LHA(R) for the Marine Corps to the ship; getting the next generation destroyer, the DDX, started; and adding a Virginia Class submarine to the fleet.

Again at five ships, if you figure the typical 30-year life of a ship, we are cruising toward a 150-ship Navy. That is entirely too small, despite Navy projections that they think they can get the fleet up to about 313 by 2013. But again these are important steps in the right direction.

I want to commend the gentleman from Maryland for his help in making that happen. There are a lot of people who have a lot of things they want to say.

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 that we 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 do. 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.

□ 0030

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 of the conference report relating to cruel and inhuman and degrading treatment should not be controversial or even remarkable. As the President said earlier this week, we should make it clear to the world that we do not engage in torture.

But 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 Deutch Doctrine and the ''wall'' between intelligence and law enforcement often had a chilling effect on operations that was far broader than intended and significantly hurt our intelligence gathering capabilities. I want to reinforce Chairman HUNTER's efforts to make very clear that this conference report does not create new criminal liabilities and does not create any private right of action with respect to interrogation practices. It also does not modify the substantive definition of cruel, inhuman, and degrading treatment that applies to the United States under its existing treaty obligations.

Despite those concerns I fully support this agreement because of the provisions of this bill. Mr. Speaker, I believe that Chairman HUNTER's efforts has significantly improved this legislation, clarified its intent; so I will vote for the conference report and I encourage my colleagues to do the same.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. SPRATT).

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

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 some 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 impetus 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, given the time restraints, which were largely the result of the fact that the Senate put us on abbreviated schedule, they were late getting their bill done, we have had to do this with much too much haste.

Here 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 for our first and only formal meeting. I hope this will not become a precedent for 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, other wholly unrelated legislation, gets attached because ours is 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 afternoon with much more leisure than we are giving to the bill right now because it was almost hijacked by something totally extraneous. And I would say to the chairman I am glad that this did not happen, glad that we have got a clean bill, and glad that we can vote on it without having these extraneous matters to consider and weigh.

Once again, congratulations on a job well done.

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

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, in the last few minutes, I have gone through a few hundred pages of this bill, which I think it is instructive to know that $1 billion for a so-called Iraqi Freedom Fund is being authorized. We do not know what that is. There is $2.5 billion for classified ops in Iraq. We do not know what that is, certainly.

On the issue of alleged clandestine detention facilities for individuals captured in the global war on terrorism, here is what it says: ''Conferees determined the amendment was outside the jurisdiction of the Committees on Armed Services of the Senate and the House of Representatives. So we still do not know whether or not this House has any authority to rein in the administration's rendition policies.

I would ask the gentleman from California a question. I have just read a couple hundred pages. I have not seen the whole bill. Could the gentleman tell me if there is a provision in this bill that permits drilling in the Arctic National Wildlife Refuge?

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

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

Mr. HUNTER. No. As the gentleman knows, the ANWR position is not in this bill.

Mr. KUCINICH. Mr. Speaker, could the gentleman explain what the Iraqi Freedom Fund is about?

Mr. HUNTER. Mr. Speaker, if the gentleman will continue to yield, the Iraqi Freedom Fund is a fund that includes money for body armor and lots of other equipment. It is a fund that we supply each year. It is a revolving fund that we keep money in so that the warfighting commanders can buy what they need immediately when they need it.

Mr. KUCINICH. Mr. Speaker, I appreciate the gentleman's explanation.

Could the gentleman clarify this report language on page 210 that says that 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?

Mr. HUNTER. Mr. Speaker, if the gentleman would further yield, let me just say to the gentleman that is a classified portion that is within 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 has us contemplating 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 defense. 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 anyone who fails 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, Peotone Airport, 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 organization and management and the Federal Government regulates airport safety. This is objectionable.

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 to enact a 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 organization 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 04506.3*A 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, 303A, and 303B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253–253b) as implemented by the Federal Acquisition Regulation issued pursuant

to section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421) regarding land procurement and developer selection.

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 anti-torture language 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.

I commend the chairman, the ranking member for making sure the provision is in here. I would urge a ''yes'' vote on the conference report.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. NADLER).

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

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

Mr. Speaker, I rise to oppose the Graham-Levin amendment language contained in this bill. This provision restricts the jurisdiction of the Federal courts to consider habeas corpus petitions from detainees at Guantanamo or complaints about their treatment. It also would require military tribunals to ''weigh the value of the intelligence gained from an interrogation against a judgment on whether the statement was coerced.''

In other words, even if the bill says they cannot torture, it also says they can use the information they obtain by torturing people if the military tribunal concludes the statement itself was not coerced.

These two provisions taken together, Mr. Speaker, make the anti-torture provision of this bill unenforceable. They cannot complain about it through habeas corpus. They cannot get into the Federal courts to complain about it, and the military tribunal can use the coerced evidence.

That is not right. This is un-American, and this language ought to have been stricken from the bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BOOZMAN). The Chair will remind Members to refrain from wearing communicative badges while under recognition.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the ranking member very much for his leadership and the chairman.

As we all know, all of us have constituents in the U.S. military. Texas has some of the largest numbers of military in the United States, living in Texas.

I rise to compliment some of the aspects of this bill, such as the increase in the death gratuity and the TRICARE increase for the military and their families. I see the impact on my constituents for improved health care. I also applaud the avian flu provision and as well the issue dealing with the Department of Energy that will not allowed the DOE to increase our nuclear warheads but will only allow the DOE to study the effectiveness of existing warheads.

Finally the conferees agreed that our that our values do not support torture practices, however, I am certainly disappointed that the habeas has been taken away from so called enemy combatants. And I might also add that here we go again with ''Star Wars,'' and program doubtful in value.

But it is important that the Goode amendment was not included. We do not need to use the military at the border. We are a country of laws as we are a country of immigrants. And I might say as well that the 527 campaign reform legislation belongs somewhere else, not in the Defense bill.

Our soldiers need the funding resources. They need our help. They need an increase in compensation. They need better health care. And their families, tragically, when they die in the line of duty, the least we can do is to provide their dependents with a decent, livable opportunity to survive.

I hope that we will have a better process the next time, but I say on behalf of my constituents that I hope we will move this legislation forward.

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

Just one or two points, Mr. Speaker. Again in the detainee legislation, the House inserted protections for American uniform personnel and nonuniform personnel.

The other point that was mentioned by the gentleman from New York was on probative value of evidence that might have been obtained under coercion. We all know that we have an exclusionary rule in this country domestically, and that means, as in Davis v. Mississippi, which is one of the threshold cases, the fact that the person did have his fingerprints on the threshold of the grandmother that he murdered, was picked out of an unconstitutionally developed lineup; and therefore we said, as a matter of disciplining our process, we would let people go even though we knew they had committed the crime.

This is a different situation, Mr. Speaker. This is a situation where a person may have been interrogated and may have disclosed, for example, a cache of weapons with which he was going to use to destroy American soldiers on the battlefield, the idea that in our review when we determine whether we are going to free him and send him back, having seen some of the people that we freed at Guantanamo show back up on the battlefield intent on killing American soldiers, that we felt we could not go that far. We could still take the probative value, and if that interrogation developed that cache of weapons, we would look at the cache of weapons and say the person who maintained that was in fact a combatant and it is not fair to our soldiers to put him back where he can shoot at them again.

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 signed by all the members of the committee, and the ones that have not come to the floor yet will have their opportunity. It is the ''Battle of Vicksburg.'' And for a gentleman who knows every battle that was fought in America and knows it very well, I thought that this would be an interesting tribute to us for a gentleman who really guides us, Democrats and Republicans, in this very important area of military education.

□ 0045

So 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 of the issues, and as we are not 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.

Toward the last, Mr. Speaker, this was a rather torturous procedural effort. We jumped two major hurdles toward the end; and at the end of the day, the bill is an excellent one for those in uniform and for those who defend our country.

So with that I thank all of the members of the committee. Chairman HUNTER, thank you especially for your help, your leadership, and to each member on our committee for the tremendous work that they did. Hours and days went into this. And a special thanks, Mr. Chairman, for this book on Vicksburg.

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

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

Mr. HUNTER. Mr. Speaker, I just wanted to thank the gentleman. I thought it would be appropriate for us also to thank this wonderful staff, this great bipartisan staff who put this product together. Let us thank them for what they did.

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

Mr. HUNTER. How much time do we have left, Mr. Speaker?

The SPEAKER pro tempore (Mr. BOOZMAN). The gentleman's time has expired.

Mr. HUNTER. Mr. Speaker, I ask unanimous consent for 1 additional minute so the gentleman from Georgia could make a presentation.

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

There was no objection.

The SPEAKER pro tempore. The gentleman is recognized for 1 minute.

Mr. MARSHALL. Mr. Speaker, I appreciate that very much. It was when Chairman HUNTER provided the book to Ike about Vicksburg that I thought that perhaps it was appropriate here publicly to say that there is probably no person on the Armed Services Committee today, nor perhaps no person in the history of the Armed Services Committee, who has done so much for military education. Ike Skelton has constantly talked about the need to provide education and training for our men and women in uniform, and he is known throughout the armed services for that great contribution that he has made.

A couple of years ago, he came up with the idea of commissioning a scholarship program for the graduates of 2-year military colleges to continue their education, with DOD paying for it if DOD thinks that it is appropriate to do so; scholarships for these graduates as newly commissioned officers to finish their college educations. This year, unbeknownst to Ike, that scholarship program was named the Ike Skelton Early Commissioning Program Scholarship.

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 good provisions for our troops and their families. Moving into the specifics of the bill, H.R. 1815 authorizes $441.5 billion for defense programs in FY 2006, slightly less than the President's request. The total is $20.9 billion (5%) more than the current regular authorized and appropriated level not counting $75.9 billion in FY 2005 emergency supplemental defense funds appropriated last month for operations in Iraq. Among other things, the bill increases the death gratuity for all active and activated service members to $100,000 retroactive to October 7, 2001. This authority is needed to pay the higher death gratuity to all service members, and more importantly pay it retroactively to those what do not qualify under the combat-related requirements since October 7, 2001. Furthermore, for the first time ever, all reservists who agree to continue service in the Selected Reserves 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 Selected Reservists, and enhances the current TRICARE Reserve Select program.

In addition, H.R. 1815 authorizes the President's request of an across-the-board 3.1% pay increase for military personnel. Further, the measure authorizes targeted increases for 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 $100,000, 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 increases the bonuses for enlistment and reenlistment and raises the eligible enlistment age to 42. 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 Selected Reserves 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 Selected 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. Lastly Requires the establishment of a Mental 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, Department of 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 partially fix the issue 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 died in Operation Iraqi Freedom and Operation Enduring Freedom. Additionally, the bill authorizes $30 million for Department of 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 prisoners seeking 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.

Overwhelming evidence has shown 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 category of contracts awarded by the North Carolina Department of

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 clearly lays out how detainees in the custody of the U.S. Government will be treated. However, it does not address the question of the outsourcing 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 condemnation for 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 each year 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 what they need, when they need it. Making sure this happens is one of Congress' primary Constitutional duties.

I am pleased then 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 subcommittee chairman Congressman 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. As I've pointed out many times during committee discussions, this cash-financing 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 take a serious look at using 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 I think represents bipartisan agreement 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 Iraqi forces 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 US 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 US 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 US 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, while I'm pleased that this language 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 intelligence services how they are 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 that happens, if Congress has remained 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 we have chosen not to act to stop 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 Chairman 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 civilian 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, 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 as up-armored Humvees and jammers for improvised explosive devices, to our troops in Iraq and Afghanistan, as well as to replace 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 this new language 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 technology in a cost-effective manner. This provision should be welcome news to Electric Boat, a major employer in my district, which has announced as many 2,400 layoffs in 2006, primarily due to insufficient submarine design and construction work. To prevent our submarine force from shrinking to dangerously 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. WELLER. 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 contains a provision that is extremely important to my constituents in Illinois's 11th Congressional district. The ''Weller Amendment'', which pertains to Chicago's South Suburban Airport, ensures that the airport is built with local control and through a transparent process.

The South Suburban Airport will be one of Illinois' largest infrastructure projects to be undertaken since the construction of Chicago O'Hare International airport. With the construction of the South Suburban Airport, an estimated 236,000 jobs will be created and it is projected to generate $5.1 billion in economic growth. In addition to the boost it will give the local economy, the South Suburban Airport will further reduce the congestion that currently plagues Chicago O'Hare.

The ''Weller amendment'' is necessary to protect the taxpayers of Will County who will have the ultimate responsibility for the infrastructure and development associated with the airport. Local responsibility, accountability and control is essential for the airport to be successful. For Will County, where the entire footprint of the airport is located, to have a majority control on how this airport should take shape and operate. It is just common sense.

The first section of my provision will ensure that Will County residents will receive a majority of the seats on the governing board of the airport. Since my days in the Illinois General Assembly, I have been a strong supporter of the Third Airport and have always maintained that local control is vital to the airport governance. It is the residents of Will County who will have to live with both the benefits and the consequences the new growth will bring to the county. They must have a majority of seats on the governing board to represent Will county taxpayer interests.

The second section of my provision applies to current law, requiring that all contractual dealings of the airport follow federal procurement laws. There must be transparency and open bidding in the contracting for this airport. There is no room for sweetheart deals or backdoor no bid contracts which is the practice of the Abraham Lincoln Airport Commission, which is composed of communities in Cook County who seek to control the Will County site. This point has also been reinforced by the recent opinion by Illinois Attorney General Lisa Madigan. In her opinion, issued last Friday evening, the process that the Abraham Lincoln Airport Commission used to pick two airport developers violated state procurement laws.

I also realize that some of my constituents, especially near the airport site, do not support the construction of a suburban third airport. With this understood, should an airport be built, I think they would agree that those that have to live with the airport should control the operation of the airport.

I would like to deeply thank Speaker HASTERT and Chairman HUNTER for their support of this amendment. I would also like to thank Will County Executive Larry Walsh, Will County Board Chairman Jim Moustis, Illinois State Senator Debbie Halvorson and all of the public officials in Will and Kankakee counties for their support.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, let me start by adding my thanks to the Armed Services Committee staff for their hard work and long hours in getting this conference report to the floor.

On the whole, I think this is a solid bill—a bill that does a lot of good for our servicemembers and their families.

It raises basic pay and hardship duty pay. It provides TRICARE coverage for Reservists. It increases the death gratuity for all activated servicemembers. It begins the much-needed reform of the DOD acquisition system.

And with the inclusion of the McCain language, this bill makes a strong statement to the world that the United States does NOT condone—and will not tolerate—the torture or abuse of detainees.

But I'm 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 making it 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 revision to the UCMJ involves the addition of stalking as a specifically defined 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. SCHAKOWSKY. 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 about two provisions in this bill—provisions 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 undermines the ban on torture—will have profound implications for our legal traditions and our reputation throughout the world.

The first provision, based on a Senate amendment, would limit U.S. courts' historic habeas corpus jurisdiction to review detentions. This would cut off access to the courts by persons held at Guantánamo Bay.

Habeas corpus is one of the most fundamental precepts of American Constitutional tradition. The court-stripping provision included in this legislation would do grievous harm to the rule that the government cannot just lock up people without showing cause to a court. It is not a change that we should enact without careful consideration by the appropriate committees in the House and Senate.

In a letter to Members of Congress commenting on the Senate amendment, Leslie H. Jackson, head of the POW organization, American Ex-Prisoners of War, said ''As we limit the rights of human beings, even those of the enemy, we become more like the enemy. That makes us weaker and imperils our troops. I am proud to be an American and proud of my service to my country. This Amendment, well intentioned as it may be, will diminish us.'' William D. Rogers, former Under Secretary of State during the Ford Administration, also expressed serious concerns about the possible impacts of this amendment. He warns, ''To proclaim democratic government to the rest of the world as the supreme form of government at the very moment we eliminate the most important avenue of relief from arbitrary governmental decision will not serve our interests in the larger world.''

Second, this legislation also includes a provision that would undermine a ban on torture by allowing testimony obtained by torture to be used to hold and to punish detainees. Both the House and the Senate have voted overwhelmingly in past weeks that our nation should prohibit the use of torture. We have agreed that the use of torture is antithetical to a moral nation and that it harms our reputation as the exemplar of democracy and freedom throughout the world. We have also heard from intelligence experts that information obtained in interrogations that use techniques like ''waterboarding'' or simulated drowning, often produce unreliable information. Yet, while this legislation condemns the use of torture on one hand, on the other hand it countenances the use of information obtained through torture to eliminate legal rights.

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.

First, the conference report includes the original McCain amendment related to treatment of detainees, with additional language agreed to by the conferees and the Administration that provides our military and intelligence personnel with criminal and civil defenses modeled on those already provided to military personnel under the Uniformed Code of Military Justice in specific circumstances.

I strongly supported the McCain amendment because, while it's said actions speak louder than words, reputations depend on both—and, fairly or not, for people around the world the actions of a few Americans at Abu Ghraib have left a stain on America's reputation and have made it harder for our troops to win the war against Islamic terrorists. Erasing that stain and protecting our soldiers from abuse will take both respectable actions and credible words—and enactment of this part of the conference report will give credibility to our words.

I also am glad to note that the conference report includes the language adopted by the Senate saying that says 2006 should be a period of significant transition to full Iraqi sovereignty, with Iraqi security forces taking the lead for the security of a free and sovereign Iraq, thereby creating the conditions for a phased redeployment of U.S. forces from Iraq, and requiring quarterly reports until all combat brigades have been redeployed from Iraq.

With my colleagues Representatives OSBORN, TAUSCHER, and SCHWARZ, I urged that this be retained in the conference report as a step toward the greater unity among Members of Congress and the Administration that I think will be needed for a successful outcome in Iraq. So, its inclusion is another reason I support the conference report.

There are also many broad provisions in the bill that benefit our troops. An important one increases the end strength for the Army and Marine Corps by 30,000 and 4,000 respectively, thereby helping to ease the strain on our troops. I'm also glad that the bill includes provisions to increase recruiting and retention incentives, increase the death gratuity to $100,000, and provide a 3.1% pay raise for members of the armed forces. The bill also provides better force protection for our troops, including nearly doubled funding for up-armored Humvees.

Also critical is the report's provision authorizing reservists who agree to continue service to buy into a government-subsidized TRICARE healthcare program for themselves and their families. Along with many of my colleagues in the House, I have fought for some time to expand TRICARE for the Guard and Reserve, so I take great pleasure in knowing that the report includes this provision that will improve healthcare access for our men and women in the Selected Reserve. As long as our Nation continues to use our reserve components in the same capacities as active duty troops, they deserve similar benefits for similar service. The needs of our Reservists will continue to grow as we continue to call them to service in the war in Iraq and Afghanistan.

Also important—especially at this time of budget tightening—is the report's focus on reining in costs of major procurement programs, particularly the Future Combat Systems and other programs that have relied on immature technology. Similarly, provisions included to reform the acquisition system will strengthen current law governing cost overruns.

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, 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 do 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. My understanding is that this could have the effect of allowing use of evidence obtained by coercive interrogations. At least one lawyer who represents 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, a former chemical weapons site located in southeastern Colorado. Coloradans were alarmed last year when the demilitarization project was put on hold, so they want to see that the Defense Department is committed to using the neutralization technology to destroy the 2,600 tons of mustard agent stored at Pueblo—not transporting the weapons to a different site for destruction. The Colorado delegation has worked hard to put the project back on the right track, so I am grateful for language in the bill directing the Secretary of the Army to continue to implement fully the neutralization technology at Pueblo.

And, finally, the conference report includes provisions dealing with a matter of particular interest to Coloradans—the future of Rocky Flats.

Located at the edge of the Denver metropolitan area, Rocky Flats formerly was part of the complex of sites where nuclear weapons were made. After that use ended, the Department of Energy and its contractors worked to have the site cleaned up and closed. That monumental task is now complete, and when the regulatory certification of cleanup and closure is issued, and most of the site will be transferred to the Interior Department for management as a national wildlife refuge pursuant to the Rocky Flats Wildlife Refuge Act.

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 decreased after the suspension of 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. THORNBERRY. 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 in the War on 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]

MISGUIDED MORALITY

(By Andrew C. McCarthy and Clifford D. May)

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 trick worked. The terrorist talked. American lives were saved. 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 coddle terrorists unduly. Congress should instead set clear standards, consulting intelligence experts and medical professionals to flesh out which techniques should always be prohibited (for example, 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 highranking 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 on the conference report.

There was no objection.

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

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

Mr. SKELTON. 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.

AUTHORIZING THE CLERK TO PRODUCE DUPLICATE ENGROSSMENT OF H.R. 4525

Mr. ISSA. Mr. Speaker, I ask unanimous consent that the Clerk be authorized, if necessary, to produce a duplicate engrossment of H.R. 4525.

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 312 East North Avenue 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.

(a) 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,

SECTION 1. STATE SENATOR VERDA WELCOME AND DR. HENRY WELCOME POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 3000 Homewood Avenue in Baltimore, Maryland, shall be known and designated as the ''State Senator Verda Welcome and Dr. Henry Welcome 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 ''State Senator Verda Welcome and Dr. Henry Welcome 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.

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. 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,'' 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. 4515

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 Sciota 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 resolution (H. Res. 483) supporting the goals and ideals of National Teen Dating Violence Awareness and Prevention Week, 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 violent relationships 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-vicimization;

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.

The Clerk read as follows:

Strike all after the resolved clause and insert the following:

Resolved, That the House of Representatives supports an increased awareness among parents, schools, and communities that dating violence is a criminal act and the ideals of the National Teen Dating Violence and Prevention Week.

Ms. MILLENDER MCDONALD. Mr. Speaker, I offer heartfelt thanks to you for bringing this important resolution to the floor. Thanks to the Ranking Member as well. I join with my friend and co-sponsor, the gentlewoman from Connecticut, NANCY JOHNSON in bringing this very important legislation to the floor.

I am delighted to be able to say that my colleagues in this great Congress understand that protecting our children from violence is of utmost importance and that we as a body support the ideals of National Teen Dating Violence Awareness and Protection Week through H. Res. 483.

Teen Dating Violence is the proverbial elephant in the room. Too many girls are the victims of abuse perpetrated by an intimate partner and yet too many parents are unaware that their daughters live with this tragic reality. The facts are horrifying:

Girls and young women between the ages of 16 and 24 experience the highest per capita rates of non-fatal intimate partner violence of all women.

Many of our teens report experiencing some kind of abuse in their romantic relationships, including verbal and emotional abuse.

Over half of a national survey of parents either believe teen dating violence is not an issue or admit they don't know to what extent it is an issue.

It is time to end this gap between what we believe about teen dating violence and what is actually happening to our sisters, daughters, and granddaughters in their relationships.

The only way we will be able to combat this epidemic is if we are educated about it. Teen Dating Violence Awareness and Prevention Week is a crucial step towards acquiring this knowledge.

I am a mother of daughters and a grandmother of granddaughters. I hate to think of them engaged in a relationship where they may be at risk, emotionally, physically or mentally. But just because I do not want to think about this, does not mean I should not think about it.

Through communication and further education we will take away the stigma of coming forward to report abuse by a partner. We learn to recognize the signs that our girls are in trouble. We will help victims leave their relationships and get the help they need to embark on relationships that are worthy of their greatness.

I am passionate about this program because of its message of understanding and prevention, but also because teenager took it upon themselves to start this campaign towards consciousness on this issue.

I have deep admiration for the young women and men who attended the national awareness and education summit last year and were motivated enough to develop toolkits for schools and propose National Teen Dating Violence Awareness and Prevention Week. I will be proud to stand with them during that week in February. These young people will be the future leaders of our country, and we should all applaud them!

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 this 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 1952, where he was an all-American track and field athlete, received a Master's degree in Russian literature from Middlebury College in 1953, 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 when, 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, before 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 on a local, state, and national level in seeking full and equal participation for people with disabilities in all aspects of life;

Whereas 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 $1,650,000 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 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 8, 2005, and the contributions he made to 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 A. Reich; and

(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 1952, where he was an all-American track and field athlete, received a Master's degree in Russian literature from Middlebury College in 1953, 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 when, 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, before 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 on a local, state, and national level in seeking full and equal participation for people with disabilities in all aspects of life;

Whereas 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 $1,650,000 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 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 8, 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) COOPERATIVE AGREEMENTS.—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 complete the memorial.

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 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.

BENJAMIN FRANKLIN NATIONAL MEMORIAL 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. 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, 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. 652

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 ''Benjamin Franklin National Memorial Commemoration Act of 2005''.

SEC. 2. BENJAMIN FRANKLIN NATIONAL MEMORIAL.

The Secretary of the Interior may provide a grant to the Franklin Institute to—

(1) rehabilitate the Benjamin Franklin National Memorial (including the Franklin statue) in Philadelphia, Pennsylvania; and

(2) develop an interpretive exhibit relating to Benjamin Franklin, to be displayed at a museum adjacent to the Benjamin Franklin National Memorial.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act $10,000,000.

(b) REQUIRED MATCH.—The Secretary of the Interior shall require the Franklin Institute to match any amounts provided to the Franklin Institute under 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 1278 that is—

(A) located in the Recreation Area; and

(B) situated on 2 tracts designated by the Corporation as ROW No. 16405 and No. 16413.

(3) RECREATION AREA.—The term ''Recreation Area'' means the Delaware Water Gap

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 before 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 to, or restore, 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 (CPF No. 1–2002–1004–H).

(e) FERC CONSULTATION.—The Corporation shall comply with all other requirements for certification by the Federal Energy Regulatory Commission that are necessary to permit the increase in pipeline size.

(f) LIMITATION.—The Secretary shall not grant any additional increases in the diameter of, or easements for, the pipeline within the boundary 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 against the Corporation in United States district court to recover damages and response costs under Public Law 101–337 (16 U.S.C. 19jj 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. 19jj)).

SEC. 4. USE OF CERTAIN ROADS WITHIN DELAWARE 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 the following: ''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.

Effective on January 1, 2006, section 3(f) of the Act of August 21, 1935 (16 U.S.C. 463(f)) is amended in the first sentence by striking ''2006'' and inserting ''2007''.

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.

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 this 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''.

SEC. 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. 1722) is amended—

(1) by redesignating paragraphs (8), (9), (10), and (11) as paragraphs (9), (10), (11), and (13), respectively;

(2) by inserting after paragraph (7) the following:

''(8) 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. 6501 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 are'' 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 priority 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 204(d) 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 the Secretary of Agriculture may each'' and inserting the following:

''(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

(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 Federal 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) IN GENERAL.—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.

''(2) ASSISTANCE FOR CONSERVATION CENTERS.—The Secretary may provide to a conservation center established under paragraph (1) any services, facilities, equipment, and supplies that the Secretary determines to be necessary for the conservation center.

''(3) STANDARDS FOR CONSERVATION CENTERS.—The Secretary shall—

''(A) establish basic standards of health, nutrition, sanitation, and safety for all conservation centers established under paragraph (1); and

''(B) ensure that the standards established under subparagraph (A) are enforced.

''(4) MANAGEMENT.—As the Secretary determines to be appropriate, the Secretary may enter into a contract or other appropriate arrangement with a State or local government agency or private organization to provide for the management of a conservation center.''; and

(3) by adding at the end the following:

''(d) ASSISTANCE.—The Secretary may provide any services, facilities, equipment, supplies, technical assistance, oversight, monitoring, or evaluations that are appropriate to carry out this title.''.

(e) 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 adding at the end the following:

''(c) HIRING.—The Secretary may—

''(1) grant to a member of the Public Lands Corps credit for time served with the Public Lands Corps, which may be used toward future Federal hiring; and

''(2) provide to a former member 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 are 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 priority 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 (b)—

(i) in the first sentence, by striking ''Secretary of the Interior or the Secretary of Agriculture'' and inserting ''Secretary'';

(ii) in the third sentence, by striking ''Secretaries'' and inserting ''Secretary''; and

(iii) in the fourth sentence, by striking ''Secretaries'' and inserting ''Secretary''; and

(B) in subsection (e), by striking ''Secretary of the Interior and the Secretary of Agriculture'' and inserting ''Secretary'';

(2) in section 205 (16 U.S.C. 1724)—

(A) in subsection (b), by striking ''Secretary of the Interior and the Secretary of Agriculture'' 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 ''the Secretary'';

(ii) in the third sentence, by striking ''Secretaries'' and inserting ''Secretary''; and

(iii) in the fourth sentence, by striking ''Secretaries'' 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 ''the Secretary''; and

(4) in section 210 (16 U.S.C. 1729)—

(A) in subsection (a)—

(i) in paragraph (1), by striking ''Secretary of the Interior and the Secretary of Agriculture are each'' and inserting ''Secretary is''; and

(ii) in paragraph (2), by striking ''Secretary of the Interior and the Secretary of Agriculture are each'' and inserting ''Secretary is''; 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.

□ 0100

INDIAN LAND PROBATE REFORM TECHNICAL CORRECTIONS 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. 1481) to amend the Indian Land Consolidation Act to provide for probate reform, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1481

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 ''Indian Land Probate Reform Technical Corrections Act of 2005''.

SEC. 2. PARTITION OF HIGHLY FRACTIONATED INDIAN LAND.

Section 205 of the Indian Land Consolidation Act (25 U.S.C. 2204) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) PURCHASE OF LAND.—

''(1) IN GENERAL.—Subject to subsection (b), any Indian tribe may purchase, at not less than fair market value and with the consent of the owners of the interests, part or all of the interests in—

''(A) any tract of trust or restricted land within the boundaries of the reservation of the tribe; or

''(B) land that is otherwise subject to the jurisdiction of the tribe.

''(2) REQUIRED CONSENT.—

''(A) IN GENERAL.—The Indian tribe may purchase all interests in a tract described in paragraph (1) with the consent of the owners of undivided interests equal to at least 50 percent of the undivided interest in the tract.

''(B) INTEREST OWNED BY TRIBE.—Interests owned by an Indian tribe in a tract may be included in the computation of the percentage of ownership of the undivided interests in that tract for purposes of determining whether the consent requirement under subparagraph (A) has been met.'';

(2) by redesignating subsection (d) as subsection (c); and

(3) in subsection (c) (as redesignated by paragraph (2))—

(A) in paragraph (2)—

(i) in subparagraph (G)(ii)(I), by striking ''a higher valuation of the land'' and inserting ''a value of the land that is equal to or greater than that of the earlier appraisal''; and

(ii) in subparagraph (I)(iii)—

(I) in subclause (III), by inserting ''(if any)'' after ''this section''; and

(II) in subclause (IV)—

(aa) in item (aa), by striking ''less'' and inserting ''more''; and

(bb) in item (bb), by striking ''to implement this section'' and inserting ''under paragraph (5)''; and

(B) in paragraph (5), in the second sentence, by striking ''shall'' and inserting ''may''.

SEC. 3. TRIBAL PROBATE CODES.

Section 206 of the Indian Land Consolidation Act (25 U.S.C. 2205) is amended—

(1) in subsection (b)(3), by striking subparagraph (A) and inserting the following:

''(A) the date that is 1 year after the date on which the Secretary makes the certification required under section 8(a)(4) of the American Indian Probate Reform Act of 2004 (25 U.S.C. 2201 note; Public Law 108–374); or''; and

(2) in subsection (c)—

(A) in paragraph (1)(A), by striking ''section'' and all that follows through ''the Indian tribe'' and inserting ''section 207(b)(2)(A)(ii), the Indian tribe''; and

(B) in paragraph (2)(A)(i)(II)(bb), by inserting ''in writing'' after ''agrees''.

