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No. 118

## House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. MARCHANT).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
September 20, 2005.

I hereby appoint the Honorable KENNY MARCHANT to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,  
*Speaker of the House of Representatives.*

### MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from California (Mr. DREIER) for 5 minutes.

### HONORING THE LATE SIMON WIESENTHAL

Mr. DREIER. Mr. Speaker, I rise today to honor one of the great promoters of tolerance in our time, Simon Wiesenthal, who we learned has passed away at the age of 96. Mr. Wiesenthal, who spent 4 years in Nazi concentration camps, dedicated his life to seeking justice for those who were unable to seek it for themselves. While Mr. Wiesenthal survived the Holocaust and was rescued by American troops in 1945, dozens of his family members, in-

cluding his own mother, perished at the hands of the Nazis.

Upon his liberation, Mr. Wiesenthal relentlessly and often singlehandedly tracked down over 1,100 Nazi war criminals and saw that they were brought to justice. Without his tenacity, such mass murderers as Adolf Eichmann and Franz Stangl may never have been held accountable for their crimes against humanity.

But Mr. Wiesenthal's legacy is not limited to atoning for the past. He also knew the importance of educating future generations to ensure that similar atrocities would never again take place.

He established the Simon Wiesenthal Center to foster tolerance and understanding. The Center, headquartered in Los Angeles but with offices throughout the entire world, has made great contributions to efforts to combat racism, anti-Semitism, terrorism and genocide. I have had the great privilege, as has Governor Schwarzenegger and both President Bushes, of visiting and working with the Wiesenthal Center over the years to advance their noble mission.

Additionally, the Wiesenthal Center's Museum of Tolerance hosts 350,000 visitors annually, including 110,000 children, vividly educating them on the history of the Holocaust and the importance of defeating bigotry and racism in our time. For as Mr. Wiesenthal himself once said, "The history of man is the history of crimes, and history can repeat. So information is a defense. Through this, we can build, we must build, a defense against repetition."

Mr. Speaker, Simon Wiesenthal represented the best of humanity. Born into unspeakable tragedy, he refused to ignore his responsibility to those who, unlike him, did not outlive the Holocaust. His dogged determination was the strongest voice of the victims. Accountability and education, not revenge, were his aims. Mr. Wiesenthal's

greatest lesson, Mr. Speaker, was that even out of such horror, some good can come.

His message of tolerance is one that must continue to be honored, respected and taught. If someone who suffered so greatly can turn his life into a positive force for change, surely the rest of us can take his lesson to heart and never forget the dark past in the hope of building a brighter future.

### RESPONDING TO LAST WEEK'S COMMENTS OF MAJORITY LEADER REGARDING AFFORDABLE HOUSING BILL

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from Massachusetts (Mr. FRANK) is recognized during morning hour debates for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, it would be fruitless for any one of us to dedicate himself or herself to refuting every inaccuracy that is uttered on this floor, so I reserve that effort for those of particular public policy significance, and I want to address some comments by the gentleman from Texas, the majority leader, last week as he was justifying the hostage taking that has occurred with the bill that would create an affordable housing fund through Freddie Mac and Fannie Mae's profits. We have, as you know, rules that urge us—not urge us—insist that we refrain from impugning each other's honesty. I will simply note that the gap between what the majority leader said and reality was unusually large even by the standards of political debate. First of all, he quite inaccurately said that nothing in the bill regarding Fannie Mae and Freddie Mac that came out of our committee, the Financial Services Committee, on a 65-5 vote, that nothing in that bill would have provided aid to the people who were stricken by the hurricane. He

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

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



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was, of course, quite wrong. The basic mechanism which we are now talking about putting to the aid of the people who lost their homes was in the original bill. That is, the bill as it came out of committee said that 5 percent of the profits of Fannie Mae and Freddie Mac would go to affordable housing. Note that Fannie Mae and Freddie Mac's profits by everybody's agreement are increased by a series of associations they have with the Federal Government. Everyone acknowledges Fannie Mae and Freddie Mac can borrow money from the public more cheaply than other entities, and we have said that in return for the arrangements that allow that to happen, we will impose certain restrictions on them. It is not a confiscation of private property; it is the recognition that these entities profit and we want something in return. There had been a lot of agreement that we were not getting enough in return. We thought one thing we could do was to take 5 percent of the after-tax profits and put it towards affordable housing.

In the bill that was there, it is true that the bill that we passed before the summer recess did not talk about the hurricane's effects, mainly because the hurricane had not happened, so we are guilty of not having foreseen the terrible events in Katrina. But the basic mechanism was there. What we did do after Katrina was to say, and the gentleman from Louisiana (Mr. BAKER) took the lead, the gentleman from Ohio the chairman of the committee and I said, Yes, that makes sense. Let's take this mechanism for affordable housing that was created and let's in this first year in particular focus as the first priority on Louisiana. But the mechanism that was available for us to do that was in the bill. It is simply wrong to say that there was nothing in the bill to help them. The basic mechanism for their aid was in the bill and we were then able to respond to this latest circumstance and send it there.

The second gap between what the majority leader said and reality was when he said, well, these are just negotiations. No, these are not negotiations. This is a kidnapping. This is a hostage taking. There is a legitimate philosophical objection by some of the most conservative Members of this body to the notion of putting these profits to help affordable housing. As I said, it is not just your average private corporation. These are private corporations whose profits are greatly enhanced by a series of governmental arrangements which they are greatly attached to. But we had that battle in committee and those who tried to kill this particular program of affordable housing as part of their profits lost by 53-17. Some of them are still against it. Some of them want some other changes. Let us have some votes on the floor.

From time to time, and I guess we finally have found one thing, Mr. Speaker, we have reached the limit of the

majority's ability to run out the clock. In the past when they have had tough votes, we have waited 3 hours, 2 hours, more time as I have noted than it takes us to evacuate the building in case of a threat when they twist arms and put on pressure. Apparently even they recognize that support for using some of the profits of these private corporations, which profits are enhanced by Federal help, that putting that to affordable housing, particularly now when we have this need for housing in Louisiana, that they could not hold the rollover open long enough to twist enough arms to get there. Well, that is democracy. Let us have the vote on the floor.

I would just add this, Mr. Speaker as I close. There is a lot of concern about how we are going to pay for the aid that we all believe should go to Louisiana. We have one small piece, hundreds of millions, but it is still hundreds of millions, and in most contexts that is not small, we have got a way to deal with the housing needs of those people without in any way impacting the Federal budget. Again, that mechanism was in the bill when it came out of committee. We were then able to adapt it to this situation. That is what the Republican leadership is refusing to allow the House to vote on. If the majority thinks it is a bad idea, I will regretfully wave good-bye to it, but I do not understand why under any theory of democracy a bill that comes out of committee 65-5 with a provision that was supported 53-17 is held hostage, not for negotiations but held hostage because there is a provision that some of the most conservative Members of the body are opposed to philosophically, they do not have the votes to beat it on the floor, they will not abide by democratic principles, they are engaging in this kind of ambush.

#### BASE CLOSINGS

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from Illinois (Mr. LAHOOD) is recognized during morning hour debates for 5 minutes.

Mr. LAHOOD. Mr. Speaker, I am here this noontime to introduce a resolution of disapproval regarding the base closing commission which I believe is a flawed document. I believe it is flawed because I think the base closing commission ignored some very, very significant information. But most importantly I think the base closing commission and those at the Defense Department who helped them make these recommendations ignore the fact that we are at war and has ignored the fact that the 130,000 men and women that are in Iraq fighting the good fight, winning the freedom and hope and opportunity for the people there, many of them come from bases around the country, they are citizen-soldiers, they are volunteers, they are people who have been well-trained and well-equipped and are doing a great job but

they are people who come from bases, some of which have been recommended for closure by the base closing commission. I think that does fly in the face of what we believe is the idea of having a strong military, the idea of having a citizen-soldier, the idea of not having a draft because we have these bases that provide the kind of capability when these men and women are called upon to do the hard work as they did in Afghanistan. We see now in Afghanistan millions of people have gone to the polls and voted and they do have democracy there. The same will be true of Iraq very soon, thanks to the citizen-soldiers.

This report is flawed because it does not take into account a Federal law on the books that says that bases cannot be closed without the Governor of the State authorizing the closure of that base. The base closing commission ignored that law. They bypassed that law. I believe there now is in some courts in this country opinions that say that these bases should not be closed unless the Governor of that State agrees to that. But the base closing commission ignored that.

I think it is also important to note that through all of the deliberations and hearings and visits that took place, part of what was ignored is the impact that these bases have in certain parts of the country. They are very, very important, to the economies of local communities, to what they do for local communities, and this will be a terrible blow to many communities around the country. But I think the military aspect is probably the most important aspect that we really need to look at.

I am here today introducing this resolution of disapproval hoping that my colleagues as they have a chance to consider the recommendations that have now been forwarded from the President to the Congress, we now have a period of time to consider these, I hope Members will look at these recommendations, consider the terrible, terrible deficiency that are included in these recommendations and consider the impact that these recommendations will have on our military. Now is not the time to be closing bases around the country. Now is not the time to be eliminating men and women who have done the hard work that they have been asked to do, who have done the good work that they have been asked to do. This is the wrong time. The timing is wrong.

We now as a Congress have the opportunity, I think, to have our say. We have the opportunity to say, those of us that have stood with the President, that have stood with the military, that have made the votes to provide the money to make sure that our military have the kind of capability they have to win the peace and to win democracy in Afghanistan, to win the peace and to bring about democracy in Iraq are saying that this is not the time to be closing bases, Guard and Reserve bases and

other bases around the country and emasculating the military. This is the wrong time.

I hope that our Members will look carefully at these recommendations and become a cosponsor of the resolution of disapproval that I have introduced today. I think when Members look at these recommendations they will see that they are flawed, they will see that this is not the right time, and I believe that when given the opportunity to really study these recommendations, Members will decide that this resolution of disapproval is the right thing to do and to send them back to the commission.

Mr. Speaker, I urge Members to cosponsor my resolution and to look at these recommendations and come to the same conclusion that I have come to.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 46 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. EMERSON) at 2 p.m.

#### PRAYER

The Reverend Donald J. Young, Pastor, 12th Street Baptist Church, Gadsden, Alabama, offered the following prayer:

O God, we acknowledge You as giver and sustainer of life and through Your Son, Jesus Christ, provider of eternal life. We pray Your wisdom and Your guidance upon our leaders as they meet here today to deliberate on matters which affect not only here, but across the world.

We acknowledge Your blessings upon us and give thanks to You for Your care and watching over us. We thank You for the freedoms and liberties which have been given to us. Help us as we and others attempt to preserve them. We pray Your wisdom and leadership upon our President and the leaders of our Congress as they guide us during this time of national disaster. We pray for our fellow citizens who have been in harm's way and for those who care for them. We also ask Your watch and care for those serving in our place in the military across this world.

Help us to be generous not only in our prayers, but in our resources as well.

Guide all our leaders across this land during this difficult period in our history.

As Jesus taught us to pray in His model prayer: Thy kingdom come, Thy will be done on earth as it is in heaven. Amen.

#### THE JOURNAL

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

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

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. BURGESS) come forward and lead the House in the Pledge of Allegiance.

Mr. BURGESS led the Pledge of Allegiance as follows:

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

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2862. An act making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

H.R. 3768. An act to provide emergency tax relief for persons affected by Hurricane Katrina.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2862) "An Act making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints from the Committee on Appropriations: Mr. SHELBY, Mr. GREGG, Mr. STEVENS, Mr. DOMENICI, Mr. MCCONNELL, Mrs. HUTCHISON, Mr. BROWNBACK, Mr. BOND, Mr. COCHRAN, Ms. MIKULSKI, Mr. INOUE, Mr. LEAHY, Mr. KOHL, Mrs. MURRAY, Mr. HARKIN, Mr. DORGAN, and Mr. BYRD, to be the conferees on the part of the Senate.

#### WELCOMING THE REVEREND DONALD J. YOUNG

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

Mr. ADERHOLT. Madam Speaker, I rise today to recognize our guest chaplain, the Reverend Donald J. Young. Reverend Young's life has been one of service to God and to his country.

After graduating from the University of Illinois in 1969, he joined the United States Army and served in Korea. When he left the Army in 1973, he worked in Illinois as a manager of Finance America. He could have had a long career for Finance America, lived

in Illinois and raised his family. Instead, he again answered a call to serve and entered the Southern Baptist Theological Seminary, graduating from there in 1981. Since entering Seminary his service has taken him to communities in Virginia, in Florida, and most recently in the State of Alabama.

In 1995, he was an Associate Pastor of Education and Senior Adults at Hillcrest Baptist Church in Enterprise, Alabama. In 2002, he began serving in his present role as Minister of Education and Senior Adults at the 12th Street Baptist Church in Gadsden, Alabama. He and his wife have one daughter, Dawne, who resides in Orlando, Florida.

Reverend Young is joined today by his wife, Deborah, and several members of the 12th Street Baptist Church in Gadsden, along with several others from the Fourth Congressional District. I appreciate the prayer that Reverend Young has offered this afternoon. It is an honor to have him as our guest here in the United States House of Representatives.

#### TWO AMERICAN WARRIORS

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

Mr. POE. Madam Speaker, in San Jacinto County in east Texas last Thursday, two men died trying to save another's life. Denny "Bo" Galloway, deputy constable, 34, died when he ran into the rough Trinity River trying to save Bernardo Vasquez, a 21-year-old Marine on leave from Iraq.

Vasquez had disappeared in the fast-moving river trying to save his uncle, who had gotten trapped in the current. Vasquez was to return to Active Duty today. His mother's only desire was that he return from Iraq alive. But Vasquez died saving another. Bo Galloway was a tough, rural cop who had spent the previous night rescuing people from a train wreck.

When hearing the 911 call about Vasquez, Galloway rushed to the scene and went directly into the river. Galloway died and left a wife and three sons behind. Both men were warriors. One fought the war on crime, one fought the war on terror. Both died responding to the first duty of all American warriors, saving those in trouble. We share in the grief of the two families and once again thank our people who wear the uniform of the soldier and of the peace officer.

#### ON THE PASSING OF SIMON WIESENTHAL

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

Mr. LANTOS. Madam Speaker, today the world lost Simon Wiesenthal, the

conscience of the Holocaust, who labored heroically for decades to make certain that history will not forget that nightmare nor let its perpetrators escape justice.

He did it, as he said, not just for Holocaust victims like himself, but for his grandchildren, for if one generation's criminals go unpunished, their descendants will conclude that they too can get away with murder.

Simon Wiesenthal was also a personal friend. He inspired my wife, Annette, in her efforts to gain recognition for another giant of righteousness, Raoul Wallenberg, the Swedish diplomat who saved the lives of tens of thousands of Hungarian Jews during the Nazi era.

Annette and I will miss our visits with Simon Wiesenthal, but he has left us a proud legacy through his vigilance, bravery, and commitment to justice.

#### REBUILDING THE RIGHT WAY

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

Mr. DELAY. Madam Speaker, last week President Bush spoke to the Nation from Jackson Square, New Orleans about his plans for the relief, recovery, and rebuilding of the gulf coast region and residents.

