Mr. BOEHNER. Mr. Speaker, I want to give all Members an update on where we are so Members can make their travel arrangements if they would like to.

I believe that we are going to be able to complete all of our work by the end of tomorrow. I would like to be able to tell you it is going to be 4 o'clock or 6 o'clock or 8 o'clock or midnight. I can't do that, so don't ask. But here is what I would expect our schedule is for tomorrow.

We are completing the action on the terrorist surveillance bill tonight.

Tomorrow we expect a same-day rule, and Private Property Rights Implementation will be considered tomorrow. We believe the Department of Homeland Security appropriations conference report will be up tomorrow. The terrorist tribunal bill that we passed yesterday, the identical bill passed the Senate today; but under the rules we will likely take up the terrorist tribunal bill here tomorrow. And we have in conference the SAFE Ports Act which is moving along and could be considered tomorrow. We also have the Dodd authorization bill which could be considered tomorrow.

So I am trying to do my best in giving all the Members, and I see my friend Mr. MILLER over there smiling at me, I am trying to give Members as much notice as I can. But I do expect that I will meet the commitment that I have made to all of you over the last couple of months that we will be finished tomorrow, and I hope tomorrow doesn't last any longer than it has to.

H28SEPT2ccoleman on PROD1PC71 with HOUSE
The Clerk redesignated the motion.

The SPEAKER pro tempore. The House bill and the Senate amendment, of Texas, UPTON, and DINGELL.

From the Committee on Energy and Commerce, for consideration of titles VI and X and section 1104 of the Senate amendment, and modifications committed to conference: Messrs. King of New York, young of Alaska, Daniel E. Lungren of California, Linder, Simmons, McCauley of Texas, Reichert, Thompson of Mississippi, Ms. Loretta Sanchez of California, Mr. Markey, Ms. Harman, and Mr. Pascrell.

From the Committee on Energy and Commerce, for consideration of sections 201 and 401 of the House bill and sections 112, 121, 302, 303, 305, 513, 607, 608, 706, 801, 802, and 1107 of the Senate amendment, and modifications committed to conference: Messrs. Burton of Texas, Upton, and Dingell.

From the Committee on Science, for consideration of sections 201 and 401 of the House bill, and sections 101-104, 107-109, and 106 of the House bill, and sections 101-104, 107-109, and 110 of the Senate amendment, and modifications committed to conference: Messrs. Boehlert, Sodrel, and Melanson.
September 28, 2006

CONGRESSIONAL RECORD—HOUSE
H7851

507–512, 514, 517–519, title VI, sections 703, 902, 905, 906, 1103, 1104, 1107–1110, 1114, and 1115 of the Senate amendment, and modifications committed to conference: Messrs. LoBiondo, Shuster, and Oberstar.

From the Committee on Ways and Means for consideration of sections 102, 121, 201, 203, and 301 of the House bill, and sections 201, 203, 304, 401–404, 407, and 1105 of the Senate amendment, and modifications committed to conference: Messrs. Thomas, Shaw, and Ranger.

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested: S. 3930. An act to authorize trial by military commission for violations of the law of war, and for other purposes.

ESTABLISHING A PILOT PROGRAM IN CERTAIN DISTRICT COURTS

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5418) to establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges, as amended.

The Clerk read as follows:

H.R. 5418

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

SECTION 1. PILOT PROGRAM IN CERTAIN DISTRICT COURTS.

(a) Establishment.—

(1) IN GENERAL.—There is established a program, each year, for United States district courts designated under subsection (b), under which—

(A) those district judges of that district court who request to hear cases under which one or more issues arising under any Act of Congress relating to patents or plant variety protection must be decided, are designated by the chief judge of the court to hear those cases;

(B) cases described in subparagraph (A) are randomly assigned to the judges of the district court, regardless of whether the judges are designated under subparagraph (A);

(C) a judge not designated under subparagraph (A) to whom a case is assigned under subparagraph (B) may decline to accept the case; and

(D) a case declined under subparagraph (C) is randomly reassigned to one of those judges of the court designated under subparagraph (A).

(2) SENIOR JUDGES.—Senior judges of a district court may be designated under paragraph (1)(A) if at least one judge of the court in regular active service is also so designated.

(3) RIGHT TO TRANSFER CASES PRESERVED.—This section shall not be construed to limit the ability of a judge to request the reassignment of or otherwise transfer a case to which the judge is assigned under this section, in accordance with otherwise applicable rules of the court.

(b) Designation.—The Director of the Administrative Office of the United States Courts shall, after the end of the 6-month period described in subsection (b), designate not less than 5 United States district courts, in at least 3 different judicial circuits, in which the program established under subsection (a) will be carried out. The Director shall make such designation from among the 15 district courts in which the largest number of patent and plant variety protection cases were filed in the most recent calendar year that has ended, except that the Director may only designate a court in which—

(1) at least 10 district judges are authorized to be appointed by the President, whether under section 133(a) of title 28, United States Code, or on a temporary basis under other provisions of law; and

(2) at least 3 judges of the court have made the request pursuant to subsection (a)(1)(A).

(c) Duration.—The program established under subsection (a) shall terminate 10 years after the end of the 6-month period described in subsection (b).

(d) Applicability.—The program established under subsection (a) shall apply in a district court designated under subsection (b) only to cases commenced on or after the date of such designation.

(e) Reporting to Congress.—

(1) IN GENERAL.—At the times specified in paragraph (2), the Director of the Administrative Office of the United States Courts, in consultation with the chief judge of each of the district courts designated under subsection (b) and the Director of the Federal Judicial Center, shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report on the pilot program established under subsection (a).

The report shall include—

(A) an analysis of the extent to which the program has succeeded in developing expertise in patent and plant variety protection cases among the district judges of the district courts so designated;

(B) an analysis of the extent to which the program has improved the efficiency of the courts involved by reason of such expertise;

(C) with respect to cases handled by the judges designated pursuant to subsection (a)(1)(A) and judges not so designated, a comparison between the 2 groups of judges with respect to—

(i) the rate of reversal by the Court of Appeals for the Federal Circuit, of such cases on the issues of claim construction and substantive patent law; and

(ii) the period of time elapsed from the date on which a case is filed to the date on which trial begins or summary judgment is entered;

(D) a discussion of any evidence indicating that litigators select certain of the judicial districts designated under subsection (b) in an attempt to ensure a given outcome; and

(E) an analysis of whether the pilot program should be extended to other district courts, or should be made permanent and apply to all district courts.

(f) Timetable for reports.—The times referred to in paragraph (1) are—

(A) not later than the date that is 5 years and 3 months after the end of the 6-month period described in subsection (b); and

(B) not later than 5 years after the date described in subparagraph (A).

(3) Periodic Reporting.—The Director of the Administrative Office of the United States Courts, in consultation with the chief judge of each of the district courts designated under subsection (b) and the Director of the Federal Judicial Center, shall keep the committees referred to in paragraph (1) informed, on a periodic basis while the pilot program, with respect to the matters referred to in subparagraphs (A) through (E) of paragraph (1),

(1) Authorization for Training and Clerkships.—In addition to any other funds made available to carry out this section, there is authorized to be appropriated not less than $5,000,000 of funds for the following purposes:

(A) educational and professional development of those district judges designated under subsection (a)(1)(A) in matters relating to patents and plant variety protection; and

(B) compensation of law clerks with expertise in technical matters arising in patent and plant variety protection cases who are appointed by the courts designated under subsection (b) to assist those courts in such cases.

Amounts made available pursuant to this subsection shall remain available until expended.

The Speaker pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONyers) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. SENSENBRENNER. 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. 5418, currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 5418 to establish a pilot program in certain U.S. district courts to encourage enhancements of expertise in patent cases among district judges. It is widely recognized that litigation in patent cases has become too expensive, too time consuming, and too unpredictable. This addresses those concerns by authorizing a pilot program to improve the expertise of Federal district judges responsible for hearing patent cases.

The need for such a program is apparent. Patent cases account for nearly 10 percent of complex cases and consume significant judicial resources. Despite the investment of the additional resources by district judges to these cases, the rate of reversal on claim construction issues remains excessive.

One sitting Federal judge characterized the manner that the judiciary employs to resolve these cases as marked by “institutional ineptitude.” I would say, parenthetically, that that is a remarkable admission by a Federal judge.

The premise underlying H.R. 5418 can be stated in three words: practice makes perfect. Judges who are able to focus more attention on patent cases are more likely to avoid error and thus reduce the likelihood of reversal.

The bill requires the director of the Administrative Office of the Courts to select five district courts to participate in a 10-year pilot program to enhance judicial patent expertise. The bill specifies criteria that the director must employ in determining eligible districts and then preserves the continued random assignment of cases to prevent the pilot districts from becoming magnets for forum-shopping litigants.

Finally, the legislation will require the director to provide both the House
and Senate Judiciary Committees with periodic reports to help assess the program's efficiency and effectiveness.

Mr. Speaker, the bill does not purport to comprehensively address all of the ill associated with patent litigation, nor does it seek to substantively amend the existing laws or the judicial process. However, the program established by this bill will enhance judicial expertise in this crucial area while providing Congress important information to further improve the administration of patent laws.

Mr. Speaker, I commend the two gentlemen from California, Mr. SCHIFF and Mr. ISSA, for introducing this bill. I urge Members to support this important legislation.

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

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that the gentleman from California (Mr. SCHIFF) control time on this measure.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 5418, legislation that I introduced with my colleague, Representative ISSA, in order to establish a pilot program in the Federal district courts to encourage the enhancement of expertise in patent cases among district judges. I want to thank my colleague from California for his leadership and tenacity on this issue that has brought us to this place. I also want to thank the chairman and ranking member of the Subcommittee on the Courts, the Internet and Intellectual Property for working tirelessly on this, Mr. CONYERS, for working tirelessly on this, and Mr. CONYERs, the bill followed an October 2005 Subcommittee oversight hearing on proposals to structurally reform the patent litigation system.

Patent cases equal only 1 percent of cases filed in U.S. District Courts but are responsible for nearly 10 percent of complex cases. On average, an individual federal judge has only 1 patent case go all the way through trial each year, which means trial-level judges may have no more than 3 or 4 such cases over their entire judicial career. These statistics suggest judges could benefit from the development of greater expertise and that they might develop this ability by handling these cases, which are so vital to American companies.

Mr. Speaker, the bill before us is designed to enable designated federal judges to have the opportunity to enhance their expertise in handling these cases and to measure the effects, if any, on patent litigation.

Mr. Speaker, I look forward to continuing this work with my colleagues on the Judiciary Committee and in Congress to address these issues.

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

Mr. SENSENIBRENNER. Mr. Speaker, I yield such time as he may consume to the author of the bill, the gentleman from California (Mr. ISSA).

Mr. ISSA. Mr. Speaker, I will be brief, not because this is not a great piece of legislation, I am very proud of the work we have done on a bipartisan basis in our committee, but because the fact is, this is a piece of legislation whose time has come. This bill was voted unanimously out of the Judiciary Subcommittee and brought to the floor on suspension because in fact all of the details necessary to make a good piece of legislation were worked out with the community that will need it, use it, and benefit from it. That includes members of the Federal bench, the AO, the Administrative Office of the judicial branch. It also includes both branches here in the Capitol and members from the administration. I believe this is an example of bipartisan work at its finest.

I thank my coauthor on this, Mr. SCHIFF, for working tirelessly on this, and for his good words. I would particularly like to thank the chairman, Mr. SENSENIBRENNER, and Mr. CONYERS for taking the work we did in the committee as sufficient and bringing it quickly to the floor.

Last but not least, I very much want to thank the staff of the subcommittee and the chairman and ranking member of the subcommittee, who encouraged us all along the way, held the necessary hearings, and have told us to do this and then do more.

Mr. SCHIFF. Mr. Speaker, I want to acknowledge the superb work done by the staff from the office of the chair who really was the driving force behind this legislation.

Mr. SMITH of Texas. Mr. Speaker, H.R. 5418, a bill "[t]o Establish a Pilot Program in Certain United States District Courts to Encourage Enhancement of Expertise in Patent Cases Among District Judges," deserves the support of the Members of the House.

For the past 2 years, the Subcommittee on Courts, the Internet and Intellectual Property has conducted a thorough review of problems associated with the issuance of patents and the adjudication of patent claims.

H.R. 5418 focuses on one aspect of patent litigation—the recognition that judges are too often inexperienced in dealing with technical areas of the law and that they rarely have the opportunity to have a patent case go all the way through trial.

Patent cases equal only 1 percent of cases filed in U.S. District Courts but are responsible for nearly 10 percent of complex cases. On average, an individual federal judge only has 1 patent case go all the way through trial each year, which means trial-level judges may have no more than 3 or 4 such cases over their entire judicial career.

These statistics suggest judges could benefit from the development of greater expertise and that they might develop this ability by handling these cases, which are so vital to American companies.

Mr. Speaker, the bill before us is designed to enable designated federal judges to have the opportunity to enhance their expertise in handling these cases and to measure the effects, if any, on patent litigation.

Introduced by Representatives DARRELL ISSA and ADAM SCHIFF, the bill followed an October 2005 Subcommittee oversight hearing on proposals to structurally reform the patent litigation system.

This bipartisan measure was approved by the Subcommittee on July 27, 2006 and approved by the full Judiciary Committee on September 13, 2006.

As amended, the bill will require the Director of the Administrative Office of the Courts to select 5 districts to participate in a 10-year pilot project. It will also require the Director, on a periodic basis, to prepare and report to Congress on aspects of the project and to make a recommendation on whether the program should be extended, expanded, or made permanent.

Mr. Speaker, I urge my colleagues to support this bipartisan bill.

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

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

The SPEAKER pro tempore. 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.

**ELECTRONIC SURVEILLANCE MODERNIZATION ACT**

Mr. SENSENBRENNER. Mr. Speaker, pursuant to House Resolution 1052, I call up the bill (H.R. 5825) to update the Foreign Intelligence Surveillance Act of 1978, and ask for its immediate consideration.

The Clerk reads the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1052, in lieu of the amendments recommended by the Committee on the Judiciary and the Permanent Select Committee on Intelligence printed in the bill, the amendment in the nature of a substituted printed in House Report 109–696 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Electronic Surveillance Modernization Act.”

**SECTION 2. MODERNIZATION ACT.**

(a) AGENT OF A FOREIGN POWER.—Subsection (b)(1) of section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801) is amended—

(1) in subparagraph (B), by striking “or” and inserting “; or”;

and

(2) by adding at the end the following:

“(D) is reckoned to possess, control, transmit, or receive foreign intelligence information while such person is in the United States, provided that the official information while such person is in control, transmit, or receive foreign intelligence information for periods of up to one year if the Attorney General certifies in writing under oath that—

(1) the electronic surveillance is directed at—

(A) the acquisition of the contents of communications of foreign powers, as defined in paragraph (1), (2), or (3) of section 101(a), or an agent of a foreign power, as defined in subparagraph (A) or (B) of section 101(b); or

(B) the acquisition of technical intelligence, other than the spoken communications of individuals, from property or premises under the open and exclusive control of a foreign power, or an employee, agent, or other specified person of such service provider, custodian, or other person who has access to wire or electronic communications, either as they are transmitted or while they are stored, or equipment that is or being may be used to transmit or store such communications;

(2) the certification is necessary to obtain foreign intelligence information; and

(3) by striking paragraph (4).

(b) ELECTRONIC SURVEILLANCE.

(1) in paragraph (2), by striking “or” and inserting “; or”;

and

(2) by adding at the end the following:

“(D) is reckoned to possess, control, transmit, or receive foreign intelligence information while such person is in the United States, provided that the official information while such person is in control, transmit, or receive foreign intelligence information for periods of up to one year if the Attorney General certifies in writing under oath that—

(1) the electronic surveillance is directed at—

(A) the acquisition of the contents of communications of foreign powers, as defined in paragraph (1), (2), or (3) of section 101(a), or an agent of a foreign power, as defined in subparagraph (A) or (B) of section 101(b); or

(B) the acquisition of technical intelligence, other than the spoken communications of individuals, from property or premises under the open and exclusive control of a foreign power, or an employee, agent, or other specified person of such service provider, custodian, or other person who has access to wire or electronic communications, either as they are transmitted or while they are stored, or equipment that is or being may be used to transmit or store such communications;

(2) the certification is necessary to obtain foreign intelligence information; and

(3) by striking paragraph (4).

(c) MINIMIZATION PROCEDURES.

(1) in paragraph (2), by striking “or” and inserting “; or”;

and

(2) by adding at the end the following:

“(D) is reckoned to possess, control, transmit, or receive foreign intelligence information while such person is in the United States, provided that the official information while such person is in control, transmit, or receive foreign intelligence information for periods of up to one year if the Attorney General certifies in writing under oath that—

(1) the electronic surveillance is directed at—

(A) the acquisition of the contents of communications of foreign powers, as defined in paragraph (1), (2), or (3) of section 101(a), or an agent of a foreign power, as defined in subparagraph (A) or (B) of section 101(b); or

(B) the acquisition of technical intelligence, other than the spoken communications of individuals, from property or premises under the open and exclusive control of a foreign power, or an employee, agent, or other specified person of such service provider, custodian, or other person who has access to wire or electronic communications, either as they are transmitted or while they are stored, or equipment that is or being may be used to transmit or store such communications;

(2) the certification is necessary to obtain foreign intelligence information; and

(3) by striking paragraph (4).

(d) WIRE COMMUNICATION AND SURVEILLANCE DEVICE.—Subsection (l) of such section is amended to read as follows:

“(l) ‘Surveillance device’ is a device that allows surveillance by the Federal Government, but excludes any device that extracts or analyzes information from data that has already been acquired by the Federal Government by lawful means.”;

(e) CONTENTS.—Subsection (n) of such section is amended to read as follows:

“(n) ‘Contents’, when used with respect to a communication, includes any information concerning the substance, purport, or meaning of that communication.”;

**SECTION 3. AUTHORIZATION FOR ELECTRONIC SURVEILLANCE AND OTHER ACQUISITIONS FOR FOREIGN INTELLIGENCE PURPOSES.**

(a) IN GENERAL.—The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is further amended by striking section 102 and inserting the following:

“AUTHORIZATION FOR ELECTRONIC SURVEILLANCE AND FOREIGN INTELLIGENCE PURPOSES.

(1) The Attorney General certifies in writing under oath that—

(A) the acquisition of the contents of communications of foreign powers, as defined in paragraph (1), (2), or (3) of section 101(a), or an agent of a foreign power, as defined in subparagraph (A) or (B) of section 101(b); or

(B) the acquisition of technical intelligence, other than the spoken communications of individuals, from property or premises under the open and exclusive control of a foreign power, or an employee, agent, or other specified person of such service provider, custodian, or other person who has access to wire or electronic communications, either as they are transmitted or while they are stored, or equipment that is or being may be used to transmit or store such communications;

(2) the proposed minimization procedures with respect to such surveillance meet the definition of minimization procedures under section 101(h);

(3) if the Attorney General certifies the minimization procedures under subsection (a), the Attorney General will make a copy of the certification made under subsection (a) a copy of a certification made under subsection (a).

Such certification shall be made in accordance with the certification of the Attorney General and the minimization procedures adopted by the Attorney General. The Attorney General shall assess compliance with such procedures and shall report any assessments to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate under the provisions of section 108(a).

(c) SUBMISSION OF CERTIFICATION.—The Attorney General shall immediately transmit under seal to the court established under section 103(a) a copy of his certification.

Each certification shall be made in accordance with the certification of the Attorney General and the minimization procedures adopted by the Attorney General. The Attorney General will make a copy of the certification made under section 103(a) a copy of a certification made under section 103(a).

(d) MINIMIZATION PROCEDURES.—An acquisi—

(e) CONTENTS.—Subsection (m) of such section is amended to read as follows:

“(m) ‘Contents’, when used with respect to a communication, includes any information concerning the substance, purport, or meaning of that communication.”;

**SEC. 1202B. (a) DIRECTIVE.—With respect to an authorization of electronic surveillance under section 102 or an authorization of an acquisition under section 103 of the Act, the Attorney General may direct a person to—

(1) immediately provide the Government with all information, facilities, and assistance necessary to accomplish the acquisition of foreign intelligence information in such a manner as will protect the secrecy of the electronic surveillance or acquisition and prevent a minimum of interference with the services that such person is providing to the target; and

(2) maintain under security procedures approved by the Attorney General and the Director of National Intelligence any records concerning the electronic surveillance or acquisition or the aid furnished that such per—

(c) FAILURE TO COMPLY.—In the case of a failure to comply with a directive issued pursuant to subsection (a), the Attorney General may petition the court established under section 103(a) to compel compliance with the directive. The court shall issue an...
order requiring the person or entity to comply with the directive if it finds that the directive was issued in accordance with section 102(a) or 102A(a) and is otherwise lawful. Failure to obey an order of the court may be punished by the court as contempt of court. Any process under this section may be served in any judicial district in which the person or entity resides or transacts business.

"(d) Review of Petitions.—(1) IN GENERAL.—(A) CHALLENGE.—A person receiving a directive issued pursuant to subsection (a) may challenge the legality of that directive by filing a petition with the pool established under section 103(e)(1).

(B) ASSIGNMENT OF JUDGE.—The presiding judge designated pursuant to section 103(b) shall assign a petition filed under subparagraph (A) to one of the judges serving in the pool established under section 103(e)(1). At later than 24 hours after the assignment of such petition, the assigned judge shall conduct an initial review of the petition. If the assigned judge determines that the petition is frivolous, the assigned judge shall deny the petition and affirm the directive or any part of it. If the assigned judge determines that the petition is not frivolous, the assigned judge shall assign the petition to a judge designated pursuant to section 103(b) for review of the decision issued pursuant to this section.

(2) STANDARD OF REVIEW.—A judge considering a petition to modify or set aside a directive does not meet the requirements of this section or is otherwise unlawful. If the judge does not modify or set aside the directive, the judge shall affirm such directive, and order the recipient to comply with such directive.

(3) DIRECTIVES NOT MODIFIED.—Any directive issued pursuant to subsection (d) may be used or disclosed by Federal officers or employees except for law enforcement purposes, if the person or entity files an affidavit under oath that such information, or any information derived from such information, may only be used in a criminal proceeding with the advance authorization of the Attorney General.

"(e) Appeals.—The Government or any person receiving a directive pursuant to subsection (d) may file a petition with the court of review established under section 103(e)(1) for review of the decision issued pursuant to this section. The court of review shall have jurisdiction to consider and shall provide the record a written statement of the reasons for its decision. On petition by the Government or any person receiving such directive for review of the decision, the record shall be transmitted under seal to the Supreme Court, which shall have jurisdiction to review such decision.

"(f) Proceedings.—Judicial proceedings under this section shall be concluded as expeditiously as possible. The record of proceedings, including petitions filed, orders granted, and statements of reasons for decision, shall be maintained under security measures established by the Chief Justice of the United States and the Attorney General and the Director of National Intelligence.

(g) Shalled Petitions.—All petitions under this section shall be filed under seal. In any proceedings under this section, the court shall, upon request of the Government, review ex parte and in camera any Government documents or other materials relating to such proceedings, which may include classified information.

(h) Liability.—No cause of action shall lie in any court against any person for providing any information, facilities, or assistance in accordance with a directive under this section.

"(i) Use of Information.—Information acquired pursuant to a directive by the Attorney General under this section concerning any United States person may be used and disclosed by Federal officers and employees without the consent of the United States person to whom such information is to be disclosed or to be used, subject to the mini-

mization procedures required by section 102(a) or 102A(a). No otherwise privileged communication or evidence in accordance with, or in violation of, the provisions of this section shall lose its privileged character. No information from an electronic surveillance authorized pursuant to section 102A may be used or disclosed by Federal officers or employees except for law enforcement purposes.

"(j) Use of Law Enforcement.—No information acquired pursuant to this section shall be disclosed for law enforcement purposes unless such information is accompanied by a statement that such information, or any information derived from such information, may only be used in a criminal proceeding with the advance authorization of the Attorney General.

"(k) Disclosure in Trial.—If the Government intends to enter into evidence or otherwise use information acquired pursuant to subsection (d) may be used or disclosed by Federal officers or employees except for law enforcement purposes.

"(l) Review of Motions.—If a court or other authority in which the information is to be disclosed or used that the Government intends to enter into evidence or otherwise use such information, may only be used in a criminal proceeding with the advance authorization of the Attorney General.

"(m) Motion to Exclude Evidence.—(1) IN GENERAL.—Any person against whom evidence obtained or derived from an electronic surveillance authorized pursuant to section 102 or an acquisition authorized pursuant to section 102A or an acquisition pursuant to section 102A is to be, or has been, used or disclosed, may only be used in a criminal proceeding with the advance authorization of the Attorney General.

(2) Timing.—A person moving to suppress evidence under paragraph (1) shall make the motion to suppress the evidence before the trial, hearing, or other proceeding unless there is evidence that such motion or the person was not aware of the grounds of the motion.
“(2) CERTIFICATION REQUIRED.—Coordina-
tion authorized under paragraph (1) shall not pre
clude the certification required by section
102(a) or 102(a).”

“(c) DELEGATION OF DIRECTIVES AND OR-
DERS.—A directive made or an order granted
under this section shall be retained for a pe-
riod of not less than 10 years from the date on
which such directive or such order is made.”.

“(b) TABLE OF CONTENTS.—The table of con-
tents in the first section of the Foreign In-
1801 et seq.) is amended by inserting after the
item relating to section 102 the fol-
lowing:

“102A. Authorization for acquisition of for-
eign intelligence information.”

“102B. Directives relating to electronic sur-
veillance and other acquisitions of foreign intelligence infor-

SEC. 4. JURISDICTION OF FISA COURT.
Section 103 of the Foreign Intelligence Sur-
veillance Act of 1978 (50 U.S.C. 1803) is
amended by adding at the end the following new
subsection:

“(g) Applications for a court order under
this title are authorized if the President has,
by written authorization, empowered the At-
torney General to approve applications to
the court having jurisdiction under this sec-
tion, and a judge to whom an application is
made may, notwithstanding any other law,
grant an extension of time, in conformance with section
105, approving electronic surveillance of a
foreign power or an agent of a foreign power
for the purpose of obtaining foreign intel-
ligence information.

SEC. 5. APPLICATIONS FOR COURT ORDERS.
Section 104 of the Foreign Intelligence Sur-
veillance Act of 1978 (50 U.S.C. 1804) is
amended—

(1) in subsection (a)—

(A) in paragraph (6), by striking “detailed
description” and inserting “summary de-
scription”; and

(B) in paragraph (7)—

(i) in the matter preceding subparagraph
(A), by striking “or officials designated” and
all that follows through “consent of the Sen-
ate” and substituting “designated by the Presi-
dent”;

(ii) by striking subparagraph (C); and

(iii) by redesignating subparagraph (D) as
paragraph (1) and redesignating paragraph
(2) as paragraph (2);

(C) in paragraph (8), by striking “a state-
ment of the means” and inserting “a sum-
mary statement of the means”;

(D) in paragraph (9)—

(i) by striking “a statement” and inserting
“a summary statement”; and

(ii) by striking “application” and insert-
ing “application”; and

(E) in paragraph (10), by striking “there-
after; and” and inserting “thereafter.”;

(F) by striking paragraph (11),

(2) by striking subsection (b);

(3) by redesignating subsections (c)
through (e) as subsections (b) through (d), re-
spectively; and

(4) in paragraph (1)(A) of subsection (d),
as redesignated by paragraph (3), by striking
“or the Director of National Intelligence” and
inserting “the Director of National In-
telligence, the Secretary of State, or the Director of the Central In-
telligence Agency”;

SEC. 6. ISSUANCE OF AN ORDER.
Section 105 of the Foreign Intelligence Sur-
veillance Act of 1978 (50 U.S.C. 1805) is
amended—

(1) in subsection (a)—

(A) by striking paragraph (1); and

(B) by redesignating paragraphs (2)
through (5) as paragraphs (1) through (4), re-
spectively;

(2) in subsection (c)(1) of subsection (d),
by striking “surveillance;” and inserting “surveillance;”;

(B) in subparagraph (E), by striking “ap-
proved,” and inserting “approved,” and

(C) by striking subparagraph (F);

(3) by striking subsection (d);

(4) by redesignating subsections (e)
through (i) as subsections (d) through (h), re-
spectively;

(5) in subsection (d), as redesignated by
paragraph (4), by amending paragraph (2) to
read as follows:

“(2) Extensions of an order issued under
this title may be granted on the same basis
as an original order upon an application for
an extension and new findings made in the
same manner as required for an original
order and may be for a period not to exceed
one year.”;

(6) in subsection (e), as redesignated by
paragraph (4), to read as follows:

“(e) Notwithstanding any other provision
of this title, the Attorney General may au-
thorize the emergency employment of elec-
tronic surveillance if the Attorney General—

(1) determines that an emergency situa-
tion exists which requires the emergency use
of electronic surveillance to obtain foreign
intelligence information before an order au-
thorizing such surveillance can with due
diligence be obtained;

(2) determines that the factual basis for
issuance of an order under this title to ap-
prove such electronic surveillance exists;

(3) obtains a judicial order under section
103 at the time of such author-
ization that the decision has been made to
employ emergency electronic surveillance;

(4) makes an application in accordance
with this title to a judge having jurisdiction
under section 103 as soon as practicable, but
not more than 188 hours after the Attorney
General authorizes such surveillance.

If the Attorney General authorizes such
emergency employment of electronic surveil-
lance, the Attorney General shall require
that the minimization procedures required
by this title for the issuance of a judicial
order be followed. If a judicial order authorizing
such surveillance is not issued within 188 hours
after the Attorney General authorizes such surveil-
ance, the surveillance shall terminate when the
information sought is obtained, when the ap-
lication for approval is denied in writing, or after
the expiration of 188 hours from the time of au-
thorization by the Attorney General, which-
ever is earliest. In the event that such appli-
cation for approval is denied, or in any other
case where the electronic surveillance is ter-
minated and no order is issued approving the
surveillance, the information obtained or evi-
dence derived from such surveillance shall be
received in evidence or otherwise disclosed in
any trial, hearing, or other proceeding in
which such information may be ad-
mitted and no order is issued approving the
surveillance; and

(5) makes an application in accordance
with this title to a judge having jurisdiction
under section 103 at the time of such author-
ization that the decision has been made to
employ emergency electronic surveillance;

(6) in subsection (f), as redesignated by
paragraph (4), to read as follows:

“(f) The Attorney General shall notify
the court of the signing of the order under
this title and shall provide written notice to
the court of the signing of any order under
this title which is not issued within 188 hours
from the time of authorization
by the Attorney General, which-
ever is earliest, that the
application for approval is denied
in writing, or that the order
is not issued within 188 hours
from the time of authorization
by the Attorney General.

(7) in subsection (g), as redesignated by
paragraph (4)—

(A) by striking “a wire or” and inserting
“an”;

(B) by striking “physical search” and insert-
ing “physical search or in response to a
certification by the Attorney General or a
designee of the Attorney General seeking
foreign intelligence information, the court shall
authorize the installation and use of pen reg-
isters and trap and trace devices to acquire
ingoing dialing, routing, addressing, and signaling
information related to such communications
and such dialing, routing, addressing, and
signaling information shall not be subject to
minimization procedures.”

SEC. 7. USE OF INFORMATION.
Section 106(i) of the Foreign Intelligence
Surveillance Act of 1978 (50 U.S.C. 1806(i)) is
amended—

(1) by striking “radio communication” and
inserting “communication”; and

(2) by striking “contents indicate” and in-
serting “contents contain significant foreign
intelligence information. The following:

SEC. 8. CONGRESSIONAL OVERSIGHT.
(a) ELECTRONIC SURVEILLANCE UNDER FISA.—Section 108 of the Foreign In-
elligence Surveillance Act of 1978 (50 U.S.C. 1808) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (B), by striking “and” at
the end;

(B) in subparagraph (C), by striking the pe-
riod and inserting “; and”;

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

“(D) the authority under which the elec-
tronic surveillance is conducted.”;

(2) by striking subsection (b) and inserting
the following:

“(b) On a biennial basis, the Attorney
General additionally shall fully inform the
Select Intelligence”;

SEC. 9. INTELLIGENCE ACTIVITIES.—The Na-
nal Security Act of 1947 (50 U.S.C. 413 et seq.) is amended—

(1) in section 501 (50 U.S.C. 413)—

(A) by redesignating subsection (f) as sub-
section (g); and

(B) by inserting after subsection (e) the fol-
lowing new subsection:

“(f) The Chair of each of the congressional
intelligence committees, in consultation with the
ranking member of the committee for
which the person is Chair, may inform—

(1) on a bipartisan basis, all members or
any individual members of such committee,
and

(2) any essential staff of such committee,
of a report submitted under subsection (a)(1) or
subsection (b) as such Chair considers nec-

essary.”;

(2) in section 502 (50 U.S.C. 414), by adding at
the end the following new subsection:

“(d) INFORMING OF COMMITTEE MEMBERS.—The Chair of each of the congressional intel-
ligence committees, in consultation with the
ranking member of the committee for
which the person is Chair, may inform—

(1) on a bipartisan basis, all members or
any individual members of such committee,
and

(2) any essential staff of such committee,
of a report submitted under subsection (a) as
such Chair considers necessary.”;

(3) in section 503 (50 U.S.C. 415), by adding at
the end the following new subsection:

“(g) The Chair of each of the congressional
intelligence committees, in consultation

H7855
CONGRESSIONAL RECORD — HOUSE
September 28, 2006
with the ranking member of the committee for which the person is Chair, may inform—

"(1) on a bipartisan basis, all members or any individual members of such committee, and

"(2) any essential staff of such committee, of a report submitted under subsection (b), (c), or (d) as such Chair considers necessary.

SEC. 9. INTERNATIONAL MOVEMENT OF TARGETS.

(a) ELECTRONIC SURVEILLANCE.—Section 105(d) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1805(d)), as redesignated by section 6(d), is amended by adding at the end the following new paragraph:

"(4) An order issued under this section shall remain in force during the authorized period of surveillance notwithstanding the absence of the target from the United States, unless the Government files a motion to extinguish the order and the court grants the motion."

(b) PHYSICAL SEARCH.—Section 309(d) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1824(d)) is amended by adding at the end the following new paragraph:

"(4) An order issued under this section shall remain in force during the authorized period of surveillance notwithstanding the absence of the target from the United States, unless the Government files a motion to extinguish the order and the court grants the motion."

SEC. 10. COMPLIANCE WITH COURT ORDERS AND ANTITERRORISM PROGRAMS.

(a) IN GENERAL.—Notwithstanding any other provision of law, and in addition to the immunities, privileges, and defenses provided by any other provision of law, no action, suit, or proceeding shall be maintained in any court, and no penalty, sanction, or other form of remedy or relief shall be imposed by any court or any other body, for an action, suit, or proceeding from or relating to the provision to an element of the intelligence community of any information (including records or other information pertaining to a customer), facili-
ties, or assistance during the period of time beginning on September 11, 2001, and ending on the date that is 60 days after the date of the enactment of this Act, in connection with any alleged communications intelligence activities conducted by the National Security Agency.

(b) PHYSICAL SEARCH.—Section 309 of such Act (50 U.S.C. 1829) is amended by striking "the definition of section 101 and all that follows and inserting the following: "for a period not to exceed 90 days following an ordered attack against the territory of the United States if the President submits to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate notification of the authorization under this section.

SEC. 12. AUTHORIZATION AFTER AN ARMED ATTACK.

(a) ELECTRONIC SURVEILLANCE.—Section 111 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1811) is amended by striking "the United States and all that follows and inserting the following: "for a period not to exceed 90 days following an ordered attack against the territory of the United States if the President submits to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate notification of the authorization under this section.

(b) PHYSICAL SEARCH.—Section 309 of such Act (50 U.S.C. 1829) is amended by striking "the definition of section 101 and all that follows and inserting the following: "for a period not to exceed 90 days following an ordered attack against the territory of the United States if the President submits to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate notification of the authorization under this section.

SEC. 13. AUTHORIZATION OF ELECTRONIC SURVEILLANCE AFTER A TERRORIST ATTACK.

The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is further amended by—

(1) by adding at the end of title I the following new section:

"SEC. 112. (a) In General.—Notwithstanding any other provision of law, but subject to the provisions of this section, the President, acting through the Attorney General, may authorize electronic surveillance without an order under this title to acquire foreign intelligence information for a period not to exceed 90 days following a terrorist attack against the territory of the United States if the President submits a notification to the congressional intelligence committees and a judge having jurisdiction under section 103 that—

"(1) the United States has been the subject of a terrorist attack; and

"(2) identifies the terrorist organizations or affiliated organizations believed to be responsible for the terrorist attack.

(b) SUBSEQUENT CERTIFICATIONS.—At the end of the period described in subsection (a), and every 90 days thereafter, the President may submit a subsequent certification to the congressional intelligence committees and a judge having jurisdiction under section 103 that the circumstances of the terrorist attack for which the President sought certification under subsection (a) require the President to continue the author-

ization of electronic surveillance under the provisions for an additional 90 days. The President shall be authorized to conduct electronic surveillance under this section for an additional 90 days after each such subsequent certification.

(c) ELECTRONIC SURVEILLANCE OF INDIVIDU-ALS.—The President, or an official designated by the President to authorize electronic surveillance, may authorize electronic surveillance of a person under this section if the President or such official determines that—

"(1) there is a reasonable belief that such person is communicating with a terrorist organization or an affiliate of a terrorist organization that is reasonably believed to be responsible for the terrorist attack; and

"(2) the information obtained from the electronic surveillance may be foreign intelligence information.

(d) MINIMIZATION PROCEDURES.—The President may not authorize electronic sur-

veillance under this section until the Attorney General approves minimization procedures for electronic surveillance conducted under this section.

SEC. 14. UNITED STATES PERSONS.—Notwithstanding subsection (a) or (b), the President may not authorize electronic surveillance of a United States person under this section unless the President obtains a certification from the Attorney General that prevents the Attorney General from obtaining an order under this title for a period of more than 60 days unless the President, acting through the Attorney General, submits a certification to the congressional intelligence committees that—

"(1) the continued electronic surveillance of the United States person is vital to the national security of the United States; and

"(2) the information that has prevented the Attorney General from obtaining an order under this title for continued surveillance is reasonably believed to be responsible for the terrorist attack; and

"(3) describes the reasons for believing the United States person is affiliated with or in communication with a terrorist organization or affiliate of a terrorist organization that is reasonably believed to be responsible for the terrorist attack; and

"(4) describes the foreign intelligence information derived from the electronic surveillance conducted under this section.

"(f) USE OF INFORMATION.—Information obtained pursuant to electronic surveillance under this section may be used only to obtain an order authorizing subsequent electronic surveillance under this title.

SEC. 15. REPORTS.—Not later than 14 days after the date on which the President submits a certification under subsection (a), and every 30 days thereafter until the President ceases to authorize electronic surveillance under subsection (a) or (b), the President shall submit to the congressional intelligence committees a report on the electronic surveil-

lance conducted under this section, includ-

ing—

"(1) a description of each target of elec-

tronic surveillance under this section; and

"(2) the basis for believing that each target is in communication with a terrorist organi-

zation or an affiliate of a terrorist organiza-

tion.

"(b) CONGRESSIONAL INTELLIGENCE COMMIT-TEES DEFINED.—In this section, the term 'congressional intelligence committees' means the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

"(c) TABLE OF CONTENTS.—The tables of the first section, by inserting after the item relating to section 111 the following new item:

""UNTERNOVO'S PERFORMANCE IN THE ELECTRONIC SURVEILLANCE PROGRAM""
The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is further amended—

(a) by adding at the end of title I the following new section:

"SEC. 112. Authorization following a terrorist attack upon the United States."

SEC. 14. AUTHORIZATION OF ELECTRONIC SURVEILLANCE DUE TO IMMINENT THREAT.

The Foreign Intelligence Surveillance Court of 1978 (50 U.S.C. 1801 et seq.) is further amended—

(1) by adding at the end of title I the following new section:

"AUTHORIZATION DUE TO IMMINENT THREAT"

"SEC. 113. (a) In General.—Notwithstanding any provision of law, but subject to the provisions of this section, the President, acting through the Attorney General, may authorize electronic surveillance under this title without an order under this title to acquire foreign intelligence information for a period not to exceed 90 days if the President submits to the congressional leadership, the congressional intelligence committees, and the Foreign Intelligence Surveillance Court a written notification that the President has determined that there exists an imminent threat of attack likely to cause death, serious injury, or substantial economic damage to the United States. Such notification—

(1) shall be submitted as soon as practicable, and in any event, not later than 5 days after the date on which the President authorizes electronic surveillance under this section;

(2) shall specify the entity responsible for the threat and the circumstances of the threat; and

(3) shall state the reason to believe that the threat of imminent attack exists;

(4) shall state the reason the President needs the authority to conduct electronic surveillance in the United States as a result of the threat of imminent attack;

(5) shall include a description of the foreign intelligence information that will be collected and the means that will be used to collect such foreign intelligence information; and

(6) may be submitted in classified form.

(b) SUBSEQUENT CERTIFICATIONS.—At the end of the 90-day period described in subsection (a), and every 90 days thereafter, the President may submit a subsequent written notification to the congressional leadership, the congressional intelligence committees, the other relevant committees, and the Foreign Intelligence Surveillance Court that the circumstances of the threat for which the President submitted a written notification under section 112(a) have not changed, that the President continues to authorize the electronic surveillance under this section for an additional 90 days. The President shall be authorized to conduct electronic surveillance under this section for an additional 90 days after each such subsequent written notification.

(c) ELECTRONIC SURVEILLANCE OF INDIVIDUALS.—The President, or an official designated by the President to authorize electronic surveillance, may only conduct electronic surveillance of a person under this section if the President or such official determines that—

"(1) there is a reasonable belief that such person is communicating with an entity or an affiliate of an entity that is reasonably believed to be responsible for imminent threat of attack; and

"(2) the information obtained from the electronic surveillance may be foreign intelligence information.

(d) MINIMIZATION PROCEDURES.—The President may not authorize electronic surveillance under this section without an order under this title for a period of more than 80 days unless the President, acting through the Attorney General, submits a certification to the congressional intelligence committees that—

"(1) the continued electronic surveillance of the United States person under this section without an order under this title for a period of more than 80 days unless the President, acting through the Attorney General, submits a certification to the congressional intelligence committees that—

"(2) the circumstances that have prevented the Attorney General from obtaining an order under this title for continued surveillance;

"(3) the reasons for believing the United States person is affiliated with or in communication with an entity or an affiliate of an entity that is reasonably believed to be responsible for imminent threat of attack; and

"(4) the foreign intelligence information derived from the electronic surveillance conducted under this section.

(f) USE OF INFORMATION.—Information obtained pursuant to electronic surveillance under this subsection may be used to obtain an order authorizing subsequent electronic surveillance under this title.

(g) DEFINITIONS.—In this section:

"(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ‘congressional intelligence committees’ means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, and the other relevant committees;

"(2) CONGRESSIONAL LEADERSHIP.—The term ‘congressional leadership’ means the Speaker and minority leader of the House of Representatives and the majority leader and minority leader of the Senate;

"(3) FOREIGN ELECTRONIC SURVEILLANCE COURT.—The term ‘Foreign Intelligence Surveillance Court’ means the court established under section 103(a);

"(4) OTHER RELEVANT COMMITTEES.—The term ‘other relevant committees’ means the Committees on Appropriations, the Committees on Armed Services, and the Committees on the Judiciary of the House of Representatives and the Senate;" and

(2) in the table of contents in the first section, by inserting after the item relating to section 112, as added by section 13(b), the following new item:

"Sec. 113. Authorization due to imminent threat."

SEC. 15. TECHNICAL AND CONFORMING AMENDMENTS.

The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is further amended—

(a) in subsection (a)(4), as redesignated by section 6(b)—

"(A) by striking ‘104(a)(7)(E)’ and inserting ‘104(a)(7)(D)’; and

"(B) by striking ‘104(d)’ and inserting ‘104(c)’;

(b) in section 106(j), in the matter preceding paragraph (1), by striking ‘105(e)’ and inserting ‘105(f)’;

(c) in section 108(a), by—

"(1) in subsection (a), by striking ‘108(a)(2)(C)’ and inserting ‘108(a)(1)(C)’;

"(2) in subsection (b)(1), by striking ‘106(j)’ and inserting ‘106(h)’;

"(3) in subsection (b)(2), by striking ‘105(f)’ and inserting ‘105(e)’;

The SPEAKER pro tempore. Debate shall not exceed 90 minutes, with 60 minutes equally divided and controlled by the ranking minority member of the Committee on the Judiciary, and 30 minutes equally divided and controlled by the chairman and ranking member of the Permanent Select Committee on Intelligence.

The gentleman from Wisconsin (Mr. SENSENBERG) asked unanimous consent that all legislative day time be extended to 6 o’clock, within which to revise and extend their remarks and include extraneous material on H.R. 5825, currently under consideration.

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

There was no objection.

Mr. SENSENBERG. Mr. Speaker, I ask unanimous consent that all legislative day time be extended to 6 o’clock, within which to revise and extend their remarks and include extraneous material on H.R. 5825, currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 5825, the Electronic Surveillance Modernization Act. In 1978, Congress enacted the Foreign Intelligence Surveillance Act, or FISA for short, in order to provide a mechanism for the domestic collection of foreign intelligence information.

The goal of FISA was to secure the integrity of the fourth amendment while protecting the national security interests of the United States. When FISA was enacted, domestic communications and international communications were fundamentally different from one another. Specifically, domestic communications were transmitted via wire, while international communications were transmitted via radio.

In modern times international communications are increasingly transmitted through undersea cables which are considered wire. H.R. 5825 provides a technology-neutral definition of electronic surveillance to ensure that international communications are treated the same under the law regardless of the technology used to transmit them.

The bill also simplifies the process for getting a FISA court order and returns the focus of FISA to protecting those with a fourth amendment expectation of privacy.

On December 16 of last year, based on the leak of classified information, the New York Times published a story regarding a terrorism surveillance program operated by the National Security Agency. The President subsequently acknowledged that he had authorized this program after 9/11 to intercept the communications of those with known links to al Qaeda and related terrorist organizations.

Notwithstanding the administration’s position that this program is fully consistent with U.S. law and the Constitution, the President has requested that Congress provide additional and specific authorization to ensure that U.S. laws governing electronic surveillance are updated to reflect modern modes of communication.

Mr. Speaker, terrorist organizations are global in scope, and rely on electronic communications to plan and execute their murderous designs. We
can all agree that electronic communications must not be impervious to detection by U.S. law enforcement intelligence officers whose vigilance has helped avert another terrorist attack on our soil in the 5 years since the 9/11 attacks.

As General Hayden testified on July 26, 2006, the National Security Agency intercepts communications and does so for only one purpose: "To protect the lives, liberties and well beings of the citizens of the United States from those who would do us harm.

General Hayden also noted that "the revolution in telecommunications technology has extended the actual impact of the FISA regime far beyond what Congress could ever have anticipated in 1976, and I do not think that anyone can make a claim that the FISA statute was optimized to deal with 9/11 or to deal with the lethal attacks."

The FISA dispute is exactly what will result if Congress heeds the President's call in many new circumstances.

"What we are doing, instead of restricting the administration and the National Security Agency, this bill grants the administration more and new authority to conduct warrantless surveillance of American citizens. Not only does the bill permit warrantless surveillance of the international communications of any American who is not a target, but it grants the administration new authority to conduct warrantless surveillance on domestic calls in many new circumstances.

We do not like this measure before us because, instead of bringing the President's warrantless surveillance program under the law, what has been done, without much finesse, is to dramatically expand the authority and permit even broader and more intrusive warrantless surveillance of the program and the phone calls and the e-mails of innocent Americans."

It raises severe constitutional questions, the fourth amendment and the equal protection of agencies and subjects everything in this area to ill-considered and unfair process.

But it is not just the law professors and the civil liberty unions that are concerned. There was support for a statement from former national security officials, and I will insert the statement of former national security officials in the Record at this time.

STATEMENT OF FORMER NATIONAL SECURITY OFFICIALS

The President has spoken repeatedly and emotionally in recent days about the need for intelligence professionals to have clarity in the law. He has emphasized that it is not fair to ask these men and women to operate in an uncertain legal environment and that, in fact, legal uncertainty hampers operational effectiveness and thereby jeopardizes our national security. Legal uncertainty is exactly what will result if Congress heeds the President's call to enact legislation that replaces the obligation to use the procedures of the Foreign Intelligence Surveillance Act with broad language about relying upon the President's constitutional authority.

Before FISA was enacted, courts addressed the issue of warrantless surveillance for domestic security purposes but did not clearly resolve the scope of the President's authority regarding foreign intelligence surveillance. FISA was passed in order to clarify this murky legal area by setting forth a clear process for electronic surveillance of foreign powers and agents of foreign powers.

This legislation would return a complex subject to the murky waters from which FISA emerged by making going to the FISA court or applying FISA in any way optional rather than mandatory. It leaves it to the President to decide when he has the authority to conduct warrantless surveillance of Americans or foreigners. Whether he has the right determination will not be known unless and until it is challenged in court.

If advances in technology or other exigencies not contemplated in FISA present the President with a national security emergency, he should have a window in which to act while promptly seeking appropriate congressional approvals to FISA—and this could be provided for in the statute. But this extraordinary emergency authority should not be permitted effectively to repeal FISA.

As individuals with extensive experience in national security and intelligence, we strongly urge that the requirements of FISA remain just that—requirements, not options. Congress should continue to work to get the facts and if, once they are provided, these facts demonstrate the need for changes in the law, amend them as needed to meet genuine national security imperatives. Legal clarity is just as essential in this context as any other in which intelligence or law enforcement officers operate. FISA provides that clarity and should not be abandoned or amended in ways that render it irrelevant.

Sen. Dick Durbin
Formerly Counsel for Intelligence Policy, Department of Justice

William S. Sessions
Formerly Deputy Assistant Attorney General, Criminal Division, Department of Justice

Elizabeth Rindskopf Parker
Formerly General Counsel, National Security Agency

William S. Sessions
Formerly Secretary of the Air Force

Elizabeth Larson
Formerly Member, National Commission on Terrorism (The Bremer Commission)

Stephen Saltzburg
Formerly Legal Advisor to the Attorney General, Department of Justice

Eugene Bowman
Formerly Legal Advisor, National Security Agency

Juliette Kayyem
Formerly Assistant General Counsel, National Security Agency

Select Committee on Intelligence

Formerly Deputy Director, Federal Bureau of Investigation

Formerly Deputy Assistant Attorney General, Criminal Division, Department of Justice

Formerly General Counsel, National Security Agency

Formerly General Counsel, Criminal Division, Department of Justice

Formerly Principal Deputy General Counsel, Department of Defense

F. Whitten Peters
Formerly Deputy Assistant Director, Federal Bureau of Investigation

Formerly Deputy Assistant Attorney General

Formerly Director, Federal Bureau of Investigation

Formerly Chief United States District Judge for the Western District of Texas

Formerly Assistant General Counsel, National Security Agency

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Formerly Assistant General Counsel, National Security Agency

Brit Snider  
Formerly General Counsel, Senate Select Committee on Intelligence  
Formerly Inspector General, Central Intelligence Agency  
Suzanne E. Spaulding  
Formerly General Counsel, Senate Select Committee on Intelligence  
Formerly Assistant General Counsel, Central Intelligence Agency  
Michael A. Vatis  
Formerly Director, National Infrastructure Protection Center, Federal Bureau of Investigation  
Formerly Associate Deputy Attorney General, Department of Justice

I lift up the names of two people in particular: William Sessions, the former Director of the Federal Bureau of Investigation, formerly Chief Judge of the Western District of Texas; and William H. Webster, formerly Director of the Federal Bureau of Investigation and former Director of the Central Intelligence Agency.

There is a wide agreement that this legislation is not what we should be doing. It would be rejected because we are giving the administration unilateral authority to review the call records and e-mails of millions of Americans and permits the administration to use surveillance devices without a warrant to reinstituting the discredited "total information awareness" program that kept records on hundreds of millions of Americans.

Hidden in the fine print are provisions which grant the administration authority to maintain permanent records on innocent American citizens, granting the administration new authority to demand personal records without court review, and terminating any and all legal challenges to unlawful wiretapping.

So we are joined in our position by the Computer and Communications Industry Association, including Microsoft, Verizon, Google and Intuit; law school deans, 63 of them; 13 former national security officials; the Center for Democracy and Technology; and the Center for National Security Studies.

We must fight terrorism, but we must fight it in the right way, consistent with our Constitution and in a manner that serves as a model for the rest of the world. This bill fails that test.

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

Mr. SENSENBRENNER. Mr. Speaker, my speakers are on their way to the floor, and I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield 2½ minutes to the gentleman from New York (Mr. NADLER), ranking subcommittee member.

Mr. NADLER. Mr. Speaker, I rise in opposition to this dangerous and unnecessary legislation. Dangerous because it threatens the fundamental rights all Americans hold dear, and unnecessary because the sponsors appear to believe that freedom is the enemy.

The right to engage in surveillance of communications is not at issue today. What is at issue is the right to spy on Americans in the United States without a warrant from a court.

Nowhere under current law is there any requirement that the government stop listening to terrorists until they get a court order. Existing law gives the government 72 hours after it has begun surveillance to get a warrant from the secret FISA court.

Our colleagues, the gentleman from California (Mr. SCHIFF) and the gentleman from Arizona (Mr. FLAKE), have proposed to change that time so the government has more time to make its case; and they have proposed to update the FISA law so as to make it unnecessary to get a warrant to tap a conversation between two persons outside the United States, even if the conversation is routed through the United States. That proposal solves all the legitimate concerns with FISA.

It is so reasonable a proposal that this Republican rubber-stamp Congress refused to let us even get a vote on it. It is not surprising that the process of taking away liberty should trample on democracy as well.

What the President wants, and the Republican Congress is prepared to give, is unrestrained authority to spy on anyone without having to ask anyone. Once again, the President wants to be above the law, and this House appears ready to oblige him.

The power to use every tool we have to gain as much intelligence on the terrorists as we can is vitally important power, and we support that power as long as it is constrained by law.

It is also a dangerous and easily abused power. We have plenty of experience with the abuse of that power. Remember J. Edgar Hoover wiretapping Martin Luther King, for example. That is why we have a Constitution. That is why we have courts. That is why we have checks and balances. That is why we have legal controls on the executive branch, not to protect the bad guys but to protect the rest of us from abuses of power.

Unchecked power, no matter what the purpose is dangerous. It is also unnecessary. History will judge this Congress harshly when this inevitably bad bill is approved.

Do not be stampeded into signing away our freedom. Let us insist that this be done right, by rejecting this very wrong and dangerous bill and considering the balanced alternative given to us by the bipartisan gentlemen, Mr. SCHIFF and Mr. FLAKE.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from New Mexico (Mrs. WILSON), the author of the bill.

Mrs. WILSON of New Mexico. Mr. Speaker, I think it is important for people to understand tonight why we are doing this.

I believe very strongly that intelligence is the first line of defense in the war on terrorism. That means we have to have intelligence agencies and capabilities that are agile, that are responsive to changes in technology, and that also protect the civil liberties of Americans.

It is hard to understand and hard to explain, frankly, the FISA law to people who do not deal day in and out with these things, but I have got to tell you this is how I have tried to explain it.

When President Bush went to Route 66. Route 66 is the mother road that went from Chicago to LA through every little town along the way. But then modernization came along, and we replaced Route 66 with Interstate 40. We no longer have the stoplights and the intersections. We have ramps and off ramps and concrete barriers to protect the citizens where traffic was moving very, very quickly. That is kind of like what we are trying to do here with the Foreign Intelligence Surveillance Act.

Now, it bothers me a little bit that for 4 years Democrat leaders in this House, including the minority leader and the ranking member of the Intelligence Committee, were briefed on the President’s terrorist surveillance program multiple times. When I came to the floor of the House with a bill that proposes putting signs and rules of the road in place to protect American civil liberties, you object to the controls and protections. If there were concerns about the fourth amendment, those concerns should have been raised 4 years ago.

The fourth amendment requires that people in America be free from unreasonable search and seizure. We have set in place rules of the road in the wake of a terrorist attack, when there is an armed attack on the United States or when an attack is imminent on the United States, rules of the road that are reasonable, that are constitutional, that protect civil liberties and that also keep us safe in the event of terrorist attack.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Virginia (Mr. SCOTT), a member of the Judiciary Committee.

Mr. SCOTT of Virginia. Mr. Speaker, I rise in opposition tonight.

First, we are legislating in the dark. We do not even know what the President is doing now because he will not tell us, but we do know that he says he will not continue doing what he is doing unless we retroactively authorize it and immunize everyone who participated in the illegal activity from any criminal and civil liability.