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 (h) through (p) as subsections (g) through (o), respectively;

(2) in subsection (g) (as redesignated by paragraph (1))—

(A) in paragraph (2)—

(i) by inserting ''specifically'' after ''pertains''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) the allotted land (or any interest relating to such land) of 1 or more specific Indian tribes expressly identified in Federal law, including any of the Federal laws governing 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 status; 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 application of a Federal law described in paragraph (2), nothing in this subsection limits the application of this Act to trust or restricted land, interests in such land, or any other trust or restricted interests or assets.'';

(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 status'' after ''testator'';

(4) in subsection (j) (as redesignated by paragraph (1))—

(A) in paragraph (2)(A)—

(i) in clause (ii)(I), by striking ''the date of enactment of this subparagraph'' and inserting ''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 American Indian Probate Reform Act of 2004 (25 U.S.C. 2201 note; Public Law 108–374)''; and

(ii) in clause (iii), by striking ''the provisions of section 207(a)(2)(A)'' and inserting ''subsection (a)(2)(A)'';

(B) in paragraph (8)(D), by striking ''the provisions 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)(C)—

(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 (o)''; and

(5) in subsection (o) (as redesignated by paragraph (1))—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''section 207(a)(2)(A) or (D)'' and inserting ''subparagraph (A) or (D) of subsection (a)(2)''; and

(ii) in subparagraph (A), by striking ''section 207(b)(1)(A)'' and inserting ''subsection (b)(1)(A)'';

(B) in paragraph (3)(B), by striking ''section 207(a)(2)(A) or (D)'' and inserting ''subparagraph (A) or (D) of subsection (a)(2)''; and

(C) in paragraph (6)—

(i) in the first sentence, by striking ''Proceeds'' and inserting the following:

''(A) IN GENERAL.—Proceeds''; and

(ii) by striking the second sentence and inserting the following:

''(B) HOLDING IN TRUST.—Proceeds described in subparagraph (A) shall be deposited and held in an account as trust personalty if the interest sold would otherwise pass to—

''(i) the heir, by intestate succession under subsection (a); or

''(ii) the devisee in trust or restricted status under subsection (b)(1).''.

(b) NONTESTAMENTARY DISPOSITION.—Section 207(a)(2)(D)(iv)(I)(aa) of the Indian Land Consolidation Act (25 U.S.C. 2206(a)(2)(D)(iv)(I)(aa)) is amended—

(1) by striking ''clause (iii)'' and inserting ''this subparagraph''; and

(2) in subitem (BB), by striking ''any co-owner'' and inserting ''not more than 1 co-owner''.

(c) JOINT TENANCY; RIGHT OF SURVIVORSHIP.—Section 207(c) of the Indian Land Consolidation Act (25 U.S.C. 2206(c)) is amended by striking the subsection heading and inserting the following:

''(c) JOINT TENANCY; RIGHT OF SURVIVORSHIP.—''.

(d) ESTATE PLANNING ASSISTANCE.—Section 207(f)(3) of the Indian Land Consolidation Act (25 U.S.C. 2206(f)(3)) is amended in the matter preceding subparagraph (A) by inserting '', including noncompetitive grants,'' after ''grants''.

SEC. 5. FRACTIONAL INTEREST ACQUISITION PROGRAM.

Section 213 of the Indian Land Consolidation Act (25 U.S.C. 2212) is amended—

(1) by striking the section heading and inserting 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.

Section 215 of the Indian Land Consolidation Act (25 U.S.C. 2214) is amended by striking the last sentence and inserting the following: ''Such a system may govern the amounts offered for the purchase of interests in trust or restricted land under this Act.''.

SEC. 7. LAND OWNERSHIP INFORMATION.

Section 217(e) of the Indian Land Consolidation Act (25 U.S.C. 2216(e)) is amended by striking ''be made available to'' and inserting ''be made available to—''.

SEC. 8. CONFORMING AMENDMENTS.

(a) PROBATE REFORM.—The American Indian Probate Reform Act of 2004 (25 U.S.C. 2201 note; Public Law 108–374) is amended—

(1) in section 4, by striking ''(as amended by section 6(a)(2))''; and

(2) in section 9, by striking ''section 205(d)(2)(I)(i)'' and inserting ''section 205(c)(2)(I)(i) of the Indian Land Consolidation Act (25 U.S.C. 2204(c)(2)(I)(i))''.

(b) TRANSFER AND EXCHANGE OF LAND.—Section 4 of the Act of June 18, 1934 (25 U.S.C. 464) is amended to read as follows:

''SEC. 4. TRANSFER AND EXCHANGE OF RESTRICTED INDIAN LAND AND SHARES OF INDIAN TRIBES AND CORPORATIONS.

''(a) APPROVAL.—Except as provided in this section, no sale, devise, gift, exchange, or other transfer of restricted Indian land or shares in the assets of an Indian tribe or corporation organized under this Act shall be made or approved.

''(b) TRANSFER TO INDIAN TRIBE.—

''(1) IN GENERAL.—Land or shares described in subsection (a) may be sold, devised, or 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 Secretary of the Interior.

''(2) DESCENT AND DEVISE.—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).

''(c) VOLUNTARY EXCHANGES.—The Secretary of the Interior may authorize a voluntary exchange of land or shares described in subsection (a) that the Secretary determines to be of equal value if 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 organizations.''.

SEC. 9. EFFECTIVE DATE.

The amendments made by this Act shall be effective as if included in the American Indian 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 reconsider 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 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. 1892

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

SECTION 1. SETTLEMENT OF TRIBAL CLAIMS.

Section 1(a) of Public Law 107–153 (25 U.S.C. 4044 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 reconsider was laid on the table.

ARABIA MOUNTAIN NATIONAL HERITAGE AREA ACT

Mr. POMBO. Mr. Speaker, I ask unanimous consent that the Committee on Resources be discharged from further consideration of the bill (H.R. 2099) to establish the Arabia Mountain National Heritage Area, and

for other purposes, 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. 2099

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

SECTION 1. SHORT TITLE; FINDINGS; PURPOSES.

(a) SHORT TITLE.—This Act may be cited as the ''Arabia Mountain National Heritage Area Act''.

(b) 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 continuing use.

(2) The best methods for managing the resources of the Arabia Mountain area would be through partnerships between public and private entities that combine diverse resources and active communities.

(3) Davidson-Arabia Mountain Nature Preserve, a 535-acre park in DeKalb County, Georgia—

(A) protects granite outcrop ecosystems, wetland, and pine and oak forests; and

(B) includes federally-protected plant species.

(4) Panola Mountain, a national natural landmark, located in the 860-acre Panola Mountain State Conservation Park, is a rare example of a pristine granite outcrop.

(5) The archaeological site at Miners Creek Preserve along the South River contains documented evidence of early human activity.

(6) The city of Lithonia, Georgia, and related sites of Arabia Mountain and Stone Mountain possess sites that display the history of granite mining as an industry and culture in Georgia, and the impact of that industry on the United States.

(7) The community of Klondike is eligible for designation as a National Historic District.

(8) The city of Lithonia has 2 structures listed on the National Register of Historic Places.

(c) PURPOSES.—The purposes of this Act are as follows:

(1) To recognize, preserve, promote, interpret, and make available for the benefit of the public the natural, cultural, historical, scenic, and recreational resources in the area that includes Arabia Mountain, Panola Mountain, Miners Creek, and other significant sites and communities.

(2) To assist the State of Georgia and the counties of DeKalb, Rockdale, and Henry in the State in developing and implementing an integrated cultural, historical, and land resource management program to protect, enhance, and interpret the significant resources within the heritage area.

SEC. 2. DEFINITIONS.

For the purposes of this Act, the following definitions apply:

(1) HERITAGE AREA.—The term ''heritage area'' means the Arabia Mountain National Heritage Area established by section 3.

(2) MANAGEMENT ENTITY.—The term ''management entity'' means the DeKalb County Parks and Recreation Department or a successor of the DeKalb County Parks and Recreation Department.

(3) MANAGEMENT PLAN.—The term ''management plan'' means the management plan for the heritage area developed under section 5.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) STATE.—The term ''State'' means the State of Georgia.

SEC. 3. ARABIA MOUNTAIN NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—There is established the Arabia Mountain National Heritage Area in the State.

(b) BOUNDARIES.—The heritage area shall consist of certain parcels of land in the counties of DeKalb, Rockdale, and Henry in the State, as generally depicted on the map entitled ''Arabia Mountain National Heritage Area'', numbered AMNHA/80,000, and dated October, 2003.

(c) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(d) MANAGEMENT ENTITY.—The Arabia Mountain Heritage Area Alliance shall be the management entity for the heritage area.

SEC. 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 the management plan.

(B) CONSIDERATIONS.—In developing and implementing the management plan, the management entity shall consider the interests of diverse governmental, business, and nonprofit groups within the heritage area.

(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 nonprofit 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.

(5) AUDIT.—The management entity shall—

(A) make available to the Secretary for audit all records relating to the expenditure of Federal funds and any matching funds; and

(B) 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.

(c) USE OF FEDERAL FUNDS.—

(1) IN GENERAL.—The management entity shall not use Federal funds made available under this Act to acquire real property or an interest in real property.

(2) OTHER SOURCES.—Nothing in this Act precludes the management entity from using Federal funds made available under other Federal laws for any purpose for which the funds are authorized to be used.

SEC. 5. MANAGEMENT PLAN.

(a) IN GENERAL.—The management 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.

(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 and organizational 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 entity 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 subsection (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;

(ii) make recommendations for revisions to the management plan; and

(iii) allow the management 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 a revision is submitted under subparagraph (A)(iii), 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 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 management entity 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 actions that facilitate—

(1) the conservation of the significant natural, cultural, historical, 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. 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 regulations that would be applicable to the land described in section 3(b) but 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 applicable to the land described in section 3(b) as of the date of enactment of this Act, solely as a result of 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) NOTIFICATION 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 in writing by 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 their property immediately removed from the boundary by submitting a written request to the management entity.

SEC. 9. PRIVATE PROPERTY PROTECTION.

(a) 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.

(b) 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 private property.

(c) 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.

(d) 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.

(e) 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 provide any nonexisting regulatory authority on land use within the Heritage Area or its viewshed 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 $10,000,000, 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.

The authority of the Secretary to make any grant or provide any assistance under this Act shall terminate on September 30, 2016.

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:

Amendment in the nature of a substitute offered by Mr. POMBO:

Strike all after the enacting clause and insert the following:

TITLE I—ARABIA MOUNTAIN NATIONAL HERITAGE AREA

SECTION 101. SHORT TITLE.

This title may be cited as the ''Arabia Mountain National Heritage Area Act''.

SEC. 102. 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 continuing use.

(2) The best methods for managing the resources of the Arabia Mountain area would be through partnerships between public and private entities that combine diverse resources and active communities.

(3) Davidson-Arabia Mountain Nature Preserve, a 535-acre park in DeKalb County, Georgia—

(A) protects granite outcrop ecosystems, wetland, and pine and oak forests; and

(B) includes federally-protected plant species.

(4) Panola Mountain, a national natural landmark, located in the 860-acre Panola Mountain State Conservation Park, is a rare example of a pristine granite outcrop.

(5) The archaeological site at Miners Creek Preserve along the South River contains documented evidence of early human activity.

(6) The city of Lithonia, Georgia, and related sites of Arabia Mountain and Stone Mountain possess sites that display the history of granite mining as an industry and culture in Georgia, and the impact of that industry on the United States.

(7) The community of Klondike is eligible for designation as a National Historic District.

(8) The city of Lithonia has 2 structures listed on the National Register of Historic Places.

(b) PURPOSES.—The purposes of this title are as follows:

(1) To recognize, preserve, promote, interpret, and make available for the benefit of the public the natural, cultural, historical, scenic, and recreational resources in the area that includes Arabia Mountain, Panola Mountain, Miners Creek, and other significant sites and communities.

(2) To assist the State of Georgia and the counties of DeKalb, Rockdale, and Henry in the State in developing and implementing an integrated cultural, historical, and land resource management program to protect, enhance, and interpret the significant resources within the heritage area.

SEC. 103. DEFINITIONS.

In this title:

(1) HERITAGE AREA.—The term ''heritage area'' means the Arabia Mountain National Heritage Area established by section 4(a).

(2) LOCAL COORDINATING ENTITY.—The term ''local coordinating entity'' means the Arabia Mountain Heritage Area Alliance or a successor of the Arabia Mountain Heritage Area Alliance.

(3) MANAGEMENT PLAN.—The term ''management plan'' means the management plan for the heritage area developed under section 6.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) STATE.—The term ''State'' means the State of Georgia.

SEC. 104. ARABIA MOUNTAIN NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—There is established the Arabia Mountain National Heritage Area in the State.

(b) BOUNDARIES.—The heritage area shall consist of certain parcels of land in the counties of DeKalb, Rockdale, and Henry in the State, as generally depicted on the map entitled ''Arabia Mountain National Heritage Area'', numbered AMNHA–80,000, and dated October 2003.

(c) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(d) LOCAL COORDINATING ENTITY.—The Arabia Mountain Heritage Area Alliance shall be the local coordinating entity for the heritage area.

SEC. 105. AUTHORITIES AND DUTIES OF THE LOCAL COORDINATING ENTITY.

(a) AUTHORITIES.—For purposes of developing and implementing the management plan, the local coordinating 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 local coordinating entity shall develop and submit to the Secretary the management plan.

(B) CONSIDERATIONS.—In developing and implementing the management plan, the local coordinating entity shall consider the interests of diverse governmental, business, 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 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 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 title, 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.

(5) AUDIT.—The local coordinating entity shall—

(A) make available to the Secretary for audit all records relating to the expenditure of Federal funds and any matching funds; and

(B) 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.

(c) USE OF FEDERAL FUNDS.—

(1) IN GENERAL.—The local coordinating entity shall not use Federal funds made available under this title to acquire real property or an interest in real property.

(2) OTHER SOURCES.—Nothing in this title precludes the local coordinating entity from using Federal funds made available under other Federal laws 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.

(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 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 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 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) REVISION.—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 a revision is submitted under subparagraph (A)(iii), 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 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 title shall be used to implement any revision proposed by the local coordinating entity under paragraph (1)(B) 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 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 actions that facilitate—

(1) the conservation of the significant natural, cultural, historical, 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) imposes an occupational, safety, conservation, or environmental regulation on the heritage area that is more stringent than the regulations that would be applicable to the land described in section 4(b) but for the establishment of the heritage area by section 4(a); 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 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 local coordinating entity.

SEC. 109. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this title $10,000,000, 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 50 percent.

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 by 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 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 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—

(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.

(b) 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 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 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 to participate in or be associated with the Heritage Area.

(e) EFFECT OF ESTABLISHMENT.—The boundaries designated for the Heritage Area represent the area within which Federal funds appropriated for the purpose of this title may be expended. The establishment 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 viewshed by the Secretary, the National Park Service, or the management entity.

TITLE II—ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR ACT AMENDMENTS

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 Act of 1984 (Public Law 98–398; 16 U.S.C. 461 note) is amended as follows:

(1) In section 103—

(A) in paragraph (8), by striking ''and'';

(B) in paragraph (9), 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) By adding at the end of section 112 the following new paragraph:

''(7) The Secretary shall enter into a memorandum of understanding with the Association to help ensure appropriate transition of the local coordinating entity to the Association and coordination with the Association regarding that role.''.

(3) 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 cooperative 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, regional planning organizations, and other organizations—

''(A) in preserving the corridor;

''(B) in establishing and maintaining interpretive exhibits in the corridor;

''(C) in developing recreational resources in the corridor;

''(D) in increasing public awareness of and appreciation for the natural, historical, and architectural resources and sites in the corridor; and

''(E) in facilitating the restoration of any historic building relating to the themes of the corridor;

''(3) encourage by appropriate means economic viability in the corridor consistent with the goals of the management plan;

''(4) consider the interests of diverse governmental, business, and other groups within the corridor;

''(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 available for audit all records pertaining to the expenditure of such funds and any matching funds; and

''(C) require, for all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make available for audit all records pertaining to the expenditure of such funds.

''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 undertaken by units of government and nongovernmental 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;

''(F) a financial plan and other information on costs and sources of funds;

''(G) a description of the public participation process used in 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 any other relevant issues relating to the management plan.

''(b) DISQUALIFICATION FROM FUNDING.—If a proposed management plan is not submitted to the Secretary within 2 years after the date that Federal funds are made available for this purpose, the Association shall be ineligible to receive additional 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 such 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 governments, natural and historic resource protection organizations, educational institutions, businesses, recreational organizations, community residents, and private property owners prior to approving the management plan. The Association shall conduct semi-annual public meetings, workshops, and hearings to provide adequate opportunity for the public and local and governmental entities to review and to aid in the preparation and implementation of the management plan.

''(d) EFFECT OF APPROVAL.—Upon the approval of the management plan as provided in subsection (c), the management plan shall supersede the conceptual plan contained in the National Park Service report.

''(e) 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.

''(f) 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; 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 for this purpose. In assisting the Association, the Secretary shall give priority to actions that in general assist in—

''(1) conserving the significant natural, historic, 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;

''(2) cooperate with the Secretary and 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, conduct or support 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 the cost of 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. 203. 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 boundary of the corridor, and not notified under subsection (a), 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 any provision of Federal, State, or local law with regard to public access to or use of private property.

''(b) LIABILITY.—Designation of the corridor 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 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 IN CORRIDOR.—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 on land use within the corridor or its viewshed by the Secretary, the National Park Service, or the Association.''.

SEC. 204. TECHNICAL AMENDMENTS.

Section 116 of Illinois and Michigan Canal National Heritage Corridor Act of 1984 is 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'';

(C) by striking ''Commission's'' and inserting ''Association's'';

(D) by redesignating paragraph (2) as subsection (b); and

(E) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively.

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?

Mr. KUCINICH. 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. Without objection, 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 (I&M) 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 up and down the length of the Corridor; primarily through an increase in tourism but also in the use of the Corridor for recreational purposes. After consulting with local officials and those most interested and involved in the I&M Canal, it seems that the private sector approach offers more advantages to handle the increased work load brought on by the recent success of the canal and interest in heritage tourism.

As a result, H.R. 2099 designates the Canal Corridor Association (CCA) as the new management entity of the I&M Canal National Heritage Corridor. The CCA seeks to enhance economic vitality by raising awareness of and expanding the parks, trails, landscapes, and historic sites that make the I&M Canal region a special place. They have also successfully implemented education programs and improved the cultural, environmental, historic and tourism resources that the canal offers.

Under the leadership of the CCA, through their 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 not only includes 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 to 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.

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; Georgia's Department of Natural Resources for its valuable input; my colleagues DAVID SCOTT and JIM MARSHALL for cosponsoring 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 Congressman POMBO, Chairman of the House Resources Committee and his staff and NICK RAHALL, its Ranking Member, and his staff, for their advice and counsel as this bill went through the legislative process in the House.

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, and a motion to reconsider was laid on the table.

JUNIOR DUCK STAMP REAUTHORIZATION AMENDMENTS ACT OF 2005

Mr. POMBO. Mr. Speaker, I ask unanimous consent that the Committee 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 gentleman from California?

Mr. OBEY. Reserving the right to object, 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 understanding we have had on those bills. We have had the United States Senate ram down our throats an ANWR provision. And then after we were assured in conference that there would be no language with respect to drug company indemnification, 3 hours after the conference report we get 45 pages of language which Senator FRIST and the Speaker of the House demanded be included 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 occurring in these instances? I have a responsibility 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 principle that this 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 by title only.

Mr. OBEY. Mr. Speaker, I will withdraw that request because I did not inform 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 by UC right now are bills that have been before the committee for a long time. The particular bill you are objecting to is a bill that the gentleman from Texas (Mr. ORTIZ) has been working on for years. It is something that means a lot 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 gentleman 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 operating 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 dictating what goes into conference reports.

Mr. POMBO. If the gentleman will yield, these bills have been worked out. They have been cleared by the gentleman from West Virginia (Mr. RAHALL) and myself. Most of these bills are from your 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 reports. So I know the gentleman didn't, and I have no objection to the gentleman proceeding. But I wanted to use this as an opportunity to point out that the leadership of this House, starting with the Speaker of the House, is abdicating his responsibility to protect the integrity of this institution.

Mr. KUCINICH. Mr. Speaker, I reserve the right to object.

Mr. POMBO. Mr. Speaker, I withdraw my unanimous consent request.

The SPEAKER pro tempore. The request is withdrawn.

Mr. POMBO. Mr. Speaker, I ask unanimous consent that the Committee 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 gentleman from California?

Mr. MARKEY. Reserving the right to object, Mr. Speaker, this is one of the most preposterous situations that the House has ever been placed in. Poised to be placed before the House in just a matter of moments is a bill, the Defense appropriations bill, which is in violation of the germaneness rules of the House; it is in violation of any scope that the Defense appropriations bill has ever allowed to be considered in that bill because inside that bill is a provision which will in fact allow for the drilling in the Arctic Wildlife Refuge.

The gentleman from California is the chairman of the committee, the Natural Resources Committee, which has jurisdiction over the Arctic National Wildlife Refuge.

Mr. POMBO. Mr. Speaker, I withdraw my unanimous consent request.

Mr. MARKEY. The gentleman is out here propounding. I would like to continue to be recognized.

The SPEAKER pro tempore. The gentleman will suspend.

The request is withdrawn.

□ 0115

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2863, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2006

Mr. COLE of Oklahoma, from the Committee on Rules, submitted a privileged report (Rept. No. 109–361) on the resolution (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, and for other purposes, 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 reconciliation pursuant to section 202(a) 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 consideration.

The Clerk read the resolution, as follows:

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

H. RES. 639

Resolved, That upon adoption of this resolution it shall be in order to consider 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, and for other purposes. All points of order against the conference report and against its consideration

are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mr. 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 extraneous material on H. Res. 639.

The SPEAKER pro tempore. Is there objection to the request of the gentleman 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 multifaceted 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 time 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 of that dangerous and troubled city, and while we were 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 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 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 capabilities 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 procurement, $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 consumed almost 9 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 along the gulf coast, $29 billion in all of reprogrammed and additional funds.

Finally, there are offsets in this bill, $23 billion plus, for FEMA 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 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. OBEY), 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 rules of the House back to 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 so critical, 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 our fellow 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 define 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.

Stories of undisclosed 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 so worth fighting for. 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. I am relieved that 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 quietly amended in a way 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 would not just be 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 use the upcoming holiday 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.

□ 0130

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, I think the President 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 underlying bill this rule represents, and 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 there relating to the drilling in the Arctic National Wildlife Reserve.

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, we will 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 there. I believe that our 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 the bill itself.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the

ranking member of the Appropriations Committee.

Mr. OBEY. 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.

There is something 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 multibillion dollar bonanza to the oil companies.

That action represents a fundamental corruption 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 enough votes in the Senate to ensure 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, say someone in their family dies, they lose their right to sue a pharmaceutical manufacturer except when the Secretary finds malfeasance. Instead, they are told that they can have access to a compensation fund, but then there is no money put in the compensation fund. So that means that if you do get sick, you lose your right to sue, but you have to lobby the Congress in order to provide an appropriation in order to provide compensation for your loss.

We were told in writing that that was not going to be in the conference report; and yet Senator FRIST walked across the Capitol, walked into the Speaker's office, and Senator FRIST and the Speaker demanded that the Republican leadership on the House Appropriations Committee insert that language in the bill. So we are here tonight recognizing that once again the orderly legislative process has been corrupted by a couple of muscle men in the Congress who think that they have a right to tell everybody else that they have to do their bidding.

ANWR does not belong in this bill. This language with respect to the drug companies does not belong in this bill. It ought to be stripped. This rule should be turned down.

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

Let me first address my good friend's concern about ANWR and point out a couple of things. ANWR has been voted on repeatedly in both Houses of Congress. Frankly, bipartisan majorities in each House have repeatedly expressed their support for this measure. The President has indicated he would sign it.

Minorities in both Houses, particularly in the other body, have frustrated that process. I have no objection to that, because they have done that, frankly, under the rules and traditions of the Senate. They have been shrewd, they have been tough, and they have been wily; but they have represented a minority viewpoint on the issue.

I think it is somewhat disingenuous now, when the majority bipartisan proponents of this measure are equally tough and shrewd and wily and find a procedure to pass their measure, that 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. People have settled opinions 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 not 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.

Ms. 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 in the Senate Bill. 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 consumers and taxpayers upside down all year for the oil companies. But now, after the oil companies registered $100 billion worth of profits, now, here on the Defense appropriations bill, the Republicans, waiving all rules of the House, have taken 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 of 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. This whole myth that 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 our fighting men and women in Iraq, which every one of us wants to help, if you vote ''no'' on this rule, the Rules Committee in 5 minutes is going to bring another rule back down here without the Arctic National Wildlife Refuge in it, and we will be able to fund everything that we want to do for every single soldier and marine in Iraq.

So do not let yourself be fooled by that. They just did it. We are doing stuff 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. 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, you do so. But that is your environmental vote. The next vote will be on the Defense appropriations itself. This is on a rule that is banning, barring 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

House, in order to ensure that we give the full consideration to the historic importance of voting in this body to drill in the Arctic National Wildlife Refuge, I urge a ''no'' vote.

And each and every Member should be warned that this will be the number one environmental vote not just of this year but of the decade. I urge a ''no'' vote.

□ 0145

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 be able 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: ''The plaintiff,'' that is the person who was injured 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.'' However, 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 the vaccination.

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 with people being 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, maybe hundreds of thousands 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 and 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 that has nothing germane 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 since the 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 have used procedural rules for 20 years to stop it from happening. And now, in this particular bill, it happens to be included in this. It is not the way I wanted it. I wanted it in the energy bill, but they used procedural rules in the Senate to stop it from becoming part of the energy 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 produce. 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. You cannot continue 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—Withholding 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-exaggerated.

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 life, liberty and pursuit of happiness of the Gwick'in Native peoples. This Bill will not help America Achieve Energy 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 it could exacerbate 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 H5N1 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 increase the effectiveness of a vaccine dose) 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 by the 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 another gift to the already 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 world 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 means we are closer than 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 will vote 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 ambitions and fear? We will soon observe a grim anniversary which testifies to our persistent moral dilemma when it comes to those who were here first.

One hundred and fifteen years ago, on December 29, 1890, the US Seventh Cavalry, 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 paradise of the natural world. The dance was forbidden out of fear that excitation 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 one shame-ridden chapter after another of expropriation, humiliation, and deception, theft of lands, theft of natural resources, destruction of sacred sites and massacres. The U.S.'s relationship with our native peoples has been an endless cycle of exploitation and contrition. Massacres and apologies.

Who in the future United States will apologize to the descendants of today's Gwich'in tribe, whose humble, natural way of life, religion, and culture are threatened with extinction by the plan to drill oil 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 for oil in 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 the 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 women 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 ourselves as humans. It destroys the land, it destroys the herd, it destroys the Gwich'in. It destroys us alL 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 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. They are dancing upon the coastal plains of the Arctic National Wildlife Refuge.

□ 0200

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 puzzling reluctance 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 an 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, ignore key priorities like State 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 riddled with gaps which may undermine 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, miniscule 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.

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.

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 consider tonight, to find budget cuts from every area of the Federal Government. The Hastert plan with the across the board cut included in this bill and the more than $40 billion in entitlement savings in the Deficit Reduction Act will become a reality today. This legislation includes $33.5 billion in spending offsets, $23 billion reallocated of unspent FEMA funds, a 1 percent across the board cut, saving $8.5 billion and $1.6 billion in additional rescissions.

But with a national debt of $8 trillion, Mr. Speaker, nearly $26,000 for every American, completing the task of putting our fiscal house in order will take time. But tonight, the task begins.

In 1994, the American people said yes to a vision of fiscal discipline, limited government and reform. Some called it the Republican Revolution. With the passage of the Deficit Reduction Act and the across the board cut in spending in this legislation, I say with great sincerity the Republican Revolution is back.

By showing that we can make tough choices even during tough times, Congress is renewing our commitment to the principles of fiscal discipline and limited government that minted this majority. And in so doing, we are beginning the task of ensuring the continued prosperity of our Nation and our national government for future generations.

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

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

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 it is difficult to ask 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, who are 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.

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. People were out enjoying the Lincoln Monument tonight, even in the cold. And they feel the same way about the Lincoln Monument as they do about the wildlife, the Arctic National Wildlife Refuge. We should not drill in the Yellowstone, in the Glacier, in the National Mall or the Arctic Wildlife Refuge.

Why? Because it is not an answer to our problem. We can solve our problem with 2 miles a gallon fuel efficiency. You can believe in Santa Claus, but you cannot believe the Arctic is a solution to our energy problems.

Vote no on the biggest environmental vote, which is on the rule today. Vote no against corruption of the Armed Services appropriations process. Vote no to restore integrity of this situation and vote no on this rule.

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

Mr. GOHMERT. Mr. Speaker, I thank the gentleman from Oklahoma, who also grew up in an area where they knew about drilling for oil and gas. You know, it is important that this be 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.

Go back 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.

Now, what kind of arrogance and hypocrisy says, you know, I want my car, I want my jet ride, I want my air conditioning, electricity, but I do not want to drill anywhere, well, except in like Texas, Louisiana, Oklahoma, places we do not care about. But not anywhere else we care about.

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 pursued.

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 I just submit, in conclusion, for anyone 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.

Ms. SLAUGHTER. Mr. Speaker, I yield 30 seconds 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 $4 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).

Ms. JACKSON-LEE of Texas. Mr. Speaker, there are so many needs that we have to confront and the defense appropriations bill seems to be the place where every one is running to. As I look at the resources that have been designated for disaster assistance, and look at a whole region that is suffering, although I am grateful for the $29 billion, I would have hoped that we would have been able to put in new money. In our own community in Houston, our school districts, many of them are spending large sums of money in a welcoming manner for many of the students who have come into our system. Our State schools, who have taken college students, are not being reimbursed for those students, and many of them do not have resources to

pay. One school district in particular is spending $186,000 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 will 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 in mind, 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 untimely, inappropriate 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. MARKEY

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 200, noes 231, not voting 3, as follows:

[Roll No. 122]

AYES—200

Abercrombie
Ackerman
Allen
Baird
Baldwin
Barrow
Bartlett (MD)
Bass
Bean
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Bradley (NH)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costello
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Ehlers
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Ford
Frank (MA)
Frelinghuysen
Gerlach
Gilchrest
Gonzalez
Gordon
Grijalva
Gutierrez
Harman
Hastings (FL)
Higgins
Hinchey
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kirk
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Petri
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—231

Aderholt
Akin
Alexander
Baca
Bachus
Baker
Barrett (SC)
Barton (TX)
Beauprez
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Carter
Chabot
Chocola
Coble
Cole (OK)
Conaway
Costa
Cox
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (AL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Edwards
Emerson
English (PA)
Everett
Feeney
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinojosa
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Issa
Istook
Jefferson
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Kanjorski
Keller
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Poe
Pombo
Porter
Portman
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Towns
Turner
Upton
Walden (OR)
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—3

Andrews
Emanuel
Kelly

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. SIMPSON) (during the vote). Members are advised 2 minutes remain in this vote.