"There is no way to imagine America without New Orleans," he said. And there is no way to imagine the necessary recovery effort without the leadership and support of the Federal Government. Every dime that has been appropriated and every dime that will be appropriated from the Federal Treasury to the people of the gulf coast has come from the votes of the House of Representatives, and we are honored to have that opportunity.

And with this opportunity, Madam Speaker, comes a great responsibility to make sure that the money comes from and goes to the right places. Committees are already at work developing oversight plans for the Hurricane Katrina relief money, as are inspector general offices across the Federal Government.

Funds will be needed to rescue certain communities in Louisiana and Mississippi and we will have a moral and physical obligation to ensure it gets spent on the right priorities.

But just as important as our duty to ensure the money goes to the right places is our duty to ensure the money comes from the right places. Even before the levees were fixed and the flood waters started to recede, many voices were calling for massive tax increases to pay for the recovery effort.

Of course, most of these voices were calling for massive tax increases long before Katrina ever showed up on the Doppler radar, some since Ronald Reagan first asked Congress to lower them. The so-called Katrina tax hikes are not about Katrina, they are about tax hikes, and will only serve to bal-

loon the oversized, underresponsive energy management system that broke down 3 weeks ago in the wake of the hurricane.

The gulf coast region is today without an economy, without jobs or businesses or investment. Raising taxes will not help create any of those things, but will instead guarantee that the region's economic troubles spread to the rest of the country. We cannot allow that, and the President has already said he will not.

The challenge, then, to both sides of the aisle, is to find a way to pay for the recovery and rebuilding of New Orleans and the rest of the gulf coast without the tax hikes or without wasteful spending that we cannot afford.

#### WE NEED TO ROLL BACK THE TAX CUTS AND DEVELOP AN EXIT STRATEGY TO GET OUT OF IRAQ

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

Mr. KUCINICH. Madam Speaker, I want to agree with my good friend from Texas (Mr. DELAY) that we need to do everything we can to avoid any kind of tax hikes.

However, I think all Americans would expect that the top 1 percent of the income earners in this country, who receive most of the benefit from the administration's tax cuts, should have to give up some of their tax cuts in order to relieve the burden on the people in the gulf coast. It is only fair.

America can meet its responsibilities, but we are going to have to roll back those tax breaks that were given to the wealthiest Americans in order to help the least of our brethren.

We can also save money by planning an exit strategy out of Iraq. Wherever I go in my district, people say, get us out of Iraq. Well, it is time for us to have an exit strategy. That is what House Joint Resolution 55 is about, a bipartisan exit strategy.

We can do things to have the resources to take care of people in the gulf. But we first have to get out of the Persian Gulf. And we also have to get out of this thinking that says that tax cuts are somehow the way to economic recovery.

#### PROGRESS IN THE GLOBAL WAR ON TERROR

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

Mr. WILSON of South Carolina. Madam Speaker, Sunday's elections in Afghanistan are another example of progress in the global war on terrorism.

Millions of Afghans bravely defied terrorists, just as Iraqi voters did in January when they cast their ballots in the first free parliamentary elections in history. They are developing a

civil society which will prevent the spread of terrorism and help protect American families. Due to the strong resolve of President Bush and our troops, a spirit of freedom and democracy are spreading throughout the world.

Libya has terminated its nuclear weapons programs. Lebanon has resumed its democracy with the withdrawal of Syria. Indonesia has had its first free presidential elections. Egypt began multi-candidate elections. Pakistan has strengthened its ability to stop cross-border terrorism, and Kuwait now allows women to vote. Free elections in Ukraine.

Recently, leading terrorists were killed or captured in Algeria, Saudi Arabia, and even here in California. Over 20 years ago, Ronald Reagan advanced the idea of peace through strength. As we now witness the greatest spread of freedom in the history of the world, his vision is reality.

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

#### SUCCESS OF THE TEXAS MEDICAL LIABILITY TRUST

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

Mr. BURGESS. Madam Speaker, just a little over 2 years ago Texas passed a constitutional amendment that allowed for caps on noneconomic damages in medical liability lawsuits. And what has been the experience in Texas over those 2 years?

Well, we have seen insurance and doctors come back to the State. Texas had gone from 17 down to two medical insurance companies, and now they are back up to 12. Not-for-profit hospitals have seen significant increases in the money that they are now able to invest in plants and equipment, money that otherwise would have gone for their self-insurance programs.

And perhaps most importantly, the rates of liability insurance for Texas doctors has come down. Texas Medical Liability Trust has reduced rates three times since the passage of House bill 4 and proposition 12, 12 percent in 2004, 5 percent in 2005, and now a recently announced 5 percent decrease in 2006, and, coupled with that, a 5 percent dividend rebate. So that now there is a total of 27 percent insurance savings for Texas doctors in medical liability.

Speaking to physicians of the Texas Medical Association just last weekend, Dr. Dennis Factor said, "Access to health care and the malpractice environment in Texas has made a healthy recovery since the Texas legislature passed medical liability reform."

I urge this body to take it up and get it done.

#### AMERICAN SPIRIT

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

Mr. PRICE of Georgia. Madam Speaker, heroes come in every shape and form. Some teach in our classrooms, some defend our freedoms overseas, and on 9/11 our heroes were the ones who wore the insignia of the fire and police departments of New York City on their uniforms.

And again today, our heroes in the aftermath of Hurricane Katrina are numerous. Some are doctors and nurses who have saved lives, others are National Guardsmen and women who rescued people from rooftops and elsewhere. But most are those that you will not read about in the newspaper: Americans committing random acts of kindness when help is needed.

People are opening their homes, donating clothing, and enrolling evacuated children into schools in their communities. In Georgia we have nearly 10,000 children who have been enrolled in our schools. We have set up shelters, held telethons, and opened megacenters to serve as a one-stop-shop for evacuees, all to help them put their lives back together.

You name it, and the residents of Georgia are stepping up to the challenge and helping out wherever they can.

Madam Speaker, we will overcome this tragedy and we will do it one day at a time and one life at a time. That is truly the American way and the American spirit.

□ 1415

#### THE AMERICAN GOLD STAR MOTHERS

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

Mr. GUTKNECHT. Madam Speaker, The American Gold Star Mothers Group was incorporated in 1929. On June 23 of 1936, President Franklin Delano Roosevelt issued a proclamation designating the last Sunday in September as Gold Star Mothers Day. To this very day, Madam Speaker, Gold Star Mothers Day is the last Sunday in September. Unfortunately, over the last several years Americans have forgotten about that.

So at the request of some of my constituents, I introduced a resolution. It is being sponsored in the Senate by Senator TOM COBURN from Oklahoma encouraging all Americans to recognize this very important day.

The Gold Star Mothers is a group that no one joins voluntarily. You must have lost a son or a daughter in combat to become a member of the Gold Star Mothers Association.

This resolution is important, and we will vote on it tomorrow. I currently have over 200 co-sponsors, and I would encourage other Members to join. The dedications and triumphs of the Gold Star Mothers stem from a shared bond. As they describe it, and I close: "The success of our organization continues

because of the bond of mutual love, sympathy and support of the many loyal, capable and patriotic mothers who while sharing their grief and their pride have channeled their time, efforts and gifts into lessening the pain of others. We stand tall and proud by honoring our children, assisting our veterans, supporting our Nation and healing with each other."

#### ACCOUNTABILITY IN FEDERAL DISASTER RELIEF

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

Ms. FOXX. Madam Speaker, like so many of my constituents, I have been extremely saddened by the devastation inflicted by Hurricane Katrina. To date I have supported the \$10.5 billion in aid and voted for several bills to help ease the strain of this difficult time.

It is understandable that some have questioned my vote against the \$51.8 billion relief supplemental. I believe taxpayer money should be spent wisely. My concern is that huge sums of money are being spent with little assurance the money is really helping those in need. Some estimate the Federal Government will be asked to spend as much as \$200 billion on relief. But my support depends on tight controls and accountability measures. That is why I voted the way I did.

It is also why I have co-sponsored legislation to create a chief financial officer for the Federal Government's Hurricane Katrina relief efforts. Without this level of oversight and accountability, we will waste precious tax dollars, and every dollar wasted is a dollar that is not going to assist a displaced family in need. We also need to examine what the role of Federal Government should be in disaster relief. I will continue to support measured, commonsense solutions, but I will not support out-of-control Federal spending without proper oversight. We will not help the people affected by this storm by wasting taxpayers' money.

#### SONGWRITERS CAUCUS

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

Mrs. BLACKBURN. Madam Speaker, today I am welcoming many of my constituents who are songwriters to the Hill to perform for tonight's Songwriters Caucus event. While they are with us today and tomorrow, they are taking the opportunity to call on Members of Congress to remind them that protecting the intellectual property of our Nation's creative community is the same as protecting the private property of our citizens.

These songwriters are on the front-line in building a knowledge-based economy in our country that is recognized and acknowledged by other na-

tions and trading partners around the world. We salute their commitment to growing and invigorating the free enterprise system and by doing it so pleasantly, always with a song.

#### THE GOLDEN RULE

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

Mr. CLYBURN. Madam Speaker, I come today to say to the people of South Carolina, most especially the people of Columbia and the midlands, how much I appreciate the tremendous outpouring of love and respect they have given to the victims of Katrina. I want to say a special thank you to Mayor Bob Coble of Columbia, businessman Sam Tannenbaum of Columbia, and the Columbia chamber president, Ike McLeese.

These three dynamic gentlemen coordinated an effort in Columbia to receive evacuees that I would like to call a practical application of the Golden Rule. They decided that they would not put anyone in shelters. Anyone coming to Columbia would go to a home or to a private motel room. We have just been informed that we can expect more evacuees coming to Columbia tomorrow morning.

I want to say those who have volunteered to man the One Stop Center to please continue to practice the Golden Rule.

#### HONORING AFGHANI WOMEN

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to express my solidarity with the courageous women of Afghanistan.

This past weekend, Afghani women once again made history as their country held their second round of free and fair elections to select a national parliament and provincial assemblies.

Despite threats of retaliation and retribution, 580 women stood for election. These 580 women have risen up to be leaders of their land, in a country that just 4 years ago prohibited women from participating in national life.

Just as significant, many men for the first time voted to support female candidates. While skeptics on the left and in the media said it could not be done, this is an unmistakable victory for forces of democracy in our battle against tyranny and oppression.

The Afghan election demonstrates that we have learned the lessons of history: if women are not allowed to participate in the decision-making process, if women are deprived of rights to run for elective office, and if women are barred from determining their own future, then those women will suffer oppression and human rights violations.

Afghani women no longer have to fear the terrible cruelty of their past because they now control their own future.

With our support, these women will continue to fan the flame of democracy and build a brighter future.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. EMERSON). 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 after 6:30 p.m. today.

#### FLEXIBILITY FOR DISPLACED WORKERS ACT

Mr. BOUSTANY. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3761) to provide special rules for disaster relief employment under the Workforce Investment Act of 1998 for individuals displaced by Hurricane Katrina, as amended.

The Clerk read as follows:

H.R. 3761

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Flexibility for Displaced Workers Act".

#### SEC. 2. SPECIAL RULES FOR NATIONAL EMERGENCY GRANTS RELATED TO HURRICANE KATRINA.

(a) USE OF GRANTS FOR PROJECTS OUTSIDE DISASTER AREA.—Funds provided to States that submit applications for assistance described in section 173(a)(2) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(a)(2)) to address the effects of Hurricane Katrina may be used to provide disaster relief employment and other assistance under section 173(d)(1) of such Act (29 U.S.C. 2918(d)(1)) on projects that provide assistance in areas outside of the disaster area (as such term is defined in section 173(a)(2) of such Act).

(b) EXPANDED ELIGIBILITY FOR DISASTER RELIEF EMPLOYMENT.—Funds provided to States that submit applications for assistance described under section 173(a)(2) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(a)(2)) to address the effects of Hurricane Katrina may be used to provide disaster relief employment and other assistance under section 173(d)(1) of such Act, or public sector employment authorized under subsection (c) of this Act, to individuals affected by Hurricane Katrina, including those who have relocated from States in which a major disaster was declared under section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) due to the effects of Hurricane Katrina, who were unemployed at the time of the disaster or who are without employment history, in addition to individuals who are eligible for such employment under section 173(d)(2) of Workforce Investment Act of 1998.

(c) AUTHORIZATION FOR GENERAL PUBLIC SECTOR EMPLOYMENT.—Funds provided to States that submit applications for assistance described in section 173(a)(2) of the Workforce Investment Act of 1998 to address

the effects of Hurricane Katrina may be used to provide to eligible individuals temporary employment by public sector entities for a period not to exceed 6 months in addition to disaster relief employment described in section 173(d)(1) of such Act.

(d) EXTENSION OF THE DURATION OF DISASTER RELIEF EMPLOYMENT.—The Secretary of Labor may extend the 6-month maximum duration of employment under this Act and under section 173(d) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(d)) for not more than an additional 6 months due to extraordinary circumstances.

(e) PRIORITY FOR DISASTER RELIEF EMPLOYMENT FUNDS.—In awarding national emergency grants to States under section 173(a)(2) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(a)(2)) to address the effects of Hurricane Katrina by providing disaster relief employment, the Secretary of Labor shall—

(1) first, give priority to States in which areas that have suffered major disasters (as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) are located; and

(2) second, give priority to the remaining States that have been most heavily impacted by the demand for services by workers affected by Hurricane Katrina.

(f) ELIGIBILITY FOR NEEDS-RELATED PAYMENTS.—Funds provided to States that submit applications for assistance described in section 173(a)(2) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(a)(2)) to address the effects of Hurricane Katrina may be used to provide needs-related payments (described in section 134(e)(3) of such Act (29 U.S.C. 2864(e)(3))) to individuals described in subsection (b) who do not qualify for (or have ceased to qualify for) unemployment compensation, and who are not employed on a project described under section 173(d) of such Act, for the purpose of enabling such individuals to participate in activities described in paragraphs (2), (3), or (4) of section 134(d) of such Act.

(g) USE OF AVAILABLE FUNDS.—With the approval of the Secretary of Labor, any State may use funds that remain available for expenditure under any grants awarded to the State under section 173 of the Workforce Investment Act of 1998 (29 U.S.C. 2918) or under this section, to provide any assistance authorized under such section 173 or this section, or personal protective equipment not otherwise available through public funds or private contributions, to assist workers affected by Hurricane Katrina, including workers who have relocated from areas for which an emergency or major disaster (as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) was declared, due to the effects of Hurricane Katrina.

(h) EXPANDED ELIGIBILITY FOR EMPLOYMENT AND TRAINING ACTIVITIES.—

(1) IN GENERAL.—In awarding national emergency grants under section 173(a)(1) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(a)(1)), the Secretary may award such a grant to an entity to provide employment and training assistance available under section 173(a)(1) of such Act to workers affected by Hurricane Katrina, including workers who have relocated from areas for which an emergency or major disaster (as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) was declared, due to the effects of Hurricane Katrina.

(2) ELIGIBLE ENTITY.—In this subsection, the term "entity" means a State, a local board (as defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801)), or an entity described in section 166(c) of such Act (29 U.S.C. 2911(c)), that submits an

application for assistance described in section 173(a)(1) of the Workforce Investment Act of 1998 to address the effects of Hurricane Katrina.