But for the New York Times disclosure that the administration had authorized secret surveillance of domestic conversations, we would not even know about it now. When exposed, the President claimed he was operating under inherent powers, but court decisions have found that the President cannot simply declare administration actions constitutional and lawful, whether or not they are.

Yet rather than finding out what is going on, we are moving forward with this legislation not only to authorize
something in the future but to retroactively legalize whatever has been going on in the past.

Yesterday, under the military tribunal bill, we authorized what had previously been considered torture and retroactively immunized everybody involved in it. Today, we do the same type of retroactive approval and immunization to what may be illegal domestic surveillance.

The President already has broad latitude to conduct domestic surveillance, including surveillance of American citizens under the Foreign Intelligence Surveillance Act, totally in secret, so long as it is overseen by the FISA court.

So this is not a question of whether or not dangerous terrorists should be wiretapped. Of course they should, and they can be under present law, but in a democratic society with checks and balances, we should insist that some checks and balances occur, either before or after the wiretap in the case of an emergency.

This bill does not enhance security, but it does allow surveillance without the traditional checks and balances that have served our Nation well. This bill, therefore, should be defeated.

Mr. SENSENBRENNER. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. DANIEL E. LUNGEN).

Mr. DANIEL E. LUNGEN of California. Mr. Speaker, I thank the gentleman for yielding. Mr. Speaker, I am not sure what bill I just heard referred to. As I read this bill, as one of those who helped to write this bill, we have time limits in this bill. We have notices in this bill. We have requirements in this bill. This bill attempts to do what we should want to do, that is, base it on the expectation of privacy of the individual involved.

This bill attempts to try and bring up to date the FISA law, a law that was established at a time when technology was far different than it is today. This is an attempt to try and bridge that gap that was created as a result of technology changing.

We set into motion by the law when FISA was first established and in accordance with those technologies which were then available. This is an attempt to allow us to still secure that kind of information that was always allowed under the FISA law, always anticipated to be under the FISA law, but which might be brought into question by the change in technology which has taken place.

2000

It also attempts to try and deal with that tension I mentioned before that exists as a result of the constitutional powers that the President has, that we have, and that the judicial branch has and the legislative branch has. As a result of that, we can preeminate, power or preeminent authority.

And there is a reason for this. It is the reason Benjamin Franklin talked about in the quote I gave earlier this evening. It is the reason for the kind of function of government that we want to have in a war-time scenario. It is a recognition that you can have one Commander in Chief and that one Commander in Chief has, as part of his responsibility, the requirement to be able to obtain intelligence about those that might be using the powers of the government.

So the question is, How do you construct a law which allows the President to exercise that responsibility and at the same time allows us to exercise our responsibility? There seems to be this idea where we say that there is an inherent power in the President, but then we don’t recognize it at all. Or if he acts, and acts pursuant to that constitutional provision, what he has done is unconstitutional and illegal. And we therefore say, when we try to construct a law which we hope will cover most of the areas of activity by the President, where it will engender a greater spirit of cooperation, we say, was what he did or if he asserted that authority, somehow that is unlawful or unconstitutional.

We have prerogatives in the House of Representatives. There are areas of cooperation where we have preeminent power, such as the House of Representatives is given the responsibility and the authority to begin any law which would take money from the pockets of our constituents. The President of the United States cannot do that under the Constitution, yet he does work with us in that regard, in many different ways even before he gets the final bill.

What we have done here is to try to set up a structure which calls for the kind of activity that will be reported to us on a regular basis, with time requirements that don’t exist in current law today. It circumscribes some of the areas of activity which are questionably right now, and it sets up a framework for cooperation, it seems to me.

So I hear a lot of, and I have used this word before, but hyperbole here on the floor. We have men and women of good will on both sides of the aisle that have differences of opinion on this. But to condemn this as somehow an effort for us to give away our power; that somehow this allows the President to continue to act in an illegal way or to open up programs which are illegal activity, betrays a lack of understanding of the Constitution, of the structure of this House, and of activity of prior administrations, both Democrat and Republican.

I would ask us all to support this well-crafted bill.

Mr. CONYERS. Mr. Speaker, I yield 2½ minutes to a distinguished member of the committee, Mr. SCHIFF.

Mr. SCHIFF. I thank the gentleman for yielding.

My colleague from California is right, we do have reasonable differences of opinion on this legislation. Regrettably, we won’t get a chance to vote on them. The bipartisan substitute that I offered with Mr. FLAKE will not be permitted to come up for a vote tonight.

I want to take a look at where we are. It is 5 years since 9/11. And in those 5 years, the Justice Department, the NSA have not come to Congress to ask for the changes that are being proposed by this bill. Indeed, but for the fortuity of the disclosure of the secret program by the New York Times, we wouldn’t be here at all. That says something about the efficacy of the current law and the current FISA court.

I happen to think that the FISA laws can be improved. We have amended them, though, in 25 different ways over the last several years, so it is not as if this 28-year-old act has been untouched. The question here, the rub here is not what we do with foreigners or with people on American soil, as my colleagues in the majority would like us to believe. The rub here is what do we do about Americans on American soil.

We want to ensure that the government and say you can surveil an American here at home without any court supervision? We are going to take entire programs off the books. We are going to embody a philosophy that says to the government, we trust you. We don’t need a check and balance. My colleague says that the transportation analogy would be rules of the road. Well, the more accurate analogy would be if we had a speed limit sign and people were racing past it and violating the speed limit, the base bill would say, tear down the sign or do away with the court that would enforce the law by stripping the court of the jurisdiction to review the program.

That is not what we are here to do. We are here to say to the American people that those that wish us harm we will go after with every tool. But you, who are law-abiding citizens of this country, have a right to know that your phone and your e-mail, of privacy in your homes and we will respect that. When we intrude your home and your phone and your e-mail, you will have the confidence of knowing that a court is overseeing what the government does.

Because the Framers’ philosophy was check and balance. It served us well for 200 years. It will continue to serve us well.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Speaker, I thank the gentleman for yielding, and I appreciate the gentleman from California and the opportunity to work with him on the substitute.

Mr. Speaker, I rise today in opposition to H.R. 5825. In 1978, Congress passed a seminal piece of legislation called FISA. This act recognized that while the President has inherent authority to protect American citizens, Congress has clear authority to regulate that surveillance.
There have been many technological changes over the past 28 years, and FISA has been amended many times to adapt to those changes. But, now, we here in Congress are confronted with the knowledge that the executive branch has chosen to conduct surveillance outside of the strictures of FISA. We must now choose whether to allow warrantless surveillance to continue or whether we should bring the terrorist surveillance program and any other programs that might be in operation under FISA’s purview. If we do not, we will essentially have two categories of surveillance programs: one on the books and one that is off the books.

Now, perhaps the existence of FISA has made us all complacent. We have not been confronted for the past three decades with reports of executive branch abuse. But prior to FISA’s passage, such abuses were legion. The Church Commission of the mid-1970s identified instances of abuse of the executive branch surveillance power that were so egregious that they thought it necessary to bring in FISA.

Do we want to return to the pre-FISA era? I would submit that we should not. Yet the bill we will vote on tonight will allow surveillance to continue to be gathered outside of FISA, effectively returning us to that era.

As I have said before, the acid test for Republicans should be as follows: Would I more jealously guard the congressional prerogative to regulate the President’s inherent authority to conduct warrantless surveillance if the current occupant of the White House did not share my party affiliation? If the answer is yes, then it is our obligation to vote against the underlying bill and to vote instead for the motion to recommit.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 2 1⁄2 minutes to the distinguished gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. I thank my colleague, Mr. Speaker.

Let us be clear about one thing. As we have all said, we understand that electronic surveillance is a vital tool in the war on terror. We all want to know when Osama bin Laden is calling: when he is calling, who he is calling, and what he is saying. Existing law, FISA, gives the President the authority to do that. And if the President wants greater flexibility in using that authority, he should come to the Congress and tell us exactly what additional authority he needs.

As has been said, this Congress has already amended FISA, the electronic surveillance law, more than 25 times since 9/11 to accommodate changing technologies. That is why it was so troubling to learn that what we as a Congress did in the PATRIOT Act with respect to electronic surveillance was essentially a meaningless exercise. We gave the expanded authorities, but the President has since argued that he can go beyond the expanded authorities that we gave him, and he has ignored the work of the Judiciary Committee and this Congress.

On what basis does he do this? This President claims when it comes to conducting electronic surveillance he is, in the final analysis, not constrained by the authority of Congress. He claims his constitutional authority as Commander in Chief under article II in this area ultimately allows him to ignore the will of the Congress.

Take a look at the administration’s legal memorandum of January 19, 2006. Essentially, what they are saying is that we don’t have the power ultimately to regulate in this area. And I find it incredibly curious that after the Judiciary Committee, on a bipartisan basis, adopted language proposed by Mr. FLAKE that simply said Congress finds that article I, section 8, clause 18 of the Constitution, known as the necessary and proper clause, grants Congress clear authority to regulate the President’s inherent power to gather foreign intelligence. That was passed on a bipartisan basis. It is gone from this bill. Mr. FLAKE’s amendment is gone from this bill. That is taken out of this bill.

Now, imagine, here we are as a Congress, in passing a law that seeks to regulate the President’s authority in this area, albeit giving him additional authorities, that in passing that law we strip out the provision that says we as a Congress find that we have the power to regulate in this area. It is a total abdication of the congressional responsibility. It is ceding the President’s argument that Congress doesn’t matter in this area.

I believe, ultimately, it is a dangerous power grab on behalf of the administration; and this Congress, on a bipartisan basis, has not stood up to our responsibilities under the Constitution.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I am grateful to our chairman.

This is critical. We are in a war with people who want to destroy our way of life. Now, we are rightfully concerned about the civil rights of Americans, but the thing is this doesn’t have to do with the civil rights of Americans. If the President, or any President, I don’t care who it is, would authorize wiretapping surveillance of American citizens—of Americans—right here in the United States then I have to, with anybody else calling them to task. That is not what we are about here.

And, in fact, in this act, it actually updates the definition of who is covered under FISA to ensure that electronic surveillance is narrowly focused on America’s enemies. That is part of what is so important here.

Another aspect that makes this even more crucial today: some have said, why now? What took so long for it to come into existence? We should have done this when I joined the Army, when I swore the oath of office that their commitment is to serve the American people and the American people. I know that as they take an oath of office that their commitment is to serve the American people and the United States of America with the dignity and respect of that office. It has not come to my attention there are terrorist leaders calling directly with a foreign terrorist. This is not about domestic to domestic, American to American.

We have heard some on the other side bring up scripture, that we need to do unto others, even if they are not Americans. We need to do unto others, I would submit to you, and I love it when people call on scripture like my brothers and sisters from the other side of the aisle, because it brought to mind to me Romans 13:4 that says, ‘‘for it, thou shalt love thy neighbor as thyself.’’

Mr. CONYERS. Mr. Speaker, I yield 2 1⁄2 minutes to the gentlewoman from Texas, Ms. JACKSON-LEE.

Ms. JACKSON-LEE. Mr. Speaker, I yield 2 1⁄2 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I am grateful to my colleagues on both sides of the aisle.

I believe, ultimately, it is a dangerous power grab on behalf of the administration; and this Congress, on a bipartisan basis, has not stood up to our responsibilities under the Constitution.

We have got to make sure that this government does govern with evil, does deal with those who would defy us, and, yes, put them under surveillance; not Americans but foreigners, because that is our job. That is what we are required to do. That is what I swore to do when I joined the Army, when I swore to defend the Constitution against all enemies, foreign and domestic. That is what we still have got to do.

Mr. CONYERS. Mr. Speaker, I yield 2 1⁄2 minutes to the gentlewoman from Texas, Ms. JACKSON-LEE of Texas, a distinguished member of the Committee on the Judiciary.

Ms. JACKSON-LEE. Mr. Speaker, in recognition of the Federal judiciary, I know that as they take an oath of office that their commitment is to serve the American people and the United States of America with the dignity and respect of that office. It has not come to my attention there are terrorist leaders calling directly with a foreign terrorist. This is not about domestic to domestic, American to American.

But I do believe that it is crucial that the facts of this debate be established and
why there is such opposition to an initiative that deals with the security of America.

There is no divide, I have said this, I think, on any number of occasions, on the commitment of members of the Democratic Caucus on securing America. In fact, there are any number of experts who have engaged in the issues of security and intelligence for a very long period of time.

But, frankly, we are arguing against the basic tenet that this Congress has now given to the Bush administration, and the Bush administration has made no convincing case to Congress justifying the need to change the law and to satisfy Congress, nor has Congress been able to satisfy itself that any recommended changes would be constitutionally permissible.

Chairman Hoekstra said that Congress simply should not have to play 20 questions to get the information that it deserves under our Constitution. That is the chairman of the Intelligence Committee.

Frankly, I think it is important to note that the President, this administration, has not identified any technological barriers to the operation of FISA. I believe in modernizing it. However, most of the legislative proposals to amend FISA do not attempt to modernize the law, but rather erode the fourth amendment protection, since available technology allows the interception of more communications.

Let me tell you what happens in this legislation. First of all, there is an opportunity to drag in the innocent. This new bill could drag in journalists and foreign workers of high-tech companies. This bill, for example, radically lifts the universe of warrantless searches. It drastically amends existing definitions in a manner that will permit government to retain indefinitely information collected on Americans.

This is about protecting Americans with this broad brush. This is about not going back to McCarthyism. This is about making sure that we secure us within our borders, northern and southern and otherwise, but it is to say do not turn us into terrorizing ourselves.

The fourth amendment has not been abolished. This could have been amended in collaboration with our colleagues to protect civil liberties, the 4th Amendment, and to secure America. This is a rush to the election. I ask my colleagues to oppose this legislation.

Mr. SENSENIBRENNER. Mr. Speaker, I yield 4 minutes to the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. Mr. Speaker, I thank the chairman.

Mr. Speaker, in the very simplest of terms, the strategic goal of terrorists in this war is to be able to hide from justice long enough to be able to gain access to weapons of mass destruction with which they can radically alter the future of American freedom for generations to come. The strategic challenge that we face is in finding and defeating terrorists before they gain access to such weapons and proceed to achieve their horrifying goal.

It is obvious that the critical factor in all of this effort is intelligence, for if we knew where every terrorist in the world was at this moment, we could destroy nearly all of them in less than 60 days.

But, Mr. Speaker, we have been held back by bureaucracy. Every effort the President has made to gain such intelligence has been resisted.

We should consider the terrorists' own words if we doubt their commitment to strike this country in the most horrendous way possible. Osama bin Laden said many years ago, "It is our religious duty to gain nuclear weapons." Hezbollah's Nasrallah said of America, "Let the entire world hear me. Our hostility to the Great Satan is absolute. Regardless of how the world has changed after September 11, death to America will remain our reverberating and powerful slogan. Death to America."

Terrorists, Mr. Speaker, believe that they have a critical advantage over the free people of the world. They believe their will is far stronger than ours and that they need only to persevere to break our resolve.

Mr. Speaker, the message of liberals in this country has only encouraged terrorists in that belief. If we fail to use our best and critical intelligence mechanisms to fight and defeat terrorists in these critical days, our children and grandchildren will pay an unappraisable price, and history will condemn this generation for such profound irresponsibility in the face of such an obvious threat to human peace.

We need to pass this bill, Mr. Speaker.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 2½ minutes to the gentlewoman from California (Ms. WATERS), a member of the Judiciary Committee.

Ms. WATERS. Mr. Speaker, if there is one thing the American people know, they know that America has a Constitution that protects us from being spied on by our government. Everything about this bill makes a mockery of the Constitution of the United States of America. This administration has literally thrown the Constitution out the window.

In committee markup, the majority jammed a substitute amendment down our throats that basically undermines that part of the Foreign Intelligence Surveillance Act that requires that the administration get a warrant before eavesdropping on American citizens. Now the majority is jamming another Republican substitute or comprehensive amendment down the throats of the American people by considering this bill under what is known as a closed rule, which prohibits Democrats from offering any changes or amendments.

As we grapple with the war on terrorism, the constitutional power of the President has been stretched until it cannot be stretched anymore, from the use of force executed against Iraq, to the initiation of a warrantless surveillance program that targets innocent Americans.

In April, the U.S. Attorney General told any Judiciary Committee that even if that authorization to use military force resolution were determined not to provide the legal authority for the program that the President's inherent authority to authorize foreign intelligence surveillance does not permit him to authorize the terrorist surveillance program.

The imperial President can do whatever he wants. Mr. President, Mr. Attorney General, Mr. Chairman, why then do we need this legislation?

The President illegally and unconstitutionally authorized the wholesale collection of domestic communications, and now the majority wants to give him legislative permission. This is not fair or honest.

This bill broadens the scope of those the President can monitor, so innocent people can be violated so long as the surveillance is directed at so-called "one permissible target." It also removes one of the central requirements for conducting warrantless surveillance, one that provides the most protection to the American people. And, as FISA has said, there is no substantial likelihood that the surveillance will acquire the contents of any communication to which a United States person is a party.

They shouldn't be spying on us. If what the President is doing right now is so clearly authorized and is in the best interests of our Nation's security, why was this provision so troublesome? Is it clear that the fourth amendment rights of the American people are a burden to this administration? If a case is so extreme that it would take too long to obtain a warrant, then why shouldn't it be difficult to monitor?

Mr. SENSENIBRENNER. Mr. Speaker, I yield 3½ minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut asked and was given permission to revise and extend her remarks.)

Mr. Speaker, I rise today in strong support of this legislation that is so important to our Nation's security when a new type of warfare threatens our security. I appreciate the good work of my friend from New Mexico, my colleague Heather Wilson, to bring this bill to the floor, she and a number of her colleagues.

The bill will authorize the NSA's terrorist surveillance program, which is truly vital to our Nation's security. Remember back to 9/11? We in this House ran down the street away from this Capitol because we were scared, and all of America was scared. Nobody knew where the next strike was going...
to hit. Nobody knew how much others had planned.

That was September 11. On October 25, the leadership of the House and Senate, Democrats and Republicans, leadership and heads of the Intelligence Committee, met with the President and the Vice President to look at this program and agreed that it was necessary to our security, that we needed to be able to pick up the phone if there was a call from a terrorist number into America. We needed to know what was being said so we wouldn't wait.

Ever since that October 25 date, the leadership of both parties in the House and Senate have routinely overseen this program. At the end of every meeting they came to the conclusion that what we were learning to keep our Nation safe was worth the targeted program that intercepted calls to known terrorist numbers, to numbers in the United States of America.

Now, some have said here tonight we have an application process under FISA to address the need to intercept such calls. FISA is paperwork heavy. The critical factor is not the time available to go to the FISA court after the emergency application, but the determination for an authorization that must be definitively known before you can even start the emergency surveillance.

There are 11 separate items: the identity of the target, the description of the target, and so it goes, all down the list. I don’t have time to read all 11.

There is paperwork filled out first by the analysts at NSA, and then looked at by the lawyers at NSA, and then looked at by the lawyers in the Department of Justice. Not only lots of paperwork, but layers of lawyers.

So when my colleague from New Mexico said that we need rules of the road for this program that has been so crucial to our security, frankly, I am proud to support her.

Let me conclude with a quote from CIA Director Michael Hayden: “Had this program (the NSA surveillance) been in effect prior to 9/11, it is my professional judgment that we would have detected some of the al Qaeda operatives in the United States and we would have identified them as such. The NSA program allows faster movement than is possible under FISA.

It is the responsibility as leaders of this Nation to make that faster movement possible to defend our Nation, and to do it in harmony with protection of our civil rights, which rules of the road do.

Mr. CONYERS. Mr. Speaker. I am pleased now to yield 2 minutes to the distinguished minority whip, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentleman.

Mr. Speaker, every single Member of this body supports giving our Commander in Chief the tools necessary to track terrorists, to intercept their communications, and to disrupt their plots. Any suggestion otherwise, any suggestion that any Member of this body somehow seeks to coddle terrorists who want to attack our Nation and kill our people demeans our discourse and is beneath the dignity of this institution.

Make no mistake. Our highest duty is to protect the American people, secure our homeland, strengthen our national security, and defend the Constitution of the United States. This legislation, unfortunately, is deeply flawed and not bipartisan, and would turn the Foreign Intelligence Surveillance Act on its head. It fails to explicitly preserve FISA’s exclusivity. Thus, by implication, it allows the President to conduct surveillance of Americans pursuant to any inherent authority argument.

The bill makes sweeping changes to the definition of electronic surveillance, allowing the National Security Agency to listen without warrant to the content of any communication that is from the United States to overseas or vice versa. The bill allows for warrantless interception once after an armed attack or a terrorist attack or anticipation of an imminent attack; yet these terms are not defined or are loosely defined.

It is truly a shame, Mr. Speaker, but not surprising that the majority refused to allow the Members of this House to consider the reasonable bipartisan substitute offered by Congressmen SCHIFF, FLAKE, and INGLIS, two Republicans, two Democrats, and Congresswoman HARMAN.

The gentlewoman said that we ran out, running down the street. There is a time to stop running down the street and think and give us an opportunity to offer alternatives. What a shame that we have not done that. What a shame that we have a law that we still hark to politics rather than the policy.

For example, just listen to what William Sessions and William Webster—among others—stated recently:

Recall, Mr. Sessions is the former Director of the FBI during the administration of George H.W. Bush, and Mr. Webster is the former Director of the FBI during the Carter and Reagan Administrations and former Director of the CIA during the first Bush Administration.

The statement (and I quote) “Legal uncertainty is exactly what will result if Congress heeds the President’s call to enact legislation that replaces the obligation to use the procedures of the Foreign Intelligence Surveillance Act with broad language about relying upon the President’s constitutional authority.” Mr. CONYERS. Mr. Speaker, I yield myself 30 seconds, because it has been stated that we might have been able to prevent the September 11 attack. But a distinguished member of the 9/11 Commission specifically criticized General Hayden for suggesting that the NSA warrantless wiretapping program could have prevented the September 11 attack by stating that it is patently false

and an indication that he is willing to politicize intelligence and use false information to help the President.

The Administration’s claims that the NSA programs could have prevented the September 11 attacks do not comport with the facts. With respect to Nawaf Alhazmi and Khalid Almihdhar, the September 11th Commission found that the Government had already collected information on these individuals prior to the attacks. Writing, “[o]n May 15, 2001, a CIA official reexamined many of the old cables from early 2000, including the information that Mihdhar had a U.S. visa, and that Hazmi had come to Los Angeles on January 15, 2000. The CIA official said the cables took no action regarding them.”

Under FISA, the Administration could have used the information to request permission to intercept phone calls and e-mails without any disclosure of the classified information. It is also not at all clear that warrantless surveillance would have been useful in averting the 9/11 attacks, since the Administration was unable to locate where the two suspects were living in the United States and the FBI “had missed numerous opportunities to track them down in the 20 months before the attacks.” Senator Bob Kerrey, who was a member of the 9/11 Commission, specifically criticized General Hayden for suggesting that the NSA warrantless wiretapping program could have prevented the September 11 attacks by stating: “I think there is a need and an indication that he’s willing to politicize intelligence and use false information to help the President.

I turn now to the gentleman from Virginia (Mr. MORAN) who has studied this matter and I yield him 2 minutes.

Mr. MORAN of Virginia. I thank my good friend and soon-to-be Chair of the Judiciary Committee.

The Republican leadership should be ashamed of itself to be so readily willing to undermine every American citizen’s constitutional protection of privacy in order to give some political help to an endangered Republican Congresswoman from New Mexico.

This bill gives the executive branch unilateral powers to operate outside of the law. The FISA court has worked well for the past 30 years. Through the issuance of warrants, our intelligence agencies expedited access to listen in on private communications but while safeguarding our civil liberties.

The FISA court has refused only four requests for surveillance out of 10,000. Four requests refused out of 10,000. And the Attorney General already has the ability to collect information without a court order in emergency situations. But this bill will retroactively approve the President’s wiretapping program, one that our judicial branch has held is illegal. It even allows the Justice Department to coerce telephone companies to give up their records.

To date, the Administration has never articulated to Congress or the relevant committees why such expansive new authority is necessary. Congress and the American people deserve an answer as to why we should give the President unbridled authority to erode our constitutional rights.

Mr. Speaker, we believe that every communication to and from al Qaeda
Mr. CONYERS. Mr. Speaker, I yield to the gentleman from New York (Mr. HINCHEY) 2 minutes.

Mr. HINCHEY. Mr. Speaker, throughout the course of our history, the most respected and revered Americans have consistently warned us that the greatest threat facing our country was not external but internal. We could not be conquered from abroad, but we do have the capacity to erode what constitutes this country. By doing so, we would place ourselves in deep jeopardy; and that is what we see happening here today. We see the erosion of the basic principles of this country, the rule of law based upon our Constitution.

This bill that is before the House now is contrary to the fourth amendment of our Constitution. It provides for illegal surveillance. And when that Constitution was written, it was written based upon the experience of people who saw the effects of these kinds of dictatorial policies in other places around the world. And that is what we are now introducing to our own country.

We have so-called conservative Republicans who are refusing to conserve the basic principles and elements of the Constitution. And the most important part of that document, of course, is the first ten amendments, the Bill of Rights, and what we are seeing is the erosion of the fourth amendment.

This bill is contrary to every basic principle of our country. If we pass this legislation, we are opening up new opportunities for the administration to continue to erode the basic freedoms and liberties of the American people. On that basis alone, this bill should be rejected, and it should be rejected enthusiastically by the vast majority of the Members of this House. If we really understand what we are all about, vote this bill down.

Mr. CONYERS. Mr. Speaker, I now yield the balance of our time to the distinguished gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, if tonight the National Security Adviser walked in the Oval Office and said, “Mr. President, we believe there is an imminent attack about to occur in the United States, and we want to listen in on a phone call,” we think there should be no doubt that the President has the authority to say, “Yes, listen in on that phone call,” to protect the United States.

But at some point the emergency power ends, and the normal rules of law must obtain. Certainly that point comes sooner than 90 days after the request is made, which can be renewed and renewed and renewed without a decision of an independent Federal judge. What this bill says is that within 72 hours of that emergency our President must go before independent Federal judges in a private, secret proceeding and justify the decision to listen to the calls of Americans or read their e-mail. It has been almost 28 years since the Supreme Court of the United States has had to address the issue of whether the government could conduct searches of the telephone calls of Americans anywhere in the country.

Mr. Speaker, there shouldn’t be a controversy about the fact that there are threats to our national security today and that they continue to be more diverse and more complex than ever before.

The Intelligence Committee has worked throughout this Congress to identify and better understand these threats and what steps are necessary to provide the best possible capabilities to our intelligence community, the men and women of our intelligence community, to keep America safe.

The committee recently issued a detailed report on the threats posed by al Qaeda, a hostile regime in Iran. I encourage all Members of Congress to read them. But you don’t need to read the reports to understand the scope, the urgency, and the viciousness of the threats that we face today. The threats are relentless. They are omnipresent.

Last year, in the last 2 months alone, a treasonous American appeared in a video prepared by al Qaeda terrorists who have sworn to destroy America and said, “Either repent of your misguided ways and enter into the light of truth, or keep your poison to yourself and suffer the consequences in this world and the next.” Jihadists called for the Pope to be “hunted down and killed,” merely for reading from a medieval text.

A 69-year-old Italian nun was ruthlessly shot four times in the back and killed while trying to train nurses in Somalia.

Our British allies discovered a horrific and brutal plot, close to fruition, to blow up multiple passenger airliners flying between the United States and the United Kingdom. That likely would have been a more devastating terrorist attack than 9/11. The British Home Secretary has said that they are following at least 20 additional plots.

Press reports have indicated the possibility that the Stalinist regime in North Korea is accelerating its plans to test nuclear weapons, and the rogue president of Iran has reiterated his rights to nuclear technology.

If anyone in the House believes that these threats are not real or they are not serious, I would welcome any information and discussion to the contrary.

But even if a small portion of these threats have the possibility of coming to fruition, it should not be a serious matter of debate that our country needs to rapidly and effectively bring every intelligence tool to bear to find our enemies, detect and understand their intentions, and thwart their hostile and terrorist actions against our country and our people.
September 28, 2006

CONGRESSIONAL RECORD—HOUSE

H7865

The opponents of this bill say it is “not necessary.” I suppose the bill is “not necessary” if you do not believe that the threats we face are very real, and very serious. But I believe in the face of such intense and relentless threats this House would be delinquent in its duty not to pass this bill that gives us the necessary intelligence tools to defend ourselves.

This bill is intended to modernize one of our primary weapons against terrorists and hostile foreign powers, the Foreign Intelligence Surveillance Act. FISA was passed in 1978. There are some who say it has been updated since, the law has become dangerously obsolete and hopeless as a tool against terrorism. We cannot fight a 21st-century intelligence war against sophisticated terrorist and state enemies with laws designed around the 1970s, around the former Soviet Union and around the bureaucracy associated with the former Soviet Union.

This bill would update the law to allow more flexible and agile intelligence collection against modern communication technologies and streamline the process. We must focus our resources on finding and detecting terrorists, not on handling out repetitive, inch-thick paperwork to justify what should be an obviously appropriate need to listen to two foreign terrorists communicating in a foreign country.

The outdated law doesn’t serve our intelligence interests. It serves only lawyers and bureaucracy.

This bill will focus the resources of the FISA process where they belong: on effective intelligence collection and protecting civil liberties where Americans have a reasonable expectation of privacy.

There is no ambiguity. This law continues to protect the average American going about their daily business, but does not needlessly surrender our resources against specifically identified terrorist organizations and spies. This bill would also provide clear authority for our Nation to act in times of armed attack, terrorist attack or imminent threat. It will also substantially increase congressional oversight not only of FISA but of all intelligence activities to address important concerns about the separation of powers that have been expressed in this Congress.

I agree, close support on this matter by Chairman SENSENBRINNER and the Committee on the Judiciary, I would also like to recognize the hard work and the leadership of the distinguished Chair of the Intelligence Subcommittee on Technical and Tactical Intelligence, Mr. HOEKSTRA, who took on the assignment to address the difficult and complicated issues in this bill. This has not been an easy task. She has worked diligently to address a number of complex, substantive issues and a range of interests within the House.

Mr. Speaker, I believe that this bill is not only necessary but vital to protect our Nation and the American people. The Nation demands that the Congress pass laws to protect our national security. This is what this bill does. I urge all Members to support it.

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

Ms. HARMAN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, 5 years after 9/11, much remains to do. We still must learn the whereabouts of Osama bin Laden and his network or foment or kill them, achieve intelligence dominance in Iraq so we can protect our forces, penetrate global terror cells to prevent them from attacking us, plug gaps in our homeland security and prevent nuclear material from being acquired by hostile forces bent on using it against America and our allies.

But instead of working on these critical problems, tonight this House is voting to fix something that is not broken, the Foreign Intelligence Surveillance Act. And 5 years ago we did this although we know that the other body will not take up this legislation before the recess.

Mr. Speaker, I worked in the White House when FISA was passed. I understand how important history and the abuses it corrected.

FISA has been modernized 51 times since then. It is now a modern, flexible statute which includes 12 amendments since 9/11 made at the administration’s request. It is a vital tool for the FBI, the CIA and the NSA in their investigations of terrorism and espionage.

All of us support strong tools to intercept the communications of terrorists, track their whereabouts and disrupt their plots. All of us. But there is no evidence that FISA must be totally rewritten in favor of a new regime promoting broad, warrantless surveillance of Americans. None. Yet the White House/Wilson bill does just that. In May and again in June this bipartisan group of former government officials issued a statement opposing the Wilson approach. They wrote: “This legislation would return a complex subject to the murky waters from which FISA emerged by making ... the FISA court, or applying FISA in any way, optional rather than mandatory ... FISA provides ... clarity and should not be abandoned or amended in ways that render it irrelevant.”

Judge Webster, who served as FBI director under Presidents Reagan and Bush, and Judge William Webster, who also served Presidents Reagan and Bush as Director of the FBI and CIA, signed that letter, and they are right.

The White House/Wilson bill muddles the water in two major ways. First, the bill rewrites the definition of electronic surveillance so it applies only when the government intentionally targets a person inside the U.S.

This means an American citizen in Los Angeles talks to her sister in Mexico, NSA can listen to their phone calls simply by claiming the target is the sister in Mexico. Nearly all international calls and e-mails of Americans can be intercepted under this bill without a warrant using this new definition of electronic surveillance.

Mr. Speaker, the next loophole is even larger. The White House/Wilson bill authorizes the President to conduct warrantless eavesdropping on the communications of American citizens after an armed attack or a terrorist attack or an anticipation of an imminent threat. This includes phone calls and e-mails. But these terms are not defined. Talk about murky waters.

Imminent threat includes acts that are likely to cause substantial economic damage. Is the threat of a trade war an imminent threat?

To allow 60- to 90-day renewable periods for the President to engage in warrantless surveillance is to gut the careful bipartisan protections in FISA and grant the President unchecked power.

As the Supreme Court has said: “A state of war is not a blank check for the President.” Not for this President, or any future President.

Mr. Speaker, we can do better, and we should have the ability to do better. The bipartisan substitute which I strongly support is better and would extend from 3 to 7 days the amount of time the NSA has to obtain a warrant in an emergency after surveillance begins. It makes clear that foreign-to-foreign communications do not require a warrant, even if they are intercepted in the United States, increases the number of FISA judges, and put more resources into expediting the warrant application process, and reaffirm that FISA is the exclusive way to conduct electronic surveillance on Americans.

It includes key provisions of the LISTEN Act, which Mr. CONyers and I proposed. May and Hopson has the support of all nine minority members of the Intelligence Committee.

Mr. Speaker, protecting America from terrorism is our constitutional duty. We all know that it is an election season and a debate on surveillance brings political benefits to some. But that is a terrible reason to legislate. I, for one, do not want to suspend our 217-year-old Constitution tonight for political reasons or no reason at all. Vote “no.”

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

Mr. H. HOEKSTRA. Mr. Speaker, I would like to at this time yield 4 minutes to the gentleman from New Mexico, HEATHER WILSON, the chair of the subcommittee, the author of this House legislation.

Mrs. WILSON of New Mexico. Mr. Speaker, I would like to start out this evening by correcting a few misstatements.

First, the letter that has been referred to a couple of times here by Mr. SESSIONS and Mr. Webster refers to a bill introduced by Senator SPECTER in
the Senate which is quite different than the legislation that we are considering here in the House tonight.

Secondly, my colleagues should know that the White House does not approve of this legislation. In fact, they had not even seen the legislation before I introduced it in the House, and my colleagues on both sides of the aisle had that legislation before the administration ever did. This is a House bill and a House product.

I want to thank the chairman of the Intelligence Committee and Chairman Sensenbrenner of the Judiciary Committee, and my colleagues Dan Lungren and Nancy Johnson for their work and help in crafting this legislation that we are here to consider tonight. I think it is important for all of my colleagues to understand why it is important to move forward with this legislation.

All of us in America remember where we were on the morning of September 11. Most of us remember where we were when the Canadian Mounties arrested 17 people who had amassed the material for two Oklahoma City-size bombs across the river from Detroit. And, even more, I remember where we were when 16 people were arrested in London who intended within days to walk onto American airplanes aircraft leaving Heathrow and blow them up over the Atlantic. We don’t remember because it happened. It didn’t happen because of exceptional intelligence. This bill strengthens oversight of all intelligence activities and reestablishes that the Congress is a separate coequal branch of government with responsibilities to oversee our intelligence agencies.

It modernizes and simplifies the Foreign Intelligence Surveillance Act that is well overdue. It takes into account 21st-century communications and 21st-century threats that are using those communications against us.

And it sets clear rules for how we should act in the wake of a terrorist attack. There is no broad surveillance authorized by this program; but if a known terrorist calls America, we are going to say you should listen now. Listen now, not after the FBI develops a portfolio, not after legion of lawyers come up with petitions, not after you wake up. The AG or deputy AG in the middle of the night. Not after we have gotten a warrant. It’s not like that. It’s not like that. Listen now. Protect us now because it is reasonable to protect us now.

Some people have said there is a 72-hour emergency provision in FISA, and there is. There is a 72-hour emergency provision but it requires that the AG have all of the information that would go into a FISA application, and we don’t often have that in this war on terrorism.

If we have a number on a cell phone from an al Qaeda agent picked up in Pakistan, we want to be up on that number if the number is in the United States. We don’t want to wait for the paperwork to get to the Justice Department. We want the terrorists hiding in their caves wondering if they can use a cell phone rather than Americans using their cell phones to call home one last time.

This is where I would urge my colleagues to support this legislation in front of us this evening.

Ms. HARMAN. Mr. Speaker, we are all for listening now under the law. It is now my pleasure to yield 2 minutes to the gentleman from Texas (Mr. Reyes), a member of the Subcommittee on Oversight.

Mr. REYES. Mr. Speaker, I rise in opposition to the White House/Wilson bill. I want to detect and intercept terrorists before they reach the United States. We were when the Canadian Mounties arrested those things, and I continue to be amazed that the White House, with a straight face, thinks that it did. I am not afraid to stand up for our Constitution. I am not afraid to take a stand and provide the tools to the President either. But this is not the right vehicle. It should be a bipartisan effort.

The White House/Wilson bill is a terrible affront to our constitutional system, and I urge a “no” vote.

Mr. HOEKSTRA. Mr. Speaker, I yield 3 minutes to my colleague, Mr. DENT.

Mr. DENT. Mr. Speaker, I rise today to speak in support of H.R. 5825, the Electronic Surveillance Modernization Act, for four reasons:

First, the act applies only to foreign agents operating in this country. It cannot be used to spy on ordinary Americans. It cannot be run-off-the-mill criminal prosecutions. It allows only short-term, let me repeat, short-term warrantless surveillance.

Second, the act makes it easier to conduct surveillance on those foreign agents. Up to now, their communications within this country could not be monitored without FISA approval if it was likely that U.S. citizens were involved in those communications.

Third, and most importantly, the Act makes it easier for us to respond to attacks or to the threat of attack. Under current law, warrantless surveillance of foreign agents is permitted only after the U.S. has declared war. Waiting to monitor the activities of foreign terrorists until a formal declaration of war has been declared may be too late.

Under H.R. 5825, we can begin such surveillance after an armed or terrorist attack has occurred or, even more significantly, when there is an imminent threat that is likely to cause death or widespread harm.

Finally, the Act gives intelligence authorities the flexibility needed to respond to emerging situations. Under current law, intelligence authorities may conduct surveillance in an emergency for up to 3 days before that agency must go to a FISA court for a warrant. Under H.R. 5825, that period is extended to 7 days, giving authorities more time to respond to an emergency and to gain valuable information that might save people’s lives.

For all these reasons, I urge strong support for the Electronic Surveillance Modernization Act.

And, finally, I would like to say maybe, maybe, had this technology been employed before 9/11, maybe those two terrorists out in San Diego who were on the phones to Yemen into a military, then in the Border Patrol, and now in Congress, I am not willing to give the President the ability to trample our Constitution in that process.

I have devoted my entire career to defending our Constitution, first, in the military, then in the Border Patrol, and now in Congress. I am not willing to give the President unnecessary unchecked authorities just because it makes good election-year politics.

□ 2100

As a member of both the Intelligence Committee and the Armed Services Committee, I would like to address the failure of this bill to deal with a very specific problem: the President’s assertions that the authorization for use of military force gave him the authority to conduct warrantless surveillance of innocent Americans.

I offered an amendment in committee that would have inserted additional language into the White House-Wilson bill to make clear that Congress did not, did not, Mr. Speaker, in passing that authorization, empower the President to engage in warrantless surveillance. Like every amendment offered in the Intelligence Committee, it was voted down in a party line vote. Anything that doesn’t square with the President’s wish list was unacceptable to the sponsor of this bill. That is disappointing, and that is not bipartisan.

I take very seriously our obligation to provide the President with the tools that he needs to provide for national security, but I also reject the notion that the authorization for use of military force allows the President to ignore the fourth amendment and conduct warrantless surveillance on American citizens.

To this day, even the Intelligence Committee cannot be sure whether there were other secret programs that the President believes Congress has implicitly authorized. But we can at least make sure that this position, our position, is clear, that he must respect this one.

I still don’t think that the authorization for use of military force authorized those things, and I continue to be amazed that the White House, with a straight face, thinks that it did. I am
Ms. ESHOO. Mr. Speaker, I thank our distinguished ranking member for yielding.

I wish we were debating final passage on a much better bill. Sadly, this bill gives the administration what it wants, that is, a check to conduct domestic surveillance without a warrant.

Mrs. Wilson said earlier that this is not a White House bill. Well, if it is not a White House bill, it is a White House dream, because it is a blank check to the President.

Instead of addressing specific problems in the law with tailored solutions, this bill eviscerates the Foreign Intelligence Surveillance Act. Now, that Act is only almost 30 years old. It is not an antique. It hasn't collected dust. It has been revised. It has been amended. It has been brought up to date. But that is not good enough. This bill eviscerates it.

One of the arguments advanced during the debate was that FISA needs to be technology neutral. I agree. We agreed. We went out to NSA. They told us that. We agreed. We offered a tailored solution. Rejected. The whole bill has to be scrapped in order to make changes.

That is not a prudent course. This bill heads us down a dangerous path. The radical changes this bill makes to FISA definitions and standards represent a wholesale rewrite of the law. They nullify FISA by exempting large categories of communications from the warrant requirement, and it rubber-stamps all forms of data mining.

The American people want us to protect them, but they don't want us to throw the Constitution overboard. May I remind everyone, with the obligation that we have to the American people when we come here, the oath we take when we come here, the fourth amendment. Members of the House should reject it.

Mr. HOEKSTRA. Mr. Speaker, I would like to yield 2 minutes to one of the newer members of the committee, Mr. Issa from California.

Mr. ISSA. Mr. Speaker, as the chairman said, I am one of the newer members to the Select Intelligence Committee. But I am not any longer one of the newer Members to Congress, because this was here on September 11. I saw as we evacuated the Capitol. I saw as we took to the skies. I saw as we brought the Pentagon burned. I saw as America rallied, asking us to make sure this didn't happen again.

Today, we are considering some commonsense, limited reforms that are necessary. They are necessary because on both sides of the aisle, we want to make sure that we codify in law what will be done, that we minimize executive order but maximize the ability of the executive branch to meet its obligations.

H.R. 5262, if it weren't the eve of election, would clearly be just another commonsense reform done on a bipartisan basis. But we are in the midst of an election.

I have been on the Judiciary Committee since I came as a freshman 6 years ago. I am very concerned about civil rights, about protecting Americans' civil rights. And I could just take a minute to get beyond the partisanship for a moment. I am also an Arab American. I am exactly the group that is likely to have to think about is my call to Yemen or to Lebanon or to Jordan or any of the other expanded places that I have family and friends. Is that going to be potentially monitored? I have thought about that. I have soul searched it for myself and for many millions of people like myself in the United States who are Americans born and raised but, in fact, have friends and family abroad.

I am comfortable with this bill. I am comfortable with the parts that are unclassified, and I am comfortable with what I have learned on a classified basis. That doesn't come easy, but I have had the effort to do so. I am supporting this bill because it is the right thing to do to make all Americans safe, and it is the right thing to do to make sure that we never again have to apologize to the American people for September 11.

Ms. HARMAN. Mr. Speaker, it is now my pleasure to yield 2 minutes to Representative HoLIT of New Jersey, ranking member on our Subcommittee on Oversight.

Mr. HOLT. Mr. Speaker, I thank the gentlewoman from California for yielding.

Mr. Speaker, this is not a debate about whether we should bewire-tapping al Qaeda. This is a debate about whether intelligence agencies should be guided so that their efforts are most effective in protecting Americans from terrorism.

The President has been sending intelligence agencies on fishing expeditions. Now, of course, when al Qaeda calls, we should be listening. And under FISA we can and we do. But the President wants to turn a vacuum cleaner on the communications of innocent Americans, with no checks and balances, trampling the rights of many in the search for a few. We need to bring some discipline to our electronic surveillance with checks and balances, checks so that we don't make dreadful mistakes.

Our cause is right. Our cause is noble. Our cause is just. When we were sure, absolutely certain, that we knew who the enemies were: Martin Luther King, Jr.; Paul Robeson; Brandon Mayfield, an innocent lawyer in Portland; and on and on. The White House-Wilson bill, in the name of modernization, is sending the President's vacuum cleaner.

The President under FISA has the power he needs within the legislative framework that will focus his power on terrorists, not on innocent Americans. Oversight is strongest when all three branches of government work together, and we are weak when the President tries to act alone and in secret. This President has been acting alone and in secret, and that is why the fight against terrorists has been going so badly.

This President, any President, needs the supervision of Congress and the confidence of the American people.

Mr. HOEKSTRA. Mr. Speaker, I yield 3 minutes to a gentleman from the committee, Mr. TIAHRT.

Mr. TIAHRT. Mr. Speaker, I thank the gentleman from Michigan for yielding.

Mr. Speaker, Americans live under the U.S. Constitution. As Members of Congress, we swear an oath to uphold the United States Constitution. It means something to be an American because we believe in our country, we believe in our people, and we believe in our constitution.

In the New Testament, Paul, the Apostle, once was taken captive and held for the crime of spreading the Gospel. Jesus Christ was scourged by saying, "I am a citizen of Rome." And, as a citizen of Rome, he was granted certain privileges because it meant something to be a Roman citizen.

Well, today, we are in the struggle brought on to us by the terrorists of Iraq. It is a war that we did not choose. It was a war that was declared against us as Americans, against our people, against our Constitution.

Today, we are now deciding how do we treat those who are choosing to go to war on behalf of the U.S. citizens who are choosing to take us to task for what we believe and who we are. In this conflict, we have to decide how we are going to try to find these terrorists.

If in a conflict a certain laptop is captured in the fleing from a conflict, when a member of the al Qaeda leaves and on that laptop we happen to find some information, including phone numbers, should we check those phone numbers to see if they are calling from Pakistan or Afghanistan or Iraq or elsewhere on the globe into the United States? Should we check to see if there is a terrorist plot being formulated against the citizens of the United States? Should we give them the same rights as we have as American citizens?

Well, we have gone over and above the way we treat our prisoners. How do the members of al Qaeda treat us as prisoners? How do they treat our soldiers? They have no cause, when they capture one of our troops, they are executed. They are either beheaded or they get shot in the back of the head.

In our attempts to keep this country safe, we need to remember who it is that we are dealing with. And when they do call in, what type of process should we go through to keep this country safe? It is my belief that this legislation has the checks and balances that protects the Constitution. It has the checks and balances that we all hold dear for the citizens of this country, and yet it gives us the tools necessary to keep this country safe, the same
tools we use to capture people who push drugs on our kids, the same tools we use to keep child pornographers from taking advantage of our children.

The same tools we need to use to keep this country safe by bringing terrorists to justice, because I guarantee you, if they have the opportunity and the means, they will take American lives.

So we must use this tool, as laid out in this legislation, to make sure that we can keep this country safe, to make sure that we can, yes, uphold the Constitution, but use all tools necessary to make sure that we bring these criminals, these terrorists, these people who want to harm us to justice.

Ms. HARMAN. Mr. Speaker, how much time remains?

The SPEAKER pro tempore (Mr. Bass). The gentlewoman from California has 4½ minutes, and the gentleman from Michigan has 4½ minutes.

Ms. HARMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. TIERNEY).

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

Mr. TIERNEY. Mr. Speaker, I thank the gentlewoman from California, and I associate myself with the remarks that she made at the beginning of this proceeding here this evening.

Mr. Speaker, the President's warrantless wiretapping program should have been conducted under the Foreign Intelligence Surveillance Act provisions. The threat of terrorism demands careful response.

The government has to have strong powers, including the authority to carry out various forms of electronic surveillance. FISA, as was amended over 20 times, updated, provides those powers. People want to be protected, but they do not want their legislators in an election year to just start handing away their constitutional rights and privileges.

I agree with the assessment of one of the witnesses before our committee: such a complex and proven statute as FISA should be amended only with great caution and only on the basis of a public showing of need.

This administration's concerns about FISA were narrow and they were few and do not warrant their legislators in an election year to just start handing away their constitutional rights and privileges.

I agree with the assessment of one of our witnesses with a Policy and Technology background: Such a complex and proven statute as FISA should be amended only with great caution and only on the basis of a public showing of need.

After all this time since the 12/05 disclosure of the program the Administration has made public only limited, quite narrow arguments that FISA is in need of further amendment:

(1) The Attorney General's explanation of problems involving the timely invocation of FISA emergency exception. In other words, in some cases the process was making it difficult to get a warrant application processed within the 72 hours allowed by the statute after interception commenced.

Those problems, evidence shows, are due in part to the paperwork burden created by the Executive Branch and perpetuated by this Administration.

That problem it is largely self-inflicted and is not due to any delay by the Foreign Intelligence Surveillance Court.

(2) A concern was put forth that a court order is necessary for the interception of foreign-to-foreign communications of non-U.S. persons that happen to pass through the U.S., where they can be more readily accessed by U.S. government agencies.

In other words, some in the agency were interpreting the law to require a warrant even if U.S. persons were not involved but the communication passed through the U.S. Many experts believe that to be the wrong interpretation.

The remedy—presumably a narrow clarification could be crafted. Clearly, any updating of FISA can be done in a way that is Constitutional and responsive to the Executive branch's needs.

Measures before this body purporting to simply give the Executive carte blanche to intercept communications of U.S. citizens without making adequate attention to preserving the liberties and civil rights imbedded in our Constitution are unnecessarily broad and harmful to the interests of Americans.

In ensuring that the government has all the powers it needs, we do not want our legislators do away with legislative oversight and judicial review. Congress must be fully informed of all surveillance activity and carefully oversee it.

Any repeal of FISA's exclusivity provision is wrong, Mr. Speaker. It would turn back the clock 30 years. There is a reason FISA was passed into law, and those reasons exist today.

It is clear, after having listened at classified and open hearings, that the President's program of warrantless wire tapping should have proceeded to intercept communications only under the Foreign Intelligence Surveillance Act's, FISA's, Threat of Terrorism demands a careful response.

The Government must have strong powers, including the authority to carry out various forms of electronic surveillance. Still, to protect Constitutional rights and to ensure effective application of those powers, government surveillance must be focused. That focus can best be achieved through a system of checks and balances implemented through executive, legislative and judicial review.

I agree with the assessment of one of our witnesses with a Policy and Technology background: Such a complex and proven statute as FISA should be amended only with great caution and only on the basis of a public showing of need.

H7868
CONGRESSIONAL RECORD—HOUSE
September 28, 2006

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON. Mr. Speaker, I appreciate the gentleman yielding to me. It is quite stunning that my colleagues on the other side of the aisle describe this as a broad, sweeping authority, and that under the NSA program, somehow the President can go on fishing expeditions.

The NSA program applies only to international calls and only when the NSA believes it involves the telephone number of a known al Qaeda operative. So if it is someone from Hezbollah or some other group, you cannot do it. It has to be al Qaeda.

Well, I will tell you, if a call is going from a known terrorist al Qaeda operative in Iraq or Afghanistan or Pakistan to America, I want to know. I want to know what they are saying. If there is anything London taught us, it is that we need to know. And we need to know if it is someone from Hezbollah or some other group before we can do anything about it. It has to be al Qaeda.

The second thing is, the persistent, repeated claim on the other side of the
aisle that somehow a FISA court application is a snap of the fingers. Brian Cunningham, former CIA official and Clinton-appointed Federal prosecutor: NSA cannot lawfully under FISA listen to a single syllable until it can prove to the Attorney General, used in writing, that it can jump through each and every one of FISA’s procedural and substantive hoops.

And those procedural and substantive hoops mean that the operative at the National Security Agency has to decide that there is an issue, has to put it in writing. The lawyers of NSA have to agree. They have to provide paperwork that goes to the lawyers of the Department of Justice. And mean, there are lots of steps to this process. And to imagine that this can be done rapidly, it often takes weeks from what I have heard in briefings. It can take longer than that. To believe that this can be done in 72 hours and that we try to close our eyes to the reality of the terrible danger that terrorism possess to people in America and throughout the world.

Ms. HARMAN. Mr. Speaker, I yield myself the remainder of our time to the minority leader.

Mr. Speaker, I am glad that Mrs. JOHNSON brought up this question of procedural and substantive hoops. This is a claim that she has made before. And I just want to point out to my friend that those procedural and substantive hoops, relating to emergency FISA procedures, are imposed by the Justice Department and the NSA, not by the law.

No one here wants there to be procedural and substantive hoops involved in getting emergency warrants. All of us want to listen if there is an emergency and get the warrant later.

Mr. Speaker, I yield the balance of our time to the gentlewoman from California (Ms. PELOSI), my predecessor as ranking member on the Intelligence Committee and the leader of the minority.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding. I thank him for her leadership and her clarity on this very important issue. And clarity indeed is needed here.

Mr. Speaker, each of us wants the President to have all of the intelligence necessary to protect our country and to protect the American people. We spend billions of dollars every year to make sure that the most available intelligence possible is available in a timely fashion to the President and our military commanders.

We know that intelligence collection can involve highly intrusive methods. That is the reality of intelligence gathering. But when those methods are employed against people within the United States, it is imperative that they comply with the Constitution and they be subjected to regular and thorough congressional and judicial oversight.

For 28 years, the statutory basis for electronic surveillance for intelligence purposes has been FISA, the Foreign Intelligence Surveillance Act. The reason FISA exists was because in 1975 the Church Committee found numerous instances of warrantless electronic surveillance and physical searches of United States citizens who were not spies, but who advocated unpopular political views.

FISA was a compromise designed to prevent overreaches unrelated to our national security while clarifying when and how FISA could be used for domestic security purposes. The FISA process has worked well for nearly three decades, and that success is in part due to the fact that we have been able to modify it as the needs and technologies change. In fact, FISA has been modified 51 times since 1978.

FISA can be changed. It can be updated. It can be broadened or amended, but it should not be circumvented. And that is what this bill does tonight. It tries to circumvent FISA law and our Constitution.

Last December, President Bush confirmed press reports that he had permitted warrantless surveillance to occur since 9/11, and that he had both inherent and statutory authority to do so. FISA is and must remain the exclusive means for authorizing warrantless surveillance of people in the United States for intelligence purposes.

This exclusivity provision is what allows for judicial and congressional oversight and protects all of us from abuse. Unfortunately, the bill now under consideration eliminates that protection. Instead, it accepts the President’s argument that there are circumstances in which he needs to be able to order surveillance without using the FISA process and then provides him with the authority to do so.

If this bill passes, rather than being the exclusive means for authorizing warrantless surveillance, FISA would be just one option. The result would be less oversight and fewer checks and balances and more executive power.

I heard our colleagues on the other side say things as ridiculous as this, and they know better. In fact they know what they are saying could not possibly be true. They are saying that if we pick up the phone and we hear a terrorist on the line, Democrats want us to hang up.

You have to really be very kind not to attribute some very sinister motivation to say such a thing. Of course, that is not the case. And that is what is so important about the FISA, because it does allow our collectors to listen in on those conversations while they get a FISA, while they can bring them under the law through FISA.

That is the beauty of the motion to recommit that Mr. SCHIFF, Mr. FLAKE, Ms. HARMAN, and others will be putting forth later this evening. It simply says that the vote to go into Afghanistan did not give the President the authority to avoid the law, and undermines the Constitution.

It says that FISA can be updated. It provides funds, more funding for the implementation of FISA. It extends the number of days under which collection may be done without a FISA warrant. It, in fact, modernizes FISA in a way that is appropriate, but maintains the exclusivity which is central to the President operating under the law.

The combination of the military commission bill passed yesterday and this bill would be an unprecedented expansion of executive authority into some of the most fundamental liberties enshrined in our Constitution: the right to privacy and the right to due process of law.

These are not merely academic, legal, or technical matters. These are rights. These rights are at the heart of what makes us unique as a Nation, and I believe they will be diminished by the passage of these bills.

The President claims that inherent authority to conduct warrantless electronic surveillance. Rather than enshrine in law powers the President claims he already holds, we should await the conclusion of judicial review of the President’s domestic surveillance program.

At that point, we can determine if additional adjustments to FISA are necessary. We do not need to pass this diminishment of privacy in our country tonight.

Of course, that would require something that the administration has thus far been unwilling to allow, congressional hearings on the domestic surveillance program.

Congress needs answers to questions that remain unresolved to the unsatisfactory and sterile briefings provided thus far by the administration. Until that happens, we should be reaffirming the exclusivity of FISA and our commitment to providing whatever additional resources and procedural enhancements might be necessary to facilitate its operation.

That is exactly what the bipartisan Schiff, Flake, HARMAN, INGLIS amendment would do. The Republican leadership should have ensured that the House had a chance to consider the amendment today. That would have been the fair thing to do. Instead, we have had to force the issue through a motion to recommit. That motion is the only, only initiative that stands between us and a vote on a bad bill.

I urge the adoption of that motion in the spirit of protecting the American people, of expanding the time allowed to collect without a FISA warrant, and to do so with exclusivity and under the law to honor our oath of office that we take to uphold the Constitution.