□ 2209

Mr. HALL changed his vote from ''aye'' to ''no.''

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, and President Clinton 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 skillful and 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 of this issue has finally managed to use the legislative process to its advantage.

□ 0215

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 that we are serious about this and we begin to prepare the country.

However, as important as ANWR and avian flu funds are, they are secondary to the nature and purpose of the legislation, and I regret we did not have more discussion on this tonight. This bill is fundamentally about supporting our troops in the field; supporting our husbands, wives, sons, and daughters as they prosecute a war against hardened terrorists who would not blink at killing innocent civilians and, frankly, thousands and potentially millions of Americans. This is about supporting our military while overseas, on deployment, and engaged in combat. This is a critically important piece of good bipartisan legislation. This is legislation, frankly, that sends a powerful 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 not only defend us each and every day but also spread 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 bill. The 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, only to find them burdened with irrelevant, special-interest measures that have nothing to do with the underlying legislation. 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 even to the conferees. What are they afraid of? Why don't they want us to read and understand the added language? Why not let the public see what is really going on? It was not enough for the Republican leadership to almost completely exclude any real bipartisan discussion or debate in conference, and to so radically short-circuit the democratic process that this year's process may mark an all-time low in the history of the House of Representatives.

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 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 as a strong supporter of 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 Artic 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 unsulllied wilderness areas in the United States. For those of us who are legitimately concerned about the Abysmally low opinion the people of the United States hold of their Congress, they need look only at this attempt to admix 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 rule so 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 (Mr. LAHOOD). The question is on the resolution.

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

Ms. SLAUGHTER. 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.

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 and ordered to be printed.

Mr. PUTNAM. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 640 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 640

Resolved, That upon adoption of this resolution it shall be in order to consider 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. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

Sec. 2. 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.''

The SPEAKER pro tempore. The gentleman from Florida (Mr. PUTNAM) is recognized for 1 hour.

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

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

Mr. PUTNAM. Mr. Speaker, House Resolution 640 provides for consideration of the conference report on Senate 1932, the Deficit Reduction Act of 2005. The rule waives all points of order against the conference report and against its consideration. As a member of both the Rules Committee and the Budget Committee and a conferee on this conference report, I am pleased to bring this resolution to the floor for its consideration.

This is a historic moment for the House, Mr. Speaker. Mr. Speaker, it has been a most unusual year for our Nation and for its government. It has culminated in this Congress being in session late into the year. We are here in the final hours of the First Session of the 109th Congress, working to complete the business of the people and ensure that our government provides opportunity and security for today and for future generations.

We are here at this unusual hour on this unusual day to bring to a close what has been a year of remarkable accomplishments for the 109th Congress. We passed major legislation such as the energy bill, the highway bill, and border security, to name just a few. Additionally, the House Appropriations Committee completed passage in the House of all funding bills prior to the July 4 recess. Chairman LEWIS kept his promise to complete the appropriations process in regular order and avoid an omnibus bill. I am impressed by and proud of the work of this House and all that it has done this year in moving so much important legislation.

Our Nation also has endured a year of unusual natural disasters. The Gulf Coast States, including my home State of Florida, have faced not one but three major hurricanes that have caused some of the worst destruction this Nation has seen, not to mention the unprecedented destruction that our friends and neighbors in east Texas, Louisiana, Mississippi, and Alabama 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 change in 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 reconstruction costs 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 costly. 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 so Americans can keep 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 $40 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 programs that succeed and effectively serve their intended populations.

I congratulate Chairman NUSSLE and Senator GREGG, along with all the members and staff from the Budget Committees, for their hard worked preparing the deficit reduction package. I look forward to passing this reform bill and reaffirming sound oversight and fiscal accountability here in Washington. This conference report is a step forward towards smarter and more competent, responsive government.

I urge Members to support 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 asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I am disappointed and sad to say that the content of the budget, and the way we are approaching it, confirms the fears of the American people instead of their hopes.

The bill the Republicans reported less than an hour ago is a bill that no one has seen, but one that will have far-reaching impact on the future of our country. We do not know everything it does, and yet we are being asked to vote on it before the ink is even dry.

Our form of government requires the trust of the people, a trust that this leadership has not earned. Being asked to take the Federal budget on faith, in a year when the majority has itself lost faith in the values that matter most to our democracy, integrity, honesty and openness, is simply asking too much.

One thing we do know about this budget is that its very foundation is fundamentally dishonest. The majority has titled it the Deficit Reduction Act when the facts clearly show that the bill, when combined with the Republican tax giveaway to the rich, will actually increase the deficit by billions of dollars. Supporters will also claim that they have addressed criticisms of the legislation, but they are not being honest either.

It is true that the leadership was shamed by the public, the Democrats, and even by Members of their own party into abandoning some of the most egregious attacks on the less fortunate. But the fact remains that the bill still takes over $1 billion from child support services. It cuts education spending by $16.2 billion so that our Nation's children will find it harder to go to college and to realize their dreams. And it slashes Medicaid by $5 billion, putting health care for those who need it further out of reach.

The budget does all this while adding to the deficit and giving away tens of billions of dollars to the rich and the super rich in tax cuts, dramatic cuts that middle-class Americans will not share in, but will be asked to pay for.

Is this really what our constituents sent us here to do, to spend the holiday season taking from the needy so that we can give even more to those who need it the least?

Mr. Speaker, this year has repeatedly shown us the consequences of poor leadership. We saw a natural disaster turn into a national tragedy because of failed government response, casting doubt on our readiness to respond to future challenges. We saw self-interest run amok, as top lawmakers violated the people's trust and were indicted

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 unfulfilled 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 leadership 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 cannot afford 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 are going to hear a lot of sound and fury tonight about how horrific and dramatic this bill is.

□ 0230

In reality, it is not. We are talking about a little over $40 billion out of a $14.5 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 nondiscretionary 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 this in the years ahead.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, Merry Christmas, Happy Chanukah, and meanwhile, the Republicans are stealing from the stockings and taking away the hopes and dreams of aspiring students, slashing safety nets that help middle-income households get by, and kicking seniors to the curb with this budget package that is contrary to everything about the true spirit of Christmas as I understand it.

People of all faiths know that budgets are not just about 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, reflections of the values of our society. And it takes a special brand of callousness, in the day or the middle of the night, to propose big cuts to Medicaid, student loans and foster care, as we believe this budget does, when the needs of our country are greater today than they were just a few short months ago.

When the need in the gulf coast rose, 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 another $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 references 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.

Mr. RYUN of Kansas. Mr. Speaker, when I go back to my district, the people in Kansas want to know what we are doing to control the national debt. I tell them the Republicans are working to find savings in a bloated Federal Government. Then they hear from Democrats that we are cutting vital programs, such as Medicaid and food stamps.

Well, Mr. Speaker, if it were up to the other side, entitlement programs would continue to grow at an unsustainable rate. Within 10 years, we would see the entitlement programs taking up 62 percent of the Federal budget.

If we grow the government as our friends on the left would like us to, we will be faced with three choices: one, we would have to possibly raise taxes; or, two, eliminate all Federal programs other than entitlements; or, three, we will face an ever-expanding national debt that will threaten our entire economy.

There are no easy solutions to this problem, Mr. Speaker, but if we do not act to reform these programs now while we have time, the problem will only grow worse as the national debt will only grow larger.

Today, by passing the Deficit Reduction Act, those of us who believe in limited government are taking the first step to reverse a culture of spending. Today, we are standing behind our belief that bigger government is not better government. Today, we are making commonsense reforms that will result in less waste, fraud, and abuse.

The Deficit Reduction Act is a small step to rein in Federal spending, but I think it is an important step. As we all return home for the Christmas season, let us give Americans some good news. Let us tell them Congress acted responsibly to control Federal spending. Let us pass this rule and pass the Deficit Reduction Act.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, I can understand why this budget bill is coming up at 2:35 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 principles 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 troops in combat right at this moment by up to $28,000, up to a $28,000 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 unfair 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 difference 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 children get prenatal care. It is going to cut funding that helps disabled children get a better education. It is going to cut funding that helps local school districts pay for working families' educations.

And, yes, in just a few weeks, they will come back and also have cuts to be fairer to the wealthy. They will cut their taxes by billions of dollars. Again, this is good news for those making $1 million a year in dividend income. You are going to get a $220,000 a year tax 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 billion short of what the Republicans said they wanted to do. No Child Left Behind, 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 morning, will see that 200,000 low-income children would find their tutoring assistance 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 leadership make Scrooge look like a philanthropist. 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 challenge, 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 going to do.

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 Republicans. Compassionate conservatism? These budgets, these bills are neither conservative nor compassionate. Leave No Child Behind, this bill is going to leave millions of children 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 defense, 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 Democrats proposed that?

Republicans are hurting the American people, and this is wrong, at any time of the day.

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

Mr. Speaker, in amongst the theology you would never know that the Department of Education programs have skyrocketed since 1994, the Department of Veterans Affairs' budgets have skyrocketed since 1994, investment in our defense continues to go up, support for our troops and their training, as well as their widows and loved ones and the level of support there, continue to go up, and overall mandatory 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 overall budget, something 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 opportunity 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 Federal health research has almost 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 certainly it is something we are very interested in. In the debate on the previous rule, accomplishments were pointed out on the discretionary spending side. That is spending that is controlled by the appropriations process. But we will never get a handle on deficit 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 spending, those entitlement programs that are on autopilot. They spend year in and year out, whether there is an appropriation bill or not.

Mandatory programs will grow this year at a growth rate of over 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 unbelievable, 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 people 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 slowing the growth rate. Under the underlying bill that this rule would provide, Medicaid will grow at a rate of 7.5 percent 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. MARKEY).

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

Mr. Speaker, this bill is entitled 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 Monseigneur O'Malley, who goes up into the pulpit on Sunday and says, ''On Wednesday night in the church hall, Father Murphy will lecture 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 sacrifice, 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 Republicans can do math, $41 billion in cuts, $56 billion in tax breaks, mostly for the wealthiest, means you have spent $15 billion more and dug the hole even deeper.

□ 0245

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 America, then vote yourself a Republican in Congress, because that is what tonight is all 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 Budget Committee.

(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 talked 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 less fortunate, help the poor and needy, all of those kinds of things. I cannot find anywhere where the Christ tells me to take money from everybody else and fix those programs, fix those problems for the needy in our country. So I am curious as to a 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 college education, 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 more expensive. At a time when we worry whether we will have enough students graduating from college 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 increasing 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 crutches. 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 who 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 and 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 by assessing 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 economy 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 an 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 1 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 unwise approach.

Yet, apparently, a backroom deal struck by the Republican Leaderships 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 into the foreseeable future for the loan program. The consolidation program stays at the same interest rates. 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 programs and 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.

On top of all 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.

Ms. SLAUGHTER. 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.

□ 0300

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 $134 billion 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. Speaker, I am pleased to 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 than ever before 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 has gone 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 30 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 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 of Connecticut. Mr. Speaker, I thank the gentlewoman for the time.

Mr. Speaker, how appropriate that we bring this piece of legislation in the early morning, deep in December, as our Nation braces for yet another cold winter.

To my Democratic colleagues I say, you know, do not be too harsh on our Republican colleagues. Take heart in what Franklin Delano Roosevelt said. Remember this, that they are not bad people. In fact, they can be very well intended, but more often than not they are frozen in the ice of their own indifference, frozen in indifference to the cries of people from the rooftops of New Orleans or to fellow colleagues who come to the floor from Bay St. Louis and New Orleans and talk about people who still live in tents, frozen in their indifference to the elderly in this country who are refugees from their own health care system and have to go to Canada to get prescription drugs, frozen in that indifference and yet come to this Chamber with the temerity to talk about spending.

We agree with you on spending. It is just that you lavish your spending on the oil companies and the pharmaceutical companies and only ask of the least amongst us to provide for the sacrifice that this Nation and you are going to place upon their backs.

Roosevelt had it right: You are frozen in the ice of your own indifference.

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

I noted the gentleman's lavish description of the frozen tundra that people find themselves frozen in, and I would point out to him that $1 billion will be put into LIHEAP, something that he failed to mention, that will assist all Americans who find themselves in a low-income situation and need of assistance for paying their utility bills, to make sure they have the adequate protection they need, a record amount of money, $1 billion. That has not been mentioned in amongst all the other comments about the cuts that people are facing.

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

Ms. SLAUGHTER. 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 unquestionably that government 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 program, 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 spending?

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 when people 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.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to 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.

Well, they have done a new thing here. They have bifurcated Santa Claus. We have two Santa Clauses. We have Santa thief 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, seniors on 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 the oil, coal and gas industry in the so-called travesty 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, hopefully not 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 rest 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 what Santa 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.

□ 0315

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

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

(Mr. MCDERMOTT 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 failing 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, $60 billion, nobody on this floor knows what is in this budget, let us admit that right up front, except about six people who wrote it. We are all taking it that we are going to take $60 billion and we are going to tell the poor people, you know, you are so lucky to live in America. We are going to throw you a little something.

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 reverse Robin Hood. 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 this 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 pay their 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.

Christianity what you say not what you do. If you are going to talk the talk, you must walk the walk. And the Republicans today are not walking with the poorest among us.

Mr. PUTNAM. Mr. Speaker, we have worked our way through Dickens, Dr. Seuss, and the entire New Testament. I wait 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 fairness, about opportunity, about responsibility, about community is enormously in your debt for the values budget that you put forth and the great and excellent work that you do on behalf of the American people. Thank you, Mr. SPRATT.

Mr. SPRATT called me 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 that bill. So later, 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 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 obscene 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 time limit? 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 America's seniors.

And, really, what is so sad about it is that when it comes to meeting the needs of our young people and opportunities 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, at the same time we are growing 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 gives Scrooge a bad name. He 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 greeds 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 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 fiscal 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 waste and the fraud that makes for an unresponsive, unreactive government that confiscates 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

GENERAL LEAVE

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.

Votes will be taken in the following order:

conference report to accompany H.R. 1815;

adoption of H. Res. 639;

suspending the rules with respect to H. Con. Res. 284.

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

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

The SPEAKER pro tempore. The pending business is the question on adoption of the conference report on 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:

[Roll No. 665]

YEAS—374

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Ortiz
Osborne
Otter
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—41

Baird
Baldwin
Blumenauer
Conyers
Davis (IL)
Filner
Frank (MA)
Grijalva
Hastings (FL)
Hinchey
Jackson (IL)
Jones (OH)
Kilpatrick (MI)
Kucinich
Lee
Lewis (GA)
Markey
McDermott
McGovern
McKinney
McNulty
Miller, George
Nadler
Oberstar
Olver
Owens
Paul
Payne
Rangel
Rush
Schakowsky
Serrano
Solis
Stark
Tierney
Towns
Velázquez
Waters
Watson
Watt
Woolsey

NOT VOTING—19

Baca
Clay
Davis, Jo Ann
Emanuel
Gutierrez
Harman
Hefley
Hostettler
Hyde
Istook
Johnson, Sam
Jones (NC)
Kolbe
Miller, Gary
Myrick
Price (GA)
Radanovich
Reyes
Roybal-Allard

□ 0401

Messrs. RUSH, GEORGE MILLER of California, TIERNEY, and Mrs. JONES of Ohio changed their vote from ''yea'' to ''nay.''

Ms. MCCOLLUM of Minnesota, Ms. CORRINE BROWN of Florida, Ms. MOORE of Wisconsin, and Messrs. DELAHUNT, DOGGETT, and DINGELL changed their vote from ''nay'' to ''yea.''

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. 2863, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore (Mr. LAHOOD). The pending business is the vote on adoption of House Resolution 639 on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 214, nays 201, not voting 19, as follows:

[Roll No. 666]

YEAS—214

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barton (TX)
Beauprez
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boustany
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Doyle
Drake
Dreier
Duncan
Emerson
English (PA)
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Hobson
Hoekstra
Holden
Hulshof
Hunter
Inglis (SC)
Issa
Jenkins
Jindal
Kanjorski
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Otter
Oxley
Pascrell
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pombo
Porter
Pryce (OH)
Putnam
Regula

Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—201

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldwin
Barrow
Bartlett (MD)
Bass
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Boyd
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chandler
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Edwards
Ehlers
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fitzpatrick (PA)
Ford
Frank (MA)
Gerlach
Gilchrest
Gonzalez
Gordon
Green, Al
Grijalva
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Osborne
Owens
Pallone
Pastor
Payne
Pelosi
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Ross
Rothman
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—19

Baca
Clay
Davis, Jo Ann
Emanuel
Gutierrez
Harman
Hefley
Hostettler
Hyde
Istook
Johnson, Sam
Jones (NC)
Kolbe
Miller, Gary
Myrick
Price (GA)
Radanovich
Reyes
Roybal-Allard

□ 0410

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. PRICE of Georgia. Mr. Speaker, on roll-call Nos. 665 and 666 I was unavoidably detained. Had I been present, I would have voted "yea" on both measures.

REMARKS BY THE HON. JOE BARTON

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

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 this evening, 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 the next year for the greater 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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.

The Clerk read the title of the concurrent resolution.

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 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:

[Roll No. 667]

YEAS—388

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeGette
Delahunt
DeLauro
DeLay
Dent
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)

Moran (VA)
Murphy
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NAYS—22

Baird
Blumenauer
Conyers
DeFazio
Fortenberry
Hinchey
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Kilpatrick (MI)
Kucinich
Lee
McKinney
Miller, George
Obey
Pastor
Paul
Payne
Rahall
Taylor (NC)
Waters
Wynn

NOT VOTING—24

Baca
Bonilla
Clay
Cleaver
Davis, Jo Ann
Diaz-Balart, L.
Diaz-Balart, M.
Emanuel
Gutierrez
Harman
Hastings (FL)
Hefley
Hostettler
Hyde
Istook
Johnson, Sam
Jones (NC)
Kolbe
Marshall
Miller, Gary
Myrick
Radanovich
Reyes
Roybal-Allard

□ 0421

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. LAHOOD). 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 that all Members may have 5 legislative days within which to revise and extend their remarks and include tabular and extraneous material on the conference report to accompany H.R. 2863.

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

There was no objection.

CONFERENCE REPORT ON H.R. 2863, 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. 2863) making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes.

The SPEAKER pro tempore (Mr. CAMP of Michigan). Pursuant to House Resolution 639, 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 Florida (Mr. YOUNG) and the gentleman from Pennsylvania (Mr. MURTHA) each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

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 consumable supplies, 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. 2863)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	House 5/	Senate	Conference	Conference vs. Enacted
TITLE I						
MILITARY PERSONNEL						
Military Personnel, Army	29,381,422	28,400,687	28,303,287	28,099,587	28,191,287	-1,190,135
Military Personnel, Navy	24,347,807	23,032,101	23,010,601	22,671,875	22,788,101	-1,559,706
Military Personnel, Marine Corps	9,581,102	9,024,984	9,018,884	8,894,984	8,968,884	-612,218
Military Personnel, Air Force	24,155,911	23,494,950	23,323,150	22,908,750	23,199,850	-956,061
Reserve Personnel, Army	3,663,890	3,249,269	3,172,669	3,052,269	3,172,669	-491,221
Reserve Personnel, Navy	2,084,032	1,774,399	1,677,399	1,617,299	1,686,099	-397,933
Reserve Personnel, Marine Corps	623,073	521,201	513,001	491,601	513,001	-110,072
Reserve Personnel, Air Force	1,451,950	1,314,846	1,296,646	1,263,046	1,296,646	-155,304
National Guard Personnel, Army	5,901,729	5,122,794	4,813,394	4,555,794	4,912,794	-988,935
National Guard Personnel, Air Force	2,540,242	2,300,032	2,276,532	2,125,632	2,267,732	-272,510
Total, title I, Military Personnel	103,731,158	98,235,263	97,405,563	95,680,837	96,997,063	-6,734,095
TITLE II						
OPERATION AND MAINTENANCE						
Operation and Maintenance, Army	25,764,634	25,316,595	24,283,245	24,573,795	24,105,470	-1,659,164
Operation and Maintenance, Navy	29,687,245	30,759,889	30,064,789	30,317,964	29,995,383	+308,138
Operation and Maintenance, Marine Corps	3,629,901	3,804,926	3,677,726	3,780,926	3,695,256	+65,355
Operation and Maintenance, Air Force	28,113,533	31,521,136	30,505,074	30,891,386	30,313,136	+2,199,603
Operation and Maintenance, Defense-Wide	17,449,619	18,453,469	18,438,916	18,517,218	18,500,716	+1,051,097
Operation and Maintenance, Army Reserve	1,991,128	1,987,382	1,995,582	1,956,482	1,973,382	-17,746
Operation and Maintenance, Navy Reserve	1,237,638	1,245,695	1,246,395	1,239,295	1,244,795	+7,157
Operation and Maintenance, Marine Corps Reserve	187,196	199,934	210,034	197,734	202,734	+15,538
Operation and Maintenance, Air Force Reserve	2,242,590	2,501,686	2,520,886	2,474,286	2,499,286	+256,696
Operation and Maintenance, Army National Guard	4,442,386	4,509,719	4,534,419	4,428,119	4,491,109	+48,723
Operation and Maintenance, Air National Guard	4,472,738	4,724,091	4,732,306	4,681,291	4,701,306	+228,568
Overseas Contingency Operations Transfer Account	10,000	20,000	20,000	---	---	-10,000
United States Court of Appeals for the Armed Forces	10,825	11,236	11,236	11,236	11,236	+411
Environmental Restoration, Army	400,948	407,865	407,865	407,865	407,865	+6,917
Environmental Restoration, Navy	266,820	305,275	305,275	305,275	305,275	+38,455
Environmental Restoration, Air Force	397,368	406,461	406,461	406,461	406,461	+9,093
Environmental Restoration, Defense-Wide	23,684	28,167	28,167	28,167	28,167	+4,483
Environmental Restoration, Formerly Used Defense Sites	266,516	221,921	221,921	271,921	256,921	-9,595
Overseas Humanitarian, Disaster, and Civic Aid	59,000	61,546	61,546	61,546	61,546	+2,546
Former Soviet Union Threat Reduction Account	409,200	415,549	415,549	415,549	415,549	+6,349
Total, title II, Operation and maintenance	121,062,969	126,902,542	124,087,392	124,966,516	123,615,593	+2,552,624
TITLE III						
PROCUREMENT						
Aircraft Procurement, Army	2,854,541	2,800,880	2,879,380	2,562,480	2,653,280	-201,261
Missile Procurement, Army	1,307,000	1,270,850	1,239,350	1,214,919	1,208,919	-98,081
Procurement of Weapons and Tracked Combat Vehicles, Army	2,467,495	1,660,149	1,670,949	1,359,465	1,391,615	-1,075,880
Procurement of Ammunition, Army	1,590,952	1,720,872	1,753,152	1,708,680	1,733,020	+142,068
Other Procurement, Army	4,955,296	4,302,634	4,491,634	4,426,531	4,594,031	-361,265
Aircraft Procurement, Navy	8,912,042	10,517,126	9,776,440	9,880,492	9,774,749	+862,707
Weapons Procurement, Navy	2,114,720	2,707,841	2,596,781	2,593,341	2,659,978	+545,258
Procurement of Ammunition, Navy and Marine Corps	888,340	872,849	885,170	832,791	851,841	-36,499
Shipbuilding and Conversion, Navy	10,427,443	8,721,165	9,613,358	8,677,887	9,027,231	-1,400,212
Other Procurement, Navy	4,875,786	5,487,818	5,461,196	5,293,157	5,444,294	+568,508
Procurement, Marine Corps	1,432,203	1,377,705	1,426,405	1,361,605	1,398,955	-33,248
Aircraft Procurement, Air Force	13,648,304	11,973,933	12,424,298	12,729,492	12,737,215	-911,089
Missile Procurement, Air Force	4,458,113	5,490,287	5,062,949	5,068,974	5,174,474	+716,361
Procurement of Ammunition, Air Force	1,327,459	1,031,207	1,031,907	996,111	1,016,887	-310,572
Other Procurement, Air Force	13,071,297	14,002,689	13,737,214	14,048,439	14,060,714	+989,417
Procurement, Defense-Wide	2,956,047	2,677,832	2,728,130	2,572,250	2,573,964	-382,083
National Guard and Reserve Equipment	350,000	---	---	422,000	180,000	-170,000
Defense Production Act Purchases	42,765	19,573	28,573	68,573	58,248	+15,483
Total, title III, Procurement	77,679,803	78,635,410	76,806,886	75,817,187	76,539,415	-1,140,388

DIVISION A - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT-FY 2006 (H.R. 2863)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	House 5/	Senate	Conference	Conference vs. Enacted
TITLE IV						
RESEARCH, DEVELOPMENT, TEST AND EVALUATION						
Research, Development, Test and Evaluation, Army	10,698,989	9,733,824	10,827,174	10,520,592	11,172,397	+473,408
Research, Development, Test and Evaluation, Navy	17,043,812	18,037,991	18,481,862	18,557,904	18,993,135	+1,949,323
Research, Development, Test and Evaluation, Air Force	20,890,922	22,612,351	22,664,868	21,859,010	21,999,649	+1,108,727
Research, Development, Test and Evaluation, Defense-Wide	20,983,624	18,803,416	19,514,530	19,301,618	19,798,599	-1,185,025
Operational Test and Evaluation, Defense	314,835	168,458	168,458	168,458	168,458	-146,377
Total, title IV, Research, Development, Test and Evaluation	69,932,182	69,356,040	71,656,892	70,407,582	72,132,238	+2,200,056
TITLE V						
REVOLVING AND MANAGEMENT FUNDS						
Defense Working Capital Funds	1,174,210	1,471,340	1,154,340	1,154,940	1,154,940	-19,270
National Defense Sealift Fund: Ready Reserve Force	1,204,626	1,648,504	1,599,459	579,954	1,089,056	-115,570
Total, title V, Revolving and Management Funds	2,378,836	3,119,844	2,753,799	1,734,894	2,243,996	-134,840
TITLE VI						
OTHER DEPARTMENT OF DEFENSE PROGRAMS						
Defense Health Program:						
Operation and maintenance	17,297,419	19,247,137	19,184,537	19,345,087	19,299,787	+2,002,368
Procurement	367,035	375,319	355,119	377,319	379,119	+12,084
Research and development	506,982	169,156	444,256	515,556	542,306	+35,324
Total, Defense Health Program	18,171,436	19,791,612	19,983,912	20,237,962	20,221,212	+2,049,776
Chemical Agents & Munitions Destruction, Army:						
Operation and maintenance	1,088,801	1,241,514	1,191,514	1,241,514	1,216,514	+127,713
Procurement	78,980	116,527	116,527	116,527	116,527	+37,547
Research, development, test and evaluation	205,209	47,786	47,786	72,686	67,786	-137,423
Total, Chemical Agents 1/	1,372,990	1,405,827	1,355,827	1,430,727	1,400,827	+27,837
Drug Interdiction and Counter-Drug Activities, Defense	906,522	895,741	906,941	926,821	917,651	+11,129
Office of the Inspector General	204,562	209,687	209,687	209,687	209,687	+5,125
Total, title VI, Other Department of Defense Programs	20,655,510	22,302,867	22 456,367	22,805,197	22,749,377	+2,093,867
TITLE VII						
RELATED AGENCIES						
Central Intelligence Agency Retirement and Disability System Fund	239,400	244,600	244,600	244,600	244,600	+5,200
Intelligence Community Management Account	310,466	354,844	376,844	413,344	422,344	+111,878
Transfer to Department of Justice	(39,422)	(17,000)	(39,000)	(17,000)	(39,000)	(-422)
National Security Education Trust Fund	8,000	---	---	---	---	-8,000
Total, title VII, Related agencies	557,866	599,444	621,444	657,944	666,944	+109,078
TITLE VIII						
GENERAL PROVISIONS						
Additional transfer authority (Sec. 8005)	(3,500,000)	(4,000,000)	(4,000,000)	(3,500,000)	(3,750,000)	(+250,000)
Indian Financing Act incentives (Sec. 8020)	8,000	---	8,000	8,000	8,000	---
FFRDCs (Sec. 8026)	-125,000	---	-40,000	-51,600	-46,000	+79,000
Disposal & lease of DOD real property	25,000	---	---	---	---	-25,000
Overseas Mil Fac Invest Recovery (Sec. 8034)	1,000	---	1,000	1,000	1,000	---
Army Historical Foundation (Sec. 8053)	---	---	---	3,000	3,000	+3,000
Rescissions (Sec. 8045)	-779,637	---	-633,550	-496,800	-405,723	+373,914
Shipbuilding & Conv. Funds, Navy (Sec. 8115)	---	18,000	---	18,000	18,000	+18,000
Travel Cards (Sec. 8074)	44,000	45,000	45,000	45,000	45,000	+1,000
Special needs students (Sec. 8110)	5,500	---	---	5,500	5,500	---
Fisher House (Sec. 8084)	2,000	---	2,500	---	2,200	+200
CAAS/Other Contract Growth (Sec. 8086)	-300,000	---	-264,630	-265,890	-265,000	+35,000
Contracted Advisory and Assistance Services (Sec.8087)	-500,000	---	-167,000	-100,000	-100,000	+400,000
Aircraft Procurement, Navy	34,000	---	---	---	---	-34,000