#### SEC. 3. SENSE OF CONGRESS.

(a) MOBILE ONE-STOP CENTERS.—It is the sense of Congress that States that operate mobile one-stop centers, established as part of one-stop delivery systems authorized under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.) should, where possible, make such centers available for use in the areas affected by Hurricane Katrina, and areas where large numbers of workers affected by Hurricane Katrina have been relocated.

(b) EXPANDED OPERATIONAL HOURS.—It is the sense of Congress that one-stop operators (as such term is defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801)) should increase access for workers affected by Hurricane Katrina to the one-stop delivery systems authorized under subtitle B of title I of such Act, including through the implementation of expanded operational hours at one-stop centers and on-site services for individuals in temporary housing locations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. BOUSTANY) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. BOUSTANY).

#### GENERAL LEAVE

Mr. BOUSTANY. 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 H.R. 3761.

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

There was no objection.

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

Madam Speaker, I rise in strong support of H.R. 3761, the Flexibility for Displaced Workers Act, which I sponsored, to provide critical assistance for workers affected by Hurricane Katrina.

The bill creates new uses for the National Emergency Grant Disaster Relief Employment Assistance Program, which is part of the Workforce Investment Act, to address unique needs created by Hurricane Katrina damage.

The Department of Labor has already awarded \$191 million in disaster relief grants to the States affected by Hurricane Katrina, including \$62 million to my home State of Louisiana. These funds can already be used to hire dislocated workers, long-term unemployed individuals, individuals laid off as a result of the disaster for jobs that will aid in the recovery of the gulf coast. These jobs include projects that provide humanitarian assistance for disaster victims and projects that aid in the repair, renovation, and reconstruction of facilities and lands located in the affected area.

The grants also may be used for training activities, which is especially critical for our residents who may need employment in new industries.



While this existing assistance is crucial for our region's recovery, the impact of Hurricane Katrina has created unique needs because so many workers from New Orleans have been relocated to other parts of the country, including over 100,000 alone in my district, and also who are unable to return immediately to their homes.

In addition, the sheer number of newly unemployed, as many as 400,000 workers in the region, as well as the high poverty level of many evacuees, requires the use of innovative solutions.

This bill would make important improvements to the Disaster Relief Assistance Program to address these unique needs.

First, it would allow States to provide disaster relief employment for services to victims to occur at locations outside of the declared disaster area. This is critical to help those who have been forced to temporarily relocate.

While the current assistance program focuses on those who lost their jobs as a result of a disaster, the bill allows funds to serve those who were not employed at the time of the disaster, including those with no work history. This critical improvement will allow the program to provide such individuals with work experience and training that will help them obtain long-term private sector employment in the future.

The bill would also permit the funds to be used to subsidize temporary public-sector employment in work other than restoration and recovery, as long as the projects benefit the local community. Given the substantial number of individuals who have lost their jobs in this disaster, temporary work will help families maintain income while they work to rebuild their lives.

The grants could also be used to provide need-related payments to workers who have exhausted or did not qualify for unemployment compensation benefits. Workers could receive such payments as long as they were engaged in job search, job preparation or training, thus ensuring that families will have some security as they prepare for new employment.

Finally, the bill would allow the Secretary of Labor to extend disaster relief employment assistance for an additional 6 months, beyond the 6 months permitted under current law. Given the extraordinary circumstances of Hurricane Katrina, such assistance may be needed for a longer period of time to help families recover.

This bill makes commonsense changes that would provide new flexibility and allow our States to respond immediately to the extreme needs created by this disaster. While additional job training and reemployment services may be needed, this is a critical first step. I urge my colleagues to support this legislation.

Madam Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am glad to see the majority is acting quickly to provide assistance to the victims of Hurricane Katrina.

I believe it is moments like this that we see the greatness in America, when Americans join together and help one another in a positive, can-do spirit. As we know, much help is needed, home, jobs, school, counseling, the list goes on and on. I am also glad to see the Department of Labor is on the frontlines of providing job assistance and arranging jobs for and estimated 400,000 unemployed.

The bill before us today takes the first step by permitting the Secretary of Labor to provide National Emergency grants outside the disaster area so that the individuals who have been evacuated throughout the country can receive assistance. It permits the Secretary to help individuals who may not have proper documents with them. It permits the Secretary to give grants to States to place individuals in public sector jobs. And it permits the Secretary to provide income support for those individuals if they exhaust their unemployment benefits and are in training programs. Changes made today would permit States to use unspent funds for protective safety equipment.

I laud the majority for recognizing and supporting the role of the public sector jobs and income support play in getting the unemployed into the workforce and into good jobs. However, I do want to note that there are a lot of unanswered questions about this bill and how it will be implemented, and I am hopeful that these questions will be answered in the coming weeks and months as additional legislation is needed and as we work out this legislation.

The first question is, in what types of jobs will individuals be placed? Will displaced individuals be placed in low-wage jobs? Under the Department's existing regulations, unemployed individuals can be employed in jobs earning up to a maximum of \$12,000 over 6 months. That means a maximum of \$8 an hour.

Will all individuals be placed at the maximum rate, or will some jobs be dead-end, minimum-wage jobs? Will the focus be on short-term cleanup jobs or jobs that can lead to a decent standard of living?

These are important questions to those individuals in the area who are trying to restore their lives and restore the ability to maintain the standard of living for their families.

The second question is, how much money will the Department of Labor seek for providing job assistance to the Katrina victims? The bill expands the Department's national emergency grant authority, but the DOL does not have any grant funds remaining. The fiscal year 2005 budget by the Depart-

ment of Labor appropriates \$157.8 million in national emergency grant funds, and DOL has already promised \$191 million to help Katrina victims.

□ 1430

House 2006 appropriations would only award DOL \$212 million. Any significant effort to assist Katrina victims will require additional funding. DOL has not yet sent up or in any way indicated how much additional funding it will seek for these efforts, nor has the Department of Labor indicated how much, if any, of the already appropriated \$62 billion will be used for training or job creation.

Third, what health, safety, and labor protections will be afforded displaced workers assigned to this work? The administration has issued an executive order taking Davis-Bacon wage protections away from construction workers who will rebuild the gulf coast, suspended many affirmative action rules for reconstruction contracts, and suspended regulations limiting the number of hours truck drivers can drive while transporting fuel.

After September 11, many workers at and near the cleanup grounds of Ground Zero did not have proper health and safety protections. A change made this morning permits States to use unspent emergency funds on protective safety gear. And this is a good beginning, but the bill still does not make this a requirement. This is especially disturbing in light of the fact that the bill creates public employment in Louisiana, Mississippi, and Alabama, which do not have health and safety protections for their State and local workforces.

Fourth, will the funds be used to oppose extended unemployment benefits for long-term unemployed or an expanded disaster unemployment assistance program? The bill permits States to provide income-related payments to individuals who are unemployed and have exhausted unemployment benefits. It also expands the current authority from just individuals in training to those who are seeking work, but not in training.

In the past, the Bush administration proposed similar initiatives as a way of preventing Congress from providing extended unemployment benefits to the long-term unemployed. Will DOL grants be used as a vehicle to weaken the unemployment insurance system? Will this program be a substitute for an expanded disaster unemployment assistance program which would provide unemployment benefits to all workers unemployed as a result of the disaster? If this program is a substitute for extended unemployment insurance or expanded disaster unemployment assistance, and the administration seeks only limited WIA national emergency grant funding, far fewer workers would be helped. These requests must be answered soon.

Finally, what accountability requirements will apply? Many speakers, some

today, talked on the floor about their concern about the rate at which we are spending money and whether or not there is an accountability system for the expenditure of that money. These grants are made by the Secretary of Labor on a discretionary basis. There is no requirement for adequate coordination with the State's needs and activities. There must be standards by which Congress and the public can monitor the use and the effectiveness of these grants.

I urge the majority to answer these unanswered questions. And in closing, again I commend the majority for making this a very important first step to try to get these funds to help these individuals who need employment and need the income from that employment.

We need a comprehensive and thoughtful plan to address this crisis. This bill is that first step, and I look forward to the majority's consideration of a comprehensive, long-term effort to rebuild the affected southern coastal States.

Madam Speaker, I reserve the balance of my time.

Mr. BOUSTANY. Madam Speaker, I am pleased to yield such time as he may consume to the gentleman from Ohio (Mr. BOEHNER), the distinguished chairman of the Committee on Education and the Workforce.

Mr. BOEHNER. Madam Speaker, I rise today in support of this bill which would provide significant flexibility for workers displaced by Hurricane Katrina as they seek temporary employment and training.

Our prayers are with the residents of the gulf coast region, as well as all those working on the relief and recovery effort. All of our colleagues from the region, including two of my own on the Committee on Education and the Workforce, the gentleman from Louisiana (Mr. JINDAL) and the gentleman from Louisiana (Mr. BOUSTANY), should know that our thoughts are with them and their communities as well.

I commend the gentleman from Louisiana (Mr. BOUSTANY) for drafting this important piece of legislation in short order. It will make a world of difference for thousands of workers in his region of the country.

Hurricane Katrina has disrupted the lives of an unprecedented number of gulf coast residents. Among the harshest realities of the hurricane is that tens of thousands of workers have been displaced not just from their homes, but from their jobs as well. Through both legislative initiatives here in Congress and administrative actions by the U.S. Department of Labor, the Federal Government is working to eliminate bureaucratic red tape so that workers and their families in the impacted areas may access immediate assistance, including temporary job placement and training.

One way we are doing this is through the national emergency grants which provide temporary disaster relief em-

ployment of up to 6 months for individuals who participate in projects that provide assistance for victims of that particular disaster.

In the wake of Hurricane Katrina, the Labor Department has awarded more than \$191 million in national emergency grants thus far to help provide more than 40,000 temporary jobs in the gulf coast region. The legislation before us today takes another important step. It adds even more flexibility to these grants. In short, it makes more jobs and training available to more displaced workers more quickly.

For example, for the countless displaced workers who have left the gulf coast region, this measure makes national emergency grant funds available for employment projects located outside the designated Hurricane Katrina disaster area. It also expands the national emergency grant eligibility to displaced individuals who currently are unemployed, as well as those with no prior work history, and finally, to provide workers with the peace of mind that this assistance will not disappear too soon, this legislation will empower the Secretary of Labor to extend the duration of the national emergency grant projects from 6 months to 12 months.

Madam Speaker, we have made substantial progress over the past 2 weeks, both in the recovery efforts in the gulf coast area and in our own legislative efforts here in Washington. This bill marks another step in the long process that this Congress will undertake over the coming weeks and months to address the needs of all of those impacted by this tragedy.

Once again, I want to thank the gentleman from Louisiana (Mr. BOUSTANY) for his work and urge my colleagues to join me in support of this bill.

Mr. GEORGE MILLER of California. Madam Speaker, I reserve the balance of my time.

Mr. BOUSTANY. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. MARCHANT).

Mr. MARCHANT. Madam Speaker, Hurricane Katrina has disrupted the life of an unprecedented number of gulf coast residents. A well-known reality of the hurricane is the tens of thousands of workers who have been displaced not just from their homes but from their jobs.

In the continuing wake of Hurricane Katrina, the Flexibility for Displaced Workers Act is essential to increase the flexibility of certain funds to respond to the reemployment needs of displaced workers. I commend the gentleman from Louisiana (Mr. BOUSTANY) for bringing forward this important piece of legislation.

One way to eliminate government red tape so workers and their families in impacted areas may access immediate assistance, including temporary job placement, is through increased flexibility of national emergency grants. National emergency grants are award-

ed by the Department of Labor. They are used to provide temporary disaster relief employment, for up to 6 months, to individuals who participate in projects that provide clothing, food, shelter, and other humanitarian assistance for victims of a particular disaster. Funds may also be used to provide jobs for those participating in the demolition, the cleanup, repair, renovation, and reconstruction of facilities and lands within the disaster area. These national emergency grants may be used by public or private entities which provide employment and training activities.

So far, in response to Hurricane Katrina, NEGs have been awarded to provide more than 40,000 temporary jobs in the gulf coast region. The Flexibility for Displaced Workers Act will significantly expand the flexibility of the NEGs for gulf coast workers, with the goal of making more jobs and training available to individuals faster. This bill will specifically make NEG funds available for displaced workers' employment projects outside the designated Hurricane Katrina disaster area. This is vital in areas like my home State of Texas, which has become a home away from home for hundreds of thousands of Louisianans, and which has sheltered a large majority of the evacuees.

It will permit previously awarded NEG funds to be directed to workers impacted by Hurricane Katrina and allow displaced workers to obtain public-private sector jobs not related to the disaster. Also, if necessary, the bill empowers the Secretary of Labor to extend the duration of the NEG grants from 6 months to 12 months.

Lastly, the bill will authorize gulf coast residents with expired unemployment compensation, who are participating in reemployment activities, to be eligible for NEG payments.

I urge all of my colleagues to vote for this valuable piece of legislation to assist victims of this horrible disaster.

Mr. GEORGE MILLER of California. Madam Speaker, I yield back the balance of my time.

Mr. BOUSTANY. Madam Speaker, I yield back my time as well.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from Louisiana (Mr. BOUSTANY) that the House suspend the rules and pass the bill, H.R. 3761, as amended.

The question was taken.

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

Mr. GEORGE MILLER of California. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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



# EXTENSION OF WAIVER AUTHORITY WITH RESPECT TO STUDENT FINANCIAL ASSISTANCE

Mr. KLINE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2132) to extend the waiver authority of the Secretary of Education with respect to student financial assistance during a war or other military operation or national emergency.

The Clerk read as follows:

H.R. 2132

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

## SECTION 1. EXTENSION OF WAIVER AUTHORITY.

Section 6 of the Higher Education Relief Opportunities for Students Act of 2003 (20 U.S.C. 1070, note) is amended by striking "September 30, 2005" and inserting "September 30, 2007".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. KLINE) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. KLINE).

### GENERAL LEAVE

Mr. KLINE. 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 H.R. 2132.

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

There was no objection.

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

Madam Speaker, I rise today in support of H.R. 2132, legislation to extend the waiver authority of the Secretary of Education with respect to student financial assistance during a war or other military operation or national emergency. This legislation, Madam Speaker, simply extends beyond September 30 of this year the provisions of the HEROES Act of 2003, legislation I introduced 2 years ago, which expresses the support and commitment of the United States House of Representatives for the troops who protect and defend the United States.

Madam Speaker, throughout our involvement in the war on terrorism, many thousands of men and women who serve our Nation in the Reserves or National Guard or the Armed Forces, whether Army, Marine Corps, Navy, Air Force or Coast Guard, have been called to active duty or active service. As our Nation seeks to rebuild the communities devastated by Hurricane Katrina, many more of our men and women in uniform have been asked to serve.

Many of these men and women are also college and university students whose service sends them away from their class and work and studies to defend our Nation. Unfortunately, due to a number of restrictions in the Higher Education Act, these individuals are at risk of losing financial assistance or educational credit as a result of their service.

Such a scenario is clearly not acceptable. The HEROES Act helps protect our men and women in uniform so they will not face education-related financial or administrative difficulties while they defend our Nation. The men and women who will continue to serve beyond the end of this month deserve the same guarantee.