Anyone who says that we want to hang up on Osama bin Laden demeans the values, cannot possibly be serious and owes the American people better.

Mr. HOEKSTRA. Mr. Speaker, I yield myself the balance of the time.
Mr. Speaker, we are a Nation at war. All we need to do is take a look at what the leaders of radical Islam are saying. Bin Laden has said that if by the grace of God he would be able to have access to nuclear weapons, he would use them.

All you need to do is take a look at what radical Islam is doing. Just five short weeks ago, they once again had a plan to attack America in a horrific way, multiple planes crashing into the Atlantic Ocean at the same time.

The war on terrorism. The attack that had its home in the U.K. is directed out of Pakistan. It is targeted at America. There are operatives throughout the Middle East, north Africa, Europe, the Netherlands, Canada, Australia. It is a global and dangerous enemy. It is a decentralized, entrepreneurial organization that is very, very dangerous.

We are on the offense. We are taking the fight to the radical Islamists wherever they may be.

This bill is about making sure that the men and women in our intelligence community have the tools to fight this kind of an enemy. It is time to update FISA. It is time to give the men and women in the intelligence community the tools to fulfill the job that we have asked them to do, which is to protect America, to keep us safe.

Vote for this bill. Vote for a modernization.

Mr. MACK. Mr. Speaker, I rise today to express my thoughts and concerns regarding the Electronic Surveillance Modernization Act (H.R. 5825). As a strong conservative, I believe in national security, independent courts that follow the law, strong legislative oversight, and individual responsibility.

While this legislation is an important and effective tool for combating and winning the war on terrorism, I believe it is the duty of this body to err on the side of freedom and the constitutional protections the American people cherish and deserve.

The history of government with unchecked power is a history of tyrannical governments. Unchecked power caused civilized people to write the Magna Carta, the Declaration of Independence, the United States Constitution, and the Bill of Rights. At its crux, the Constitution ensures the separation of powers and confirms the Founding Fathers’ belief that power corrupts, and absolute power corrupts absolutely.

Five years ago, this Nation suffered the deadliest terrorist attack in our Nation's history. This attack was an act of war and Congress came together to provide law enforcement and intelligence officials with sweeping powers to increase intelligence-gathering abilities and information sharing in the name of fighting terrorism. This was a wise and prudent move. However, due to the legitimate concerns raised about the powers we put into the hands of government and the need to be mindful of the liberty we are sworn to uphold, Congress remained vigilant in maintaining appropriate checks and balances.

Under this Electronic Surveillance Modernization Act, the Terroist Surveillance Program (TSP) will continue to exist alongside the wiretapping regime established by this Act. You will have two programs—one on the books and the other not. While I strongly support the War on Terror and our president, this legislation would allow any American president to turn to the TSP if this Act unduly constrains their efforts. This is not checks and balances, but rather, an end-run around the basic principles of the rule of law.

This legislation gives any president virtually unlimited power to intercept the communications of every American on his word alone. For example, the bill eliminates FISA’s warrant requirement for electronic surveillance whenever the president certifies that the United States has been the subject of a terrorist attack and identifies the terrorist organizations or their affiliates believed to be responsible. But, as we all know, for the indefinite future, the United States will be targeted by terrorists and the enemies of freedom. Further, the bill allows for the surveillance and physical searches of any American homes or businesses for 90 days if there is an “armed attack” to the United States territory.

Some have characterized the TSP as an irresponsible relaxation of due process. While I support intercepting terrorists’ communications, Congress must ensure that checks and balances are included and proofed protective oversight is maintained. But this legislation will prevent Congress from exercising that critical oversight.

History tells us that in times of war or conflict, government is all too willing to ask its citizens to sacrifice liberty in the name of security. America witnessed its during World War II with the immoral internment of Japanese Americans. But our children and grandchildren deserve a future that cherishes both their security and their liberty, not one at the expense of the other. It is our duty to protect that balance and I can only hope that when this legislation emerges from conference and is enacted into law that we will have fulfilled that responsibility.

President Reagan once said, “Freedom is a fragile thing and is never more than one generation away from extinction. It is not ours by inheritance; it must be fought for and defended constantly by each generation.” . . .

Mr. ETHERIDGE. Mr. Speaker, as a member of the Committee on Homeland Security, I rise in opposition to H.R. 5825, the Electronic Surveillance Modernization Act. I strongly support aggressive action to protect America from the threat of terrorism. We must do whatever it takes to defeat our terrorist enemies and defend our core principles. But this bill is unnecessary and goes too far and empowers unaccountable bureaucrats to violate the rights of law-abiding Americans.


FISA is a modern, flexible statute that is a vital tool for the FBI, CIA and the NSA in their investigations of terrorism and espionage. This law provides intelligence and law enforcement officials with the authority to intercept communications of those who would do us harm while protecting the privacy and civil liberties of U.S. persons as guaranteed by the Constitution.

H.R. 5825 is an ill-conceived, election-year plot that would expand executive wiretap authority to unprecedented levels and expose the daily, innocent communications of American citizens to review by faceless bureaucrats.

Mr. Speaker, we must provide our law enforcement officials with the tools and resources they need to plug gaps in our homeland security and to penetrate global terror cells, but the House Republican leadership attempts to weaken the U.S. Constitution by lowering the standard of the Fourth Amendment to score political points. I support the bipartisan Harman-Flake alternative that represents a balanced approach to defeat the terrorists while safeguarding our rights.

Mr. SMITH of Texas. Mr. Speaker, I support this legislation.

Those who oppose the Terrorist Surveillance Program say that it violates civil rights, that it sends the wrong message to U.S. citizens and foreign nations, and that it should be stopped.

To the contrary, the Terrorist Surveillance Program protects Americans’ lives and sends terrorists the message that we will use every legal means possible to defend ourselves. It should be continued, not eliminated.

Before 9/11, information sharing between law enforcement and intelligence officials was almost non-existent.

The hands of our criminal investigators and intelligence investigators were tied and they
were unable to alert each other to terrorist threats.

After 9/11, that was changed.

Now some want to halt government programs that help intelligence officials figure out who wants to harm us.

We cannot afford to return to a pre-9/11 status. We cannot dismiss the possibility of a terrorist attack. We cannot throw away the tools we need to protect us.

And the Terrorist Surveillance Program is one of those tools.

The “Electronic Surveillance Modernization Act” allows the President to continue the Terrorist Surveillance Program.

Let’s keep our guard up and our defenses strong, and support this legislation.

Mr. CANNON. Mr. Speaker, the debate before us centers on what the legitimate roles of Congress and the Executive Branch are in terms of foreign policy and intelligence gathering matters.

It is an issue that strikes at the heart of the Constitution.

The Constitution leaves little doubt that the President is expected to have the primary role of conducting foreign policy, but Congress has a role and the debate today indulges us in defining that role.

The language that I offered at the Judiciary Committee and is included in the Substitute Amendment does not delve into the Constitutional relationship between the Congress and the Executive.

The language deals with an issue of fairness.

It deals with the issue of whether individuals or companies that comply with government orders are liable to third parties for following the programs.

Absent an effective immunity provision that allows a company to avoid these legal quagmires, an individual or company will be reluctant to cooperate with any authorized government surveillance program and that will severely undercut this country’s terror-fighting capabilities and the safety of our constituents.

Should these claims proceed to judgment, the financial liabilities could add up to hundreds of billions of dollars—enough to destroy any industry.

Although I do not believe the suits will succeed the defense costs alone will be considerable.

But what is worse is the chilling effect on compliance for future requests.

We can argue what the law is but we all agree that we should encourage compliance with our laws.

The language in the Substitute amendment will separate questionable litigation from a national security imperative and focus our attention where it should be, which is what is Constitutional allowed.

If the overall program is illegal or unconstitutional that is for us and the Courts to decide.

Judges, who are sought out in a forum shopping frenzy, should not issue decisions that could undermine our protection from a future terrorist attack and reveal classified information.

If you oppose the program administered by this Administration; if you don’t believe in the Constitutional theories regarding the Executive’s authority—that is an issue for discussion; that is our right as Members of Congress to debate.

But it is irrelevant to Section 10 which will merely provide liability protections for compliance with a certification from the Attorney General.

I urge support of this legislation. Mr. UDALL of New Mexico. Mr. Speaker, I rise today in opposition to H.R. 5825, the Electronic Surveillance Modernization Act.

The bill before us today allows this Administration to continue its program of unwarranted surveillance of Americans, in direct violation of the rights guaranteed to us by the Constitution and by statute. Mr. Speaker, proponents of this legislation claim that there is no violation or question about the program’s legality. If that is, in fact, the case, then why are we considering legislation with the sole purpose of legalizing the President’s, and the NSA’s, actions?

Last December, we learned that President Bush authorized the National Security Agency to spy domestically, without obtaining any warrants for surveillance of our civil liberties and very little about the program, largely due to the Administration’s unwillingness to properly inform Congress about the programs components, scope, or its budget. The little we do know, however, is that through this program, hundreds, and possibly thousands, of Americans have had their communications and emails monitored without any judicial supervision.

The Majority has failed in its oversight responsibilities. Nevertheless, we are preparing to pass legislation that legitimizes this little understood, but still extremely troubling program.

H.R. 5825 allows the President to authorize warrantless surveillance of communications of ordinary Americans without first obtaining approval from the FISA court. They say they need this because our laws are out of date.

This is false and untrue.

Current law (FISA) allows the President to act in emergencies and when there is a declaration of war by Congress. The proponents have not come forward with evidence that the current law is not working or failing to protect us.

Congress must use the checks and balances placed in our Constitution to curb the Administration’s actions. Congress needs to assert its oversight responsibility and fully evaluate this NSA program. And the Administration needs to stop its efforts to extend its power and authority, at every available opportunity, by circumventing our nation’s laws.

Despite what this Administration would have us believe, securing our nation from all enemies both foreign and domestic can be achieved without invading our civil liberties and right to privacy. I urge my colleagues to vote no on this misguided and ill-advised legislation.

Mr. STARK. Mr. Speaker, I rise against the Electronic Surveillance Modernization Act (H.R. 5825) because I swore to uphold the Constitution and I will not vote to provide exceptions to it. The Fourth Amendment to the Constitution reads: “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.” In other words, you have to get a warrant any time you spy on an American. That is the entire text of the Amendment. It doesn’t say “unless President Bush thinks the person is a terrorist,” “except in cases where it’s inconvenient to file the paperwork,” or even “with limitations as defined by Congress.”

Realizing the urgent nature of some national security investigations, federal law permits wiretaps without warrants in emergencies as long as court approval is obtained within three days. If the surveillance involves only communications of agents of foreign powers, the government can conduct warrantless surveillance for up to a year. These warrants are not difficult to obtain. Since 1978, when the law was enacted, the Foreign Intelligence Surveillance Act has approved more than 18,000 national security warrants. Only five have been turned down. But current law isn’t good enough for the President. He wants to do what he wants, when he wants, without telling anyone.

This President violated the Constitution. Rather than hold him accountable, we are going to approve of his despotic behavior. Under this legislation, the President can conduct warrantless surveillance of Americans any time he declares there is an “imminent threat” likely to cause death or widespread harm. Good luck finding a time when this President, or any President for that matter, doesn’t claim there’s an imminent threat.

Mr. Speaker, in this Congress alone, you have attempted to close the halls of justice to detainees, gun victims, religious minorities, fast food consumers, asylum-seekers, injured patients, and now, anyone spied on by their own government. We’ve gone from a nation of laws to a nation of exceptions. Unless my colleagues want a nation of law and for the Protestant, thin, suspicionless white male, I urge them to join me in voting no.

Mr. PAUL. Mr. Speaker, Congress is once again rushing to abandon its constitutional duty to protect the constitution balance between the executive, legislative, and judicial branches of government by expanding the executive’s authority to conduct warrantless wiretaps without approval from either a regular federal court or the Foreign Intelligence Surveillance Act (FISA) court. Congress’s refusal to provide any effective check on the warrantless wiretapping program is a blatant violation of the Fourth Amendment and is not necessary to protect the safety of the American people. In fact, this broad grant of power to conduct unchecked surveillance may undermine the government’s ability to identify threats to American security.

Instead of creating standards for warrantless wiretapping, H.R. 5825 leaves it to the President to determine when “imminent” threat requires warrantless wiretaps without approval from either a regular federal court or the Foreign Intelligence Surveillance Act (FISA) court. Congress’s refusal to provide any effective check on the warrantless wiretapping program is a blatant violation of the Fourth Amendment and is not necessary to protect the safety of the American people. In fact, this broad grant of power to conduct unchecked surveillance may undermine the government’s ability to identify threats to American security.

According to former Congressman Bob Barr, thanks to Congress’ failure to establish clear standards for wiretapping, under H.R. 5825 . . . simply making an international call or sending an e-mail to another country, even to a relative (or a constituent) who is an American citizen, will be fair game for the government to
listen in on or read. Moreover, this legislation allows the government to conduct secret, warrantless searches of American citizens’ homes in a broad range of circumstances that are essentially undefined in the legislation.”

Mr. Speaker, I do not deny that there may be certain cases justifying warrantless wiretapping. However, my colleagues should consider that current law allows for warrantless wiretapping in emergency situations as long as a “retroactive” warrant is sought within 72 hours of commencing the surveillance. If there are legitimate reasons why surveillance or the warrantless surveillance sought within 72 hours of commencing the war. If there are legitimate reasons why the current authorization for warrantless wiretapping is inadequate, then perhaps Congress should extend the time allowed to wiretap before applying to the FISA court for a “retroactive” warrant. This step could enhance security without posing the dangers to liberty and republican government contained in H.R. 5825.

The requirement that, except in extraordinary circumstances, a warrant be obtained from the courts if it does not obstruct legitimate surveillance efforts. It is my understanding that FISA judges act very quickly to consider applications for search warrants, even if the applications are faxed to their houses at three in the morning. Applications for FISA warrants are rarely rejected. In 2005, the administration applied for 2,074 warrants from the FISA court. Of those 2 where voluntarily withdrawn and 63 where approved with modifications; the rest were approved. The FISA court only rejected four applications for warrants in the past four years; and one of those rejected warrants was subsequently partially approved.

Warrantless wiretapping may hinder the ability to identify true threats to safety. This is because experience has shown that, when Congress makes it easier for the federal government to monitor the activities of Americans, there is a tendency to collect so much information that it becomes impossible to weed out the true threats. My colleagues should consider how the over-filing of “suspicious transaction reports” regarding financial transactions hampers effective anti-terrorism efforts. According to investigative journalist James Bovard, writing in the Baltimore Sun on June 28, “[a] U.N. report on terrorist financing released in May 2002 noted that a suspicious transaction report had been filed with the U.S. government over a $69,985 wire transfer that Mohamed Atta, leader of the hijackers, received from the United Arab Emirates. The report noted that ‘this particular transaction was not noticed quickly enough because the report was just one of a very large number and was not distinguished from those related to other financial crimes.’” Congress should be skeptical, to say the least, regarding the assertion that allowing federal bureaucrats to accumulate even more data without having to demonstrate a link between the data sought and national security will make the American people safer.

In conclusion Mr. Speaker, because H.R. 5825 sacrifices liberty for the illusion of security, I must oppose this bill. I urge my colleagues to do the same.

Ms. WOLSELEY. Mr. Speaker, I rise tonight in great sadness. It’s the run-up to the fall elections, and what has the Republican Majority pushed through the Congress?

Torture, a subversion of the Geneva Conventions, and domestic spying. The Administration claims to be spreading democracy throughout the world. How about some democracy and freedom here at home?

Mr. Speaker, this is not the country our Founding Fathers dreamed of. And it certainly is not the country I want to hand down to my grandchildren.

This bill is not making us safer—it is making us less free.

I urge my colleagues to stand up for freedom. I urge my colleagues to vote no!

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

The SPEAKER pro tempore. The motion to recommit offered by Mr. SCHIFF. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk reads as follows:

Mr. Schiff of California moves to recommit the bill H.R. 5825 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “NSA Oversight Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) On September 11, 2001, acts of treachery were committed against the United States and its citizens.

(2) Such acts render it both necessary and appropriate that the United States exercise its right to self-defense by protecting United States citizens both at home and abroad.

(3) The Federal Government has a duty to pursue al Qaeda and other enemies of the United States with all available tools, including the use of electronic surveillance, to thwart future attacks on the United States and to destroy the enemy.

(4) The President of the United States possesses the inherent authority to engage in warrantless electronic surveillance outside of the United States consistent with his authority as Commander-In-Chief under Article II of the Constitution.

(5) Congress possesses the authority to regulate electronic surveillance within the United States.

(6) The Fourth Amendment to the Constitution guarantees Americans the right “to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures” and provides that courts “shall” authorize searches and seizures, based upon probable cause.

(7) The Supreme Court has consistently held for nearly 40 years that the monitoring and recording of private conversations constitutes a “search and seizure” within the meaning of the Fourth Amendment.

(8) The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) was enacted to provide the legal authority for the Federal Government to engage in the activities of Americans in connection with intelligence gathering and counterintelligence.

(9) The Foreign Intelligence Surveillance Act of 1978 was enacted to provide the legal authority for the Federal Government to engage in the activities of Americans in connection with intelligence gathering and counterintelligence.

(10) Warrantless electronic surveillance of Americans inside the United States conducted without congressional authorization may have a serious impact on the civil liberties of citizens of the United States.

(11) United States citizens, such as journalists, academics, and researchers studying global terrorism, who have made international phone calls subsequent to the terrorist attacks of September 11, 2001, are law-abiding citizens, may have the reasonable fear of being the subject of such surveillance.

(12) Since the nature and criteria of the National Security Agency (NSA) program is highly classified and unknown to the public, many other Americans who make frequent international calls, such as Americans engaged in international business, Americans with family overseas, and others, have a legitimate concern they may be the inadvertent targets of eavesdropping.

(13) The President has sought and signed legislation including the USA PATRIOT Act and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT Act) Act (Public Law 107-56), the Counterintelligence Reform and Terrorism Protection Act of 2004 (Public Law 108-458), which have expanded authorities under the Foreign Intelligence Surveillance Act of 1978.

(14) It may be necessary and desirable to amend the Foreign Intelligence Surveillance Act of 1978 to address new challenges in the Global War on Terrorism. The President should submit a request for legislation to Congress to amend the Foreign Intelligence Surveillance Act of 1978 that desires that the electronic surveillance authority provided by such Act be further modified.

(15) The Authorization for Use of Military Force Public Law 107-40 by permitting Congress on September 14, 2001, authorized military action against those responsible for the attacks on September 11, 2001, but did not contain legal authorization nor approve of domestic electronic surveillance for the purpose of gathering foreign intelligence information except as provided by the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

SEC. 3. REITERATION OF THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978 AS THE EXCLUSIVE MEANS BY WHICH DOMESTIC ELECTRONIC SURVEILLANCE MAY BE CONDUCTED TO OBTAIN FOREIGN INTELLIGENCE INFORMATION.

(a) EXCLUSIVE MEANSS—Notwithstanding any other provision of law, the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) shall be the exclusive means by which electronic surveillance for the purpose of gathering foreign intelligence information may be conducted.

(b) FUTURE CONGRESSIONAL ACTION.—Subsection (a) shall apply until specific statutory authorization is provided for electronic surveillance for the purpose of gathering foreign intelligence information, other than as an
amendment the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), is enacted. Such specific statutory authorization shall be the only exception to subsection (a).

SEC. 4. INVESTIGATIVE REQUIREMENTS.

(a) REPORT.—As soon as practicable after the date of the enactment of this Act, but not later than 14 days after such date, the President shall submit to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate a report—

(1) on any program which involves the electronic surveillance of United States persons in the United States for foreign intelligence purposes, and which is conducted by any department, agency, or other element of the Federal Government, or by any entity at the direction of a department, agency, or other element of the Federal Government, without fully complying with the procedures set forth in the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.); and

(2) on any program which involves the electronic surveillance of United States persons who have been the subject of such electronic surveillance not authorized to be conducted under the Foreign Intelligence Surveillance Act of 1978 and the basis for the selection of each person for such electronic surveillance.

(b) FORM.—The report submitted under subsection (a) may be submitted in classified form.

SEC. 5. FOREIGN INTELLIGENCE SURVEILLANCE COURT MATTERS.

(a) AUTHORITY FOR ADDITIONAL JUDGES.—The first paragraph of section 101 of title I of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803(a)) is amended by striking “judicial circuit” and inserting “judicial circuit, District Court, and United States district court judges that the Chief Justice considers necessary for the prompt and timely consideration of applications under section 104.”

(b) TREATMENT OF INTERCEPTED COMMUNICATIONS INVOLVING A DOMESTIC PARTY.—Section 112(f)(3) of such Act (50 U.S.C. 1805(f)) is amended by adding at the end the following new sentence: “(b) The Director of the Office of the Director of National Intelligence shall assign personnel as may be necessary to carry out the prompt and timely preparation of applications under section 104 of the Foreign Intelligence Surveillance Act of 1978 for orders approving electronic surveillance for foreign intelligence purposes under section 105 of such Act (50 U.S.C. 1804).”

(c) ACQUISITION OF COMMUNICATIONS BETWEEN PARTIES NOT IN THE UNITED STATES.—The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is further amended—

(1) by adding at the end of title I the following new section:

"SEC. 112. Acquisition of communications between parties not in the United States.—

"(a) In General.—Notwithstanding any other provision of this Act, a court order is not required for the acquisition of the contents of any communication between persons that are not located within the United States for the purpose of collecting such information, without respect to whether the communication passes through the United States or the surveillance device is located within the United States.

"(b) Treatment of intercepted communications involving a domestic party.—If an acquisition under subsection (a) inadvertently collects a communication in which at least one party to the communication is within the United States—

"(1) in the case of a communication acquired inside the United States, the contents of such communication shall be handled in accordance with minimization procedures adopted by the Attorney General; and

"(2) in the case of a communication acquired outside the United States, the contents of such communication shall be handled in accordance with minimization procedures adopted by the Attorney General.

"(c) Definitions.—For the purposes of this section—

"(I) the term ‘electronically transmitted information’ has the meaning given the term in section 101(f) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(f)).

"(2) The term ‘foreign intelligence information’ has the meaning given the term in section 101(e) of such Act (50 U.S.C. 1801(e))."

Mr. SCHIFF (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?
The SPEAKER pro tempore. The gentleman is recognized for 5 minutes in support of his motion to recommit.

Mr. SCHIFF. Mr. Speaker, it is a regrettable fact that at the beginning of the 21st century there are a great many people in the world whose primary motive for waking up every morning is to harm or kill Americans. Our country faces a real threat, and it must be addressed.

As we fight this threat, Americans need to know two things. First, that we will do everything that the NSA needs to do. And second, we will do everything that the NSA needs us to do.

The base bill can be summarized as follows: Trust us. We are from the government. You don't have to listen to your calls when we do not have a business to, and we will not read your e-mails when we have no business to.

But for those of us who believe we should exercise our congressional prerogative to regulate the President's authority outside of FISA, this is our only option. For those of us who believe that FISA should be the exclusive vehicle for conducting surveillance related to foreign intelligence, this is our only option. And for those of us who believe that we should give the administration all the tools they need to conduct surveillance but retain the ability to regulate and provide oversight for such surveillance, this is our only option.

If the underlying bill is enacted into law, we will have two surveillance programs, one under FISA and on the books, and one outside of FISA and off the books. If we do this, we will not give due deference to our congressional responsibility.

Make no mistake, if we vote for the underlying bill and against the motion to recommit, we will walk out of these proceedings can be shared with the intelligence community.

Second, Americans need to know that if you are a law-abiding citizen and you are not a terrorist or supporting terrorists that we will respect your privacy. We will not listen to your privacy. We will not listen to your calls when we do not have a business to, and we will not read your e-mails when we have no business to.

The base bill, by contrast, excludes whole categories of surveillance, including the surveillance of Americans on American soil from court review. The base bill can be summarized as follows: Trust us. We are from the government. We may listen to you, but trust us. We know what we are doing.

But our Constitution was drafted on a very different premise, a premise that said we operate from a system of checks and balances that no one branch of government should be trusted implicitly, without review and oversight by another.

Today, we have a choice between two alternatives, both of which modernize FISA, one which gives us a blank check sought by the administration, the other that protects Americans on American soil.

One of the leaders in this debate that I have been privileged to work with is Mr. Flake. Mr. FLAKE. Mr. Speaker, I thank the gentleman from Arizona for his remarks.

Mr. Speaker, I am not comfortable in this position, standing up to argue in favor of a Democrat motion to recommit. Just a year ago, I stood at that very podium and argued on behalf of the majority in favor of reauthorization of the PATRIOT Act and against the Democrat motion to recommit that was favored by many of my colleagues.

But during that process, we had more than a dozen hearings, a long markup, a spirited debate on the floor under a rule that allowed for a series of amendments, including four of my own. We did not have that process this time.

This was a closed rule that did not allow for a vote, a clean vote, on a bipartisan substitute except as a Democrat motion to recommit. I wish that was not the case because, as I said, I try not to make a habit of voting for Democrat motions to recommit.

But for those of us who believe we should exercise our congressional prerogative to regulate the President's authority outside of FISA, this is our only option. For those of us who believe that FISA should be the exclusive vehicle for conducting surveillance related to foreign intelligence, this is our only option. And for those of us who believe that we should give the administration all the tools they need to conduct surveillance but retain the ability to regulate and provide oversight for such surveillance, this is our only option.

If the underlying bill is enacted into law, we will have two surveillance programs, one under FISA and on the books, and one outside of FISA and off the books. If we do this, we will not give due deference to our congressional responsibility.

Make no mistake, if we vote for the underlying bill and against the motion to recommit, we will walk out of these proceedings can be shared with the intelligence community.

First, in the motion to recommit, there is no change to the definition of terrorist surveillance. That means it is not technology neutral, and we would continue to have the odd situation when al Qaeda calls in to the United States over a radio we could intercept that communication communications on the radio, but if they call in on a wire, we still could not listen. This is why we need to update the Electronic Surveillance Act, as the base bill does.

And, secondly, the exclusivity provision written into the motion to recommit says that the only way to collect foreign intelligence in the United States is through FISA. That is not current law. Under current law, under title XVIII, foreign intelligence information collected through the criminal proceedings can be shared with the intelligence community.

What this motion to recommit effectively does is rebuild the walls we have torn down between law enforcement and foreign intelligence.

Mr. HOEKSTRA. Mr. Speaker, I thank the gentlewoman for her comments.

The arguments this evening on the other side have been along the lines of FISA does work. The President acted alone and in secret. FISA is the only tool that is necessary.

But we know that that is not true. It does not work. The President did not act in secret, and FISA's insufficient.

It is September 11, 2001, shortly after the attacks. The President calls in his National Security Advisor, calls in folks from the intelligence community, and says, how do we get a better handle on who is attacking us? What other tools do we need to put in place to make sure that we can fight and win this war on terrorism?

They developed their ideas. They identified the strategies and the new tactics that they need to fight this war against terrorism effectively.

October 25, 2001, the President convenes with congressional leaders and outlines this program to them and with them, or the executive branch does, and the group in there collected the technical tools to defeat this enemy. FISA does not work and that collaboration, working with the executive branch and Congress, we need to implement new tools to keep America safe.

The terrorist surveillance program that has been used for the last 4 years is not only the President's terrorist surveillance program. It is the terrorist surveillance program of the President, Minority Leader PELOSI, Ranking Member HARMAN, former Majority Leader Daschle, all who had the opportunity to regularly use the program, to see how it worked, why it needed to be done in the way that it was being done, and the benefits that
America was receiving from the program and the impact it was having in keeping America safe and enabling us to move forward.

It is because these individuals, working with the President, recognize that FISA was insufficient that they agreed to move forward with the terrorist surveillance program for almost 4 years, until this very valuable tool was leaked by the New York Times. We are a country that is less safe because of that. It is why we are now having this debate, because now al Qaeda and radical Islamists know more about our intelligence community than we do. It is why we are now having this debate, because now al Qaeda and radical Islamists know more about our intelligence community than we do.

It is time to update this law, to pass this bill to make sure that we can continue providing our intelligence community with tools they need.

Build on the work of the President, of Minority Leader Pelosi, Ranking Member HARMAN, Majority Leader Daschle, all who agreed that FISA did not work and that the President and the executive branch needed the authorities and the capabilities that are now outlined in its many ways and are brought under more congressional oversight under the Wilson bill, and allow for more congressional oversight in a defined way through the Wilson bill.

This is the way we need to go, the direction we need to take because we are a Nation at war, under threat, and this is the appropriate updating of an old law that the White House but also Congress agreed to. It is the appropriate updating of an old law.

Vote against the motion to recommit. Vote for final passage.

The SPEAKER pro tempore. All time has expired.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 5825, if ordered; and the motion to suspend the rules on H.R. 6143.

The vote was taken by electronic device, and there were—yea 202, nays 221, not voting 9, as follows:

[Bill Roll No. 502]

YEAS—202

Aderholt Blunt Blackburn Blackmer Blunt

Baldwin Bergman Berry Baird Baldwin

Brown, Corrine

Buckhorn Capps Capuano Cardin Carbo

Carmona Caruso Case Chandler Clay Clyburn Conyers Costello Cramer Crowley Cummings

Davis (AL) Davis (GA) Davis (MA) Davis (TX)

Delgado Delahunt Del larvae Dicks

Dingell Dickens Doggett Doyle Duncan Emanuel Engel Etheridge Farr Fattah Fincher Flake Ford Frank (MA) Gonzalez Gordon Green, Al

Green, Gene Grijalva Gutierrez

Hamra Hastings (FL) Herseth Higgins Hin Chew Hinojosa Holden Holden Hope Hoyle

Inglis (SC) Jackson (IL) Johnson (TX)

Johnson (OH) Jones (NC) Jones (NY) Jones (RI) Kildee Kanjargi Kaur Khan

Kilfoil Kucinich Lang

Lantos Larson (WA) Larson (CT)

Lee Linsky Logreen, Zo Lowsky Lynch Mack

Mackey Markay Mathieson Maui McAdams McCarthy McGeough McInerney McSally

McNulty Mink (NJ) Mink (NY) Michaud Miller (ME) Miller (NC) Miller (CO)

Milionich Minch Thomas (GA) Thomas (NJ)


Young (FL) Young (NY) Young (OH) Young (OH)

[NAYS—221]

Adler Baker Barrett (SC) Barrow Bartlett (MD) Barrett (TX)

Bass Beauprez Bigger Brodrick Bilirakis Bishop (UT) Blackburn Blunt

Boehlert Boehener Bonilla Bonner Bono Boozman Boozman Bradley (NE) Brady (TX)

Brown (SC) Brown-Waite

Buchanan Bunger Burden Burgess Burton (IN) Burns (NV)

Brown (CA) Brown (PA)

Brown (OH)

Buerkle Boucher Berry Boyce Baird

Bishop (GA) Brady (PA) Baldwin

Blumenthal Becerra Boren Boise Well Andrews Berman Boucher Bass Berry Boyce Baird Bishop (GA) Brady (PA) Baldwin

Buckhorn Capps Capuano Cardin Carbo

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Dingell Dickens Doggett Doyle Duncan Emanuel Engel Etheridge Farr Fattah Fincher Flake Ford Frank (MA) Gonzalez Gordon Green, Al

Green, Gene Grijalva Gutierrez

Hamra Hastings (FL) Herseth Higgins Hin Chew Hinojosa Holden Holden Hope Hoyle

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Lantos Larson (WA) Larson (CT)

Lee Linsky Logreen, Zo Lowsky Lynch Mack

Mackey Markay Mathieson Maui McAdams McCarthy McGeough McInerney McSally

McNulty Mink (NJ) Mink (NY) Michaud Miller (ME) Miller (NC) Miller (CO)

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Young (FL) Young (NY) Young (OH) Young (OH)

Yeats—202

Adlerholt Blunt Blackburn Blackmer Blunt

Baldwin Bergman Berry Baird Baldwin

Brown, Corrine

Buckhorn Capps Capuano Cardin Carbo

Carmona Caruso Case Chandler Clay Clyburn Conyers Costello Cramer Crowley Cummings Davis (AL) Davis (GA) Davis (MA) Davis (TX)

Delgado Delahunt Del larvae Dicks

Dingell Dickens Doggett Doyle Duncan Emanuel Engel Etheridge Farr Fattah Fincher Flake Ford Frank (MA) Gonzalez Gordon Green, Al

Green, Gene Grijalva Gutierrez

Hamra Hastings (FL) Herseth Higgins Hin Chew Hinojosa Holden Holden Hope Hoyle

Inglis (SC) Jackson (IL) Johnson (TX)

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Kilfoil Kucinich Lang

Lantos Larson (WA) Larson (CT)

Lee Linsky Logreen, Zo Lowsky Lynch Mack

Mackey Markay Mathieson Maui McAdams McCarthy McGeough McInerney McSally

McNulty Mink (NJ) Mink (NY) Michaud Miller (ME) Miller (NC) Miller (CO)

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Young (FL) Young (NY) Young (OH) Young (OH)
PERMISSION TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 5825, ELECTRONIC SURVEILLANCE MODERNIZATION ACT

Mr. HOEKSTRA. Mr. Speaker, I ask unanimous consent that staff be permitted to make technical and conforming changes to the bill just adopted.

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

[The House was divided; and there being no objection, the Speaker announced that the request made by Mr. Hoekstra was agreed to.]
September 28, 2006

CONGRESSIONAL RECORD — HOUSE

H7877

Weiler
Wilson (NJ)

Wilson (SC)

Whitefield
Wolf

Wicker

NA9S—98

Abercrombie
Ackerman
Andrews
Baron
Becker
Berman
Bishop (NY)
Boyd
Brady (PA)
Brown, Corrine
Lowey
Capps
Cardoza
Case
Cunyes
Costa
Crowley
Davis (CA)
Davis (FL)
Duncan
Engel
Eshoo
Farr
Fattah
Ferguson
Filner
Fossella
Frelinghuysen
Garrett (NJ)
Hastings (FL)
Higgins
Hinchey
Holt
Honda
Hostetler

Wilson (NM)

Polosi

Baca

Kahl (NY)

Lantos

Lee

LoBiondo

Logren, Zoe

Lowey

Maloney

McAuliffe

McGovern

McHugh

McKinney

McNulty

Melkos

Miller, George

Napolitano

Olver

Osgood

Pallone

Pascrell

Paul

Payne

Wynn

Poe

Kelly

Reynolds

Rothenberg

Roybal-Allard

Sánchez, Linda

Young (AK)

Young (FL)

June 18, 2005, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5681

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assem-
bled:

SECTION 1. SHORT TITLE.
This Act may be cited as the “Coast Guard Authoriza-
tion Act of 2006”.

SEC. 2. TABLE OF CONTENTS.
The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—AUTHORIZATION
Sec. 101. Authorization of appropriations.
Sec. 102. Authorized levels of military strength and training.

TITLE II—COAST GUARD
Sec. 201. Appointment of civilian Coast Guard judges.
Sec. 203. Reimbursement for medical-related travel expenses.
Sec. 204. Commissioned officers.
Sec. 205. Coast Guard participation in the Armed Forces Retirement Home (AFRH) system.
Sec. 206. Grants to international maritime organizations.
Sec. 207. Emergency leave retention authority.
Sec. 208. Enforcement authority.
Sec. 209. Notification.
Sec. 211. Maritime safety for nuclear power facilities located adjacent to navigable waters.

TITLE III—SHIPPING AND NAVIGATION
Sec. 301. Vessel size limits.
Sec. 302. Goods and services.
Sec. 303. Maritime activities.
Sec. 304. Southeastern area of anchorage grounds jurisdiction.
Sec. 305. Maritime Drug Law Enforcement Act amendment—simple possession.
Sec. 306. Technical amendments to tonnage measurement law.
Sec. 307. Seamen’s shore side access.
Sec. 308. Limitation on maritime liens on fishing permits.
Sec. 309. Extension of exemption.
Sec. 310. Documentation of certain fishing vessels.

TITLE IV—MISCELLANEOUS PROVISIONS
Sec. 401. Secure communications program.
Sec. 402. Certificate of documentation.

Sec. 403. Waiver.
Sec. 404. Data.
Sec. 405. Great Lakes Maritime Research Institute.
Sec. 406. Inspection and certification of permanently moored vessels.
Sec. 407. Competitive contracting for patrol boat replacement.
Sec. 408. Patrol boat report.
Sec. 409. Actions to address sexual harassment and violence at Coast Guard Academy.
Sec. 410. Cruise ship demonstration project.
Sec. 411. Crew wages onenger vessels.
Sec. 412. Technical corrections.

TITLe V—MARPOL ANNEX VI IMPLEMENTATION
Sec. 501. Title.
Sec. 502. References.
Sec. 503. Definitions.
Sec. 504. Application.
Sec. 505. Administration and enforcement.
Sec. 506. Certificates.
Sec. 507. Reception facilities.
Sec. 508. Inspections.
Sec. 509. Amendments to the protocol.
Sec. 510. Effect on other laws.
Sec. 511. MARPOL technical corrections.

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill, as amend-
ed, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. INSLEE. Mr. Speaker, I would like the RECORD to reflect on rollocaii 501 on the motion to suspend the rules on H.R. 5825, I was unavoidably detained and had been present I would have voted “aye” on that motion.

COAST GUARD AUTHORIZATION ACT OF 2006

Mr. LOBIONDO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 581), to authorize appropri-
ations for the Coast Guard for fiscal year 2007, and for other purposes, as amended.

The Clerk read as follows:

H.R. 581

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assem-
bled:

SECTION 1. SHORT TITLE.
This Act may be cited as the “Coast Guard Authorization Act of 2006”.

SEC. 2. TABLE OF CONTENTS.
The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—AUTHORIZATION
Sec. 101. Authorization of appropriations.
Sec. 102. Authorized levels of military strength and training.

TITLE II—COAST GUARD
Sec. 201. Appointment of civilian Coast Guard judges.
Sec. 203. Reimbursement for medical-related travel expenses.
Sec. 204. Commissioned officers.
Sec. 205. Coast Guard participation in the Armed Forces Retirement Home (AFRH) system.
Sec. 206. Grants to international maritime organizations.
Sec. 207. Emergency leave retention authority.
Sec. 208. Enforcement authority.
Sec. 209. Notification.
Sec. 211. Maritime safety for nuclear power facilities located adjacent to navigable waters.

TITLE III—SHIPPING AND NAVIGATION
Sec. 301. Vessel size limits.
Sec. 302. Goods and services.
Sec. 303. Maritime activities.
Sec. 304. Southeastern area of anchorage grounds jurisdiction.
Sec. 305. Maritime Drug Law Enforcement Act amendment—simple possession.
Sec. 306. Technical amendments to tonnage measurement law.
Sec. 307. Seamen’s shore side access.
Sec. 308. Limitation on maritime liens on fishing permits.
Sec. 309. Extension of exemption.
Sec. 310. Documentation of certain fishing vessels.

TITLE IV—MISCELLANEOUS PROVISIONS
Sec. 401. Secure communications program.
Sec. 402. Certificate of documentation.

Sec. 403. Waiver.
Sec. 404. Data.
Sec. 405. Great Lakes Maritime Research Institute.
Sec. 406. Inspection and certification of permanently moored vessels.

APPOINTMENT AS MEMBER TO ADVISORY COMMITTEE ON STUDENT FINANCIAL ASSISTANCE
The SPEAKER pro tempore. Pursuant to section 491 of the Higher Education Act (20 U.S.C. 1096(o)), the order of the House of December 18, 2005, and upon the recommendation of the mi-
nority leader, the Chair announces the Speaker’s reappointment of the follow-
ing member on the part of the House to the Advisory Committee on Student Financial Assistance for a 3-
year term effective October 1, 2006:

Mr. Robert Shireman, Oakland, Califor-
nia.

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 tomorrow.
(6) For environmental compliance and restoration at Coast Guard facilities (other than parts and equipment associated with operation and maintenance), $12,000,000, to remain available until expended.

(7) For the Coast Guard Reserve program, including personnel and training costs, equipment, and services, $124,000,000.

SEC. 202. APPOINTMENT OF CIVILIAN COAST GUARD JUDGES.

(a) IN GENERAL.—Chapter 7 of title 14, United States Code, is amended by adding at the end the following:

"§ 153. Appointment of judges

"The Secretary may appoint civilian employees of the Department in which the Coast Guard is operating as appellate military judges, available for assignment to the Coast Guard Court of Criminal Appeals as provided for in section 866(a) of title 10.".

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

"153. Appointment of judges."

SEC. 203. INDUSTRIAL ACTIVITIES.

Section 151 of title 14, United States Code is amended by adding at the end the following:

"§ 518. Reimbursement for medical-related travel expenses for certain personnel residing on islands in the continental United States

"In any case in which a covered beneficiary (as defined in section 1072(g) of title 10) resides on an island that is located in the 48 contiguous States and the District of Columbia and that lacks public access roads to the mainland as certified by a primary care physician to a specialty care provider (as defined in section 1074(b) of title 10) on the mainland who provides services less than 100 miles from the location where the beneficiary resides, the Secretary shall reimburse the reasonable travel expenses of the covered beneficiary and, when accompanied by an adult, a parent or guardian of the covered beneficiary or another member of the covered beneficiary’s family who is at least 21 years of age.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

"518. Reimbursement for medical-related travel expenses for certain personnel residing on islands in the continental United States."

SEC. 204. COMMISSIONED OFFICERS.

(a) ACTIVE DUTY PROMOTION LIST.—Section 42 of title 14, United States Code, is amended to read as follows:

"§ 42. Number and distribution of commissioned officers on active duty promotion list.

"(a) Maximum total number.—The total number of Coast Guard commissioned officers on the active duty promotion list, excluding warrant officers, shall not exceed 6,700, except that the Commandant may temporarily increase such number by up to 2 percent for no more than 60 days following the date of the commissioning of a Coast Guard Academy class.

(b) Distribution percentages by grade.—

(1) Required.—The total number of commissioned officers authorized by this section shall be distributed in grade in the following percentages: 3.375 percent for rear admiral; 3.375 percent for rear admiral (lower half); 6.0 percent for captain; 15.0 percent for commander; and 22.0 percent for lieutenant commander.

(2) Discretionary.—The Secretary shall prescribe the percentages applicable to the grades of lieutenant, junior grade, and ensign.

(c) Authority of Secretary to reduce percentage.—The Secretary—

(A) may, as needs of the Coast Guard require, of any of the percentages set forth in paragraph (1); and

(B) shall apply that total percentage reduction to any other lower grade or combination of lower grades.

(d) Computations.—

(1) In general.—The Secretary shall compute, at least once each year, the total number of commissioned officers authorized to serve in each grade by applying the grade distribution percentages established by or under this section to the total number of commissioned officers listed on the current active duty promotion list.

(2) Rounding fractions.—Subject to subsection (a), in making the computations under paragraph (1), any fraction shall be rounded to the nearest whole number.

(e) Officers serving Coast Guard Academy and Reserve.—The number of commissioned officers authorized to serve on active duty in each grade of the permanent commissioned teaching staff of the Coast Guard Academy and of the Reserve serving in connection with, or acting as, the administrative, recruiting, or training the reserve components shall be prescribed by the Secretary.

(f) Officers serving Coast Guard Academy and Reserve.—The number of officers authorized to serve on active duty in the International Command Authorization Act of 1997 (20 U.S.C. 2772) is amended by adding at the end the following:

"§ 426. Emergency leave retention authority

"With regard to a member of the Coast Guard who serves on active duty, a duty assignment in support of a declaration of a major disaster or emergency by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) shall be treated, for the purpose of section 701(f)(2) of title 10, a duty assignment in support of a contingency operation.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

"426. Emergency leave retention authority.

SEC. 205. COAST GUARD PARTICIPATION IN THE ARMED FORCES RETIREMENT HOME (AFRH) SYSTEM.

(a) IN GENERAL.—Section 1302 of the Armed Forces Retirement Home Act of 1951 (24 U.S.C. 101) is amended—

(1) by striking paragraph (4); and

(2) by striking subsection (c).

(b) FORMING AMENDMENTS.—Section 2772 of title 10, United States Code, is amended—

(1) by inserting ‘‘in the case of the Coast Guard, the Commandant’’ after ‘‘Secretary’’;

and

(2) by striking the period at the end of paragraph (5) and inserting ‘‘and’’;

(c) by redesignating paragraph (5) as paragraph (6).

SEC. 206. GRANTS TO INTERNATIONAL MARITIME ORGANIZATIONS.

Section 149 of title 14, United States Code, is amended—

(1) by inserting ‘‘in the case of the Coast Guard, the Commandant’’ after ‘‘Secretary’’;

(2) by striking subsection (c); and

(3) by adding at the end the following:

"(b) Grants to international maritime organizations.—After consultation with the Secretary of State, the Commandant may make grants to, or enter into cooperative agreements, contracts, or other agreements with, international maritime organizations for the purpose of acquiring information or data about merchant vessel inspections, security, safety, classification, and port state or flag state law enforcement or oversight.

SEC. 207. EMERGENCY LEAVE RETENTION AUTHORITY.

(a) IN GENERAL.—Chapter 11 of title 14, United States Code, is amended by inserting after section 425 the following:

"§ 425. Emergency leave retention authority

"With regard to a member of the Coast Guard who serves on active duty, a duty assignment in support of a declaration of a major disaster or emergency by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) shall be treated, for the purpose of section 701(f)(2) of title 10, a duty assignment in support of a contingency operation.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding after the item relating to section 425 the following:


SEC. 208. ENFORCEMENT AUTHORITY.

(a) IN GENERAL.—Chapter 5 of title 14, United States Code, is amended by adding at the end the following:

"§ 199. Enforcement authority

"Subject to guidelines approved by the Secretary, members of the Coast Guard, in the performance of official duties, may—

(1) carry a firearm; and

(2) while at a facility as defined in section 70101 of title 46."
“(A) make an arrest without warrant for any offense against the United States; and

“(B) seize property as otherwise provided by law.”

(b) CONFORMING REPEAL.—The first section added to title 46, United States Code, by the amendment made by subsection (a) of section 801 of the Coast Guard and Maritime Transportation Act of 2004 (118 Stat. 1767), and the item relating to such first section enacted by the amendment made by subsection (b) of such section 801, are repealed.

(c) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

“99. Enforcement authority.”

SEC. 209. NOTIFICATION.

The Secretary of the department in which the Coast Guard is operating may not transfer the permanent headquarters of the United States Coast Guard to any other location without the written consent of the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 210. REPEAL.

Section 216 of title 14, United States Code, and the item relating to such section in the analysis for chapter 11 of such title, are repealed.

SEC. 211. MARITIME SAFETY FOR NUCLEAR POWER FACILITIES LOCATED ADJACENT TO NAVIGABLE WATERS.

(a) RESPONSIBILITY.—Section 2 of title 14, United States Code, is amended by inserting before “shall maintain a state of readiness” the following: “shall administer laws and promulgate and enforce regulations to assure the maritime safety of nuclear power facilities located adjacent to navigable waters of the United States not specifically delegated by law to some other department or agency.”

(b) COOPERATION WITH NRC.—Chapter 7 of such title is amended by inserting after section 147a the following:

“§ 147b. Nuclear regulatory commission

“(a) In general.—The Commandant may enter into an agreement with the Chairman of the Nuclear Regulatory Commission to enhance the maritime safety of the navigable waters of the United States that are located adjacent to a nuclear power plant. Such agreement shall provide for—

“(1) the exchange of certain information with the Chairman relating to the maritime safety of a nuclear power plant located adjacent to navigable waters of the United States;

“(2) the assignment of officers of the Coast Guard to serve as liaisons to the Nuclear Regulatory Commission; and

“(3) the provisions of equipment and support that may be necessary from the Nuclear Regulatory Commission.

“(b) Payment or reimbursement.—With regard to any agreement entered into under subsection (a) of this section, the Commandant may prescribe conditions, including advance payment or reimbursement, under which such resources may be provided.

“(c) Clerical amendment.—The analysis for chapter 7 of such title is amended by adding at the end the following: “147b. Nuclear Regulatory Commission.”

TITLE III—SHIPPING AND NAVIGATION

SEC. 301. VESSEL SIZE LIMITS.

(a) CARGO VOLUME AND HORSEPOWER.—Section 12102(c)(5) of title 46, United States Code, is amended—

(1) by inserting “and” after the semicolon at the end of subparagraph (A)(i); and

(2) by striking “and” at the end of subparagraph (A)(ii); and

(b) by striking subparagraph (A)(iii); (4) by striking the period at the end of subparagraph (B) and inserting “; or”; and

(5) by inserting at the end of the following: “the vessel is either a rebuilt vessel or a replacement vessel under section 230(g) of the American Fisheries Act (title II of division C of Public Law 105-277; 112 Stat. 2681-627); and is allowed to take the groundfish under such section 12108 of this title.”.

(b) CONFORMING AMENDMENTS.—

(1) VESSEL REBUILDING AND REPLACEMENT.—Section 230(g) of the American Fisheries Act (title II of division C of Public Law 105-277; 112 Stat. 2681-627) is amended to read as follows:

“(g) VESSEL REBUILDING AND REPLACEMENT.—

“(1) IN GENERAL.—

“(A) REBUILD OR REPLACE.—Notwithstanding any limitation to the contrary on replacing, rebuilding, or lengthening vessels or transferring permits or licenses to a replacement vessel contained in sections 679.2 and 679.4 of title 50, Code of Federal Regulations, as in effect on the date of enactment of the Coast Guard Authorization Act of 2006 and except as provided in paragraph (4), the owner of a vessel eligible under subsection (a), (b), (c), (d), or (e) (other than paragraph (2)(b)), in order to enhance the maritime safety and operational efficiencies (including fuel efficiency), may rebuild or replace that vessel (including fuel efficiency) with a vessel documented with a license issued under section 12108 of title 46, United States Code.

“(B) SAME REQUIREMENTS.—The rebuilt or replacement vessel shall be eligible in the same manner and to the same restrictions and limitations under such subsection as the vessel being rebuilt or replaced.

“(C) TRANSFER OF PERMITS AND LICENSES.—Each fishing permit and license held by the owner of a vessel or vessels to be rebuilt or replaced under subparagraph (A) shall be transferred to the rebuilt or replacement vessel.

“(2) RECOMMENDATIONS OF NORTH PACIFIC COUNCIL.—The North Pacific Council may recommend for approval by the Secretary such conservation and management measures, including size limits and measures to control fishing, to bring into compliance with the Magnuson-Stevens Act as it considers necessary to ensure that this subsection does not diminish the effectiveness of fishery management plans of the Berlin, Aleutian Islands Management Area, and the Gulf of Alaska.

“(3) SPECIAL RULE FOR REPLACEMENT OF CERTAIN VESSELS.—

“(A) IN GENERAL.—Notwithstanding the requirements of paragraphs (1), (2), and (3) of section 12102(c) of title 46, United States Code, a vessel under subsection (a), (b), (c), (d), or (e) (other than paragraph (2)(b)) and that qualifies to be documented with a fishery endorsement pursuant to part 677, as in effect on the date of enactment of the Coast Guard Authorization Act of 2006, and is eligible for a fishery endorsement under section 12108 of title 46, United States Code.

“(B) APPLICABILITY.—A replacement vessel under subparagraph (A) and its owner and mortgagee are subject to the same limitations under section 203(g) or 213(g) that are applicable to the applicable vessel that has been replaced and its owner and mortgagee.

“(C) SPECIAL RULES FOR CERTAIN CATCHER VESSELS.—

“(1) IN GENERAL.—A replacement for a covered vessel described in subparagraph (B) is prohibited from harvesting fish in any fishery (except for the Pacific whiting fishery) managed under the authority of any regional fishery management council (other than the North Pacific Council) established under section 302(a) of the Magnuson-Stevens Act.

“(2) COVERED VESSELS.—A covered vessel referred to in subparagraph (A) is—

“(i) a vessel eligible under subsection (a), (b), or (c) that is replaced under paragraph (1); or

“(ii) a vessel eligible under subsection (a), (b), or (c) that is rebuilt to increase its register length, gross tonnage, or shaft horsepower.

“(D) LIMITATION ON FISHERY ENDORSEMENTS.—Any vessel that is rebuilt or replaced under this subsection shall not be eligible for a fishery endorsement under section 12108 of title 46, United States Code, unless the vessel is also a replacement vessel described in paragraph (1).

“(E) GULF OF ALASKA LIMITATION.—Notwithstanding paragraph (1), the Secretary shall prohibit from participation in the groundfish fisheries of the Gulf of Alaska any vessel that is rebuilt or replaced under this subsection and that exceeds the maximum length and overall specified on the license that authorizes fishing for groundfish pursuant to the license limitation program under part 679 of title 50, Code of Federal Regulations, as in effect on the date of enactment of the Coast Guard Authorization Act of 2006.

“(F) AUTHORITY OF PACIFIC COUNCIL.—Nothing in this section shall diminish or otherwise affect the authority of the Pacific Council to recommend to the Secretary conservation and management measures to protect fisheries under its jurisdiction (including the Pacific whiting fishery) and participants in such fisheries from adverse impacts caused by this Act.

“(2) AMENDMENTS OF TITLE 46.—Section 230(g) of the American Fisheries Act (title II of division C of Public Law 105-277; 112 Stat. 2681-629) is amended—

“(A) by inserting “and” after “(title II of division C of Public Law 105-277; 112 Stat. 2681-629)”;

“(B) by striking “,” NORTHERN TRAVELER (United States official number 651046), and NORTHERN VOYAGER (United States official number 637398) (or a replacement vessel for the NORTHERN VOYAGER that complies with paragraphs (2), (5), and (6) of section 306 of this Act)”; and

“(C) by striking “, in the case of the NORTHERN” and all that follows through “ENDO.”

“(3) FISHERY COOPERATIVE EXIT PROVISIONS.—

Section 210(b) of the American Fisheries Act (title II of division C of Public Law 105-277; 112 Stat. 2681-629) is amended—

“(A) by moving the matter beginning with the “Secretary shall” in paragraph (1) 2 ems to the right;

“(B) by striking at the end the following: “FISHERY COOPERATIVE EXIT PROVISIONS.”

“(A) FISHING ALLOWANCE DETERMINATION.—For purposes of determining the percent of directed fishing allowances under paragraph (1), when a catcher vessel is removed from the directed pollock fishery, the fishing allowance for pollock for the vessel being removed—

“(i) shall be based on the catch history determination for the vessel made pursuant to section 679.62 of title 50, Code of Federal Regulations, as in effect on the date of enactment of the Coast Guard Authorization Act 2006; and

“(ii) shall be assigned, for all purposes under this title, in the manner specified by the owner of the vessel being removed to any other catcher vessel or among other catcher vessels participating in the fishery, if the operator is the cooperating vessel, and if cooperating with an operator who is not the cooperating vessel, the cooperating vessel, the fishery cooperative for at least one year.
after the date on which the vessel being removed leaves the directed pollock fishery.

"(B) ELIGIBILITY FOR FISHERY ENDORSEMENT.—Except as provided in subparagraph (C), if the vessel is to be removed under subparagraph (A) the vessel shall be permanently ineligible for a fishery endorsement, and any claim (including relating to catch history) associated with the vessel that could qualify the owner of such vessel for any permit to participate in any fishery within the exclusive economic zone of the United States shall be extinguished, unless such removed vessel is thereafter designated to replace a vessel to be removed pursuant to this paragraph.

"(C) LIMITATIONS ON STATUTORY CONSTRUCTION.—Nothing in this paragraph shall be construed—

"(i) to make the vessels AJ (United States official number 505625), DONA MARTITA (United States official number 651751), NOR-DIC EXPLORER (United States official number 678224), and PROVIDID (United States official number 162183) ineligible for a fishery endorsement or any permit necessary to participate in any fishery under the authority of the New England Fishery Management Council or the Mid-Atlantic Fishery Management Council established respectively under subparagraphs (A) and (B) of section 302(a)(1) of the Magnuson-Stevens Act; or

"(ii) to allow the vessels referred to in clause (i) to participate in any fishery under the authority of the Councils referred to in clause (i) in any manner that is not consistent with the fishery management plan for the fishery developed by the Councils under section 303 of the Magnuson-Stevens Act."

"(c) VESSEL SAFETY STANDARDS.—

"(1) IN GENERAL.—An individual vessel, or a fishery endorsement that includes that vessel, shall be permanently ineligible for a fishery endorsement or any permit necessary to participate in any fishery under the authority of the New England Fishery Management Council or the Mid-Atlantic Fishery Management Council established respectively under subparagraphs (A) and (B) of section 302(a)(1) of the Magnuson-Stevens Act if—

"(A) the vessel is a replacement vessel under such section or paragraph; and

"(B) the replacement vessel did not harvest fish pursuant to any fishing vessel endorsement or any claim (including relating to catch history) associated with any fishing vessel endorsement that could qualify the owner of such vessel for any permit to participate in any fishery within the exclusive economic zone of the United States shall be extinguished, unless such removed vessel is thereafter designated to replace a vessel to be removed pursuant to this paragraph.