DIVISION A - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT-FY 2006 (H.R. 2863)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	House 5/	Senate	Conference	Conference vs. Enacted
Operation and Maintenance, Defense-wide	40,000	---	---	---	---	-40,000
IT cost growth reduction	-197,500	---	---	---	---	+197,500
Working Capital Funds Cash Balance (Sec. 8094)	-316,000	---	-250,000	-350,000	-250,000	+66,000
Ctr for Mil Recruiting Assessment & Vet Emp(Sec. 8095)	6,000	---	6,000	---	5,100	-900
Various grants (Sec. 8098)	51,425	---	14,400	12,850	33,350	-18,075
Assumed management improvements	-711,000	---	---	---	---	+711,000
Transportation Working Capital Fund	-967,200	---	---	---	---	+967,200
MCAGCC health demonstration program	2,500	---	---	---	---	-2,500
Contract offsets	-50,000	---	---	---	---	+50,000
Budget withholds	-350,000	---	---	---	---	+350,000
Tanker replacement transfer fund	100,000	---	---	---	---	-100,000
Unobligated balances	-768,100	---	---	---	---	+768,100
Travel costs (Sec. 8109)	-100,000	---	-147,000	-92,000	-92,000	+8,000
SCN Transfer--SSGN (Sec. 8116)	---	---	---	---	---	---
Procurement Offsets (Sec. 8111)	---	---	-176,500	-591,100	-361,000	-361,000
Army Venture Capital Funds (Sec. 8112)	---	---	15,000	---	15,000	+15,000
Centers for Disease Control and Prevention, Avian Flu epidemic activities (Sec. 8127) (emergency)	---	---	---	3,913,000	---	---
Hurricane Katrina Expenses:						
Department of Labor, State Unemployment Insurance and Employment Service Operations (emergency)	---	---	---	14,000	---	---
Department of Health and Human Services, Office of the Inspector General (emergency)	---	---	---	5,000	---	---
Revised Economic Assumptions (Sec.8125)	---	---	---	---	-771,300	-771,300
Total, Title VIII, General Provisions	-4,845,012	63,000	-1,586,780	2,077,960	-2,154,873	+2,690,139
TITLE IX - ADDITIONAL APPROPRIATIONS						
DEPARTMENT OF DEFENSE--MILITARY						
Military Personnel						
Military Personnel, Army (contingency operations)	---	---	5,877,400	5,009,420	4,713,245	+4,713,245
Military Personnel, Navy (contingency operations)	---	---	282,000	180	144,000	+144,000
Military Personnel, Marine Corps (contingency operations)	---	---	667,800	455,420	455,000	+455,000
Military Personnel, Air Force (contingency operations)	---	---	982,800	372,480	508,000	+508,000
Reserve Personnel, Army (contingency operations)	---	---	138,755	121,500	138,755	+138,755
Reserve Personnel, Navy (contingency operations)	---	---	---	10,000	10,000	+10,000
National Guard Personnel, Army (contingency operations)	---	---	67,000	232,300	234,400	+234,400
National Guard Personnel, Air Force (contingency operations)	---	---	---	5,300	3,200	+3,200
Total, Military Personnel	---	---	8,015,755	6,206,600	6,206,600	+6,206,600
Operation and Maintenance						
Operation & Maintenance, Army (contingency operations)	---	---	20,398,450	21,915,547	21,348,886	+21,348,886
Operation & Maintenance, Navy (contingency operations)	---	---	1,907,800	1,806,400	1,810,500	+1,810,500
Operation & Maintenance, Marine Corps (contingency operations)	---	---	1,827,150	1,275,800	1,833,126	+1,833,126
Operation & Maintenance, Air Force (contingency operations)	---	---	3,559,900	2,014,900	2,483,900	+2,483,900
Operation & Maintenance, Defense-Wide (contingency operations)	---	---	826,000	980,000	805,000	+805,000
Iraq Freedom Fund (contingency operations)	---	---	3,500,000	4,100,000	4,658,686	+4,658,686
Operation & Maintenance, Army Reserve (contingency operations)	---	---	35,700	53,700	48,200	+48,200
Operation & Maintenance, Navy Reserve (contingency operations)	---	---	---	9,400	6,400	+6,400
Operation & Maintenance, Marine Corps Reserve (contingency operations)	---	---	23,950	27,950	27,950	+27,950
Operation & Maintenance, Air Force Reserve (contingency operations)	---	---	---	7,000	5,000	+5,000
Operation & Maintenance, Army National Guard (contingency operations)	---	---	159,500	201,300	183,000	+183,000
Operation & Maintenance, Air National Guard (contingency operations)	---	---	---	13,400	7,200	+7,200
Total, Operation and Maintenance	---	---	32,238,450	32,405,397	33,217,848	+33,217,848
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	860,190	+860,190

DIVISION A - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT-FY 2006 (H.R. 2863)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	House 5/	Senate	Conference	Conference vs. Enacted
Procurement of Ammunition, Army (contingency operations)	---	---	13,900	335,780	273,000	+273,000
Other Procurement, Army (contingency operations)	---	---	1,501,270	3,916,000	3,174,900	+3,174,900
Aircraft Procurement, Navy (contingency operations)	---	---	---	151,537	138,837	+138,837
Weapons Procurement, Navy (contingency operations)	---	---	81,696	56,700	116,900	+116,900
Procurement of Ammunition, Navy and Marine Corps (contingency operations)	---	---	144,721	48,485	38,885	+38,885
Other Procurement, Navy (contingency operations)	---	---	48,800	116,048	49,100	+49,100
Procurement, Marine Corps (contingency operations)	---	---	389,900	2,303,700	1,710,145	+1,710,145
Aircraft Procurement, Air Force (contingency operations)	---	---	115,300	118,058	115,300	+115,300
Missile Procurement, Air Force (contingency ops.)	---	---	---	17,000	17,000	+17,000
Other Procurement, Air Force (contingency operations)	---	---	2,400	17,500	17,500	+17,500
Procurement, Defense-Wide (contingency operations)	---	---	103,900	132,075	182,075	+182,075
National Guard and Reserve Equipment (emergency)	---	---	---	1,300,000	1,000,000	+1,000,000
Total, Procurement	---	---	2,857,314	9,851,683	7,980,932	+7,980,932
Research, Development, Test and Evaluation						
Research, Development, Test & Evaluation, Army (contingency operations)	---	---	---	72,000	13,100	+13,100
Research, Development, Test & Evaluation, Navy (contingency operations)	---	---	13,100	---	---	---
Research, Development, Test & Evaluation, Air Force (contingency operations)	---	---	---	17,800	12,500	+12,500
Research, Development, Test and Evaluation, Defense-Wide (contingency operations)	---	---	75,000	2,500	25,000	+25,000
Total, Research, Development, Test and Evaluation	---	---	88,100	92,300	50,600	+50,600
Defense Working Capital Funds (contingency operations)	---	---	2,055,000	2,716,400	2,516,400	+2,516,400
Defense Health Program (contingency operations)	---	---	---	---	---	---
Additional transfer authority (contingency operations)	---	---	(2,500,000)	(2,500,000)	(2,500,000)	(+2,500,000)
Drug Interdiction and Counter-Drug Activities, Defense (contingency operations)	---	---	---	27,620	27,620	+27,620
Total, Title IX	---	---	45,254,619	51,300,000	50,000,000	+50,000,000
Total for the bill (net)	391,153,312	397,214,410	439,456,182	445,448,117	442,789,753	+51,636,441
OTHER APPROPRIATIONS						
Emergency Supplemental Appropriations for Hurricane Disaster Assistance Act (emergency) (P.L. 108-324)	909,400	---	---	---	---	-909,400
Miscellaneous Provisions and Offsets (Sec. 108) (Division J, P.L. 108-447)	2,000	---	---	---	---	-2,000
Emergency Supplemental Appropriations for Defense, The Global War on Terror, and Tsunami Relief Act, 2005 (emergency) (P.L. 109-13)	73,163,308	---	---	---	---	-73,163,308
Transfer authority (emergency)	(5,685,000)	---	---	---	---	(-5,685,000)
Emergency Supplemental Appropriations for Hurricane Katrina (emergency) (P.L. 109-61)	500,000	---	---	---	---	-500,000
Emergency Supplemental Appropriations for Hurricane Katrina (emergency) (P.L. 109-62)	1,400,000	---	---	---	---	-1,400,000
Net grand total (including other appropriations)	467,128,020	397,214,410	439,456,182	445,448,117	442,789,753	-24,338,267

DIVISION A - DEPARTMENT OF DEFENSE APPROPRIATIONS ACT-FY 2006 (H.R. 2863)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	House 5/	Senate	Conference	Conference vs. Enacted
CONGRESSIONAL BUDGET RECAP						
Scorekeeping adjustments:						
Lease of defense real property (permanent)2/.....	---	12,000	12,000	12,000	12,000	+12,000
Disposal of defense real property (permanent)2/...	---	15,000	15,000	15,000	15,000	+15,000
Army Venture Capital Funds.....	17,000	---	---	---	---	-17,000
O&M, Army transfer to National Park Service:						
Defense function.....	-1,900	---	-2,500	---	-2,000	-100
Non-defense function.....	1,900	---	2,500	---	2,000	+100
RDT&E, Navy transfer to NOAA:						
Defense function.....	-18,000	---	---	---	---	+18,000
Non-defense function.....	18,000	---	---	---	---	-18,000
O&M, Defense-wide transfer to Forest Service:						
Defense function.....	-40,000	---	---	---	---	+40,000
Non-defense function.....	40,000	---	---	---	---	-40,000
Iraq Freedom Fund transfer to Coast Guard, Operating Expenses (contingency operations).....	---	---	---	---	---	---
Tricare accrual (permanent, indefinite auth.) 3/..	---	10,707,483	10,707,483	10,707,483	10,707,483	+10,707,483
Less emergency appropriations 4/.....	-75,972,708	---	-45,254,619	-55,232,000	-50,000,000	+25,972,708
Total, scorekeeping adjustments.....	-75,955,708	10,734,483	-34,520,136	-44,497,517	-39,265,517	+36,690,191
Adjusted total (includ. scorekeeping adjustments)	391,172,312	407,948,893	404,936,046	400,950,600	403,524,236	+12,351,924
Appropriations.....	(391,951,949)	(407,948,893)	(405,569,596)	(401,447,400)	(403,929,959)	(+11,978,010)
Rescissions.....	(-779,637)	---	(-633,550)	(-496,800)	(-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.....	(467,128,020)	(397,214,410)	(439,456,182)	(445,448,117)	(442,789,753)	(-24,338,267)
Scorekeeping adjustments.....	(-75,955,708)	(10,734,483)	(-34,520,136)	(-44,497,517)	(-39,265,517)	(+36,690,191)
Total mandatory and discretionary.....	391,172,312	407,948,893	404,936,046	400,950,600	403,524,236	+12,351,924
Mandatory.....	239,400	244,600	244,600	244,600	244,600	+5,200
Discretionary.....	390,932,912	407,704,293	404,691,446	400,706,000	403,279,636	+12,346,724
RECAPITULATION						
Title I - Military Personnel.....	103,731,158	98,235,263	97,405,563	95,680,837	96,997,063	-6,734,095
Title II - Operation and Maintenance.....	121,062,969	126,902,542	124,087,392	124,966,516	123,615,593	+2,552,624
Title III - Procurement.....	77,679,803	76,635,410	76,806,886	75,817,187	76,539,415	-1,140,388
Title IV - Research, Development, Test and Evaluation.	69,932,182	69,356,040	71,656,892	70,407,582	72,132,238	+2,200,056
Title V - Revolving and Management Funds.....	2,378,836	3,119,844	2,753,799	1,734,894	2,243,996	-134,840
Title VI - Other Department of Defense Programs.....	20,655,510	22,302,867	22,456,367	22,805,197	22,749,377	+2,093,867
Title VII - Related Agencies.....	557,866	599,444	621,444	657,944	666,944	+109,078
Title VIII - General Provisions (net).....	-4,845,012	63,000	-1,586,780	2,077,960	-2,154,873	+2,690,139
Title IX - Additional Appropriations (net).....	---	---	45,254,619	51,300,000	50,000,000	+50,000,000
Total, Department of Defense.....	391,153,312	397,214,410	439,456,182	445,448,117	442,789,753	+51,636,441
Other defense appropriations.....	75,974,708	---	---	---	---	-75,974,708
Total funding available (net).....	467,128,020	397,214,410	439,456,182	445,448,117	442,789,753	-24,338,267
Scorekeeping adjustments.....	-75,955,708	10,734,483	-34,520,136	-44,497,517	-39,265,517	+36,690,191
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						
Mandatory.....	239,400	244,600	244,600	244,600	244,600	+5,200
Discretionary:						
General purpose discretionary:						
Defense discretionary.....	390,873,012	407,704,293	404,688,946	400,706,000	403,277,636	+12,404,624
Nondefense discretionary.....	59,900	---	2,500	---	2,000	-57,900
Total discretionary.....	390,932,912	407,704,293	404,691,446	400,706,000	403,279,636	+12,346,724
Grand total, mandatory and discretionary	391,172,312	407,948,893	404,936,046	400,950,600	403,524,236	+12,351,924

FOOTNOTES:
1/ Included in Budget under Procurement title.
2/ Sec. 8034 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 (H.R. 2863)
(Amounts in thousands)

	FY 2006 Request	Conference	Conference vs. Request
DIVISION B			
EMERGENCY SUPPLEMENTAL APPROPRIATIONS TO ADDRESS HURRICANES IN THE GULF OF MEXICO AND PANDEMIC INFLUENZA, 2006			
TITLE I			
EMERGENCY SUPPLEMENTAL APPROPRIATIONS TO ADDRESS HURRICANES IN THE GULF OF MEXICO			
CHAPTER 1			
Department of Agriculture			
Executive Operations			
Working capital fund (emergency)	70,000	35,000	-35,000
Agricultural Research Service			
Salaries and expenses (emergency)	6,000	---	-6,000
Buildings and facilities (emergency)	9,200	9,200	---
Rural Development			
Rural community advancement program (emergency)	---	45,000	+45,000
Rural Housing Service			
Rural housing insurance fund program (emergency)	10,000	45,000	+35,000
Rental assistance program (emergency)	17,000	---	-17,000
Rural housing assistance grants (emergency)	10,000	20,000	+10,000
Rural Utilities Service			
Rural electrification and telecom (emergency)	---	8,000	+8,000
Food and Nutrition Service			
Commodity assistance program (emergency)	4,000	4,000	---
The emergency food assistance program (emergency)	---	6,000	+6,000
General Provisions			
Emergency conservation program (emergency)	160,000	199,800	+39,800
Watershed and flood prevention operations (emergency)	200,000	300,000	+100,000
Emergency forestry conservation reserve program	---	404,100	+404,100
Total, Chapter 1	486,200	1,076,100	+589,900
CHAPTER 2			
Department of Defense			
Military Personnel			
Military personnel Army (emergency)	29,830	29,830	---
Military personnel Navy (emergency)	57,691	57,691	---
Military personnel Marine Corps (emergency)	14,193	14,193	---
Military personnel, Air Force (emergency)	105,034	105,034	---
Reserve personnel, Army (emergency)	11,100	11,100	---
Reserve personnel, Navy (emergency)	33,015	33,015	---
Reserve personnel, Marine Corps (emergency)	3,028	3,028	---
Reserve personnel, Air Force (emergency)	2,370	2,370	---
National Guard personnel, Army (emergency)	220,556	220,556	---
National Guard personnel, Air Force (emergency)	77,718	77,718	---
Subtotal, Military personnel	554,535	554,535	---
Operation and maintenance			
Operation and maintenance, Army (emergency)	156,166	156,166	---
Operation and maintenance, Navy (emergency)	543,590	544,690	+1,100
Operation and maintenance, Marine Corps (emergency)	7,343	7,343	---
Operation and maintenance, Air Force (emergency)	554,252	554,252	---
Operation and maintenance, Defense-wide (emergency)	29,027	29,027	---
Operation and maintenance, Army Reserve (emergency)	16,118	16,118	---

Division B - Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza - 2006 (H.R. 2863)
(Amounts in thousands)

	FY 2006 Request	Conference	Conference vs. Request
Operation and maintenance, Navy Reserve (emergency)	480,084	480,084	---
Operation and maintenance, Marine Corps Reserve (emergency)	16,331	16,331	---
Operation and maintenance, Air Force Reserve (emergency)	2,366	2,366	---
Operation and maintenance, Army National Guard (emergency)	98,855	98,855	---
Operation and maintenance, Air National Guard (emergency)	48,086	48,086	---
Subtotal, Operation and Maintenance	1,952,218	1,953,318	+1,100
Procurement			
Procurement of weapons and tracked combat vehicles, Army (emergency)	1,600	1,600	---
Procurement of ammunition, Army (emergency)	1,000	1,000	---
Other procurement, Army (emergency)	1,390	43,390	+42,000
Aircraft procurement, Navy (emergency)	3,856	3,856	---
Procurement of ammunition, Navy and Marine Corps (emergency)	2,600	2,600	---
Shipbuilding and conversion, Navy (emergency)	1,987,000	1,987,000	---
Other procurement, Navy (emergency)	89,675	76,675	-13,000
Other procurement, Air Force (emergency)	170,300	162,315	-7,985
Procurement, Defense-wide (emergency)	12,082	12,082	---
National Guard and Reserve equipment (emergency)	19,260	19,260	---
Subtotal, Procurement	2,288,763	2,309,778	+21,015
Research, Development, Test and Evaluation			
RDT&E, Navy (emergency)	27,612	2,462	-25,150
RDT&E, Air Force (emergency)	6,200	6,200	---
RDT&E, Defense-wide (emergency)	32,720	32,720	---
Subtotal, RDT&E	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			
Surcharge collections, sales of commissary stores, Defense (emergency)	44,341	44,341	---
Other Department of Defense Programs			
Office of the Inspector General (emergency)	310	310	---
G.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			
Department of the Army			
Corps of Engineers - Civil			
Investigations (emergency)	4,600	37,300	+32,700
Construction (emergency)	292,300	101,417	-190,883
Flood control, Mississippi River and tributaries (emergency)	100,000	153,750	+53,750
Operation and maintenance (emergency)	194,600	327,517	+132,917
Flood control and coastal emergencies (emergency)	998,000	2,277,965	+1,279,965
General expenses (emergency)	---	1,600	+1,600
Total, Chapter 3	1,589,500	2,899,549	+1,310,049

Division B - Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza - 2006 (H.R. 2863)
(Amounts in thousands)

	FY 2006 Request	Conference	Conference vs. Request
CHAPTER 4			
Department of Homeland Security			
Customs and Border Protection			
Salaries and expenses (emergency)	27,100	24,100	-3,000
Construction (emergency)	26,700	10,400	-16,300
Immigration and Customs Enforcement			
Salaries and expenses (emergency)	13,848	13,000	-848
Coast Guard			
Operating expenses (emergency)	139,335	132,000	-7,335
Acquisition, construction, and improvements (emergency)	136,660	74,500	-62,160
U.S. Secret Service			
Salaries and expenses (emergency)	---	3,600	+3,600
Office for Domestic Preparedness			
State and local program (emergency)	---	10,300	+10,300
Federal Emergency Management Agency			
Administrative and regional operations (emergency)	87,100	17,200	-69,900
Disaster relief (transfer out emergency)	---	(-1,500)	(-1,500)
Disaster assistance direct loan program (by transfer emergency)	---	(1,500)	(+1,500)
Total, Chapter 4	430,743	285,100	-145,643
CHAPTER 5			
Department of the Interior			
U.S. Fish and Wildlife Service			
Construction (emergency)	61,000	30,000	-31,000
National Park Service			
Construction (emergency)	38,000	19,000	-19,000
U.S. Geological Survey			
Surveys, investigations and research (emergency)	5,300	5,300	---
Minerals Management Service			
Royalty and offshore minerals management (emergency)	31,500	16,000	-15,500
Environmental Protection Agency			
Leaking underground storage tank program (emergency)	15,000	8,000	-7,000
Department of Agriculture			
Forest Service			
State and private forestry (emergency)	---	30,000	+30,000
National Forest System (emergency)	---	20,000	+20,000
Capital improvement and maintenance (emergency)	13,900	7,000	-6,900
Forestry disaster assistance fund (emergency)	50,000	---	-50,000
Total, Chapter 5	214,700	135,300	-79,400
CHAPTER 6			
Department of Labor			
Employment and Training Administration			
Training and employment services (emergency)	125,000	125,000	---

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	FY 2006 Request	Conference	Conference vs. Request
Department of Health and Human Services			
Administration for Children and Families			
Social services block grant (emergency)	500,000	550,000	+50,000
Children and families services programs (emergency)	90,000	90,000	---
Department of Education			
Elementary and secondary - K-12 start-up (emergency)	---	750,000	+750,000
Homeless education	---	5,000	+5,000
Elementary and secondary - K-12 impacted students (emergency)	---	645,000	+645,000
Higher education (emergency)	---	200,000	+200,000
Total, Chapter 6	715,000	2,365,000	+1,650,000
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)	35,000	35,000	---
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	278,000	-35,000
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)	24,871	24,871	---
National Cemetery Administration (emergency)	200	200	---
Construction, Major projects (emergency)	1,155,000	367,500	-787,500
Construction, Minor projects (emergency)	1,800	1,800	---
Armed Forces Retirement Home (emergency)	20,800	65,800	+45,000
General provision MSAVER (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

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	FY 2006 Request	Conference	Conference vs. Request
Bureau of Alcohol, Tobacco, Firearms and Explosives			
Salaries and expenses (emergency)	24,600	20,000	-4,600
Federal Prison System			
Buildings and facilities (emergency)	18,000	11,000	-7,000
Office of Justice Programs			
State and local law enforcement assistance (emergency)	---	125,000	+125,000
Department of Commerce			
National Oceanic and Atmospheric Administration			
Operations, research, and facilities (emergency)	17,200	17,200	---
Procurement, acquisition and construction (emergency)	37,400	37,400	---
National Aeronautical and Space Administration			
Exploration capabilities (emergency)	324,800	349,800	+25,000
Small Business Administration			
Office of the Inspector General (emergency)	5,000	5,000	---
Disaster loan program (emergency)	466,000	441,000	-25,000
Total, Chapter 8	976,400	1,079,400	+103,000
CHAPTER 9			
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 Programs: Hurricane Katrina recovery homesteading (emergency)	200,000	---	-200,000
Office of the Inspector General (emergency)	---	---	---
The Judiciary			
Courts of appeals, district courts, and other judicial 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 9	4,723,996	14,744,400	+10,020,404
Total, Title I	17,124,205	28,999,970	+11,875,765

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	FY 2006 Request	Conference	Conference vs Request
TITLE II			
EMERGENCY SUPPLEMENTAL APPROPRIATIONS TO ADDRESS PANDEMIC INFLUENZA			
CHAPTER 1			
Department of Agriculture			
Office of the Secretary (emergency)	---	11,350	+11,350
Agricultural Research Service			
Salaries and expenses (emergency)	---	7,000	+7,000
Cooperative State Research, Education, and Extension Service			
Research and educational activities (emergency)	---	1,500	+1,500
Animal and Plant Health Inspection Service			
Salaries and expenses (emergency)	91,350	71,500	-19,850
Department of Health and Human Services			
Salaries and expenses (emergency) 1/	---	20,000	+20,000
Total, Chapter 1	91,350	111,350	+20,000
CHAPTER 2			
Department of Defense			
Operation and maintenance			
Operation and maintenance, Defense-wide (emergency)	10,000	10,000	---
Defense health program (emergency)	120,000	120,000	---
Total, Chapter 2	130,000	130,000	---
CHAPTER 3			
Bilateral Economic Assistance			
Funds Appropriated to the President			
United States Agency for International Development			
Child survival and health programs fund (emergency)	75,200	75,200	---
International disaster and famine assistance (emergency)	56,330	56,330	---
Total, Chapter 3	131,530	131,530	---
CHAPTER 4			
Department of Homeland Security			
Office of the secretary and executive management (emergency)	---	47,283	+47,283
Management and administration (emergency)	47,283	---	-47,283
Total, Chapter 4	47,283	47,283	---
CHAPTER 5			
Department of the Interior			
U.S. Fish and Wildlife Service			
Resource management (emergency)	7,398	7,398	---

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	FY 2006 Request	Conference	Conference vs. Request
National Park Service			
Operation of the national park system (emergency)	525	525	---
U.S. Geological Survey			
Surveys, investigations and research (emergency)	3,670	3,670	---
Total, Chapter 5	11,593	11,593	---
CHAPTER 6			
Department of Health and Human Services			
Office of the Secretary			
Public health and social services emergency fund:			
FY 2006 (emergency)	3,200,000	3,300,000	+100,000
FY 2007 (emergency)	2,300,000	---	-2,300,000
FY 2008 (emergency)	1,160,000	---	-1,160,000
Total, Chapter 6	6,660,000	3,300,000	-3,360,000
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.

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	FY 2006 Request	Conference	Conference vs. Request
TITLE III			
RESCISSIONS AND OFFSETS			
CHAPTER 1			
Department of Agriculture			
Natural Resources Conservation Service: Conservation Operations (rescission)	-10,000	-10,000	---
Rural Utilities Service			
High Energy Cost Grants (rescission)	-30,278	---	+30,278
Distance Learning, Telemedicine, and Broadband direct loan financing (rescission)	-9,920	-9,900	+20
Food and Nutrition Service: Food Stamp Program (rescission)	-37,000	-11,200	+25,800
Foreign Agricultural Service			
Public Law 480 Title I Ocean Freight Differential Grants (rescission)	-35,000	-35,000	---
Public Law 480 Title I Direct Credit and Food for Progress (rescission)	-10,000	---	+10,000
Total, Chapter 1	-132,198	-66,100	+66,098
CHAPTER 2			
Department of Defense			
Operation and maintenance			
Support for International Sporting Competitions (rescission)	-26,000	---	+26,000
Disposal of Dept. of Defense Real Property (rescission)	-45,000	-45,000	---
Lease of Dept. of Defense Real Property (rescission)	-30,000	-30,000	---
Overseas Military Facility Investment			
Recovery (rescission)	-5,000	-5,000	---
RDT&E, Army (rescission)	-48,600	---	+48,600
Total, Chapter 2	-154,600	-80,000	+74,600
CHAPTER _			
Department of the Interior			
Bureau of Reclamation			
Water and related resources (rescission)	-183,000	---	+183,000
Department of Energy			
Defense site acceleration completion (rescission)	-100,000	---	+100,000
Total, Chapter _	-283,000	---	+283,000
CHAPTER 3			
United States Agency for International Development			
Assistance for the Independent States of the former Soviet Union (rescission)	-20,000	---	+20,000
Department of State			
International narcotics control and law enforcement (rescission)	-15,700	---	+15,700
Andean counterdrug initiative (rescission)	-9,300	---	+9,300

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	FY 2006 Request	Conference	Conference vs. Request
Export-Import Bank			
Subsidy appropriation (rescission)	---	-25,000	-25,000
Total, Chapter 3	-45,000	-25,000	+20,000
CHAPTER 4			
Department of Homeland Security			
U.S. Coast Guard			
Operating expenses (rescission)	-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	-23,669,833	-6,279,300
CHAPTER 5			
Department of the Interior			
Bureau of Land Management			
Management of lands and resources (rescission)	-500	-500	---
Wildland fire management (rescission)	-34,952	---	+34,952
U.S. Fish and Wildlife Service			
Landowner incentive program (rescission)	-2,000	-2,000	---
Private stewardship grants (rescission)	-500	---	+500
Cooperative endangered species conservation fund (rescission)	-6,000	-1,000	+5,000
State and tribal wildlife grants (rescission)	-5,000	---	+5,000
National Park Service			
National recreation and preservation (rescission)	-6,677	---	+6,677
Construction (rescission)	-34,000	---	+34,000
Land acquisition and state assistance (rescission)	-28,278	---	+28,278
Departmental management: PILT (rescission)	-5,000	---	+5,000
Environmental Protection Agency			
State and tribal assistance grants (rescission)	-166,000	---	+166,000
Department of Agriculture			
Forest Service			
State and private forestry (rescission)	-9,000	---	+9,000
Wildfire management (rescission)	-500,000	---	+500,000
Total, Chapter 5	-797,907	-3,500	+794,407
CHAPTER _			
Department of Labor			
Employment and Training Administration - Training and employee Services (rescission)	-70,000	---	+70,000
Department of Health and Human Services			
HRSA			
Construction facilities improvement program (rescission)	-281	---	+281
Health centers loan guarantee program (rescission)	-6,943	---	+6,943
Nursing education loan repayment program (rescission)	-430	---	+430
Recall federal capital contribution to student loan revolving funds (rescission)	-100,000	---	+100,000

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	FY 2006 Request	Conference	Conference vs. Request
Centers for Disease Control			
Disease control, research, and training (rescission)	-7,000	---	+7,000
National Institutes of Health			
Buildings and facilities (rescission)	-15,000	---	+15,000
Department of Education			
Office of Safe and Drug-free Schools: Safe Schools and Citizenship education (rescission)	-4,960	---	+4,960
Office of Special Ed and Rehab Services: Special education (rescission)	-50,653	---	+50,653
Office of Vocational and Adult Education			
Vocational and adult education (rescission)	-95,329	---	+95,329
Corporation for Public Broadcasting: Program and financing (rescission)	-10,000	---	+10,000
Total, Chapter _	-360,596	---	+360,596
CHAPTER 6			
Department of Commerce			
Emergency steel guaranteed loan program account (rescission)	-49,000	---	+49,000
National Institute for Standards and Technology			
Industrial technology services (rescission)	-6,000	-7,000	-1,000
Department of State			
Diplomatic and consular programs (emergency)	---	-10,000	-10,000
Embassy security, construction, and maintenance (rescission)	-50,000	-20,000	+30,000
Broadcasting Board of Governors			
Broadcasting capital improvements (rescission)	-3,800	---	+3,800
Federal Communications Commission			
Salaries and expenses (rescission)	-13,480	---	+13,480
Total, Chapter 6	-122,280	-37,000	+85,280
CHAPTER 7			
Department of Transportation			
Federal Highway Administration			
Contract authority (rescission)	---	-1,143,000	-1,143,000
Federal Railroad Administration			
National railroad passenger corporation (rescission)	---	-8,300	-8,300
Department of the Treasury			
Internal Revenue Service			
Processing, assistance, and management (rescission)	-10,000	---	+10,000
Health Insurance Tax Credit Administration (rescission)	-10,000	---	+10,000
Department of Housing and Urban Development			
Community Planning and Development			
Brownfields Redevelopment (rescission)	-24,000	---	+24,000
Community Development Loan Guarantees (rescission)	-6,000	---	+6,000

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	FY 2006 Request	Conference	Conference vs. Request
Housing Programs: Housing for persons with disabilities (rescission)	-100,000	---	+100,000
Total, Chapter 7	-150,000	-1,151,300	-1,001,300
Chapter 8			
Across-the-board cut (1 percent)	---	-8,500,000	-8,500,000
Total, Title III	-19,436,114	-33,532,733	-14,096,619
TITLE V			
GENERAL PROVISIONS AND TECHNICAL CORRECTIONS			
DOL- Workers compensation; CDC- Disease control (emergency)	---	125,000	+125,000
Total, General Provisions	---	125,000	+125,000
Grand Total	4,825,347	-618,007	-5,443,354
FY 2006	1,365,347	-618,007	-1,983,354
FY 2007	2,300,000	---	-2,300,000
FY 2008	1,160,000	---	-1,160,000

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, then this bill is a fraud. If it is not the case, then we run the risk of not fully funding the needs that we ought to be funding under the Defense bill.

This bill, if you vote for it, will provide $1 billion less than last year for No Child Left Behind education programs.

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This bill will cut the Federal share of the support for special education. This bill will cut $63 million out of last year's FBI budget, slashing new hires for counterintelligence by $750 personnel. This bill will cut local law enforcement grants by $315 million below last year. The clean water revolving fund, which was previously cut by 40 percent, is cut another $214 million. Pell grants are cut by $31 million over last year. The Labor-Health-Education bill overall is $1.4 billion below last year and this bill, with the across-the-board cut, means that that bill will be $3 billion less than we provided last year.

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 the effect of their language 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 the documentation, 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 taking away 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 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 for yielding me this time. I do not know that 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.

Mr. YOUNG of Florida. Mr. Speaker, I yield such time as he may consume to the chairman of the Appropriations Committee.

(Mr. LEWIS of California asked and was given permission to revise and extend his remarks.)

Mr. LEWIS of California. Mr. Speaker, I rise simply to express my appreciation for both my chairman, BILL YOUNG, and for JACK MURTHA 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 the following: reallocating 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.

Let me be very clear: This package is less than ideal in my mind's eye, but it is absolutely critical that we pass it.

As the body knows, 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 off 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—in ''regular order''—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.

The underlying bill in this conference report—the 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.

And now, at the eleventh hour, controversial legislative language has been attached to this conference report. My fear is this language has the potential to sink the entire package once it reaches the Senate.