The intent of this legislation is very specific. Congress has granted flexibility to the Secretary of Education to waive statutory or regulatory conditions of the Higher Education Act to ensure our men and women in uniform are not placed in an adverse financial position because of their service. This waiver authority gives the Secretary the power to protect recipients of student financial assistance from further financial difficulty generated when they are called to serve; minimize administrative requirements without affecting the integrity of the programs; and adjust the calculation used to determine financial need to accurately reflect the financial condition of the individual and his or her family.

Madam Speaker, the HEROES Act was approved 2 years ago by an overwhelming majority of 421 to 1. Today's extension simply reinforces Congress' commitment to our military, our students, our families and our schools.

I urge my colleagues to stand in strong support of this initiative and join me in voting "yes" on H.R. 2132.

Madam Speaker, I reserve the balance of my time.

□ 1445

Mr. VAN HOLLEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of the HEROS Act introduced by my colleague from Minnesota, and I want to commend him on this legislation. It is a good bill and it is an important bill.

However, I must say that I am disappointed that we are not using this opportunity today to further strengthen the support we are providing to our men and women fighting in Iraq, Afghanistan, and elsewhere. We can and should be doing better.

As you heard, the bill before us allows the Secretary of Education the opportunity, the authority to ensure that those men and women serving in Iraq who have Federal student loans not have to make payments on those loans while they are serving overseas, while they are in combat, and while they are on active duty.

But the problem is this: while they are on active duty, while they do not have to make payments, the interest payments on those loans continues to accrue and accumulate. So, then, that man or woman, the soldier, comes back to the United States owing a larger bill than when he or she was deployed.

For example, if you left for Iraq or Afghanistan owing \$20,000 in Federal student loans and you were there for a period of time, and your loan interest

payments accumulated \$2,000, you would return home owing \$22,000 instead of the \$20,000 payment you faced when you left.

That is why the gentleman from Ohio (Mr. RYAN) and I have introduced legislation to allow those men and women to defer any interest payments during that period. So when you were deployed, you would truly have a time out on your loan. For example, if you left owing \$20,000, you would return owing \$20,000.

It is our belief that while our men and women are serving our Nation overseas, they should not actually be at the same time accumulating greater interest on those Federal student loans during that period of time. Our bill would make it mandatory that the Secretary of Education make sure they did not come back owing more than when they left.

Moreover, the gentleman from Nebraska (Mr. OSBORNE), the gentleman from Ohio (Mr. RYAN), and myself introduced an amendment to the Higher Education Act that would do exactly what I just described. It was taken up by the Committee on Education and the Workforce, and the committee adopted that amendment that said not only should we say you do not have to make your scheduled payments but during that period of time that you are deployed, interest will not accrue.

I was very pleased that on a bipartisan basis the Committee on Education and the Workforce adopted that amendment. The problem is this: that amendment is sitting in a queue. It is sitting in a line here waiting for the air traffic controllers to move it to the front of the line. And who knows what will happen to the higher education bill in the Senate. They are way behind the House in that area. So there is no reason for us to wait. This was an opportunity to make that change and make it today.

It is especially important for those who are in the Reserves and National Guard, who, when they are deployed, are often making a much larger income here in the United States than the salary they are receiving as soldiers overseas. So they had the income while they were here at work to make these payments, and now they are deployed overseas at lower income, yet those interest payments continue to accrue.

For that reason, I would have thought this was a terrific opportunity to address that shortcoming in this bill. This is a good bill, but a bill that we can certainly make better; and there is no reason we could not do it today. The only reason we cannot do it today is this bill has been brought up under a procedure that does not allow the gentleman from Ohio and myself and others to offer that amendment, an amendment which, as I say, received bipartisan support in the Committee on Education and the Workforce.

So, Madam Speaker, I had hoped we would have addressed that now, and I am disappointed we did not. I will support this bill, because I think it is a

good bill. I just think we could have used this opportunity to make it even better.

Madam Speaker, I reserve the balance of my time.

Mr. KLINE. Madam Speaker, I am pleased to yield 2 minutes to the aforementioned gentleman from Nebraska (Mr. OSBORNE).

Mr. OSBORNE. Madam Speaker, I thank the gentleman for yielding me this time, and I am pleased to speak in support of the Higher Education Relief Opportunities for Students, or HEROS, Act. As has been stated, this was enacted September 12 of 2001, somewhat in response to events of 9/11; and it provides relief from student loan debt for Reservists and National Guardsmen called to active duty while still in college.

This bill expires in about 2 weeks, September 30, 2005; so it is only appropriate that the gentleman from Minnesota has introduced H.R. 2132, which extends the law for another 2 years. We currently have many Guardsmen and Reservists who are still being called up out of college, some to battle Hurricane Katrina; but many more are serving in Iraq and Afghanistan. Many Members of Congress, myself included, have been to Iraq and Afghanistan many times, and I continue to be amazed at their competence and their willingness to sacrifice; and I guess this is the least that we can do to help them understand how much they are appreciated.

This bill also encourages colleges and universities to provide a full tuition refund for students called up during a semester. It does not mandate it, but I think this is an important provision of the bill. As mentioned by the gentleman from Maryland (Mr. VAN HOLLEN), in addition I have worked with the chairman, the gentleman from Ohio (Mr. BOEHNER), and the gentleman from Maryland to insert language in the higher education bill, which recently passed out of the Committee on Education and the Workforce, which would extend relief from interest on student loan payments for active duty soldiers called to active duty after leaving college; and of course the HEROS Act would not cover those because it refers only to those who are in college.

So I look forward to working with the chairman on implementation of this provision as we further consider the higher ed bill at a future date, and again I wish to thank the gentleman from Minnesota (Mr. KLINE) for his provision here and the chairman for his work.

Mr. VAN HOLLEN. Madam Speaker, I reserve the balance of my time.

Mr. KLINE. Madam Speaker, I am now very pleased to yield such time as he may consume to the gentleman from Ohio (Mr. BOEHNER), chairman of the Committee on Education and the Workforce.

Mr. BOEHNER. Madam Speaker, I rise in support of this bill to extend as-

sistance for the men and women serving in the military by continuing to provide student aid flexibility; and I want to applaud the gentleman from Minnesota (Mr. KLINE) for his leadership in providing flexibility and support for military personnel.

I would also like to thank the gentleman from California (Mr. MCKEON) for his continued support for higher education and his leadership along with the gentleman from Minnesota (Mr. KLINE) to protect the interests of members of the armed services.

The gentleman from California (Mr. GEORGE MILLER) and the gentleman from Michigan (Mr. KILDEE), on the other side of the aisle, have worked closely with us on this bill. And because it does expire at the end of this month, we do, in fact, need to extend it.

The Higher Education Act, which we will extend after we deal with this bill, deals with the issue of deferring the interest payments on those loans for active duty people, our servicemembers, who have been called up. That higher education bill we will talk about when we deal with the extension of the current Higher Education Act, but we are hopeful that in the coming month or so we will be able to bring the higher education reauthorization bill to the floor which will deal with the issue our friend from Maryland has referred to.

I do want to say that this is an important bill. We need to get it passed and get it to the other body to pass it so that our men and women in uniform will not be penalized because in fact they were called up, those who were in an institution of higher education. So I congratulate the gentleman from Minnesota (Mr. KLINE).

Mr. VAN HOLLEN. Madam Speaker, I yield myself such time as I may consume. I urge my colleagues to support this very important piece of legislation that extends the existing authorities and again congratulate the gentleman from Minnesota (Mr. KLINE).

I do want to underscore the fact that I thought we should use the opportunity right now to improve this legislation in the way I described. We are, of course, hostage to our own congressional calendar, but I do not think we should be holding our troops overseas hostage to that same calendar.

The higher education bill, whenever it comes before the House, still has to go through a long process. It has to get through the House, as we know; it has to get through the Senate; and then it must be signed by the President. That could be months. It could be years, as we know, for this process. I do not think we should be asking the men and women in Iraq and Afghanistan to be waiting years while their interest payments on these Federal student loans are accumulating.

It seems to me we should get it done now. We have an opportunity to get it done now, and I hope we will move quickly to deal with that situation. Especially if the Higher Education Act

gets bogged down, it seems to me we should move quickly to address that discrete issue that we can handle by itself without all the other issues that are tangled up as part of the higher education bill.

So, again, a good bill. I wish we had used the opportunity to make it a little better, but I urge my colleagues to support it.

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

Mr. KLINE. Madam Speaker, in closing I wish to thank the gentleman from Maryland and certainly thank the chairman and my colleagues for their support of this bill. It has been an interesting discussion we have had about legislative strategy.

I agree that our troops, their welfare, and the pressure that is put on them sometimes as they are students is extremely important and something, frankly, not for us to trifle with. We have the opportunity here with a bill that has already received overwhelming support in its current form in both the House and Senate and been passed into law, and it seemed to us we should take advantage of this to make sure our troops receive continuous coverage, and then address the larger question the gentleman from Maryland raised earlier.

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

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from Minnesota (Mr. KLINE) that the House suspend the rules and pass the bill, H.R. 2132.

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.

#### HIGHER EDUCATION EXTENSION ACT OF 2005

Mr. BOEHNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3784) to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3784

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Higher Education Extension Act of 2005".

#### SEC. 2. EXTENSION OF PROGRAMS.

(a) EXTENSION OF DURATION.—The authorization of appropriations for, and the duration of, each program authorized under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) shall be extended through December 31, 2005.

(b) PERFORMANCE OF REQUIRED AND AUTHORIZED FUNCTIONS.—If the Secretary of Education, a State, an institution of higher education, a guaranty agency, a lender, or another person or entity—

(1) is required, in or for fiscal year 2004, to carry out certain acts or make certain determinations or payments under a program

under the Higher Education Act of 1965, such acts, determinations, or payments shall be required to be carried out, made, or continued during the period of the extension under this section; or

(2) is permitted or authorized, in or for fiscal year 2004, to carry out certain acts or make certain determinations or payments under a program under the Higher Education Act of 1965, such acts, determinations, or payments are permitted or authorized to be carried out, made, or continued during the period of the extension under this section.

(c) **EXTENSION AT CURRENT LEVELS.**—The amount authorized to be appropriated for a program described in subsection (a) during the period of extension under this section shall be the amount authorized to be appropriated for such program for fiscal year 2004, or the amount appropriated for such program for such fiscal year, whichever is greater. Except as provided in any amendment to the Higher Education Act of 1965 enacted during fiscal year 2005 or 2006, the amount of any payment required or authorized under subsection (b) in or for the period of the extension under this section shall be determined in the same manner as the amount of the corresponding payment required or authorized in or for fiscal year 2004.

(d) **ADVISORY COMMITTEES AND OTHER ENTITIES CONTINUED.**—Any advisory committee, interagency organization, or other entity that was, during fiscal year 2004, authorized or required to perform any function under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), or in relation to programs under that Act, shall continue to exist and is authorized or required, respectively, to perform such function for the period of the extension under this section.

(e) **ADDITIONAL EXTENSION NOT PERMITTED.**—Section 422 of the General Education Provisions Act (20 U.S.C. 1226a) shall not apply to further extend the authorization of appropriations for any program described in subsection (a) on the basis of the extension of such program under this section.

(f) **EXCEPTION.**—The programs described in subsection (a) for which the authorization of appropriations, or the duration of which, is extended by this section include provisions applicable to institutions in, and students in or from, the Freely Associated States, except that those provisions shall be applicable with respect to institutions in, and students in or from, the Federated States of Micronesia and the Republic of the Marshall Islands only to the extent specified in Public Law 108-188.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. BOEHNER) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. BOEHNER).

#### GENERAL LEAVE

Mr. BOEHNER. 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 H.R. 3784, as amended.

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

There was no objection.

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

Madam Speaker, each year millions of Americans, young and old, partici-

pate in higher education programs at this Nation's colleges and universities. Higher education has become more important than ever with a changing marketplace and increasing international competition; and that is why the Federal investment in higher education is so important.

For more than 2 years, my colleagues and I have been working to strengthen and renew the Higher Education Act so that we can better serve the millions of low- and middle-income students aspiring for a college education. And while we have made great progress this year, the reauthorization process is still not complete.

Today, I stand in support of the Higher Education Extension Act so that we ensure these vital programs continue to serve American students. The measure extends critical programs for a brief time frame, 3 months, to give Congress the additional time it needs to complete this process in the best interests of students and taxpayers.

In February, the gentleman from California (Mr. MCKEON) and I introduced the College Access and Opportunity Act to complete the Higher Education Act reauthorization. That bill, similar to legislation of the same name we offered last year, was the culmination of a comprehensive effort to expand college access by focusing on fairness, accountability, affordability, and quality.

That bill contained a number of reforms that I had hoped would be enacted by today. The College Access and Opportunity Act would have realigned our student aid programs to place first priority back where it belongs, on the millions of low- and middle-income students who have not yet received a higher education.

The bill would have strengthened Pell grants, college access programs, and campus-based student aid. It would have broken down barriers and eliminated outdated regulations that are preventing nontraditional students from achieving their higher education goals.

It would have significantly realigned the multibillion-dollar student loan programs to expand access for current and future students and restore fairness so that all student borrowers would be treated equally. Consumer protection for borrowers would have been strengthened, red tape would have been reduced, and because accountability is the cornerstone of American education reform, colleges and universities would have been held more accountable to students, parents, and taxpayers, the people they serve, through increased sunshine and transparency.

□ 1500

Now I remain committed to a comprehensive reauthorization and hope to complete that process this year. In the meantime, the bill before us is critically important. We cannot allow programs under the Higher Education Act

to expire. Too many students depend on this assistance as they strive for a higher education. Yet it is equally important that we remain committed to comprehensive reforms that will build upon these programs in strengthening them in order to expand college access.

Madam Speaker, I strongly support the extension of the Higher Education Act. Millions of American students depend on these programs, and we must not let our commitment to higher education lapse. But it is equally important that we remain focused on the ultimate goal of enacting comprehensive reforms that will strengthen and renew the Higher Education Act so it can meet the needs of current and future students.

I encourage my colleagues to support this bill and work with us in the coming weeks and months to complete this comprehensive reform package so we can better serve American students who are pursuing a college education.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise today to support H.R. 3784, a temporary 3-month extension of the Higher Education Act. This, in essence, extends temporarily the 1998 reauthorization which was fashioned in a very bipartisan manner by the gentleman from California (Mr. MCKEON) and myself.

I am pleased that in the face of a national tragedy a simple extension has been offered. I hope the Republican leadership can use this time, however, to reevaluate H.R. 609, their plan to balance the massive deficit on the backs of students already struggling to pay for college. H.R. 609 is part of the reconciliation package.

Madam Speaker, from my days in the seminary, I always believed that reconciliation was a loving thing. H.R. 609, however, is certainly not an act of love. While I am cosponsor of this extension bill, I cannot ignore the impending cuts the Higher Education Act bill will ultimately suffer if the Republican reauthorization bill, H.R. 609, becomes law.

H.R. 609 represents the largest cut in the history of Federal student financial aid. The largest cut in history. That is something that should give all of us pause and concern, and I am sure it does.