"(2) FEES.—

"(A) LOCAL FEES.—The holder of the newly created catcher/processor owner quota shares under paragraph (1) shall pay a fee of 5.0 percent of the ex-vessel value of the crab harvested pursuant to those shares to any local governmental entities in the Northern Region that would otherwise have received tax revenues from local raw fish taxes had the exchange authorized by paragraph (1) not occurred.

"(B) STATE FEE.—The State of Alaska may collect from the holder of the newly created catcher/processor owner quota shares created under this subsection a fee of 2.5 percent of the ex-vessel value of the crab harvested pursuant to those shares.

"(3) LANDING REQUIREMENT.—Crab harvested pursuant to a newly created catcher/processor owner quota shares created under this subsection shall be landed in those communities receiving the local governmental entities fee revenue set forth in paragraph (1).

"(4) PERIODIC COUNCIL REVIEW.—As part of its periodic review of the Plan referred to in paragraph (1), the North Pacific Fishery Management Council may review the effect, if any, of this subsection upon communities in the Northern Region. If the Council determines that this subsection negatively affects the communities, the Council may recommend to the Secretary of Commerce, and the Secretary may approve, such changes to the Plan as are necessary to mitigate those adverse effects.

"(5) LIMITATION ON APPLICATION.—Paragraph (1) shall apply only with respect to entities that—

"(A) were initially awarded catcher/processor owner quota shares under the Plan; and

"(B) either were initially awarded processor quota shares or received such shares under section 417(a) of the Coast Guard and Maritime Transportation Act of 2006 (Public Law 109-241; 120 Stat. 546).

"SEC. 301. DUAL TONNAGE MEASUREMENT LAW.

"(a) APPLICATION.—Section 5102(b)(3) of title 46, United States Code, is amended by inserting ‘‘85 percent’’ after ‘‘40 percent’’.

"(b) MEASUREMENT.—A vessel measured under this chapter may not be required to be measured under any other law.

"(c) RECIPROCITY FOR FISHERY VESSELS.—Subchapter II of chapter 145 of such title is amended by adding at the end the following:

""14514. Reciprocity for foreign vessels

"For a foreign vessel not measured under chapter 143, if the Secretary finds that the laws and regulations of a foreign country related to measurement of vessels are substantially similar to those of this chapter and the regulations prescribed under this chapter, the Secretary may accept the measurement and certificate of a vessel of that foreign country as complying with this chapter and the regulations prescribed under this chapter."".

"SEC. 302. GOODWILL MEASUREMENT.

"(a) APPLICABILITY.—Section 14301(b)(3) of title 46, United States Code, is amended by inserting ‘‘85 percent’’ after ‘‘70 percent’’.

"(b) MEASUREMENT.—A vessel measured under this chapter may not be required to be measured under any other law.

"(c) RECIPROCITY FOR FISHERY VESSELS.—Subchapter II of chapter 145 of such title is amended by adding at the end the following:

""14514. Reciprocity for foreign vessels

"For a foreign vessel not measured under chapter 143, if the Secretary finds that the laws and regulations of a foreign country related to measurement of vessels are substantially similar to those of this chapter and the regulations prescribed under this chapter, the Secretary may accept the measurement and certificate of a vessel of that foreign country as complying with this chapter and the regulations prescribed under this chapter."".
(e) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 145 of such title is amended by adding at the end the following:

"14514. Reciprocity for foreign vessels.

SEC. 307. SEAMEN’S SHORESIDE ACCESS.
Each facility security plan approved under section 70103(c) of title 46, United States Code, shall provide for a system for seamen assigned to the facility, or representatives of seamen’s welfare and labor organizations to board and depart the vessel through the facility in a timely manner for the individual.

SEC. 308. LIMITATION ON MARITIME LIENS ON FISHING PERMITS.
(a) IN GENERAL.—Subchapter I of chapter 313 of title 46, United States Code, is amended by adding at the end the following:

"31310. Limitation on maritime liens on fishing permits

"(a) IN GENERAL.—A maritime lien shall not attach to a permit that—

"(1) authorizes use of a vessel to engage in fishing; and

"(2) is issued under State or Federal law.

"(b) PROCEDURE ON ENFORCEMENT.—No civil action may be brought to enforce a maritime lien on a permit described in subsection (a).

"(c) EXCLUSIVE JURISDICTION.—Nothing in subsections (a) and (b) shall be construed as imposing any limitation upon the authority of the Secretary of Commerce to modify, suspend, revoke, or sanction fishing permits issued by the Secretary of Commerce or to bring a civil action to enforce such modification, suspension, or sanction.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 31309 the following:

"31310. Limitation on maritime liens on fishing permits.

SEC. 309. EXTENSION OF EXEMPTION.
Section 503(a) of title 46, United States Code, is amended by striking "2008" and inserting "2018".

SEC. 310. DOCUMENTATION OF CERTAIN FISHING VESSELS.
Section 12103(c)(5) of title 46, United States Code, as amended by section 301(a) of this Act, is amended by adding at the end the following:

"(D) the vessel has been issued a permit pursuant to part 468.6(a)(2) of title 50, Code of Federal Regulations, and the owner of the vessel;

"(I) demonstrates to the Secretary the recommendation and approval referred to in subparagraph (B);

"(ii) is required under the endorsement to land all harvested fish and processed fish products at a United States port; and

"(iii) demonstrates to the Secretary that the vessel is in compliance with—

"(I) requirements otherwise apply under section 403 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801(b)) that the vessel carry one or more Federal observers; and

"(II) recordkeeping and reporting requirements that otherwise apply under part 468.7 of title 50, Code of Federal Regulations.

TITLE IV—MISCELLANEOUS PROVISIONS
SEC. 401. SECURE COMMUNICATIONS PROGRAM.
There is authorized to be appropriated to the Commandant of the Coast Guard $3,000,000 to improve boarding team communications and the use of a cryptographic mesh overlay protocol.

SEC. 402. CERTIFICATE OF DOCUMENTATION FOR GALLANT LADY.
Section 12107(c) of the Coast Guard Authorization Act of 1996 (110 Stat. 3977) is amended—

(1) in paragraph (1)—

(A) by striking "or Transportation" and inserting "of the department in which the Coast Guard is operating"; and

(B) by striking paragraph (A) and inserting the following:

"(A) the vessel GALLANT LADY (Feadship hull number 672, approximately 168 feet in length)."

(2) by striking paragraphs (3) and (4) and redesignating paragraph (5) as paragraph (3); and

(3) in paragraph (3) (as so redesignated) by striking all after "shall expire" and inserting "on the date of the sale of the vessel by the owner."

SEC. 403. WAIVER.
Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (46 U.S.C. App. 200; 24 Stat. 41), and section 12106 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for the OCEAN VERITAS (IMO Number 7386605).

SEC. 404. DATA.
In each of fiscal years 2007 and 2008, there is authorized to be appropriated to the Administrator of the National Oceanic and Atmospheric Administration $7,000,000 to acquire through the use of unmanned aerial vehicles data to improve the management of natural disasters and the safety of marine and aviation transportation.

SEC. 405. GREAT LAKES MARITIME RESEARCH INSTITUTE.
Section 605 of the Coast Guard and Maritime Transportation Act of 2004 (118 Stat. 1052) is amended—

(1) in subsection (b)(1)—

(A) by striking "The Secretary of Transportation shall conduct a study that" and inserting "The Institute shall conduct maritime transportation studies in the Great Lakes region, including studies that";

(B) in subparagraphs (A), (B), (C), (E), (F), (H), (I), and (J) by striking "evaluates" and inserting "analyzes";

(C) in subparagraphs (D) and (G) by striking "analyzes" and inserting "analyzes";

(D) by striking "and" at the end of subparagraph (J);

(E) by striking the period at the end of subparagraph (J) and inserting a semicolon;

(F) by adding at the end following:

"(K) identify improvements to the integration of the Great Lakes marine transportation system into the national transportation system;

(L) examine the potential of expanded operations on the Great Lakes marine transportation system;

(M) identify ways to include intelligent transportation applications into the Great Lakes marine transportation system;

(N) analyze the effects and impacts of aging infrastructure and port congestion on the Great Lakes marine transportation system;

(O) maintain and establish a model Great Lakes marine transportation system database; and

(P) identify market opportunities for, and impediments to, the use of United States and Great Lakes flag vessels in trade with Canada on the Great Lakes; and

(2) by striking subsection (b)(4) and inserting the following:

"(4) AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out paragraph (1)—

(A) $2,100,000 for fiscal year 2007;

(B) $2,200,000 for fiscal year 2008;

(C) $2,300,000 for fiscal year 2009;

(D) $2,400,000 for fiscal year 2010; and

(E) $2,500,000 for fiscal year 2011.

SEC. 406. INSPECTION AND CERTIFICATION OF PERMANENTLY MOORED VESSELS.
Any vessel which has a valid certificate of inspection in effect on the date of enactment of this Act and which is subsequently classified by the Coast Guard as a permanently moored vessel shall remain eligible for a certificate of inspection for an additional 5 years from the expiration of the certificate of inspection in effect on the date of the reclassification.

SEC. 407. COMPETITIVE CONTRACTING FOR PATROL BOAT REPAIR.
The Coast Guard may only buy or operate a patrol boat replacement (fast response cutter) if the contract to build the cutter is awarded using a competitive contracting procedure among United States and the management of the competitive contracting procedure is done by the Coast Guard or the primary contractor for the Deepwater Program of the Coast Guard.

SEC. 408. PATROL BOAT REPORT.
Not later than 90 days after the date of enactment of this Act the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report how the Coast Guard proposes to manage the readiness gap of lost time for 110-foot patrol boats from fiscal year 2007 through fiscal year 2013. The report shall include—

(a) an identification of assets that may be used to alleviate the annual readiness gap of lost time for such patrol boats;

(b) a projection of the remaining operational lifespan of the 110-foot patrol boat fleet;

(c) a description of how extending through fiscal year 2013 the transfer agreement between the Coast Guard and the United States Navy for 5 Cyclone class 179-foot patrol coastal ships would effect the annual readiness gap of lost time for 110-foot patrol boats; and

(d) an estimate of the cost to extend the operational lifespan of the 110-foot patrol boat fleet for each of fiscal years 2007 through 2013.

SEC. 409. ACTIONS TO ADDRESS SEXUAL HARASSMENT AND VIOLENCE AT COAST GUARD ACADEMY.
(a) POLICY ON SEXUAL HARASSMENT.—

"(1) IN GENERAL.—Under guidance prescribed by the Secretary of the department in which the Coast Guard is operating, the Commandant of the Coast Guard or the primary contractor for the Coast Guard Academy to prescribe a policy on sexual harassment and violence applicable to the personnel of the Coast Guard Academy.

"(2) SPECIFIED PROGRAMS AND PROCEDURES.—

The policy on sexual harassment and violence prescribed for the Academy under paragraph (1) shall specify the following:

(A) Programs to promote awareness of the incidence of rape, acquaintance rape, and other sexual offenses of a criminal nature that involve academy personnel.

(B) Procedures that a cadet should follow in the case of an occurrence of sexual harassment or violence, including—

(i) a specification of the person or persons to whom the alleged offense should be reported;

(ii) a specification of any other person whom the victim should contact; and

(iii) procedures on the preservation of evidence potentially necessary for proof of criminal sexual assault.

(B) Procedures for disciplinary action in cases of alleged criminal sexual assault involving academy personnel.
(D) Any other sanction authorized to be imposed in a substantiated case of harassment or violence involving academy personnel in rape, acquaintance rape, or any other sexual offense, whether forcible or nonforcible.

(E) Required training on the policy for all academy personnel, including the specific training for cadets on a vessel, or other students, who report allegations of sexual harassment or violence involving academy personnel.

(3) FACTORS TO CONSIDER.—In prescribing the policy on sexual harassment and violence for the Academy under paragraph (1), the Superintendent shall take into consideration—

(A) the findings, conclusions, and recommendations of the panel established pursuant to title V of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108-11; 117 Stat. 609) to review sexual misconduct allegations at the United States Naval Academy, or the United States Military Academy, or one or more of the other Federal academies;

(B) the findings of the panel appointed to conduct investigations of sexual harassment and violence to prevent criminal sexual conduct on Academy property;

(C) the findings, conclusions, and recommendations of the panel established pursuant to this subsection; and

(D) any other matters relating to sexual harassment and violence involving academy personnel.

(4) DEADLINE.—The policy required by paragraph (1) shall be prescribed not later than June 1, 2007.

(b) ANNUAL ASSESSMENT.—

(1) IN GENERAL.—The Secretary shall direct the Superintendent to conduct at the Coast Guard Academy an assessment during the Academy's program year to determine the effectiveness of the Academy's policies, training, and procedures on sexual harassment and violence to prevent criminal sexual harassment and violence involving academy personnel.

(2) SURVEY OF PERSONNEL.—For the assessment required under paragraph (1), the Superintendent shall conduct a survey of all academy personnel—

(A) to measure—

(i) the incidence, during that program year, of sexual harassment and violence events, on or off the academy reservation, that have been reported to officials of the Academy; and

(ii) the incidence, in that program year, of sexual harassment and violence events, on or off the academy reservation, that have not been reported to officials of the Academy; and

(B) to assess the perceptions of academy personnel on—

(i) the policies, training, and procedures on sexual harassment and violence involving academy personnel;

(ii) the enforcement of such policies;

(iii) the incidence of sexual harassment and violence involving academy personnel in such program year; and

(iv) any other issues relating to sexual harassment and violence involving academy personnel.

(c) ANNUAL REPORT.—

(1) IN GENERAL.—The Commandant shall submit to the Secretary a report on sexual harassment and violence involving academy personnel for each academy program year.

(2) SPECIFIED MATTERS TO BE COVERED.—The annual report for the Academy under paragraph (1) shall contain, for the academy program year covered by the report, the following:

(A) The number of sexual assaults, rapes, and other sexual offenses involving academy personnel that have been reported to academy personnel during the program year and the number of the reported cases that have been substantiated.

(B) The policies, procedures, and processes implemented by the Commandant and the leadership of the Academy in response to sexual harassment and violence involving academy personnel during the program year.

(C) In the report for the 2018 academic program year, a discussion of the survey conducted under subsection (b), together with an analysis of the survey and a discussion of any initiatives undertaken on the basis of such results and analysis.

(D) In the report for each of the subsequent academic programs, a discussion of the results of the annual survey conducted in such program year under subsection (b).

(E) A plan for the actions that are to be taken pursuant to the academic program year regarding prevention of and response to sexual harassment and violence involving academy personnel.

(3) TRANSMITTAL TO SECRETARY.—The Commandant shall transmit the annual report on an academy under this subsection, together with the Commandant's comments on the report, to the Secretary and the Board of Visitors of the Academy.

(4) TRANSMITTAL TO CONGRESS.—The Secretary shall transmit the annual report on the Academy described in subsection (a), together with the Secretary's comments on the report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(5) DEADLINE FOR 2008 REPORT.—The report for the 2008 academic program year shall be submitted to the Commandant not later than June 1, 2009.

(6) DEFINITION.—In this subsection, the term “academic program year” means the period of time from July 1 of the year in which the academic program year begins to June 30 of the year in which the academic program year ends.

SEC. 410. CREW WAGES ON PASSENGER VESSELS.

(a) In General.—The Commandant of the Coast Guard, in cooperation with the regional trade association representing the major cruise lines that operate in the Alaska cruise trade, shall conduct a demonstration project on the methods and best practices of the use of smokestack scrubbers on cruise ships that operate in that region.

(b) Agreement.—The Commandant of the Coast Guard may enter into an agreement with the regional trade association referred to in subsection (a) and one or more of its members, to assist in conducting the demonstration project under subsection (a).

(c) Report.—The Commandant of the Coast Guard shall submit a report on the results of the project described in subsection (a), the Commandant of the Coast Guard shall submit a report on the results of the project to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 411. CRUISE SHIP DEMONSTRATION PROJECT.

(a) Foreign and Intercoastal Voyages.

(1) CAP ON PENALTY WAGES.—Section 10504(g) of title 46, United States Code, is amended—

(A) by striking “When a seaman is employed, the seaman is able to make deposits of wages into a United States or international financial institution in which the financial institution is licensed;” and

(B) by inserting at the end the following:

“(2) DEPOSITS IN SEAMAN ACCOUNT.—A seaman employed on a passenger vessel capable of carrying more than 500 passengers for wages under this section on a voyage that is the subject of the claim is entitled, notwithstanding section 110(a) of such title, to make deposits of wages of the seaman into a United States or international financial institution in which the financial institution is licensed;”.

(b) Domestic Voyages.

(1) CAP ON PENALTY WAGES.—Section 10504(c) of such title is amended—

(A) by striking “When a seaman is employed, the seaman is able to make deposits of wages into a United States or international financial institution in which the financial institution is licensed;” and

(B) by inserting at the end the following:

“(2) DEPOSITS IN SEAMAN ACCOUNT.—A seaman employed on a passenger vessel capable of carrying more than 500 passengers for wages under this section on a voyage that is the subject of the claim is entitled, notwithstanding section 110(a) of such title, to make deposits of wages of the seaman into a United States or international financial institution in which the financial institution is licensed;”.

(c) CREW WAGES ON PASSENGER VESSELS.

(1) CAP ON PENALTY WAGES.—Section 10504(c) of such title is amended—

(A) by striking “When a seaman is employed, the seaman is able to make deposits of wages into a United States or international financial institution in which the financial institution is licensed;” and

(B) by inserting after subsection (c) the following:

“(2) DEPOSITS IN SEAMAN ACCOUNT.—A seaman employed on a passenger vessel capable of carrying more than 500 passengers for wages under this section on a voyage that is the subject of the claim is entitled, notwithstanding section 110(a) of such title, to make deposits of wages of the seaman into a United States or international financial institution in which the financial institution is licensed;”.

(2) PAYROLL OR SHIP ACCOUNT.—The definition of the term “payroll or ship account” under section 110(a) of such title is amended by adding at the end the following:

“(6) REQUIRED PAYROLL ACCOUNT.—The payroll or ship account described in paragraph (5) shall be maintained in a financial institution in which the financial institution is licensed;”.

(3) AMOUNT REQUIRED.—The amount required to be deposited under paragraph (5) with respect to claims that are the subject of the claim is made by the claimant in the suit, of a payment of wages for which the wages are claimed; or

“payroll or ship account,” when used with respect to payment of wages for which the wages are claimed; or

“‘payroll or ship account,” when used with respect to payment of wages for which the wages are claimed; or
SEC. 412. TECHNICAL CORRECTIONS.

(a) COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2006.—Effective with enactment of the Coast Guard and Maritime Transportation Act of 2006 (Public Law 109-241), such Act is amended—

(1) in section 311(b) (120 Stat. 530) by inserting ‘‘paragraphs (1) and (2) of’’ before ‘‘section 400(i)’’;


(3) in section 901(r)(2) (120 Stat. 566) by striking ‘‘the’’ the second place it appears; and

(4) in section 902(c) (120 Stat. 566) by inserting ‘‘of the United States’’ after ‘‘Revised Statutes’’;

(b) in section 902(e) (120 Stat. 567) is amended—

(A) by inserting ‘‘and’’ after the semicolon at the end of paragraph (1); and

(B) by striking ‘‘and’’ at the end of paragraph (2); and

(c) by redesignating paragraphs (3) and (4) as subparagraphs (C) and (D) of paragraph (2), respectively, and aligning the left margin of such subparagraphs with the left margin of subparagraph (A) of paragraph (2);

(d) by inserting after ‘‘section 905(c)(2)’’ (as so redesignated) by striking ‘‘this section’’ and inserting ‘‘this paragraph’’;

(e) in section 905(e)(2)(D) (as so redesignated) by striking ‘‘this section’’ and inserting ‘‘this paragraph’’;

(f) in section 902(h)(1) (120 Stat. 567)—

(A) by striking ‘‘Bistr/De-Na-Zin’’ and all that follows through ‘‘Protection’’ and inserting ‘‘Omnibus Parks and Public Lands Management’’; and

(B) by inserting a period after ‘‘Commandant of the Coast Guard’’;

(g) in section 902(k) (120 Stat. 568) is amended—

(A) by inserting ‘‘the Act of March 23, 1906, commonly known as’’ before ‘‘the General Bridge’’;

(B) by striking ‘‘491’’ and inserting ‘‘494’’;

and

(C) by inserting ‘‘each place it appears’’ before ‘‘and inserting’’; and

(h) in section 902(e) (120 Stat. 569) by striking the period at the end of paragraph (2); and

(i) in section 902(o) (120 Stat. 569) by striking the period at the end of the item relating to section 196.

(b) The analysis for chapter 17 of title 14, United States Code, is amended by adding a paragraph at the end of the item relating to section 196.

(c) The analysis for chapter 9 of title 14, United States Code, is amended by adding a period at the end of the item relating to section 606.

(d) The analysis for chapter 61 of title 49, United States Code, is amended by adding a period at the end of the item relating to section 6106.

(e) Section 70105(c)(3)(C) of such title is amended by striking ‘‘National Intelligence Directive and inserting ‘‘Director of National Intelligence’’.

(f) Deepwater Port Act of 1974.—Section 9(c)(2) of the Deepwater Port Act of 1974 (33 U.S.C. 1504(c)(2)) is amended by aligning the left margin of subparagraph (K) with the left margin of subparagraph (L).

(g) Pollution from or after 1990.—(1) Section 110(a)(2)(A) of the Oil Pollution Act of 1990 (33 U.S.C. 2794(a)(2)) is amended by striking the first comma following ‘‘$800,000’’.

(h) Table of sections in section 2 of such Act is amended by inserting a period at the end of the item relating to section 7092.

(i) COAST GUARD AUTHORIZATION ACT OF 1996.—Amendments in section 2 of the Coast Guard Authorization Act of 1996 is amended in the item relating to section 103 by striking ‘‘reports’’ and inserting ‘‘report’’.

TITLE V—MARPOL ANNEX VI IMPLEMENTATION

SEC. 501. SHORT TITLE.

This title may be cited as the “MARPOL Annex VI Implementation Act of 2006”.

SEC. 502. REFERENCES.

Wherever in this title an amendment or repeal is expressed in terms of an amendment to or a repeal of a section or other provision, the reference shall be considered to be made to a section or other provision of the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.).

SEC. 503. DEFINITIONS.

Section 2(a) (33 U.S.C. 1901(a)) is amended—

(1) by redesignating the paragraphs (1 through 12) as paragraphs (2) through (13), respectively;

(2) by inserting before paragraph (2) (as so redesignated) the following:

‘‘(1) ‘‘Administrator’’ means the Administrator of the Environmental Protection Agency.’’;

(3) in paragraph (5) (as so redesignated) by striking ‘‘and V’’ and inserting ‘‘V, and VI’’; and

(4) in paragraph (6) (as so redesignated) by striking ‘‘discharge’’ and ‘‘garbage’’ and ‘‘harmful substance’’ and ‘‘incident’’ and inserting ‘‘‘‘discharge’, ‘‘emission’, ‘‘garbage’, ‘‘harmful substance’, and ‘‘incident’’’’;

SEC. 504. APPLICABILITY.

Section 3 (33 U.S.C. 1902) is amended—

(1) in subsection (a)(2)(A) by striking ‘‘The’’ and inserting ‘‘‘‘Except as provided in paragraph (2), the’’’’; and

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

‘‘(2) The Administrator shall, and no other person may, issue an Engine International Code of Protection in accordance with Annex VI to the Convention and the International Maritime Organization’s Technical Code on Control of Emission of Nitrogen Oxides from Marine Diesel Engines, on behalf of the United States. The issuance of such certificates shall be consistent with any applicable requirements under the Clean Air Act as amended (42 U.S.C. 7401 et seq.) and regulations promulgated thereunder.’’.

SEC. 505. ADMINISTRATION AND ENFORCEMENT.

Section 4(b) (33 U.S.C. 1903(b)) is amended—

(1) by inserting ‘‘the following:’’ before paragraph (3); and

(2) by inserting after paragraph (1) the following:

‘‘(2) In prescribing regulations under this section to carry out the provisions of Annex VI to the Convention, the Secretary shall consult with the Administrator with respect to Regulations 12 and 16 of such Annex and with the Secretary of the Interior with respect to Regulation 19 of such Annex.

(3) In addition to the authority the Secretary possesses to prescribe regulations under this section to carry out Annex VI to the Convention, the Administrator, in consultation with the Secretary, may prescribe any necessary or desired regulations to carry out Regulations 13, 14, 15, and 18 of such Annex;’’ and

(3) by adding at the end the following:

‘‘(5) No standard issued by any person or Federal agency regarding emissions from tank vessels that are subject to Regulation 15 of Annex VI to the Convention shall be effective until six months after the date on which the Secretary submits a notification to the International Maritime Organization that such standard has been established.’’.

SEC. 506. CERTIFICATES.

Section 5 (33 U.S.C. 1904) is amended—

(1) in subsection (a) (33 U.S.C. 1904(c))—

(A) by striking ‘‘The’’ and inserting ‘‘‘‘Except as provided in paragraph (2), the’’’’; and

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

‘‘(2) The Administrator shall, and no other person may, issue an Engine International Code of Protection in accordance with Annex VI to the Convention and the International Maritime Organization’s Technical Code on Control of Emission of Nitrogen Oxides from Marine Diesel Engines, on behalf of the United States. The issuance of such certificates shall be consistent with any applicable requirements under the Clean Air Act as amended (42 U.S.C. 7401 et seq.) and regulations promulgated thereunder.’’.

SEC. 507. RECEPTION FACILITIES.

Section 6 (33 U.S.C. 1905) is amended—

(1) in subsection (a) by adding at the end the following:

‘‘(3) The Secretary, after consulting with appropriate Federal agencies, shall establish regulations to require that ports and terminals provide reception facilities for receiving oozing depleting substances, equipment containing such substances, and exhaust gas cleaning residues or ensure that such facilities are available. The regulations shall establish criteria for determining the adequacy of reception facilities or receiving such substances, equipment, or residues at a port or terminal and such additional measures and requirements as are appropriate to ensure such adequacy.

‘‘(4) The Secretary may establish regulations to certify, and may issue certificates to the effect, that a port’s or terminal’s facilities, equipment, and residues from ships are adequate.’’.

(2) by striking subsection (e)(2) and inserting the following:

‘‘(2) The Secretary may deny the entry of a ship to a port or terminal required by regulations issued under this section to provide
adequate reception facilities for garbage, ozone depleting substances, equipment containing such substances, and exhaust gas cleaning residues if the port of terminal is not in compliance with such regulations.

and

(4) in subsection (f)(1) by striking “MARPOL Protocol or the Antarctic Protocol” and inserting “MARPOL Protocol, the Antarctic Protocol, or this Act”.

SEC. 508. INSPECTIONS.

Section 8(d) (33 U.S.C. 1907(f)) is amended to read as follows:

“(f)(1) The Secretary may inspect a ship to which this Act applies as provided under section 3a(5), to verify whether the ship is in compliance with Annex VI to the Convention and this Act.

“(2) If an inspection under this subsection or any other information indicates that a violation has occurred, the Secretary may undertake enforcement action under this section.”

SEC. 509. AMENDMENTS TO THE PROTOCOL.

Section 10(b) (33 U.S.C. 1908(b)) is amended by striking “Annex I, II, or V” and by inserting “Annex I, II, V, or VI”.

SEC. 510. EFFECT ON OTHER LAWS.

Section 15 (33 U.S.C. 1911) is amended to read as follows:

“SEC. 15. EFFECT ON OTHER LAWS.

“(a) Authorities, remedies, and provisions of this Act supplement and not amend nor repeal any authorities, remedies, or provisions conferred by other provision of law. Nothing in this Act shall limit, deny, amend, modify, or otherwise impair or remedy available to the United States or any other person, except as expressly provided in this Act.”

SEC. 511. MARPOL TECHNICAL CORRECTIONS.

Subsections (a), (b), and (d) of section 9 (33 U.S.C. 1908(a), (b), and (d)) are amended by striking the second comma after “MARPOL Protocol” each place it appears.

The SPEAKER pro tempore (Ms. FOXX). Pursuant to the rule, the gentleman from New Jersey (Mr. LoBIONDO) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. LoBIONDO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5681, as amended.

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

There was no objection.

Mr. LoBIONDO. Madam Speaker, I yield such time as he may consume to the Chair of the full committee, the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.

Mr. YOUNG of Alaska. Madam Speaker, I urge my colleagues to support this legislation.

The Coast Guard has a great deal of authority, but they need the money and they need further authorization to do so. I have charged them, required them as the United States Congress, I hope and ask all of my colleagues to see the movie “The Guardian.” It explains a great deal what the Coast Guard does and why this bill should be supported.

I compliment Mr. LoBIONDO, the chairman of the subcommittee, and those who work on the minority side to make sure that this legislation is good. This legislation is well-thought out, and as it has been tonight, I urge my colleagues to pass this legislation.

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

The Coast Guard Authorization Act of 2006 authorizes nearly $9 billion in funding for the Coast Guard for fiscal year 2007. This authorization includes funding to support each of the Coast Guard’s vital tasks.

The men and women of the Coast Guard work hard to carry out the service’s missions. Each day, they protect the public and help to ensure the safety and security of our great Nation. They are our Nation’s maritime first responders.

Consequently, this body must provide these men and women with the assets and resources that they so desperately need. H.R. 5681 will authorize the funding levels required to do just that. For example, the Secretary may authorize over $12 billion for the Coast Guard’s integrated Deepwater System, the amount necessary to accelerate the replacement of the Coast Guard’s legacy assets from a 25- to 15-year schedule. As the Coast Guard’s legacy assets continue to rapidly deteriorate, the men and women who work with the risk that the aircraft or boat they use may fail to operate. This is totally unacceptable. Further, it puts the safety and security of our citizens at risk. We must accelerate the Deepwater Program and make replacement assets available as soon as possible.

I strongly urge my colleagues to support the funding levels in this bill.

In addition, H.R. 5681 specifically provides that at least $629 million must be used for search and rescue, and at least $502 million must be used for marine safety. While homeland security missions require more resources and personnel than ever, the Coast Guard’s other traditional missions are no less important than they have been in the past. Therefore, the bill sets a floor for spending in these critical areas.

The bill also requires the Coast Guard to report to Congress on how they intend to deal with the nearly 20,000-hour annual readiness gap that has developed in the 110-foot patrol boats. This is something that is very disturbing and troubling and must be addressed.

Additionally, the bill includes a provision establishing a civil penalty for individuals who possess personal use quantities of narcotics at maritime facilities or on a vessel. Drug use on vessels can have deadly consequences, and this provision will give the Coast Guard another tool to keep our waterways safe.

I thank Chairman YOUNG and the ranking members, Mr. OBERSTAR and Mr. FILNER, for working with us so closely to develop this bill. I think it takes a balanced approach to meet the Coast Guard’s requirements.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in very strong support of the Coast Guard Authorization Act of 2006. The bill provides authorization of $8 billion for Coast Guard programs for the coming fiscal year, 2007, including $5.6 billion for Coast Guard operations; $2 billion for Coast Guard acquisition and construction, of which amount $1.4 billion is for the Integrated Deepwater System; $24 billion for research and development; $1 billion for retired pay; $17 million for the Truman Hobbs Bridge Alteration Program; and $12 million for environmental compliance at Coast Guard facilities.

For the past 3 years, Chairman YOUNG and the very dedicated subcommittee chairman, the gentleman from New Jersey (Mr. LoBIONDO), and I, the gentleman from California (Mr. F Gilner), have been concerned about the diversion of Coast Guard resources from their historic missions, search and rescue, marine safety, being diverted to homeland security missions. Those are important, but no more important than those historic missions of the Coast Guard about which we were concerned when the Department of Homeland Security was created and the Coast Guard was moved into it.

The maritime safety laws of this country were written in understanding and appreciation of the peril which mariners face when they get on a ship, go out to sea, whether on the saltwater or the fourth coastline of this country, the Great Lakes.

Americans put their trust every day in the Coast Guard to regulate safety on ferry boats and other types of vessels conveying passengers, or on liquefied natural gas tankers that come into our ports. We have to ensure that the Coast Guard will get their full funding needed to carry out those responsibilities. So in this legislation for the first time we set a floor on the amount of funding available for Coast Guard search and rescue and maritime safety programs.

We restore the funding for those programs that was cut in the President’s proposed budget. We also restore funding for the Truman Hobbs Bridge Alteration Program to remove bridges that are obstructions to navigation.

We ensure funding for the Coast Guard’s research and development program, which will go directly to the Coast Guard and will not be filtered through the Department of Homeland Security. As I warned when we brought that homeland security bill to the House floor that you put the Coast Guard in there, those dollars will be siphoned off to the other functions within homeland security. Now we found a way to protect that that will not happen; the money will go directly to the Coast Guard.
In addition, we make a number of changes that will help the men and women of the Coast Guard of whom Chairman LoBONDO and Chairman YOUNG and I and others have so frequently spoken with great admiration for their efforts.

First, we help pay for Coast Guard travel expenses for medical costs, if they are assigned to an isolated place that has no public access roads to the mainland, for example, allowing Coast Guard enlisted personnel to participate in the retired Forces Retirement Home System; requiring that newly built fishing vessels built as replacement vessels under the American Fisheries Act be classed by the American Bureau of Shipping and have loadlines assigned if they are over 29 feet in length; and increasing the civil penalties for vessels that violate the anchorage regulations.

We also require that each facility security plan provide a method for seamen and representatives of seamen’s welfare and labor organizations be able to board and depart the vessel through the facility in a timely fashion at no cost to the individual.

These are just some of the highlights of the important, comprehensive bill. It achieves that extraordinary goal that we on this committee in a bipartisan manner have had of setting a floor on the Coast Guard funding for search and rescue and for maritime safety programs.

This is an accomplishment. We ought to pass this bill.

Mr. FLAKE. Madam Speaker, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Arizona.

Mr. FLAKE. We passed recently the earmark reform rule that applies simply to House rules. I had a concern that it might not apply to suspension bills, bills which are brought under suspension rules, which would include the suspending the earmark rule that we adopted.

I find in the report specific language referring to the Great Lakes Maritime Research Institute and specific moneys that are allocated in 2007, 2008, 2009 and 2010, which would include the suspending the earmark rule that we adopted.

I find in the report specific language referring to the Great Lakes Maritime Research Institute and specific moneys that are already in existence as designated in that bill. We keep it out. These are just adding a new rule. It is making a commitment to adhere to the rule that we passed in December 2005.

Mr. FLAKE. If the gentleman would continue to yield, I am reading now from the report.

Mr. OBERSTAR. Reclaiming my time. I just want to say that the law directed the Secretary of Transportation to designate. The press release didn’t. The legislation didn’t. Appropriations didn’t. If you are looking for transparency, it is very transparent what we have here in this bill. Additionally, we agree with the chairman, the gentleman from Arizona, on this language:

“Congressman DAVID OBEY, D-Wisconsin, announced December 12 that the Great Lakes Maritime Institute, the joint effort of the University of Wisconsin-Superior and the University of Minnesota-Duluth, will receive $2 million in Federal funding.”

I believe that that is now the identified home of the Institute and, therefore, receiving money year after year would, I believe, be defined as an earmark for that purpose.

Mr. OBERSTAR. Madam Speaker, the gentleman refers to a press release. We don’t legislate by press releases here.

Secondly, that statement was issued after the Secretary made a designation. After the Secretary made a designation. And participating in the Institute are the University of Toledo; the University of Wisconsin at Madison; the Great Lakes Maritime Academy, which is in Michigan; the University of Michigan; Michigan Tech University; and University of Minnesota-Duluth. This is a consortium of universities. But the legislation didn’t designate where it should be located. That designation was left to the Secretary.

We do not legislate by press release. Unfortunately, for those of us who are trying to bring some accountability or transparency, sometimes the only way we can find out who requested an earmark or specific funds to be in a press release because the agency won’t tell us and the committees won’t tell us.

Mr. FLAKE. I thank the gentleman.

Mr. OBERSTAR. Madam Speaker, I thank the gentleman. My concern is that we did the earmark reform rule. We didn’t specifically cover suspension bills, and we want to make sure that all avenues are covered, whether it is authorizing on suspension bills or whatever else we do. So I appreciate the gentleman’s explaining this particular source of funding and how and when it is arrived at.

The chair of the Rules Committee said during the debate on that earmark rule, he said, “By adopting this new rule, we as a body are not only making the commitment to live under its provision, but every Member must make a commitment to adhere to the spirit of this new rule. It is more than just adding a new rule. It is making a commitment to change the culture of the institution.”

And what I want to make sure is that under rules of suspension that we don’t bring to the floor any earmarks that have not been identified according to the rule.

Mr. OBERSTAR. Madam Speaker, I thank the gentleman’s integrity and his pursuit of a personal and institutional objective. However, this is not an earmark for a project. It is not a designation of a specific venue for an activity. It is an authorization for the Department to make a decision which was done pursuant to the 2001 law, and in this legislation we simply extend what is already in existence as designated by the Secretary.

Now, we are very careful in this committee. I will not stand for, in any aviation authorization bill, any specific designation. People always want to have an air traffic control tower or center or something else designated in that bill. We keep it out. And we do not have any of those designations in this bill for specific districts for specific Members.

Mr. FLAKE. Madam Speaker, I thank the gentleman. I also thank the leadership for their continued commitment.
to work and to ensure that suspension bills are covered under the new earmark rule.

Mr. OBERSTAR. Madam Speaker, that is an issue the gentleman I sug-
gest should take up with his leadership, I do not have much of a say in
that matter.

Madam Speaker, I reserve the bal-
ance of my time.

Mr. LoBIONDO. Madam Speaker, I yield to Congresswoman KELLY from New York.

Mrs. KELLY. Madam Speaker, I rise today in support of the Coast Guard re-
authorization. I am pleased to see that the section that Mr. BARROW of Georgia and
I authored in a bipartisan fashion is included in the measure before us.

Our provision would clarify the role of the Coast Guard in protecting our
Nation’s nuclear power plants along navigable waterways. This language
will allow the Coast Guard to work with the Nuclear Regulatory Commis-
sion to better safeguard nuclear facil-
ities like the Indian Point facility along the Hudson River in my district and
provide vessels and weaponry capable of thwarting waterborne attacks.

I want to thank Chairman YOUNG and
Coast Guard Subcommittee Chairman
LoBIONDO for their great work in sup-
port of the U.S. Coast Guard and for
working so cooperatively with Con-
gressman BARROW and me to have this
 provision included. This provision will
go a long way towards protecting a seg-
ment of our Nation’s energy infrastruc-
ture that still remains vulnerable of
attack.

Mr. OBERSTAR. Madam Speaker, I
think we have essentially resolved the
issue of the gentleman from Arizona.

Madam Speaker, I have no further re-
quest for time, and I yield back the
balance of my time.

Mr. LoBIONDO. Madam Speaker, I
yield myself such time as I may con-
sume.

I would like to thank all my col-
leagues again, thank Mr. YOUNG, Mr. OBERSTAR, and Mr. FILNER on the sub-
committee for working so closely for
such an excellent product.

I would like to remind all of the
Members of the sacrifices that the men
and women of the Coast Guard make
every day on our behalf. Unsung he-
roes, underrecognized, underappre-
ciated men and women who are putting
their lives on the line for our country
with extraordinary dedication. This
bill will help give them the tools and
the equipment necessary for them to
carry out their jobs.

It is, I guess, somewhat fitting that
within a very short period of time all
of America will have an opportunity to
have a much better understanding of
what the Coast Guard does because of
a film that is being released. I believe,
tomorrow, that will paint an extraor-
dinary picture, realistic picture, of
Coast Guard rescue swimmers and the
danger, the risks and challenges they
put themselves in every day on our behalf.

So I once again would urge all of my
colleagues to please vote “yes.”

Madam Speaker, I yield back the bal-
ance of my time.

The SPEAKER pro tempore. The ques-
tion is on the motion offered by the
gentleman from New Jersey (Mr. LoBIONDO) that the House suspend the
rules and pass the bill, H.R. 5681, 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.

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

Mr. COLE of Oklahoma, from the
Committee on Rules, submitted a per-
mission report (Rept. No. 109-700) on
the resolution (H. Res. 1053) waiving a re-
quirement of clause 6(a) of rule XIII
with respect to consideration of certain
resolutions reported from the Com-
mittee on Rules, which was referred to
the House Calendar and ordered to be
printed.

REPORT ON RESOLUTION WAIVING
POINTS OF ORDER AGAINST CON-
FERENCE REPORT ON H.R. 5441,
DEPARTMENT OF HOMELAND
SECURITY APPROPRIATIONS ACT,
2007; PROVIDING FOR CONSIDER-
ATION OF S. 3930, MILITARY COM-
MISSIONS ACT OF 2006; PROVID-
ING FOR CONSIDERATION OF H.R.
4772, PRIVATE PROPERTY RIGHTS
IMPLEMENTATION ACT OF 2006

Mr. COLE of Oklahoma, from the
Committee on Rules, submitted a per-
mission report (Rept. No. 109-701) on
the resolution (H. Res. 1054) waiving points of order against the conference report
accompanied the bill (H.R. 5441) mak-
ing appropriations for the Department of
Homeland Security for the fiscal year ending September 30, 2007, and for
other purposes and providing for con-
sideration of the bill (S. 3930) to au-
thorize trial by military commission for
violations of the law of war, and for
other purposes and consideration of the
bill (H.R. 4772) to simplify and expedite
access to the Federal courts for injured
parties whose rights and privileges
under the United States Constitution have been deprived by final actions of
Federal agencies or other government
officials or entities acting under color
of State law, and for other purposes,
which was referred to the House Cal-
endar and ordered to be printed.

ROBERT J. THOMPSON POST
OFFICE BUILDING

Mr. MARCHANT. Madam Speaker, I
move to suspend the rules and pass the
bill (H.R. 6075) to designate the facility
of the United States Postal Service lo-
cated at 101 East Gay Street in West
Chester, Pennsylvania, as the “Robert
J. Thompson Post Office Building”.

The Clerk read as follows:

H.R. 6075

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

SECTION 1. ROBERT J. THOMPSON POST OFFICE
BUILDING.

(a) DESIGNATION.—The facility of
the United States Postal Service located at
101 East Gay Street in West Chester, Pennsyl-
vania, shall be known and designated as the
“Robert J. Thompson Post Office Building”.

(b) REFERENCES.—Any reference in a law,
map, regulation, document, paper, or other
record of the United States to the facility re-
ferred to in subsection (a) shall be deemed to
be a reference to the “Robert J. Thompson
Post Office Building”.

The SPEAKER pro tempore. Pursu-
ant to the rule, the gentleman from
Texas (Mr. MARCHANT) and the gen-
tleman from Illinois (Mr. DAVIS) each
will control 20 minutes.

The Chair recognizes the gentleman
from Texas.

Mr. MARCHANT. Madam Speaker, I
ask unanimous consent that all Mem-
bers may have 5 legislative days within
which to revise and extend their re-
marks and to include extraneous mate-
rial on the bill under consideration.

The SPEAKER pro tempore. Is there
objection to the request of the gentle-
man from Texas?

There was no objection.

Mr. MARCHANT. Madam Speaker, I
yield myself such time as I may con-
sume.

Madam Speaker, H.R. 6075, offered by
the gentleman from Pennsylvania (Mr. PITTS), would designate the facility of
the Post Office in West Chester, Pennsyl-
vvania, as the “Robert J. Thompson
Post Office Building.”

Born on November 30, 1937, Senator
Thompson graduated from Penn State
University in 1959 and was known to be
to have an athlete's body of the Nittany
Lions.

He was a native of West Chester,
Pennsylvania, and began his career in
public service in 1970 as a member of the
West Goshen Township Board of
Supervisors. He began serving as a
member of the Pennsylvania State
Senate in 1995, representing the 19th
District, which includes parts of Ches-
ter and Montgomery Counties. During
his distinguished career as Senator,
Thompson also served as chairman of
the Appropriations Committee and vice
chairman of the State Government
Committee.

But his contributions were not lim-
lit to just the public arena. He was a
ded and devoted fan of the Nittany
Lions. It's impossible to overstated the
impact that the senator and his family
had on the community in which they lived.

Senator Thompson's list of involve-
ments was impressive. He was the
founding Executive Director of the
Chester County Chamber of Commerce,
a member of the Chester County Hos-
pertaining Board, a member of the
Immaculata College President's Coun-
cil, and was an elder at the First Pres-
byterian Church of West Chester.
He passed away in January of 2006 and will be greatly missed by friends, family, and the community.

I urge all Members to come together and vote in favor of H.R. 6075.

Madam Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 6075, legislation sponsored by Representative Joseph Pitts, was unanimously passed by the Government Reform Committee on September 21, 2006. The bill designates the facility of the United States Postal Service located at 101 East Gay Street in West Chester, Pennsylvania, as the "Robert J. Thompson Post Office Building.

Robert Thompson, a member of the Pennsylvania State Senate since 1995 and Chair of the Senate Appropriations Committee, passed away in January of 2006.

Madam Speaker, Robert Thompson was a distinguished citizen who gave much of himself and much of his life to public service, and one way of recognizing and remembering the contribution that he made is to name this postal facility in his honor.

Mr. PITTS. Madam Speaker, today, I ask my colleagues to join me in honor of Robert J. Thompson and I rise in support of H.R. 6075, the Senator Bob Thompson Post Office Designation Act.

I am proud to introduce this bill with my fellow colleagues from Pennsylvania and I thank them for their support.

It’s a great privilege to be able to commemorate the life and public service of the late Senator Robert Thompson, as he was known to his friends.

Senator Thompson was a distinguished legislator and respected public servant. He served the people of southern Pennsylvania for more than 30 years as an elected official.

Bob got his start in public life in 1970 as a member of the West Goshen Township Board of Supervisors.

In 1995, Bob was elected to the State Senate where he represented the good people of Chester and Montgomery counties and served as Majority Chairman of the Senate Appropriations Committee.

I had the great privilege of serving with him in the Pennsylvania State legislature before coming to Congress—an honor I will always cherish.

Throughout his tenure in Harrisburg, Bob earned a reputation as an honest and sincere representative who always made his constituents his first priority.

Despite his health challenges that required him to be in the hospital frequently, his friends and colleagues fondly recall the encouraging and humorous e-mails he would send on his Blackberry from his hospital room.

Those who knew Bob loved his gentle demeanor, cheerful spirit, and great sense of humor.

His kindness and generosity were evidenced by his dedication to community service and civic participation.

He served on the board of numerous civic associations and community groups, including the Chester County Historical Society, the Westtown-Goshen Rotary Club, Chester County Library, and the West Chester Area Day Care Association.

Despite his many accomplishments as a respected public servant, I believe Bob would most like to be remembered as a devoted husband to Nancy and a loving father and grandfather.

Although Pennsylvania lost a great public leader, his kind and gentle countenance will not be forgotten by the many men and women who have served alongside him.

The Bob Thompson Post Office will be a fitting tribute to his life and work for many years to come.

Mr. GERLACH. Madam Speaker, I rise today to honor a great public servant and friend, the late Pennsylvania State Senator Robert J. Thompson.

Today, the House of Representatives has the unique opportunity to designate the United States Postal Service facility located at 101 East Gay Street in West Chester, Pennsylvania, the "Robert J. Thompson Post Office Building.

Bob, a native of Chester County, Pennsylvania, gave his life to public service as a township supervisor, county commissioner, member of the Southeastern Pennsylvania Transportation Authority, and finally as State Senator representing the 19th District of Pennsylvania. In all of these endeavors, he represented his constituents with honor, dignity, and professionalism.

He was also known throughout the community as a loving father and grandfather with a tremendous sense of humor and love of life. So, it is an honor for me to take this time to remember a man I worked closely with and who I greatly respected as a mentor and a friend.

Bob and his wife Nancy made community service, civic participation, and faith-based activities paramount in their lives. When not serving on countless commissions, committees, and caucuses, Bob made sure he was there for his family as well. In short, Bob was a "legislator’s legislator," a highly honored servant and a loving family man.

Madam Speaker, it is a privilege to stand before this House today to help remember State Senator Robert Thompson. He is sorely missed by his family, his constituents, and myself, and I know that by naming the post office in West Chester after him, his legacy of public service will live on.

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

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

The SPEAKER pro tempore. The question was taken; and (two-thirds having voted in favor thereof) the bill (H.R. 6075) was passed.

The motion to reconsider was laid on the table.

CHUCK FORTENBERRY POST OFFICE BUILDING

Mr. MARCHANT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6078) to designate the facility of the United States Postal Service located at 307 West Wheat Street in Woodville, Texas, as the "Chuck Fortenberry Post Office Building.

The Clerk read as follows:

H.R. 6078

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

SECTION 1. CHUCK FORTENBERRY POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 307 West Wheat Street in Woodville, Texas, shall be known and designated as the "Chuck Fortenberry 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 "Chuck Fortenberry Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. MARCHANT) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

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

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

There was no objection.

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

Madam Speaker, H.R. 6078 as introduced by the gentleman from Texas (Mr. BRADY) would designate the post office in Woodville, Texas, as the "Chuck Fortenberry Post Office.

Chief Warrant Officer Fortenberry was a 19½-year Army veteran who was serving with the 1st Battalion, 227th Aviation Regiment, 1st Cavalry Division, out of Fort Hood, Texas. During the course of his distinguished career, he also served in the 82nd Airborne Division, became an Army Ranger, and worked in Alaska before joining the warrant officer program to fly helicopters.

Officer Fortenberry was killed on Easter Sunday, April 11, 2004, when his AH-64 Apache helicopter was shot down over Baghdad. On that Sunday, a convoy traveling through Baghdad en route to Fallujah came under enemy fire. Someone on the ground called for air support, and Fortenberry and his partner, Chief Warrant Officer Lawrence "Shane" Colton, responded within moments. The convoy was saved, but their helicopter was shot down. Officer Fortenberry and his crewman paid the ultimate price for their country and their comrades, and I hope all members will join me in supporting this bill to honor such bravery and sacrifice.

Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Madam Speaker, I appreciate Congressman...
H7888

CONGRESSIONAL RECORD — HOUSE

September 28, 2006

MARCHANT for his leadership on this issue.

On Easter Sunday, 2004, Apache helicopter pilot, Army Chief Warrant Officer Wesley Lee Charles Fortenberry and his gunner answered a desperate call for help from a convoy of 29 Reservists trapped in an ambush with an estimated 300 Muslim extremists, pinned down in amile-long kill zone in Baghdad, literally down to their last rounds of ammunition.

Pilot Chuck Fortenberry and his gunner fought to save the lives of 29 soldiers, repeatedly silencing enemy guns and drawing fire to themselves. As one reservist said “everywhere the Apache flew, the fire stopped. When I heard the Apaches, all I could think of was ‘Thank God’, I am going to live.” To make sure that future generations understand the sacrifices that ensure their freedoms I am proud to announce I have introduced legislation to name the Woodville Post Office in honor of Chuck Fortenberry.

This is a lasting tribute to an American hero. It is also a tribute to the families of Tyler County, whose sons and daughters have defended America’s interests reported by the Government Reform Committee on September 21, 2006.

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

Mr. MARCHANT. Madam Speaker, I urge all Members to support the passage of H.R. 6078, and I yield back the balance of my time.

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

Mr. MARCHANT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4720) to designate the facility of the United States Postal Service located at 200 Gateway Drive in Lincoln, California, as the “Beverly J. Wilson Post Office Building”.

The Clerk read as follows:

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

SECTION 1. BEVERLY J. WILSON POST OFFICE BUILDING.

(a) DESIGNATION—The facility of the United States Postal Service located at 200 Gateway Drive in Lincoln, California, shall be known and designated as the “Beverly J. Wilson Post Office Building”.

(b) REFERENCES—Any reference in a law, rule, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to include the name of the “Beverly J. Wilson Post Office Building”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. MARCHANT) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, in the town of Lincoln, California, Beverly Wilson was known not just a postal carrier but also as a dear friend and community fixture. She lived in Lincoln for 50 years and worked for the postal service for nearly 30 of those years. She went out of her way to get to know her customers personally, and she always took new employees under her wing. She was well known throughout Lincoln for her famous pomegranate jelly and baked pies, but above all else her community remembers her kindly spirit, generosity and warmth.

Beverly Wilson will be deeply missed by all of the people whose lives she touched.

I urge all Members to join me in naming this post office in her honor.

Madam Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 4720, legislation introduced by Representative John Doolittle designates the facility of the United States Postal Service located at 200 Gateway Drive in Lincoln, California, as the Beverly J. Wilson Post Office Building.

Beverly Wilson, 65, and a resident of Lincoln, California, was a rural letter carrier for the United States Postal Service. Mrs. Wilson was delivering mail in her postal Jeep when she was rear-ended and killed, ending a 26-year career with the United States Postal Service.

Ms. Wilson was 4 weeks away from retirement. Madam Speaker, I can imagine that oftentimes individuals who do the work that Ms. Wilson did do not have monuments erected or buildings named for them. But delivering the mail is a very important function. People wait to receive it. They need it. They want it. And one of the ways that we can honor her, as well as the other thousands of letter carriers throughout the country is by naming this facility after Ms. Beverly J. Wilson.

I urge its passage.

Ms. MATSUI. Mr. Speaker, Beverly Wilson, “Bev” as she was known, was many things: a mother of five, a grandmother of 15, and a dedicated Postal Carrier for nearly thirty years.

The naming of the Lincoln Post Office at which she worked is fitting for such a tremendous woman.

On January 6, 2005, just one month before retiring from the U.S. Postal Service, longtime Lincoln, California resident Beverly Joyce Wilson, 65, was involved in a fatal car accident while on the job.

The public sentiment after her death left one of her son’s to remark, “How can one little old woman touch the lives of so many people?” It is important to remember from the heartfelt comments from her relatives, friends, coworkers and residents of Lincoln that she truly has made a lasting impression on Lincoln.
Hamilton H. Judson was appointed postmaster of the Farmington post office on August 11, 1884, by Postmaster General Walter Q. Gresham. He retired in 1914.

I understand, Mr. Speaker, that this unique approach in terms of how this became the Hamilton H. Judson Post Office. It is my understanding that a contest sort of took place in town, and that the citizens voted. And after the voting was done, and all of the votes had been counted, Hamilton H. Judson was the name.

That is a unique way of people participating in a public decision. I commend the gentleman from Minnesota for using this approach and urge passage of this resolution.

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

Mr. MARCHANT. Mr. Speaker, I urge all Members to support the passage of H.R. 6151, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. MARCHANT) that the House suspend the rules and pass the bill, H.R. 6151.

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.

Mr. MARCHANT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6151) to designate the facility of the United States Postal Service located at 216 Oak Street in Farmington, Minnesota, as the “Hamilton H. Judson Post Office”.

The Clerk read as follows:

H.R. 6151

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

SECTION 1. HAMILTON H. JUDSON POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 216 Oak Street in Farmington, Minnesota, shall be known and designated as the “Hamilton H. Judson 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 “Hamilton H. Judson Post Office”.

The SPEAKER pro tempore (Mr. GOHMIET). Pursuant to the rule, the gentleman from Texas (Mr. MARCHANT) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. MARCHANT. 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. The question is on the motion offered by the gentleman from Texas (Mr. MARCHANT) that the House suspend the rules and pass the bill, H.R. 6151.

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.

Mr. MARCHANT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5736) to designate the facility of the United States Postal Service located at 101 Palafax Place in Pensacola, Florida, as the “Vincent J. Whibbs, Sr. Post Office Building”.

The Clerk read as follows:

H.R. 5736

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

SECTION 1. VINCENT J. WHIBBS, SR. POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 101 Palafax Place in Pensacola, Florida, shall be known and designated as the “Vincent J. Whibbs, Sr. 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 “Vincent J. Whibbs, Sr. Post Office Building”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. MARCHANT) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. MARCHANT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.
The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

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

Mr. Speaker, H.R. 5736, offered by the gentleman from Florida (Mr. MILLER), would designate the facility of the United States Post Office in Pensacola, Florida, as the Vincent Whibbs, Sr. Post Office Building.

In 1978, Vincent Whibbs passed away on May 30, 2006, having left a long legacy of public service in his country, and to the hometown of Pensacola, Florida.

During World War II, Mr. Whibbs left his job at the Pontiac Motor Division of General Motors to join the Army’s Air Corps, serving as a fighter pilot and then a fighter flight trainer. After the war, he returned to his job at Pontiac and rose quickly through the ranks until he decided to take over a Pontiac dealership in Pensacola. It was there that he came to love the city that would become his permanent home.

Mr. Whibbs was very giving of his time to the community. He was elected to the city council, and served in many organizations such as the Navy League, the United Way, and the Rotary Club.