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, providing a critical supplement to the military'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, Totem Ocean Trailer Express, Inc. (TOTE), expressing thanks for the contributions made by one of the firm's ships to Operation Iraqi Freedom. In the letter, General Norton Schwartz commended the officers and crew of TOTE's "SS Northern Lights" for making 25 voyages and 49 port calls during its continuous deployment, which lasted longer than any other ship, government-owned or commercial. This is a tremendous accomplishment, Mr. Speaker, and as a strong and consistent advocate for maintaining our U.S. maritime shipping capability, I am proud to submit the TRANSCOM letter for the RECORD in order to document the contributions of the "Northern Lights" and of the entire U.S. Ready Reserve Fleet.

UNITED STATES
TRANSPORTATION COMMAND,
Scott Air Force Base, IL, Oct. 26, 2005.

ROBERT MAGEE,
Totem Ocean Trailer Express, Inc.,
Federal Way, Tacoma, Washington.

DEAR MR. MAGEE: As we near the end of our charter for SS Northern Lights, I want to recognize and thank you, your company, and the officers and crew of SS Northern Lights for your superior support.

Early in the Iraq deployment, the Military Sealift 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 was under charter 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.

Those 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 asset enabled us to improve 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 doing here. 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 tucks in a provision to provide virtually unlimited liability protection to the drug industry, while providing illusory and unfunded compensation to any potential victims. An adequately funding compensation program is needed to protect all those, but especially health care workers and other first responders in case of a flu pandemic, so that they can be ready to help the public. The Republican bill uses the threat of a flu pandemic as an excuse to push the Administration's agenda of giving unwarranted and broad liability protection to the drug industry for a broad array of products.

In addition, the bill does not step up to the plate when it comes to aid to Hurricane Katrina families and divisive 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 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 $645 million 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 more than $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, ranging from 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 effect, a thimble-full of oil—six months' supply, 10 years from now. The Arctic Refuge is one of the last, wild, untouched places left in the United States—with an abundance

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 unpopular 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 handle the ups and downs of the agriculture markets, and that is also 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. Hurricanes 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 also should 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 House leadership is shamefully 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 really 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 help consumers in the short term, 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 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 will cut vital LIHEAP funding by $21 million. 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 Arctic drilling. Since I was elected to Congress in 2000, I have consistently opposed efforts to open the Arctic National Wildlife Refuge to energy exploration, and I have repeatedly cosponsored 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 of clean and renewable 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 reported 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 this 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 Health Subcommittee of the 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 is provide 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 compensation fund to address any adverse 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 really 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 relaying these facts properly to the American people.

So what we have 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 making 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 would not have been included in this conference report without the tireless work of Daniel Val Kish.

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 nergy 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. These experiences, coupled with Dan's keen 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 dedication and his loyalty. All of America owes a debt of gratitude to this seasoned staffer.

Mr. HOLT. Mr. Speaker, I rise today to oppose the Department of Defense Appropriations Act for Fiscal Year 2006.

I am deeply troubled by the process 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.

I supported the version of this bill that we passed in the House over the summer. That version appropriated more than $400 billion for the Department of Defense. It would have helped to keep faith with our service members by providing them with a much needed pay increase. That bill also provided funding for our service members on the ground in Iraq and Afghanistan who are waiting for additional body armor and up armored HUMVEEs.

Unfortunately, the majority decided to destroy that bill by loading it up with special interests goodies. What they've done is the height of irresponsibility. Our service members should have every resource 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 marring 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. MCGOVERN. 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 items 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 H.R. 2863, but I want 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 because it unwisely 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.

AMERICANS UNITED FOR SEPARATION OF CHURCH AND STATE,
Washington, DC., December 16, 2005.

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 cooperating 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 educational voucher program—authorizing funding at $1.2 billion—and sets a dangerous precedent that undermines America's commitment to fully funding the Nation's public schools.

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, funds from the Federal Government would go through State structures to the Local Education Agencies (LEAs), which would hold the money for distribution. The Federal funds would then be distributed from the LEA to any school educating an eligible child on a per-capita basis. As a result, per-capita funding would go from a governmental entity (the LEA) to public, private, and religious schools, depending on where displaced families have decided to educate their children. This is the very essence of a school voucher program, which allows families to decide where students will be educated and then drives government money to those schools on a per capita basis. 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 Senate 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 from being required to 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 a prohibition against religious discrimination as to students, both fail to provide enforcement mechanisms or to ensure that displaced students are informed of their right to not be discriminated against for any 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 in staffing. The bill contains no provision 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 restart school operations'' solely for public schools. The current proposal provides the same level of funding but allows—for the first time—private and religious schools to receive aid. These funds are 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 provision 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 funneled to 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 push through Congress a divisive and unsound vouchers policy that would severely undermine American'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 legislative proposal or would like further information on any other issue of importance to Americans United, please contact Aaron D. Schuham, Legislative Director, at (202) 466–3234, extension 240.

Sincerely,

REV. 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 this 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 protecting the Arctic Refuge and I urge my colleagues to vote no on this rule.

Ms. KAPTUR. Mr. Speaker, tonight, Congress will pass the Department of Defense Appropriations Act for fiscal year 2006. This comes not a moment too soon 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 Senate and

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. This ANWR ramrod fits 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 opposed by majorities in both the House and Senate, and, not insignificantly, by the American people. This ANWR ramrod is a mistake. It is a mistake procedurally. It is a mistake morally. And it is a mistake environmentally. Opening the refuge to oil exploration will disturb 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. Moreover, this sets a terrible 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 our unwillingness to put ourselves on a 10-year program to become energy independent again. That would take real Presidential and Congressional leadership, and we sure aren't

Ms. LEE. Mr. Speaker, I rise tonight in strong opposition to this $453 billion defense appropriations conference report.

As the proud daughter of a veteran of two wars, I believe that our nation is best defended by funding priorities that truly make our nation and world safer.

But what does it say about our priorities when Congress puts another $50 billion down-payment for the Bush administration's unnecessary war in Iraq?

This is outrageous particularly when the administration has failed to articulate a clear strategy for bringing our troops home or conduct any oversight on the war or demand accountability for funds spent to date.

And the Bush administration is set to come back for another $100 billion war supplemental in January. Where does it end?

The main purpose of this funding bill is to provide for our national defense.

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.

But what'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 generous 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 responsibility for the war now rests 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 indirectly by Hurricane Katrina and directly 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 proved 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.

Unfortunately, ANWR has become a symbolic issue for environmentalists, blown far out of proportion to the actual affects of oil and gas production on this coastal plain.

History will likely prove their dire predictions of environmental problems to be incorrect.

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 Americans 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 includes 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 prevented nearly 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

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 rules by including controversial matters 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 open the Arctic Refuge to oil drilling and does not provide school vouchers to religious schools only because they are located in the Gulf Coast region.

Mr. FRELINGUYSEN. 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 Subcommittee on Defense. And ask unanimous consent to revise and extend my remarks.

At the outset, I want to commend the Chairman of the Subcommittee, Mr. YOUNG of Florida and the Ranking Member, the gentleman from Pennsylvania, 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 Naval 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 ''front 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 carrying the brunt of the 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 reinstall 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, jihadists, 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 system.

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 standoff 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 laboratory to the testbed and into the arsenal of our warfighters.

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. CAMP 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. Is the gentleman opposed to the conference report?

Mr. OBEY. I most certainly am. I am not opposed to the defense portion of this budget, but I am opposed to the other provisions that I described earlier.

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 question is on 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:

[Roll No. 668]

YEAS—183

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dingell
Doggett
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Ross
Rothman
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—231

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Cardoza
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Hobson
Hoekstra
Holden
Hulshof
Hunter
Inglis (SC)
Issa
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Kanjorski
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—20

Baca
Davis, Jo Ann
Emanuel
Feeney
Gutierrez
Harman
Hefley
Hostettler
Hyde
Istook
Johnson, Sam
Jones (NC)
Kolbe
McGovern
Miller, Gary
Myrick
Radanovich
Reyes
Roybal-Allard
Stark

□ 0455

Mr. MOLLOHAN, 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 North Carolina and Ms. MCKINNEY changed their vote from ''nay'' to ''yea.''

So the motion to recommit 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 recommit on the Defense Appropriations Conference Report and the Conference Report itself. If I were present, I would have voted "yes" on the motion to recommit 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:

[Roll No. 669]

YEAS—308

Abercrombie
Aderholt
Akin
Alexander
Allen
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Beauprez
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capuano
Cardoza
Carnahan
Carson
Carter
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Davis (AL)
Davis (CA)
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeFazio
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Emerson
English (PA)
Etheridge
Evans
Everett
Fattah
Feeney
Ferguson
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Holden
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Israel
Issa
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kennedy (RI)
Kind
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Meehan
Meek (FL)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Otter
Oxley
Pascrell
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Rahall
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (TX)
Snyder
Sodrel
Souder
Spratt
Stearns

Strickland	Tiahrt	Weldon (PA)
Sullivan	Tiberi	Weller
Sweeney	Turner	Westmoreland
Tancredo	Upton	Whitfield
Tanner	Visclosky	Wicker
Taylor (MS)	Walden (OR)	Wilson (NM)
Taylor (NC)	Walsh	Wilson (SC)
Terry	Wamp	Wolf
Thomas	Wasserman Schultz	Wynn
Thompson (MS)	Weldon (FL)	Young (AK)
Thornberry		Young (FL)

NAYS—106

Ackerman	Johnson (IL)	Petri
Andrews	Johnson, E. B.	Ramstad
Baird	Jones (OH)	Rangel
Baldwin	Kelly	Rothman
Bass	Kildee	Rush
Becerra	Kilpatrick (MI)	Sabo
Blumenauer	Kirk	Sánchez, Linda T.
Boswell	Kucinich	Sanchez, Loretta
Capps	Leach	Sanders
Cardin	Lee	Schakowsky
Case	Lewis (GA)	Scott (VA)
Castle	LoBiondo	Serrano
Conyers	Lofgren, Zoe	Shays
Cooper	Maloney	Slaughter
Cummings	Markey	Smith (NJ)
Davis (IL)	McCollum (MN)	Smith (WA)
DeGette	McDermott	Solis
Delahunt	McKinney	Stark
Dingell	McNulty	Stupak
Doggett	Meeks (NY)	Tauscher
Ehlers	Menendez	Thompson (CA)
Engel	Michaud	Tierney
Eshoo	Millender-McDonald	Towns
Farr	Miller, George	Udall (CO)
Filner	Moore (WI)	Udall (NM)
Fitzpatrick (PA)	Nadler	Van Hollen
Frank (MA)	Napolitano	Velázquez
Grijalva	Oberstar	Waters
Hastings (FL)	Obey	Watson
Hinchey	Olver	Watt
Hoekstra	Owens	Waxman
Holt	Pallone	Weiner
Honda	Pastor	Wexler
Inslee	Paul	Woolsey
Jackson (IL)	Payne	Wu
Johnson (CT)		

ANSWERED ''PRESENT''—2

Burton (IN)	Saxton

NOT VOTING—18

Baca	Hostettler	McGovern
Davis, Jo Ann	Hyde	Miller, Gary
Emanuel	Istook	Myrick
Gutierrez	Johnson, Sam	Radanovich
Harman	Jones (NC)	Reyes
Hefley	Kolbe	Roybal-Allard

□ 0504

Ms. WASSERMAN SCHULTZ changed her vote from ''nay'' to ''yea.''

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.

VACATING ORDERING OF YEAS AND NAYS ON HOUSE RESOLUTION 633, HONORING HELEN SEWELL ON THE OCCASION OF HER RETIREMENT FROM THE HOUSE OF REPRESENTATIVES

Mr. NUSSLE. Mr. Speaker, I ask unanimous consent that the ordering of the yeas and nays on House Resolution 633 be vacated to the end that the Chair put the question de novo.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Is there objection to the request of the gentleman from Iowa?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. NEY) that the House suspend the rules and agree to the resolution, H. Res. 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. Pursuant to House Resolution 640, 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 Iowa (Mr. NUSSLE) and the gentleman from South Carolina (Mr. SPRATT) each will control 30 minutes.

The Chair recognizes the gentleman from Iowa.

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

Mr. Speaker, we have a plan to reform the government and achieve savings. We present that plan to the House.

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

Mr. SPRATT. Mr. Speaker, I yield myself such time as I may consume. We have before us a conference report that everybody should understand there has really been no conference in which House and Senate Democrats have had any meaningful role.

Our objection to this bill begins with its title: The Deficit Reduction Act of 2005. Let us be honest, this bill does not reduce the deficit. When this reconciliation bill with spending cuts is paired with its counterpart, the reconciliation bill with tax cuts, the deficit is actually increased, not decreased; and the increase in the deficit gets worse when you add, as I think you should, the $50 bill in other tax cuts passed by the House over the last few months.

At the outset, the proponents of this bill called it necessary in order to help pay for hurricanes Katrina and Rita. That has proven to be a false claim, too. This bill has nothing to do with paying for Katrina. It has everything to do with facilitating further tax cuts. This bill comes out of a budget resolution that calls for a total of $106 billion in new and additional tax cuts, $70 billion reconciled, $36 billion unreconciled.

So the spending cuts in this bill are really just the first step in a three-step process. Step two will come when the tax cuts reconciliation bill emerges from conference. When these two bills are paired, the result will be a deficit bigger by about $60 billion over 5 years.

Then there is a third step. There is an increase in the national debt pending, an increase in the national debt ceiling of $781 billion necessary to accommodate budgets like the 2006 budget being passed here tonight. This increase was deemed approved when the Republican budget resolution passed the House several months ago.

Over the last 4 fiscal years, to make room for budgets of the Bush administration and budgets that have been passed by the majority in this House, we have had to raise the legal debt ceiling of the United States by $3.15 trillion to accommodate those budgets.

Once upon a time, the purpose of reconciliation was to rein in the deficit; but as you can see from the charts I am about to put up, and I knew this was just what you wanted me to serve you for breakfast this morning, more numbers and more charts, so I did not disappoint.

First of all, when you put this chart up, you can see what the debt increases have been over the last 4 or 5 fiscal years: $3.15 trillion. As Casey Stengel said, ''If you don't believe it, you can look it up.'' $3.15 trillion.

Next, let me show you what reconciliation in past years has accomplished as opposed to what reconciliation this year will accomplish in terms of reducing the deficit. In past years, for example the Bush budget summit in 1990, the deficit reduction due to reconciliation was $482 billion. In the Clinton budget in 1993, the deficit reduction due to reconciliation was $433 billion. In the balanced budget agreement of 1997, reconciliation produced savings of $118 billion over 5 years. This bill saves nothing. It aggravates and worsens the deficit.

Now, it is fair to ask: Why have the Republicans, those who put this budget together, why have they put spending cuts in one bill and tax cuts in another bill? Why did they not just combine the two so we could keep tabs on everything with one reconciliation bill? Which is typically what we have done in the past.

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. The savings realized from these spending cuts will help offset tax cuts for top-bracket taxpayers. Our Republican colleagues want to avoid that connection, so they have produced two separate bills, one for tax cuts, and then a little later on, one for spending cuts.

Who bears the brunt of these bills? Single mothers still do. Despite some moderation in the effect of the cuts that were proposed originally, single mothers still take about a $2 billion hit. Students struggling to pay for their college education. The hit on student loans is $12.7 billion. The sick and the poor, whose only access to medical care is Medicaid. Medicaid still suffers a hit of $7 billion.

So these cuts have been moderated in the conference with the Senate, but

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 bill still increases, for all of the cuts it makes, still increases 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 does not 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.

Bear in mind that 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 $319 billion.

□ 0515

Realistic estimates from CBO show that if you take the Bush budget of 2006 as last proposed in July, and they are updated, if you take that budget and run it out 10 years with all the assumptions made in the Bush budget, these are the results. The deficit of last year, which was $320 billion, this is CBO, will go to $640 billion, if you follow the trajectory shown here, the curve shown here. The deficit goes from $320 billion to $640 billion. It doubles.

Debt service on the debt goes from $182 billion last year to $458 billion in 10 years, and the national debt doubles. That is the course we are embarked upon as we do one more part of a long series of fiscal actions that are leading us deeper and deeper into debt, and nobody should be fooled by what is happening here on the House floor tonight. Once the pieces are all put together, and you can see the whole puzzle, this means a deeper deficit and no resolution to the problem before us.

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

Mr. NUSSLE. Mr. Speaker, I would just note for the record that it is now the break of dawn. It is no longer the dead of night.

I reserve the balance of my time.

Mr. SPRATT. Mr. Speaker, it may be 5:15 in the morning, but that is not our fault. We would liked to have done this in the light of day with a little more time to look at this package. Here is what we have got just 1 hour ago.

When we unpacked the package to see what was in it, we had the Speaker's press release, which told us earlier in the evening that, by golly, you would come up with $41.6 billion in total spending reductions. We got this package, and, finally, looking through 700 pages, we finally got a summary of the action taken, and they came to $39.7 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 voluminous document here 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 moderated the cuts being inflicted 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 their parents 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 on 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 now in this Nation. This bill 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 this program 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 respond from 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 sets go blank because of the change from the normal analog spectrum to the digital spectrum which is going to take place shortly.

You can expect to hear from all of your constituents that they have had to go out to spend $60 to get a converter box to go on top of their television. This, my friends, is a Christmas present of our Republican friends to the American people, tax cuts for the wealthy, cost increases on health for the small children and for the families on limited income and cuts in needed services to the first responders and spectrum and increases in the cost to ordinary citizens to continue watching television.

This is a bad program. I urge my colleagues to reject it.

Mr. SPRATT. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

Mr. HOYER. Mr. Speaker, Ruth Marcus, a reporter for the Washington Post, wrote the other day that those who forget history are condemned to be spun 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

in one of the 17 years has that happened.

In fact, when Washington is under the total control, absolute control of Republicans over the last 5 years, we have had the worst deficit performance in our history, and we have had much larger spending than we had under Bill Clinton.

There is only one person that can stop spending in America. You have heard me say this before. It is the President of the United States. He can veto a bill, and we have never in the 25 years I have served here overridden a President's veto that said we were spending too much.

As a matter of fact, the only veto override that I remember in the Reagan years was when we overrode a veto where President Reagan said we did not spend enough money. In that instance it was on defense; $4 trillion of deficits under Republican Presidents, $62.5 billion surplus under a Democratic President. That is the experience of the 25 years.

My friends, if we were responsible people, we would say we will cut spending, and then we will cut revenues. Because if we have the courage to cut spending, then we do not need to pay for the things that we cut. But if we do not have the courage to pay for what we buy, we are misserving the American public and, even more deeply, our children and our grandchildren. That is the consequence of your policy.

You come here cutting revenues. That is an honest policy, but you do not have the courage to cut the spending. You cut $50 billion, you say, in this bill, but you then cut $56 billion in revenue. You don't have to be much of a math expert to know that that is a $6 billion addition to the deficit.

Ladies and gentlemen, America expects better of us. America expects honest leadership. America deserves honest policies. The absence of honest policies has led to us incurring $1.5 trillion of deficits in less than 60 months. We can do better. We ought to do better. We must do better. Reject this irresponsible bill.

Mr. NUSSLE. Mr. Speaker, I yield myself as much time as I may consume just to tell the gentleman from Maryland that our tax policies have created 4.5 million new jobs in the past 30 months. Our Nation's unemployment rate has dropped to 5 percent lower than the average rate of the last three decades. Revenue coming into Washington has increased this year by 15 percent, and we have reduced the deficit over the last 2 years by over $200 billion.

We have a plan. It is reforming government. It is reducing the deficit, and we need to pass that plan, and we need to stop just talking about fairy tales and Dickens and all sorts of things that are very interesting but are certainly not getting us to the results that we need. We have a plan to provide those results, and we need to pass that plan this morning.

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

Mr. SPRATT. I yield to the gentleman from Maryland 3½ 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. NUSSLE. Would the gentleman yield on that point?

Mr. HOYER. Not yet.

Mr. NUSSLE. 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 weekly earnings, 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.

□ 0530

Poverty, Bush I, went up 1.8 percent. Bush II it has gone up 1.4 percent; Clinton, down 3.5 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, 34,678 per month; Clinton, 228,464 per month. Real GDP. Bush I, up 2.1; Clinton, plus-3.6 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 $130 billion of deficit spending in just the last 2 months. That is the fiscal management that presents this 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 our constituents 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 have 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 our 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 William 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 going on, and he went on to 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 full-time 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 people thinking 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, I do not know whoever thought that that was a good term for it, because we are not reconciliating the people at the top and the people at the bottom. This is a bill directed at the people at the bottom. The people on the top are doing great.

There is nobody in this room who is going to suffer for one single minute in the next year. Not one single one of you will be cold or hungry or without the ability to go see a physician 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

will lead us to a balanced budget, let me disabuse you of that illusion.

First of all, let us look at some of the specific items in this particular package to see whether or not they are real in the way of budget reduction.

For example, this bill calls for the abolition of mandatory spending to administer the student loan program. Now, how do you administer the student loan program if you do not provide the funding for it? If you do not provide the mandatory funding for it, it has to come out of discretionary funding. That means we will be underfunding No Child Left Behind and other discretionary educational programs by $2 billion a year more, because that is where the money for administration of the student loan programs will have to come from if you bar its coming from mandatory spending. It is a phony cut.

Secondly, $3.6 billion is scored as a revenue to offset these spending increases, $3.6 billion in PBGC premiums. Now why is that not allowable? In my good accounting book, if you book all of the liabilities that PBGC is faced with over the foreseeable future, there is no net balance in that account, even after you add this $3.6 billion. That money is entrusted. It is encumbered and it cannot fairly be said to be available in the general fund to offset other spending. In truth, it will be spent much, much too soon anyway, and we will have to replenish it.

Third, child support enforcement. You have moderated that. You have brought it down from $4.9 billion, which was absurd, to $1.5 billion, which 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 less assistance, and they will collect 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 thing. It will come out of paychecks. And the Medicare part B under your provisions is certainly going up. It will come out of Social Security checks. It is offset.

And then there is another thing about your bill that is myopic that gives us real problems with it. In looking for places to cut, you wholly ignore any kind of revenue effects connected with your tax cut agenda. And the way you are able to do this, and avoid responsibility for it, is you break the tax cuts into so many small pieces that you clutter the audit trail and make it hard for anybody, Members and otherwise, to follow just how big the tax tab, the tax cut tab is adding up to.

So let me take two charts here and try to reconstruct the path, the audit trail of tax cuts that has been implemented since the budget resolution for 2006 was passed just a few minutes ago, a few months ago, and what it means for the bottom line, that is, the deficit.

Let us start with the highway bill passed earlier this year. This revenue impact is about $500 million over 5 years. Next comes the energy policy act. Revenue loss over 5 years is $7.9 billion. Then there is the Katrina tax relief act of 2005, which we adopted a few weeks ago. It has a revenue head of $6 billion.

The biggest tax cuts come from that bill that is waiting in the wings for this bill to be passed; and it will come along a little bit later, the Tax Extension Reconciliation Act of 2006, 20005. It entails tax cuts for $56 billion over 5 years passed by this House, $80 billion over 10 years. Then there is the so-called Stealth Tax Relief Act, patching the alternative minimum tax for this year so that it affects no more taxpayers than it affected last year. The cost for 1 year: $31.2 billion. Covers only 1 year.

The Tax Revision Act of 2005 is just a sundry assortment of tax measures; but it has a revenue cost too, $153 million over 5 years. And finally there is the Gulf Opportunity Zone Act of 2005, revenue impact: $7 billion.

Now, add all of these together and you will see that the total revenue impact entailed by these tax policies comes to $110 billion. So this reconciliation bill offsets about $40 billion of that amount, leaving an additional debt of around $80 billion. That is the net effect of this reconciliation bill. That is why we say it does not decrease the deficit when you pair it up with this other reconciliation bill, the tax cuts. It increases the deficit. But that is not all. That is not the worst of it.

As we have shown, in patching up the AMT last year and again this year, it has to be fixed or it is going to raise the taxes of middle-income taxpayers for whom it was never intended. If we do basically in future years what we have done this year, the revenue impact of patching the AMT is shown right here, $167 billion. That makes the revenue impact of all seven tax cuts $307 billion. Offset your 40 billion against that, you have still got $267 billion in tax reduction over the next 5 years. That is why I say it is myopic. You are looking for solutions to this problem and overlooking one of the bases of the problem, ignoring the fact that if we are going to tackle a deficit worth 320 and rising, we have got to have action on the spending side of the ledger and on the tax side of the ledger as well.

That is the problem here, and that is why I say if you leave here thinking, after voting for this bill, that you have begun a series of fiscal actions that will bring the budget to heel, that you will finally reduce the deficit of $320 million, you are badly, badly disillusioned. Once again, let me show you a chart the CBO did for us last September when we asked them to take the budget that they had just portrayed out over a 10-year period of time and apply to it the President's budget policy as enunciated in his July midterm review.

This is what happened. They said, you are going to follow this path right here that takes you to 640 billion total deficit, a doubling of the deficit over 10 years. You are going to increase the debt service in the United States from $182 billion to $458 billion 10 years from now, and you are going to double the national debt. That is the path we are on, and this bill tonight will not divert us 1 inch. Indeed, it will aggravate that path and that is the plea that I am making to you. That is why you should vote against this bill. Reject it now. Come back next year. Let us do something realistic about deficit reduction.

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

Mr. NUSSLE. Mr. Speaker, on the heels of reducing the deficit over the last 2 years by $200 billion, this year we Republicans passed a good budget plan, and it is continuing to work. This year, and we just completed the work, but the House of Representatives, under the leadership of chairman Jerry Lewis, passed its bills for appropriations on time and under budget. We just completed that work, and it is the first nondiscretionary freeze in over a generation.

□ 0545

We also committed that we were not going to allow an automatic tax increase on the American people, and Chairman Bill Thomas delivered.

We want to continue the strong economic growth and job creation, and it is working. And tonight we pledge to reform 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. This $40 billion of spending cuts 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 State Children's Health Insurance Program, 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 decimates health care funding 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 on the effect this bill will have on 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. This 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 students 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 dead-beat 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 constituents 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. Mr. Speaker, I rise 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 for those tax cuts, we have to cut programs that help middle-income 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 will have to pay 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 farm conservation programs by $934 million. It cuts the Conservation Security Program by $649 million, it zeroes out the Watershed Rehabilitation Program; and it cuts the Environmental Quality Incentives Programs by $75 million.

Next are 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 will make it far more difficult for families to get the care they need. The Senate-passed bill had not included any provisions cutting 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 they have 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 between a ''benchmark'' package or a so-called Health Opportunity Account, eliminating any requirement that individuals are covered for needed 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 truth slashed 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 unanticipated 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 it is so disappointing as we review 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 care for Medicare beneficiaries and fails 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 me 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. During both the 107th (H.R. 3717) and 108th (H.R. 522) Congress, I introduced comprehensive deposit insurance reform legislation. The legislation was a byproduct of recommendations made by the FDIC in early 2001, a series of hearings held in my Subcommittee on proposed reforms to the Federal deposit insurance system, and broad-based 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 this 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 America's 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 based on 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 indexation system to ensure that 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 401ks, 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 bankers 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 guarantee 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 consequences 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 legislative 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 legislation. Both Chairman OXLEY and Ranking Member FRANK are to be commended for assembling 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 issue. On the minority staff, 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, retirees, 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. RANGEL. Mr. Speaker, this Budget reconciliation 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 charade is such an affront to working and lower-income families that our nation's 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 ''tantamount . . . to blasphemy.''

And the Conference of Catholic Bishops have said they are ''deeply disappointed'' with this legislation, especially ''its lack of concern for children.''

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 citizens who depend on Medicare, Medicaid, SSI, child support, welfare and a host of other critical programs.

Some of the most egregious items in the conference report include:

Unfunded Welfare Policies: includes new work requirements in the TANF program without 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 collections will reduce collections being sent to families by $8.4 billion over the next 10 years.

Cuts 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.

Delays Assistance to the Disabled: the report 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 Medicaid that will raise health care costs and reduce benefits for our nation's most vulnerable children and individuals. It also contains more than $6 billion of Medicare cuts, including premium increases.

Protects Special Interests: this agreement protects special interests at the expense of struggling families. Yet, the conference did not have to pursue these Dickensian cuts. It could have accepted Senate language that reduced overpayments to private insurance companies. Or it could have gone further, 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.

I don't know what the poor, elderly, disabled, and foster children have done to deserve this. And I don't know why the Republicans 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 overwhelmingly benefits the very wealthy.

Nearly 50% of the benefit from the extension of capital gains and dividend rate cuts goes to households with incomes over $1 million

This tax bill grants these wealthy households 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 only $7.

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 very important to my district, to my constituency, and to the Members of this body who represent one of the U.S. territories. Over the past two years, since arriving in Congress, I have worked to address the serious concern relating to the application of the Medicaid program to Guam and the other U.S. territories vis-à-vis the application to the 50 States.

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 the 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. 1308(g)).

The reality 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 Medicaid 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 far 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 H.R. 4241, the House version of this budget reconciliation legislation, in the conference committee. This provision will provide for adjustments to the Medicaid payments for the U.S. territories under Section 1108 of the Social Security Act. 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 is $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 for the territories over the next five years, and $323 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 led to 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 Government, closer to meeting 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, a formula is used to determine the matching rate 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 can more effectively address 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 from 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 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 instead of cowering away from the problem, we take a stand and vote yes to reducing the deficit and vote yes to responsible spending.

Ms. SCHAKOWSKY. Mr. Speaker, I want to raise my concerns about the Medicaid provisions in the House-passed budget reconciliation bill and, in particular, the provision that imposes new documentation requirements on individuals and on states.

There are many, many problems with the Medicaid bill. It would shift costs and take away benefits from those who need assistance the most: children, pregnant women, people with disabilities and frail senior citizens. The House-passed bill would do real harm—30 million Americans could face higher cost-sharing, 2 million children could lose coverage altogether, and 26 million individuals could lose benefits according to an analysis by the American Progress Action Fund.

One of the most disturbing provisions in the bill—Section 3145—would impose strict new documentation requirements on Medicaid applicants. Instead of allowing self-declaration of citizenship—as 47 states do today—applicants have to show documentation of citizenship status—such as a birth certificate or a passport. The authors are Section 3145 are apparently concerned that some ineligible immigrant pregnant woman, children or seniors—will slip through the cracks and get health care. Out of that unjustified and undocumented concern, they have created a provision that will actually penalize citizens and state Medicaid programs.

First, there is no reason for Section 3145. It is a measure that seeks to address an illusory problem. Eligible immigrants already have to provide proof of their legal status when they apply for Medicaid, and states take steps to verify that status. Current law is working.

The Office of the Inspector General (OIG) looked at this issue and reported last July that they found no substantial evidence that immigrants are falsely claiming citizenship to qualify for Medicaid. OIG did not recommend eliminating the opportunity for self-declarations. The Centers for Medicare and Medicaid Services has found no evidence that there is a problem and state Medicaid administrators have "not seen a problem with self-declaration of citizenship" based on the results of their quality control review systems.