The Committee on Education and the Workforce reported H.R. 609 in July by a straight party-line vote. H.R. 609 generates nearly \$9 billion by eliminating some of the excessive lender subsidies, raising interest rate caps and rates on consolidation loans, charging student borrowers higher fees, and cutting critical student aid delivery funds; yet the \$2 million in savings gained by eliminating the excessive lender subsidies alone will not be directed to helping students in any way.

When the gentleman from Maryland (Mr. VAN HOLLEN) and I pushed to do away with this outrageous subsidy to

lenders, it was our hope that the money would be used to aid students and not to finance tax cuts for the wealthiest.

Instead, the Republican-passed budget and higher education reauthorization intends to balance the massive deficit on the backs of students already struggling to pay for college. This raid on student aid misses a golden opportunity to redirect millions to student borrowers and additional grant aid for students.

The gentleman from California (Mr. GEORGE MILLER) and I offered an amendment in committee to recycle millions of dollars in savings to guarantee a \$500 increase in the maximum Pell grant, lower the interest rate caps on student loans, and give students a choice between a low fixed or variable rate on consolidation loans without raising costs to students or taxpayers. The Republicans rejected our amendment.

Under H.R. 609, the typical student borrower with \$17,500 in debt will be forced to pay an additional \$5,800 for his or her current student loans compared to current law. However, I would like to thank the gentleman from Ohio (Chairman BOEHNER) for offering H.R. 3784, the temporary 3-month extension of the Higher Education Act. While I am pleased to offer my support, I hope this extension will allow the Republican leadership time to reconsider their plan to raid student aid. I offer my services to work with them to achieve just that.

In the context of both reconciliation and the reauthorization of the Higher Education Act, we must move forward in a way that helps, not harms, our students. I look forward to working with the gentleman from Ohio (Mr. BOEHNER) and the gentleman from California (Mr. MCKEON) to achieve that.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I appreciate my colleague's support of the bill today to extend the Higher Education Act; but I find myself in a position of having to rise and respond to some of the criticisms of H.R. 609, the reauthorization bill for the Higher Education Act that is in process.

The gentleman is right, we do over the next 5 years save \$9 billion in taxpayer funds while at the same time we reduce origination fees for students, we expand loan limits for students, and better equalize the campus-based aid programs around the country.

Now, my colleague and his friends on the other side of the aisle came up with proposals to save money as well. The only difference here is that we decided that net of \$9 billion ought to be saved for the taxpayers because, after all, it is their money. My friends on the other side of the aisle decided to spend it. Well meaning, well intentioned, but at some point we in Congress have a re-

sponsibility to enact public policy that is fair for all.

Some people do not go to college. As my friend knows, I am the only one of my 11 brothers and sisters to go to college. To the extent we are providing loans, they are being paid for by taxpayers, some of whom do not get a higher education. So what is fair?

I think the underlying bill, providing college loans, providing Pell grants for underserved students, is a very good thing for our country. But how much is enough?

We are going to spend about \$75 billion this year in Pell grants and student loans to help low- to middle-income students achieve the dream of a higher education. I think that it is an important part of our responsibility to help improve our society. But at the same time, we also have a responsibility to people who pay taxes, and people who pay taxes watching money flowing out of this institution like water over a dam.

At some point I am not going to stand here and be embarrassed because we help improve access to higher education, we help improve the ability of students to pay for their loan programs, and at the same time save \$9 billion over 5 years for the taxpayers. I think it is a pretty good deal for all.

Madam Speaker, I reserve the balance of my time.

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

We all know there is a direct relationship between revenue and expenses. We try to keep that balance fiscally correct and morally correct.

I happen to have voted against the tax cuts proposed by President George W. Bush. I voted against them because I could see what was going to happen. Most of those tax cuts, as most people will concede, went to the wealthier people in this country, including Members of Congress. Had we just deducted from those \$2 trillion of tax cuts, when you take the whole cost, the cost of the debt, if we just deducted \$9 billion from those \$2 trillion, we would have money here and we would not have to balance this on the backs of the students. We could have saved it for any other program also, obviously. I am consistent that I voted against those tax cuts. I got a little criticism back home from some people; not many, but some. I saw this coming. I could see for sure that education was going to suffer. Those programs for the neediest in the country were going to suffer. The tax cuts were entirely too large, and those tax cuts have forced us to where we are in the bill put out by the committee, H.R. 609.

I think all of us have to be very cautious when we vote for revenue or revenue cuts. We have to be very cautious when we vote for expenditures. But there is a direct relationship, so I can stand here with a certain purity and say I did not vote to give away the \$2 trillion, I voted to retain these funds so we could help students.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I would say to my friend from Michigan, and we are friends, I proudly voted for the tax cuts and thank goodness that we passed them. Let us recount what has happened over the past 4½ years: a weak economy in 2001; followed by the devastating effects of 9/11; a war in Afghanistan and a war in Iraq; and now Hurricane Katrina.

If we had not enacted those tax cuts in early 2001, what shape would our economy be in today? I want to correct my friend that voting for reductions in marginal tax rates does not mean reductions in revenue to the Federal Government. We have had this debate here in Congress now for 25 years, but reducing marginal tax rates has in fact increased revenues to the Federal Government. And look at the strength of our economy today that would not have been there had we not had those reductions in taxes.

We can, in fact, reduce taxes, grow our economy, and hold the lid on spending and give the American people the best deal in the world: good government, reasonable level of services, and more money in their pocket, that they can decide how to spend in the best interest of themselves and their families and their communities.

Madam Speaker, I reserve the balance of my time.

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

No one questions, and I can never question either the sincerity nor the fairness of the chairman. I have been here 29 years, and I cannot recall a chairman being more fair during all of our deliberations in committee. And we are friends. We disagree on certain, maybe some fundamental things. But the gentleman asked what would have happened had we not enacted those tax cuts. One thing, we would not be seeing deficits as far out as the eye can see. That is not healthy for the economy, so we can debate that. Maybe we should have had some of those tax cuts, maybe not all. But again, because we are friends, we will continue to work together. Because the chairman is fair, he will always give us a chance in committee to offer our ideas and he will listen to them patiently. We respect the chairman for that on this side of the aisle.

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

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

Madam Speaker, I thank the gentleman from Michigan (Mr. KILDEE). As I said before, we are friends and I appreciate the gentleman's kind remarks. I believe our committee process here in Congress ought to be an open forum and that Members clearly can agree, but in our committee we do not really

allow members to be disagreeable. I think what it does is foster a committee where members cooperate and get to know each other and work together, and even though we may not agree on everything, every member should have a right to offer his or her ideas about the pending legislation.

Now back to the bill at hand, and I thank the gentleman from Michigan (Mr. KILDEE) for supporting the extension of the Higher Education Act for 3 months, and it is my fervent desire in the next 3 months Congress will reenact this authorization to the benefit of millions of American students.

□ 1515

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

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from Ohio (Mr. BOEHNER) that the House suspend the rules and pass the bill, H.R. 3784, 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.

#### EXTENDING THE AUTHORITY OF THE SECRETARY OF THE ARMY TO ACCEPT AND EXPEND FUNDS

Mr. BOUSTANY. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3765) to extend through December 31, 2007, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the processing of permits.

The Clerk read as follows:

H.R. 3765

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

#### SECTION 1. FUNDING TO PROCESS PERMITS.

Section 214 of the Water Resources Development Act of 2000 (33 U.S.C. 2201 note; 114 Stat. 2594; 117 Stat. 1836) is amended—

(1) in subsection (a) by striking “In fiscal years 2001 through 2005, the” and inserting “The”; and

(2) by adding at the end the following: “(c) DURATION OF AUTHORITY.—The authority provided under this section shall be in effect from October 1, 2000, through December 31, 2007.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. BOUSTANY) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. BOUSTANY).

GENERAL LEAVE

Mr. BOUSTANY. 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 Louisiana?

There was no objection.

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

Madam Speaker, I rise in strong support of H.R. 3765, to authorize an extension of the Army Corps of Engineers' section 214 program. Section 214 of the Water Resources Development Act of 2000 allows the Army Corps of Engineers to accept and expend funds provided by non-Federal public entities to hire additional personnel to process regulatory permits.

Madam Speaker, H.R. 3765 is urgently needed since the authority for this program expires on September 30 of this calendar year. If this program expires, the corps will have to fire some regulatory personnel, reducing its ability to process permits in a timely manner.

The Committee on Transportation and Infrastructure has heard from Members on both sides of the aisle supporting the section 214 program. H.R. 3765 is identical to the language in section 2003 of the Water Resources Development Act of 2005, which passed the House on July 14, 2005, by a vote of 406 to 14.

While the other body has not yet acted upon the Water Resources Development Act this year, I am hopeful that in the wake of Hurricane Katrina they move quickly to pass the bill providing for the water resources needs of our Nation. But because the authority for the section 214 program is expiring, it is necessary to move this piece separately.

I thank the gentleman from Washington (Mr. BAIRD) and our colleagues from Washington State for introducing this bill. I urge all Members to vote in favor of H.R. 3765.

Madam Speaker, I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I yield myself such time as I may consume.

I support House passage of H.R. 3765. This bill extends through December 31, 2007, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the processing of permits under the Clean Water Act and the Rivers and Harbor Act of 1899.

This program is popular and well received, particularly in the northwest part of the country. And I congratulate the gentleman from Washington (Mr. BAIRD), my committee colleague, for his attention to this issue and for securing today's consideration of this bill.

The language in H.R. 3765 is identical to that which is contained in H.R. 2864, the Water Resources Development Act of 2005, which passed the House on July 14 by an overwhelming vote of 406 to 14. This bill should likewise receive strong support.

Today's consideration of one section of this larger Water Resources Development Act should not be viewed as an indication that the larger bill will not be enacted this year. I remain opti-

mistic that the other House of Congress will soon consider this vital legislation, particularly in light of the vital role of flood damage reduction, navigation, and storm damage reduction projects in protecting lives and property and enhancing economic well-being.

The tragic events associated with Hurricane Katrina indicate how important our water infrastructure really is. However, the Senate is not likely to act on the broader legislation before the Secretary's authority to accept funds expires on September 30, just 10 days from now. By providing this extension, the program can continue uninterrupted; and I urge support of this bill.

Madam Speaker, I reserve the balance of my time.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Madam Speaker, I thank the gentlewoman from Texas for yielding me this time, and my colleagues on the committee and the gentleman.

I also want to express my gratitude to the gentleman from Alaska (Mr. YOUNG) and the gentleman from Minnesota (Mr. OBERSTAR), as well as the gentleman from Tennessee (Mr. DUNCAN), subcommittee Chair, for their support and recognition of the urgency of this matter.

The sense of what we are about today is trying to extend a bill that is already law that is included in the WRDA bill, which we have already passed in this body but that has not passed the other body. The reason we need to do this is common sense, and it is about preserving jobs.

The listing under the Endangered Species Act of salmon in the Pacific Northwest overwhelm the Corps of Engineers and other regulatory agencies in their ability to process permits in a timely manner. Section 214(d) of the Water Resources Development Act allows local entities to provide financial assistance to the corps to provide for the resources needed to process permits more efficaciously. It does not in any way prejudice the outcome of that permitting application. It merely expedites it and provides valuable needed resources. This has been used successfully in partnership throughout the Northwest and the west coast and has saved literally millions of dollars and thousands of jobs in our region.

I reiterate that the bill has passed the House already in its portion of the WRDA, that it is existing law. So we are not really trying to change anything. What we are trying to do is extend this vital provision for several more years so that permits in the process right now are not immediately stopped, which they otherwise would be without passage of this.

Again, I thank my colleagues for their leadership and recognition of the

importance of this bill. I urge its passage.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. McDERMOTT).

Mr. McDERMOTT. Madam Speaker, I thank the gentlewoman from Texas for yielding me this time.

I rise in support of section 214, which was introduced by the gentleman from Washington (Mr. BAIRD), my friend and colleague.

This is a critical piece of legislation for many States including Washington, and I hope that every member of the delegation rises to voice strong bipartisan support.

We have, in the last few weeks, seen in Katrina what nature can do, and section 214 enables communities to fund a fast-track Federal permit process by the Army Corps of Engineers. A modest investment by local governments can reap enormous community benefits in time and money without compromising either the independence or the integrity of the permit process.

Seattle, the community I represent, has used section 214 to save time and millions of dollars on a number of important local projects including the Seawall-Viaduct project. Unless we act, this important tool will expire by the end of the month.

Hurricane Katrina reminds us how vulnerable we are to natural forces. Seattle is an earthquake zone. There is no one living in Seattle who does not think we are going to have another earthquake. And we must move quickly, in my view, to replace the aging and fragile viaduct along the waterfront which carries over 100,000 cars a day. The viaduct is a lifeline of the region. If it falls, the port of Seattle will be blocked. It will create havoc in the whole area. It connects our communities and is the transportation artery for goods arriving at the port of Seattle and going to the middle of the country. In fact, Seattle is often called "Chicago West."

It would be a national catastrophe if we lost the viaduct, and we are trying to prepare for it. We are counting on 214 as part of our comprehensive viaduct replacement strategy, and we really do not want to lose this tool at this point. Without it, the seawall, the viaduct's foundation, will surely take much longer; and time is not on our side. We had an earthquake here about 3 years ago which shook for 60 seconds. Had it shaken for about 90 seconds, we probably would have had the catastrophe at that point.

It is not a matter of if. It is really a matter of when this happens in Seattle, and we must prepare. And we need this tool.

I thank the committee for bringing this bill forward and urge every Member to support it.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I have no fur-

ther requests for time, and I yield back the balance of my time.

Mr. BOUSTANY. Madam Speaker, I thank our colleagues from the other side of the aisle for working on this bipartisan piece of legislation. It is critically important, and I urge its passage.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. BOUSTANY) that the House suspend the rules and pass the bill, H.R. 3649.

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.

#### SPORTFISHING AND RECREATIONAL BOATING SAFETY AMENDMENTS ACT OF 2005

Mr. BOUSTANY. Madam Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 3649) to ensure funding for sportfishing and boating safety programs funded out of the Highway Trust Fund through the end of fiscal year 2005, and for other purposes.

The Clerk read as follows:

Senate Amendment:

On page 7, after line 3, insert the following new section:

#### SEC. 302. CORRECTION OF DISTRIBUTION OF OBLIGATION AUTHORITY UNDER SECTION 1102(c)(4)(A) OF PUBLIC LAW 109-59.

*Notwithstanding section 1102(c)(4)(A) of Public Law 109-59; 119 Stat. 1144, et seq., or any other provision of law, for fiscal year 2005, obligation authority for funds made available under title I of division H of Public Law 108-447; 118 Stat. 3216 for expenses necessary to discharge the functions of the Secretary of Transportation with respect to traffic and highway safety under chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, shall be made available in an amount equal to the funds provided therein: Provided, That the additional obligation authority needed to meet the requirements of this section shall be withdrawn from the obligation authority previously distributed to the other programs, projects, and activities funded by the amount deducted under section 117 of title I of division H of Public Law 108-447.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. BOUSTANY) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. BOUSTANY).

#### GENERAL LEAVE

Mr. BOUSTANY. 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 H.R. 3649.

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

There was no objection.