In 1978 he was appointed to a 2-year term as mayor of Pensacola. He did such a good job, that he was asked to serve through June of 1991, making him the longest serving mayor in Pensacola history.

In honor of his distinguished service, the city bestowed the title of Mayor Emeritus upon Mr. Whibbs.

I support H.R. 5736 in recognition of the many contributions he made to the community. And I hope all Members will join me.

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

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

Mr. Speaker, H.R. 5736, legislation introduced by Representative JEFF MILLER, designates the facility of the United States Postal Service located at 101 Palafox Place in Pensacola, Florida, as the “Vincent J. Whibbs, Sr. Post Office Building.”

Vincent Whibbs was a member of the Pensacola City Council and former mayor of the city from 1977 to 1991. He passed away this year after having a distinguished career as a public servant. He did indeed serve for a long time as mayor of the city, and I can think of no better way for the city to honor his work and his memory than to name this postal facility in his honor.

I urge its passage.

Mr. MILLER of Florida. Mr. Speaker, I rise today in strong support of the bill. H.R. 5736 will honor a great man who gave his all to the betterment of Pensacola.

In 1978, Vincent Whibbs was appointed to a 2-year term as mayor of Pensacola but did such a great job that he ended up serving through June of 1991. Mayor Whibbs was Pensacola’s longest-serving mayor and even after he left the position in 1991 he maintained the title of mayor emeritus.

Friendly, outgoing, and charming, Vince had a love for Pensacola that was overshadowed only by his love of God, country, and family.

He was constantly giving back to the community though his involvement in local organizations including the Chamber of Commerce, the Pensacola Drag方式, the Navy League, the Fiesta of Five Flags, the United Way, Rotary Club International, Junior Achievement and Project Alert.

Mayor Whibbs loved to personally welcome dignitaries to Pensacola and greeted all who came with a rapid-fire delivery: “On behalf of our elected City Council, those 10 masterful men who manage our magnificent municipality; and on behalf of the chairman of our county commission and his four commissioners who constantly deal with the changing, challenging conditions of our county; and on behalf of our wonderful people who populate the NorthWest Florida area, it is my privilege and pleasure as mayor to welcome you to Pensacola, the western gate to the Sunshine State, where thousands live the way millions wish they could: under the warm embrace of our community comes not only from God’s good sunshine, but from the hearts of the people who live here. Welcome to Pensacola, America’s first place city and the place where America began.”

Mr. Speaker, Mr. Whibbs was a friend of Pensacola, a friend of the military and a personal friend of mine. His enthusiasm was contagious, his integrity inspiring.

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

The SPEAKER pro tempore. There was no objection.

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

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

There was no objection.

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

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

There was no objection.

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

Katherine Dunham was born in Glen Ellyn, Illinois, in 1909, and from a very early age, she was passionate about the arts. She attended Chicago University and went on to earn a master’s and doctoral degree in anthropology. In 1931, she opened her first dance school, and in 1948, she participated in a tour that was the first to bring African American dance to the European public.

Upon returning from Europe, Dunham directed a production on Broadway, and in 1963, she became the first African American to choreograph for the Metropolitan Opera. Perhaps one of the most defining moments of her career, however, was receiving the Albert Schweitzer Music Award for a life’s work dedicated to music and devoted to humanity at New York’s Carnegie Hall.

In recognition of her countless achievements and contributions to the arts, I urge all Members to join me in voting for H.R. 5929.

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

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he might consume to the gentleman from Illinois (Mr. COSTELLO), the sponsor of this resolution.

Mr. COSTELLO. Mr. Speaker, I thank my friend from Illinois for yielding the time and thank him for his co-sponsorship of this legislation.

Mr. Speaker, I rise tonight in support of H.R. 5929, the Katherine Dunham Post Office Designation Act. Katherine Dunham was a legendary dancer, choreographer, and social activist. Katherine Dunham always said she wanted a useful legacy, a legacy that was more than being a dancer. She truly achieved that goal.

Katherine Dunham was born on June 22, 1909, in the Chicago suburb of Glen Ellyn. She was one of the first African Americans to attend the University of Chicago, where she eventually earned...
Mr. Speaker, I yield back the balance of my time.

Mr. MARCHANT. Mr. Speaker, I urge all Members to support the passage of H.R. 5929, and I yield back the balance of my time.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I urge its passage.

Mr. Speaker, I urge the House to suspend the rules and pass the bill (H.R. 1472) to designate the facility of the United States Postal Service located at 167 East 124th Street in New York, New York, as the “Tito Puente Post Office Building".

Mr. Speaker, I urge the House to suspend the rules and pass the bill (H.R. 1472) to designate the facility of the United States Postal Service located at 167 East 124th Street in New York, New York, as the “Tito Puente Post Office Building".

The SPEAKER pro tempore. Is there an objection to the request of the gentleman from Texas (Mr. MARCHANT) that the House suspend the rules and pass the bill, H.R. 1472?

The Speaker pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. MARCHANT) and the gentleman from Illinois (Mr. DAVIS) may each control 20 minutes.

The Clerk recognizes the gentleman from Texas.

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

The Speaker pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

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

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

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

Mr. Speaker, a 5-time Grammy winner, Tito Puente was one of the most influential Latin jazz musicians of his time. He began playing the drums professionally as early as the age of 13 and went on to study composing, orchestra and piano at Julliard and the New York School of Music.

Puente released 120 albums over the course of his 60-year career. His fans loved him for both his music and his showmanship. He will always be remembered for keeping his music fresh and current through the decades.

I support H.R. 1472 in recognition of the remarkable gift for music that Mr. Puente joyously shared with the world and hope all the Members will join with me.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

H.R. 1472, legislation introduced by Representative CHARLES RANGEL, was unanimously passed by the Government Reform Committee on September 21, 2006. H.R. 1472 designates the facility of the United States Postal Service located at 167 East 124th Street in New York as the Tito Puente Post Office Building.

Tito Puente, the great musician known as the “King of Latin Music,” was born in 1923. He recorded over 100 albums and was a 4-time Grammy award winner, featured motion picture performer and internationally acclaimed musician. He died in May of 2000, and all of us who have heard the Latin sounds and relaxed as we listened are proud to know that a postal service is being named in honor of this great musician.

I urge its passage.

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

Mr. MARCHANT. Mr. Speaker, I urge all Members to support the passage of H.R. 1472, and I yield back the balance of my time.

The Speaker pro tempore. 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.

Mr. Speaker, in recognition of the remarkable gift for music that Mr. Puente joyously shared with the world and hope all the Members will join with me.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

While many in the United States have improved their quality of life by securing competent, objective, and comprehensive financial advice, it is also true that many families and the financial planning profession for their adherence and dedication to the financial planning process, as amended.

The Clerk reads as follows:

H. Res. 973

Whereas the financial planning process can play a vital role in helping workers achieve financial independence by empowering them to identify and manage realistic financial objectives and meet the financial challenges that arise at every stage of life; Whereas all individuals in the United States can improve their quality of life by securing competent, objective, and comprehensive financial advice to assist them in attaining their financial goals; Whereas 2 surveys released in 2006 by the Consumer Federation of America and the Financial Planning Association revealed that.
Mrs. BIGGERT. Mr. Speaker, I rise today to urge my colleagues to support House Resolution 973, which supports the goals and ideals of designating the week of October 2–8, 2006 Financial Planning Week.

I want to thank my friend and colleague, the gentleman from Texas, Mr. HINOJOSA, for introducing this resolution. I want to commend him for his leadership on the important issue of financial education.

In addition to serving together on the Financial Services Committee, Congressman HINOJOSA and I co-chair the Financial and Economic Literacy Caucus, which now has 79 members. His commitment to improving financial literacy levels among all Americans is unwavering. I am honored to co-chair the caucus with him and to be the lead co-sponsor of this resolution.

I also want to thank the gentleman from Virginia, Chairman T. DAVIS, for expeditiously moving this resolution through the Committee on Government Reform.

Mr. Speaker, House Resolution 973 calls on the Nation to observe the week of October 2–8, 2006, as “Financial Planning Week.” The Financial Planning Association, along with many states and municipalities across the country, have designated October 2–8, 2006, as “Financial Planning Week.” Our collective goal for the week is to make Americans aware of their financial planning needs, and encourage them to take the actions necessary to achieve financial security for their families.

Mr. Speaker, proper financial planning is an essential part of achieving one’s life goals. Whether saving for a child’s education, planning for retirement, or purchasing a first home, virtually every major decision that we make requires comprehensive financial planning.

Financial Planning Week will provide a good opportunity to talk to your kids about their personal financial strengths and loved ones the need to plan for retirement, or to seek help with your own financial situation, if need be.

In the last quarter of 2005, the personal savings rate dropped to negative-point-two—one of the lowest since the Great Depression. Studies show that as many as 10 million households in the United States are ‘un-banked.’ They don’t even have a bank or credit union account. In addition, 37 percent of workers are not currently saving for retirement. This has to change, and the best way for it to change is for us as Americans to get educated about properly managing our finances.

This October, during “Financial Planning Week,” I will join my colleagues, and financial literacy advocates nationwide, to encourage Americans to seek out information about the benefits of properly managing their personal finances.

I ask my colleagues to join me and support the goals and ideals of designating October 2–8, 2006, as Financial Planning Week.

Mr. Speaker, I rise today in strong support of H. Res. 973, recognizing “Financial Planning Week,” October 2nd through the 8th of this year. I was very pleased that my colleague and good friend from Illinois, Congresswoman JUDY BIGGERT, joined me in introducing this important and timely resolution.

I want to take this opportunity to thank Congresswoman BIGGERT, Congressman KANJORSKI and his staff, Congressman MALONEY and her staff, and the Minority Leader’s office for the assistance they provided me in bringing this resolution to the floor today.

Whether saving for a child’s education, planning for retirement, or changing stages of your life... changing products, markets and tax laws... they can assess your current financial health by examining your assets, liabilities, income, insurance, taxes, investments and estate plan. These same groups can help you develop a realistic, comprehensive plan to meet your financial goals by addressing financial weaknesses and building on financial strengths. They can help you put your plan into action and monitor its progress.

Furthermore, they can help you stay on track to meet changing goals... changing personal circumstances... changing stages of your life... changing products, markets and tax laws.

Research has shown that people with a financial plan tend to save more money, feel better about their progress, and make more appropriate decisions—no matter what their income.

Moreover, a written financial plan is far more effective than a mental one. Seeing your savings grow is a highly motivating experience. Keeping track of your progress is an important part of achieving financial success. A written financial plan helps you stay on course.

Following the financial plan is the biggest challenge for most people. The pay-off for...
meeting this challenge will be increased family financial security and satisfaction.

Many people are amazed to see how much of their money is spent on take-out lunches, morning coffees, and other expenses that can add up over time. It is up to all of us to decide whether these “extras” are really worth the trade-off. Are these everyday “extras” worth giving up money for current expenses and future goals?

The reality is that your everyday spending decisions have a greater impact on your long-term financial well-being than all of your investment decisions combined.

Next week, I hope that all of you will focus on mapping out your financial future. I would like to commend the financial planners who will be volunteering their services on October 4th, financial planning day in room 430 of Senate Dirksen Office Building from noon to 3pm. Over a dozen financial planners will be available to answer any financial questions from you or your staff. More than likely, just you will be able to attend the event, but I encourage them to do so.

Mr. Speaker, if there is one thing I would like my colleagues and the public to understand today is that it is never too late to take control of your finances.

Whether you are a youth learning the fundamentals of savings and checking or an older person concerned that you haven’t planned for your golden years, it is never too late to start.

So, why not start today!

Again, I rise in strong support of this resolution and urge my colleagues to vote in favor of it.

DEAR CONGRESSMAN HINOJOSA: As the leading membership organization for the financial planning community, the Financial Planning Association (FPA) would like to thank you for introducing H.R. 973, in recognition of Financial Planning Week. This resolution will help expand our goal of increasing financial literacy and as a result, help the national savings rate.

In a few weeks, our efforts to promote the benefits of wise personal financial planning will be extended to Capitol Hill. We would like to personally invite you to attend our sixth annual Financial Planning Day on October 4th, financial planning day in room 430 of Senate Dirksen Office Building, room 430, from 12 p.m. to 3 p.m. Over a dozen financial planners will be available to answer any financial questions from you or your staff. We would also like to use that opportunity to personally express our gratitude for your efforts in support of sound financial planning for all Americans.

FPA connects those who need, support and deliver financial planning. Our 28,000 members work with a variety of clients, including individuals and small businesses, to support and deliver objective financial planning advice from a competent, ethical financial planner. Our members demonstrate and support a professional commitment to education and a client-centered financial planning process.

Sincerely,

DANIEL B. MOSAND,
President, FPA.
more included to listen and act upon information coming from their peers than from parents, teachers or counselors.

We once again applaud your leadership and your tireless efforts to improve the lives of the American people through increased financial literacy and planning.

Sincerely,  
JOSHUA PEREZ

Hon. JUDY BIGGERT  
Hon. RUBEN HINOJOSA,  
Chairman and Ranking Member, Committee on  
Natural Resources, U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVES BIGGERT and HINOJOSA: On behalf of Citigroup’s Office of Financial Education, I am writing in support of H. Res. 973, which recognizes Financial Planning Week and encourages Americans to become engaged in the financial planning process in order to achieve their financial goals. Financial literacy is a critical skill that people need to master if they are to function in our global economy.

Citigroup is strongly committed to promoting financial education as evidenced by our ten-year, $200 million dollar commitment and our multi-lingual curriculum designed for consumers of all ages.

We applaud the work of the Financial Literacy Caucus and thank you both for your continued efforts to improve the lives of Americans in this area.

Sincerely,  
DARA DUGUAY,  
Director,  
Citigroup’s Office of  
Financial Education.

Mr. MARCHANT of Texas. Mr. Speaker, I urge all Members to support the adoption of H. Res. 973, as amended, and I yield back the balance of my time.

Mr. MARCHANT. 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 now under consideration.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. MARCHANT) that the House suspend the rules and pass the bill, H.R. 5989.

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.

WALLACE W. SYKES POST OFFICE BUILDING

Mr. MARCHANT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5990) to designate the facility of the United States Postal Service located at 415 South 5th Avenue in Maywood, Illinois, as the “Wallace W. Sykes Post Office Building”.

The Clerk read as follows:

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

SECTION 1. WALLACE W. SYKES POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 415 South 5th Avenue in Maywood, Illinois, shall be known and designated as the “Wallace W. Sykes Post Office Building”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. MARCHANT) the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. MARCHANT).

Mr. MARCHANT. 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 now under consideration.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. MARCHANT) that the House suspend the rules and pass the bill, H.R. 5989.

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.

WALLACE W. SYKES POST OFFICE BUILDING

Mr. MARCHANT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5990) to designate the facility of the United States Postal Service located at 415 South 5th Avenue in Maywood, Illinois, as the “Wallace W. Sykes Post Office Building”.

The Clerk read as follows:

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

SECTION 1. WALLACE W. SYKES POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 415 South 5th Avenue in Maywood, Illinois, shall be known and designated as the “Wallace W. Sykes Post Office Building”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. MARCHANT) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. MARCHANT).

Mr. MARCHANT. 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 now under consideration.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. MARCHANT) that the House suspend the rules and pass the bill, H.R. 5989.

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.

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The Clerk read as follows:

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

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The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. MARCHANT) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. MARCHANT).

Mr. MARCHANT. 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 now under consideration.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. MARCHANT) that the House suspend the rules and pass the bill, H.R. 5989.

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.

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The Clerk read as follows:

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

SECTION 1. WALLACE W. SYKES POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 415 South 5th Avenue in Maywood, Illinois, shall be known and designated as the “Wallace W. Sykes Post Office Building”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. MARCHANT) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. MARCHANT).

Mr. MARCHANT. 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 now under consideration.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. MARCHANT) that the House suspend the rules and pass the bill, H.R. 5989.

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.

WALLACE W. SYKES POST OFFICE BUILDING

Mr. MARCHANT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5990) to designate the facility of the United States Postal Service located at 415 South 5th Avenue in Maywood, Illinois, as the “Wallace W. Sykes Post Office Building”.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
September 28, 2006
CONGRESSIONAL RECORD — HOUSE
H7895

within, and devotion to, his community of Maywood, Illinois.

In addition to providing leadership to the Church of God since 1961, Pastor Sykes has played an active role in his church’s day care center, music center, talent and tutoring center, as well as the community crisis center.

His contributions to Maywood have greatly been appreciated by its citizens, and I hope all Members will join me in honoring him.

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

Mr. Davis of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am also very proud and very pleased to be the sponsor of this resolution honoring one of Maywood’s proud citizens and one of its great leaders. In addition to the Second Baptist Church providing religious services, it also developed social programs, had a program to help those who were needy, developed housing programs, and, in addition, provided motivation.

Out of the Second Baptist Church, under the leadership of Reverend Sykes, has come two mayors of the village of Maywood and the recorder of deeds from the County of Cook, which is the second largest county in the United States of America. So Reverend Sykes is a great motivator, stimulator, activator, and seriously religious man. I am very pleased to honor him by naming this postal facility in his honor.

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

Mr. Marchant. Mr. Speaker, I urge all Members to support the passage of H.R. 5990, and I yield back the balance of my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas? There was no objection.

Mr. Marchant. 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 now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas? There was no objection.

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

Mr. Speaker, Major George Quamo was the youngest member of the Special Forces Unit during the Vietnam War. He was the leader of three reconnaissance teams while serving in Vietnam and was responsible for the safe return of 14 men whose lives would have otherwise been lost.

Throughout his career, the major was awarded 26 medals, including the Distinguished Service Cross and two Silver Stars. He was killed at the very young age of 27 when the helicopter he was flying in went down.

I urge all Members to join me in honoring Major Quamo for his remarkable life and service to the United States. Without the courage, dedication, and talent of soldiers like him, our country would not be what it is today.

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

Mr. Davis of Illinois. Mr. Speaker, I urge all Members to support the passage of Senate bill S. 3613, and I yield back the balance of my time.

Richard L. Cevoli Post Office

Mr. Marchant. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 3187) to designate the Post Office located at 45 Post Road, East Greenwich, Rhode Island, as the “Richard L. Cevoli Post Office.”

The Clerk read as follows:

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

SECTION 1. MAJOR GEORGE QUAMO POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 2951 New York Highway 43 in Averill Park, New York, shall be known and designated as the “Major George Quamo 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 “Major George Quamo Post Office Building”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. Marchant) and the gentleman from Illinois (Mr. Davis) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

Mr. Marchant. 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 now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas? There was no objection.

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

Mr. Speaker, Major George Quamo was the youngest member of the Special Forces Unit during the Vietnam War. He was the leader of three reconnaissance teams while serving in Vietnam and was responsible for the safe return of 14 men whose lives would have otherwise been lost.

Throughout his career, the major was awarded 26 medals, including the Distinguished Service Cross and two Silver Stars. He was killed at the very young age of 27 when the helicopter he was flying in went down.

I urge all Members to join me in honoring Major Quamo for his remarkable life and service to the United States. Without the courage, dedication, and talent of soldiers like him, our country would not be what it is today.

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

Mr. Davis of Illinois. Mr. Speaker, I urge all Members to support the passage of Senate bill S. 3613, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. Marchant) that the House suspend the rules and pass the Senate bill, S. 3613.

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.

RICHARD L. CEVOLI POST OFFICE

Mr. Marchant. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 3187) to designate the Post Office located at 5755 Post Road, East Greenwich, Rhode Island, as the “Richard L. Cevoli Post Office”.

The Clerk read as follows:

S. 3187

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

SECTION 1. RICHARD L. CEVOLI POST OFFICE

(a) DESIGNATION.—The facility of the United States Postal Service located at 2951 New York Highway 43 in Averill Park, New York, shall be known and designated as the “Richard L. Cevoli Post Office”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the post office referred to in subsection (a) shall be deemed to be a reference to the Richard L. Cevoli Post Office.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from
Texas (Mr. MARCHANT) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

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

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

There was no objection.

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

Mr. Speaker, born in 1919, U.S. Navy Commander Richard L. Cevoli was a long-time resident of East Greenwich and a student at what is now the University of Rhode Island. He fought bravely in World War II, for which he was awarded the Navy Cross, as well as the Korean War, in which he served as the executive officer of his squadron.

In addition to these honors, Commander Cevoli’s courage and commitment to his country earned him eight Air Medals and two Distinguished Flying Crosses. His life was taken far too soon on January 18, 1955, when his plane crashed during a training mission. He was rightfully remembered in the Rhode Island Aviation Hall of Fame, and I am pleased to support this bill honoring his great legacy.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 3187, legislation introduced by Senator JACK REED of Rhode Island, was unanimously passed by the Senate on July 20, 2006. The bill designates the facility of the United States Postal Service located at 5755 Post Road, East Greenwich, Rhode Island, as the Richard L. Cevoli Post Office.

The late Richard Cevoli, a decorated Navy commander, fought bravely in World War II and the Korean War and served at Naval Air Station at Quonset Point. His legacy is memorialized in the Rhode Island Aviation Hall of Fame.

Mr. Speaker, honoring this soldier, this commander, this leader, is certainly appropriate by naming this postal facility in his honor.

Mr. Speaker, I understand this is our last measure. It certainly has been a pleasure for me to work with the gentleman from Texas. I want to wish him a good night’s rest as we leave.

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

Mr. MARCHANT. Mr. Speaker, I thank the Honorable Mr. DAVIS, I appreciate having had the opportunity to share my few minutes with him.

Mr. Speaker, I urge that all Members support the passage of S. 3187, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. MARCHANT) that the House suspend the rules and pass the Senate bill, S. 3187.

The motion was taken; and (two minutes.)

Mr. MARCHANT. Mr. Speaker, I ask unanimous consent that the question be taken; and (two minutes.)

The SPEAKER pro tempore. Under a previous order of the House, the following Members will be recognized for 5 minutes each.

ON THE CONFLICT BETWEEN ISRAEL AND HEZBOLLAH

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

Mr. PALLONE. Mr. Speaker, I rise this evening to express my extreme concern that the fragile peace in the Middle East is being undermined by those who would convert the latest cease-fire between Israel and Hezbollah into a recipe for deja vu, a rearming of Hezbollah and a renewal of the recent conflict.

It is clear that President Bush must show decisive leadership to urge the international community to take measures needed to accomplish the goals of Security Council Resolution 1701. Lebanon cannot be allowed to continue to hold international forces at bay while it does nothing to confront Hezbollah’s operations.

The U.S. and other nations cannot sit idly by and watch a terrorist group rearm and regroup in preparation for attacking Israel again and further destabilize the region. The international force needs to be beefed up closer to the authorized level of 15,000 troops and given the mandate it needs to ensure compliance with the resolution.

Mr. Speaker, we also must take action to let Hezbollah supporters, Syria and Iran, know that the international community will not turn a blind eye towards their blatant support of terrorism against Israel. The U.S. must implement the full range of sanctions under the Syria Accountability Act until it is clear that Syria is no longer funneling weapons and other support to Hezbollah.

Mr. Speaker, if we are serious about maintaining stability in the Middle East and moving towards a lasting peace, then we need to be serious in our oversight of the implementation of the cease-fire between Israel and Hezbollah. Standing by and watching will only embolden the terrorists.

The SPEAKER pro tempore (Mr. MARCHANT). Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)
A TRIBUTE TO HANES BRANDS, INCORPORATED

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Mrs. Foxx) is recognized for 5 minutes.

Mrs. FOXX. Mr. Speaker, it is my distinct honor today to be joined by our Hanes Brands, Incorporated. Well over a century old, Hanes Brands started in 1901 when J. Wesley Hanes founded Shamrock Mills, a manufacturer of men’s hosiery. In 1902, Pleasant Hanes founded Hanes Knitting Company and began manufacturing two piece men’s undergarments. In 1910, Shamrock Mills, the original production site for J. Wesley Hanes products, changed its name to Hanes Hosiery Mill and also began to manufacture women’s hosiery.

As their businesses expanded, the two different Hanes companies merged in 1965. Then in 1988, Adams-Mills Sock Company was acquired and would become the Sarah Lee company. Hanes went on to manufacture undershirts, briefs, sleepwear and knitted shorts. But this was only the start of an emerging company that would grow to being manufacturer of undergarments to T-shirts, casual and active wear to socks.

It was the humble beginning of J. Wesley Hanes in 1901 that placed Hanes Brands on the path to a major corporation that currently employs 50,000 people. On September 6, 2006, Hanes Brands spun off from its parent company Sarah Lee and emerged as a publicly held and traded company with a net worth of $4.5 billion.

Hanes Brands sells high volume, high quality apparel, and can credit its success to anticipating what the consumer wants and working to meet those needs in value, fit, comfort and customer service.

It is the largest seller of apparel essentials in the United States. Last year, Hanes Brands manufactured and sold over 400 million T-shirts and nearly half a billion pairs of socks. Hanes Brands is now listed on the New York Stock Exchange under the symbol HBI.

A recent survey showed that Hanes brands can be found in eight of ten American households.

Currently Hanes Brands manufactures some of the most commonly known clothing lines, such as Hanes, Champion, Playtex, Bali, L’eggs, Just My Size, Hanes Hosiery, Barely There, Wonderbra and Outer Banks, as well as Doffold Performance Base Layer. Hanes Brands has grown into a full service clothing line and has established itself as a tremendous asset for Winston-Salem, North Carolina.

Hanes Brands is a fantastic company that spurs economic growth and employs many people from the Fifth District of North Carolina. It is also a responsible corporate partner in the community, and I know it will continue to act in the future as an important neighbor in the community.

Hanes Brands’ new emergence as a stand-alone company will provide opportunities in education, will support further economic development and will continue to build value and leadership within the community. I have no doubt that after 105 years in business, Hanes’ commitment to the community will grow even stronger through the years. That is why North Carolina and Winston-Salem are blessed to have such a responsible and growth-oriented corporation headquartered there. The opportunities are limitless.

Not only does Hanes Brands have a long history of manufacturing and customer service, but Hanes Brands also adheres to strict values, which has made it successful and has clearly added to the longevity and popularity of the company. All persons involved with the company are proud of their work and reputation.

They strive for the best, and that is what has made them so successful since their inception in 1901.

I believe some of the reasons for Hanes Brands’ success are the four core principles it upholds: integrity/ethical standards; two, inclusivity/diversity; three, quality/superior performance; and four, reliability/commitment.

It follows these values and understands that in order to succeed and become successful, it must set forth a mission statement, which it has. I believe it is a fantastic vision that sets a course for success and accomplishments.

Hanes Brands’ mission statement is: “To profitably grow our leading brands by intimately understanding our customers, out-executing our competition and leveraging our sustainable competitive advantage.”

With such forward thinking and dedication to its goals, it is no wonder that Hanes Brands is one of the most recognizable names in clothing and why eight out of ten American households have Hanes Brands products.

I cannot stress enough the importance of this move by Hanes Brands to become successful and how its new revitalized presence in Winston-Salem will bring so many wonderful opportunities to the local community.

I am proud to represent Hanes Brands and recognize it as an outstanding company, and community leader. As a strong supporter of those people and companies which strive for success, all the while contributing to the community, I commend Hanes Brands for its continued commitment to excellence. I am eager to watch Hanes Brands progress and stand ready to assist in any way I can.

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

(Mr. DeFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)
awarded to any person who, while serving with the Navy or Marine Corps, distinguishes himself or herself in action by extraordinary heroism not justifying an award of the Medal of Honor. The action must take place in one of these circumstances, such as while engaged in an action against the enemy of the United States.

Mr. Speaker, that is one day where we cherish our freedom and remember the men and women who have risked so much to defend it, on July 4th, that is. Let us remember the heroes today and every day.

Mr. Speaker, God bless America.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. STUPAK (at the request of Ms. PELOSI) for today on account of attending a funeral.

Mr. GREEN of Wisconsin (at the request of Mr. BOEHNEN) for today until 8:30 p.m. on account of attending a funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material):

Mr. PALLONE, for 5 minutes, today.
Mr. DeFAZIO, for 5 minutes, today.
Mr. SCHIFF, for 5 minutes, today.
Mr. MCDERMOTT, for 5 minutes, today.
Mr. EMANUEL, for 5 minutes, today.
Ms. WOOLSEY, for 5 minutes, today.
Mr. GEORGE MILLER of California, for 5 minutes, today.
Mr. HINCHRY, for 5 minutes, today.
Mr. Al GREEN of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. MARCHANT) to revise and extend their remarks and include extraneous material):

Mr. GOHMERT, for 5 minutes, today.
Mrs. BLACKBURN, for 5 minutes, today.
Ms. FOXX, for 5 minutes, today.
Mr. SIMPSON, for 5 minutes, today and September 29.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker’s table and, under the rule, referred as follows:

S. 2276. An act to award a Congressional Gold Medal to Dr. Norman E. Borlaug; to the Committee on Financial Services.

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. 683. An act to amend the Trademark Act of 1946 with respect to dilution by blurring or tarnishment.
H.R. 3536. An act to amend title 17, United States Code, to establish technical corrections relating to Copyright Royalty Judges, and for other purposes.
H.R. 3127. An act to impose sanctions against individuals responsible for genocide, war crimes, and crimes against humanity, to support measures for the protection of civilians and humanitarian operations, and to support peace efforts in the Darfur region of Sudan, and for other purposes.
H.R. 5574. An act to amend the Public Health Service Act to reauthorize support for graduate medical education programs in children’s hospitals.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 56. An act to establish the Rio Grande Natural Area in the State of Colorado, and for other purposes.
S. 213. An act to direct the Secretary of the Interior to convey certain Federal land to Rio Arriba County, New Mexico.
S. 2146. An Act to extend relocation expenses test programs for Federal employees.
S. 3850. An act to improve ratings quality for the protection of investors and in the public interest by fostering accountability, transparency, and competition in the credit rating agency industry.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on September 27, 2006, she presented to the President of the United States, for his approval, the following bills:

H.R. 1442. To complete the codification of title 46, United States Code, “Shipping”, as positive law.
H.R. 3408. To reauthorize the Livestock Mandatory Reporting Act of 1999 and to amend the swine reporting provisions of that Act.
H.R. 3858. To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide Federal assistance to those local governments and residents affected by extraordinary natural disasters.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker’s table and referred as follows:

9674. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department’s final rule — Pine Shoot Beetle; Additions to Quarantined Areas; Wisconsin [Docket No. APHIS-2006-0039] received September 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9675. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department’s final rule — Food Additives Permitted for Direct Addition to Food for Human Consumption; Bacillus thuringiensis [Docket No. 02FP-0316] received September 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9676. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department’s final rule — Defense Federal Acquisition Regulation Supplement; Acquisition Planning [DFARS Case 2003-D044] received September 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

9677. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department’s final rule — Defense Federal Acquisition Regulation Supplement; Training for Contractor Personnel Interacting with Department of Defense (DFARS Case 2003-D04) received September 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

9678. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department’s final rule — Defense Federal Acquisition Regulation Supplement; Limitations on Tiered Evaluation of Offers [DFARS Case 2006-D009] (RIN: 0750-AF34) received September 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

9679. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department’s final rule — Defense Federal Acquisition Regulation Supplement; Limitations on Use of Negative Performance Evaluations [DFARS Case 2006-D015] (RIN: 0750-AF36) received September 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

9680. A letter from the Deputy Chief of Legislative Affairs, Department of the Navy, transmitting the Department’s notification of the decision to conduct a Stage III Competition for commercial activities study under OMB Circular A-76; to the Committee on Armed Services.


9682. A letter from the Chief Counsel/FEMA, Department of Homeland Security, transmitting the Department’s final rule — Suspension of Community Eligibility [Docket No. FEMA-7791] received September 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

9683. A letter from the Director, International Cooperation. Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 13158. Transmittal No. 20-06 informing of an intent to sign the Fundamental Research Hypersonic Flight Experimentation Project Arrangement between the United States and Australia, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

9684. A letter from the Assistant Legal Advisor 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; to the Committee on International Relations.

9685. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification regarding the proposed license for the export of defense articles and services to the Government of the United Kingdom (Transmittal No. DDT 04-06-07; to the Committee on International Relations.

9686. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification regarding the proposed license for the export of defense articles and services to the Government of Switzerland (Transmittal No. DDT 04-06-07; to the Committee on International Relations.

9687. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) and (d) of the Arms Export Control Act, certification regarding the proposed license for the export of defense articles and services to the Government of the United Kingdom (Transmittal No. DDT 04-06-07; to the Committee on International Relations.


9689. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9690. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9691. A letter from the Executive Secretary/Chief of Staff, U.S. Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9692. A letter from the Assistant Attorney General, Department of Justice, transmitting the activities of the Department of Justice regarding prison rape abatement for Fiscal Year 2004, pursuant to 42 U.S.C. 15604 Public Notice section 50(i); to the Committee on the Judiciary.

9693. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department’s final rule — Safety Zone; Blast Operations, Demolition of Mattabassett Outfall, Riis Channel, New York, NY [CGD09-06-108; (RIN: 1625-AA100) received September 27, 2006, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Transportation and Infrastructure.

9694. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department’s final rule — Safety Zone; Gloucester Schooner Festival Fireworks, Gloucester Harbor, Gloucester, MA [CGD13-06-027; (RIN: 1625-AA00) received September 27, 2006, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Transportation and Infrastructure.

9695. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department’s final rule — Safety Zone; Providence Harbor, RI [CGD13-06-028; (RIN: 1625-AA00) received September 27, 2006, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Transportation and Infrastructure.

9696. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department’s final rule — Safety Zone; Pirate Fireworks, Long Beach, NY [CGD09-06-113; (RIN: 1625-AA100) received September 27, 2006, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Transportation and Infrastructure.

9697. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department’s final rule — Safety Zone; R.Ozzie Wedding Fireworks Display, Manchester By The Sea, MA [CGD01-06-102; (RIN: 1625-AA00) received September 27, 2006, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Transportation and Infrastructure.

9698. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department’s final rule — Safety Zone: Old Morrow Slough Sediment Contamination — McCormick and Baxter Superfund Site, Stockton, California [CGD17-06-031; (RIN: 1625-AA100) received September 27, 2006, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Transportation and Infrastructure.

9699. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department’s final rule Safety Zone; Celebrate Revere Fireworks, Broad Sound, Revere, MA [CGD13-06-098; (RIN: 1625-AA00) received September 27, 2006, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Transportation and Infrastructure.

9700. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department’s final rule — Safety Zone Regulations, New Tacoma Narrows Bridge Construction Project, Cowlitz county, Washington [CGD13-06-026; (RIN: 1625-AA00) received September 27, 2006, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Transportation and Infrastructure.

9701. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department’s final rule — Safety Zone; New Tacoma Narrows Bridge Construction Project, Tacoma, WA [CGD13-06-027; (RIN: 1625-AA00) received September 27, 2006, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Transportation and Infrastructure.

9702. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department’s final rule — Safety Zone; Gloucester Schooner Festival Fireworks, Gloucester Harbor, Gloucester, MA [CGD13-06-028; (RIN: 1625-AA00) received September 27, 2006, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Transportation and Infrastructure.

9703. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department’s final rule — Safety Zone; Route 33 Bridge Construction, Pamunkey River, West Point, VA [CGD05-06-059; (RIN: 1625-AA00) received September 27, 2006, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Transportation and Infrastructure.

9704. A letter from the Chairperson, O’Hare Noise Compatibility Commission, transmitting the Commission’s final rule — Safety Zone; O’Hare Noise Compatibility Commission, transmittal and Implementation Report; to the Committee on Transportation and Infrastructure.


9706. A letter from the Chief, Publications and Administrative Law, USCG, Department of Homeland Security, transmitting the Service’s final rule — Railroad Track Maintenance Credit [TD 9298] (RIN: 1545-B291) received September 15, 2006, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Ways and Means.


9708. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service’s final rule — Election under Section 355(b)(3)(C) of the Internal Revenue Code, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Ways and Means.

9709. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service’s final rule — Weighted Average Interest Rate Update [Notice 2006-80] received September 15, 2006, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Ways and Means.

9710. A letter from the Deputy Assistant Secretary, Office of Legislative and Inter-governmental Affairs, Department of Homeland Security, transmitting the department’s report regarding its efforts in the area of transportation security for the calendar year 2005, pursuant to 49 U.S.C. 41938(a); to the Committee on Homeland Security.

9711. A letter from the Deputy Chief Counsel, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department’s final rule Driver Licensed by Canada or Mexico Transporting Hazardous Materials To and Within the United States [Docket No. TSA-2006-25541; Amendment No. 1572-6] (RIN: 1652-AA50) received August 3, 2006, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Homeland Security.

9712. A letter from the Regulations Coordinator, CMS, Department of Health and Human Services, transmitting the Department’s final rule Multiple Payer Programs; Fire Safety Requirements for Certain Health Care Facilities; Amendment [CMS-3145-F] (RIN: 0938-AN36) received September 20, 2006, pursuant to 5 U.S.C. 801(a)(1); jointly to the Committees on Energy and Commerce and Ways and Means.


9714. A letter from the Regulations Coordinator, CMS, Department of Health and Human Services, transmitting the Department’s final rule — Medicare Program; Rural Physician-owned specialty hospitals, pursuant to Public Law 106-173, section 507(c)(3) (117 Stat. 2297); jointly to the Committees on Energy and Commerce and Ways and Means.

9715. A letter from the Regulations Coordinator, CMS, Department of Health and Human Services, transmitting the Department’s final rule — Medicare Program; Rural Physician-owned specialty hospitals, pursuant to Public Law 106-173, section 507(c)(3) (117 Stat. 2297); jointly to the Committees on Energy and Commerce and Ways and Means.
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. POMBO: Committee on Resources. H.R. 4657. A bill to better inform consumers regarding costs associated with compliance regarding costs associated with compliance with certain Indian tribes, and for other purposes (Rept. 109–699). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARTON of Texas: Committee on Energy and Commerce. H.R. 6143. A bill to amend title XXVI of the Public Health Service Act to extend the program for providing life-saving care for those with HIV/AIDS (Rept. 109–695). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 512. A bill to require the prompt review by the Secretary of the Interior of the long-standing petitions for Federal recognition of certain Indian tribes, and for other purposes (Rept. 109–698). Referred to the Committee of the Whole House on the State of the Union.

Mr. PUTNAM: Committee on Rules. House Resolution 1053. Resolution waiving a requirement of clause 6(a) of rule XIII, with respect to consideration of certain bills and resolutions reported from the Committee on the Judiciary, the Committee on Financial Services, and in the event of an insolvency or impairment of a National Insurer and National Agencies, to the Committee on the Judiciary, 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. KELLER (for himself and Mr. SCOTT of Virginia):

H.R. 6225. A bill to authorize the issuance of tax-exempt bonds for the development of desalination facilities for the purpose of expanding the use of water supplies, and for other purposes (Rept. 109–701). Referred to the House Calendar.

By Mr. ROYCE:

H.R. 6225. A bill to authorize the issuance of Federal charters and licenses for carrying on the sale, solicitation, negotiation, and underwriting of insurance, and to extend the carrier insurance operations, to provide a comprehensive system for the regulation and supervision of National Insurers and National Agencies, to the Committee on the Judiciary, 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. KELLER (for himself and Mr. SULLIVAN):

H.R. 6227. A bill to establish a grant program to provide vision care to children, to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. MICA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MARCHANT, Ms. GRANGER, Mr. BARTON of Texas, Mr. BURGESS, Mr. EDWARDS, Mr. HALL, Mr. SAM JOHNSON of Texas, and Mr. SKEWER):

H.R. 6228. A bill to amend section 29 of the International Air Transportation Competition Act of 1979 relating to air transportation to and from Love Field, Texas; to the Committee on Transportation and Infrastructure.

By Mr. McGOVERN (for himself, Mrs. MALONEY, Mr. ACKERMAN, Mr. ANDREWSON, Ms. BALDWIN, Mr. BERKLEY, Mr. BISHOP of South Carolina, Mrs. BROWN of Ohio, Ms. CAPPS, Mr. CAPUANO, Ms. CARSON, Mrs. CHRISTENSEN, Mr. CLAY, Mr. CLYBURN of South Carolina, Mr. CROWLEY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Ms. DELAURO, Mr. EMANUEL, Mr. ENGEL, Mr. RUSH, Mr. SCHIFF, Ms. SCHWARTZ of Pennsylvania, Mr. SHELBY, Ms. SULLIVAN of Florida, Mr. BROWN of Ohio, Mr. SULLIVAN of Nevada, Mr. TAUSSCH, Mr. TIERNEY, Mr. TOOMEY, Mr. TUSKING, Mr. WINTER, Mr. WOLFE of New Jersey, Ms. WOO, Mr. WYDEN, Mr. WYRICK, Mr. YOUNG of Idaho, and Mr. YOUNG of Pennsylvania):

H.R. 6231. A bill to amend title XIX of the Social Security Act to provide for an extension of the maximum period of participation for certain qualified health plans, to the Committee on Energy and Commerce.

By Mr. ENGLISH of Pennsylvania (for himself and Mr. ROYCE):

H.R. 6232. A bill to amend title XIX of the Social Security Act to provide for an extension of the maximum period of participation for certain qualified health plans, to the Committee on Energy and Commerce.
TOWNS, Mr. VAN HOLLEN, Mr. WAXMAN, Mr. WEXLER, Ms. WOOLERY, Mr. WYNN, and Mr. WRENEN:

H. R. 6237. A bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 and related laws to strengthen the protection of native biodiversity and ban clear-cutting of roadless land, and to prohibit the construction of certain timber harvesting systems on forest roads; and to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FEENEY:

H. R. 6238. A bill to improve the H-1B non-immigrant program by increasing the exchange of information between the Department of Labor and Homeland Security; to the Committee on Homeland Security.

By Mr. GARRETT of New Jersey (for himself, Mr. HYDE, Mr. SOUDER, Mr. STEARNS, and Mr. GOODLATTE):

H. R. 6239. A bill to require the President to prepare a thorough report of all United States contributions to the United Nations; to the Committee on International Relations.

By Mr. GOODE (for himself, Mr. BOUCHER, Ms. DRAKE, Mr. WOLF, Mr. THOMAS of Virginia, Mr. FORBES, Mrs. JO ANN DAVIS of Virginia, Mr. SCOTT of Virginia, Mr. CANTOR, and Mr. GOODLATTE):

H. R. 6240. A bill to designate the facility of the United States Postal Service located at 1155 Seminole Trail in Charlottesville, Virginia (Post Office Building) as the "V. L. Brant Post Office Building"; to the Committee on Government Reform.

By Mr. HASTINGS of Washington (for himself, Mr. DAGENHAM, Mr. WALDEN of Oregon, and Mr. DICKS):

H. R. 6241. A bill to amend the Marine Mammal Protection Act of 1972 to reduce predation on endangered Columbia River salmon, and for other purposes; to the Committee on Resources.

By Mr. HERGER:

H. R. 6242. A bill to repeal the imposition of withholding on certain payments made to vendors by government entities; to the Committee on Resources.

By Mrs. MALONEY:

H. R. 6243. A bill to improve Federal agency oversight of contracts and assistance and to strengthen accountability of the Commerce department with respect to grants, direct loans, and management systems; to the Committee on Government Reform.

By Mr. MORAN of Virginia:

H. R. 6244. A bill to amend the Hobby Protection Act to require that imitation Civil War items be clearly marked as copies; to the Committee on Energy and Commerce.

By Mrs. MUSGRAVE:

H. R. 6245. A bill to designate as wilderness certain land within the Rocky Mountain National Park, for other purposes; to the Committee on Energy and Commerce.

By Mr. PAUL:

H. R. 6246. A bill to reduce the excessive burden on the healthcare delivery system places on the health care delivery system by establishing new rules for lawsuits related to health care provided pursuant to a Federal program; to the Committee on Energy and Commerce, and in addition to the Committee on Energy and Commerce, 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. PRYCE of Ohio (for herself and Mr. TANCREDO):

H. R. 6247. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require group and individual health insurance coverage and group health plans to provide coverage for FDA-approved cancer clinical trials; 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 Mr. ROGERS of Michigan (for himself, Mr. BLUNT, Mr. KNOLLENBERG, Mr. SCHWARTZ of Michigan, and Mr. SCHWARTZ of Nevada):

H. R. 6248. A bill to authorize the Secretary of Energy to make certain loan guarantees for advanced conservation and fuel efficiency motor vehicle technology projects; to the Committee on Energy and Commerce, and in addition to the Committee on Science, 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. SHIMKUS (for himself and Mr. BOUCHER):

H. R. 6249. A bill to authorize the Secretary of Energy to make price floor loans to certain low-carbon coal-to-liquid fuel projects; to the Committee on Energy and Commerce, and in addition to the Committee on Science, 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. UDALL of Colorado, Mr. DEGETTE, and Mr. BROWN of Ohio:

H. R. 6250. A bill to amend title 38, United States Code, to recodify as part of that title the educational assistance programs for veterans, reservists, and the reserves of the National Guard and the military reserves, and to the Committee on Veterans' Affairs, in addition to the Committee on Armed Services, 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. STENKLAND (for himself, Mr. UDALL of Colorado, Ms. DEGETTE, and Mr. BROWN of Ohio):

H. R. 6251. A bill to provide for health care benefits for certain workers; to the Committee on Energy and Commerce.

By Mr. THOMPSON of Mississippi (for himself, Ms. ZOE LOPOREH of California, and Mrs. CHRISTENSEN, Mr. MARKY, Mr. PASCHALL, Mr. MEER of Florida, Ms. JACOBS of Texas, and Mrs. LOWEY):

H. R. 6252. A bill to reaffirm the authority of the Comptroller General to audit and evaluate the programs, activities, and financial transactions of the intelligence community, and for other purposes; to the Committee on Intelligence (Permanent Select), in addition to the Committee on Government Reform, 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 Mrs. MUSGRAVE:

H. J. Res. 98. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. GOODE (for himself, Mr. PAUL, Mr. JONES of North Carolina, and Mr. TANCREDO):

H. Con. Res. 487. Concurrent resolution expressing the sense of Congress that the United States must better prepare for the potential use of future generations; to the Committee on Resources.
CONGRESSIONAL RECORD—HOUSE
September 28, 2006

By Mrs. TAUSCHER (for herself, Mr. CONYERS, Mr. FARRELL, Mr. SERRANO, Mr. LEACH, Mr. ROTHMAN, Mr. STARK, Mr. MEEHAN, Mr. ABERCOMBIE, Mr. ALLEN, Mr. CUCCHI, Ms. LORETTA SANCHEZ of California, Mr. SKELTON, Mr. MCDERMOTT, Mr. DILAHAN, Ms. LEE, Mr. DOUGERT, Mr. GEORGE MILLS of California, Ms. PELOSI, Mr. MATSU, Mr. KENNEDY of Rhode Island, and Mr. MCGOVERN):

H. Res. 1059. A resolution expressing the sense of the House of Representatives that the Senate should act swiftly and expeditiously to give its advice and consent to ratification of the Comprehensive Test Ban Treaty to the Committee on International Relations.

MEMORIALS

Under clause 3 of rule XII, 446. The SPEAKER presented a memorial of the Senate of the State of Michigan, relating to Senate Resolution No. 152 memorializing the Congress of the United States to support the National Cancer Institute's plan to eliminate suffering and death from cancer by the year 2015; to the Committee on Energy and Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. WHITFIELD.
H.R. 65: Mrs. MUSGRAVE, Mr. ABERDEEN, Mr. FRANK of North Carolina, Mrs. SMITH of Virginia, Mr. CARTER, Mr. SODREL, Ms. BURRELL, Mr. ISTOOK, Mr. SHAW, and Mr. STEARNS.
H.R. 147: Mr. JINDAL and Mr. ROGERS of Kentucky.
H.R. 517: Mr. RUSK, Mr. LIPINSKI, Ms. SLAUGHTER, Mr. HINCHEY, and Mr. ENGEL.
H.R. 550: Mr. GILCHREST, Mr. WATT, Ms. ZOE LOVOHLEN of California, and Mr. PETERSON of Minnesota.
H.R. 583: Mrs. BLACKBURN, Mr. MARSHALL, Mr. FORBES, and Mr. SMITH of New Jersey.
H.R. 792: Mr. PASCHELL, Mr. MCCOTTER, and Ms. HARMAN.
H.R. 792: Mr. PASCHEL, Mr. MCCOTTER, and Ms. HARMAN.
H.R. 752: Mr. Bishop of Georgia, Mr. GUTIERREZ, Ms. WATERS, Ms. BERKELEY, and Mr. DAVIS of Tennessee.
H.R. 819: Mr. ALEXANDER.
H.R. 864: Mr. PORTER.
H.R. 910: Mr. KULH of New York.
H.R. 912: Mr. David of Alabama, Mr. Tom DAVIS of Virginia, and Mrs. DRAKE.
H.R. 933: Ms. BORDALLO.
H.R. 1000: Mr. HOLT.
H.R. 1105: Mr. SOUDER and Mr. JOHNSON of Illinois.
H.R. 1125: Mr. SMITH of New Jersey.
H.R. 1245: Mr. ALEXANDER.
H.R. 1261: Mr. DOEREN, Mr. RAMSTAD, Mr. KENNEDY of Rhode Island, Ms. KAPIT, and Mr. PORTER.
H.R. 1298: Mr. NUNES.
H.R. 1339: Mr. WEXLER.
H.R. 1376: Mr. DOREGEL.
H.R. 1458: Mr. KELLER, Mr. NEAL of Massachusetts, Mr. BURGESS, and Mr. MEEHAN.
H.R. 1470: Mr. HAY and Mr. CAMPBELL of California.
H.R. 1671: Mr. LARSEN of Washington and Mr. McNULTY.
H.R. 1677: Mr. MCINTOSH, Mr. SCHWARTZ of Pennsylvania, Mr. THOMPSON of Mississippi, Mr. PASTOR, Mr. BERMAN, and Mr. SERRANO.
H.R. 1688: Mr. WELDON of Pennsylvania.
H.R. 1704: Mr. GELEG, Mr. RUSK, and Mr. MCCOTTER.
H.R. 2088: Mr. WALDEN of Oregon, Mr. CAMPBELL of California, and Mr. SULLIVAN.
H.R. 2220: Mr. SIMMONS.
H.R. 2231: Mr. SCOTT of Virginia, Mr. COSTA, and Mrs. MILLER of Michigan.
H.R. 2239: Mr. GOODLATT, Mr. AKIN, and Mr. FORBES.
H.R. 2421: Mr. ALEXANDER, Mr. LIPINSKI, Ms. SCHWARTZ of Pennsylvania, Mr. MANZULLO, Ms. JACKSON-LEE of Texas, and Mr. JACKSON of Illinois.
H.R. 2533: Mr. MILLER of Florida.
H.R. 2592: Mr. LEK, Mr. BURGESS, and Mr. MEEHAN.
H.R. 3795: Mr. MILLER of Florida.
H.R. 3888: Mr. WELDON of Florida.
H.R. 4092: Mr. OTTER and Mr. REHBERG.
H.R. 5000: Mr. MCCOTTER.
H.R. 5008: Mr. STARK.
H.R. 5017: Mr. MILLER of Florida and Mr. TAMIAT.
H.R. 5963: Ms. LAUTEN of Washington, Mr. CONYERS, Mr. SCOTT of Georgia, and Mr. MILLER of Florida.
H.R. 6005: Mr. GOODE.
H.R. 6011: Mrs. NAPOLITANO and Mr. BOSWELL.
H.R. 6027: Mr. OWENS.
H.R. 6090: Mr. ALEXANDER, Mr. LARSEN of Washington, Mr. FRANK of Massachusetts, and Mr. BOSWELL.
H.R. 6036: Mr. ALEXANDER and Mrs. CAPITO.
H.R. 6053: Mr. BISHOP of Georgia and Mr. MILLER of Florida.
H.R. 6064: Mr. FULNER, Mr. BLUMENAUER, Mr. KULH of New York, Mr. UDALL of New Mexico, Ms. LEE, and Ms. WATERS.
H.R. 6080: Mr. CONE.
H.R. 6083: Ms. SOLIS, Mr. KUCHINICH, and Mr. HONDA.
H.R. 6089: Ms. MOORE of Wisconsin.
H.R. 6096: Mr. MILLER of Michigan, Mr. GOODELITTE, Mr. WELDON of Florida, Mr. KUCHINICH, and Mr. BOYD.
H.R. 6130: Mr. GREEN of Wisconsin, Mr. MCGUSH, and Mr. PENCE.
H.R. 6132: Mr. EHlers, Mr. KILDER, Mr. PLATS, Mr. HINCHEY, Mr. DAVIS of Tennessee, Mr. THOMAS, Mr. LEE, and Ms. MILLER of Kentucky.
H.R. 6133: Mr. PORTER and Mr. MCDONALD.
H.R. 6136: Mr. WELDON of Florida, Mr. NUSSE, Mr. CHANDLER, Mr. CRAMER, Mr. DAVIS of Tennessee, Mr. ROSS, Mr. TANNER, Mr. ABERDEEN, Mr. BASS, Mr. FORBES, Mr. LUCAS, Mr. OLNEY, Mr. SOODER, Mr. KELLER, Mr. MILLS of South Carolina, Mr. MORGAN of Virginia, Mr. HOSTETTER, Mr. RYUN of Kansas, Mr. BARRETT of South Carolina, Mr. CASTLE, Mr. FREELINGHUSEN, Ms. GRANGER, Mr. JINDAL, Mrs. KELLY, Mr. KINGSTON, Mr. LJOHNSTON, Mr. MCCRERY, Mr. MACK, Mr. MURPHY, Mrs. NORTHUP, Mr. POMBO, Mr. SAXTON, Mr. THOMAS, Mr. LEWIS of Kentucky, Mr. JONES of North Carolina, Mr. PORTER, Mr. REYNOLDS, Mr. SHAWS, Mr. LINDNER, Mr. RENZI, Mr. SKELTON, Mr. DAVIS of Illinois, Mr. MOORE of Kansas, Mr. HOUGH, and Mr. ENGLE.
H.R. 6140: Ms. SCHWARTZ of Pennsylvania, Mr. DEFAZIO, Mr. DOYLE, Ms. CORRIE BROWN of Florida, and Mr. CARDIN.
H.R. 6141: Mr. UPTON.
H.R. 6144: Mr. PAYNE.
H.R. 6147: Ms. BLACKBURN, Mr. WOLF, and Mr. MCCOTTER.
H.R. 6147: Mr. OBERSTAR.
H.R. 6157: Mr. CUELLAR.
H.R. 6167: Mr. LARSEN of Florida.
H.R. 6168: Mr. CONYERS and Mr. BOSWELL.
H.R. 6169: Mr. CONYERS and Mr. BOSWELL.
H.R. 6172: Mr. LEOCH.
H.R. 6175: Mr. AMES.
H.R. 6176: Mr. ALEXANDER, Mr. TANCRED, Mr. HENSBELLING, Mr. DOOLITTLE, Mr. AKIN, Mr. MCCARTY, Mr. GIBSON, Mr. GARRETT of New Jersey, Mr. BURTON of Indiana, Mr. KING of Iowa, Mr. HOLT, Mr. CONVER, Mrs. CAPPS, and Mr. KUHL of New York.
H.R. 6186: Mr. SWERRY, Mrs. CAPITO, Mr. MILLER of Florida, Mr. BOREN, and Mr. GOODLATT.
H.R. 6188: Mr. BISHOP of Georgia, Mr. MILLER of Florida.
H.R. 6196: Mr. SMITH.
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H.R. 6196: Mr. SMITH.
H.R. 6196: Mr. SMITH.
WYNN, Mr. Boucher, Mr. McDermott, and Mr. Blumenauer.
H.R. 6191: Mr. McNulty, Mr. Weiner, Mrs. Tauscher, Mr. Owens, Mrs. McCarthy, Mrs. Napolitano, Mrs. Lowey, Mr. McDermott, Mr. Schiff, Mr. Serrano, Mr. Conyers, Mr. Smith of Washington, and Mr. Berman.
H.R. 6193: Mr. Ruppersberger.
H.R. 6197: Mr. Souder, Mrs. Biggert, Mr. Fortuño, Mr. Kuhl of New York, and Mr. Regula.
H.R. 6199: Mrs. Capito.
H.R. 6203: Mr. Kennedy of Minnesota, Mr. Rogers of Michigan, Mr. Gohmert, Mr. Simmons, Mr. Kuhl of New York, Mr. Kirk, and Mr. Weller.
H.R. 6211: Mr. Hinchey.
H. Con. Res. 174: Mr. Farr, Mr. Walsh, Mr. Latham, Mr. Salazar, Mr. Pallone, and Mr. Bradley of New Hampshire.
H. Con. Res. 343: Mr. King of New York, Mr. Ackerman, Mrs. Kelly, and Mr. Owens.
H. Con. Res. 348: Mr. Delahunt, and Mr. Wynn.
H. Con. Res. 390: Mr. Doolittle, Mr. Camp of Michigan, Mr. Bartlett of Maryland, Mr. Burton of Indiana, Mr. Chocola, Mr. Akin, Mr. Gerlach, Mr. Royce, Mr. Gonzalez, Mrs. Drake, Mr. Shadegg, Mr. Shuster, Mrs. Biggert, Mr. Abercrombie, Mrs. Kelly, Mr. English of Pennsylvania, Ms. Jackson-Lee of Texas, Mr. Chandler, Mr. Lipinski, Mrs. Napolitano, Ms. Slaughter, Mr. Hinojosa, Mr. McCaul of Texas, Mr. Ruppersberger, Mr. Costello, Mr. Baird, Mr. Neal of Massachusetts, Mr. Waxman, Mr. Kildee, Mr. Matheson, Mr. Boswell, Mr. Rios, Mr. Cardona, Mr. Tanner, Mr. Spratt, and Mr. Wu.
H. Con. Res. 404: Mr. Rangel, Mr. Rothman, Mr. Stark, and Mr. Allen.
H. Con. Res. 437: Mr. Weldon of Pennsylvania, Mr. Calvert, and Mr. Clay.
H. Con. Res. 462: Mr. Kildee, and Mr. Lucar.
H. Res. 158: Mr. Larson of Connecticut.
H. Res. 222: Mr. King of New York, Mr. Hayworth, Mr. Renzi, and Mr. Franks of Arizona.
H. Res. 466: Mr. Cummings, Mr. Wynn, and Mr. Allen.
H. Res. 518: Mr. Young of Alaska, Mr. Simmons, Mr. DeFazio, Mr. Olver, and Mr. Chandler.
H. Res. 739: Mr. Cummings and Mr. Ackerman.
H. Res. 863: Mr. McIntyre.
H. Res. 944: Ms. Herseth, Mr. Chabot, Mr. Dicks, and Mr. Porter.
H. Res. 960: Mr. Biliray.
H. Res. 964: Mr. Filner.
H. Res. 973: Mr. Thompson of Mississippi.
H. Res. 994: Ms. Lee.
H. Res. 996: Ms. Lee.
H. Res. 993: Ms. Schwartz of Pennsylvania and Mr. Goodlatte.
H. Res. 1031: Mr. Smith of New Jersey, Mr. Thompson of Mississippi, Ms. Lee, Mr. Sweeney, Mr. Conyers, Mr. Walsh, and Mr. Hinojosa.
H. Res. 1032: Mr. Rangel.