Second, Section 3145 would have a disastrous effect by erecting Medicaid barriers for U.S. citizens. These new requirements will mean that those who have no money to obtain these documents or no time to wait for care will be unable to receive medical services. The Center on Budget and Policy Priorities has concluded that the "bulk" of the $735 million, 10-year savings from Section 3145 would come from reducing or delaying enrollment for U.S. citizens.

Many citizens—particularly low-income citizens—do not have birth certificates in their possession and do not have passports. And getting those documents is neither easy nor cheap. Getting a birth certificate can take weeks and cost up to $23. People born at home may not even have a birth certificate—a particular problem for people in some rural areas and elderly African Americans. According to information reported in Population Studies, as many as one-fifth of African Americans born around 1940 don't have a birth certificate. Getting a passport is even more expensive and takes even longer. Passports cost about $90. Just think about how these provisions will affect older women, living alone, possibly cognitively-impaired.

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

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

There was no objection.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of the conference report will be followed by a 5-minute vote on the motion to suspend the rules and agree to H. Con. Res. 275.

The vote was taken by electronic device, and there were—yeas 212, nays 206, not voting 16, as follows:

[Roll No. 670]

YEAS—212

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jenkins
Jindal
Johnson (CT)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kuhl (NY)
LaHood
Latham
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy
Musgrave
Neugebauer
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—206

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Buyer
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Ross
Rothman
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman

Weiner
Wexler
Wilson (NM)
Woolsey
Wu
Wynn

NOT VOTING—16

Baca
Davis, Jo Ann
Emanuel
Gutierrez
Harman
Hostettler
Hyde
Istook
Johnson, Sam
Jones (NC)
Kolbe
Miller, Gary
Myrick
Radanovich
Reyes
Roybal-Allard

□ 0607

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 gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 275, 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 351, nays 1, answered ''present'' 2, not voting 79, as follows:

[Roll No. 671]

YEAS—351

Aderholt
Akin
Alexander
Allen
Andrews
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehlert
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Butterfield
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Carnahan
Carson
Case
Castle
Chabot
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
DeLay
Dent
Dicks
Dingell
Doggett
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Ford
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutknecht
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hobson
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHenry
McIntyre
McMorris
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy
Musgrave
Nadler
Napolitano
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Olver
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Pickering
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Royce
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Paul

ANSWERED ''PRESENT''—2

Abercrombie
Taylor (NC)

NOT VOTING—79

Ackerman
Baca
Baker
Barton (TX)
Blunt
Bonilla
Brady (TX)
Brown (OH)
Burton (IN)
Buyer
Calvert
Cardin
Cardoza
Carter
Chocola
Coble
Crowley
Davis, Jo Ann
Delahunt
Diaz-Balart, L.
Diaz-Balart, M.
Doyle
Emanuel
Everett
Flake
Forbes
Fossella
Granger
Graves
Gutierrez
Hall
Harman
Hayes
Hinojosa
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kolbe
Larson (CT)
LaTourette
Leach
Lewis (CA)
Lynch
McCrery
McHugh
McKeon
McKinney
McNulty
Miller (FL)
Miller, Gary
Moran (KS)
Murtha
Myrick
Neal (MA)
Obey
Ortiz
Pearce
Peterson (PA)
Petri
Pitts
Pryce (OH)
Radanovich
Rangel
Reyes
Rohrabacher
Roybal-Allard
Ryan (WI)
Sherwood
Slaughter
Thornberry
Velázquez
Waters

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 0614

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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 we give you 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. 1932, the Deficit Reduction Act of 2005 just passed.

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

There was no objection.

JUNIOR DUCK STAMP REAUTHORIZATION AMENDMENTS ACT OF 2005

Mr. POMBO. Mr. Speaker, I ask unanimous consent that the Committee 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 gentleman from California?

There was no objection.

The Clerk read the bill, as follows:

H.R. 3179

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 ''Junior Duck Stamp Reauthorization Amendments Act of 2005''.

SEC. 2. USE OF PROCEEDS FROM LICENSING AND MARKETING OF JUNIOR DUCK STAMPS AND JUNIOR DUCK STAMP DESIGNS.

Section 3(c) of the Junior Duck Stamp Conservation and Design Program Act of 1994 (16 U.S.C. 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 appropriations, solely for—

''(A) awards, prizes, and scholarships to individuals who submit designs in competitions under subsection (a), that are—

''(i) selected in such a competition as winning designs; or

''(ii) otherwise determined in such a competition to be superior;

''(B) awards and prizes to schools, students, teachers, and other participants to further education activities related to the conservation education goals of the Program;

''(C) award ceremonies for winners of national and State Junior Duck Stamp competitions;

''(D) travel expenses for winners of national and State Junior Duck Stamp competitions to award ceremonies, if—

''(i) the event is intended to honor students for winning a national competition; or

''(ii) the event is intended to honor students for winning a State competition;

''(E) expenses for licensing and marketing under subsection (b);

''(F) expenses for migratory bird reference materials or supplies awarded to schools that participate in the Program; and

''(G) expenses for marketing and educational materials developed to promote the Program;''.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 6 of the Junior Duck Stamp Conservation and Design Program Act of 1994 (16 U.S.C. 719c) 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.—'' before 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 distributed to State and regional coordinators to implement competitions under the Program.''.

SEC. 4. REPEAL.

The second section 6 of the Junior Duck Stamp Conservation and Design Program Act of 1994 (16 U.S.C. 668dd note), relating to an environmental education center and refuge headquarters, 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 Committee on Resources be discharged from further consideration of the bill (H.R. 4000) to authorize the Secretary of the Interior to revise certain repayment contracts with the Bostwick Irrigation District in Nebraska, the Kansas Bostwick Irrigation District No. 2, the Frenchman-Cambridge Irrigation District, and the Webster Irrigation District No. 4, all a part of the Pick-Sloan Missouri Basin Program, and for other purposes, 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. 4000

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

SECTION 1. BOSTWICK IRRIGATION DISTRICT IN NEBRASKA; REPAYMENTS EQUALIZED AND RESERVE FUNDS CONTRIBUTIONS EXTENDED.

The Secretary of the Interior may revise the repayment contract with the Bostwick Irrigation District in Nebraska numbered 009D6B0121 and all amendatory contracts thereto, by equalizing the annual total repayment obligation under the contracts for the distribution works construction charge and the water supply repayment obligation for the remaining years of the contract relying upon the annual water supply repayment obligation as of the date of the enactment of this Act as the base for equalizing the annual 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 additional 10 years.

SEC. 2. KANSAS BOSTWICK IRRIGATION DISTRICT NO. 2; REPAYMENTS EQUALIZED AND RESERVE FUNDS CONTRIBUTIONS EXTENDED.

The Secretary of the Interior may revise the repayment contract with the Kansas Bostwick Irrigation District No. 2 numbered 009D6B0120 and all amendatory contracts thereto, by equalizing the annual total repayment obligation under the contracts for the distribution works construction charge and the water supply repayment obligation for the remaining years of the contract relying upon the annual water supply repayment obligation as of the date of the enactment of this Act as the base for equalizing the annual 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 additional 10 years.

SEC. 3. FRENCHMAN-CAMBRIDGE IRRIGATION DISTRICT; REPAYMENTS EQUALIZED AND RESERVE FUNDS CONTRIBUTIONS EXTENDED.

The Secretary of the Interior may revise the repayment contract with the Frenchman-Cambridge Irrigation District numbered 009D6B0122 and all amendatory contracts thereto, by equalizing the annual total repayment obligation under the contracts for the distribution works construction charge and the water supply repayment obligation for the remaining years of the contract relying upon the annual water supply repayment obligation as of the date of the enactment of this Act as the base for equalizing the annual 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 additional 10 years.

SEC. 4. WEBSTER IRRIGATION DISTRICT; REPAYMENTS EQUALIZED AND RESERVE FUNDS CONTRIBUTIONS EXTENDED.

The Secretary of the Interior may revise the repayment contract with the Webster Irrigation District numbered 039D6B0002 and all amendatory contracts thereto, by equalizing the annual total repayment obligation under the contracts for the distribution works construction charge and the water supply repayment obligation for the remaining years of the contract relying upon the annual water supply repayment obligation as of the date of the enactment of this Act as the base for equalizing the annual 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 additional 10 years.

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.

FEDERAL DEPOSIT INSURANCE REFORM CONFORMING AMENDMENTS ACT OF 2005

Mr. POMBO. Mr. Speaker, I ask unanimous consent that the Committee on Financial Services be discharged from further consideration of the bill (H.R. 4636) to enact the technical and conforming amendments necessary to implement the Federal Deposit Insurance Reform Act of 2005, and for other purposes, 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?

Mr. FRANK of Massachusetts. Reserving the right to object, Mr. 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 considered this measure to merge the insurance funds, the gentlewoman from California (Ms. WATERS) offered a proposal to establish what we call lifeline 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 representatives 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 refused to consider it. The Senate procedure 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 gentleman from California?

There was no objection.

The Clerk read the bill, as follows:

H.R. 4636

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 ''Federal Deposit Insurance Reform Conforming Amendments Act of 2005''.

SEC. 2. TECHNICAL AND CONFORMING AMENDMENTS.

(a) TECHNICAL AND CONFORMING AMENDMENTS RELATING TO GOVERNMENT DEPOSITS.—Section 11(a)(2) of the Federal Deposit Insurance Act (12 U.S.C. 1821(a)(2)) is amended—

(1) in subparagraph (A)—

(A) by moving the margins of clauses (i) through (v) 4 ems to the right;

(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 is—'' and inserting the following:

''(2) GOVERNMENT DEPOSITORS.—

''(A) IN GENERAL.—Notwithstanding any limitation in this Act or in any other provision of law relating to the amount of deposit insurance available to any 1 depositor—

''(i) a government depositor shall, for the purpose of determining the amount of insured deposits under this subsection, be deemed to be a depositor separate and distinct from any other officer, employee, or agent of the United States or any public unit referred to in subparagraph (B); and

''(ii) except as provided in subparagraph (C), the deposits of a government depositor shall be insured in an amount equal to the standard maximum deposit insurance amount (as determined under paragraph (1)).

''(B) GOVERNMENT DEPOSITOR.—In this paragraph, the term 'government depositor' means a depositor that is—'';

(3) by striking ''(B) The'' and inserting the following:

''(C) AUTHORITY TO LIMIT DEPOSITS.—The''; and

(4) by striking ''depositor referred to in subparagraph (A) of this paragraph'' each place such term appears and inserting ''government depositor''.

(b) TECHNICAL AND CONFORMING AMENDMENT RELATING TO INSURANCE OF TRUST FUNDS.—Paragraphs (1) and (3) of section 7(i) of the Federal Deposit Insurance Act (12 U.S.C. 1817(i)) are each amended by striking ''$100,000'' and inserting ''the standard maximum deposit insurance amount (as determined under section 11(a)(1))''.

(c) OTHER TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 11(m)(6) of the Federal Deposit Insurance Act (12 U.S.C. 1821(m)(6)) is amended by striking ''$100,000'' and inserting ''an amount equal to the standard maximum deposit insurance amount''.

(2) Subsection (a) of section 18 of the Federal Deposit Insurance Act (12 U.S.C. 1828(a)) is amended to read as follows:

''(a) INSURANCE LOGO.—

''(1) INSURED DEPOSITORY INSTITUTIONS.—

''(A) IN GENERAL.—Each insured depository institution shall display at each place of business maintained by that institution a sign or signs relating to the insurance of the deposits of the institution, in accordance with regulations to be prescribed by the Corporation.

''(B) STATEMENT TO BE INCLUDED.—Each sign required under subparagraph (A) shall include a statement that insured deposits are backed by the full faith and credit of the United States Government.

''(2) REGULATIONS.—The Corporation 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 depository institution continues to violate this subsection or any regulation issued under this subsection, it shall be subject to a penalty of not more than $100, which the Corporation may recover for its use.''.

(3) Section 43(d) of the Federal Deposit Insurance Act (12 U.S.C. 1831t(d)) is amended by striking ''$100,000'' and inserting ''an amount equal to the standard maximum deposit insurance amount''.

(4) Section 6 of the International Banking Act of 1978 (12 U.S.C. 3104) is amended—

(A) by striking ''$100,000'' each place such term appears and inserting ''an amount equal to the standard maximum deposit insurance amount''; and

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

''(e) STANDARD MAXIMUM DEPOSIT INSURANCE AMOUNT DEFINED.—For purposes of this section, the term 'standard maximum deposit insurance amount' means the amount of the maximum amount of deposit insurance as determined under section 11(a)(1) of the Federal Deposit Insurance Act.''.

(d) CONFORMING CHANGE TO CREDIT UNION SHARE INSURANCE FUND.—

(1) IN GENERAL.—Section 207(k) of the Federal Credit Union Act (12 U.S.C. 1787(k)) is amended—

(A) by striking ''(k)(1)'' and all that follows through the end of paragraph (1) and inserting the following:

''(k) INSURED AMOUNTS PAYABLE.—

''(1) NET INSURED AMOUNT.—

''(A) IN GENERAL.—Subject to the provisions of paragraph (2), the net amount of share insurance payable to any member at an insured credit union shall not exceed the total amount of the shares or deposits in the name of the member (after deducting offsets), 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 Insurance Act.

''(B) AGGREGATION.—Determination of the net amount of share insurance under subparagraph (A), shall be in accordance with such regulations as the Board may prescribe, and, in determining the amount payable to any member, there shall be added together all accounts in the credit union maintained by that member for that member's own benefit, either in the member's own name or in the names of others.

''(C) AUTHORITY TO DEFINE THE EXTENT OF COVERAGE.—The Board may define, with such classifications and exceptions as it may prescribe, the extent of the share insurance coverage provided for member accounts, including member accounts in the name of a minor, in trust, or in joint tenancy.'';

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in clauses (i) through (v), by moving the margins 4 ems to the right;

(II) in the matter following clause (v), by striking ''his account'' and all that follows through the period; and

(III) by striking the semicolon at the end of clause (v) and inserting a period;

(ii) by striking ''(2)(A) Notwithstanding'' and all that follows through ''a depositor or member who is—'' and inserting the following:

''(2) GOVERNMENT DEPOSITORS OR MEMBERS.—

''(A) IN GENERAL.—Notwithstanding any limitation in this Act or in any other provision of law relating to the amount of insurance available to any 1 depositor or member, deposits or shares of a government depositor or member shall be insured in an amount equal to the standard maximum share insurance amount (as determined under paragraph (5)), subject to subparagraph (C).

''(B) GOVERNMENT DEPOSITOR.—In this paragraph, the term 'government depositor' means a depositor that is—'';

(iii) by striking ''(B) The'' and inserting the following:

''(C) AUTHORITY TO LIMIT DEPOSITS.—The''; and

(iv) by striking ''depositor or member referred to in subparagraph (A)'' and inserting ''government depositor or member''; and

(C) by adding at the end the following new paragraphs:

''(4) COVERAGE FOR CERTAIN EMPLOYEE BENEFIT PLAN DEPOSITS.—

''(A) PASS-THROUGH INSURANCE.—The Administration shall provide pass-through share insurance for the deposits or shares of any employee benefit plan.

''(B) PROHIBITION ON ACCEPTANCE OF DEPOSITS.—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 paragraph, the following definitions shall apply:

''(i) CAPITAL STANDARDS.—The terms 'well capitalized' and 'adequately capitalized' have the same meanings as in section 216(c).

''(ii) EMPLOYEE BENEFIT PLAN.—The term 'employee benefit plan'—

''(I) has the meaning given to such term in section 3(3) of the Employee Retirement Income Security Act of 1974;

''(II) includes any plan described in section 401(d) of the Internal Revenue Code of 1986; and

''(III) includes any eligible deferred compensation 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 authorizing 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 provision of Federal or State law.

''(5) STANDARD MAXIMUM SHARE INSURANCE AMOUNT DEFINED.—For purposes of this Act,

the term 'standard maximum share insurance amount' means $100,000, adjusted as provided under section 11(a)(1)(F) of the Federal Deposit Insurance Act.''.

(2) INCREASE 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 (which amount shall be subject to inflation adjustments as provided under section 11(a)(1)(F) of the Federal Deposit Insurance Act, except that $250,000 shall be substituted for $100,000 wherever such term appears in such section)'''.

(3) OTHER TECHNICAL AND CONFORMING AMENDMENTS.—Section 205(a) of the Federal Credit Union Act (12 U.S.C. 1785(a)) is amended to read as follows:

''(a) INSURANCE LOGO.—

''(1) INSURED CREDIT UNIONS.—

''(A) IN GENERAL.—Each insured credit union shall display at each place of business maintained by 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 of not more than $100, which the Board may recover for its use.''.

(e) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date on which the final regulations 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)) is amended by striking the 3d sentence and inserting the following: ''Such reports of condition shall be the basis for the certified statements to be filed pursuant to subsection (c).''.

(2) Subparagraphs (B)(ii) and (C) of section 7(b)(1) of the Federal Deposit Insurance Act (12 U.S.C. 1817(b)(1)) are each amended by striking ''semiannual'' where such term appears in each such subparagraph.

(3) Section 7(b)(2) of the Federal Deposit Insurance Act (12 U.S.C. 1817(b)(2)) is amended—

(A) by striking subparagraphs (E), (F), and (G);

(B) in subparagraph (C), by striking ''semiannual''; and

(C) by redesignating subparagraph (H) (as amended by subsection (e)(2) of this section) as subparagraph (E).

(4) Section 7(b) of the Federal Deposit Insurance Act (12 U.S.C. 1817(b)) is amended by striking paragraph (4) and redesignating paragraphs (5) (as amended by subsection (b) of this section), (6), and (7) as paragraphs (4), (5), and (6) respectively.

(5) Section 7(c) of the Federal Deposit Insurance Act (12 U.S.C. 1817(c)) is amended—

(A) in paragraph (1)(A), by striking ''semiannual'';

(B) in paragraph (2)(A), by striking ''semiannual''; and

(C) in paragraph (3), by striking ''semiannual period'' and inserting ''initial assessment period''.

(6) Section 8(p) of the Federal Deposit Insurance Act (12 U.S.C. 1818(p)) is amended by striking ''semiannual''.

(7) Section 8(q) of the Federal Deposit Insurance Act (12 U.S.C. 1818(q)) is amended by striking ''semiannual period'' and inserting ''assessment period''.

(8) Section 13(c)(4)(G)(ii)(II) of the Federal Deposit Insurance Act (12 U.S.C. 1823(c)(4)(G)(ii)(II)) is amended by striking ''semiannual period'' and inserting ''assessment period''.

(9) Section 232(a) of the Federal Deposit Insurance Corporation Improvement Act of 1991 (12 U.S.C. 1834(a)) is amended—

(A) in the matter preceding subparagraph (A) of paragraph (2), by striking ''the Board and'';

(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''.

(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)(5) of the Federal Deposit Insurance Reform Act of 2005 take effect.

SEC. 4. TECHNICAL AND CONFORMING AMENDMENTS RELATING TO REPLACEMENT OF FIXED DESIGNATED RESERVE RATIO WITH RESERVE RANGE.

(a) IN GENERAL.—Section 3(y) of the Federal Deposit Insurance Act (12 U.S.C. 1813(y)) is amended—

(1) by striking ''(y) The term'' and inserting

''(y) DEFINITIONS RELATING TO DEPOSIT INSURANCE FUND.—

''(1) DEPOSIT INSURANCE FUND.—The term''; and

(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)(1) of the Federal Deposit Insurance Reform Act of 2005 take effect.

SEC. 5. REPORT TO CONGRESS ON REFUNDS, DIVIDENDS, AND CREDITS FROM DEPOSIT INSURANCE FUND.

(a) SUBMISSION.—Any determination under section 7(e)(2)(E) of the Federal Deposit Insurance Act, as added by section 2107(a) of the Federal Deposit Insurance Reform Act of 2005, 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 EXPENSES AND CERTAIN 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 by the Federal banking agencies (as defined in section 3 of such Act), including the degree of effectiveness of such agencies in identifying troubled depository institutions and 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 result 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 REGARDING APPROPRIATE DEPOSIT BASE IN DESIGNATING RESERVE RATIO.—

(1) STUDY REQUIRED.—The Federal Deposit Insurance Corporation shall conduct a study of the feasibility of using alternatives to estimated insured deposits in calculating the reserve ratio of the Deposit Insurance Fund

and designating a reserve ratio for such Fund.

(2) REPORT.—The Federal Deposit Insurance Corporation 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 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 LOSS.—

(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 32(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 reserves and estimating and accounting for losses at insured depository institutions, during the period described in such paragraph;

(B) consider the appropriateness 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 final 3 years of that period; and

(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 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 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 Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives on the potential impact on the financial system of the United States of the implementation of the new Basel Capital Accord (Basel II) and the proposed revisions to current reserve requirement regulations for non-Basel II banks.

(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;

(ii) whether Basel II could hinder enforcement of prompt corrective action laws and regulations; and

(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 statistical models; and

(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.

SEC. 7. 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 bi-annual 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 finance system.

"(2) FACTORS AND QUESTIONS TO CONSIDER.—In conducting the survey, the Corporation shall take the following factors and questions into account:

"(A) To what extent do insured depository institutions promote financial education and financial literacy outreach?

"(B) Which financial education efforts appear to be the most effective in bringing 'unbanked' individuals and families into the conventional finance 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 well 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 bi-annual 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 legislative or administrative action as the Chairperson may determine to be appropriate.".

SEC. 8. TECHNICAL AND CONFORMING AMENDMENTS TO THE FEDERAL DEPOSIT INSURANCE ACT RELATING TO THE MERGER OF THE BIF AND SAIF.

(a) IN GENERAL.—The Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.) is amended—

(1) in section 3 (12 U.S.C. 1813)—

(A) by striking subparagraph (B) of subsection (a)(1) and inserting the following new subparagraph:

"(B) includes any former savings association."; and

(B) by striking paragraph (1) of subsection (y) (as so designated by section 4(b) of this title) and inserting the following new paragraph:

"(1) DEPOSIT INSURANCE FUND.—The term 'Deposit Insurance Fund' means the Deposit Insurance Fund established under section 11(a)(4).";

(2) in section 5(b)(5) (12 U.S.C. 1815(b)(5)), by striking "the Bank Insurance Fund or the Savings Association Insurance Fund," and inserting "the Deposit Insurance Fund,";

(3) in section 5(c)(4), by striking "deposit insurance fund" and inserting "Deposit Insurance Fund";

(4) in section 5(d) (12 U.S.C. 1815(d)), by striking paragraphs (2) and (3) (and any funds resulting from the application of such paragraph (2) prior to its repeal shall be deposited into the general fund of the Deposit Insurance Fund);

(5) in section 5(d)(1) (12 U.S.C. 1815(d)(1))—

(A) in subparagraph (A), by striking "reserve ratios in the Bank Insurance Fund and the Savings Association Insurance Fund as required by section 7" and inserting "the reserve ratio of the Deposit Insurance Fund";

(B) by striking subparagraph (B) and inserting the following:

"(2) FEE CREDITED TO THE DEPOSIT INSURANCE FUND.—The fee paid by the depository institution under paragraph (1) shall be credited to the Deposit Insurance Fund.";

(C) by striking "(1) **UNINSURED INSTITUTIONS**.—"; and

(D) by redesignating subparagraphs (A) and (C) as paragraphs (1) and (3), respectively, and moving the left margins 2 ems to the left;

(6) in section 5(e) (12 U.S.C. 1815(e))—

(A) in paragraph (5)(A), by striking "Bank Insurance Fund or the Savings Association Insurance Fund" and inserting "Deposit Insurance Fund";

(B) by striking paragraph (6); and

(C) by redesignating paragraphs (7), (8), and (9) as paragraphs (6), (7), and (8), respectively;

(7) in section 6(5) (12 U.S.C. 1816(5)), by striking "Bank Insurance Fund or the Savings Association Insurance Fund" and inserting "Deposit Insurance Fund";

(8) in section 7(b) (12 U.S.C. 1817(b))—

(A) in paragraph (1)(C), by striking "deposit insurance fund" each place that term appears and inserting "Deposit Insurance Fund";

(B) in paragraph (1)(D), by striking "each deposit insurance fund" and inserting "the Deposit Insurance Fund"; and

(C) in paragraph (5) (as so redesignated by section 3(d)(4))—

(i) by striking "any such assessment" and inserting "any such assessment is necessary";

(ii) by striking subparagraph (B);

(iii) in subparagraph (A)—

(I) by striking "(A) is necessary—";

(II) by striking "Bank Insurance Fund members" and inserting "insured depository institutions"; and

(III) by redesignating clauses (i), (ii), and (iii) as subparagraphs (A), (B), and (C), respectively, and moving the margins 2 ems to the left; and

(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(j)(7)(F) (12 U.S.C. 1817(j)(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'' and inserting ''Deposit Insurance Fund'';

(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'';

(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 shall—

''(i) maintain and administer;

''(ii) use to carry out its insurance purposes, in the manner provided by this subsection; and

''(iii) invest in accordance with section 13(a).

''(B) USES.—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 default or in danger of default, 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 not in default, or that is not in danger of default, that is acquiring (as defined in section 13(f)(8)(B)) another insured depository institution.

''(D) DEPOSITS.—All amounts assessed against insured depository institutions by the Corporation shall be deposited into the Deposit Insurance Fund.'';

(C) by striking paragraphs (5), (6), and (7) of subsection (a); and

(D) by redesignating paragraph (8) of subsection (a) as paragraph (5);

(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);

(B) by redesignating subparagraph (C) as subparagraph (B); and

(C) in subparagraph (B) (as so redesignated), by striking ''subparagraphs (A) and (B)'' and inserting ''subparagraph (A)'';

(14) in section 11(p)(2)(B) (12 U.S.C. 1821(p)(2)(B)), by striking ''institution, any'' and inserting ''institution, the'';

(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) in paragraph (3), by striking ''the Bank Insurance Fund, the Savings Association Insurance Fund,'' and inserting ''the Deposit Insurance Fund'';

(16) in section 11A(b) (12 U.S.C. 1821a(b)), 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'';

(18) in section 12(f)(4)(E)(iv) (12 U.S.C. 1822(f)(4)(E)(iv)), by striking ''Federal deposit insurance funds'' and inserting ''the Deposit Insurance Fund (or any predecessor 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'';

(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 institutions'';

(iii) by striking ''each member's'' and inserting ''each 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)(i), 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. 1824(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 ''each such fund'' and inserting ''the Deposit Insurance Fund'';

(21) in section 14(b) (12 U.S.C. 1824(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. 1824(c)), by striking paragraph (3);

(23) in section 14(d) (12 U.S.C. 1824(d))—

(A) by striking ''Bank Insurance Fund member'' each place that term appears and inserting ''insured depository institution'';

(B) by striking ''Bank Insurance Fund members'' each place that term appears and inserting ''insured depository institutions'';

(C) by striking ''Bank Insurance Fund'' each place that term appears (other than in connection with a reference to a term amended by subparagraph (A) or (B) of this paragraph) and inserting ''Deposit Insurance Fund'';

(D) by striking the subsection heading and inserting the following:

''(d) BORROWING FOR THE DEPOSIT INSURANCE FUND FROM INSURED DEPOSITORY INSTITUTIONS.—'';

(E) in paragraph (3), in the paragraph heading, by striking ''BIF'' and inserting ''THE DEPOSIT INSURANCE FUND''; and

(F) in paragraph (5), in the paragraph heading, by striking ''BIF MEMBERS'' and inserting ''INSURED DEPOSITORY INSTITUTIONS'';

(24) in section 14 (12 U.S.C. 1824), by adding at the end the following new subsection:

''(e) BORROWING FOR THE DEPOSIT INSURANCE FUND FROM FEDERAL HOME LOAN BANKS.—

''(1) IN GENERAL.—The Corporation may borrow from the Federal home loan banks, with the concurrence of the Federal Housing Finance Board, such funds as the Corporation considers necessary for the use of the Deposit Insurance Fund.

''(2) TERMS AND CONDITIONS.—Any loan from any Federal home loan bank under paragraph (1) to the Deposit Insurance Fund shall—

''(A) bear a rate of interest of not less than the current marginal cost of funds to that bank, taking into account the maturities involved;

''(B) be adequately secured, as determined by the Federal Housing Finance Board;

''(C) be a direct liability of the Deposit Insurance Fund; and

''(D) be subject to the limitations of section 15(c).'';

(25) in section 15(c)(5) (12 U.S.C. 1825(c)(5))—

(A) by striking ''the Bank Insurance Fund or Savings Association Insurance Fund, respectively'' each place that term appears and inserting ''the Deposit Insurance Fund''; and

(B) in subparagraph (B), by striking ''the Bank Insurance Fund or the Savings Association Insurance Fund, respectively'' and inserting ''the Deposit Insurance Fund'';

(26) in section 17(a) (12 U.S.C. 1827(a))—

(A) in the subsection heading, by striking ''BIF, SAIF,'' and inserting ''THE DEPOSIT INSURANCE FUND''; and

(B) in paragraph (1)—

(i) by striking ''the Bank Insurance Fund, the Savings Association Insurance Fund,'' each place that term appears and inserting ''the Deposit Insurance Fund''; and

(ii) in subparagraph (D), by striking ''each insurance fund'' and inserting ''the Deposit Insurance Fund'';

(27) in section 17(d) (12 U.S.C. 1827(d)), by striking '', the Bank Insurance Fund, the Savings Association Insurance Fund,'' each place that term appears and inserting ''the Deposit Insurance Fund'';

(28) in section 18(m)(3) (12 U.S.C. 1828(m)(3))—

(A) by striking ''Savings Association Insurance Fund'' in the 1st sentence of subparagraph (A) and inserting ''Deposit Insurance Fund'';

(B) by striking ''Savings Association Insurance Fund member'' in the last sentence of subparagraph (A) and inserting ''savings association''; and

(C) by striking ''Savings Association Insurance Fund or the Bank Insurance Fund'' in subparagraph (C) and inserting ''Deposit Insurance Fund'';

(29) in section 18(o) (12 U.S.C. 1828(o)), by striking ''deposit insurance funds'' and ''deposit insurance fund'' each place those terms appear and inserting ''Deposit Insurance Fund'';

(30) in section 18(p) (12 U.S.C. 1828(p)), by striking ''deposit insurance funds'' and inserting ''Deposit Insurance Fund'';

(31) in section 24 (12 U.S.C. 1831a)—

(A) in subsections (a)(1) and (d)(1)(A), by striking ''appropriate deposit 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) in subsections (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'';

(32) in section 28 (12 U.S.C. 1831e), by striking ''affected deposit insurance fund'' each place that term appears and inserting ''Deposit Insurance Fund'';

(33) by striking section 31 (12 U.S.C. 1831h);

(34) in section 36(i)(3) (12 U.S.C. 1831m(i)(3)), by striking ''affected deposit insurance fund'' and inserting ''Deposit Insurance Fund'';

(35) in section 37(a)(1)(C) (12 U.S.C. 1831n(a)(1)(C)), by striking ''insurance funds'' and inserting ''Deposit Insurance Fund'';

(36) in section 38 (12 U.S.C. 1831o), by striking ''the deposit insurance fund'' each place that term appears and inserting ''the Deposit Insurance Fund'';

(37) in section 38(a) (12 U.S.C. 1831o(a)), in the subsection heading, by striking ''FUNDS'' and inserting ''FUND'';

(38) in section 38(k) (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) in paragraphs (2)(A) and (3)(B), by striking ''the deposit insurance fund's outlays'' each place that term appears and inserting ''the outlays of the Deposit Insurance Fund''; and

(39) in section 38(o) (12 U.S.C. 1831o(o))—

(A) by striking ''associations.—'' and all that follows through ''Subsections (e)(2)'' and inserting ''associations.—Subsections (e)(2)'';

(B) by redesignating 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.