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

Madam Speaker, I will be very brief in my comments on this. The bill that we are considering today is nearly identical to the legislation that was approved by this body by a 401 to 1 vote last week. H.R. 3649, as passed by the Senate, includes an additional technical amendment that will temporarily extend funding for national highway safety programs through the end of the current fiscal year.

H.R. 3649 will also ensure that funding is made available for State recreational boating programs for the remainder of fiscal year 2005. These funds support boating safety and education, outreach and communication programs in each and every State and U.S. territory to promote safe and responsible boating and fishing practices nationwide.

I thank my colleagues for their continued support of this important legislation and for their work to improve access and safety on our Nation's waterways. I urge a "yes" vote on H.R. 3649.

Madam Speaker, I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I yield myself such time as I may consume.

I rise today to voice my support for H.R. 3649, the Sportfishing and Recreational Boating Safety Amendments Act of 2005.

The purpose of this bill is very simple: to correct two provisions in the recently passed H.R. 3, the SAFETEA-LU bill. One concerns the reauthorization of the Coast Guard's boating safety program; and the other, Vehicle Safety Operations and Research funding.

The short-term extension that extended the highway program and the funding of the Recreational Boating Safety program until August 15 did not have this provision. However, SAFETEA-LU provided for long-term reauthorization and funding of the Recreational Boating Safety program beginning on October 1, the new fiscal year. So as a result, gas taxes that are collected between August 15 and October 1 from recreational boaters cannot be given to the State boating law administrators to fund their recreational boating safety programs.

H.R. 3649 corrects this problem by extending the old Recreational Boating Safety and Sportfish programs until October 1, 2005, when the new funding formulas take effect.

□ 1530

Madam Speaker, the Recreational Boating Safety Grant program provides 50/50 matching funds to the States for their recreational boating safety and education programs.

These programs save lives. It is our responsibility to see that there is not an interruption in this program.

H.R. 3649 also corrects a funding problem that resulted in a \$23.7 million



reduction in fiscal year 2005 funds for the National Highway Traffic Safety Administration vehicle safety programs. That highway safety and vehicle safety program funding is split between the highway trust fund and general funds. For fiscal year 2005, appropriations chose to not provide any general fund money to the National Highway Traffic Safety Administration vehicle safety program, instead pulling additional resources from the highway trust fund.

NHTSA's vehicle safety program then became subject to the same cut in funding as the highway projects are in SAFETEA-LU. If these funds are not restored, certain vehicle safety activities may be significantly impacted, including ongoing research to test and evaluate automobiles and numerous research projects designed to save lives and prevent injuries on our Nation's roads.

So I urge my colleagues to pass H.R. 3649 to ensure that our States receive the necessary matching funds for their recreational boating safety programs between August 15, 2005 and October 1, 2005.

Madam Speaker, I have no further requests for time, I urge the passage of this bill, and I yield back the balance of my time.

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

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from Louisiana (Mr. BOUSTANY) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 3649.

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

A motion to reconsider was laid on the table.

### SIERRA NATIONAL FOREST LAND EXCHANGE ACT OF 2005

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 409) to provide for the exchange of land within the Sierra National Forest, California, and for other purposes.

The Clerk read as follows:

H.R. 409

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Sierra National Forest Land Exchange Act of 2005".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) **FEDERAL LAND.**—The term "Federal land" means the parcels of land and improvements thereon comprising approximately 160 acres and located in township 9 south, range 25 east, section 30, E $\frac{1}{2}$ SW $\frac{1}{4}$  and W $\frac{1}{2}$ SE $\frac{1}{4}$ , Mt. Diablo Meridian, California.

(2) **NON-FEDERAL LAND.**—The term "non-Federal land" means a parcel of land comprising approximately 80 acres and located in township 8 south, range 26 east, section 29, N $\frac{1}{2}$ NW $\frac{1}{4}$ , Mt. Diablo Meridian, California.

(3) **SECRETARY.**—The term "Secretary" means the Secretary of Agriculture.

#### SEC. 3. LAND EXCHANGE, SIERRA NATIONAL FOREST, CALIFORNIA.

(a) **EXCHANGE AUTHORIZED.**—

(1) **IN GENERAL.**—If, during the one-year period beginning on the date of enactment of this Act, the owner of the non-Federal land offers the United States the exchange of the non-Federal land and a cash equalization payment of \$50,000, the Secretary shall convey, by quit claim deed, all right, title, and interest of the United States in and to the Federal land. The conveyance of the Federal land shall be subject to valid existing rights and under such terms and conditions as the Secretary may prescribe.

(2) **ACCEPTABLE TITLE.**—Title to the non-Federal land shall conform with the title approval standards of the Attorney General applicable to Federal land acquisitions and shall be acceptable to the Secretary.

(3) **CORRECTION AND MODIFICATION OF LEGAL DESCRIPTIONS.**—The Secretary, in consultation with the owner of the non-Federal land, may make corrections to the legal descriptions of the Federal land and non-Federal land. The Secretary and the owner of the non-Federal land may make minor modifications to such descriptions insofar as such modifications do not affect the overall value of the exchange by more than five percent.

(b) **VALUATION OF LAND TO BE CONVEYED.**—For purposes of this section, during the period referred to in subsection (a)(1), the value of the non-Federal land shall be deemed to be \$200,000 and the value of the Federal land shall be deemed to be \$250,000.

(c) **ADMINISTRATION OF LAND ACQUIRED BY UNITED STATES.**—Once acquired, the Secretary shall manage the non-Federal land in accordance with the Act of March 1, 1911 (commonly known as the Weeks Act; 16 U.S.C. 480 et seq.), and in accordance with the other laws and regulations pertaining to National Forest System lands.

(d) **CONDITIONS ON CONVEYANCE OF FEDERAL LAND.**—The conveyance by the Secretary under subsection (a) shall be subject to the following conditions:

(1) That the recipient of the Federal land convey all 160 acres of the Federal land to the Sequoia Council of the Boy Scouts of America not later than four months after the date on which the recipient receives the Federal land from the Secretary under subsection (a).

(2) That, as described in section 5, the owner of the easement granted in section 4 have the right of first offer regarding any reconveyance of the Federal land by the Sequoia Council of the Boy Scouts of America.

(e) **DISPOSITION AND USE OF CASH EQUALIZATION FUNDS.**—The Secretary shall deposit the cash equalization payment received under subsection (a) in the fund established by Public Law 90-171 (commonly known as the Sisk Act; 16 U.S.C. 484a). The cash equalization payment shall be available to the Secretary until expended, without further appropriation, for the acquisition of lands and interests in lands for the National Forest System in the State of California.

(f) **COST COLLECTION FUNDS.**—The owner of the non-Federal land shall be responsible for all direct costs associated with processing the land exchange under this section and shall pay the Secretary the necessary funds, which shall be deposited in a cost collection account. Funds so deposited shall be available to the Secretary until expended, without further appropriation, for the cost associated with the land exchange. Any funds remaining after completion of the land exchange, which are not needed to cover expenses, shall be refunded to the owner of the non-Federal land.

#### SEC. 4. GRANT OF EASEMENT IN CONNECTION WITH HYDROELECTRIC PROJECT NO. 67.

(a) **PURPOSE.**—A hydroelectric project, licensed pursuant to the Federal Power Act (16 U.S.C. 791a et seq.) as Project No. 67, is located on a majority of the Federal land authorized for exchange under section 3. To protect the ability of the owner of Project No. 67 to continue to operate and maintain that hydroelectric project under the current and all future licenses or authorizations issued pursuant to the Federal Power Act or any other applicable law, this section is necessary.

(b) **EASEMENT REQUIRED.**—Before conveying the Federal land under section 3, the Secretary shall grant an easement, without consideration, to the owner of Project No. 67 for the right to enter, occupy, and use for hydroelectric power purposes the Federal land currently within the licensed boundary for Project No. 67. The Project No. 67 owner shall hold harmless the Secretary for any claims against the owner due to the grant of easement.

(c) **REQUIRED TERMS AND CONDITIONS.**—The easement granted under this section shall provide the following: "The United States of America, hereinafter called 'Grantor', pursuant to a congressional authorization, hereby grants, transfers, and conveys unto the [insert name of Project No. 67 owner], its successors and assigns, hereinafter called 'Grantee', all those certain exclusive easements and rights in, on, under, over, along, and across certain real property described in Exhibit A, attached hereto [attach description of real property subject to the easement] and incorporated herein (the 'Property'), for any purpose or activity that Grantee deems convenient or necessary to the creation, generation, transmission, or distribution of hydropower on and off the Property, including, but not limited to, the right to inundate the Property with water, reservoir management, and compliance with legal obligations in accordance with the applicable Federal Energy Regulatory Commission license and those non-exclusive easements and rights to use, occupy, and enter the Property, and to allow others to use, occupy, and enter the Property, for other purposes related to hydropower and reservoir management and use, such as recreation by Grantee or the public, and regulation of any activities on the Property that may impact such purposes, at any time and from time to time. Grantor further grants, transfers, and conveys unto the Grantee the right of assignment, in whole or in part, to others, without limitation. Grantee shall have the right to take such actions on the Property as may be necessary to comply with all applicable laws, rules, regulations, ordinances, orders and other governmental, regulatory, and administrative authorities and requirements, or that may be necessary for the economical entry, occupancy, and use of the Property for hydropower purposes. Grantor, its successors and assigns, shall not deposit or permit or allow to be deposited, earth, rubbish, debris or any other substance or material on the Property, or so near thereto as to constitute, in the opinion of the Grantee, an interference or obstruction to the hydropower and reservoir purposes. No other easements, leases, or licenses shall be granted on, under or over the Property by Grantor to any person, firm or corporation without the previous written consent of Grantee, which consent shall not be unreasonably withheld. The terms, covenants and conditions of this Grant of Easement shall bind and inure to the benefit of the successors and assigns of Grantor and the successors and assigns of Grantee."

# SEC. 5. RIGHT OF FIRST OFFER FOR SUBSEQUENT CONVEYANCE OF FEDERAL LAND.

(a) **RIGHT OF FIRST OFFER.**—As a condition on the conveyance of the Federal land under section 3 and its reconveyance to the Sequoia Council of the Boy Scouts of America, as required by section 3(d)(1), the Secretary shall require that the Council agree to provide the owner of the easement granted under section 4 the right of first offer to obtain the Federal land, or any portion thereof, that the Council ever proposes to sell, transfer, or otherwise convey.

(b) **NOTICE AND OFFER.**—If the Council proposes to sell, transfer, or otherwise convey the Federal land or a portion thereof, the Council shall give the easement owner written notice specifying the terms and conditions on which the conveyance is proposed and offering to convey to the easement owner, on the same terms and conditions, the Federal land or the portion thereof proposed for conveyance.

(c) **ACCEPTANCE OR REJECTION OF OFFER.**—Within 90 days after the easement owner receives the notice required by subsection (b) and all available documents necessary to perform reasonable due diligence on the proposed conveyance, the easement owner shall either accept or reject the offer. If the easement owner accepts the offer, the closing of the sale shall be governed by the terms of the offer in the notice.

(d) **EFFECT OF REJECTION.**—If the hydro-power easement owner rejects an offer under subsection (b) or fails to respond to the offer before the expiration of the 90-day period provided in subsection (c), the Council may convey the property covered by the notice to any other person on the same terms and conditions specified in the notice. If those terms and conditions are subsequently altered in any way, then the notice and offer shall again be made to the easement owner under subsection (b). The rejection by the easement owner of one or more of such offers shall not affect its right of first offer as to any other proposed conveyance by the Council.

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

## GENERAL LEAVE

Mr. RENZI. 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 Arizona?

There was no objection.

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

Mr. Speaker, H.R. 409, introduced by the gentleman from California (Mr. RADANOVICH), provides for the exchange of land within the Sierra National Forest of California.

The bill would exchange 160 acres of Forest Service property, of which only 15 acres is above water, for 80 acres of private land surrounded by National Forest. The landowner has agreed to pay the difference of \$50,000 to the Forest Service to finalize the land trans-

fer. After the completion of the exchange, the landowner will convey the property to the Sequoia Council Boy Scouts, who have run a camp on the land through a special use permit for the last 30 years.

The bill will benefit both the Forest Service and the Sequoia Council Boy Scouts. I urge adoption of the bill.

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

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

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

Ms. BORDALLO. Mr. Speaker, H.R. 409 directs the Secretary of Agriculture to exchange 160 acres of Federal land in the Sierra National Forest at Shaver Lake for an 80-acre inholding also in the Sierra National Forest.

H.R. 409, Mr. Speaker, further requires that the owners of the non-Federal land make a \$50,000 cash equalization payment and convey the Federal land to the Sequoia Council of the Boy Scouts of America within 4 months of receiving it.

Mr. Speaker, we have no objections to H.R. 409.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 409.

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.

## DIRECTING THE SECRETARY OF THE INTERIOR TO CONDUCT A BOUNDARY STUDY EVALUATING THE SIGNIFICANCE OF THE COLONEL JAMES BARRETT FARM IN THE COMMONWEALTH OF MASSACHUSETTS

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 394) to direct the Secretary of the Interior to conduct a boundary study to evaluate the significance of the Colonel James Barrett Farm in the Commonwealth of Massachusetts and the suitability and feasibility of its inclusion in the National Park System as part of the Minute Man National Historical Park, and for other purposes, as amended.

The Clerk read as follows:

H.R. 394

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

### SECTION 1. BOUNDARY ADJUSTMENT STUDY.

(a) **DEFINITIONS.**—For the purposes of this Act:

(1) **BARRETT'S FARM.**—The term "Barrett's Farm" means the Colonel James Barrett Farm listed on the National Register of Historic

Places, including the house and buildings on the approximately 6 acres of land in Concord, Massachusetts.

(2) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

(b) **STUDY.**—Not later than 2 years after the date that funds are made available for this section, the Secretary shall conduct a boundary study to evaluate the significance of Barrett's Farm in Concord, Massachusetts, as well as the suitability and feasibility of its inclusion in the National Park System as part of Minute Man National Historical Park.

(c) **CONTENT OF STUDY.**—The study shall include an analysis of the following:

(1) The significance of Barrett's Farm in relation to the Revolutionary War.

(2) Opportunities for public enjoyment of the site as part of the Minute Man National Historical Park.

(3) Any operational, management, and private property issues that need to be considered if Barrett's Farm were added to the Minute Man National Historical Park.

(4) A determination of the feasibility of administering Barrett's Farm considering its size, configuration, ownership, costs, and other factors, as part of Minute Man National Historical Park.

(5) An evaluation of the adequacy of other alternatives for management and resource protection of Barrett's Farm.

(d) **SUBMISSION OF REPORT.**—Upon completion of the study, the Secretary shall submit a report on the findings of the study to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

## GENERAL LEAVE

Mr. RENZI. 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 Arizona?

There was no objection.

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

Mr. Speaker H.R. 394, introduced by the gentleman from Massachusetts (Mr. MEEHAN) and amended by the Committee on Resources, would direct the Secretary of the Interior to conduct a boundary study to determine the significance of the Colonel James Barrett Farm in the Commonwealth of Massachusetts and its feasibility for inclusion as part of the Minute Man National Historical Park. During the Revolutionary War, the 5-acre farm was instrumental for its role as a storage station for cannons, gunpowder, and other munitions.