PETITIONS, ETC.

Under clause 3 of rule XII.

154. The SPEAKER presented a petition of the Town of Woodstock, Ulster County, New York, relative to Resolution No. 119-06 requesting an investigation of the grounds for impeachment of the President of the United States; which was referred to the Committee on Rules.
speech of

HON. GENE GREEN
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2006

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of the NIH Reform Act and congratulate Chairman BARTON on his hard work to develop the consensus product before us today. Without a doubt, the work performed at the NIH is invaluable. The groundbreaking research supported by NIH has provided a lifetime of hope to countless Americans living with diabetes, cancer, HIV/AIDS and many other illnesses.

Congress has not reauthorized the National Institutes of Health in more than a decade. Since its last reauthorization, the NIH has seen its funding double—a testament to the high priority that Congress places on the important research being performed at NIH. This reauthorization is an extension of our commitment to ensure that the NIH has the resources and proper management structures to conduct the kind of research that will ease the burden of disease in this country.

The day-to-day lives of tens of millions of Americans live with chronic conditions that cannot be remedied by studying one particular organ, or one part of the body. Obesity and diabetes, for example, affect virtually the entire body, and we need to facilitate increased cooperation among the NIH's Institutes and Centers to achieve real progress on these pervasive conditions. The bill before us would do just that by creating a Common Fund, through which the Director of the NIH could support the important research that involves several institutes and centers at the NIH.

While the Common Fund is an innovative approach toward trans-NIH research, Chairman BARTON also worked to ensure that this new fund did not overshadow the important research being performed at the individual institutes and centers. To strike this balance, the bill stipulates that only 50 percent of funding increases appropriated by Congress each year can be dedicated to the Common Fund. I would like to see an authorization level high enough to ensure adequate funding for the Common Fund and individual institutes and centers; however, in this tight budget environment, this provision is an important assurance that institutes and centers don't find themselves in a zero-sum game with the Common Fund.

As a member of the Energy and Commerce Committee, I was proud to vote for this bill during our committee markup last week. My hometown of Houston is home to the world-class Texas Medical Center, which houses many facilities that conduct groundbreaking NIH research. The Baylor College of Medicine and Texas Children's Hospital conduct more NIH pediatric research than any other NIH grantees. The University of Texas's MD Anderson Cancer Center also conducts critical NIH research and is frequently recognized as the top cancer center in the country.

This bill will ensure that the NIH research performed at the Texas Medical Center—and other impressive research facilities across the nation—will yield continued contributions to our understanding of disease and the development of effective treatments to improve the health and well-being of all Americans. I encourage my colleagues to join me in support of this important legislation.

TRIBUTE TO MALLORY REALTY COMPANY

HON. LYNN A. WESTMORELAND
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. WESTMORELAND. Mr. Speaker, I rise today to bring a momentous occasion in my district to the attention of the House. It is not every day that any corporation in the United States reaches the milestone of 100 years in business. And Mallory Realty Company in my district has reached that milestone this year, while still being operated by the same family.

LaGrange, Georgia was a very different place than it was when Arthur Eugene Mallory started his business in 1906 after graduating from business school in Atlanta. The Mallorys were not new to LaGrange. They had first come in 1827 and had been involved in the community for years.

1906 was boom time for LaGrange with the opening of new cotton mills and lots of construction of additional houses. It was the perfect time to open a realty business, and Arthur Mallory quickly became busy buying lots and managing rental properties.

As the business grew, more of the family became involved, and its influence in the community also grew. The Mallorys have served in the military, served on boards of local banks, and helped bring economic development to LaGrange.

Three generations of the Mallory family have served the community by working for Mallory Realty. Today, Mallory Realty is the oldest continuously family-owned business in LaGrange. Today they handle over 600 rental units for 52 property owners.

Mr. Speaker, I hope the entire House will join me in congratulating Mallory Realty on its 100 years of service, and wishing them all the best as they move into their second century of service to my state and our Nation.

NUCLEAR MEDICINE WEEK

HON. JAMES P. MORAN
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. MORAN of Virginia. Mr. Speaker, I rise today to remind my colleagues that October 1–7 is Nuclear Medicine Week. Celebrated annually during the first full week of October at hospitals, clinics, imaging centers, educational institutions, and corporations around the world, Nuclear Medicine Week encourages members of the molecular imaging and nuclear medicine community to take pride in their profession by recognizing their colleagues for their hard work and to educate the public about molecular imaging and nuclear science.

I am proud to note that the Reston, Virginia-based Society of Nuclear Medicine is in my District. The Society of Nuclear Medicine represents over 16,000 physicians, technologists, and scientists specializing in the research and practice of molecular imaging and nuclear medicine. Since the organization’s founding in 1954, the Society of Nuclear Medicine has been dedicated to promoting the science, technology, and practical application of molecular imaging and nuclear medicine. I commend the Society and its members for their outstanding work to ensure that the 20 million people who annually undergo molecular imaging and nuclear medicine procedures to diagnose and manage diseases like cancer and Alzheimer’s receive quality care.

Nuclear medicine is an established specialty that performs noninvasive molecular imaging procedures to diagnose and treat diseases such as cancer and to determine the effectiveness of therapeutic treatments. It contributes extensively to the management of patients with cancer, including cancer of the brain, breast, blood, bone, bone marrow, liver, lungs, pancreas, thyroid, ovaries, and prostate. Nuclear medicine treatments such as positron emission tomography (PET) scans are crucial in effectively identifying whether cancer is present or not, if it has spread, if it is responding to treatment, and the cancer is in remission.

Molecular imaging also continues to provide critical information to help doctors, technicians, and other health care personnel manage abnormalities of the heart, brain, and kidneys. In fact, recent advances in the detection and diagnosis of Alzheimer’s disease can be attributed to nuclear medicine imaging procedures. These advances—which were made possible by research performed by nuclear medicine professionals—helped lead the Centers for Medicare and Medicaid Services (CMS) to extend Medicare coverage to include PET scans for some beneficiaries who suffer from Alzheimer’s and other dementia-related diseases.

From advances in cancer diagnosis and treatment to recent breakthroughs in Alzheimer’s and dementia research, nuclear medicine is improving lives. I applaud the Society of Nuclear Medicine and its members for their efforts to educate others on the amazing healthcare innovations during Nuclear Medicine Week, and I urge my Colleagues to join me in supporting policies that will keep our Nation on the cutting edge of molecular imaging and nuclear medicine research.
NEW YORK ACADEMY OF SCIENCES AWARD CEREMONY

HON. DONALD M. PAYNE
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 28, 2006

Mr. PAYNE. Mr. Speaker, in August 2006, I visited Professor Mesfin Wolde Mariam in Kaiti prison in Ethiopia. Though it was saddening to see him in that kind of a situation, I was nevertheless thrilled to have had the opportunity to pay my respects to a man I have known for over a decade. Professor Mesfin is one of the most dedicated and true champions of human rights. He chose to dedicate his life to studying famine and food security, writing about and promoting human rights and bringing to light issues often ignored and forgotten by many.

I first met Professor Mesfin in the early 1990s, shortly after he founded the Ethiopian Human Rights Council (EHRCO), the most effective human rights organization in Ethiopia. I was with several Members of Congress on an official visit to Ethiopia. We decided to go to EHRCO’s office and hold our meeting with Professor Mesfin in order to show our support for EHRCO and to underscore the significance of their incredible work. It was a memorable meeting and the opportunity to learn of their monumental undertaking was very valuable.

Unfortunately, this is not the first time Mesfin is in prison. He has paid dearly over the decades for standing up for what he believes in and for exposing systematic abuses and sometimes neglect as the case may be over a period of several decades. What is amazing about this incredible human being is his sharpness and focus even in prison. This is a dedicated human being who chose to stay in his native Ethiopia to stand up for, and educate the helpless and the neglected, even though he had plenty of opportunity and offers to live comfortably elsewhere.

In April 2006, his three children wrote about their father stating “Many months have passed since Mesfin Wolde Mariam, the father of all of us, and grandfather of Semra Kristos, Kokeb, Tinsae and Oscar has been incarcerated. We miss him terribly and would love to see him home. No less important is our utmost respect, concern and commitment for the principles he has so staunchly promoted for longer than anyone of us has been alive.”

I was thrilled to learn that the New York Academy of Sciences decided to recognize Professor Mesfin for “his leadership in advocating for the disadvantage and in promoting human rights, civil society, and a peaceful transition to democracy.” Professor Mesfin deserves this recognition and I thank the New York Academy of Science for its leadership and efforts.

INTRODUCTION OF THE CONTRACTOR ACCOUNTABILITY ACT OF 2006

HON. CAROLYN B. MALONEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 28, 2006

Mrs. MALONEY. Mr. Speaker, today I introduce legislation that will fortify the current Federal debarment system. The United States is the largest consumer in the world and invests over $215 billion in goods and services annually.

Yet the Federal government’s watchdogs, the Federal suspension and debarment officials, currently lack the information they need to protect our economic interests. We have no central way of accounting for the performance of our purchases. Beyond a listing of currently debarred or suspended persons, officials are limited to their individual agency’s knowledge of an entity’s track record, press reports and personal, undocumented anecdotes. The American public’s knowledge is limited even further. Often times this allows Federal contractors and assistance recipients to repeatedly violate Federal law yet still receive millions of dollars from the Federal government.

In a time when corporate accounting scandals are being revealed at an unprecedented pace, isn’t it wise to have a full accounting of the Federal government’s investments?

The Contractors Accountability Act of 2006 establishes a centralized database on actions taken against federal contractors and assistance participants, requiring a description of each of these actions. This will provide debarming officials with the information they need to protect the business interests of the United States. It places the burden of proving responsibility and subsequent eligibility for contracts or assistance on the parties making contracts or assistance should they have been previously convicted of two exact or similar violations that constitutes a charge for debarment. Additionally, it improves clarifies the role of the Interagency Committee on Debarments and Suspension and attention by the prosecuting Federal agency of fines paid by offender for reimbursement of costs associated with suspension and debarment activities.

IN TRIBUTE TO DOROTHY ANN WILLIS RICHARDS, CIVIC LEADER

HON. CHARLES B. RANGEL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 28, 2006

Mr. RANGEL. Mr. Speaker, I rise today in recognition of the life of Dorothy Ann Richards, known to us all as Ann Richards, and her lifelong commitment to equal rights, education and full participation of all people in the political process. Ann Richards lost her battle to esophageal cancer, at the age of 73, on September 13, 2006 at her home in Austin, Texas—she was only diagnosed with cancer in March of this year. Following her diagnosis, she underwent chemotherapy treatments and was poised to fight her illness with vigor and tenacity just as she fought her personal demons and political opponents.

Ann Richards had a zest for life that was evident and infectious. She made those of us fortunate enough to have known her, smile just at the mention of her name. She was a wonderful public speaker and found ways to intimately connect with real people by tackling difficult issues that affected their everyday lives such as the relocation of women to the home and the exclusion of minorities in the political process.

Ann was tremendously tenacious but possessed a quick wit. She was well known for her zingy one liners and warm sense of humor. She once said, “I learned early on that people liked you if you made them laugh,” and throughout her lifetime she kept the jokes coming.

Born in College Station (now a part of Bryan), Texas in 1933, Ann was first introduced to politics after joining the debate team and participating in Girls State—a program where high school students are invited to the capitol to participate in a mock government. However, before entering politics in 1976, she earned a social work certificate and participated in political studies and history at Fulmore Junior High School. This was her life’s passion. She once said that teaching was the hardest work she ever did and her commitment to educating youth did not dissipate with age.

Committed to issues of equity and inclusion, Ann spent much of her life championing causes related to the marginalization of women and minorities in particular. She dedicated herself to increasing the role of women in politics. Ann organized training sessions throughout Texas designed to empower women in politics and in improving the visibility of women in the National Democratic Party. Leading by example, she embarked upon her own political career in 1976 when she ran against and unseated a three term incumbent to become Travis County Commissioner. She successfully ran in this capacity for four years before being elected State Treasurer in 1982, becoming the first woman to hold an office at the State level since Miriam “Ma” Ferguson in the 1920s. Ann became the Governor of Texas in 1991 and continued to champion the inclusion of all people in the political process.

While in office, Ann oversaw a program of economic revitalization that grew the state’s economy. As governor, Ann appointed Zan W. Holmes Jr., the first African American appointed to the University of Texas Board of Regents; she redirected revenue from the state lottery to a school fund to support public education; and launched the Robin Hood plan, an attempt to equalize funding across school districts. Through these measures, Ann was successful in changing the ways that both Texas and our country thought about and treated women, ethnic minorities, people with disabilities, and members of the Gay, Lesbian, Transgender, and Bisexual communities. Ann once remarked that she entered politics to help those who were often ignored by the Texas’ male dominated establishment.

After losing the gubernatorial race to George W. Bush in 1995, Ann served in various capacities. She worked as a political strategist and labored on many democratic causes, often coming half of Texas and our country thought about and treated women, ethnic minorities, people with disabilities, and members of the Gay, Lesbian, Transgender, and Bisexual communities. Ann once remarked that she entered politics to help those who were often ignored by the Texas’ male dominated establishment.

We all mourn the loss of Dorothy Ann Richards. Her words and her deeds, much like her striking silver hair, will long be remembered. Although she was a wonderful cook, she held that title contrary to the prevailing image of the quintessential woman, at the time, she did not want to be known for having
kept a clean home rather she wanted to be remembered for having helped others.

My friend, your wish has been granted. Through your words and deeds you have left an indelible mark on both the great state of Texas and on our Nation.

As governor, Richards appointed the first black University of Texas regent, the first Hispanic community are disproportionately affected by Spina Bifida, a common, permanently disabling birth defect. Of particular concern is that members of the Hispanic community do not receive the same level of care as non-Hispanic community members, resulting in a disparity and ensures that the foods consumed by the Hispanic community does not suffer as a result of this disparity.

With proper health care and support, people affected by Spina Bifida can live productive and fulfilling lives. In addition to supporting efforts to prevent Spina Bifida, I also urge additional federal attention to and funding of research to find a cure and improve the quality of life for those affected by Spina Bifida. With proper health care and support, people affected by Spina Bifida can live productive and fulfilling lives.

HONORING OCTOBER AS NATIONAL SPINA BIFIDA AWARENESS MONTH

HON. ILEANA ROS-LEHTINEN
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to commemorate October as National Spina Bifida Awareness Month. There are an estimated 70,000 people in the United States who are affected by Spina Bifida, the most common, permanently disabling birth defect. Of particular concern is that members of the Hispanic community are disproportionately affected by Spina Bifida pregnancy. The rate of Spina Bifida in the Hispanic population is almost seven in 10,000 births, nearly 40 percent higher than the non-Hispanic rate. However, fortunately there are steps that can be taken to reduce that risk.

An important goal of National Spina Bifida Awareness Month is increasing awareness and consumption of a single vitamin that can help reduce the risk of Spina Bifida. Recent studies have shown that if all women of childbearing age were to consume 400 micrograms of folic acid daily prior to conceiving and throughout the first trimester of pregnancy, the incidence of Spina Bifida could be reduced by up to 70 percent. According to the Centers for Disease Control and Prevention (CDC) and the Spina Bifida Association (SBA), all women of child-bearing age should consume this amount of folic acid, which provides them with 400 micrograms of folic acid. Multi-vitamins with folic acid or folic acid supplements can be found in the local grocery, pharmacy, or discount store.

Unfortunately at the current time, imported corn flours—unlike most wheat flour and cereals—are not enriched with folic acid. Which means a majority of the corn-based products sold in the United States and consumed by the Hispanic community does not contain this important vitamin. To address this disparity and ensure that the foods consumed by the Hispanic community does not suffer as a result of this disparity.

With proper health care and support, people affected by Spina Bifida can live productive and fulfilling lives. In addition to supporting efforts to prevent Spina Bifida, I also urge additional federal attention to and funding of research to find a cure and improve the quality of life for all who are affected by this birth defect. I would like to thank the SBA and its Florida chapters for their work on Spina Bifida Awareness Month and for being steadfast in their commitment to helping prevent and reduce Spina Bifida, particularly among the Hispanic community in the United States.

HONORING CHUCK GESCHE and JOHN WARNOCK FOR THEIR INNOVATIVE ACHIEVEMENTS IN THE TECHNOLOGY INDUSTRY

HON. ZOE LOFGREN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Ms. LOFGREN of California. Mr. Speaker, I rise today to commemorate October as National Spina Bifida Awareness Month. There are an estimated 70,000 people in the United States who are affected by Spina Bifida, the most common, permanently disabling birth defect. Of particular concern is that members of the Hispanic community are disproportionately affected by Spina Bifida pregnancy. The rate of Spina Bifida in the Hispanic population is almost seven in 10,000 births, nearly 40 percent higher than the non-Hispanic rate. However, fortunately there are steps that can be taken to reduce that risk.

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Mr. WARNOCK. Mr. Speaker, I rise today to salute State Attorney for Baltimore County, Sandra O’Connor, for a remarkable job. She will always be remembered for raising the bar and setting the precedent for future Baltimore County State’s Attorneys.

IN HONOR OF SEYMOUR ROBINSON, MAY 24, 1916—SEPTEMBER 13, 2006

HON. XAVIER BECERRA
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. BECERRA. Mr. Speaker, I rise today to pay tribute to Mr. Seymour Robinson, a passionate advocate, a loving family man, and a good friend who passed away on Wednesday, September 13, 2006. Family and friends will be gathering for a memorial service on October 1 in Los Angeles to honor Seymour’s long and full life, which was marked by a remarkable family, dedicated community service, and incredible friendships.

When an email came through from “SEYNIITA@aol.com,” you always knew you were in for a treat. Seymour reached out to so many of us on so many days—with emails containing an interesting article, a good joke, a personal observation, or a call to action. His email distribution list included members of Congress, community and business leaders, neighbors, friends, and just about anyone who was willing to listen when the message arrived not long ago from SEYNIITA@aol.com with the subject line “Seymour Robinson memorial service,” everyone from our Nation’s leaders to faraway friends stopped in our tracks. Even when our loved ones and friends reach the amazing age of 90, we are still unprepared and deeply struck by their deaths. We come to rely on them to always be there, so that they might bestow upon us the strength and wisdom that we both need and appreciate.

Seymour brought contagious energy and vigor to his life’s activities. A tireless advocate who was always there to roll up his sleeves and fight, Seymour fought as a labor organizer for living wages, as a community organizer for racial integration and harmony, and as a political coordinator for AARP/Vote. While serving on the Mayor’s Advisory Committee, he helped former Los Angeles Mayor Richard Riordan govern better. During my tenure here in this body, he has helped me serve the interests of our seniors better through his AARP/Vote advocacy.

And a special note about Seymour’s service to our country during World War II. Seymour received the Croix de Guerre for his contributions during the D-Day invasion and the liberation of Paris. Our country owes a debt of gratitude to veterans like Seymour who fought on the battlefields of yesteryear for the freedoms we hold today.

Our deepest sympathies are extended to his beloved wife of 60 years, Anita Robinson; children: David, Lorraine, and Billy Robinson; and his granddaughters: Rachel and Mara Woods-Robinson. Rarely do partnerships like Anita and Seymour’s achieve the depth of commitment they had. To see Seymour light up when sharing a story about their travels was to see a man so passionately in love with his wife and so proud and content with their life together.

Mr. Speaker, it is with heartfelt sorrow, yet great pride and admiration that I ask my colleagues to join me today in saluting Seymour Robinson. And though we are all comforted by the knowledge that Seymour rests in peace, we also know that we have marching orders and must continue fighting for social justice in his honor.

COMMUNITY DEVELOPMENT INVESTMENT ENHANCEMENTS ACT OF 2006

SPEECH OF

HON. MAXINE WATERS
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2006

Ms. WATERS. Madam Speaker, I rise in support of H.R. 6062, “the Community Development Investment Enhancements Act of 2006." I want to thank Mr. FRANK for sponsoring this bill, and our distinguished Chairman Mr. OXLEY, who is an original sponsor of the bill. The bill will enhance the community development investments made by financial institutions.

The bill has two major provisions. One provision would increase the amount of investments that a financial institution can make for community development from 10 percent to 15 percent. This increase in the amount that banks can invest in such activities will enable the banks to invest more of its resources in investments that will benefit communities and low and moderate income persons.

Another provision directs portions of the investments made by the financial institutions to
promote the public welfare. Citing the actual legislation, the financial institutions "may make investments designed primarily to promote the public welfare, including the welfare of low and moderate income communities and families through housing, services and jobs."

The changes mandated by this bill send a clear message to financial institutions that the needs of low and moderate income communities and families are important. More often than not, these groups are overlooked or their needs underestimated. In addition, the bill enables our financial institutions to look at investments on an investment by investment basis rather than in the aggregate.

Madam Speaker, I urge my colleagues to support H.R. 6062, because it will strengthen investment in low and moderate income communities across this Nation. Financial institutions must continue to play a role in strengthening and stabilizing our communities and this bill will facilitate both.

IN SUPPORT OF H.R. 5533

SPREE OF HON. GENE GREEN
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2006

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of H.R. 5533, to advance the development of biological countermeasures.

The anthrax attacks of 2001 shined a bright light on our lack of preparedness to deal with a biological attack. While we were blessed that Cipro was an effective countermeasure, for anthrax specifically, the attacks led us to realize the real possibility that our enemies could develop the capability to attack our country using several biological agents for which we do not have effective countermeasures.

This possibility strikes great fear in most Americans, who have been bombarded in recent years with the threat not only of bioterrorism but also pandemic flu. However, this uncertainty of a biological attack or pandemic flu is the same factor that often keeps manufacturers from making the investments necessary to bring a countermeasure to market.

When medical treatments for conditions such as high blood pressure and high cholesterol are developed, pharmaceutical manufacturers are willing to make the investment in research and development because there is a known demand for these treatments. We are lucky that there is no current demand for biological countermeasures. As a country responsible for protecting American citizens, however, we must be prepared for a biological attack or pandemic flu to occur before these countermeasures are developed.

This is a classic case of market failure, where the government must intervene and provide public resources to ensure that we have effective countermeasures before a biological attack occurs. This bill achieves that goal by providing the incentives to encourage the private sector to develop these treatments.

Specifically, it would provide the necessary assurances that the federal government will purchase the end product for use in the event of an attack and provide milestone payments to countermeasure developers to bridge the funding gap between basic research and countermeasure development.

I encourage my colleagues to join me in supporting this bill, which will go a long way toward ensuring that we have effective biological countermeasures in place in the event of a biological attack or infectious disease pandemic.

TRIBUTE TO COLUMBUS, GEORGIA

HON. LYNN A. WESTMORELAND
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. WESTMORELAND. Mr. Speaker, I rise to recognize one of the cities in my district, and its commitment to advancing the true ideals of the American Dream.

Columbus, Georgia, was founded on the Chattahoochee River, and was the birthplace of the Coca-Cola formula. But it achieved another vital distinction earlier this year, when Columbus was recognized as Georgia’s largest city to achieve a "FRIENDLY COMMUNITY" designation by the Georgia Department of Economic Development’s Entrepreneur and Small Business Office.

Columbus and its Chamber of Commerce have worked closely to develop a Small Business Development Center and encourage the location of businesses in Columbus. So far, the Business One Stop Shop has helped more than 850 small businesses in the city.

Achieving this designation and involved a lot of hard work and effort. But it also demonstrates the spirit of the people of Columbus to help our neighbors, and doing everything possible to ensure that the American Dream is encouraged.

Mr. Speaker, Columbus is an example to our entire Nation of the possibilities that can be achieved. And their work will not stop now, but will continue as Columbus continues to grow.

INTRODUCTION OF THE "CIVIL WAR ARTIFACT AUTHENTICITY ACT"

HON. JAMES P. MORAN
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. MORAN of Virginia. Mr. Speaker, today I am introducing the "Civil War Artifact Authenticity Act" that will curb the proliferation of fraudulent Civil War artifacts and memorabilia entering the legitimate market place.

Since the end of the Civil War, countless numbers of people across the Nation have become fascinated with this monumental conflict. From the battlefields of Virginia and Louisiana’s Red River to the hallowed ground of Antietam, Gettysburg, and thousands of other places that saw brother fighting brother, this war touched virtually every part of this country and every home and hearth. More than 600,000 combatants died from battle, disease, and imprisonment.

With the war’s end, soldiers who fought in that conflict returned frequently, often with families in tow, to the places of the most stirring moments of their lives. They revered the fields on which they fought and established numerous associations, North and South, commemorating those who served. These veterans created strong links to their service and sacrifice, through their memoirs and other writings and the personal items and artifacts they carried on the battlefield and brought home to rest in conspicuous places on the mantles of their homes as recognition of the soldiers’ service and sacrifice.

Over the ensuing decades, as the soldiers and families who owned and cared for these artifacts died away, many of these heirlooms began to scatter, particularly as later generations forgot the importance of these historic belongings, failed to care for them, or sold the items to augment their incomes.

With the arrival of the 100th anniversary of the Civil War, and the deaths of the last Union and Confederate soldier, respectively, in 1956 and 1961, people began to consider the importance of these relics, personal items, letters, diaries, and other memorabilia that the soldiers took home. Scholars and researchers, collectors, museum curators, and others who knew the historic importance of these artifacts have renewed the connections to the conflict and have sought to purchase and preserve the Civil War’s tangible heritage that the soldiers cherished. From the day the guns fell silent up until this moment, these artifacts and other memorabilia have helped us define and understand our Civil War.

The Personal artifacts of the Civil War have spawned a large and growing interest in the Civil War. Probably more books and articles have been written about the war than any other era in our history. Researchers, writers, curators, and many average Americans have felt the need to own, study and preserve what that long-gone generation once owned. These artifacts which now populate the homes, shops, museums, schools and any number of other venues have given meaning for many of us today. As a result, entrepreneurs have opened commercial establishments to trade these relics in honest commercial enterprise.

The fascination with the Civil War has grown a new generation of sellers and collectors. Original artifacts and memorabilia have skyrocketed in value among collectors and others. A "belt plate," which most people know as a buckle, sold for $5 in 1960, and now cost as much as $200 to a $1,000 depending on the particular item. Sadly, unscrupulous people have opened new markets in fraudulent items that never saw the Civil War.

As a result, the entry of fake items into the market for relics and artifacts not only cheats people financially, but also disrupts historical scholarship and the legitimate display in museums and other venues. Internet trade makes it easier for people to sell fake items to the need to own, study and preserve what the con artists are unknown, many working overseas to flood the market with costly junk. To protect the true artifacts of the Civil War era, I propose new legislation designed to interfere with the manufacture and sale of fraudulent items, and increasing the awareness among sellers and buyers of the large trade in these fake items.

My bill would add a second title to existing Federal law, the "Hobby Protection Act," which requires that fake political items and memorabilia, and numismatic items must have the words "copy" or "facsimile" clearly stamped on them to ensure that they are recognized as replicas or non-authentic items. Because original Civil War artifacts and
memorabilia are highly prized and can reach into the thousands of dollars depending on the particular item, those determined to make a dishonest dollar, can easily replicate an original item, or worse, produce an item that is a pure fantasy piece—an artifact that never existed during the Civil War.

When the House will end the trafficking in fake Civil War items, it will provide sanctions through the Federal Trade Commission for manufacturers who purport to offer authentic Civil War relics and artifacts, when they are in fact fake junk.

I know that the House will adjourn soon, and I have little expectation this bill will be considered. It is my hope that bill will serve as a marker and a starting point for what the House may consider next session and these artifacts and memorabilia of the Civil War era will retain their historic importance for generations to come.

TRIBUTE TO JOHNSON & JOHNSON AND TIBOTEC THERAPEUTICS FOR THE DEVELOPMENT OF A NEW DRUG FOR HIV/AIDS

HON. DONALD M. PAYNE
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. PAYNE. Mr. Speaker, I rise today to congratulate Johnson & Johnson and Tibotec Therapeutics on its entry into the HIV/AIDS market with the launch of Prezista. On June 23, 2006 the U.S. Food and Drug Administration (FDA) granted accelerated approval to the anti-HIV medication Prezista™ (darunavir) tablets. Prezista, a protease inhibitor previously known as TMC114, was developed by Tibotec Pharmaceuticals Ltd. and will be marketed in the U.S. by Tibotec Therapeutics. Prezista is indicated for treatment-experienced adult patients, such as those with HIV—1 strains resistant to more than one protease inhibitor.

I am pleased that a company in my home state of New Jersey has responded to the HIV/AIDS crisis in a time when new innovations are essential in order to provide life saving medications to HIV/AIDS patients.

Mr. Speaker, as you may know, the U.S. Food and Drug Administration, FDA, has granted accelerated approval to the anti-HIV medication Prezista™ (darunavir) tablets. Prezista, which is a protease inhibitor previously known as TMC114 was developed by Tibotec Pharmaceuticals Ltd.

The FDA accelerated approval procedures allow for earlier approval of drugs that provide a meaningful therapeutic advantage over existing treatment for serious or life-threatening diseases. This approval is based on the 24-week analysis of HIV viral load and CD4+ cell counts from the pooled analysis of the TMC114-C213, the LAMBER 1, and TMC114-C202, POWER 2, studies.

One of the most challenging obstacles in the care for HIV is finding proper therapies for treatment-experienced patients. Prezista is an important new option for the thousands of people with HIV in the United States who are resistant to more than one protease inhibitor. Additionally, the Fair Pricing Coalition believes that Tibotec Therapeutics has priced Prezista responsibly. This is a particularly thoughtful move on the company’s part since it recognizes the crisis of federal funding constraints faced by payers in and out of government and the health care system. I am pleased to see that the spirit of philanthropy has not eluded the makers of this much needed drug by putting the needs of patients first.

Mr. Speaker, on June 23 I introduced the unparalleled global challenge posed by the AIDS epidemic and our response to collaborate in the international response to HIV, particularly through providing access to our HIV medications. For sub-Saharan Africa and Least Developed countries, Johnson & Johnson is actively pursuing licensing and technology agreements in order to enhance the affordability of Prezista. They are in negotiations with generic manufacturers and anticipate that by working with generic manufacturers, Prezista/darunavir can be offered at substantially reduced prices.

Mr. Speaker, I congratulate the makers of this drug and encourage more companies to follow in their footsteps.


SPEECH OF
HON. CAROLYN B. MALONEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, September 21, 2006

Mrs. MALONEY. Mr. Speaker, our Nation desperately needs comprehensive immigration reform, but the Republican majority is more interested in playing politics with this issue than working towards a true solution. We need to make sure that we have control of our borders. That is why I support H.R. 4830, the Border Tunnel Prevention Act, and why I have previously supported other efforts to secure our border including the expansion of physical barriers and fencing in key areas. H.R. 4830 supports the sound policy of amending the federal criminal code to prohibit the construction or financing of an unauthorized tunnel under our border and we are right to ensure strict penalties for anyone who does this.

However, if the Republican leadership was truly serious about securing our borders and preventing the entry of undocumented immigrants, they would fully fund the additional 10,000 border agents that we authorized when we passed the Intelligence Reform and Terrorism Prevention Act, Public Law 108-458, last year. The addition of these agents, which had broad bipartisan support, was a provision that would have a direct impact on securing both our Southern and Northern borders and had broad bipartisan support. However, when it comes time to fund these additional agents, Congress consistently comes up short.

There are two other provisions that we are considering in this legislation—H.R. 6094, the so-called Community Protection Act and H.R. 6095, the so-called Immigration Law Enforcement Act.

Mr. Speaker, I oppose H.R. 6094, the so-called Community Protection Act, because it would overturn two Supreme Court decisions that currently prevent unlawful indefinite detention of non-citizens. If passed, it would permit the indefinite and perhaps permanent detention of non-citizens who cannot be deported due to no fault of their own.

The severe curtailment of Due Process in this provision will lead to erroneous removal of people who should not have been deported, such as U.S. citizens who could not quickly provide proof of their U.S. citizenship, or an abused spouse or child who could not quickly show their eligibility for relief under VAWA or someone who was not in fact inadmissible due to a criminal ground of inadmissibility but could not timely hire a lawyer who knew the complex case law that governed his or her admissibility.

I oppose H.R. 6095, the so-called Immigration Law Enforcement Act, which would harm the relationship between the police and immigrants and citizens. It will obstruct police in their mission of keeping our streets safe. Essentially the bill is asking the State and local police to pick up the slack for the Federal Government.

That is why it is opposed by scores of professional law enforcement associations including the International Association of Chiefs of Police, the International Association of Chiefs of Police and the Major Cities Chiefs Association. They know this is a bad idea and I urge my colleagues to join them in opposition to this bill.

Finally, I want to reiterate my support for comprehensive immigration reform. Not only do these bills fail to address the need, but they could actually make our system more dysfunctional. These bills do not significantly enhance border security or address undocumented immigration; rather, they would limit the basic rights and protections this nation were founded upon.

Mr. Speaker, unfortunately the Republican majority is more interested in looking like they are doing something, than actually solving the problem. The American people know better and they know political maneuvering and inaction when they see it.

200TH ANNIVERSARY OF THE ANTI-SLAVE TRADE ACT

HON. CHARLES B. RANGEL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. RANGEL. Mr. Speaker, next year will be the 200th anniversary of the ending of the trans-Atlantic trade by Great Britain, the beginning of the end of what was perhaps the greatest human tragedy in history.

I join the members of the British Parliament and the African Diaspora across the globe in anticipation of the 200th anniversary of the passage of the Anti-Slave Trade Act by the British Parliament in 1807.

For four and a half decades, hundreds of millions of Africans were bought and sold into slavery as part of the transatlantic slave trade while many others lost their lives during the Middle Passage. I believe this anniversary presents America with an opportunity to reflect on this dark part of our history and speak out
against the continued conditions of slavery that millions still face across the globe.

Indeed, as America continues to mourn and regret its involvement in the human rights violations of that time, we must not forget the wonderful legacy of African-American abolitionists such as Frederick Douglass, Harriet Tubman, Sojourner Truth, and many others. It was through their courage and determination that slavery ended in the United States.

We must continue to meet the challenge of repairing the harm done to black Americans by the legacy of slavery in this Nation. By so doing, let us remember the connection between policymaking and the need for a more equitable society. Congress must continue to pass legislation which allows for broader access to education, health care, and jobs for minority groups across the country. Much like the fight against slavery, we must strengthen our resolve to fight poverty, crime, and other conditions that many face in the U.S.

This is also a time for us to show a renewed commitment to our African continent, recognizing it as the ancestral home to the Diaspora across the globe. We must remember that millions of people were ripped from their homes, taken on a perilous journey across the Atlantic, and stripped of their culture and language. As a result, the loss of life and potential that Africa endured was a contributing factor to the under-development the continent faces today. We must show our commitment through trade, education, the fight against HIV/AIDS, and poverty in general.

It is my hope that this 200th anniversary will be a way of bringing education and awareness about the rich heritage and culture of Africa embedded in America and the Caribbean through the Diaspora. I look forward to next year’s anniversary. It is my hope that in remembering slavery we are reminded that we must never allow that dark history to repeat itself.

COMMISSION TO STUDY THE POTENTIAL CREATION OF A NATIONAL MUSEUM OF AMERICAN LATINO HERITAGE ACT OF 2006

SPREAD OF

HON. ILEANA ROS-LEHTINEN
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2006

Ms. ROS-LEHTINEN. Madam Speaker, I rise in strong support tonight of H.R. 2134—the Commission to Study the Potential Creation of a National Museum of the American Latino Community Act.

I would like to commend Chairman Pombo for his leadership in bringing this important legislation to the floor, as well as the bill’s author Congressman Xavier Becerra for his support.

As the Republican lead of this legislation, I am pleased that this bill would take the next step toward ensuring that our premier institutions for the arts and humanities include a greater representation of Hispanic-American cultural contributions.

The commission created by this bill would have the responsibility of examining and reporting to Congress and the President a plan to establish a new museum dedicated to the art, history, and culture of the Hispanic-American community.

There are nearly 40 million United States residents who share a cultural heritage which is not fully represented by any of the permanent exhibits in Washington museums.

It is only fitting that this bill is brought to the floor of this body during Hispanic Heritage Month.

As the first Hispanic-American woman to be elected to the U.S. Congress, I have been proud to represent my diverse South Florida constituency for over 16 years.

Americans of Hispanic heritage are a youthful population and are projected to play an increasing role in the Nation’s economy and workforce. As Hispanic-Americans, we have come a long way.

We are contributing in record numbers in the fields of business, education, healthcare, and at all levels of government service.

As a legislative body, Congress is committed to continue to propel thousands of Hispanic-Americans across the nation into the realization of the American dream.

A stronger, healthier, and more educated Hispanic American population contributes to the greatness of this wonderful nation making us competitive in the global market.

The Hispanic-American community is one of America’s largest growing populations. Congress should continue to provide opportunities for the Hispanic-American community to continue succeeding and to showcase the wealth of talent that abounds.

A museum for the Hispanic-American community would honor all Americans.

The great diversity of ethnicities and nationalities of the people in the United States is a testament to the power of America’s great tradition as a Nation that embraces all walks of life.

This National Museum will symbolize our country’s commitment to proudly display America’s rich cultural diversity.

Therefore, I ask my colleagues to join me in support of this important legislation to ensure that visitors to our nation’s capital gain a more complete understanding of who we are as Americans.

HON. ZOE LOFGREN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Ms. LOFGREN of California. Mr. Speaker, years before Sue Ramanathan became Democratic Chief Counsel and Deputy Staff Director on the Committee on Homeland Security, I had the pleasure of having due on my personal staff for 5 years as Counsel and Senior Policy Advisor on immigration, trade, tax, and many other issues.

On my staff, Sue was always ready and willing to use her keen understanding of immigration policy to work with me on several pieces of immigration related legislation, knowledge and experience she used so well in her tenure on the Homeland Security Committee. In fact, Sue became known as one of a select few staff members in the House of Representatives with a deep knowledge of immigration policy. In other words, Sue was the “go-to” staff member on immigration.

While Sue demonstrated a strong expertise in immigration policy both on my staff and as Chief Counsel on Homeland Security, Sue also had a passion and interest in other policy areas. From technology and trade to tax and foreign policy, Sue always had a powerful grasp of the issues.

After almost 10 years as a staff member in the House of Representatives, Sue has now moved onto the General Accountability Office. Congress has lost a valuable staff member, but the GAO has gained a tremendous asset.

I am proud that Sue was once a member of my staff, and grateful that she served the Congress as a whole on the staff of the Homeland Security Committee. I wish her the best in her new position at the GAO.

RECOGNIZING THE 80TH WEDDING ANNIVERSARY OF DONALD AND MARGARET MERGLER

HON. C.A. DUTCH RUPPERSBERGER
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. RUPPERSBERGER. Mr. Speaker, I rise before you today to recognize a very significant occasion. I am proud to represent two people who have lived a full life of love and happiness. Donald and Margaret Mergler celebrated their 80th wedding anniversary on September 4, 2006.

The Merglers are believed to be the oldest living married couple in the United States. In the world we live in today, marriages sometimes don’t last more than a year let alone 80. This couple is truly worthy of recognition for such a joyous occasion.

The 98-year-olds have known each other since grade school. They were both born and raised in Havre de Grace, Maryland. As children in grade school the couple knew each other, but it wasn’t until Donald offered Margaret a ride home from their church’s Halloween pageant, the two became a couple.

After the Merglers were married, Mr. Mergler’s career took them on a tour of Maryland’s neighboring states. Mr. Mergler was a jockey at the race tracks for many years. After he hung up his reins, Mr. Mergler relocated the family back to the Havre de Grace area where he worked as an assemblyman for the company now referred to as Lockheed Martin. The couple remained here for the rest of their working years. While Mr. Mergler put together helicopters for Boeing, Mrs. Mergler chauffeured military persons and supervised mail distribution at Aberdeen Proving Ground.

Mr. Speaker, I ask that you join me to commemorate the union of Donald and Margaret Mergler. Much can be learned from the 98-year-old couple about love, life, and happiness. I extend my heartfelt congratulations to them for reaching their 80th wedding anniversary.

FURTHER THANKS TO SUBHASRI RAMANATHAN

HON. ZOE LOFGREN
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IN HONOR OF SISTER DIANE DONOHUE ON THE OCCASION OF HER RETIREMENT

HON. XAVIER BECERRA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. BECERRA. Mr. Speaker, it is with ut-
most pleasure and privilege that I rise today to pay tribute to Sister Diane Donoghue, a uniquely committed individual who has contrib-
uted over 50 years of her talents and passion toward helping others. On October 5, 2006, community members and leaders throughout Los Angeles will be honoring Sister Diane at a "Legacy Celebration" in recognition of her retirement from the Esperanza Community Housing Corporation.

"Esperanza"—a Spanish word that rolls off the tongue with a powerful vibration—in English means "hope." Throughout the scope of her public service career, Sister Diane has looked into the eyes of those losing hope—teenagers struggling with mental health issues, heroin-addicted women, ailing garment workers without health insurance, and parents with housing eviction notices—and offered the gift of hope. But, as Sister Diane personally knows, offering the gift of hope is not an easy or simple task. It demands the hard work of collaboratively developing real, feasible solutions and tools for success.

Diane Catherine Donoghue entered the Sis-
ters of the Social Service in 1955 and began her jour-
y of challenging unjust social and eco-
nomic forces that has now spanned over 50 years. Her journey led her to the heart of my congressional district and in 1985 Sister Diane became the community organizer for St. Vin-
cent de Paul Catholic Church at Adams Boule-
vard and Figueroa Street in South Central Los Angeles. When she heard the plea of a family who was about to be evicted to make room for another garment factory, and she listened to other families' troubles finding safe and afford-
able housing, she took action. Sister Diane worked with the community to form the Esperanza Community Housing Corporation and within 9 years they completed a $6.5 mil-
lion project, Villa Esperanza Apartments, which offers 33 units of affordable housing for large families, a community center, and an on-
site Head Start program. Nine additional hous-
ing projects, now totaling 165 units of safe, af-
fordable housing, followed as a result of the work of Sister Diane and the Esperanza Com-

community Housing Corporation.

Building on its success, the Esperanza Community Foundation expanded its mission to become a multipurpose social serv-

ice agency featuring five program areas that address the neighborhood's most pressing needs: affordable housing, community health, education, arts and science, and economic de-
velopments.

As an economic development project, Sister Diane and Esperanza undertook the task of creating the Mercado la Paloma in South Los Angeles. This dynamic neighborhood-based public market site allows close to 20 low-in-

come entrepreneurs to realize the dream of owning and running their own business, gives 110 individ-

duals jobs, and provides community gathering space and offices for local non-profits. The Mercado today functions as a vibrant neigh-

borhood center and marketplace because of the leadership and efforts of Sister Diane. The Mercado provides a fitting location to hold her Legacy Celebration.

Not surprisingly, Sister Diane's 50-year pub-
lic service career has been marked by numer-
ous awards: the Eagle Achievement Award from the Southern California Association of Non-Profit Housing, the UCLA Alumni Award for Community Service, the Empowerment Award from the Los Angeles Archdiocese, an Honorary Doctorate from Occidental College, and the Courage in Community Award from the McAuley Institute. I would argue that her greatest achievements are not marked by awards, but by the vastly improved living conditions of those she has served in the community. Her greatest awards are not plaques, but the faces you see entering the Villa Esperanza apartment complex or behind the counter at a shop within the Mercado.

Mr. Speaker, it is with great admiration and pride that I ask my colleagues to join me today to salute this exceptional woman. Ro-

mans iv.18 states, "Who against hope be-

sieved in hope, against hope kept standing, and waited for what he hoped for." Sister Diane Donoghue and her legacy embody this New Testament scripture. Throughout her 50-year public service career, when faced with the needs of the des-

titute and downtrodden, she believed in hope, helped others believe in hope, and created a path toward positive change in countless lives.

NONADMITTED AND REINSURANCE REFORM ACT OF 2006

SPEECH OF
HON. MAXINE WATERS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2006

Ms. WATERS. Mr. Speaker, I rise in support of the Non-admitted and Reinsurance Reform Act of 2006, reported by the Committee on Fi-
nancial Services. I want to thank the Gentlemady from Florida, Ms. BROWN-WAITE, for sponsoring this bill and the distinguished Chair of the Committee on Financial Serv-

ices, Mr. OXLEY for reporting this legislation out of the Committee.

If any of you have visited the Gulf Region in the last year since Hurricanes Katrina and Rita, you know how essential it is that we come to grips with reality and the potential for major disaster by reforming non-admitted and reinsurance in this nation. The City of New Orleans' pre-storm population of 450,000 has not returned to the City, while large areas of the City remain uninhabitable. We were not adequately insured to deal with the aftermath of Katrina and Rita—no more than we are today to address another disaster somewhere else in this country.

We all know that one of the major elements to any recovery after a disaster is insurance, and many of us have heard the horror stories related to the damage incurred as a result of the hurricanes in the Gulf Region. Insurance is one aspect of recovery that we need to be able to rely on after a catastrophe to help make victims whole again. However, on many occasions, the reverse has been true, and in-

surance claims have not been paid, or the claims paid have not been commensurate with the damage to the property. In addition, there are many who have not been able to afford in-
surance and have not been covered, or there are those who had limited and inadequate ins-
urance prior to a natural catastrophe. In many places like California, many home-
owners decide not to carry disaster insurance at all, precisely because they believe that the government will become involved if a natural catastrophe occurs.

In the Gulf Region, many insurance compa-
nies did not offer flood damage insurance. Al-

though homeowners have the option to obtain a policy under various state programs, it is unaffordable for most. Most people do not carry any insurance for natural disas-

ters for this reason. In New Orleans, only one-
half of the households had flood insurance under the government's National Flood Insur-

ance program.

This bill will create more uniformity among the different state insurance programs by streamlining the regulation of nonadmitted and reinsurance activities. This would be accom-
plished primarily through preempts including state laws. While these state laws would not be replaced with federal law, laws from other states or model laws of the National Associa-
tion of Insurance Commissioners (NAIC). Fur-
ther, the bill requires a GAO study of the non-
 admitted insurance market. Currently, rather than requiring consumers who may be unable to find insurance from a licensed insurer to go without insurance, states have allowed con-
sumers to purchase insurance from non-li-
censed insurers. These nonadmitted or sur-
plus line insurers provide insurance for natural disas-

ers. Disaster insurance is regulated and taxed by the state by placing requirements on the brokers who initiate the transactions. Be-

cause non-admitted and reinsurance policies are different from state to state, this bill will allow for "harmonization" of state laws. It will bring some sanity to the insurance market-
place, particularly where disasters are con-
cerned. Many states have seen a dramatic in-
crease in the cost of non-admitted and rein-

surance forcing some businesses to relocate, resulting in unemployment and lost revenue. Therefore, I urge my colleagues to support this bill.

TRIBUTE TO LARRY SANDERS

HON. LYNN A. WESTMORELAND
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. WESTMORELAND. Mr. Speaker, I rise to offer a tribute to a great Georgian and a great American. Larry Sanders has been a fix-

ture of the Columbus community for more than 20 years. Larry moved to Columbus 22 years ago and began to work with the Columbus Regional Healthcare System and eventually moved to the CEO and board chairman positions. Throughout his career, Larry has been in-

volved in a wide spectrum of community activi-

ties, including serving as chairman of the Co-
lumbus Chamber of Commerce, and serving on the boards of the Boy Scouts, Columbus Rotary, and Leadership Columbus.

He was recently recognized as a recipient of the Chattahoochee Council of the Boy Scouts of America Distinguished Citizen Award. In re-
cieving that award, he joins the ranks of such luminaries as former Senator Sam Nunn. The
Under the Dryer.

She was the society editor, where she quickly garnered a following of avid readers who enjoyed her weekly column entitled; "Under the Dryer." Her journalistic skills which have served her well over the years were instilled at an early age. It is said, that as early as junior high, Linda began expressing her desire to write for a newspaper. Staying true to her dreams, Linda began her career at the Bryan Times newspaper on her 30th birthday as a secretary to Bryan’s society editor. Linda Freed grew up in the small community of Bryan, Ohio, in Williams County where the news side of the paper by becoming their society editor, where she quickly garnered a following of avid readers who enjoyed her weekly column entitled; “Thoughts from Under the Dryer." Linda’s "Thoughts from Under the Dryer" became an opportunity to share her thoughts about being a mother, being a wife, and everyday life experiences.

Then in 1977, Linda’s experience and devotion to the community of Bryan, Ohio, propelled her to the position of editor of the Bryan Times where her journalistic integrity has served the community well for over 19 years. With more than 2,000 columns and 40 years of service, Linda can indeed be proud of her career at the Bryan Times.

Like many in northwest Ohio, I too have had the privilege of meeting with Linda to discuss the issues that affect the residents of Bryan, Ohio. And, each time I was interviewed by Linda, I found her to be fair and knowledgeable of not only the issues we were discussing, but also of the political climate both here in northwest Ohio and in Washington, DC.

Mr. Speaker, I ask my colleagues to join me in paying special tribute to Mrs. Linda Freed, upon her retirement from her position as editor of the Bryan Times newspaper in Bryan, Ohio.

Mr. Speaker, it is my great pleasure to pay special tribute to Mrs. Linda Freed, upon her retirement from her position as editor of the Bryan Times newspaper in Bryan, Ohio.

Linda Freed was born in Maryland in May 1911 and faced adversity at a very early age. Having lost his mother when he was 4 years old, he never allowed any situation to dictate his path.

After his mother passed away, Mr. Johnson was sent to live with his aunt and uncle in Pennsylvania. As a boy in Pennsylvania, he was forbidden to swim in the city pool. This cost him his much coveted Boy Scouts of America Eagle rank because he could not earn the swimming merit badge. Mr. Johnson never forgot this missed opportunity, and ironically, it was this missed opportunity that led him on his path to historical significance.

Among his many life achievements, Mr. Johnson worked in the White House of President Franklin Delano Roosevelt, served in the U.S. Army during World War II, and became a successful attorney.

Immediately after enrolling at Howard University in Washington, DC, he joined the Reserve Officers’ Training Corps, took swimming lessons and became a certified lifeguard.

Mr. Johnson's certification won him a job as the White House Pool Lifeguard during FDR's Presidency. Having earned the respect and admiration of FDR, Mr. Johnson became his butler as well, a position that often including lifting the President from his chair. Mr. Johnson recalls with great respect the pride and independence of President Roosevelt.

Mr. Johnson earned a place in White House history when a bowl of soup on a tray he was carrying tipped over and spilled on the President’s lap. According to Mr. Johnson, it was Roosevelt who intentionally, but secretly, tipped the tray and caused the bowl to land on himself during a meeting. Mr. Johnson said FDR continued the conversation without pause and earned the respect of his adversary sitting at the dinner table with him.

When First Lady Roosevelt learned that Mr. Johnson was preparing to take the bar exam, she had a desk set up in the White House to allow him to study for 2 hours every day.

In October 1942, he was called to active duty as a captain in the 82nd Infantry Division of African-American soldiers. Mr. Johnson earned the admiration and respect of all who served with him and was awarded the Bronze Star, the Purple Heart, and the Combat Infantry Badge and received a special regimental citation for bravery. He was called to duty and served again during the Korean war, where he attained the rank of lieutenant colonel.

After his service in the military, Mr. Johnson set up a law practice in California and also performed pro bono work. He argued successfully before the California Supreme Court in defense of the First Amendment rights of American Indians. He won the decision and it still stands today.

Mr. Johnson relocated to Kerrville in 1994 where he still resides with his step-daughter, Yvonne Smith. He turned 95 last May, and the Texas State Legislature and the White House paid tribute to him on his birthday. Tonight I pay tribute to Rufus Johnson for his years of service to our Nation. He is a respected member of his community, and he has a life-story that deserves to be remembered.

Mr. Johnson was born in Maryland in May 1911 and faced adversity at a very early age. Having lost his mother when he was 4 years old, he never allowed any situation to dictate his path.

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Mr. Johnson was born in Maryland in May 1911 and faced adversity at a very early age. Having lost his mother when he was 4 years old, he never allowed any situation to dictate his path.

After his mother passed away, Mr. Johnson was sent to live with his aunt and uncle in Pennsylvania. As a boy in Pennsylvania, he was forbidden to swim in the city pool. This cost him his much coveted Boy Scouts of America Eagle rank because he could not earn the swimming merit badge. Mr. Johnson never forgot this missed opportunity, and ironically, it was this missed opportunity that led him on his path to historical significance.

Among his many life achievements, Mr. Johnson worked in the White House of President Franklin Delano Roosevelt, served in the U.S. Army during World War II, and became a successful attorney.

Immediately after enrolling at Howard University in Washington, DC, he joined the Reserve Officers’ Training Corps, took swimming lessons and became a certified lifeguard.

Mr. Johnson’s certification won him a job as the White House Pool Lifeguard during FDR’s Presidency. Having earned the respect and admiration of FDR, Mr. Johnson became his butler as well, a position that often including lifting the President from his chair. Mr. Johnson recalls with great respect the pride and independence of President Roosevelt.

Mr. Johnson earned a place in White House history when a bowl of soup on a tray he was carrying tipped over and spilled on the President’s lap. According to Mr. Johnson, it was Roosevelt who intentionally, but secretly, tipped the tray and caused the bowl to land on himself during a meeting. Mr. Johnson said FDR continued the conversation without pause and earned the respect of his adversary sitting at the dinner table with him.

When First Lady Roosevelt learned that Mr. Johnson was preparing to take the bar exam, she had a desk set up in the White House to allow him to study for 2 hours every day.

In October 1942, he was called to active duty as a captain in the 82nd Infantry Division of African-American soldiers. Mr. Johnson earned the admiration and respect of all who served with him and was awarded the Bronze Star, the Purple Heart, and the Combat Infantry Badge and received a special regimental citation for bravery. He was called to duty and served again during the Korean war, where he attained the rank of lieutenant colonel.

After his service in the military, Mr. Johnson set up a law practice in California and also performed pro bono work. He argued successfully before the California Supreme Court in defense of the First Amendment rights of American Indians. He won the decision and it still stands today.

Mr. Johnson relocated to Kerrville in 1994 where he still resides with his step-daughter, Yvonne Smith. He turned 95 last May, and the Texas State Legislature and the White House paid tribute to him on his birthday. Tonight I pay tribute to Rufus Johnson for his years of service to our Nation. He is a respected member of his community, and he has a life-story that deserves to be remembered.
LAS CIENEGAS ENHANCEMENT ACT

SPREECH OF HON. JIM KOLBE
OF ARIZONA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2006

Mr. KOLBE. Madam Speaker, I rise today in support of H.R. 5016, the Las Cienegas Enhancement Act.