(b) 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.

SEC. 9. OTHER TECHNICAL AND CONFORMING AMENDMENTS RELATING TO THE MERGER OF THE BIF AND SAIF.

(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) INVESTMENTS PROMOTING PUBLIC WELFARE; LIMITATIONS ON AGGREGATE INVESTMENTS.—The 23d undesignated paragraph of section 9 of the Federal Reserve Act (12 U.S.C. 338a) 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 10B(b)(3)(A)(ii) of the Federal Reserve Act (12 U.S.C. 347b(b)(3)(A)(ii)) is amended by striking ''any deposit insurance fund in'' and inserting ''the Deposit Insurance Fund of''.

(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(k) (12 U.S.C. 1431(k))—

(A) in the subsection heading, by striking ''SAIF'' and inserting ''THE DEPOSIT INSURANCE FUND''; and

(B) by striking ''Savings Association Insurance Fund'' each place such term appears and inserting ''Deposit Insurance Fund'';

(2) in section 21 (12 U.S.C. 1441)—

(A) in subsection (f)(2), by striking '', except that'' and all that follows through the end of the paragraph and inserting a period; and

(B) in subsection (k), by striking paragraph (4);

(3) in section 21A(b)(4)(B) (12 U.S.C. 1441a(b)(4)(B)), by striking ''affected deposit insurance fund'' and inserting ''Deposit Insurance Fund'';

(4) in section 21A(b)(6)(B) (12 U.S.C. 1441a(b)(6)(B))—

(A) in the subparagraph heading, by striking ''SAIF-INSURED BANKS'' and inserting ''CHARTER CONVERSIONS''; and

(B) by striking ''Savings Association Insurance Fund member'' and inserting ''savings association'';

(5) in section 21A(b)(10)(A)(iv)(II) (12 U.S.C. 1441a(b)(10)(A)(iv)(II)), by striking ''Savings Association Insurance Fund'' and inserting ''Deposit Insurance Fund'';

(6) in section 21A(n)(6)(E)(iv) (12 U.S.C. 1441(n)(6)(E)(iv)), by striking ''Federal deposit insurance funds'' and inserting ''the Deposit Insurance Fund'';

(7) in section 21B(e) (12 U.S.C. 1441b(e))—

(A) in paragraph (5), by inserting ''as of the date of funding'' after ''Savings Association Insurance Fund members'' each place that term appears; and

(B) by striking paragraphs (7) and (8); and

(8) in section 21B(k) (12 U.S.C. 1441b(k))—

(A) by inserting before the colon '', the following definitions shall apply'';

(B) by striking paragraph (8); and

(C) by redesignating paragraphs (9) and (10) as paragraphs (8) and (9), respectively.

(e) 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. 1464)—

(A) in subsection (c)(5)(A), by striking ''that is a member of the Bank Insurance Fund'';

(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 (o)(1), by striking ''that is a Bank Insurance Fund member'';

(D) in subsection (o)(2)(A), 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 (t)(5)(D)(iii)(II), by striking ''affected deposit insurance fund'' and inserting ''Deposit Insurance Fund'';

(F) in subsection (t)(7)(C)(i)(I), by striking ''affected deposit insurance fund'' and inserting ''Deposit Insurance Fund''; and

(G) in subsection (v)(2)(A)(i), by striking ''the Savings Association Insurance Fund'' and inserting ''or the Deposit Insurance Fund''; and

(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 (e)(1)(B), by striking ''Savings Association Insurance Fund or Bank Insurance Fund'' and inserting ''Deposit Insurance Fund'';

(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)'';

(E) in subsection (g)(3)(A), by striking ''(5) of this section'' and inserting ''(5) of this subsection'';

(F) in subsection (i), by redesignating paragraph (5) as paragraph (4);

(G) in subsection (m)(3), by striking subparagraph (E) and by redesignating subparagraphs (F), (G), and (H) as subparagraphs (E), (F), and (G), respectively;

(H) in subsection (m)(7)(A), by striking ''during period'' and inserting ''during the period''; and

(I) in subsection (o)(3)(D), by striking ''sections 5(s) and (t) of this Act'' and inserting ''subsections (s) and (t) of section 5''.

(f) 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)(B) (12 U.S.C. 1723i(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''; and

(2) in section 536(b)(1)(B)(ii) (12 U.S.C. 1735f–14(b)(1)(B)(ii)), by striking ''Bank Insurance Fund for banks and through the Savings Association Insurance Fund for savings associations'' and inserting ''Deposit Insurance Fund''.

(g) AMENDMENTS TO THE FINANCIAL INSTITUTIONS REFORM, RECOVERY, AND ENFORCEMENT ACT OF 1989.—The Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1811 note) is amended—

(1) in section 951(b)(3)(B) (12 U.S.C. 1833a(b)(3)(B)), by inserting ''and after the merger of such funds, the Deposit Insurance Fund,'' after ''the Savings Association Insurance Fund,''; and

(2) in section 1112(c)(1)(B) (12 U.S.C. 3341(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. 1841 et seq.) is amended—

(1) in section 2(j)(2) (12 U.S.C. 1841(j)(2)), by striking ''Savings Association Insurance Fund'' and inserting ''Deposit Insurance Fund''; and

(2) in section 3(d)(1)(D)(iii) (12 U.S.C. 1842(d)(1)(D)(iii)), 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. 1828a) 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 SPEAKER pro tempore. Without objection, 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.

SOJOURNER TRUTH BUST ACCEPTANCE AND DISPLAY

Mr. POMBO. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of

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?

There was no objection.

The Clerk read the bill, as follows:

H.R. 4510

Be it enacted by the Senate and House of Representatives of the United States of America 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 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 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 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.

Ms. MILLENDER-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 donations for a bust depicting Sojourner Truth and to display it in an appropriate location within the Halls of Congress.

One of the initial proponents 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 passage of this important 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 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. 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 years. Her crusade 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 endearing 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, JUANITA MILLENDER-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 ex-slave named Sojourner Truth. It is also important that I mention that Representative MILLENDER-MCDONALD also worked closely with the late Dr. C. Delores Tucker to see this vision become a reality.

As noted 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 108th 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 now is the fact that the latter does not purport to alter the existing ''Portrait Monument'' in any way; nor does it require the receipt of any monies or for Congress to address any tax consequences.

Let me now take some time to speak on the women we honor tonight. Sojourner Truth was born in 1797 in Ulster County, a Dutch settlement in upstate New York. Her given name was Isabella Baumfree. She was one of 13 children born to slave parents. She spoke only Dutch until she was sold from her family around the age of eleven. Because of the cruel treatment she suffered at the hands 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 many hardships under slavery, but 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 third master, John Dumont, Sojourner Truth married an older slave named Thomas. Thomas and Sojourner Truth had five children. She stayed on the Dumont farm until a few months before the state of New York ended slavery in 1828. Dumont had promised Sojourner Truth freedom a year before the state emancipation. When Dumont reneged on his promise, Sojourner Truth ran away with her infant son.

Sojourner Truth eventually settled in New York City, working as a domestic for several religious communes. Sojourner Truth was inspired by a spiritual revelation that would forever change her life. She changed here name from Isabella Baumfree to Sojourner Truth and walked through Long Island and Connecticut, preaching ''God's truth and plan for salvation.'' After months of travel, she arrived in Northampton, MA, and joined the utopian community ''The Northampton Association for Education and Industry,'' where she met and worked with abolitionists such as William Lloyd Garrison, Frederick Douglass and Olive Gilbert. Her dictated memoirs were published in 1850 as The Narrative of Sojourner Truth: A Northern Slave. She eventually added abolitionism and women's suffrage to her oratory, often giving personal testimony about her experiences as a slave. In 1851, she spoke at a Women's Convention in Akron, Ohio. The legendary phrase, ''Ain't I a Woman?'' was associated with Sojourner Truth after this speech.

After the Civil War ended, she worked tirelessly to aid the newly-freed southern slaves.

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 with out saying that Sojourner Truth was a great advocate for women and all humankind. 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.

MAKING CERTAIN TECHNICAL CORRECTIONS IN AMENDMENTS MADE BY THE ENERGY POLICY ACT OF 2005

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. 4637) to make certain technical corrections in amendments made by the Energy Policy Act of 2005, 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. 4637

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

SECTION 1. TECHNICAL CORRECTIONS.

(a) SUBTITLE I OF SOLID WASTE DISPOSAL ACT.—The Solid Waste Disposal Act is amended as follows:

(1) In section 9012, in subsection (a)(2)(D), strike ''or a regulated'' and insert ''of a regulated''.

(2) In section 9003, subsection (i), relating to government-owned tanks, as added by section 1526(b) of the Energy Policy Act of 2005, is redesignated as subsection (j).

(3) Section 9014 is amended by striking ''2005 through 2009'' in each place it appears and inserting ''2006 through 2011'' in each such place.

(b) TITLE XVII OF ENERGY POLICY ACT OF 2005.—Title XVII of the Energy Policy Act of 2005 is amended as follows:

(1) Section 1703(c)(4) is amended by striking ''clean coal power initiative under subtitle A of title IV for'' and inserting ''Department of Energy's Clean Coal Power Initiative for Fischer-Tropsch''.

(2) Section 1704(b) is amended by striking ''clean coal power initiative under subtitle A of title IV'' and inserting ''Clean Coal Power Initiative''.

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.

TANF AND CHILD CARE CONTINUATION ACT OF 2005

Mr. POMBO. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means be discharged from further consideration of the bill (H.R. 4635) to reauthorize the Temporary Assistance for Needy Families block grant program through March 31, 2006, and for other purposes, 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 authority through the second quarter of fiscal year 2006 at the level provided for such activities through the second quarter of fiscal year 2005 (or, as applicable, at such greater level as may result from the application of the TANF Emergency Response and Recovery Act of 2005).

(b) CONFORMING AMENDMENT.—Section 403(a)(3)(H)(ii) of the Social Security Act (42 U.S.C. 603(a)(3)(H)(ii)) is amended by striking ''December 31, 2005'' and inserting ''March 31, 2006''.

(c) OFFSET.—Notwithstanding subsection (a) of this section and section 403(a)(2) of the Social Security Act, for each of fiscal years 2006 through 2010, the Secretary shall reduce the amount of each grant otherwise payable under such section 403(a)(2) to each eligible State (as defined in subparagraph (C)(i) of such section 403(a)(2)) by such equal percentage as may be necessary to ensure that the total amount of grants paid 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 1130(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 authority through the second quarter of fiscal year 2006 at the level provided for such activities through the second quarter of fiscal year 2005.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. POMBO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the following bills: S. 205, S. 652, S. 1238, S. 1310, S. 1481, S. 1892, H.R. 2099, H.R. 3179, H.R. 4000.

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

There was no objection.

PROVIDING FOR SINE DIE ADJOURNMENT OF THE TWO HOUSES

Mr. POMBO. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 326) and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the concurrent resolution.

The Clerk read as follows:

H. CON. RES. 326

Resolved by the House of Representatives (the Senate concurring),

That when the House adjourns on any legislative day from Sunday, December 18, 2005, through Saturday, December 24, 2005, or from Monday, December 26, 2005, through Saturday, December 31, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die or until the time of any reassembly pursuant to section 3 of this concurrent resolution; and when the Senate adjourns on any day from Monday, December 19, 2005, through Saturday, December 24, 2005, or from Monday, December 26, 2005, through Saturday, December 31, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die or until the time of any reassembly pursuant to section 3 of this concurrent resolution.

SEC. 2. When the House adjourns on any legislative day of the second session of the One Hundred Ninth Congress from Tuesday, January 3, 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 adjourned until noon on Tuesday, January 31, 2006, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first; when the Senate recesses or adjourns on any day of the second session of the One Hundred Ninth Congress from Tuesday, January 3, 2006, through Monday, January 16, 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 Wednesday, January 18, 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; 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 31, 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, MAJORITY 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 MILLENDER-MCDONALD for their great leadership of the House Administration Committee and DIANE WATSON 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 truly enrolled bills of the House of 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. 2520. 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 of 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. 4324. To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the predisaster mitigation program, and for other purposes.

H.R. 4436. To provide certain authorities for the Department of State, and for other purposes.

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. Accordingly, 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 minutes 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.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5861. 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 — Bifenazate; Pesticide Tolerances for Emergency Exemptions [EPA-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 — Acetic acid, [(5-chloro-8-quinolinyl) oxy]-, 1-methylhexyl ester (Cloquintocet-mexyl); 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.

5864. 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, Prohibition of Foreign Taxation on U.S. Assistance Programs [DFARS Case 2004-D012] received October 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5865. 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 2003-D008] received December 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5866. A letter from the Publications Control Officer, Department of the Army, Department of Defense, transmitting the Department's final rule — Amred Forces Disciplinary Control Boards and Off-Installation Liason 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.

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-AI26) 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 Bioterror Countermeasures to the Federal Government for Placement into the Pediatric Vaccine Stockpile or the Strategic National Stockpile [Release Nos. 33-8642; 34-52885; IC-27178] 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 Committee on Institutional Quality and Integrity for Fiscal Year 2005, pursuant to 20 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 Report and Report on Performance Outcomes for Fiscal Years 2000 through 2003; to the Committee on Education and the Workforce.

5871. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone; Process for Exempting Critical Uses of Methyl Bromide for the 2005 Supplemental Request [FRL-8007-9] (RIN: 2060-AN13) received December 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

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-0030; FRL-8005-9] received December 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5874. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Control of Air Pollution from New Motor Vehicles and New Motor Vehicle Engines: Technical Amendments to Evaporative Emissions Regulations, Dyamometer Regulations, and Vehicle Labeling [OAR-2004-0011; FRL-8004-7] (RIN: 2060-AM32) received December 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5875. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Control of Air Pollution from New Motor Vehicles and New Motor Vehicle Engines; Modification of Federal Onboard Diagnostic Regulations for Light-Duty Vehicles, Light-Duty Trucks, Medium Duty Passenger Vehicles, Complete Heavy Duty Vehicles and Engines Intended for Use in Heavy Duty Vehicles weighing 14,000 pounds GVWR or less [FRL-8005-4] (RIN: 2060-AJ77) received December 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5876. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to Oklahoma Department of Environmental Quality [R06-OAR-2005-OK-0003; FRL-8006-7] 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 — New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to Albuquerque — Bernalillo County Air Quality Control Board [R06-OAR-2005-NM-0005; FRL-8006-2] received December 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5878. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Regulation of Fuels and Fuel Additives: Modifications to Standards and Requirements for Reformulated and Conventional Gasoline Incuding Butane Blenders and Attest Engagements [OAR-2003-0019; FRL-8006-5] (RIN: 2060-AK77) received December 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5879. 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-2003-0156; FRL-8005-5] (RIN: 2060-AG31) received December 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5880. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Iowa [EPA-R07-OAR-2005-IA-0006; FRL-8010-9] received December 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5881. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — List of Hazardous Air Pollutants, Petition Process, Lesser Quantity Designations, Source Category List [OAR-2003-0028; FRL-8009-5] (RIN: 2060-AI72) received December 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5882. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — NESHAP: National Emission Standards for Hazardous Air Pollutants: Standards for Hazardous Air Pollutants for Hazardous Waste Combustors [FRL-8009-3] received December 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5883. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — TSCA Inventory Update Reporting Partially Exempted Chemicals List Addition of Certain Aluminum Alkyl Chemicals [EPA-HQ-OPPT-2005-0047; FRL-7732-6] (RIN: 2070-AC61) received December 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5884. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — TSCA Inventory Update Reporting Revisions [EPA-HQ-OPPT-2004-0106; FRL-7743-9] (RIN: 2070-AC61) received December 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5885. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Memoranda of Understanding between Texas Department of Transportation and the Texas Commission on Environmental Quality [EPA-R06-OAR-2004-TX-0001; FRL-8007-5] received December 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5886. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Exemption of Certain Area Sources from Title V Operating Permit Programs [OAR-2004-0010; FRL-8008-5] (RIN: 2060-AM31) received December 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5887. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's first annual report on Ethanol Market Concentration, pursuant to Section 1501(a)(2) of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

5888. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's report providing a detailed analysis of the effectiveness and enforcement of the provisions of the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003, pursuant to Public Law 108–187, section 10; to the Committee on Energy and Commerce.

5889. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

5890. A letter from the Deputy Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Revisions to the Import Certificate Requirements in the Export Administration Regulations [Docket No. 050812221-5221-01] (RIN: 0694-AD50) received December 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

5891. A letter from the Director, Office of Personnel Management, President's Pay Agent, transmitting a report justifying the reasons for the extension of locality-based comparability payments to categories of positions that are in more than one executive agency, pursuant to 5 U.S.C. 5304(h)(2)(C); to the Committee on Government Reform.

5892. A letter from the Assistant Attorney General for Administration, Department of Justice, transmitting the Department's final rule — Privacy Act of 1974; Implementation [AAG/A Order No. 010-2005] received December 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5893. A letter from the President, James Madison Memorial Fellowship Foundation, transmitting the Foundation's Annual Report for 2005, pursuant to 20 U.S.C. 4513; to the Committee on Government Reform.

5894. A letter from the Director, Peace Corps, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2005 through September 30, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5895. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule — Extension of Administrative Fines Program [Notice 2005-30] received December 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

5896. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule — Electioneering Communications [Notice 2005-29] received December 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

5897. A letter from the Legal Analyst, Presidio Trust, transmitting the Trust's final rule — Debt Collection (RIN: 3212-AA07) received December 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5898. A letter from the Assistant Secretary of the Army, Civil Works, Department of the Army, transmitting a copy of the the Final Feasibility Report and Environmental Impact of the Napa Salt Marsh Restoration, California; to the Committee on Transportation and Infrastructure.

5899. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for the Iron and Steel Manufacturing Point Source Category [Docket No. EPA-OW-2002-0027; FRL-8007-8] (RIN: 2040-AE78) received December 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5900. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — Announcement of Contract Awards (RIN: 2700-AD18) received December 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

5901. A letter from the Director, SHRP, Office of Personnel Management, transmitting the Office's final rule — Veterans Recruitment Appointments (RIN: 3206-AJ90) received December 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5902. A letter from the Director, Regulations and Rulings Division, Alcohol & Tobacco Tax & Trade Bureau, Department of the Treasury, transmitting the Department's final rule — Establishment of the Wahluke Slope Viticultural Area (2005R-026P) [T.D. TTB-40; Re: Notice No. 46] (RIN: 1513-AB01) received December 16, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5903. A letter from the Administrator, Office of Workforce Security, Department of Labor, transmitting the Department's final rule — Allocation of Costs of Assessing and Collecting State Taxes that are Collected in Conjunction with the State Unemployment Compensation Tax—received November 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5904. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Sickness or Accident Disability Payments [TD 9233] (RIN: 1545–BC89) received December 16, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5905. A letter from the United States Trade Representative, transmitting reports of the Advisory Committee for Trade Policy and Negotiations (ACTPN) and the Industry Trade Advisory Committee (ITAC) 8: Information and Communication Technologies, and E-Commerce, on the Agreement on Duty-Free Treatment of Multi-Chip Integrated Circuits, pursuant to Section 2104(e) of the Trade Act of 2002 and Section 135(e) of the Trade Act of 1974, as amended; to the Committee on Ways and Means.

5906. A letter from the Portfolio Manager, Critical Infrastructure Protection, Department of Homeland Security, transmitting a copy of the National Critical Infrastructure Protection Research and Development Plan; to the Committee on Homeland Security.

5907. A letter from the Assistant Secretary for Special Operations and Low-Interest Conflict, Department of Defense, transmitting the Department's Fiscal Year 2005 annual report on the Regional Defense Counterterrorism Fellowship Program, pursuant to 10 U.S.C. 2249c; jointly to the Committees on Armed Services and International Relations.

5908. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 7(a) of the Jerusalem Embassy Act of 1995 (Pub. L. 104–45), a copy of Presidential Determination No. 2006-5 suspending the limitation on the obligation of the State Department Appropriations contained in sections 3(b) and 7(b) of that Act for six months as well as the periodic report provided for under Section 6 of the Act covering the period from June 16, 2005 to the present, pursuant to Public Law 104–45, section 6 (109 Stat. 400); jointly to the Committees on International Relations and Appropriations.

5909. A letter from the Acting Assistant Secretary for Economic Development, Department of Commerce, transmitting the annual report on the activities of the Economic Development Administration for Fiscal Year 2004, pursuant to 42 U.S.C. 3217; jointly to the Committees on Transportation and Infrastructure and Financial Services.

5910. A letter from the Chairman, Medicare Payment Advisory Commission, transmitting the Commission's report entitled, ''Home Health Agency Case Mix and Financial Performance,'' pursuant to Public Law 108–173, section 705; jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Florida: Committee of Conference. Conference report on H.R. 2863. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes (Rept. 109–359). Ordered to be printed.

Mr. HUNTER: Committee of Conference. Conference report on H.R. 1815. A bill to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2006, and for other purposes (Rept. 109–360). Ordered to be printed.

[Filed on December 19 (legislative day of December 18), 2005]

Mr. COLE of Oklahoma: Committee on Rules. House Resolution 639. Resolution 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, and for other purposes (Rept. 109–361). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. HERGER:

H.R. 4635. A bill to reauthorize 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. 4636. A bill 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:

H.R. 4637. A bill to make certain technical corrections in amendments made by the Energy Policy Act of 2005; to the Committee on Energy and Commerce. considered and passed.

By Mr. HALL:

H.R. 4638. 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. 4639. 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. 4640. A bill to reduce the Nation's oil dependence and enhance 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, 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, Mrs. CAPITO, and Miss MCMORRIS):

H.R. 4641. A bill to amend the Internal Revenue Code of 1986 to increase the deduction under section 179 for the purchase of qualified health care information technology by medical care providers and to allow a credit against tax for applicable telecommunications charges paid or incurred by such providers; to the Committee on Ways and Means.

By Mr. ISSA:

H.R. 4642. A bill to enhance the adoption of a nationwide interoperable health information technology 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. BLACKBURN, Mrs. MUSGRAVE, Mr. FEENEY, Mr. FLAKE, and Mr. HENSARLING):

H.R. 4643. 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. 4644. A bill to authorize grants to carry out projects to provide education on preventing teen pregnancies, and for other purposes; to the Committee on Energy and Commerce, 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 and Mrs. LOWEY):

H.R. 4645. 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 prescription drug plans 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. 4646. 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. 326. Concurrent resolution providing for the sine die adjournment 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 for becoming the first democratically-elected female President of the Republic of Liberia and the first female African head of state; to the Committee on International Relations.

By Mr. MACK:

H. Con. Res. 328. Concurrent resolution condemning the anti-democratic actions of Venezuelan President Hugo Chavez and expressing the sense of Congress that the United States should strongly support the aspirations of the democratic forces in Venezuela; to the Committee on International Relations.

By Mr. CONYERS:

H. Res. 635. A resolution creating a select committee to investigate the Administration's intent to go to war before congressional authorization, manipulation of prewar intelligence, encouraging and countenancing torture, retaliating against critics, and to make recommendations regarding grounds for possible impeachment; 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, misstated and manipulated intelligence information regarding the justification for the war, countenanced torture and cruel, inhuman, and degrading treatment of persons in Iraq, and permitted inappropriate retaliation against critics of his Administration, for failing to adequately account for specific misstatements he made regarding the war, and for failing to comply with Executive Order 12958; 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, misstated and manipulated intelligence information regarding the justification for the war, countenanced torture and cruel, inhuman, and degrading treatment of persons in Iraq, and permitted inappropriate retaliation 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.

By Ms. WATERS:

H. Res. 638. A resolution congratulating Bill Gates, Melinda Gates and Bono for being named Time Magazine's 2005 Person of the Year; to the Committee on Government Reform.

By Ms. LEE:

H. Res. 641. A resolution requesting the President to provide to the House of Representatives certain documents in his possession relating to electronic surveillance without search warrants on individuals in the United States; to the Committee on Intelligence (Permanent Select).

By Ms. LEE:

H. Res. 642. A resolution requesting the President and directing the Secretary of State to provide to the House of Representatives certain documents in their possession relating to the Secretary of State's trip to Europe in December 2005; to the Committee on International Relations.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

228. The SPEAKER presented a memorial of the General Assembly of the State of Ohio, relative to Senate Concurrent Resolution Number 13 memorializing the Congress of the United States to take appropriate action so that the Youngstown Joint Air Reserve Station in Vienna Township, Ohio, is excluded from the list of base closures for Base Realignment and Closure process; to the Committee on Armed Services.

229. Also, a memorial of the General Assembly of the State of Ohio, relative to Senate Concurrent Resolution Number 7 memorializing the Congress of the United States to take appropriate action so that funding to the Joint Systems Manufacturing Center in Lima, Ohio, is not reduced through the Base Realignment and Closure process; to the Committee on Armed Services.

230. Also, a memorial of the General Assembly of the State of Ohio, relative to Senate Concurrent Resolution Number 11 memorializing the Congress of the United States to take appropriate action so that Wright-Patterson Air Force Base is excluded from the list of base closures for the Base Realignment and Closure process; to the Committee on Armed Services.

231. Also, a memorial of the General Assembly of the State of Ohio, relative to Senate Concurrent Resolution Number 12 memorializing the Congress of the United States to take appropriate action so that the NASA John H. Glenn Research Center and the Defense Finance Accounting Services Center in Cleveland are excluded from the list of base closures for the Base Realignment and Closure process; to the Committee on Armed Services.

232. Also, a memorial of the Legislature of the State of California, relative to Senate Joint Resolution No. 11 urging the Congress of the United States to adopt the Military Readiness Enhancement Act of 2005 (H.R. 1059) to end the discriminatory federal policy of ''Don't Ask, Don't Tell''; to the Committee on Armed Services.

233. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 5 memorializing the Congress of the United States to take necessary action to increase corporate average fuel economy standards by at least 1.5 miles per gallon per annum until total average fuel economy for new light-duty motor vehicle fleet sold in California is double today's average; to the Committee on Energy and Commerce.

234. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to

Senate Resolution No. 169 urging 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 Representatives of the Commonwealth of Massachusetts, relative to a Resolution supporting the commencement of negotiations on the elimination of nuclear weapons and supporting 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 mandate that federal contracts awarded for reconstruction of the Gulf 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 essential public services to the people of Louisiana following the devestation caused by hurricanes Katrina and Rita; to the Committee on Government Reform.

238. Also, a memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to a Resolution memorializing the Congress of the United States to address the concerns of citizens concerned for the future of Frederick Law Olmstead 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 memorializing the Congress of the United States to extend Louisiana's seaward boundary in the Gulf of Mexico to twelve geographical miles; to the Committee on the Judiciary.

240. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 3 memorializing the Congress of the United States to protect and uphold the intent and substance of the United States Supreme Court decision in Roe v. Wade, relating to reproductive rights; 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 action 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 Resolution No. 57 expressing opposition to the study and construction of an international border crossing in the Downriver area; to the Committee on Transportation and Infrastructure.

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 vate against the repealing of the ''Byrd Amendment''; 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 provisions which reduce social security benefits for those receiving benefits from federal, state, and local government retirement systems; to the Committee on Ways and Means.

245. Also, a memorial of the Legislature of the State of Montana, relative to House Joint Resolution No. 29 urging the Congress of the United States to recognize the statutory concessions made by the State of Montana and urged to obtain meaningful and substantive funding for the impacts from the federal wolf reintroduction program that was forcibly established in Montana; jointly to the Committees on Agriculture and Resources.

246. Also, a memorial of the Legislature of the State of California, relative to Senate Joint Resolution No. 17 memorializing the Congress of the United States to take specific 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. BOUCHER.
H.R. 1245: Mr. MILLER of North Carolina.
H.R. 1405: Mrs. CUBIN.
H.R. 1441: Mr. HINCHEY, Mr. MORAN of Kansas, and Ms. MCCOLLUM of Minnesota.
H.R. 1687: Mr. BROWN of Ohio.
H.R. 2048: Mr. CLEAVER, Mr. GEORGE MILLER of California, and Mr. SNYDER.
H.R. 2669: Mr. SCOTT of Georgia and Ms. MOORE of Wisconsin.
H.R. 2828: 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. WICKER and Mr. BEAUPREZ.
H.R. 4318: Mr. KNOLLENBERG, Mr. BOUSTANY, Mr. CULBERSON, Mr. WESTMORELAND, and Mr. DEAL of Georgia.
H.R. 4341: Mr. MORAN of Kansas.
H.R. 4372: Mr. HIGGINS, Mr. PALLONE, Ms. SCHAKOWSKY, Ms. KILPATRICK 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. MCGOVERN and Ms. SCHAKOWSKY.
H.R. 4491: Mr. FITZPATRICK of Pennsylvania.
H.R. 4506: Ms. ESHOO.
H.R. 4510: Mr. PRICE of North Carolina, Mrs. CHRISTENSEN, Mr. LUCAS, Ms. PRYCE of Ohio, Mr. MURPHY, Mr. TIBERI, Mr. GILLMOR, Mr. ENGLISH of Pennsylvania, Mr. HINOJOSA, Mr. DENT, Mr. SWEENEY, Mrs. Schmidt, Mr. TURNER, Mr. GALLEGLY, Mr. OBEY, Ms. HARRIS, Mr. BISHOP of New York, Mr. SHERMAN, Mr. ALLEN, Mr. INSLEE, Mr. MARIO DIAZ-BALART of Florida, Mr. FEENEY, 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. RUSH.
H.R. 4551: Mr. HERGER, Ms. FOXX, Mr. MILLER of Florida, and Mr. KING of Iowa.
H.R. 4570: Mr. CONYERS.
H.R. 4619: Mr. BOEHLERT, 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. 4629: Mr. BERMAN.
H.J. Res. 71: Mr. INGLIS of South Carolina.
H. Con. Res. 184: Mr. CLEAVER.
H. Res. 597: Ms. BORDALLO.
H. Res. 601: Ms. FOXX.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2669: 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. 3057 urging the Congress 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 Committee on Energy and Commerce.

92. Also, a petition of the Town of Chesterfield, 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 Energy and Commerce.

93. Also, a petition of the Board of Supervisors of the County of Los Angeles, California, relative to a petition supporting House Resolution 316 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 Payment in Lieu of Taxes (PILT) Funding to the FY 2005 Level Plus Inflation; to the Committee 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 increase of county forest acreage payments to townships; to the Committee on the Judiciary.

97. Also, a petition of Mr. Daniel A.D. Gossai, a Citizen of Rancho Palos Verdes, Californian, relative to a complaint pursuant of conspiracy to deny civil rights, equal protection 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 Resources.

99. Also, a petition of the Oconto County Board of Supervisors, Wisconsin, relative to Resolution No. 48 requesting the Congress of the United States to take action to eliminate the gridlock that is occuring in Forest Service Land Use Planning and in the implementation of timber sale projects that are

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. 2005-1 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.''.