Mr. Speaker, I urge adoption of the bill, and I reserve the balance of my time.

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

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

Ms. BORDALLO. Mr. Speaker, the majority has already explained the

purpose of H.R. 394, which was introduced by the gentleman from Massachusetts (Mr. MEEHAN). Barrett's Farm is a significant historical resource, as evidenced by its previous designation on the National Register of Historic Places.

The British marched out of Boston in April of 1775 looking for munitions stored by colonists at Barrett's Farm. They found neither the munitions nor the farmer's owner, James Barrett, leader of the Middlesex militia, who was to soon meet the British at North Bridge where, as Emerson wrote, "The embattled farmers stood and fired the shot heard around the world."

The gentleman from Massachusetts (Mr. MEEHAN) is to be commended for his leadership on H.R. 394. Many individuals and organizations recognize the historical importance of Barrett's Farm and support this legislation. It is our hope that this study authorized by H.R. 394 will determine the most appropriate means to preserve and interpret this important aspect of our Nation's history.

Mr. Speaker, with that, we support H.R. 394 as a means to help preserve the history of Barrett's Farm and its role in the start of the American revolution, and urge adoption of the legislation by the House today.

Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Speaker, I thank the gentlewoman from Guam for yielding me this time. I also thank the gentleman from Arizona for his comments on this legislation. This legislation begins the process of further protecting an important part of American history.

Colonel James Barrett's farm, located in the town of Concord, Massachusetts, is already listed on the National Register for Historic Places for its significance. My legislation calls for a boundary study to evaluate adding Barrett's Farm to the Minute Man National Historic Park, which would forever protect it from development.

As the gentlewoman from Guam has indicated, a brief history of Barrett's Farm explains why its addition to the Minute Man National Historic Park would be appropriate.

Colonel James Barrett was the commander of the militia in Middlesex during the Revolutionary War. His farm was a central depot where the American revolutionaries stored cannons, gunpowder, and other munitions.

On April 19, 1775, General Thomas Gage, the commander of all British forces in North America, ordered 700 of his troops to march to Barrett's Farm to destroy the supplies stored there. We all know the story of what happened next.

The colonists learned of the British plot ahead of time and sent a Boston silversmith, Paul Revere, into the night to call his countrymen to arms. Immediately, the citizens of Concord started hiding the town's supplies. Colonel Barrett's sons plowed his fields

and hid munitions in the furrows. By the time the British reached the farm, the colonial militia had taken up position, ready to strike at the British Army.

Ultimately, the colonists and the British came to blows at the North Bridge in Concord, where "the shot heard around the world" was fired, launching our war for independence.

The citizens of Concord knew the area, had the manpower and weapons, and sent the Redcoats running, dealing a harsh blow to the British Army.

Thirty years ago, Barrett's Farm was listed on the National Register of Historic Places. Even in Massachusetts, where most places can be called historic, Barrett's Farm stands out as an icon of American history.

Minute Man National Historic Park encompasses 967 acres, including the North Bridge, Lexington Green, and the Battle Road Trail, where the British traveled and advanced and retreated.

Including Barrett's Farm within the boundaries of Minute Man Park would add an integral part of this storied battle. Barrett's Farm was the impetus for the British advance and vigorous work of Colonel Barrett, and his militia was a reason why the British retreated.

This battle has become iconic of American history and every piece of that story should be preserved. By adding the farm to the Minute Man National Historic Park and placing it in the able oversight of the National Park Service, we can ensure that this important piece of our history will be enjoyed for generations to come.

Passing today's legislation, which authorizes a study to this end, is the first step towards reaching the goal.

We would not have the opportunity to pass the bill today if it were not for the hard work of many people who have ensured the story of Colonel James Barrett be told. First and foremost is Anna Winter, the director of Save Our Heritage, a nonprofit group dedicated to preserving the grand history of the Commonwealth of Massachusetts. Anna and her colleagues are the driving force behind the effort to protect places like Walden Pond and Barrett's Farm.

I would also like to recognize the efforts of Nancy Nelson, the superintendent of Minute Man National Park. Nancy's tireless efforts to maximize the impact of the park have created not only a spot of extraordinary beauty, but also have preserved the land in which our freedom was won. Because of Nancy and her colleagues at the National Park Service, our children can learn the history of our Nation while walking the same steps as those patriots did centuries ago.

I would also like to thank the staff of the Trust for Public Land, a hard-working group of people that highly values the conservation of all lands for historical sites and community parks to wilderness areas. For over 30 years, the Trust has helped more than 2,700

conservation projects come to fruition, each project representing a community like Concord, trying to beautify and protect its natural history.

Finally I would like to thank the gentleman from California (Chairman POMBO) and the gentleman from West Virginia (Ranking Member RAHALL) for bringing this important bill to the floor, and I deeply appreciate the effort of my colleagues.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 394, 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.

#### AMENDING THE PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT TO EXTEND THE DATE AFTER WHICH SURPLUS FUNDS IN THE WILDLIFE RESTORATION FUND BECOME AVAILABLE FOR APPORTIONMENT

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1340) to amend the Pittman-Robertson Wildlife Restoration Act to extend the date after which surplus funds in the wildlife restoration fund become available for apportionment.

The Clerk read as follows:

S. 1340

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

#### SECTION 1. AVAILABILITY OF SURPLUS FUNDS IN WILDLIFE RESTORATION FUND.

Section 3(b)(2)(C) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669b(b)(2)(C)) is amended by striking "2006" and inserting "2016".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

GENERAL LEAVE

Mr. RENZI. 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 Arizona?

There was no objection.

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

Mr. Speaker, I support S. 1340 introduced by the distinguished chairman of the Senate Environment and Public Works Committee, Senator JAMES

INHOFE. This legislation can help fund repairs to the environmental damage wrought by Hurricane Katrina to the gulf coast, as well as help other high priority wetlands throughout the United States.

When the North American Wetlands Conservation Act was enacted in 1989, it directed that money appropriated to this program was to be deposited into an interest-bearing account and that the interest earned could be used for conservation purposes.

□ 1545

In the past 16 years the interest has amounted to \$235 million or nearly one-third of the total Federal investment in the North American Wetlands Conservation Program.

As a result of this money, millions of acres of critical wetlands habitat has been conserved, maintained, purchased and restored. Those wetlands are essential to the survival of not only millions of migratory waterfowl, but, more importantly, to the people who live along our coasts.

Most of southern Louisiana, including New Orleans, is wetlands. And those communities, as well as Gulfport and Biloxi, Mississippi and Mobile, Alabama, can benefit from the projects funded under this bill. Unfortunately, the authority to retain earned interest expires on September 30 of 2005.

S. 1340 extends that provision until 2016, and this legislation is supported by the Bush administration, a host of conservation groups, including Ducks Unlimited, the Congressional Sportsman Foundation, and the International Association of Fish and Wildlife Agencies.

Mr. Speaker, I urge a yea vote so that we can send this conservation measure to the President.

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

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

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

Ms. BORDALLO. Mr. Speaker, the purpose of S. 1340 is to extend for 10 years the authorization to use surplus funds in the Pittman-Robertson wildlife restoration account to support wetlands restoration projects, coordinated under the North American Wetlands Conservation Act.

The accrued interest generated by funds deposited in the Pittman-Robertson account since 1989 has provided over \$235 million to fund North American wetlands conservation projects across the country.

This extension will ensure the continuation of this valuable conservation funding source, and will be important to our future efforts to restore protected wetland habitats in the region devastated by Hurricane Katrina.

I urge Members to support this worthy legislation.

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

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the Senate bill, S. 1340.

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.

#### RECOGNIZING SPACE SHUTTLE COMMANDER EILEEN COLLINS, MISSION SPECIALIST WENDY LAWRENCE, AND THE CONTRIBUTIONS OF ALL OTHER WOMEN WHO HAVE WORKED WITH NASA

Mr. CALVERT. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res 450) recognizing Space Shuttle Commander Eileen Collins, Mission Specialist Wendy Lawrence, and the contributions of all other women who have worked with NASA following the successful mission of Space Shuttle *Discovery* on STS-114, as amended.

The Clerk read as follows:

H. RES. 450

Whereas the National Aeronautics and Space Administration was created in 1958 under President Eisenhower and has, since then, accomplished great things in the fields of science, technology, aeronautics, and aerospace exploration;

Whereas women have worked since the 1960's for the right to play a vital role in NASA's missions in outer space;

Whereas after more than twenty years of waiting, the first American woman, Sally Ride, flew in outer space in 1983 aboard the Space Shuttle Challenger;

Whereas in 1984, Kathryn Sullivan became the first American woman to perform a space walk aboard the Space Shuttle Challenger during mission STS-41;

Whereas in 1986, Christa McAuliffe, who was to be the first teacher and civilian in space after being selected from 11,000 applicants, and Mission Specialist Judith Resnik, were killed aboard the space shuttle Challenger just 73 seconds after lift-off during mission STS-51L;

Whereas in 1992, Mae Jemison became the first African-American woman to fly in outer space aboard the Space Shuttle Endeavor during mission STS-47;

Whereas Shannon Lucid previously held the United States record for the amount of time spent living and working in space on a single mission aboard the Russian Mir space station for over 6 months in 1996;

Whereas in 1999, Eileen Collins became the first woman to command a space mission when Space Shuttle Columbia deployed the Chandra X-Ray Observatory;

Whereas in 2003, Mission Specialists Kalpana Chawla and Laurel Clark were killed aboard the Space Shuttle Columbia on reentry during mission STS-107;

Whereas we celebrate America's Return to Flight with Space Shuttle *Discovery*'s STS-114 mission, which Eileen Collins commanded and on which Wendy Lawrence served as Mission Specialist; and

Whereas great strides have been made in the Space Shuttle and International Space Station era to increase the number and

prominence of women serving in the NASA Astronaut Corp, thereby giving us hope for the future of American women in space, including Ellen Baker, Yvonne Cagle, Tracy Caldwell, Kalpana Chawla, Laurel B. Clark, Mary Cleave, Catherine Coleman, Eileen Collins, Nancy J. Currie, Jan Davis, Bonnie Dunbar, Anna Fisher, Linda Godwin, Susan J. Helms, Joan Higginbotham, Kathryn Hire, Marsha Ivins, Mae C. Jemison, Tamara E. Jernigan, Janet Kavandi, Susan L. Kilrain, Wendy Lawrence, Shannon Lucid, Sandra Magnus, Megan McArthur, Pamela Melroy, Barbara Morgan, Lisa Nowak, Karen Nyberg, Ellen Ochoa, Judith A. Resnik, Sally K. Ride, Patricia C. Hilliard Robertson, Margaret Rhea Seddon, Heidemarie Sefanyshyn-Piper, Nicole Scott, Kathryn C. Thornton, Janice Voss, Mary E. Weber, Peggy Whitson, Sunita Williams, and Stephanie Wilson: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) recognizes Space Shuttle Commander Eileen Collins, Mission Specialist Wendy Lawrence, and the contributions of all other women who have worked with the National Aeronautics and Space Administration following the successful mission of the Space Shuttle *Discovery* on STS-114; and

(2) celebrates the many achievements of women in the National Aeronautics and Space Administration and congratulates Commander Collins and the rest of her crew.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. CALVERT) and the gentleman from Texas (Mr. AL GREEN) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. CALVERT).

GENERAL LEAVE

Mr. CALVERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Res 450, the resolution under consideration.

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

There was no objection.

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

Mr. Speaker, I want to commend the gentlewoman from New York (Mrs. MALONEY) for her insight into the contributions of women in the NASA community and to the success of our Nation's civil space program.

House Resolution 450 goes a long way in recognizing the importance of women to our Nation's civil space program, from Commander Elaine Collins and Mission Specialist Wendy Lawrence of the *Discovery* mission, to the other 40 women who have served in NASA's Astronaut Corps.

To all of the women who offer ground support for the launches, these women in the sciences, our Nation offers a resounding thanks.

Not all of those women are often in the spotlight, but they still serve as inspiring role models for all our daughters. What better way to have our children think they can be whatever they aspire to be than to have everyone share the opportunity to get a bite of the apple of success.

In order for the United States to retain its global competitive edge, we need the contributions from all of our citizens. Since all advanced societies now depend on technology for their economic might, the new measure of that might are those graduates with degrees in science and engineering.

The United States is slipping in this category. We are producing a shrinking share of the world's technological talent. China and India are the newest and strongest competitors. The last time the U.S. graduated more engineering and scientific Ph.D.s than Europe and three times as many as Asia was in 1975.

These trends have reversed so now the European Union graduates about 50 percent more Ph.D.s than the United States, and Asia is slightly ahead of the United States.

At the current rate, China will probably overtake us by 2010. They have already produced nearly as many engineering graduates in a month as we do in a year. Outstanding role models inspire our young ladies to pursue a life of study and work in science and engineering.

Seeing these women doing exciting important jobs in our space program is the best way that I know to encourage our children to do the same.

Mr. Speaker, I would like to thank again the gentlewoman from New York (Mrs. MALONEY) for her thoughtful legislation. I plan to support this important legislation when it comes to a vote and encourage all Members to do the same.

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

Mr. AL GREEN of Texas. Mr. Speaker, I am honored to yield such time as she may consume to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Speaker, I am delighted to rise today to pay tribute to our female astronauts. These heroines are not only a source of pride for all Americans, but they have also inspired countless women to reach for the stars in their own lives and careers.

The space program has long been one of the best examples of America's leadership role in the world. Our astronauts are daring, brilliant, and selfless, risking their lives for the sake of scientific discovery. But like our Nation itself, they were once divided along gender lines.

Indeed, when NASA was created by President Eisenhower in 1958, there were no female astronauts. Of course, there were no women on the Supreme Court back then, and in Congress there was just one female Senator, and only 15 women serving in Congress.

Mr. Speaker, we have come a long way in the last four decades. There are now 14 women Senators, 66 female Members of Congress, and at NASA women are not just along for the ride, they have assumed leadership roles in both the agency and on its missions, as we have seen by this fine work of Eileen Collins and Wendy Lawrence.

I am especially delighted today to recognize the achievements of my fellow New Yorker, Eileen Collins from Elmira, New York, who in 1999 became the first woman to command a space shuttle.

In 2003, Ms. Collins again took to the reins of a space mission, providing steady guidance to the Space Shuttle *Discovery* during an incredibly difficult and perilous mission.

Mr. Speaker, women have taken part in some of the greatest NASA missions, and some of the most heartbreaking too. Some of these women gave their lives for our country.

As a former teacher, I remember feeling incredibly proud when my colleague, Christa McAuliffe, was selected from more than 11,000 applicants to become the first civilian in space, the first teacher in space.

Of course, we were all horrified when the Space Shuttle *Challenger* exploded 73 seconds after lift-off, cutting short the lives of Christa and the other brave astronauts who flew with her.

The loss of the *Challenger* and, more recently, of the Space Shuttle *Columbia* were staggering blows to our country. But I know that our space program will rebound from these disasters, as it always has, with a new sense of purpose, stronger and more determined than ever.

I also know that as we rebuild, American women will be leading the way, inspired by the sense of duty to our country and by the women who have come before them. Women like Sally Ride, the first woman in space; Kathryn Sullivan, the first American woman to perform a space walk; Mae Jemison, the first African American woman astronaut; Shannon Lucid, who set a U.S. record for the most time living in space.