I would like to thank Chairman Pombo of the Resources Committee and Chairman Walden of the Forests and Forest Health Subcommittee for their leadership and support of this measure.

The land exchange in this legislation releases an urban parcel of federal land in the path of development, and it puts into federal hands an outlying area important for its natural beauty and proximity to the Las Cienegas National Conservation Area and the Coronado National Forest. It will provide hunters and visitors much-needed road access to the Whetstone Mountains, a "sky island" that is being surrounded by development.

This exchange proposal has been developed through a 4-year consultative process. The exchange has the support of the Governor of Arizona, the City Manager of Tucson, the Arizona Game and Fish Department, conservationists and private landowners. The Pima County Board of Supervisors also supports the bill for helping protect open space in the Cienega Valley.

The two parcels of land proposed in exchange are located near Tucson in the eastern half of Pima County.

The Bureau of Land Management parcel is a federal inholding of 1,280 acres located near Corona de Tucson, a community on the urbanized fringe of greater Tucson.

The private parcel offered for exchange consists of 2,707 acres of upland Sonoran desert adjacent to the Coronado National Forest and close to both the Las Cienegas National Conservation Area and the Cienega Creek Natural Preserve, which are administered by Pima County.

Land appraisals will follow statutory procedures and be subject to approval by the Secretary of the Interior.

Madam Speaker, I believe that this bill stands as a shining example of what can be achieved when local community groups and the BLM work together to maximize both the recreation and conservation goals of our federal lands, allowing the enhancement and protection of our lands, rivers, creeks, and wildlife that enrich our lives in the West.

In sum, I am pleased to offer this bill as a capstone to my resource conservation efforts during 11 terms in Congress.


SPREECH OF HON. LUCILLE ROYBAL-ALLARD
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, September 21, 2006

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today in strong opposition to H.R. 6095—the Immigration Law Enforcement Act of 2006—and H.R. 6094—the Community Protection Act. Like my colleagues, I am firmly committed to protecting our borders and strengthening our immigration policies. However, these bills do neither.

Instead of a comprehensive immigration reform bill that provides real security to our Nation’s borders, these bills are band aids with harmful provisions that will not make us safer or fix our broken immigration system.

For example, the Immigration Law Enforcement Act will empower state and local police to enforce immigration laws. This provision, which is opposed by state and local officials, will take valuable time and resources away from urgent police responsibilities, weakening their ability to respond to serious crimes such as murder, rape, and gang activity. State and local law enforcement officials are also opposed to the legislation because this provision will break down any trust that has been established between the police and local communities and will deter immigrants from reporting crimes or talking to state and local officials, for fear that their immigration status or that of a loved one could come under scrutiny. As a result, crimes and dangerous situations will go unreported, allowing criminals to roam free, and make us all less safe. Dealing with our Nation’s immigration issues should remain the responsibility of the federal Department of Homeland Security.

The Community Protection Act would also permit the indefinite and permanent detention of noncitizens, who through no fault of their own, cannot be deported. This includes asylee seekers fleeing persecution from countries such as Iran, North Korea and Vietnam. Mr. Speaker, our government already has clear authority to detain immigrants and seek prolonged detention of suspected immigrants; it is inhumane and dangerous to our democracy and the rule of law to grant the government nearly unrestricted authority to lock up indefinitely individuals who are not serving a criminal sentence.

Finally, the Community Protection Act renders deportable a noncitizen whom the government only suspects to be a gang member. I strongly support efforts to deport criminal aliens out of our country and our efforts to combat gang violence, which threatens communities throughout the country. My objection to this bill is that it makes people deportable who have never committed a crime, but are merely considered by DHS to be a member of a group deemed by the Attorney General to be bad. This makes it possible for immigrants to be deported with little or no opportunity to defend themselves even in the case of guilt by association. Mr. Speaker, this bill is unnecessary because our government can already deport gang members, or any other foreign national convicted of an aggravated felony, or a misdemeanor such as shoplifting.

If we are truly to protect our borders and address our immigration issues, Congress must resolve the differences between the House and Senate passed immigration bills and pass comprehensive immigration and border protection legislation. No one can deny that our borders need protection or that our immigration system is broken and that it is in serious need of overhaul. These bills do nothing to effectively address these critical issues.

It is unfortunate that as serious as our border and immigration problems are these bills ignore the real solutions necessary to effectively address our legitimate immigration and border problems. I urge my colleagues to join me in defeating these two bills.

Tribute to the PIO Decimo Center

HON. RAÚL M. GRIJALVA
OF ARIZONA
IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. GRIJALVA. Mr. Speaker, I rise today to congratulate the PIO Decimo Center in Tucson, Arizona on their 60th Anniversary.

PIO Decimo began in Barrio Santa Rosa, in order to address the needs of the poor and hungry of the community. Over the years, it is has expanded to provide individuals and families with comprehensive and supportive services throughout Tucson and Pima County.

A non-profit organization, PIO Decimo provides health and human services that promote education, health family relationships, self-sufficiency and positive and sustainable life change.

The PIO Decimo staff is at the heart of the organization’s success. They work diligently to create an environment that promotes respect and dignity for each individual. In addition they are relentless in their work to empower the community and improve the lives of the region.

PIO Decimo has received many accolades, in official recognitions and community victories. Yet the success of PIO Decimo is hard to measure, given they touch the lives of so many. From the single working parent struggling to find day care and make ends meet, to the child in tutoring to help make their future even brighter to improving financial literacy of the community and the day to day assistance, the benefits to our community are endless.

In a society where the gap between the have and have-nots is increasing and resources are limited to assist the less fortunate, PIO Decimo continues to provide resources and hope. I congratulate PIO Decimo on its 60 years and look forward to many more years of success.
**HON. MIKE ROGERS**
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
**Thursday, September 28, 2006**

Mr. ROGERS of Alabama. Mr. Speaker, I would like to pay tribute to a very special occasion today—the 50th wedding anniversary of Robert D. and Mary Anne Bailey. This event took place on July 15, 2006. Robert D. Bailey is originally from Mystic, Connecticut. His wife, Mary Anne Williamson Bailey, is originally from Clayton, Alabama. The couple met in April of 1956 at the Sealle Road Baptist Church in Phoenix City, Alabama. The next month on Mary Anne’s birthday, May 26th, Robert asked her to marry him. On June 15, 1956, the couple was united in marriage at Sealle Road Baptist Church where they are still members today. Together they raised four children. They have three daughters, one son, twelve grandchildren, and three great-grandchildren.

Mr. Bailey was recently selected for the Audie Murphy Award, which is the highest award one can receive from the Society of the Third Infantry Division. He was selected out of over 3,900 applicants and will receive the award at Fort Benning, Georgia on Veterans Day. I salute this lovely couple on the 50th year of their life together and join their family in honoring them on this special occasion.

**HEDGE FUND STUDY ACT**

**SPEECH OF**

**HON. MICHAEL N. CASTLE**
OF DELAWARE
IN THE HOUSE OF REPRESENTATIVES
**Wednesday, September 27, 2006**

Mr. CASTLE. Madam Speaker, I rise today in support of my bill H.R. 6079, the “Hedge Fund Study Act.” I want to thank both Chairman Oxley, and Chairman Baker for the Financial Services Committee’s support for this study and efforts to address the evolving hedge fund industry.

This legislation will require the President’s Working Group on Financial Markets to study the growth of hedge funds, and make recommendations regarding hedge fund disclosure. It is a good first step towards determining what type of disclosure hedge funds should provide to regulators and will establish some standards for increased transparency in our financial system that is important for market discipline and investor confidence.

Hedge funds are now a $1.2 trillion industry and can be high-risk, high stake investments. While usually targeted to wealthy investors, hedge funds are seeing an increase in ties to pension plans and consequently, the financial earnings of millions of Americans. For that purpose, I think it is necessary that regulators explore hedge funds and the potential risks they pose to financial markets and investors. This study will come at a good time, as there is much recent discussion over the Securities and Exchange Commission’s ruling that required hedge fund advisors to register with the SEC and undergo routine inspections. This is supported by the Board of Governors of the Federal Reserve System, the Securities and Exchange Commission, and the Commodity Futures Trading Commission.

The United States is a global leader in the financial services industry. For this reason it is important for regulators to contemplate our strong international position during their consideration of hedge fund disclosure. I commend our committee for acknowledging this important issue and the Senate for their recent attention concerning hedge funds. It is essential we understand this rapidly evolving industry and the impact hedge funds have on our national securities markets.

Madam Speaker, this legislation is a good bipartisan bill supported by other members of the Financial Services Committee including Chairman LEACH, Chairman FRANK and Representative GARRETT. I am pleased today that we have brought this much needed bill to the floor. I urge my colleagues on both sides of the aisle to join me in supporting this important and necessary legislation.

**MILITARY COMMISSIONS ACT OF 2006**

**SPEECH OF**

**HON. JERRY F. COSTELLO**
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
**Wednesday, September 27, 2006**

Mr. COSTELLO. Mr. Speaker; I rise today to oppose H.R. 6166, the Military Commission Act. I do so because I believe that America must maintain its status as a moral leader on the issue of the humane treatment of prisoners. It is important to our success in the war on terrorism and it is important to protecting our own soldiers. By lowering our moral standards in how we treat prisoners of war, we encourage other countries to do the same. This is not a good precedent, and we should reject this legislation.

While much debate and discussion concerning H.R. 6166 has revolved around military commissions and the use of secret evidence, this legislation also contains a provision that would strip Federal courts of their authority to review the detentions of almost all terrorism suspects. Specifically, the provision would bar foreigners held overseas from using Federal trial courts for challenges to detentions known as habeas corpus lawsuits. By eliminating this Federal right, anyone deemed an “unlawful enemy combatant” could be held indefinitely, without recourse.

No one disputes whether or not legislation is needed. To date, not one detainee held by the US government has been convicted of a crime. We need a framework to efficiently prosecute and convict those guilty of terrorist acts against the United States. However, this process must meet certain legal standards for fairness that form the moral basis of our country, which is what our troops are ultimately fighting to protect. Many times during this debate it has been said that since our enemies in this war do not respect any code of conduct, than we do not need to either. I do not agree with this sentiment. America must stand for a higher ideal.

While I believe the war on terror has brought with it the need for specialized rules and procedures, we must not forget the basic notion of due process. We, as Congress, should uphold our obligations under the Geneva Conventions, ensure expedited convictions for terrorists, and protect our service men and women, and I do not believe this legislation meets these goals.

Mr. Speaker, I oppose this legislation and ask my colleagues to do the same.

**IN MEMORY OF CONSERVATIONISTS TRAGICALLY KILLED IN NEPAL**

**HON. E. CLAY SHAW, JR.**
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
**Thursday, September 28, 2006**

Mr. SHAW. Mr. Speaker, I rise today to pay tribute to Mingma Norbu Sherpa and Matthew Preece, two outstanding conservationists at World Wildlife Fund, WWF, in the United States, and others who were killed in a tragic helicopter crash in Nepal on Saturday, September 23. The accident claimed 24 lives, including other WWF conservation leaders and senior government officials from the United States, United Kingdom, Finland and Nepal and four crew members. Ms. Margaret Alexander and Dr. Binjain Acharya of the USAID mission in Nepal are among the deceased. The cause of the crash is unknown. Bad weather in the area may have been a contributing factor.

The group was returning from a celebration of a conservation success story that took place in the rugged, far-east mountains of Nepal. The Nepali government hosted the event in Ghunsa to turn over conservation stewardship of wildlife and habitats on the slopes of Kanchenjunga—the world’s third highest mountain—to a coalition of local communities. The park, which is home to globally endangered species such as the snow leopard, now will be managed by the Kanchenjunga Conservation Area Management Council. WWF was instrumental in the decision and will work on its implementation for the next five years. USAID provides funding for the project.

Mingma Sherpa directed WWF’s work in the Eastern Himalayas. Born and raised in the foothills of Mt. Everest, Mr. Sherpa represented the best of a new breed of conservationists. As an early pioneer of conservation efforts in his native Nepal, and for more than 15 years at WWF in the United States, Mingma Sherpa dedicated his life to the practice of what he called “conservation with a human face.”

A protegé of Sir Edmund Hillary, who mentored him after his father died in a mountaineering accident on Mt. Everest in 1971,
Mingma was the first Sherpa to become chief warden of Mt. Everest National Park. He was also one of the founders of the WWF-funded Annapurna Conservation Area Project—then a new experiment in community-based conservation that has since become a model for conservation around the world.

Carter Roberts, President and CEO of WWF–US said this week, “Mingma Sherpa’s quiet, unassuming modesty made it easy to forget that he helped to point the way for the rest of us to follow. He was a hero to me and to many others in the conservation field. He dedicated his life to the idea people and nature could, and should, co-exist. His death is a tremendous loss.”

Born on October 31, 1955, in the small mountain village of Kunde, Mingma was one of the first students to graduate from the village school system created by Hillary, who had scaled Everest two years earlier. Hillary took an immediate interest in the boy and in 1972, a year after Mingma’s father died, invited him to participate in a school-building project. It was to be a transformative experience— and one that led to a close, lifelong friendship with “Sir Ed.”, as Hillary was known among the Sherpas.

Attending Lincoln College in Christchurch, New Zealand, on a scholarship received with Hillary’s help, Mingma obtained a B.A. in forestry and went on to work management and returned to Nepal as a junior ranger at Mt. Everest’s Sagarmatha National Park.

Tensions between park management and the sherpas living in the area were running high at the time because of community resentment over what were seen as arbitrary restrictions on tree cutting and other traditional activities. So successful was Mingma in resolving these disputes, through solutions that gave the community incentives to conserve the park, that he was named chief warden six months later.

It turned into one of the earliest experiments in what later would become known as “community-based conservation” and it worked so well that in 1985, after another soujon abroad to obtain a Masters degree in resource management from the University of Manitoba, Mingma was picked to help create the Annapurna project that would later become the textbook model for community-based conservation.

He joined WWF in 1989, first as director of WWF Nepal’s Himalayan Program and later as chief country representative in Nepal and Bhutan. In 1998, he moved to the Washington, DC headquarters of WWF–US to oversee all of the organization’s conservation work in the Eastern Himalayas.

In the words of Hillary and the People of Everest,” author Cynthia Russ Ramsay would later write that, of all of “Hillary’s students”—many of whom went on to become doctors, lawyers, teachers and businessmen—Mingma “more than anyone else embodies the virtues of doing things the Hillary way,” having taken his mentor’s life-long passion and vision applied it to many “other remote areas of the world.”

Although he received international recognition for his work—the Gorkha Dhakins Bahu medal from the King of Nepal and the Order of the Golden Ark Award from Prince Bernard of the Netherlands—Mingma was surprisingly self-effacing about his accomplishments, preferring to give credit to others. He could not escape fame in his native Nepal, however, where villagers would line the streets to applaud and cheer him whenever he returned for a visit.

He is survived by his wife Phurba Sona Sherpa, his daughter Dawa Phuti Sherpa and son Tenzing Norbu Sherpa, all of Falls Church, Virginia.

Mingma was one of seven WWF staff killed in the helicopter crash. Mathew Preece, a very promising young conservation professional from Utah, also died in the accident. Mr. Preece was a new Program Officer at WWF headquarters in Washington. He only joined WWF’s Eastern Himalayas team four months ago and was thrilled to be making his first trip to the region. Matt spent five years working on domestic and international issues for other non-profit organizations and lived in India, Chile, Costa Rica, Peru, Ecuador, Mexico, and the Dominican Republic. He obtained graduate degrees in 2004 from Brandeis University in Sustainable International Development and in 1999 from Vanderbilt University in Environmental Science. While in school, Matt helped build houses with Habitat for Humanity in California and spent a month in Washington, DC as an advisor to the National Youth Leadership Forum.

Matthew Preece fit more into his 31 years than most people do in an entire lifetime. He is an inspiration to young people around the world, and our hearts go out to his parents, three sisters, and a brother.

The five other WWF staffers who were tragically killed are: Dr. Jill Bowling, Conservation Director for WWF–UK; Jennifer Headley, WWF–UK’s Coordinator for Nepal/South Asia Program; Dr. Chandra Prasad Gurung, Country Representative for WWF Nepal; Dr. Harka Gurung, Advisor to WWF Nepal; and Yeshi Choden Lama, Senior Program Officer for WWF Nepal.

Several senior Nepali government officials also perished in the crash. They are: Mr. Gopal Rai, Nepal Minister of State Forests and Soil Conservation; Dr. Damodar Parajuli, the Acting Secretary, Ministry of State for Forests and Soil Conservation; Mr. Narayan Poudel, Director General of Department of National Parks and Wildlife Conservation; and Mr. Sharad Rai, Director General of Department of Forests.

On behalf of the 125 members of the International Conservation Caucus, I want to express our deepest sympathies to the families, friends, and colleagues of the conservationists and public servants who were lost to us. They were on a noble mission. All of them will be missed by people who care deeply as I do about protecting wildlife and wild places.

GREAT LAKES FISH AND WILDLIFE RESTORATION ACT OF 2006

SPEECH OF HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2006

Mr. WALSH. Madam Speaker, I rise in support of S. 2430, the Great Lakes Fish and Wildlife Restoration Act of 2006. This is a strong, bi-partisan bill that deserves the support of all members of Congress.

As many of you know, my district is home to the Lake Ontario shoreline. From its recreational use to its natural beauty, Lake Ontario directly affects a majority of my constituents.

Areas on Lake Ontario like the Sodus Bay Chimney Bluffs and Irondequoit Bay, to the various trout streams and wetland marshes, all shape the landscape of this unique area. But these landscapes and its ecosystem are in need of attention. All the Great Lakes are in need of repair. This legislation allows us to begin the much needed restoration of the Great Lakes.

Unfortunately, I must admit that nearly half of the original wetlands of the Great Lakes have been lost due to adverse threats like non-point source pollution and invasive species. These lost wetlands were the home to the sensitive ecosystem that is the building block of the larger Great Lakes basin. The basin is home to 1/5th of the earth’s fresh water and it commands our attention. This legislation helps get us there.

Lastly, this legislation is the first step in implementing the Great Lakes Regional Collaboration strategy that President Bush commissioned in 2004. Since that time, the findings and recommendations have been used to develop an all encompassing piece of legislation, H.R. 5100, the Great Lakes Collaboration Implementation Act. This bill includes a coordinated effort to clean up sewage treatment plants as well as the polluted waters and toxic waste left over from the industrial boom of past generations. H.R. 5100 includes funding for permanent barriers to protect Lake Michigan and the basin from the invasive Asian Carp species.

Similar to our Nation’s successful efforts in the Everglades and the Chesapeake Bay, we must do the same for the Great Lakes. Congress must implement H.R. 5100, and the passage of S. 2430 is a critical first step.

Streams, rivers, marshes and wetlands all over the basin are polluted and in dire need of attention. We know that restoration, protection and conservation can restore the Great Lakes much like the Everglades and Chesapeake Bay. The fish and wildlife that call these areas home must be restored to protect the magnificence of the lakes for generations to come.

TRIBUTE TO THE GREAT SWAMP WATERSHED ASSOCIATION

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Great Swamp Watershed Association, based in Harding Township, Morris County, New Jersey, a vibrant community which I am proud to represent. On November 17, 2006, the Great Swamp Watershed Association will be celebrating 25 years of preserving land and water resources in over forty municipalities throughout north central New Jersey.

In 1981, the Great Swamp Watershed Association was formed to protect land and water and encourage good management policies and practices in the 36,000 acres in the watershed. The Association was formed by a group of citizens concerned about the potential development of the land and its sensitive habitat is currently located. Starting as a small grassroots organization, the Great Swamp Watershed Association has today grown to cover 55
square miles and serves thousands of house-
holds in over forty municipalities in New Jer-
sy. Five streams in the watershed form the
Passaic River, which provides drinking water
for over a million New Jersey residents!
In 2002 the Great Swamp Watershed Asso-
ciation produced “Doing Water Right,” a video
and information guide designed to demon-
strate the benefits and application of “blue-water”
technologies in support of proposed state storm
water regulations. The Association’s programs
have received local, regional and national
awards.
The Great Swamp Watershed Association has
preserved local streams, protected envi-
ronmentally sensitive land threatened by
development, and promoted environmental edu-
cation for all age groups. The Association also
is responsible for land advocacy and water
quality testing within the watershed. Most of
this work is done by a dedicated and devoted
group of volunteers from across the area.
Mr. Speaker, I urge you and my colleagues
to join me in congratulating the members of
the Great Swamp Watershed Association on
its 25th Anniversary.

INTRODUCTION OF “LET’S ALL
PLAY DAY” RESOLUTION

HON. JAMES R. LANGEVIN
OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. Langevin. Mr. Speaker, I am proud to
introduce a resolution expressing the sense of
Congress that there should be established a
“Let’s All Play Day.”
I introduce this bill in support of the goals
and ideals of Boundless Playgrounds. I would
like to take this opportunity to share these
goals and ideals with my colleagues in the
House.
An estimated six million children in the
United States have some type of chronic con-
dition or disability that makes it hard or impos-
sible for them to fully enjoy traditional play-
grounds. Those who work with children with
disabilities stress the importance of play in
their development. Boundless Playgrounds dif-
fer from traditional playgrounds in the sense
that these playgrounds, and the equipment
within the playgrounds, are accessible to all
children. They are barrier-free, inclusive and
configured to support children’s development.
Perhaps most importantly, by encouraging
children with and without disabilities to play to-
gether, these playgrounds provide a space to
celebrate similarities and differences and de-
velop essential life skills. I think of no bet-
ter way to combat stereotypes than to expose
our children to others with disabilities at a
young age.
Currently, there are more than 100 Bound-
less Playgrounds in twenty-one states, with
more in development. In my own district, a
Boundless Playground in Providence, Rhode
Island provides many Rhode Island children
and their family members the ability to inter-
act and play together. I have been amazed and
inspired by how the community has come to-
together in support of this park—most notably the
caregivers. Such co-operation is a tremendous testament to Rhode
Island’s commitment to supporting children
who struggle to overcome obstacles.

Mr. Speaker, we could all take a lesson
from the forefront put into the design of
Boundless Playgrounds. In the spirit of the
Americans with Disabilities Act and other ini-
tiatives that have encouraged the inclusion
of people with disabilities in their communities, I
am proud to recognize Boundless Playgrounds
for their dedication to all children and families.
I hope my colleagues will join me in the effort
to acknowledge these extraordinary play-
grounds by cosponsoring this resolution.

PERSONAL EXPLANATION

HON. TOM DAVIS
OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. DAVIS of Virginia. Mr. Speaker, I was
recorded as having missed the vote on
final passage of H.R. 6166, the Military Com-
missions Act. I was present during the vote
and intended to support this measure; how-
ever, my vote was not recorded.
I would like the record to reflect that I would
have voted “aye” on this measure.

THANKS TO SUBHASRI
RAMANATHAN

HON. BENNIE G. THOMPSON
OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. THOMPSON of Mississippi. Mr. Speak-
er, today, I would like to give thanks to Sue
Ramanathan, Democratic deputy staff director
and chief counsel of the United States House of
Representatives Committee on Homeland
Security.
Sue was one of the original staff members
of the Select Committee on Homeland Secu-
rit y from the 108th Congress, and has been a
dedicated public servant whose leadership on
border security and immigration issues has
helped us proficiently tackle those hard issues
and whose counsel has been a vital element
of our homeland security efforts.
Sue began her tenure on Capitol Hill as a legis-
lative fellow for Senator Joseph I. Lieberman and
as a member of the Washington, DC, staff of the American Bar Associa-
tion before joining my colleague Zoe Lofgren
as her senior policy advisor and counsel.
While working for Congresswoman Lofgren,
Sue earned an LLM in international and com-
parative law from Georgetown University Law
Center. It was one of the few Congresswomen
Lofgren that Sue was able to contribute to the
conversation surrounding our Nation’s im-
migration policies, the same policies that she
and her family were first subject to as immi-
grants to our great Nation. The Congress-
woman joins me in commending Sue today,
as demonstrated by her comments to follow.
She left the Hill for a brief period to work on
a Presidential campaign, before returning in
2004 to join the Select Committee of Home-
land Security under Ranking Member Jim
Turner of Texas. At the beginning of this Con-
gress, when I became ranking member, I
named Sue chief counsel and deputy staff di-
rector. In addition to helping develop the legis-
lative and oversight activities of the Demo-
cratic Committee staff, Sue also led our immi-
grant and border security team efforts. In
this capacity, Sue played a critical role in im-
plementing the committee’s legislative agenda.
Mr. Speaker, this was no small task.
One particular debate that I will not soon
forget pertained to the House’s consideration
of comprehensive border security legislation
this past year. Committee staff spent count-
less sleepless nights and early mornings work-
ning on behalf of the American people to miti-
gate the risk posed by this Nation’s porous
borders. Sue coordinated the committee’s floor
time on H.R. 4437, the Border Protection,
Antiterrorism, and Illegal Immigration Control
Act of 2005. In particular, she worked closely
with my colleague Silvestre Reyes on the Demo-
cratic motion to form a commission. Sue had
this to say about Sue, “as a member of Congress
representing a district on the U.S.-
Mexico border, my staff and I had the pleas-
ure of working with Sue Ramanathan on sev-
eral pieces of homeland security legislation
in recent years. In every instance, I was im-
pressed by her knowledge, professionalism,
and dedication. Though we are sorry to see
her leave the staff of the Homeland Security
Committee, we are fortunate that she will con-
tinue to work on the many homeland security
issues facing our country in her new position.
We wish her all the best in her new role.

In addition, she was one of the committee’s key
staffers on the committee’s first two au-
 thorization bills, as well as on legislation to
correct and restructure the Federal Emergency
Management Agency, FEMA, in the wake of
Hurricanes Katrina and Rita.
Sue’s expertise and dedication will be deep-
ly missed in the House. I am comforted, how-
ever, by the fact that Sue’s insight and exper-
 tise will not be lost to the Members of this
House. Unlike so many others who turn in
their congressional ID cards for large pay-
checks in the private sector, Sue has main-
tained her commitment to public service.
Thankfully, she will remain a public servant,
dedicating this new chapter in her career in
the Homeland Security and Justice Division at the
U.S. Government Accountability Office, GAO,
and helping to ensure Congress’s crit-
ical check and balance on the executive branch of
Government. Mr. Speaker, I wish Sue,
the committee’s favorite Cherry Hill na-
tive and Rutgers graduate, the best in her new
venture. I look forward to hearing things from Sue and her new family at GAO as they,
undoubtedly, work to ensure that America gets
homeland security right once and for all.

15TH ANNIVERSARY OF
AZERBAIJAN’S INDEPENDENCE

HON. ROBERT WEXLER
OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. WEXLER. Mr. Speaker, on October 18,
Thursday, September 28, 2006

Mr. WEXLER. Mr. Speaker, on October 18,
2006 Azerbaijan will celebrate the 15th Anni-
versary of its re-independence. As members
of Congress recognize this important occa-
sion, I think it is essential to point out the
remarkable strength, determination and inge-
nuity of Azerbaijani who have taken difficult
steps to transform their country over the last
15 years.
One of the most significant developments
contributing to Azerbaijan’s transformation is
Mr. PLATTS. Mr. Speaker, I strongly support House Resolution 745. This resolution will help to increase awareness about a horrible disease: pancreatic cancer.

Few Americans may understand that pancreatic cancer is a horrific killer. This year alone, over 33,000 people will be diagnosed with this disease. Because there are no early detection tools for this cancer, 99 percent of those diagnosed will lose their lives.

Many Americans are not aware that pancreatic cancer has the highest mortality rate of all cancers; most patients only survive three to six months after diagnosis. This is why it is a moral imperative for Congress to work to increase awareness of this deadly cancer.

Currently, the Pancreatic Cancer Action Network (known as “PanCAN”) is the only national advocacy organization available for pancreatic cancer patients and their families and friends. I became aware of PanCAN through a constituent of mine, Bill Hamm, who lost his wife to this terrible disease. PanCAN provides patient support and professional education about this disease, while coordinating advocacy programs to focus national attention on finding a cure for pancreatic cancer.

PanCAN regards each November as Pancreatic Cancer Awareness Month. With the passage of H. Res. 745, Congress will be supporting PanCAN’s efforts to raise awareness about pancreatic cancer so that scientific advancements can lead to some early detection programs and effective treatments.

Mr. Speaker, because all of our fellow citizens have family, friends and neighbors who are regrettably vulnerable to this dreaded disease, I urge support from my distinguished colleagues for this resolution here today.

Ester Martinez Native American Languages Preservation Act of 2006

SPEECH OF HON. RICK RENZI OF ARIZONA IN THE HOUSE OF REPRESENTATIVES Wednesday, September 27, 2006

Mr. RENZI. Mr. Speaker, I would like to thank Chairman McKeon and Ranking Member Miller for the opportunity to speak on this important piece of legislation. I also want to thank my colleague, Congresswoman Heathener Wilson, for her leadership on this important issue.

This bill amends the Native American Programs Act to allow the Administration for Native Americans under the Dept. of Health and Human Services to award grants to strengthen Native American language immersion programs.

This measure is vital to preserving the diminishing Native languages in tribes across the nation, including many in my district. As an original cosponsor on this measure, I am thankful for the bipartisan effort to preserve the languages of those people who hold the original history of our country.

In my own district, the Navajo people have a very successful language immersion program. In 2001, the Navajo Language Immersion School at the Window Rock Unified School District was established by Dr. Deborah Dennison. At the first grade level, students are instructed in the Navajo Language 90% of the time, and the remaining 10% of their lessons are in English.

The students in this successful program cover academic content areas in both Navajo and English and the results have been astounding. These students perform better on the standardized tests than students in “regular” classrooms. Moreover, since it was established, the Navajo Language Immersion School has consistently met No Child Left Behind’s designation of “Annual Yearly Progress” and they have also met “Arizona Learning” standards. I hope this kind of excellence in learning and education can be duplicated throughout Indian Country.

While some may worry that this program would decrease the importance of the English language in the United States, we must remember the contributions that Native Americans who speak their Native language have made to our country. During World Wars I and II, Native American languages, including the Navajo language, played a vital role in protecting our nation. Navajo people and other Native Americans were employed as “Code Talkers” during the wars, and implemented a code that our enemies could not break. Thus it was through their language that we overcame our enemies.

U.S. English, an organization dedicated to promoting English as the official language of the United States, has stated that the official English legislation proposed by U.S.ENGLISH does not prevent the use of Native American languages. In education, U.S.ENGLISH supports the right of tribal governments and autonomous Native American communities to make their native languages the primary language of instruction in their schools.

Therefore, it is paramount that we pass this legislation. As it helps us protect not only an essential part of Native American history but also helps us safeguard a larger part of United States character and culture for future generations to learn their Native language.

A wise friend once shared with me that “To take away a people’s language is to begin to conquer them.” Let us join together to support and preserve the first American’s Native languages.

TRIBUTE TO JAMES BRUCE

HON. ED WHITFIELD OF KENTUCKY IN THE HOUSE OF REPRESENTATIVES Thursday, September 28, 2006

Mr. WHITFIELD. Mr. Speaker, I rise to bring to the attention of this House the end of an era in the Kentucky General Assembly. In January, 2007, the longest serving member of the Kentucky General Assembly, Representative
James Bruce will retire after having 42 years in the Kentucky House of Representatives.

I have known Representative Bruce for most of my life, and he taught me the ropes of government and politics early on when I served with him for one term in the Kentucky House from 1974-1975. Upon arriving in Frankfort, I learned quickly how important the role of a private citizen was in our legislature. The professionalism and expertise thatRepresentative Bruce brought to his work was one of the most effective legislators in Kentucky. He had the respect and admiration of his colleagues both Democrat and Republican, and when he told you something you could count on it. Many Governors have relied on Representative Bruce to get their agendas through the legislature.

Back home in the 9th District, he was legendary as someone who seldom if ever had an opponent during an election year, and who was faithful in delivering to his district. Much of the progress in agriculture, infrastructure, and economic development in Representative Bruce’s district is in large part attributable to his skill, seniority, and effectiveness in Frankfort. I am confident that if you asked Representative Bruce about his success he would attribute it to his lovely wife Janie who has been at his side for nearly every trip between Hopkinsville and Frankfort and whom many have said that with Jim and Janie we had two for one.

Mr. Speaker, 2007 will mark the end of an era in Kentucky General Assembly and the 9th House District will miss the presence of Representative James E. Bruce. He leaves large shoes behind to fill.

CELEBRATING THE 100TH ANNIVERSARY OF THE FOUNDING OF THE UNIVERSITY OF REDLANDS

HON. JERRY LEWIS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 28, 2006

Mr. LEWIS of California. Mr. Speaker, it is with great pleasure that I ask my colleagues to join me in congratulating the University of Redlands on the centennial of its founding. From its first graduating class of three students to the present-day student body of 4,100, this school has developed a reputation as a top-quality small university.

At the turn of the last century, Redlands and the surrounding communities were home to the booming navel orange industry. The lure of agricultural wealth and the beautiful climate of the San Bernardino Valley attracted hundreds of sophisticated families from the East Coast and Midwest. Many of these “colonists” brought a tradition of fostering civic good works to their new home, and by the early 1900s they were seeking a new college to serve the community.

City residents subscribed more than $50,000 and convinced the American Baptists to locate a new university in Redlands rather than Los Angeles. Chartered in 1907, the university admitted its first students in 1909 and graduated its first class—of three students—in 1910. It now boasts more than 45,000 alumni from around the world. More than 35 percent of its students are from historically under-represented groups.

The University of Redlands today has more than 200 professors teaching in 46 majors and programs, and an additional 200 adjunct faculty providing expertise to its School of Business and School of Education. Graduate programs include music, communicative disorders and geographic information systems, and a Doctorate of Leadership for Educational Justice. The university has been ranked among the top liberal-arts colleges in the West in a number of evaluations of the intelligence community (GAO) to conduct for Congress audits and evaluations pertaining to financial transactions, programs, and information sharing and other activities. It also prescribes the security procedures that GAO must follow in conducting audits for congressional intelligence oversight committees of intelligence sources and methods, or covert activities. This bill, the Intelligence Community Audit Act of 2006, reaffirms the authority of the Comptroller General of the United States and head of the Government Accountability Office (GAO) to conduct for Congress audits and evaluations of the intelligence community—including audits and evaluations pertaining to financial transactions, programs, and information sharing and other activities. It also prescribes the security procedures that GAO must follow in conducting audits for congressional intelligence oversight committees of intelligence sources and methods, or covert activities.

There is a pressing need for this legislation. With the passage of the Intelligence Reform and Terrorism Prevention Act of 2004, the federal government now encompasses 19 distinct components that have intelligence responsibilities. Ensuring that these components—which range from the Office of the Director of National Intelligence to the Department of Homeland Security to the Department of Treasury—are cooperating and performing their missions effectively is critical to our national security and the war on terrorism. But it is not just federal coordination and cooperation which is at issue. There is also a pressing need for state and local law enforce-ment officials to get the information they need to protect our constituents. Unfortunately, this has not happened. In a recent survey, the National Governor’s Association noted that fully 70 percent of state homeland security directors are dissatisfied with the specificity of homeland security information they receive from federal sources, and the fully 55 percent who are disappointed with its actionable quality. Our state law enforcement officials need information to protect our constituents.

And we in Congress need information to conduct our oversight functions. The availability of information to appropriate congressional committees is a paramount concern for this nation’s system of checks and balances. The ability of the GAO to conduct thorough and non-partisan reviews is well known. But what is not well known is the hurdles they sometimes face in conducting oversight. Earlier this year, shortly after GAO released a report on federal government policies relating to the sharing of terrorism-related and sensitive but unclassified (SBU) information (GAO–06–365), specifically, the GAO decided to comment on a draft version of the report because it considered GAO’s work in this non-sensitive area a “review of intelligence activities” that was “beyond GAO’s purview.” But this bill makes it clear that the DNI cannot evade congressional oversight by lumping the sharing of unclassified information with non-sensitive matters together with the kinds of intelligence activities that understandably must be held to a stricter standard.

This bill makes it clear that Congress has a real and continuing interest in reviews of the basic functions of the intelligence community, such as sharing of information with state and local law enforcement officials and transportation security. The events of 911 made it clear that systemic weaknesses in these areas can cost lives.

I urge my colleagues to co-sponsor this bill.

AFFIRMING SUPPORT FOR THE SOVEREIGNTY AND SECURITY OF LEBANON AND THE LEBANESE PEOPLE

SPEECH OF
HON. DARRELL E. ISSA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, September 25, 2006

Mr. ISSA. Mr. Speaker, I rise in strong support of the amended version of H. Res. 1017, introduced by my colleague Tom Lantos, which affirms support for the sovereignty and security of Lebanon and the Lebanese people. Mr. Speaker, what this resolution now does is use the Government of Lebanon to request assistance from the international community for military and other forms of support in securing their border with Syria, in order to end the flow of weapons to Hezbollah.

I want to thank Chairman Hycott for his institutional role in negotiating the language that addresses these concerns and enables the Government of Lebanon to engage and work closely with the international community so as to prevent another crisis in the region.

This resolution recognizes the courageous efforts made by many individuals in their independent uprising on March 14, 2005 and commends the democratically elected Government of Lebanon for their ongoing efforts to restore
sovereignty and security throughout all its territory. Despite the remarkable achievements of the so-called Cedar Revolution, the Government of Lebanon continues to experience challenges to its rule. Targeted killings of public figures and the recent conflict between Hezbollah and Israel illustrate the dangers to Lebanon’s stability. Furthermore, the increasing polarization and divide of the country’s confessional communities demonstrates the need for a serious national dialogue that will deal with Lebanon’s domestic struggles.

The provocative unilateral actions implemented by Hezbollah this past summer is evidence of the destructive influences Syria and Iran continue to play in Lebanon. The people of Lebanon and their government did not have any say in the destruction and heartbreak that was imposed upon their nation, yet they must be the ones to pay the price. In a clear indication that Hezbollah is willing to use its weapons internally, unless the current form of government is changed, Hezbollah leader Hassan Nasrallah said he would only consider giving up its weapons to a strong, capable, just state that was in place. This would strongly undermine Lebanon’s democratic structures and could potentially lead to civil war and instability in the whole region.

Lebanon seeks to build itself up once again from beneath the ashes of war and destruction. In the absence of a regional peace, this may very well be the last opportunity to save Lebanon from a failed state scenario.

The United States has a vital interest in ensuring the security of a liberal democratic regime. It is important that United States assistance to Lebanon play a strategic role in strengthening Lebanon’s central governing institutions that will ultimately lead to an empowered government that is able to meet the demands of all its citizens and comply with its international commitments and the major themes in this resolution.

In addition, to security assistance that enables the Lebanese Armed Forces to secure its borders, assistance needs to be targeted toward the passage of a new electoral law and increasing reforms in the Ministry of Justice. The external community has submitted its review and now the Lebanese parliament needs to respond. A more representative electoral law will defuse the demands of traditional sectarian leadership in Lebanon that have lead to deadlock and stalemate.

These steps are vital to restoring and maintaining Lebanon’s sovereignty and security by reducing the influence of Iran and Syria over Hezbollah and contributing to a broader representation of all Lebanese.

Mr. Speaker, I reserve the balance of my time and look forward to the passage of this resolution.

TRIBUTE TO THE NELSON TENNIS FOUNDATION

HON. JOHN R. CARTER OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. CARTER. Mr. Speaker, I would like to take this opportunity to recognize the efforts and accomplishments of the Nelson Tennis Foundation and support the eighth annual Nelson Scholarship Tennis Classic which will be held in Georgetown, Texas, on October 20–22, 2006. This nonprofit foundation, named in honor of Jane and Charles “Coach” Nelson was established to support the game of tennis in the community of Georgetown, Texas. Charles and Jane exemplify a love for the sport and community education. Combining these two passions, the Nelson Foundation has helped eligible high school seniors in the Georgetown Independent School District pursue their dreams for a college education. Since 1999, the Nelson Foundation has been able to award scholarships to 17 deserving student athletes through the proceeds from the tennis classic.

The Nelsons are retired educators with over 35 years of teaching and coaching experience in public schools. Both Charles and Jane began playing the game of tennis as teenagers in Huntsville, Texas. After several years of teaching and coaching in both Texas and New York, the Nelsons returned home to central Texas where Charles took over as head tennis coach at Round Rock High School for 4 years. This was followed by 3 years as the head tennis coach at Westwood High School in Round Rock and 7 years working with the Southwestern University tennis program. Both Jane and Charles are active in playing tournament tennis and remain outstanding contributors to their community. Through the years, they have been teammates, tennis partners, and friends to so many in the Georgetown and Williamson County area.

The Nelsons have been members of the Berry Creek Racquet Club in Georgetown where they have been involved in the club’s Pro-Am tournaments. After several years, this tournament was renamed the Nelson Tennis Scholarship Classic for which the Nelson Foundation was established.

The Nelson Foundation embodies community, fellowship, and a love for the game of tennis. All of these are at the heart of Charles and Jane Nelson and typify the generosity and character of Georgetown, Texas.

HONORING THE LIFE OF LEO DIEHL

HON. WILLIAM D. DELAHUNT

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. DELAHUNT. Mr. Speaker, it’s been said that the world goes on because a few people in every generation believe in it utterly, accept it unquestioningly, tend it with their lives. Leo Diehl was one such man. A community is gathering together in Harwich today to celebrate Leo’s remarkable life that took him from Beacon Hill to the Halls of Congress. Those who remember him recall his integrity, his integrity, his virtue, and most importantly, his lust for life. In later years, he would raise hundreds of thousands of dollars for charity with his good friend and with the help of those he inspired. St. Luke reminds us that to those to whom much is given, much is required—and should be expected. In the case of Leo Diehl, he gave as good as he got. Now he’s in a place, joined with his wife Grace, family and friends; made whole and perfect in His sight— and most likely still helping his friends, his Speakah, Tom make the streets of heaven a better place.

ESTHER MARTINEZ NATIVE AMERICAN LANGUAGES PRESERVATION ACT OF 2006

SPEECH OF

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2006

Ms. MCCOLLUM of Minnesota. Mr. Speaker, there is an urgent need to protect and preserve Native American languages. In my state of Minnesota, it is becoming more and more difficult to find elders to teach the Ojibwe language—the fourth most spoken Native language in North America.

The facts cannot be ignored—decades of federal restrictions on the instruction and use of Native languages led to their deliberate decline.

Despite treaties and laws and executive orders that call for the preservation and incorporation of Native language and culture in education—we are living at a time when Native American languages and culture are being eroded.

Title VII—which exists to ensure Native children receive Native language and culture instruction—has been reduced or reallocated to
other functions of the No Child Left Behind law—despite significant research proving that Native children do better in all subjects when taught through the use of Native languages and culture.

Schools have felt pressure from the Bush administration to instead spend resources for Native languages and culture on the goals of Bush’s No Child Left Behind law. Title VII resources must be focused on Title VII goals—not siphoned off to support other goals of the Bush administration—especially at the expense of Native American children.

Native children have the right to the education they are promised—that means the highest quality education—including instruction in their language.

As a Nation, we must reaffirm our commitment to preserve, to honor, and to teach the living traditions, cultures, and languages of the First Americans who have and continue to contribute to the strength of our Nation as teachers, community leaders, business owners, artists, elected officials, and neighbors—and the brave men and women who have fought in our armed services.

Native Americans have identified the recovery and preservation of their languages as one of their highest priorities. As a country, we have a moral obligation to live up to our commitments to the First Americans.

It is my hope that Congress will do what is right—and recommit our Nation’s resources to strengthen Native American languages for all Native people across the entire country.

PERSONAL EXPLANATION
HON. TODD RUSSELL PLATTS
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 28, 2006

Mr. PLATTS. Mr. Speaker, on rollover No. 178 which occurred on May 22, 2006, regarding H.R. 3858, the Pets Evacuation and Assistance Act, I ask my colleagues to join me today in recognizing these four heroes, who have dedicated themselves to the community with valor, commitment and honor.

Tom Lindeman was appointed as a Sterling Heights Firefighter on July 2, 1981. As part of his service, he counseled and taught young aspiring firefighters in the department’s Explorer’s Program. In 1989 he received a Certificate of Appreciation from Utica Community Schools for his efforts in the community. In 2001 he received an associate degree in Fire Science. During his career, Tom was promoted four times: FEO on April 20, 1992; Lieutenant on January 4, 1996; Training Instructor on August 22, 1996, and Chief of Training on January 11, 2003. He was honored by his peers, being named Firefighter of the Year twice, in 1999 and in 2004. Tom retired last month on August 19, after 25 years of dedicated service.

Dave Poterek was appointed as a Sterling Heights Firefighter on May 21, 1979 after attending Western Michigan University. On May 4, 1981, he received a Police Department Citizen Citation for rescuing a drowning victim. In 1984 he earned his Associates Degree in Nursing, and in 2004 he obtained his EMS Instructor Coordinator certificate. During his career he was promoted several times: Firefighter-ALS (Advanced Life Support) on April 18, 1992; Fire Lieutenant-ALS on July 5, 1994; Captain in 1996, and Battalion Chief on October 31, 2003. He retired on June 19 of this year, after 27 years of dedicated service.

William Riddock was appointed to the position of Probationary Firefighter with the Sterling Heights Fire Department on October 12, 1981. In 1989 he received the Meritorious Unit Citation for assistance at a house fire, rescuing a family from their balcony. He was a member of the Uniform Committee and participated in numerous of the department’s Open Houses. In addition to receiving numerous Perfect Attendance Awards throughout his career, Captain Riddock was promoted twice: Lieutenant on July 22, 1996, and Captain on January 11, 2003. Captain Riddock is retiring next month on October 19, after 25 years of dedicated service.

Mr. Speaker, I ask my colleagues to join me in recognizing these four heroes, who have dedicated themselves to the community with valor, commitment and honor.

TRIBUTE TO THE 2006 RETIREES OF THE STERLING HEIGHTS FIRE DEPARTMENT
HON. SANDER M. LEVIN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 28, 2006

Mr. LEVIN. Mr. Speaker, on Friday, September 29, 2006, the Sterling Heights Fire Fighters Union will host their Annual Dinner Dance, honoring their 2006 retirees. This yearly event honors Sterling Heights firefighters for their dedication to their community and recognizes their commendable contributions to the city.

I am pleased to be associated with this fine organization and to call many of them my friends.

I rise today to pay tribute to the careers of four retiring firefighters.

Kenneth Hall was appointed as a Sterling Heights firefighter on January 21, 1980. In November of that year, he received his Certificate of Completion for the Extrication and Rescue Training Program. On May 25, 2000, he was presented with the certificate of Special U.S. Senate Recognition to commemorate his 20 years of service. In August of 2002 he added to his list of accomplishments by becoming a HazMat Team Member. Ken has been promoted two times in his career: Lieutenant on March 31, 1995, and Captain on September 17, 2001. He retired on January 30 of this year after 26 years of dedicated service.

Tom Lindeman was appointed as a Sterling Heights Firefighter on July 2, 1981. As part of his service, he counseled and taught young aspiring firefighters in the department’s Explorer’s Program. In 1989 he received a Certificate of Appreciation from Utica Community Schools for his efforts in the community. In 2001 he received an associate degree in Fire Science. During his career, Tom was promoted four times: FEO on April 20, 1992; Lieutenant on January 4, 1996; Training Instructor on August 22, 1996, and Chief of Training on January 11, 2003. He was honored by his peers, being named Firefighter of the Year twice, in 1999 and in 2004. Tom retired last month on August 19, after 25 years of dedicated service.

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Mr. Speaker, I ask my colleagues to join me in recognizing these four heroes, who have dedicated themselves to the community with valor, commitment and honor.

TRIBUTE TO MAIN STREET BAPTIST CHURCH
HON. SHELLEY MOORE CAPITO
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 28, 2006

Mrs. CAPITO. Mr. Speaker, today we congratulate the Main Street Baptist Church in Point Pleasant, WV. On October 28, 2006, the Main Street Baptist Church will celebrate its 100th anniversary.

This church has helped change the lives of many in the Point Pleasant area and in the state. This is a wonderful time for the congregants of Main Street Baptist Church to celebrate with loved ones and take time to reflect on the many accomplishments and improvements this church has made in the community.

I want to thank Main Street Baptist Church for their service to the community of Point Pleasant and all of their contributions to our great state. May your next 100 years be just as fruitful.

HONORING THE LUVERNIA FULLER FOUNDATION AND RECOGNIZING MAY 18TH, 2007 AS “ANSWER MY PRAYER” DAY
HON. JUDY BIGGERT
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 28, 2006

Mrs. BIGGERT. Mr. Speaker, I rise today to honor the Luvernia Fuller Foundation for the invaluable support it provides to cancer patients. In doing so, I join two local governments in the 13th District of Illinois in recognizing the Luvernia Fuller Foundation for its generosity. Both the Village of Romeoville and the City of Joliet in my district have declared May 18, 2007, Luvernia Fuller Foundation “Answer My Prayer” day.

This not-for-profit organization was established on January 20, 2004 by the son of cancer patient, Luvernia Fuller. Unfortunately, like too many people stricken with cancer, Luvernia Fuller lost her battle. Inspired by her mother, Brian Fuller established the Foundation to provide emotional and monetary assistance to cancer patients and their families.

“Answer My Prayer” day was created to raise awareness and support for cancer patients. The Luvernia Fuller Foundation’s goal of “Answer My Prayer” day is not only to raise money to help provide necessary medical treatment and medicine for cancer patients, but also to educate the public about cancer and to celebrate the dignity of cancer patients.

As representative of the 13th District of Illinois, I am extremely pleased that such a fine foundation is based in my district and is providing life-saving assistance to the people of Illinois, I wish the Luvernia Fuller Foundation continued its success in this important work and that we all set aside May 18th as “Answer My Prayer” day to help and remember those who have been or are currently afflicted with cancer.

IN MEMORY OF FORT WORTH FIRE CHIEF CHARLES GAINES
HON. KAY GRANGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 28, 2006

Ms. GRANGER. Mr. Speaker, I rise today to honor one of the most distinguished public servants of District 12 and the Fort Worth community that I represent, Fort Worth Fire Chief Charles Gaines. On September 23, 2006, Fire Chief Gaines died at his home at the age of 49. Through hard work and commitment in his chosen profession, Chief Gaines was known nationally as an outstanding fire chief.

While Chief Gaines’ tenure in Fort Worth was a short four years, his impact on the community, on the men and women of the Fort Worth Fire Department, and community leaders was felt deeply. As a result of his hard work and commitment, the community is better for his service. He will be greatly missed.

On behalf of the entire 12th District, I ask my colleagues to join me today in remembering Chief Gaines and paying tribute to a man of great character and dedication.
Waxahachie, Texas. He did not grow up with the ambition to be a professional golfer; he just enjoyed playing it in his spare time. The onslaught of the Great Depression, and his subsequent unemployment, led Nelson to professionally pursue golf in 1932.

Known to golfers as the game’s “Ultimate Gentleman,” Nelson impressed audiences and fellow players alike with his good nature, his graceful playing, and his ability to win. In 1937, Nelson won The Masters, his first major tournament win. He would go on to win four more major tournaments over the years: the 1939 U.S. Open, the 1940 and 1945 PGA Championships, and the 1942 Masters. The accomplishment that he is the most well known for, however, did not come until 1945—13 years after he turned professional.

As America was winning World War II, Byron Nelson was winning golf tournaments. In 1945, Nelson did the unimaginable, winning 11 consecutive golf tournaments. By the end of 1945, Nelson had won a record 18 total tournaments—a record that still remains intact today. The closest anyone has come to challenging Nelson’s record was Tiger Woods, who impressively won 6 consecutive tournaments in 2001; however, failed to catch the record by five tournaments. His last professional tour ended in 1946, when at the age of 34, he decided to live the simple life of a rancher.

Although Nelson had retired, his love and dedication for the game continued. For years later, he was a frequent ceremonial starter at The Masters tournament. Nelson was also always amazed at how the game of golf was evolving, from the “rising new stars” to the change in club material to the amounts of money involved. In a 1997 interview, Nelson stated, “I did not even dream in my wildest imagination there would be as much money. . . . I only won $182,000 in my whole life.”

Mr. Speaker, nowadays winning a professional tournament yields millions of dollars, so one can understand Nelson’s amazement at the winnings now.

Bryon Nelson was the recipient of the 1974 Bob Jones Award for distinguished sportsmanship in golf. It is considered the highest honor awarded by the U.S. Golf Association. He has also been inducted into the World Golf Hall of Fame, and is the only professional golfer to have a stop on the PGA tour named after him—EDS Bryon Nelson Championship played in Dallas, Texas.

Golf was not the only passion in Nelson’s life. He was also a devout Christian, who gave his time, energy, and resources to the flourishing golf program at ACU. Nelson was a member of the University’s Board of Trustees and National Development Council. In 1984 Nelson and his wife of 50 years, Louise, established the Byron and Louise Nelson Golf Endowment, to raise funds for ACU. A dinner was held in his honor and the results netted enough funding to permanently institute the men’s golf program at ACU. Nelson also continued to lend not only his name, but his person, each year to ACU’s Byron Nelson Golf Tournament. His dedication and devotion to ACU allowed the men’s golf program to flourish, winning eight Lone Star Conference golf championships and one NCAA Division II championships.

For 94 years, Byron Nelson was a man among men, always a gentleman, always a leader, always a Christian. On Tuesday, September 26, this great man passed away at his home in Roanoke, Texas. Byron Nelson was not only mourned throughout the professional golf community, but throughout Abilene Christian University, where he gave so much of himself and asked for nothing in return. So his life will be remembered by all, as a great person and a great golfer.

RECOGNIZING THE DEDICATION OF MR. C. LARRY RHODES TO OUR TROOPS

HON. JOHN N. HOSTETTLER
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 28, 2006

Mr. HOSTETTLER. Mr. Speaker, I would like to take this opportunity to recognize the personal dedication of one of my constituents from Southern Indiana, Mr. Larry Rhodes, to our troops in the field, and their families here at home. Mr. Rhodes, a Vietnam Veteran, recognized the need for his community to step in and volunteer their time, energy, and resources to the families of our troops preparing to deploy to Iraq. Rather than wait for an opportunity to do his part, Mr. Rhodes took the initiative and formed the support organization “Operation: Support on the Homefront.”

In the Summer of 2005, Mr. Rhodes began holding events for families of soldiers in the National Guards 163rd Field Artillery unit, and the Army Reserves 406th Corps Support Battalion, both of which have units in my congressional district—the 8th District of Indiana.

Mr. Rhodes has organized numerous fundraising events, including concerts, dinners, silent auctions, and of course a joyous Christmas party for the families, where a huge dinner was served and all of the children received donated gifts. In addition to his fundraising efforts, Mr. Rhodes has worked with the business community in Evansville and surrounding communities to encourage them to provide discounted products and services to the families of the deployed soldiers.

This August, after months of negotiating with the U.S. government, Mr. Rhodes and his producer Steve Olglesby, were given permission to travel to Iraq to spend time with troops from the 163rd and 406th, conduct interviews, and film a short documentary of their experience. Unfortunately, as the hazardous nature of this trip, the day Mr. Rhodes and Mr. Olglesby left Al Diwaniyah, the base where they were staying came under mortar attack. Luckily, no one was injured.

This dedication to our troops, commitment to our country, and selfless sacrifice deserves the praise and recognition of a grateful community and country. I commend Mr. Larry Rhodes for his personal service to his country and his ongoing efforts to support our men and women in uniform that proudly serve today.
Mr. RADANOVICH. Mr. Speaker, I rise today to express my full support of H.R. 6166, the Military Commissions Act of 2006. This measure is vital in giving the President the resources he needs to bring terrorists and enemy combatants to justice. During these uncertain times of conflict and war, the United States requires established procedures to try captured terrorists and protect our troops. The justice system and rules of evidence that apply to enemies of war should be narrowly tailored within the legal framework to effectively prosecute terrorists. I fully support the compromise negotiated between the House, Senate, and Bush Administration on this important legislation. Though I was not able to cast my vote in favor of H.R. 6166 on September 27, 2006, I would like to go on record as being in full support of the Military Commissions Act of 2006.

Mr. GRAVES. Mr. Speaker, I proudly rise in tribute to Staff Sergeant Kevin L. Zeigler of Braymer, Missouri. Sgt. Zeigler made the ultimate sacrifice for his country on August 12, 2006. As a tribute to his courage, valor, and patriotism, I would like to read a very moving poem that Sgt. Zeigler’s uncle, G. Lamar Wilkie, Chief Petty Officer, United States Navy (Retired), wrote for his fallen nephew.