N O T I C E

Incomplete record of House proceedings.
Conference Reports will appear in following books.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

Vol. 151 WASHINGTON, SUNDAY, DECEMBER 18, 2005 No. 164

Senate

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.

Printed on recycled paper.

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 know something 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 shortly—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 practice 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 debate, the 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 and Dirksen. 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 the conference by either House. This avoids the possibility of conferees 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 being played with—then 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 PRESIDING OFFICER (Mr. BURNS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (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 the activity 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.

ENROLLED JOINT RESOLUTION SIGNED

Under authority of the order of the Senate of January 4, 2005, the Secretary of the Senate, on today, December 17, 2005, during the adjournment of

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. 2520) 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.4508. 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. 4501. An act 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.

The message further announced that the House has passed the following bill, without amendment:

S. 1988. 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.

The message also announced that pursuant to 10 U.S.C. 6968(a) and the order of the House of January 4, 2005, the Speaker appoints the following Members of the House of Representatives to the Board of Visitors to the United States Naval Academy: Mr. Hoyer of Maryland, and Mr. Cummings of Maryland.

The message further announced that pursuant to section 1909(b) of SAFETEA–LU (Public Law 109–59), the Minority Leader appoints to the National Surface Transportation Policy and Revenue Study Commission the following individuals: Mr. Frank J. Busalacchi (Secretary of the Wisconsin Department of Transportation) of Brookfield, Wisconsin, and Mr. Steve Heminger (Executive Director of the Metropolitan Transportation Commission) of San Francisco, California.

The message also announced that pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act of Fiscal Year 2001 (Public Law 106–398), the Minority Leader reappoints Ms. Carolyn Bartholomew of the District of Columbia and Mr. George Becker of Pittsburgh, Pennsylvania, to the United States-China Economic and Security Review Commission for two-year terms expiring December 31, 2007. Their current terms expire December 31, 2005.

ADDITIONAL COSPONSORS

S. 2082

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 At 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 643: Skelton Motion to Instruct Conferees on H.R. 1815—National Defense Authorization Act for FY06—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 646: Adoption of Rule for H.R. 4437—Yea—Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005.

Rollcall 647: H. Con. Res. 294—Yea—Calling on the international community to condemn the Laogai, 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 Murarnbatsvina".

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 Conferees on H.R. 4241—Deficit Reduction Act of2005—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 661: Final Passage of H.R. 4437—Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005—Yea.

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.

Rollcall 664: H.R. 2520—Stem Cell Therapeutic and Research Act of 2005—Yea.

ON THE OCCASION OF MR. LARRY E. PRICE'S AWARD OF SUPERINTENDENT OF THE YEAR IN NORTH CAROLINA

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 since 1998.

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 to 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 663 and "aye" on rollcall vote 664.

DEPARTMENT OF JUSTICE APPROPRIATIONS AUTHORIZATION ACT, FISCAL YEARS 2006 THROUGH 2009

SPEECH 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 for T visa victims, I would hope 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 get full access to VAWA protections. The application for adjustment of status to permanent residence of an alien who self-petitioned for permanent residence shall also serve as an adjustment application for any derivative children. Derivative children of self-petitioners will receive lawful permanent residency 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 assures victims of child abuse and incest who were under 21 when abused have additional time until they turn 25 to file VAWA self-petitions. 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 petitioner'' 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 ''[engender] uniformity in the adjudication of all applications of this type'' and to ''[enhance] the Service's ability to be more responsive 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 (Jan. 31, 2002)). This specially trained VAWA unit assures consistency of VAWA adjudications, 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.

Consistent with these procedures, 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, 106 work authorization under section 814(c) of this Act), battered spouse waiver adjudications under 216(c)(4)(C), applications for parole of VAWA petitioners and their children and applications 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 codified in the Violence Against Women Act of 1994 (''VAWA 1994''), the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (''IIRIRA'') and regulations implementing the battered spouse waiver.

The Secretary of Homeland Security can remove the conditional status of an alien who became a permanent resident, as the spouse of a U.S. citizen or permanent resident without joint filing of a petition with the U.S. citizen or permanent resident spouse, upon the showing of hardship, battery, or certain other factors. Applications for such relief may be amended to change the ground or grounds for such relief without having to be resubmitted.

VAWA 2000 allowed victims of domestic violence abused by U.S. citizen and lawful permanent resident spouses to file VAWA self-petitions from outside of the U.S. if they had been abused in the U.S. or if their abuser was a member of the uniformed services or a government employee. Modeled after the VAWA 2000 protection offered to children on VAWA cancellation of removal grantees, existing parole provisions should be used to ensure that approved VAWA petitioners, their derivative children and children of traffic-king victims, can enter the U.S.

Section 812 provides that an alien who is a VAWA petitioner or is seeking cancellation of removal or VAWA suspension as a battered alien is not subject to the penalties for failing to depart after agreeing to a voluntary departure order, if the battery or extreme cruelty, trafficking, or criminal activity provided at least one central reason related to the alien's failure to depart. In this context it is my understanding that the term ''at least one central reason'' is intended to mean that the failure to depart was caused by, or related to, the battering or extreme cruelty experience and its concurrent process of victimization.

Section 813 is designed to address a number of problems for immigrant victims in removal proceedings. The definition of exceptional circumstances will now include battering or extreme cruelty. Important clarifications are made to assure that immigration judges can grant victims the domestic violence victim waivers we created in VAWA 2000. I particularly want to emphasize the importance of the protections from reinstatement of removal we create in this Act for immigrant victims. Under current law DHS has the discretionary 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 expedited removal, are subject to reinstatement of removal if they depart the U.S. and attempt to reenter the U.S. Once they are reinstated 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 grant work authorization to approved VAWA self-petitioners without having to rely upon deferred 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 he or she (or a child) has been 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 that will make them more able 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 same of the most important protections for immigrant victims. This section is enhances VAWA's confidentiality protections for immigrant victims and directs immigration enforcement officials not to rely on information provided by an abuser, his family members or agents to arrest or remove an immigrant victim from the United States. Threats of deportation are the most potent tool 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 crimes and others who qualify 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 existence of a VAWA immigration petition, interfering with or undermining their victims' immigration cases, and encouraging immigration enforcement offices 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, detain 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 law enforcement officials, and previous 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 ''any credible 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 determinations and deferred action grants should not be revoked by immigration enforcement agents. The specially trained Citizenship and Immigration Services (CIS) unit should review such cases to determine whether or not to revoke a deferred action grant. Immigration enforcement officials at the Bureau of Immigration and Customs Enforcement do not have authority to overrule 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 at CIS.

VAWA confidentiality protections in IIRAIRA 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 Attorney General and the Secretary of State may not use information furnished by, or derived from information provided solely by, an abuser, crime perpetrator or trafficker to make an adverse determination of admissibility or. removal of an alien. However, information in the public record and government data-bases can be relied upon, even if government officials first became aware of it through an abuser.

This section provides that this provision shall not apply to prevent information from being disclosed (in a manner that protects victim confidentiality and safety) to the chairs and ranking members of the House and Senate Judiciary Committees, including the Immigration Subcommittees, in the exercise of their oversight authority. This section also gives the specially trained VAWA unit the discretion to refer victims to non-profit, 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 who have access to information protected by Section 384 of IIRAIRA, 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's specially trained VAWA unit and CIS VAWA policy personnel: (1) 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 (2) to craft and implement policies and 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. This section contains amendments that clarify 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 a removal proceeding 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 cutoff period, measured from the time of the final administrative order of removal. The filing of a special VAWA motion to reopen shall stay the removal of the alien pending final disposition of the motion, including exhaustion of all appeals, if the motion establishes a prima facie case for the relief. One VAWA 2005 post-enactment motion to reopen may be filed by a VAWA applicant. Aliens who filed and 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 order courtrooms 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 leading to such proceedings against an alien at certain places, 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 stalking victims contained in Section 827 of this 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 enroll in state address confidentiality programs, and whose addresses are entitled to be suppressed under State or Federal law (including VAWA confidentiality provisions), or suppressed by a court order.

The REAL ID Act of 2005 imposed a new national requirement that all applicants for driver's licenses or state identification cards must furnish their physical residential address in order to obtain a federally valid license or identification card. This requirement jeopardizes those victims of domestic abuse, sexual assault, stalking, or trafficking who may be living in confidential battered women's shelters or fleeing their abuser, stalker, or trafficker. In recognition of the dangers of this requirement, this provision instructs DHS and the Social Security Administration to give special consideration to victims of domestic abuse, sexual assault, stalking, or trafficking by allowing certain victims to use an alternate safe address in lieu of their physical residential address.

I understand that a driver's license or identification card is necessary for victims to board an airplane or train to flee danger. Many confidentiality programs are currently in place on both federal and state levels to ensure that the dual goals of economic security and victim safety are reached by allowing an individual to choose an alternate address on her driver's license. This will provide an exception for those victims who are entitled to enroll in state address confidentiality programs, whose addresses are entitled to be suppressed under State or Federal law or suppressed by a court order, or who are protected from disclosure of information pursuant to 8 U.S.C. Section 1367, ensuring the continued protection and necessary mobility for these women and their families.

As Ranking Member' of the House Judiciary Committee, I have been particularly concerned about the significant delays that have occurred between the effective dates of VAWA 1994 and VAWA 2000 laws and the issuance of implementing regulations that are needed so that

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 issued 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 adjustment 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 reliefs now insufficient. The Department of Homeland Security shall also craft and implement policies and protocols implementing VAWA confidentiality protections under Section 384 of IIRAIRA as amended by this Act.

Lastly, 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 IMRBA legislation combines provisions that created a significant role for the government in information collection and distribution to foreign fiancees and spouses with regulation of the International Marriage Broker Industry. IMBRA has been designed to address concerns about U.S. citizen abusers who use the K visa process to 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 jn the business of matching mostly American male clients to foreign women who will join them in the United States as fiances 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 cruelty. In some cases, the perpetrators have successfully used IMBs and the immigration system to bring in a series of fiancés or spouses who have all suffered from domestic violence from the American sponsor and client. This bill is designed to inform foreign spouses and fiancees 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 further abuse by instituting measures 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 specific 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 fiancee visa petition without verifying that the petitioner has not previously petitioned for two or more aliens applying for spousal or fiancee K visas. 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 when K fiance visa applications are 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 tbe 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 required for K fiance visa petitioners. 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 multiple visa tracking database and will be notified that this petition and all future petitions will be entered into the database maintained by the Department of Homeland Security. Once two espousal or fiancé K visas have been approved, for each subsequent petition filed, DHS will notify both tbe 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 inunigrant spouse along with the multiple filing data base information.

Under this Act, IMBs are required to comply with mandatory collection of criminal background information on each U.S. client, including arrest and conviction information, information on any temporary or permanent protection order issued against the U.S. client, and information on where the person has lived, prior marriages and children they have under the age of 21. The IMB must also conduct a sex offender registry search on the U.S. client.

CONCLUSION

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 violence 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 from abroad the ability arm themselves with 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 ARLEN SPECTER, Senator PATRICK LEAHY, Senator JOSEPH BIDEN and Senator TED KENNEDY 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

801 (Treatment of Spouse and Children of Victims)—901(a).

802 (Presence of Trafficking Victims)—903(b).

803 (Adjustment of Status for Trafficking Victims—903 & 903(a).

804 (Protection and Assistance to Trafficking Victims)—901(d).

805 (Protecting Victims of Child Abuse)

805 (a) and (b)—912(b) and (c).

805 (c)—912(d).

805(d)—931.

811 (VAWA Petitioner Definition and VAWA Unit)—911, 902, 914, 918.

812 (Exception to Voluntary Departure)—919.

813(a) (Exceptional Circumstances)—937.

813(b) (Discretion to Readmission Instead of Reinstatement of Removal)—915.

813(c) (Domestic Violence Victim Waiver Clarification)—935.

814(a) (VAWA HIRIFA and VAWA Cuban Adjustment Improvements)—936, 917.

814(b) (Work Authorization for VAWA Petitioners)—915(a).

814 (c) and (d) (Work Authorization for Abused A, E–3, G, H Spouses)—933.

814(e) (Limitation on Petitioning for Abuser)—917(g).

815, 823, 824 (Clarification and Corrections Regarding VAWA NACARA VAWA HRIFA, VAWA Cuban Adjustment Applicants—917.

816 (VAWA Protection for Elder Abuse Victims)—913.

817 (VAWA Confidentiality Protections)—921, 915.

821 (a) and (b) (Duration of T and U Visa Status)—901(b).

821(c) (Change of Status to T or U Visa Status)—901(c).

822 (Technical Corrections)—941.

823 (VAWA Cuban Adjustment Improvements)—917(d).

824 (VAWA HR1FA Improvements)—917(e).

825 (Deportation and Deportation Proceedings)—936, 921(f).

826 (Protection of Abused Juveniles)—921(d).

827 (Identification Documents for Domestic Violence and Crime Victims)—None.
828 (Rulemaking)—900.
831, 832, 833, 834, Subtitle D, International Marriage Broker Regulation—916, 922.

BORDER PROTECTION, ANTI-TERRORISM, AND ILLEGAL IMMIGRATION CONTROL ACT OF 2005

SPEECH OF

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 16, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4437) to amend the Immigration and Nationality Act to strengthen enforcement of the immigration laws, to enhance border security, and for other purposes:

Mr. ETHERIDGE. Mr. Chairman, I rise 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.

VICTORY IN IRAQ RESOLUTION

SPEECH OF

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 December 31, 2005. Coupled with his deep and abiding love and loyalty to his beautiful family, Mayor Masiello will always be known for his enthusiastic and unwavering love for the City of Buffalo, New York. Through the triumphs and the tribulations of serving as the Chief Executive Officer of the second largest city in New York State, Mayor Masiello never gave up, never gave in and has led us to a better Buffalo.

Born the oldest of seven children, Tony Masiello learned the value of family, hard work and the importance of giving back to one's community from his parents, Bridget and Dan. Educated in Buffalo Catholic Schools, Mayor Masiello graduated from Canisius College in 1969 after a Hall of Fame basketball career with the Division I Golden Griffins.

In 1971, the voters embraced his competitive spirit and youthful energy and elected him District Councilmember and soon after, he won his first citywide election as an At-Large Councilmember on the Buffalo City Council. In 1980, he was elected to the New York State Senate becoming "Buffalo's Senator." Reelected to 7 2-year terms, he rose through the ranks to Minority Whip and Chair of the Democratic Conference. 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 foreshadow the Mayor's greatest achievements in his next elected office.

Anthony M. Masiello was sworn in 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 consisting 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 facilities and the high tech equipment fundamental to meeting the academic challenges of today and tomorrow.

As citizens of Buffalo, we are also indebted to the Mayor for his vision in 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 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/pubic investments.

And it is the Mayor's commitment to implementation that led to one of the greatest

achievements in the history of the City of Buffalo as it was recognized with the 2005 National American Planning Association Award for ''The Queen City Hub: A Regional Action Plan for Downtown Buffalo, as the best plan in the country.

The plan's development began in the late 1990's as the Mayor created a partnership with the City of Buffalo, the University of Buffalo Urban Design Project and Buffalo Place, the leading business group dedicated to downtown development, with the mission of making downtown Buffalo a 24/7 community to live, work and play. This effort has more than succeeded with $1 billion dollars of public and private investment in the ground and in planning stages that includes the Buffalo Niagara Medical Campus to the waterfront and connects to the east and west side neighborhoods of Buffalo. The Mayor himself led'' Seeing Is Believing,'' a series of highly successful walking tours of downtown Buffalo through 2004 and 2005 where hundreds of people followed this very tall Mayor as he walked briskly in and out of converted buildings which now features the wildly popular loft apartments, theatres, grocery stores, mixed use buildings, new single family homes and pointed proudly to green space, traffic improvements and new hope for future growth.

While he gives credit to all who joined him in this collaboration, it was Mayor Masiello who created the partnership that led to the Queen City Hub plan and developed the award-winning road map to be followed by those who will follow him.

Mayor Masiello's ability to create real partnerships with a stated goal and a heartfelt commitment to make Buffalo a better place must be rightly acknowledged. A Mayor's job is never easy and perhaps, never tougher than throughout the 12 years of the Masiello administration when the challenges of the leading a northeast urban center to a new century and in a new direction brought with it crushing financial conditions that never crushed the Mayors spirit.

And so this grateful Congressman and city resident offers heartful thanks and best wishes to the Honorable Anthony M. Masiello as he concludes this chapter in a lifetime of public service and begins new challenges and opportunities. We send our deepest appreciation to his family, who also serves, as we thank his beautiful wife, personal and professional partner, Kate Maseillo, and their daughters, Ariel and Madeline. We also acknowledge the Mayor's newest title—grandfather—to Rose Elizabeth, the daughter of his daughter, Kim and husband, John Adamucci, and wish health and happiness as another grandchild is on its way.

Perhaps the highest tribute we can pay to the 57th Mayor of the City of Buffalo is with his own words and so I will conclude my comments, by including those of Mayor Anthony M. Masiello—on the man who showed him by example to never walk away from the challenges of being Mayor—his father, Dan, who died earlier this year. ''My father worked two or three jobs at a time for many years to support seven children. He was a foreman for the city's sanitation department and then he would work 3–11 p.m. at night unloading trucks for 10–15 years. Yet he never missed a day of work even when he was sick or tired. I remember seeing him so tired he could hardly stand up but he would go to see his second job not long after leaving his first. Some days 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 who we are 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. Long-term costs have contributed 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 in the airline industry, in which several companies have sought 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' that sponsor defined benefit pension plans, 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 terminated 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 if it had included company-plan terminations announced after the fiscal year ended on September 30. Probable pension losses from companies that filed for Chapter 11 protection in September, including 2 large airlines and a major auto-parts supplier, will likely increase the PBGC's liabilities. The PBGC estimates that the pension plans in those companies are underfunded by more than $15 billion. The agency includes those pension plans in its category of financially weak company plans, the liabilities of which rose to $108 billion this year from $96 billion in 2004.

In 2004, the PBGC collected only $1.5 billion in premiums from the companies that it insures. H.R. 2830 would raise companies' annual PBGC premium payments from $19 to $30 per participant. The $30 premium would be phased in beginning in 2007, on a schedule based on a plan's funded status. Even with premium increases in H.R. 2830, it could take more than a decade to close the agency's deficit. I hope that this bill is the beginning of the PBGC's long march back to fiscal health.

Further, H.R. 2830 would increase companies' funding requirements for their defined benefit plans and would shorten the period over which funding shortfalls must be eliminated. The bill's provisions regarding both single- and multi-employer plans move companies in the right direction.

I also appreciate the willingness of Chairmen JOHN BOEHNER and BILL THOMAS to agree to a significant improvement in the ''shutdown benefits'' provision of H.R. 2830 as introduced. Shutdown benefits, which are payments made to long-service employees when a plant is shut down, would have been prohibited under the original version of H.R. 2830. The improved version of this measure allows a defined benefit plan to provide shutdown benefits if the plan is at least 80 percent funded. Well-funded pension plans will be able to continue providing shutdown benefits to employees who have worked hard over their careers and expect the retirement benefits that they have been promised. H.R. 2830 will soften the blow of expected plant shutdowns at companies 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, with their 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. Increasing incentives for people of 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.

BORDER PROTECTION, ANTITERRORISM, AND ILLEGAL IMMIGRATION CONTROL ACT OF 2005

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 16, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4437) to amend the Immigration and Nationality Act to strengthen enforcement of the immigration laws, to enhance border security, and for other purposes:

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 aggravated felons. This, in turn, would subject them to mandatory detention; generally bar them forever from obtaining asylum, lawful permanent resident status, and eventual citizenship; and subject them to arrest by state and local law enforcement officers.

Section 202 would dramatically expand the definition of smuggling and harboring illegal aliens, potentially subjecting even unknowing relatives, good Samaritans, and employers to severe criminal penalties and civil asset forfeiture of real estate, cars, 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 entity. 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 catastrophe 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 expansive 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 waiver was in 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.

SAN BERNARDINO POLICE DEPARTMENT CELEBRATES 100 YEARS

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Sunday, December 18, 2005

Mr. LEWIS of California. Mr. Speaker, I rise today to say congratulations to the San Bernardino, California, Police Department, which has been protecting and serving the people of my hometown since 1905. I would like to give a hearty thanks to Chief Garrett Zimmon and his officers, and all of those who have served over the years in this fine department.

When the police department was formed, nine officers were sworn in to patrol a city of 20 square miles and provide law enforcement to 9,150 residents. By 1913, San Bernardino saw its first motor officers, and the department continued to grow with the city. Seven brave officers have given their lives in the line of duty for San Bernardino citizens.

Although the first female officer was not hired for the force until 1974, I would like to mention that the mother of one of my high school friends—Jack Brown—served as a reserve officer beginning in 1954. Rose Brown set an upstanding example of community involvement for her son, who as CEO of Stater Bros. Markets is now one of San Bernardino County's most active private citizens.

Mr. Speaker, the San Bernardino Police Department now serves a city of 190,000 residents, covering 60 square miles. Many of the law enforcement problems that used to belong in the "big city" are now faced daily by the 301 sworn officers and 159 support staff members. I've been pleased to be able to provide some assistance in creating a 21st-Century dispatch system that places computers in every patrol car. In short, the San Bernardino Police Department has grown up with my

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 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 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, Governor Matt Blunt—just to 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, those of us opposed to a spring rise made the commonsense 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 crop 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. Common sense and basic fairness dictate that crop insurance should cover flood damages caused by a spring rise. From the perspective of a farmer, it adds insult to injury for the Federal Government to cause a flood and then refuse to cover crop insurance damages associated with the Government's actions.

I'm not asking for a handout, nor are my constituents. What I am seeking is a flood insurance policy relating to a spring rise that is consistent with the Risk Management Agency's stated mission, to "promote, support, and regulate sound risk management solutions to preserve and strengthen the economic stability of America's agricultural producers" and to "provide crop insurance to American producers."

Over the coming weeks and months, I will be working with some of my colleagues, like my friends Representative SKELTON and Senator TALENT to find the best, most efficient solution to this obvious problem. In this effort, I look forward to working with the administration and the committees of jurisdiction in Congress to remedy this situation. Likewise, I fully intend to continue working with like-minded stakeholders and elected officials to stop the flawed spring rise that will cause unnecessary flooding and damage for those along the Missouri River.

H.R. 4581, THE EASEMENT OWNERS' FAIR COMPENSATION CLAIMS ACT OF 2005

HON. W. TODD AKIN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Sunday, December 18, 2005

Mr. AKIN. Mr. Speaker, in his first State of the Union address, President Abraham Lincoln said, "It is as much the duty of government to render prompt justice against itself in favor of citizens as it is to administer the same between private individuals." President Lincoln said this in reference to the United States Court of Claims which he proposed Congress to establish for the purpose of justly resolving the claims of citizens against the United States. One of the most fundamental rights we 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 these 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 we enacted the Trails Act and, as announced by the dissenting opinion in the Caldwell case, is ''contrary to all authority''. The Federal Circuit decision ruled that the statute of limitations for Trails Act compensation claims begins to run, not when the property owners 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, this ''new rule'' announced by the Caldwell 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 during the time before the property was ever taken from the land owners.

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 for a recreational trail. I incorporate Mr. and Mrs. Illig's letter in these remarks.

DEAR CONGRESSMAN AKIN: We have a small business. Gale is in commercial holiday decorating and Sarah helps in the business. After a number of years of saving, in 1984 we bought our home in Grantwood Village. By most standards it is a modest home but it is a home that we love and have worked hard to care for and improve over the years. This home is where we have raised our family and now spend our retirement years. We are not a family of great wealth and our home represents our most significant asset.

When we bought our home in 1984, one of the features that appealed to us was the quiet and secluded community and location. A screened-in sun porch on the south side of our home is one of our favorite rooms. Outside the sun porch and further to the south is the now abandoned Missouri Pacific Railroad right-of-way. We own the property over which the MoPac held an easement for this branch-line of their railroad. The tracks themselves were just a single line and they were infrequently used. Between the tracks and our home was a large, attractive hedge which gave us privacy.

In 1992 a not-for-profit nature trail group negotiated with MoPac to acquire this now abandoned railroad right-of-way. We have been told that the federal government gave the trail group the authority to acquire this abandoned railroad right-of-way and to prevent us from using our property. We understand that the federal Trails Act gave them this ability to take our property even though under Missouri law we had the right to use and occupy this property once it was abandoned by MoPac. We wrote to Senator Bond in 1992 expressing concern about the effect this trail would have upon our home and property value. While the railroad had a full 100 foot width easement, they only used a very narrow 12 feet that was occupied by the train tracks and, as noted, that was used infrequently. Because of the Trails Act, the 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. Additionally, with the trail use we now have, quite literally, hundreds of people biking and walking through our property where previously we enjoyed a quiet and secluded home.

Now, we want to make clear that we do not oppose recreational hiking and biking trails and we think parks and 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 that 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 government took our property almost 13 years ago. We spent more than 6 years in a lawsuit with the government seeking to be compensated for the government's taking of this property. In that lawsuit, the Justice Department agreed that this taking of our property represented a value of $72,065 taken from us by the federal government. 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 property 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 can no longer care for 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 quite literally huge to us. This is why we were so pleased when the settlement was reached last December.

* * * what happened next, * * * is still one of the most outrageous experiences in our life and represents a great injustice to us personally. Two days before the hearing with the Judge to approve the settlement, we understand that the Court of Appeals decided a Georgia Trails Act case. The government claimed this case changed the law and meant that now they now no longer had to pay us what they had agreed they were obligated to pay us for the confiscation of our property.

We are not lawyers so maybe that is why we cannot understand the nuances of this, but, to us, a very simple principle is involved. The government has taken our property, the government agreed that they have taken our property (I am told by [our attorney] that the government agreed to this not just once, but on multiple occasions in formal statements filed with the Court), the government agrees how much they owe us for the property, including interest, and the government is required by the U.S. Constitution to pay us this money. Then, at literally the last minute, they claim the law has changed because of a case in Georgia so they no longer have to pay us. This is just flat wrong! And, no amount of legal nuance can make it right.

Congressman Akin, a lot of us in St. Louis experienced the same sense of outrage during the October 16th Cardinals game against the Astros when the home plate umpire, Cuzzi, called what was clearly a ball to be a strike on Jim Edmonds and then threw Jim Edmonds out of the game. That bad call did not necessarily change the outcome of the game. But the tragic effect of this bad call by the Court in the Georgia case and the bad call by the Department of Justice to use that case as an excuse for the government to escape its obligation to pay us for our property represents a devastating financial setback for our family.

We have always worked hard, saved our money, and paid our taxes and expected that the federal government would treat us in a fair and just manner. We must tell you that we see this effort by the government to now escape their clear constitutional obligation to pay us (and the other one hundred property owners from whom they admit taking property) as a very fundamental injustice. For that reason, we are extremely grateful to have you represent us in the Congress and greatly appreciate your efforts to address this injustice. 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 Trails Act is intended to interfere with a 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, assuring 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's State law right to use and possess the property is ever interfered with.

In short, H.R. 4581 restores the date for starting the statute of limitations to the date

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.

Daily Digest

HIGHLIGHTS

The House passed H.R. 1815, National Defense Authorization Act for Fiscal Year 2006—Conference Report.

The House passed H.R. 2863, Department of Defense Appropriations Act, 2006—Conference Report.

The House passed S. 1932, Deficit Reduction Act of 2005—Conference Report.

Senate

Chamber Action

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

Chamber Action

Public Bills and Resolutions Introduced: 12 public bills, H.R. 4635–4646; and 9 resolutions, H. Con. Res. 326–328, and H. Res. 635–638, 641–642, were introduced. **Pages H12288–89**

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. 109–360);

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). **Page H12288**

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. **Pages H12172–76**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Expressing the sense of the House of Representatives on the arrest of Sanjar Umarov in Uzbekistan: 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 presidential and parliamentary elections in Egypt, by a yea-and-nay vote of 388 yeas 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 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; **Page H12182**

Authorizing the transfer of items in the War Reserves Stockpile for Allies, Korea: S. 1988, to authorize 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 government to receive a reward under the Department of State Rewards Program;

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: H. Res. 456, to express 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; **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 yeas 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; **Pages H12187–89**

Little Rock Central High School Desegregation 50th Anniversary Commemorative Coin Act: H.R. 358, with a Senate amendment, 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 **Pages H12189–92**

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: H. Res. 633, to 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, by voice vote, after agreeing by unanimous consent that the House vacate the ordering of the yeas and nays on adoption of the House Resolution to the end that the Chair may put the question on the resolution de novo. **Pages H12192–95, H12269**

Recess: The House recessed at 4:10 p.m. and reconvened at 11:53 p.m. **Pages H12195, H12199**

National Defense Authorization Act for Fiscal 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 personnel strengths for such fiscal year, by a yea-and-nay vote of 374 yeas to 41 nays, Roll No. 665. **Pages H12200–12, H12242**

Agreed by 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. **Page H12200**

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 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. **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 unanimous consent to H.R. 1287, amended, 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''. **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"."." **Page H12212**

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". **Page H12212**

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". **Pages H12212–13**

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". **Page H12213**

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". **Page H12213**

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. **Pages H12213–14**

Agreed to amend the title so as to read "Supporting the ideals of National Teen Dating Violence and Prevention Week.". **Page H12214**

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. **Pages H12214–15**

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. **Page H12215**

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. **Page H12215**

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. **Pages H12215–16**

Public Lands Corps Healthy Forests Restoration Act of 2005: The House agreed by unanimous consent to S. 1238, 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. **Pages H12216–17**

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. **Pages H12217–18**

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. **Page H12218**

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. **Pages H12218–24**

Department of Defense Appropriations Act, 2006—Conference Report: The House agreed to the conference report on H.R. 2863, to make appropriations for the Department of Defense for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 308 yeas to 106 nays with 2 voting "present", Roll No. 669. **Pages H12244–69**

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. **Pages H12267–68**

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.

Pages H12224–33, H12242–43

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.

Pages H12269–77

H. Res. 640, the rule providing for consideration of the conference report, was agreed to by voice vote.

Pages H12233–41

Junior Duck Stamp Reauthorization Amendments Act of 2005: The House agreed by unanimous consent to H.R. 3179, to reauthorize and amend the Junior Duck Stamp Conservation and Design Program Act of 1994. **Pages H12277–78**

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. **Page H12278**

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. **Pages H12278–83**

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. **Pages H12283–85**

Making certain technical corrections in amendments made by the Energy Policy Act of 2005: The House agreed by unanimous consent to H.R. 4635, to make certain technical corrections in amendments made by the Energy Policy Act of 2005. **Page H12285**

Reauthorizing the Temporary Assistance for Needy Families block grant program through March 31, 2006: The House agreed by unanimous consent to H.R. 4635, to reauthorize the Temporary Assistance for Needy Families block grant program through March 31, 2006. **Page H12285**

Adjournment Resolution: The House agreed to H. Con. Res. 326, providing for the sine die adjournment of the One Hundred Ninth Congress, First Session. **Pages H12285–86**

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. **Page H12286**

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.

Page H12286

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. **Page H12286**

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,

H12268–69, H12276–77, and H12277. 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 it's 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.

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