STAFF SERGEANT KEVIN L. ZEI GLER
HON. SAM GRAVES
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 28, 2006
Final Trip Home
Staff Sergeant Kevin Zeigler
Friend of Liberty
Hero of an oppressed people Defender of faith in humanity
Who helped liberate a nation
He comes back a hero
Having given his life for
The noblest cause of all
Not of sickness or meek old age
But in defense of freedom
No more torture chambers
Or professional rape rooms
No poisoned villagers
Filling mass graves
At the hands of their own dictator
Brutally taken from us
By vicious cowards
Who attack from shadows and
Dare not show their faces
They live to die for death’s sake
But the barbarian,
Though they claim victory
With fear and destruction
Suffer terrible loss within
A defeat of the heart
Let the bells of liberty
Toll the passing of a champion
His race is won, his battle over
Let eternal love and gratitude guide
His final trip home.
Dedicated to my nephew, Army Staff Sergeant Kevin L. Zeigler, of the 10th Cavalry Regiment, 2nd Brigade Combat Team of the 4th Infantry Division at Fort Hood. He was killed August 12, 2006 when an improvised explosive device detonated near their dismounted patrol during combat operations near Baghdad.

G. LAMAR WILKIE,
Chief Petty Officer, USN (Ret).

Mr. Speaker, a grateful nation will never forget the heroism, patriotism, and devotion of Sgt. Zeigler. He sacrificed his life in the line of duty to protect the United States of America, and we as a nation will be eternally indebted to him for his service. I am truly humbled to have had the privilege to represent Staff Sergeant Kevin L. Zeigler—a genuine American hero—in the United States Congress.

Mr. EHlers. Madam Speaker, I rise in strong support of S. 2430, the Great Lakes Fish & Wildlife Restoration Act. This important bill reauthorizes the Great Lakes Fish and Wildlife Restoration grant program first enacted in 1990 and renewed in 1998. It builds upon the successes of the program and ensures that both fish and wildlife resources will receive attention. It also expands the scope of the initiative to include grants for regional restoration work undertaken by federal, state, and tribal partnerships. The funds authorized in this legislation are critical to the widespread efforts to restore the vitality and water quality of the Great Lakes basin.

This bill is one small piece of the broader package of restoration priorities contained in the Great Lakes Regional Collaboration (GLRC) Strategy, released in December 2005. It is also largely the same as Title II of my bill, H.R. 5100, the Great Lakes Regional Collaboration Implementation Act. I am pleased that we are moving forward to enact some of the changes recommended by the GLRC in its comprehensive strategic action plan. I strongly encourage my colleagues to not only provide the necessary authorizations for conducting restoration activities in the Great Lakes, but also to provide the funding required as well. It is unfortunate that this program has received paltry levels of funding in recent years; much more is needed to accomplish the goals laid out in the GLRC Strategy.

I thank Senator DeWine, Congressman Kildee, Congressman Kirk, and all the other Members who sponsored and supported this legislation. Today is a victory for the Great Lakes and for the thousands of good people working to protect and restore fish and wildlife resources there.

Mr. RADANOVICH. Mr. Speaker, I rise today as a cochair of the Congressional Croatian Caucus to draw attention to the upcoming NATO summit in Riga. One of the focuses of this summit will be the next round of possible NATO enlargement, scheduled to occur in 2008. Croatia should be at the top of the candidate list for membership into NATO and deserves an invitation for membership in 2008.

Since achieving independence over a decade ago, Croatia has taken huge strides with...
democratic, economic and human rights reforms. They have been a key partner in the international community’s efforts to build long-term support and stability in the Southeastern European region, and have been an active supporter of the global war against terrorism. Croatia fully recognizes the fundamental importance of sharing its visions of Euro-Atlantic integration with other countries in the region, and is prepared to be an example for developing democracies.

Croatia has benefited greatly from the substantial progress made during the United States in the region. This investment illustrates our belief that Croatia is a viable partner in promoting democratic ideals and peace-seeking efforts internationally. I was proud to help further solidify this support last year, with the passage of House Resolution 529, which recommended Croatia’s integration into NATO.

At the upcoming summit, NATO officials should be encouraged to definitively express their intentions to issue invitations for membership to qualified aspirant countries at the next summit, which Croatia is on the top of the list. I wish to convey my strong support for the reform efforts being made in Croatia, and for an invitation to join NATO in the 2008 enlargement round. My congressional Croatian Caucus cochair, Congressman Peter Visclosky, and I have also sent letters to the Secretary of State and Secretary of Defense encouraging the administration to express support for this goal.

Finally, many individuals have worked very hard to see that this important invitation comes to fruition. I would like to especially thank Congressman Visclosky, the Embassy of Croatia, and the multitude of Croatian nationals and Croatian Americans who have been so committed to this cause. I would also like to enter into the RECORD a letter in support of Croatia’s membership into NATO.

NATIONAL FEDERATION OF CROATIAN AMERICANS,
Hon. Condolleeza Rice,
Secretary, Department of State,
Washington, DC.

DEAR MADAM SECRETARY: The problems in our world are many and the issues you are currently addressing as the leader of our diplomatic efforts, while on the right course, are extremely challenging. However, I am pleased to point out that one emerging bright spot in the problematic region of Southeast Europe is The Republic of Croatia. Since winning her independence ten years ago, Croatia has made great strides along the path to full North Atlantic Treaty Organization (NATO) membership by implementing democratic processes, upholding the rule of law, partnering with her neighborhood, human rights, remaining a consistent supporter of the global war on terrorism, and demonstrating stable leadership among the countries in that region. In addition, Croatia has diligently pursued her responsibilities under NATO’s Membership Action Plan in adapting her military to the interoperable and ready, available needs of future NATO strategies.

The upcoming NATO meeting in Riga, Latvia, in November 2006 causes us to remember the great strides that this Alliance has made in the past sixty years, and the encouragement to which The Republic of Croatia aspires and to which she has earned the right to belong. While the NATO meeting in Riga is scheduled to discuss 2007 as a year of transformation, we must also continue to focus on 2008, which is planned as the next year for possible NATO enlargement. Croatia, at the top of the list of countries qualifying as ready candidates in the 2008 enlargement round. I write to you today to request that Croatia’s membership be reviewed and properly reviewed with regard to early full NATO membership during the November Summit in Riga.

Croatia’s democratic, economic, and defensive progress was recognized by the United States Congress late last year with passage of H. Res. 529 and S. Res. 342, both of which encouraged both the United States and NATO to continue support of all of these Congressional and Administration efforts, and we will rally our ethnic community as required.

The NFCA is proud to help further solidify this support last year for the reform efforts being made in Croatia, and for an invitation to join NATO in the 2008 enlargement round. My congressional Croatian Caucus cochair, Congressman Peter Visclosky, and I have also sent letters to the Secretary of State and Secretary of Defense encouraging the administration to express support for this goal.

Finally, many individuals have worked very hard to see that this important invitation comes to fruition. I would like to especially thank Congressman Visclosky, the Embassy of Croatia, and the multitude of Croatian nationals and Croatian Americans who have been so committed to this cause. I would also like to enter into the RECORD a letter in support of Croatia’s membership into NATO.

HONORING THE ALEXANDRIA CONVENTION AND VISITORS ASSOCIATION ON THEIR 10TH ANNIVERSARY
HON. JAMES P. MORAN
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 28, 2006
Mr. MORAN of Virginia. Mr. Speaker, I rise today to honor and congratulate the Alexandria Convention and Visitors Association for its 10 years of outstanding and dedicated service to the Alexandria community. The Association was established as, and remains, the City of Alexandria’s official marketing agency for tourism as known as “The Fun Side of the Potomac.”

Since ACVA’s founding in 1996, annual tourism spending in Alexandria has more than doubled to over $600 million, and the city’s annual revenue from tourism has increased more than 400 percent. The direct result of this industry, created by ACVA has yielded a 58- to 1 return for the city, a number that continues to grow today.

Alexandria’s tourism industry employs over 9,000 people who work in the city’s hotels, restaurants, attractions, and related tourism businesses. The tourism industry has helped improve the overall quality of life of all citizens of Alexandria, who enjoy the same amenities enjoyed by visitors to the city.

I am proud of the accomplishments of the Alexandria Convention and Visitors Association and the contributions it has made over the last 10 years making the City of Alexandria one of the most desirable places in America to visit. I ask that my colleagues join me in congratulating the ACVA on its anniversary and to wish the organization all the best in its future endeavors.

COMMEMORATING THE 50TH ANNIVERSARY OF THE FIRST AIRCRAFT LANDING AT THE SOUTH POLE
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 28, 2006
Mr. MILLER of Florida. Mr. Speaker, I rise today to commemorate the 50th anniversary of the first aircraft landing at the South Pole by Lieutenant Commander Conrad “Gus” Shinn.

Over 60 years ago, Gus became a pilot with the United States Navy and several years later began testing landing “skis” for aircraft to facilitate polar exploration. It was development of these skis through his testing and evaluation that not only allowed the establishment and support of large field stations in the interiors of Greenland and Antarctica but also the aerial mapping of over 200,000 square miles of unexplored polar territory. Gus’s leadership was instrumental in developing a system to maintain these field stations and their research efforts.

No one had set foot at the South Pole since 1912, so it was even more remarkable that the next person to set foot in that unforgiving climate would do so by airplane. When Gus completed the first successful landing at the South Pole, he established his position not only as one of the foremost polar explorers but also one of the foremost pilots. His knowledge of polar exploration was considered to be on par with other famous figures such as Admiral Byrd and Lincoln Ellsworth. So highly regarded was his expertise in both aviation and polar exploration that he led the next four “Deep Freeze” missions that also landed at the South Pole. It was these missions, along with two other flights, that Gus participated in that allowed the materials and manpower to be flown to the United States base there remains at the South Pole today.

LCDR Shinn retired from the Navy in 1963, a legend in his field. National Geographic highlighted his party’s efforts in 1957, but it is
difficult at best to fully do justice to the headway he made in exploring unknown parts of the world. Today, both he and the original plane he flew reside in my district in Northwest Florida, and I am proud to have him as a contributor to the area’s rich heritage of aviation history.

Mr. Speaker, it is an honor for me to commemorate the vast contribution of LCDR Conrad “Gus” Shinn to polar exploration and the 50th anniversary of his successful landing at the South Pole.

McGOVERN-DOLE INTERNATIONAL FOOD AND EDUCATION AND CHILD NUTRITION PROGRAM

HON. JO ANN EMERSON
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 28, 2006

Mrs. EMERSON. Mr. Speaker, I want to join with the gentleman from Massachusetts, my good friend, in introducing this bill to reauthorize the McGovern-Dole International Food for Education and Child Nutrition Program. I first want to thank the gentleman for doing such a tremendous job in leading the charge on this particular program and for spearheading efforts to increase discretionary funding for the Program year after year. This is a very important program for all of the children in the world who do not have access to nutritional meals.

This legislation, quite frankly, is a win-win for the American people, and it is a win-win for children all over the world who desperately need food assistance and who need an education. We all know, so very well, that our country is currently engaged in daily battles with individuals who want to harm Americans. However, we are also engaged in the daily battle for the hearts and minds of the “man on the street” in under-developed countries. It is in this battle that the McGovern-Dole International Food for Education and Child Nutrition Program holds great potential.

Mr. Speaker, it is a fact that we should know well: 120 million children worldwide are not enrolled in school. This fact is attributable in large part to hunger and lack of access to a nutritious meal. We share a common desire to try to help as many people as we can all over the world. The McGovern-Dole International Food for Education and Child Nutrition Program provides these needed meals using American commodities, but it can do more. The McGovern-Dole International Food for Education currently feeds millions while increasing school enrollment, particularly for girls. The legislation we introduce today would provide a more reliable source of funding, allowing USDA to reliably implement the program to reach more students, but would also allow the McGovern-Dole International Food for Education and Child Nutrition Program to expand and to begin providing resources for organizations working with children under the age of 5 years. America needs friends, not just in the capital cities around the world, but on the streets in the poorest areas of the countries. This is one program that lets the world’s poor observe our values first hand.

Mr. Speaker, I want to note that food aid provided through the McGovern-Dole program also spurs economic activity in the United States. The domestic beneficiaries of U.S. food aid exports include our agricultural producers and suppliers, our millers, edible oil refiners, packaging, manufacturing, rail and motor transportation lines; I could go on and on and on. Most every State in the Nation benefits from food aid exports.

I would be particularly remiss if I did not acknowledge the vision of former Senators George McGovern and Bob Dole who really led the charge early in this fight against hunger, many years ago when they were both serving in the Senate. This issue is also a very important issue for me, because my late husband Bill was so very instrumental in bringing the issue of hunger, both domestic and international, into the Congress where he worked so closely with his friend, the late Congressman Mickey Leland. I think that we must do everything possible to help the world’s hungry children. When my late husband Bill came back from a trip to the Sudan, when he came back from various trips to Ethiopia and other countries, it was a very, very sad experience. He would hold dying children in his arms, children who were 12 years old and 13 years old, who were about the size of a 3-year-old or 4-year-old, who did not weigh anything, who had no opportunity to go to school.

Mr. Speaker, in closing, the McGovern-Dole International Food for Education and Child Nutrition Program reflects the humanitarian values Americans share, it reflects the value Americans place on an education—regardless of sex or race. It also utilizes American resources, benefiting the American economy and it makes us safer. The McGovern-Dole Program deserves not only to be reauthorized but expanded.

TRIBUTE TO THE 20TH ANNIVERSARY OF THE FAMILY EMERGENCY SHELTER COALITION

HON. FORTNEY PETE STARK
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 28, 2006

Mr. STARK. Mr. Speaker, I rise today to pay tribute to the 20th Anniversary of the Family Emergency Shelter Coalition (FESCO) in Hayward, California. In 1986 a group of Eden Area churches and businesses came together, through their mutual concern for homeless families, to form FESCO.

FESCO incorporated in 1986 and in 1987 purchased and rehabilitated a 2,200 square foot two-story house (built in 1917) near downtown Hayward and began serving homeless families in 1998. The shelter, later named Les Marquis House, accommodates eight to ten families at a time, with most staying an average of forty-two days before moving into permanent housing.

Over time programs have been developed at FESCO to compliment their provision of basic food, shelter and clothing. FESCO’s programs include: life skills training; children’s programs, resettlement, employment and housing services have all been structured to meet the needs of homeless families to enable them to become self-sufficient.

Volunteers also play a vital role in providing services to families at FESCO. They provide moral support, and donate their time and resources for fundraising activities and assistance with programs, such as Aftercare.

Aftercare programs include Back-to-School backpack distribution, Thanksgiving food boxes, and a Holiday Adopt-a-Family program. Many in-kind donations from individuals and corporate donors support the Aftercare program.

In 1999, 3rd Street Transitional Housing, a four-unit apartment next door to the Shelter, opened to serve 4 families for longer-term stays of eighteen to twenty-four months. This facility provides independent living with a professional counseling safety net.

In 2002, FESCO purchased, rebuilt and opened an 8 unit transitional co-housing facility. Banyan House provides food, shelter and services for eight families with stays from six to ten months while they prepare for self-sufficiency.

Today, twenty-nine churches and a host of businesses are part of a community partnership contributing to FESCO’s successful delivery of services. Eighty-five to one hundred families receive services from FESCO each year and approximately two hundred families are active in their Aftercare program.

As FESCO celebrates twenty years of exemplary service, they continue to plan for the future. They are committed to providing encouragement, hope and a belief in the future for homeless families.

Congratulations FESCO on your milestone anniversary and thank you for making a positive difference in our community.

GREAT LAKES FISH AND WILDLIFE RESTORATION ACT OF 2006

SPEECH OF
HON. MARK STEVEN KIRK
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 27, 2006

Mr. KIRK. Madam Speaker, I rise in strong support of S. 2430, the Great Lakes Fish and Wildlife Restoration Act. I would like to thank Mr. KLEE (D–MI) for his leadership on this critical effort to restore one of our nation’s most precious natural resources.

The Great Lakes Fish and Wildlife Restoration Act reauthorizes the Fish and Wildlife Service to double the annual grants to States and tribes for the enhancement, conservation and restoration of fish and wildlife habitats in the Great Lakes. Since 1998, $3.9 million in federal grants and $2.3 million in matching funds have been directed toward these efforts. The Act clearly draws vast participation from the Great Lakes communities in restoring this tremendous resource.
A key component of this legislation is wetland restoration. In Illinois, wetlands provide protective habitats for the forty percent of the state’s endangered species and help stave off major flooding. Unfortunately, a staggering ninety percent of Illinois’ wetlands have been destroyed. Through grants provided by the Great Lakes Fish and Wildlife Restoration Act, 68 acres of rare wetlands in the northeastern Illinois’ Nature Preserves were restored. Another eight wetland restoration projects were undertaken in the Chicago area. We must provide the authorization and management to continue such restoration and reverse the rapid rate of wetland destruction around the Great Lakes.

I want to thank Chad Lord from the Healing Our Waters—Great Lakes Coalition, Cameron Davis of the Alliance for the Great Lakes, and all the other organizations that work tirelessly on behalf of our environment and the Great Lakes. I urge my colleagues to support this bipartisan legislation so that we may continue our mission to provide for the long-term sustainability of this treasured ecosystem.

CHILDREN’S HOSPITAL GME SUPPORT REAUTHORIZATION ACT

SPEECH OF

HON. GENE GREEN
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of this bill to reauthorize the Children’s Hospital Graduate Medical Education Program. Seven years ago, Congress established this program to provide the federal support needed for training activities at our children’s teaching hospitals. In other hospital settings, training dollars needed for residents are funded, in part, through Medicare’s graduate medical education program. With relatively few Medicare patients being served at children’s hospitals, however, children’s teaching hospitals cannot fully benefit from Medicare’s graduate medical education program. CHGME was established to help alleviate the inequity faced by children’s hospitals with respect to the training of their residents.

Since its inception in 1999, the CHGME program has achieved tremendous success and enabled our children’s teaching hospitals to address reductions in the number of pediatric residents. With this funding, children’s teaching hospitals—such as Texas Children’s Hospital in my hometown of Houston—have been able to keep their residency programs alive and ensure that the pediatricians treating our children and our grandchildren are trained at the best facilities in the country.

It’s no surprise that the same children’s teaching hospitals receiving CHGME funds provide the ideal training grounds for pediatric residents. These hospitals house the Nation’s leading pediatric research institutions and provide residents with experience in treating the whole range of childhood health care problems, from routine immunizations to pediatric trauma care and pediatric oncology.

Continued CHGME funding is critical if our children’s hospitals can continue providing quality care to low-income children, as well as children whose families have private health insurance. Nearly 50 percent of care delivered at our children’s hospitals nationwide is provided to Medicaid beneficiaries, and CHGME payments help cover the gap created by a Medicaid reimbursement policy that covers only 80 percent of care delivered to Medicaid patients.

The CHGME program provides children’s teaching hospitals with real funding, without which their residency programs would face severe financial strain. Texas Children’s Hospital in Houston is one of the top children’s hospitals in the country and received nearly $11 million last year in CHGME payments. Even with this funding, Texas Children’s absorbed an additional $11.5 million in unreimbursed costs associated with their training of pediatric residents.

We want our pediatricians trained at quality hospitals like Texas Children’s, where they can put their skills to use on a diverse set of patients. Through this type of education and training, pediatric residents can leave children’s teaching hospitals and travel to all corners of the country armed with the experience to effectively treat the young patients in their community. CHGME makes this possible, and I encourage my colleagues to support the reauthorization of this important program.

TRIBUTE TO ELIZABETH GHELETA

HON. TOM LANTOS
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 28, 2006

Mr. LANTOS. Mr. Speaker, I rise today to congratulate Ms. Elizabeth Gheleta on her tireless devotion to assisting jail inmates and their families in San Mateo County, located in my Congressional District. For 38 years, and for the past 28 years as Executive Director of the San Mateo Service League, Ms. Gheleta has committed herself to ensuring that San Mateo County provide opportunities for positive change to county jail inmates, former inmates and their families. Under her direction, the Service League has made San Mateo County a safer place to live by offering inmates the skills and support necessary to successfully reintegrate into the community.

Over the years, Ms. Gheleta has built the San Mateo Service League into a well-established, non-profit community organization with 25 staff members and over 500 volunteers. Equally important has been her effectiveness in winning the trust and support of the San Mateo County Sheriff’s Office, which has cooperated and helped finance many of the Service League’s innovative programs. Among these are the Windows of Opportunity to find effective alternatives to incarceration, Hope Houses and Project Hope for alcohol and drug treatment, and the Children’s Waiting Room at the County Jail. With the support of San Mateo County Sheriff Don Horsley, the Service League has promoted the expansion of in-jail services, including education, religious services, substance abuse counseling, and entry to society life skills. Ms. Gheleta and her staff also developed four residential facilities for former inmates and started programs to assist the children and families of inmates.

Mr. Speaker, I invite my colleagues to join me in thanking Elizabeth Gheleta for her contribution to the improvement of our community in San Mateo County. Ms. Gheleta’s vision and dogged determination has resulted in model programs that have addressed important social issues such as chemical dependency, personal responsibility, education, permanent housing and family life skills. The reality of this vision has truly given hundreds of former inmates and their families a second chance in life. I am truly delighted and inspired by Ms. Gheleta’s commitment to our community.
HIGHLIGHTS

Senate passed S. 3930, Military Commissions Act.

Senate

Chamber Action

Routine Proceedings, pages S10349–S10495

Measures Introduced: Thirty-one bills and two resolutions were introduced, as follows: S. 3963–3993, and S. Res. 589–590. Page S10457–58

Measures Reported:

H.R. 1463, to designate a portion of the Federal building located at 2100 Jamieson Avenue, in Alexandria, Virginia, as the “Justin W. Williams United States Attorney’s Building”. Pages S10456

Measures Passed:

Military Commissions Act: By 65 yeas to 34 nays (Vote No. 259), Senate passed S. 3930, to authorize trial by military commission for violations of the law of war, after taking action on the following amendments proposed thereto: Pages S10354–S10431

Rejected:

By 48 yeas to 51 nays (Vote No. 255), Specter Amendment No. 5087, to strike the provision regarding habeas review. Pages S10354–69

By 46 yeas to 53 nays (Vote No. 256), Rockefeller Amendment No. 5095, to provide for congressional oversight of certain Central Intelligence Agency programs. Pages S10369–78, S10396–97

By 47 yeas to 52 nays (Vote No. 257), Byrd Amendment No. 5104, to prohibit the establishment of new military commissions after December 31, 2011. Pages S10385–90, S10397–98

By 46 yeas to 53 nays (Vote No. 258), Kennedy Amendment No. 5088, to provide for the protection of United States persons in the implementation of treaty obligations. Pages S10378–85, S10390–96, S10398

Secure Fence Act: Senate continued consideration of H.R. 6061, to establish operational control over the international land and maritime borders of the United States, taking action on the following amendments proposed thereto: Page S10431–33

Pending:

Frist Amendment No. 5036, to establish military commissions. Page S10432

Frist Amendment No. 5037 (to Amendment No. 5036), to establish the effective date. Page S10432

Motion to commit the bill to the Committee on the Judiciary, with instructions to report back forthwith, with an amendment. Page S10432

Frist Amendment No. 5038 (to the instructions of the motion to commit H.R. 6061 to the Committee on the Judiciary), to establish military commissions. Page S10432

Frist Amendment No. 5039 (to the instructions of the motion to commit H.R. 6061 to the Committee on the Judiciary), to establish the effective date. Page S10432

Frist Amendment No. 5040 (to Amendment No. 5039), to amend the effective date. Page S10432

During consideration of this measure today, Senate also took the following action:

By 71 yeas to 28 nays (Vote No. 260), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. Pages S10431–32

Senate expects to continue consideration of the bill on Friday, September 29, 2006.


A unanimous-consent agreement was reached providing for further consideration of the conference report on Friday, September 29, 2006, with a vote on adoption thereon, to occur at 10 a.m. Page S10433
China Currency—Agreement: A unanimous-consent agreement was reached providing that the orders of July 1, 2005 and March 29, 2006, with respect to S. 295, to authorize appropriate action in the negotiations with the People’s Republic of China regarding China’s undervalued currency are not successful, be vitiated. Page S10389

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaties:

- Mutual Legal Assistance Agreement with the European Union (Treaty Doc. No. 109–13); and

The treaties were transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. Page S10493–94

Nominations Received: Senate received the following nominations:

- Michele A. Davis, of Virginia, to be an Assistant Secretary of the Treasury.
- Eric D. Eberhard, of Washington, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for a term expiring October 6, 2012.
- Dana Gioia, of California, to be Chairperson of the National Endowment for the Arts for a term of four years.

1 Coast Guard nomination in the rank of admiral.

Routine lists in the Air Force, Foreign Service.

Messages From the House: Pages S10454–56

Measures Placed on Calendar: Page S10456

Measures Read First Time: Page S10456

Enrolled Bills Presented: Page S10456

Executive Reports of Committees: Page S10456

Additional Cosponsors: Pages S10458–59

Statements on Introduced Bills/Resolutions: Pages S10459–90

Additional Statements: Pages S10450–54

Amendments Submitted: Pages S10490–92

Authorities for Committees to Meet: Page S10492

Record Votes: Six record votes were taken today. (Total—260) Pages S10369, S10397, S10397–98, S10398, S10420, S10432

Adjournment: Senate convened at 9:30 a.m., and adjourned at 9:42 p.m., until 9:30 a.m., on Friday, September 29, 2006. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S10494.)

Committee Meetings

(Committees not listed did not meet)

FEDERAL VOTING ASSISTANCE PROGRAM

Committee on Armed Services: Committee concluded a hearing to examine issues relating to military voting, focusing on the Federal Voting Assistance Program, which allows absentee voting by members of the military and civilians living overseas, after receiving testimony from David S.C. Chu, Under Secretary of Defense for Personnel and Readiness; Paul DeGregorio, Chairman, U.S. Election Assistance Commission; Derek B. Stewart, Director, Defense Capabilities and Management, Government Accountability Office; and Deborah L. Markowitz, National Association of Secretaries of State, Washington, D.C.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported the nominations of General Bantz J. Craddock, USA, for reappointment to the grade of general and to be Commander, U.S. European Command; Vice Admiral James G. Stavridis, USN, for appointment to the grade of admiral and to be Commander, U.S. Southern Command, Nelson M. Ford, of Virginia, to be Assistant Secretary of the Army for Financial Management and Comptroller, Ronald J. James, of Ohio, to be Assistant Secretary of the Army for Manpower and Reserve Affairs, Major General Todd I. Stewart, USAF, (Ret.), of Ohio, to be a Member of the National Security Education Board, John Edward Mansfield, of Virginia, Larry W. Brown, of Virginia, and Peter Stanley Winokur, of Maryland, each to be a Member of the Defense Nuclear Facilities Safety Board, and 7,735 routine military nominations in the Army, Navy, Air Force, and Marine Corps.

ECONOMY

Committee on the Budget: Committee concluded a hearing to examine the state of the economy and budget, after receiving testimony from Edward P. Lazear, Chairman, Council of Economic Advisors; and Kevin A. Hassett, American Enterprise Institute, Chris Edwards, Cato Institute, and Peter R. Orszag, Brookings Institution, all of Washington, D.C.

NATIONAL AIRSPACE SYSTEM

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation concluded a hearing to examine new aircraft in the National Airspace System (NAS), focusing on developing safety standards and operating procedures to ensure their safe integration
into the NAS, after receiving testimony from Michael A. Cirillo, Vice President, Systems Operations Services, Air Traffic Organization, and Nicholas A. Sabatini, Associate Administrator, Aviation Safety, both of the Federal Aviation Administration, Department of Transportation; Vern Raburn, Eclipse Aviation Corporation, Albuquerque, New Mexico; Edward E. Iacobucci, DayJet Corporation, Delray Beach, Florida; Jack J. Pelton, Cessna Aircraft Company, Wichita, Kansas, on behalf of General Aviation Manufacturers Association; and Matthew G. Andersson, CRA International, Chicago, Illinois.

HAZARDOUS WASTE
Committee on Environment and Public Works: Subcommittee on Superfund and Waste Management concluded a hearing to examine S. 3871, to amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system, after receiving testimony from Susan P. Bodine, Assistant Administrator, Office of Solid Waste and Emergency Response, Environmental Protection Agency; Cheryl T. Coleman, South Carolina Department of Health and Environmental Control, Columbia; Frederick J. Florjancic, Jr., Safety-Kleen Systems, Inc., Plano, Texas; and Phillip J. Bond, Information Technology Association of America, Arlington, Virginia.

PUBLIC DEBT
Committee on Finance: Subcommittee on Long-term Growth and Debt Reduction concluded a hearing to examine America’s public debt, focusing on the national savings rate and federal budget deficits, after receiving testimony from former Representative Charles W. Stenholm, Peter R. Orszag, Brookings Institution, and Chris Edwards, Cato Institute, all of Washington, D.C.; and Robert L. Bixby, Concord Coalition, Arlington, Virginia.

SECURING THE NATIONAL CAPITAL REGION
Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded hearings to examine the National Capital Region’s strategic security plan, focusing on the ability of the responsible Federal, state and local government agencies of the National Capital Region to respond to a terrorist attack or natural disaster, including coordination efforts within the region, after receiving testimony from Thomas Lockwood, Director, Office of National Capital Region Coordination, Department of Homeland Security; William O. Jenkins, Jr., Director, Homeland Security and Justice Issues, Government Accountability Office; Deputy Mayor Edward D. Reiskin, District of Columbia Public Safety and Justice; Robert P. Crouch, Jr., Assistant to the Virginia Governor, Richmond; Dennis R. Schrader, Maryland Governor’s Office of Homeland Security, Annapolis, Maryland; and Fairfax County Executive Anthony H. Griffin, Fairfax, Virginia.

EMERGENCY MEDICAL CARE
Committee on Health, Education, Labor, and Pensions: On Wednesday, September 27, Subcommittee on Bioterrorism and Public Health Preparedness concluded a hearing to examine measures to improve emergency medical care, focusing on the need for change to continue providing quality emergency medical care when and where it is expected, after receiving testimony from Frederick C. Blum, West Virginia University School of Medicine, Morgantown, on behalf of American College of Emergency Physicians; Margaret VanAmringe, Joint Commission on Accreditation of Healthcare Organizations, Washington, D.C.; Nancy Bonalumi, Children’s Hospital of Philadelphia, Philadelphia, Pennsylvania, on behalf of Emergency Nurses Association; Leon L. Haley, Jr., Grady Health System, Atlanta, Georgia; and Robert R. Bass, Maryland Institute of Emergency Medical Services Systems, Baltimore, on behalf of Institute of Medicine’s Committee on the Future of Emergency Care in the U.S. Health System.

INTELLIGENCE
Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community. Committee recessed subject to the call.
House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 28 public bills, H.R. 6225–6252; and 8 resolutions, H.J. Res. 98; H. Con. Res. 487–488; and H. Res. 1055–1059 were introduced. Pages H7900–02

Additional Cosponsors: Pages H7902–03

Reports Filed: Reports were filed today as follows:

H.R. 4857, to better inform consumers regarding costs associated with compliance for protecting endangered and threatened species under the Endangered Species Act of 1973 (H. Rept. 109–693);

H.R. 512, to require the prompt review by the Secretary of the Interior of the longstanding petitions for Federal recognition of certain Indian tribes (H. Rept. 109–694);

H.R. 6143, to amend title XXVI of the Public Health Service Act to revise and extend the program for providing life-saving care for those with HIV/AIDS (H. Rept. 109–695);

H. Res. 1052, providing for consideration of H.R. 5825, to update the Foreign Intelligence Surveillance Act of 1978 (H. Rept. 109–696);

H.R. 5851, to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians (H. Rept. 109–697);

H.R. 1674, to authorize and strengthen the tsunami detection, forecast, warning, and mitigation program of the National Oceanic and Atmospheric Administration, to be carried out by the National Weather Service, with an amendment (H. Rept. 109–698);

Conference report on H.R. 5441, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007 (H. Rept. 109–699);

H. Res. 1053, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 109–700); and

H. Res. 1054, waiving points of order against the conference report to accompany H.R. 5441, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007 and providing for consideration of S. 3930, to authorize trial by military commission for violations of the law of war and consideration of H.R. 4772, to simplify and expedite access to the Federal courts for injured parties whose rights and privileges under the United States Constitution have been deprived by final actions of Federal agencies or other government officials or entities acting under color of State law (H. Rept. 109–701). Pages H7784–H7848, H7900

Discharge Petition: Representative Kennedy of Rhode Island moved to discharge the Committees on Education and the Workforce and Energy and Commerce from the consideration of H.R. 1402, to provide for equal coverage of mental health benefits with respect to health insurance coverage unless comparable limitations are imposed on medical and surgical benefits (Discharge Petition No. 18).

Rule for consideration of suspensions: The House agreed to H. Res. 1045, providing for consideration of motions to suspend the rules, by voice vote, after agreeing to order the previous question by a yeas-and-nays vote of 223 yeas to 196 nays, Roll No. 495. Pages H7680–85, H7693–94

Suspensions: The House agreed to suspend the rules and pass the following measures:

Holding the current regime in Iran accountable for its threatening behavior and to support a transition to democracy in Iran: H.R. 6198, amended, to hold the current regime in Iran accountable for its threatening behavior and to support a transition to democracy in Iran; Pages H7685–H7706


Children’s Hospital GME Support Reauthorization Act of 2006: H.R. 5574, to amend the Public Health Service Act to reauthorize support for graduate medical education programs in children’s hospitals. The House concurred in Senate amendment—clearing the measure for the President; Pages H7710–12


Fort McDowell Indian Community Water Rights Settlement Revision Act of 2006: S. 2464, to revise a provision relating to a repayment obligation of the Fort McDowell Yavapai Nation under the Fort McDowell Indian Community Water Rights Settlement Act of 1990—clearing the measure for the President; Pages H7735–36
Amending the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Los Angeles County Water Supply Augmentation Demonstration Project: H.R. 4545, amended, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Los Angeles County Water Supply Augmentation Demonstration Project; Pages H7736–37

Authorizing a grant for contributions toward the establishment of the Woodrow Wilson Presidential Library: H.R. 4846, amended, to authorize a grant for contributions toward the establishment of the Woodrow Wilson Presidential Library; Pages H7737–38

Agreed to amend the title so as to read: “To authorize grants for contributions toward the establishment of the Woodrow Wilson Presidential Library.”. Page H7738

Extending relocation expenses test programs for Federal employees: S. 2146, to extend relocation expenses test programs for Federal employees—clearing the measure for the President; Pages H7738–39

Supporting the goals and ideals of Gynecologic Cancer Awareness Month: H. Con. Res. 473, to support the goals and ideals of Gynecologic Cancer Awareness Month; Pages H7739–40

Supporting the goals and ideals of Infant Mortality Awareness Month: H. Res. 402, amended, to support the goals and ideals of Infant Mortality Awareness Month; Pages H7740–41

Recognizing the 225th anniversary of the American and French victory at Yorktown, Virginia, during the Revolutionary War: H. Res. 748, to recognize the 225th anniversary of the American and French victory at Yorktown, Virginia, during the Revolutionary War; Pages H7741–42

Supporting the goals and ideals of National Pregnancy and Infant Loss Remembrance Day: H. Con. Res. 222, amended, to support the goals and ideals of National Pregnancy and Infant Loss Remembrance Day; Pages H7742–43

Congratulating the Columbus Northern Little League Baseball Team from Columbus, Georgia, on its victory in the 2006 Little League World Series Championship games: H. Res. 991, to congratulate the Columbus Northern Little League Baseball Team from Columbus, Georgia, on its victory in the 2006 Little League World Series Championship games; Pages H7744–45

Designating the facility of the United States Postal Service located at 1213 East Houston Street in Cleveland, Texas, as the “Lance Corporal Robert A. Martinez Post Office Building”: H.R. 5108, to designate the facility of the United States Postal Service located at 1213 East Houston Street in Cleveland, Texas, as the “Lance Corporal Robert A. Martinez Post Office Building”;

Amending the Older American Act of 1965 to authorize appropriations for fiscal years 2007 through 2011: H.R. 6197, to amend the Older American Act of 1965 to authorize appropriations for fiscal years 2007 through 2011; Pages H7746–70

Establishing a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges: H.R. 5418, amended, to establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges; Pages H7851–53

Coast Guard Authorization Act of 2006: H.R. 5681, amended, to authorize appropriations for the Coast Guard for fiscal year 2007; Pages H7877–86

Designating the facility of the United States Postal Service located at 101 East Gay Street in West Chester, Pennsylvania, as the “Robert J. Thompson Post Office Building”: H.R. 6075, to designate the facility of the United States Postal Service located at 101 East Gay Street in West Chester, Pennsylvania, as the “Robert J. Thompson Post Office Building”;

Designating the facility of the United States Postal Service located at 307 West Wheat Street in Woodville, Texas, as the “Chuck Fortenberry Post Office Building”: H.R. 6078, to designate the facility of the United States Postal Service located at 307 West Wheat Street in Woodville, Texas, as the “Chuck Fortenberry Post Office Building”;

Designating the facility of the United States Postal Service located at 307 West Wheat Street in Woodville, Texas, as the “Chuck Fortenberry Post Office Building”;

Designating the facility of the United States Postal Service located at 200 Gateway Drive in Lincoln, California, as the “Beverly J. Wilson Post Office Building”;

Designating the facility of the United States Postal Service located at 216 Oak Street in Farmington, Minnesota, as the “Hamilton H. Judson Post Office”: H.R. 6151, to designate the facility of the United States Postal Service located at 216 Oak Street in Farmington, Minnesota, as the “Hamilton H. Judson Post Office”; Page H7889
Designating the facility of the United States Postal Service located at 101 Palafox Place in Pensacola, Florida, as the “Vincent J. Whibbs, Sr. Post Office Building”; 5736, to designate the facility of the United States Postal Service located at 101 Palafox Place in Pensacola, Florida, as the “Vincent J. Whibbs, Sr. Post Office Building”; Pages H7889–90

Designating the facility of the United States Postal Service located at 950 Missouri Avenue in East St. Louis, Illinois, as the “Katherine Dunham Post Office Building”; H.R. 5929, to designate the facility of the United States Postal Service located at 950 Missouri Avenue in East St. Louis, Illinois, as the “Katherine Dunham Post Office Building”;

Pages H7890–91

Designating the facility of the United States Postal Service located at 167 East 124th Street in New York, New York, as the “Tito Puente Post Office Building”; H.R. 1472, to designate the facility of the United States Postal Service located at 167 East 124th Street in New York, New York, as the “Tito Puente Post Office Building”;

Page H7891

Recognizing Financial Planning Week, recognizing the significant impact of sound financial planning on achieving life’s goals, and honoring families and the financial planning profession for their adherence and dedication to the financial planning process: H. Res. 973, amended, to recognize Financial Planning Week, recognizing the significant impact of sound financial planning on achieving life’s goals, and honoring families and the financial planning profession for their adherence and dedication to the financial planning process;

Pages H7891–94

Designating the facility of the United States Postal Service located at 10240 Roosevelt Road in Westchester, Illinois, as the “John J. Sinde Post Office Building”; H.R. 5989, to designate the facility of the United States Postal Service located at 10240 Roosevelt Road in Westchester, Illinois, as the “John J. Sinde Post Office Building”;

Page H7894

Designating the facility of the United States Postal Service located at 415 South 5th Avenue in Maywood, Illinois, as the “Wallace W. Sykes Post Office Building”; H.R. 5990, to designate the facility of the United States Postal Service located at 415 South 5th Avenue in Maywood, Illinois, as the “Wallace W. Sykes Post Office Building”;

Pages H7894–95

Designating the facility of the United States Postal Service located at 2951 New York Highway 43 in Averill Park, New York, as the “Major George Quamo Post Office Building”; S. 3613, to designate the facility of the United States Postal Service located at 2951 New York Highway 43 in Averill Park, New York, as the “Major George Quamo Post Office Building”—clearing the measure for the President; and

Page H7895

Designating the Post Office located at 5755 Post Road, East Greenwich, Rhode Island, as the “Richard L. Cevoli Post Office”; S. 3187, to designate the Post Office located at 5755 Post Road, East Greenwich, Rhode Island, as the “Richard L. Cevoli Post Office”—clearing the measure for the President.

Pages H7895–96

Security and Accountability for Every Port Act or the SAFE Port Act—Motion To Go to Conference: The House disagreed to the Senate amendment and agreed to a conference on H.R. 4954, to improve maritime and cargo security through enhanced layered defenses.

Pages H7770–84, H7850–51

Agreed to the Thompson of Mississippi motion to instruct conferees by a yea-and-nay vote of 281 yeas to 140 nays, Roll No. 500.

Pages H7771–75, H7850

Appointed as conferees: From the Committee on Homeland Security, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. King of New York, Young of Alaska, Daniel E. Lungren of California, Linder, Simmons, McCaul of Texas, Reichert, Thompson of Mississippi, Ms. Loretta Sanchez of California, Mr. Markey, Ms. Harman, and Mr. Pascrell;

Page H7850

From the Committee on Energy and Commerce, for consideration of Titles VI and X and sec. 1104 of the Senate amendment, and modifications committed to conference: Messrs. Barton of Texas, Upton, and Dingell;

Page H7850

From the Committee on Science, for consideration of secs. 201 and 401 of the House bill, and secs. 111, 121, 302, 303, 305, 513, 607, 608, 706, 801, 802, and 1107 of the Senate amendment, and modifications committed to conference: Messrs. Boehlert, Sodrel, and Melancon;

Page H7850

From the Committee on Transportation and Infrastructure, for consideration of secs. 101–104, 107–109, and 204 of the House bill, and secs. 101–104, 106–108, 111, 202, 232, 234, 235, 503, 507–512, 514, 517–519, Title VI, secs. 703, 902, 905, 906, 1103, 1104, 1107–1110, 1114, and 1115 of the Senate amendment, and modifications committed to conference: Messrs. LoBiondo, Shuster, and Oberstar; and

Pages H7850–51

From the Committee on Ways and Means, for consideration of secs. 102, 121, 201, 203 and 301 of the House bill, and secs. 201, 203, 304, 401–404, 407, and 1105 of the Senate amendment, and modifications committed to conference: Messrs. Thomas, Shaw, and Rangel.

Page H7851

Rejected the Schiff motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 202 yeas to 221 nays, Roll No. 501.

Pursuant to the rule, in lieu of the amendments in the nature of a substitute as reported by the Committee on the Judiciary and the Permanent Select Committee on Intelligence, the amendment in the nature of a substitute printed in this report shall be considered as adopted.

Agreed to H. Res. 1046, 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 a recorded vote of 227 ayes to 191 noes, Roll No. 497, after agreeing to order the previous question by a yea-and-nay vote of 223 yeas to 197 nays, Roll No. 496.

Agreed that the Clerk be authorized to make technical and conforming changes in the engrossment of the bill to reflect the actions of the House.

H. Res. 1052, the rule providing for consideration of the bill was agreed to by a recorded vote of 220 ayes to 199 noes, Roll No. 497, after agreeing to order the previous question by a yea-and-nay vote of 225 yeas to 197 nays, Roll No. 498.

Advisory Committee on Student Financial Assistance—Reappointment: The Chair announced the Speaker’s reappointment of Mr. Robert Shireman of Oakland, California, to the Advisory Committee on Student Financial Assistance for a three-year term effective October 1, 2006.

Senate Messages: Messages received from the Senate today appear on pages H7677 and H7851.

Senate Referrals: S. 2250 was referred to the Committee on Financial Services; and S. 2491 and S. 3930 were held at the desk.


Adjournment: The House met at 10 a.m. and adjourned at 11:59 p.m.

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**Committee Meetings**

**EPA PESTICIDE PROGRAM REVIEW**

Committee on Agriculture: Subcommittee on Conservation, Credit, Rural Development, and Research held a hearing to review the EPA pesticide program. Testimony was heard from James B. Gulliford, Assistant Administrator, Office of Prevention, Pesticides and Toxic Substances, EPA; and public witnesses.

**SECURITY GUARD UNIONIZATION AND NATIONAL SECURITY**

Committee on Education and the Workforce: Subcommittee on Employer-Employee Relations held a hearing entitled “Examining Whether Combining Guards and Other Employees in Bargaining Units Would Weaken National Security.” Testimony was heard from public witnesses.

**MEDICARE PHYSICIAN PAYMENTS**

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled “Medicare Physician Payments: 2007 and Beyond.” Testimony was heard from public witnesses.

**HEWLETT-PACKARD PRETEXTING SCANDAL**

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled “Hewlett-Packard’s Pretexting Scandal.” Testimony was heard from the following officials of the Hewlett-Packard Company: Mark Hurd, President, Chief Executive Officer, and Chairman of the Board; and Fred Adler, IT Security Investigations; Patricia Dunn, former Chairman of the Board, Hewlett-Packard Company; Larry W. Sonsini, Chairman, Wilson Sonsini Goodrich and Rosati.

In refusing to give testimony at this hearing, the following individuals: Ann Baskins; Kevin T. Hunsaker; Anthony Gentilucci, Ronald DeLia; Joe Depante, Cassandra Selvage; Darren Brost, Valerie Preston, Bryan Wagner and Charles Kelly, invoked Fifth Amendment privileges.

**IMPROVING FINANCIAL LITERACY/PRIVATE SECTOR COORDINATION**

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled “Improving Financial Literacy: Working Together To Develop Private Sector Coordination and Solutions.” Testimony was heard from public witnesses.

**IRAQ RECONSTRUCTION CONTRACTING**

Committee on Government Reform: Held a hearing entitled “Acquisition Under Duress: Reconstruction Contracting in Iraq.” Testimony was heard from...
Katherine Schinasi, Managing Director, Acquisition and Sourcing Management, GAO; Stuart W. Bowen, Jr., Inspector General, Special Inspector General for Iraq Reconstruction; the following officials of the Department of State: Ambassador David Satterfield, Senior Advisor to the Secretary for Iraq; and James Bever, Deputy Assistant Administrator for Iraq, Bureau for Asia and the Near East, U.S. Agency for International Development; the following officials of the Department of the Army: Tina Ballard, Deputy Assistant Secretary, Policy and Procurement; and Joseph Tyler, Chief, Programs Integration Division, Military Programs Directorate, Corps of Engineers; and public witnesses.

TRANSIT SECURITY TRAINING

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection and Cybersecurity held a hearing entitled “Front-Line Defense: Security Training for Mass Transit and Rail Employees.” Testimony was heard from John Sammon, Assistant Administrator, Transportation Sector Network Management, Transportation Security Administration, Department of Homeland Security; the following officials of the Department of Transportation: Terry Rosapep, Deputy Associate Administrator, Office of Program Management, Federal Transit Administration; and William Fagan, Director of Security, Federal Railroad Administration; Chief Polly Hanson, Metro Transit Police Department; Washington Metro Area Transit Authority; and public witnesses.

ELECTRONIC VOTING MACHINES

Committee on House Administration: Held a hearing on Electronic Voting Machines: Verification, Security, and Paper Trails. Testimony was heard from public witnesses.

U.S. FAITH-BASED ORGANIZATION PROGRAMS IN AFRICA

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held a hearing on The Role of Faith-Based Organizations in United States Programming in Africa. Testimony was heard from Terri Hasdorff, Director, Faith-Based and Community Initiatives Office, U.S. Agency for International Development, Department of State; and public witnesses.

HEZBOLLAH’S GLOBAL REACH

Committee on International Relations: Subcommittee on International Terrorism and Nonproliferation and the Subcommittee on Middle East and Central Asia held a joint hearing on Hezbollah’s Global Reach. Testimony was heard from Frank C. Urbancic, Jr., Principal Deputy Coordinator, Office of the Coordinator for Counterterrorism, Department of State; John Kavanagh, Section Chief, International Terrorism Operations Section II, Counterterrorism Division, FBI, Department of Justice; and public witnesses.

INTERNATIONAL ASSISTANCE FOR HAITI

Committee on International Relations: Subcommittee on Western Hemisphere held a hearing on Moving Forward in Haiti: How the U.S. and the International Community Can Help. Testimony was heard from the following officials of the Department of State: Patrick D. Duddy, Deputy Assistant Secretary, Bureau of Western Hemisphere Affairs; and Adolfo A. Franco, Assistant Administrator, Bureau for Latin America and the Caribbean, U.S. Agency for International Development; and a public witness.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks held a hearing on the following bills: H.R. 1344, Lower Farmington River and Salmon Brook Wild and Scenic River Study Act; H.R. 4529, Kalaupapa Memorial Act of 2005; H.R. 5195, Journey Through Hollowed Ground National Heritage Area Designation Act of 2006; H.R. 5466, Captain John Smith Chesapeake National Historic Designation Act; H.R. 5665, American Falls Reservoir District Number 2 Conveyance Act; and H.R. 5817, Bainbridge Island Japanese American Monument Act of 2006. Testimony was heard from Representatives Case, Wolf, Bartlett of Maryland; Jo Ann Davis of Virginia; and Simpson; Dan Wenk, Acting Associate Director, Park Planning, Facilities, and Land, National Park Service, Department of the Interior; and public witnesses.

ELECTRONIC SURVEILLANCE MODERNIZATION ACT

Committee on Rules: Granted a closed rule providing 90 minutes of debate in the House on H.R. 5825, Electronic Surveillance Modernization Act, with 60 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, and 30 minutes equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence. The rule waives all points of order against consideration of the bill. The rule provides that in lieu of the amendments in the nature of a substitute as reported by the Committee on the Judiciary and the Permanent Select Committee on Intelligence, the amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying the resolution shall be considered as adopted. The rule provides one motion to recommit with or without instructions. Finally, the rule provides that, notwithstanding the operation of
the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker. Testimony was heard from Representatives Lungren of California, Flake, Franks of Arizona, Gohmert, Hoekstra, Wilson of New Mexico, Schiff and Ruppersberger.

**HOMELAND SECURITY APPROPRIATIONS ACT, 2007—CONFERENCE REPORT**

**MILITARY COMMISSIONS ACT OF 2006**

**PRIVATE PROPERTY RIGHTS IMPLEMENTATION ACT OF 2006**

*Committee on Rules*: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 5441, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Chairman Rogers of Kentucky and Representative Sabo.

The rule provides for consideration of S. 3930 to authorize trial by military commission for violations of the law of war, and for other purposes, under a closed rule. The rule provides 1 hour of debate in the House, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides one motion to recommit S. 3930.

The rule provides for consideration of H.R. 4772 to simplify and expedite access to the Federal courts for injured parties whose rights and privileges under the United States Constitution have been deprived by final actions of Federal agencies or other government officials or entities acting under color of State law, and for other purposes, under a closed rule. The rule provides 1 hour of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides one motion to recommit H.R. 4772 with or without instructions.

**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**

*Committee on Rules*: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring 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. The rule applies the waiver to any special rule reported on the legislative day of September 29, 2006.

**CREW EXPLORATION VEHICLE DEVELOPMENT**

*Committee on Science*: Held a hearing on Implementing the Vision for Space Exploration: Development of the Crew Exploration Vehicle. Testimony was heard from Scott J. Horowitz, Associate Administrator, Exploration Systems Mission Directorate, NASA and Allen Li, Director, Acquisition and Sourcing Management, GAO.

**OVERSIGHT—AMTRAK PLANS AND MANAGEMENT**

*Committee on Transportation and Infrastructure*: Subcommittee on Railroads held an oversight hearing on New Hands on the Amtrak Throttle. Testimony was heard from Alexander Kummant, President and Chief Executive Officer, AMTRAK.

**OVERSIGHT—FORCE AND VETERAN HEALTH EMERGING TRENDS**

*Committee on Veterans’ Affairs*: Subcommittee on Health held an oversight hearing on Post Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI): Emerging trends in force and veteran health. Testimony was heard from Gerald Cross, M.D., Acting Principal Deputy Under Secretary, Health, Department of Veterans Affairs; and the following officials of the Department of the Army: COL Elspeth Cameron Ritchie, M.D., USA, Psychiatry Consultant to the U.S. Army Surgeon General; and COL Charles W. Hoge, M.D., USA, Chief of Psychiatry and Behavior Sciences, Division of Neurosciences, Walter Reed Army Institute of Research; and representatives of veterans organizations.

**BRIEFING—GLOBAL UPDATES/HOTSPOTS**

*Permanent Select Committee on Intelligence*: Met in executive session to receive a briefing on Global Updates/Hotspots. The Committee was briefed by departmental witnesses.
Joint Meetings

COMBATING CHILD SEXUAL EXPLOITATION


NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D1052)


S. 1773, to resolve certain Native American claims in New Mexico. Signed on September 27, 2006. (Public Law 109–286).

S. 2784, to award a congressional gold medal to Tenzin Gyatso, the Fourteenth Dalai Lama, in recognition of his many enduring and outstanding contributions to peace, non-violence, human rights, and religious understanding. Signed on September 27, 2006. (Public Law 109–287).

COMMITTEE MEETINGS FOR FRIDAY, SEPTEMBER 29, 2006

(Committee meetings are open unless otherwise indicated)

Senate

Committee on the Judiciary: business meeting to consider the nominations of Terrence W. Boyle, of North Carolina, and William James Haynes II, of Virginia, each to be United States Circuit Judge for the Fourth Circuit, Peter D. Keisler, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit, William Gerry Myers III, of Idaho, to be United States Circuit Judge for the Ninth Circuit, Nora Barry Fischer, to be United States District Judge for the Western District of Pennsylvania, Gregory Kent Frizzell, to be United States District Judge for the Northern District of Oklahoma, Marcia Morales Howard, to be United States District Judge for the Middle District of Florida, Robert James Jonker, Paul Lewis Maloney, and Janet T. Neff, each to be a United States District Judge for the Western District of Michigan, Leslie Southwick, to be United States District Judge for the Southern District of Mississippi, Lisa Godbey Wood, to be United States District Judge for the Southern District of Georgia, S. 2831, to guarantee the free flow of information to the public through a free and active press while protecting the right of the public to effective law enforcement and the fair administration of justice, S. 155, to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to reform and facilitate prosecution of juvenile gang members who commit violent crimes, to expand and improve gang prevention programs, S. 1845, to amend title 28, United States Code, to provide for the appointment of additional Federal circuit judges, to divide the Ninth Judicial Circuit of the United States into 2 circuits, S. 3880, to provide the Department of Justice the necessary authority to apprehend, prosecute, and convict individuals committing animal enterprise terror, S. 2644, to harmonize rate setting standards for copyright licenses under sections 112 and 114 of title 17, United States Code, and S. 3818, to amend title 35, United States Code, to provide for patent reform, 9:30 a.m., SD–226.

House


Committee on International Relations, Subcommittee on Oversight and Investigations, hearing on Falun Gong: Organ Harvesting and China's Ongoing War on Human Rights, 10:30 a.m., 2172 Rayburn.

Committee on Science, hearing on GAO Report on NOAA's Weather Satellite Program, 10 a.m., 2318 Rayburn.
Program for Friday: After the transaction of any morning business (not to extend beyond 10 a.m.), Senate will continue consideration of the conference report to accompany H.R. 5631, Department of Defense Appropriations, with a vote on its adoption to occur immediately thereon. Also, Senate expects to continue consideration of H.R. 6061, Secure Fence Act, and will vote on the motion to invoke cloture on the motion to concur in the amendment of the House of Representatives to S. 403, Child Custody Protection Act. Additionally, Senate will consider any other cleared legislative and executive business.

Program for Friday: Consideration of H.R. 4772—Private Property Rights Implementation Act of 2006 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

Graves, Sam, Mo., E1899
Green, Gene, Tex., E1881, E1895, E1992
Grijalva, Raúl M., Ariz., E1900
Hostettler, John N., Ind., E1898
Isera, Darrell E., Calif., E1895
Kirk, Mark Steven, Ill., E1901
Kolbe, Jim, Ariz., E1890
Langevin, James R., R.I., E1893
Lantos, Tom, Calif., E1902
Levin, Sander M., Mich., E1897
Lewis, Jerry, Calif., E1895
Lofgren, Zoe, Calif., E1883, E1897
McCollum, Betty, Minn., E1896
Maloney, Carolyn B., N.Y., E1882, E1986
Miller, Jeff, Fla., E1900
Moran, James P., Va., E1891, E1895, E1900
Payne, Donald M., N.J., E1882, E1896
Platte, Todd Russell, Pa., E1894, E1907
Poe, Ted, Tex., E1896
Radanovich, George, Calif., E1899, E1989
Rangel, Charles B., N.Y., E1883, E1896
Renzi, Rick, Ariz., E1894
Rogers, Mike, Ala., E1891
Ros-Lehtinen, Ileana, Fla., E1893, E1897
Roybal-Allard, Lucille, Calif., E1890
Ruppersberger, C.A. Dutch, Md., E1884, E1897
Sessions, Pete, Tex., E1889
Shaw, E. Clay, Jr., Fla., E1891
Stark, Fortney Pete, Calif., E1901
Thompson, Bennie G., Miss., E1893, E1896
Walsh, James T., N.Y., E1892
Waters, Maxine, Calif., E1884, E1898
Westmoreland, Lynn A., Ga., E1891, E1885, E1888
Westley, Robert, Fla., E1890
Whitfield, Ed., Ky., E1894

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