Thanks to these pioneering women astronauts, the sky is the limit for women and girls in this final frontier.

Today, we recognize the contribution of all of the women who work to realize the grand mission of NASA and who continue to contribute today.

Mr. Speaker, today our country faces an increasingly severe shortage of qualified math, science, and engineering students and professionals to fill the high-tech jobs of tomorrow.

Women have long been underrepresented in these fields, both in the workplace and in the classroom. It is essential to our economy, even to our national security, that we attract the best and the brightest to these fields.

The number of girls and young women entering math, science, and engineering is growing and moving in the right direction. And in our universities and workplaces, we need to cultivate nondiscriminatory environments to further this momentum.

NASA truly showcases the very best of what women can achieve and can contribute, and the fact that they can contribute equally. May the women pioneers we honor today inspire not only the astronauts, but the scientists,

mathematicians, and engineers of tomorrow. I thank them for their wonderful contributions. I congratulate the entire team.

Mr. Speaker, I submit for printing in the RECORD the names of 29 current and 13 deceased or former female NASA astronauts.

Ellen Baker, Yvonne Cagle, Tracy Caldwell, Kalpana Chawla, Laurel B. Clark, Mary Cleave, Catherine Coleman, Eileen Collins, Nancy J. Currie, Jan Davis, Bonnie Dunbar, Anna Fisher, Linda Godwin, Susan J. Helms, Joan Higginbotham, Kathryn Hire, Marsha Ivins, Mae C. Jemison, Tamara E. Jernigan, Janet Kavandi, Susan L. Kilrain.

Wendy Lawrence, Shannon Lucid, Sandra Magnus, Megan McArthur, Pamela Melroy, Barbara Morgan, Lisa Nowak, Karen Nyberg, Ellen Ochoa, Judith A. Resnik, Sally K. Ride, Patricia C. Hilliard Robertson, Margaret Rhea Seddon, Heidemarie Sefanyshyn-Piper, Nicole Scott, Kathryn C. Thornton, Janice Voss, Mary E. Weber, Peggy Whitson, Sunita Williams, and Stephanie Wilson.

□ 1600

Mr. CALVERT. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Mrs. SCHMIDT).

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

Mrs. SCHMIDT. Mr. Speaker, I thank the gentleman for yielding me this time. I rise in favor of House Resolution 450, recognizing Shuttle Commander Eileen Collins and Mission Specialist Wendy Lawrence, who are an inspiration to women everywhere. They serve as role models to young women and have succeeded in fields traditionally dominated by men.

Their success is due in part to the hard work of trailblazing women who came before them. Elizabeth Blackwell, who was a resident of my native Cincinnati and the first American female medical doctor, once said: "For what is done or learned by one class of women becomes, by virtue of their common womanhood, the property of all women."

When we think of great women astronauts, we must remember two from the Buckeye State.

The first is Judith Resnick. She was born in Akron, graduated from Firestone High School, and earned her doctorate in electrical engineering before joining NASA. Judith died tragically aboard Space Shuttle *Challenger*.

The second is Nancy J. Currie of Troy, Ohio, who graduated from Troy High School, earned a degree in biological science from Ohio State University, eventually earning a doctorate in engineering. She flew four successful missions between 1993 and 2002, and in 2003 Dr. Currie was selected to lead the Space Shuttle Program Safety and Mission Assurance Office.

These women are outstanding in their field, outstanding by virtue of what they have accomplished, not because they are women. They succeeded in fields traditionally dominated by men and inspired young girls around the country to succeed in their footsteps. It is for these future female leaders that we must continue to push the



envelope and recognize those who came before them.

Mr. Speaker, I urge my colleagues to vote in favor of this bill.

Mr. AL GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 450, a resolution to honor the women of NASA for their hard work and dedication. In 360 B.C., the great philosopher Plato bemoaned that "nothing can be more absurd than the practice that prevails in our country of men and women not following the same pursuits with all their strengths and with one mind, for thus, the state instead of being whole is reduced to half."

It has been more than 2,000 years since Plato made this simple, common-sense observation. It has not been easy; but in the intervening centuries, women have proven time and time again that they can excel in any field they choose. Along the way, there have been many trailblazers: Barbara Jordan, the stateswoman; Marie Curie, the scientist; Amelia Earhart, the pilot; Dr. Antonia Novello, the first woman and the first Hispanic Surgeon General.

Today, we honor some new additions to this august list, the talented women of NASA's astronaut core. Commander Collins and Mission Specialist Lawrence performed flawlessly on their latest mission aboard Space Shuttle *Discovery*.

They are but the latest examples of a long tradition of excellence among our female astronauts that stretches back over two decades to Sally Ride's historic mission as the first American female astronaut.

These astronauts stand as inspirations to young women, not only in this country but around the globe, who look at them and understand that no dream is out of reach because they realize that they too can do what others have done.

They should be very proud of their accomplishments.

Of course, in praising the astronauts, we should not neglect the contributions of other women of NASA: the scientists, the engineers, the program managers, and all of the others who contribute to our space program.

All of these talented women are trailblazers in their own right. I commend them for their hard work and the excellent example they set.

I want to thank the gentlewoman from New York, not only for her initiative in introducing this most thoughtful resolution but also for helping make real Plato's ideal of equality of opportunity for all.

I think it is a great resolution, and I urge its adoption.

Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of all women who have worked with

NASA in preparing to launch the Space Shuttle *Discovery*.

Women have made great strides in the space and aeronautics industry. The first African American woman in space was my good friend Dr. Mae Jemison. She served as the science mission specialist on STS-47 Spacelab-J in 1992.

In 1999, Mr. Speaker, we had another first: Eileen M. Collins was the first female commander of the space shuttle. Collins and her crew launched aboard Space Shuttle *Columbia* in July of 1999.

My State of Texas has a strong focus in space and aeronautics as the home of the Johnson Space Center. I am especially proud of all the women who have made significant contributions to the space flight, and I honor their courage. Dr. Mary Ann Webber is another astronaut, who is now employed in my district at the University of Texas Southwest Medical School and working and encouraging young ladies now to think of a career of that sort.

Mr. CALVERT. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. BOEHLERT).

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

Mr. BOEHLERT. Mr. Speaker, what a pleasure it is to come to the floor, as I just left Colonel Eileen Collins and Wendy Lawrence and the rest of the STS-114 crew; and they are an inspiration to all of us, not just those of us in this Chamber but to people around the world.

I stand today in support of the resolution offered by my colleague and good friend from the great State of New York (Mrs. MALONEY).

This resolution recognizes the valuable contributions that women have made at NASA and particularly praises those who played a role in the success of STS-114. The accomplishments of the STS crew are the result of a rich history of women in NASA. Long before STS-114 women like Sally Ride, the first American woman in space; Kathryn Sullivan, the first American woman to perform a space walk; Mae Jemison, the first African American in space; and Shannon Lucid, the previous American record holder for the length of time spent in space on a single mission, they pushed the boundaries of human space flight.

Women have also paid a dear price in the name of human space flight. Christa McAuliffe, Judith Resnick, Kalpana Chawla, and Laurel Clark will always be remembered for their courage and heroism. And Eileen Collins and Wendy Lawrence and the rest of STS-114 crew stand on the shoulders of those great women who came before them, and this resolution rightly recognizes that fact.

Once again, I thank the gentlewoman from New York (Mrs. MALONEY) for introducing this important resolution, and I commend all of my colleagues for paying attention on the floor today to something that is really important,

not just to today, but for generations to come.

Mr. AL GREEN of Texas. Mr. Speaker, I yield 4 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman for his support and advocacy for NASA and its work. I thank the chairman of the full committee, the gentleman from New York (Mr. BOEHLERT); and of course the ranking member, the gentleman from Tennessee (Mr. GORDON), for their leadership, along with the gentleman from California (Mr. CALVERT), chairman of our subcommittee; and of course the ranking member, the gentleman from Colorado (Mr. UDALL).

I am especially appreciative that we would come today to acknowledge not only the leadership of women but also NASA's contributions to America. So I rise to speak as well to H. Res. 441 and H. Res. 446. I thank the gentlewoman from New York (Mrs. MALONEY), who has been steadfast in reminding us of the importance of the involvement and the empowerment of women.

Is it not exciting that we can rise today as the *Discovery* crew comes to the United States Capitol to be able to acknowledge that Colonel Eileen Collins was, in fact, the commander of this particular outstanding effort to return United States to space.

One would wonder with Hurricane Katrina behind us and Hurricane Rita in front of us why we can stand before our colleagues to acknowledge the outstanding contributions of women to the safety and the advancement of humankind and Americans and as well that of NASA. And I say this: NASA equates to science and scientific discovery and advancement, and I am very proud to say that our lives have been made better by the contributions that NASA has made to society.

We were told early on that the use of NASA technology could have predicted or maybe not predicted, foreseen, detected the tsunami. We know now that we have seen the constant repetitiveness of hurricanes that NASA will be a very strong partner in determining how we can better detect the coming of hurricanes and be more safe.

So it is with great pride that I rise to thank Sally Ride, a neighbor in our community in Houston; Kathryn Sullivan; Christa McAuliffe, who lost her life in the earlier *Challenger* flight; and Judith Resnick; Mae Jemison, of course, who served as a role model for many, many young girls; Shannon Lucid; and of course Kalpana Chawla and Laurel Clark, who lost their lives in *Columbia* in the 2003 mission.

But today we have a lot to celebrate because Eileen Collins and Wendy Lawrence were part of that great Space Shuttle *Discovery*, STS-114. With their leadership, we return to space; and I believe we return to the opportunities that space allows.

I am always reminded, whenever we have the opportunity to salute what



NASA does, to say that the research has generated successes in detection and cure of strokes, HIV/AIDS, heart disease, cancer. So we know that NASA is part of our society, and it has the ability to enhance our society.

My congratulations to the *Discovery* crew, to the many women we honor today, such as Ellen Baker, Yvonne Cagle, Tracy Caldwell, Bonnie Dunbar, Anna Fisher, Marsha Ivins, Susan L. Kilrain, Wendy Lawrence, Ellen Ochoa, Judith A. Resnick who has passed of course, Sally K. Ride, Nicole Scott, and many, many others.

It is for us to carry forth their dream by providing the support from the United States Congress but, more important, it is to announce that these women are leaders but also that NASA has laid the groundwork for this society and all around the world to be advanced to a better quality of life.

My salute to NASA and to the fellow employees and as well to the leaders, women, who have taken us into space.

I rise today as a proud cosponsor of H. Res. 450 which congratulates the National Aeronautics and Space Administration and the *Discovery* crew. Let me offer my own personal congratulations to this brave crew who returned NASA to flight and made history in our Nation through the advancement of aeronautics.

Being from the City of Houston, which is home to the Johnson Space Center, I take great pride in the accomplishments of NASA. I am proud to say that I was among the Congressional Delegation that was at Cape Canaveral for the anticipated launch. While the correct decision was made not to launch that day, this brave crew was able to successfully complete its mission. The launch of the Space Shuttle *Discovery* came more than 2 years after the tragic *Columbia* shuttle accident. The crew of the *Discovery* included astronauts Steve Robinson, Jim Kelly, Andy Thomas, Wendy Lawrence, Charlie Camarda, Eileen Collins and Soichi Noguchi. With implementation of the *Columbia* Accident Investigation Board recommendations completed, this crew of seven astronauts flew aboard Space Shuttle *Discovery* on mission STS-114 to test new safety techniques and deliver needed supplies to the International Space Station. Two crewmembers, Steve Robinson and Soichi Noguchi, ventured outside the Shuttle three times on spacewalks. The first demonstrated repair techniques on the Shuttle's protective tiles, known as the Thermal Protection System. During the second spacewalk, they replaced a failed Control Moment Gyroscope, which helps keep the station oriented properly. Finally, they installed the External Stowage Platform, a sort of space shelf for holding spare parts during Station construction. STS-114 will also be the third trip of the Multi Purpose Logistics Module (MPLM) named Raffaello to the Station. It's essentially a "moving van" that transports supplies to the orbital outpost.

I have consistently stated that since the *Columbia* shuttle accident, safety must be our number one priority. All Americans can look proudly upon the achievements of our space exploration when they look upon the crew of the Space Shuttle *Discovery*.

Truly, we as a Nation have come a long way in the area of space exploration since

President John F. Kennedy set the course for our Nation when he stated in a speech at Rice University in 1962: "We set sail on this new sea because there is new knowledge to be gained, and new rights to be won, and they must be won and used for the progress of all people. For space science, like nuclear science and technology, has no conscience of its own. Whether it will become a force for good or ill depends on man, and only if the United States occupies a position of pre-eminence can we help decide whether this new ocean will be a sea of peace or a new terrifying theater of war. . . . The great British explorer George Mallory, who was to die on Mount Everest, was asked why did he want to climb it. He said because it is there. Well, space is there, and we're going to climb it. And the moon and the planets are there. And new hopes for knowledge and peace are there. And therefore, as we set sail, we ask God's blessing, on the most hazardous, and dangerous, and greatest adventure, on which man has ever embarked." Our Nation has seen great tragedy and yet we continue to move forward because that is the only path that knowledge will accept; truly it is appropriate that this shuttle was named *Discovery*.

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

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from California (Mr. CALVERT) that the House suspend the rules and agree to the resolution, H. Res. 450, as amended.

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

A motion to reconsider was laid on the table.

#### CONGRATULATING NASA AND THE "DISCOVERY" CREW

Mr. CALVERT. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 441) to congratulate the National Aeronautics and Space Administration and the *Discovery* crew of Commander Eileen Collins, Pilot Jim Kelly, Mission Specialist Charlie Camarda, Mission Specialist Wendy Lawrence, Mission Specialist Soichi Noguchi, Mission Specialist Steve Robinson, and Mission Specialist Andy Thomas on the successful completion of their 14 day test flight to the International Space Station for the first step of the Vision for Space Exploration, begun from the Kennedy Space Center, Florida, on July 26, 2005, and completed at Edwards Air Force Base, California, on August 9, 2005. This historical mission represented a great step forward into the new beginning of the Second Space Age, as amended.

The Clerk read as follows:

H. RES. 441

Whereas the Space Shuttle Return-to-Flight is the first step in the Nation's Vision for Space Exploration;

Whereas the Space Shuttle *Discovery* Crew completed three highly successful extra-vehicular activity spacewalks;

Whereas the STS flight 114 accomplished the first in-flight heat shield repairs on the Space Shuttle;

Whereas the *Discovery* crew delivered more than 6 tons of needed supplies and equipment to the International Space Station;

Whereas *Discovery*'s spacewalkers removed a failed Space Station gyroscope and replaced it with a new one, restoring full capability of the Station's attitude control system;

Whereas the *Discovery* mission successfully used three different Canadian robotic extensions to conduct spacewalks and to survey the Shuttle: the Shuttle Canadarm; the Space Station Canadarm2; and the Orbiter Boom Sensor System;

Whereas the crew of the *Discovery* experienced "virtual" visits from leaders of 2 nations, the President of the United States and the Prime Minister of Japan; and

Whereas Commander Eileen Collins led the crew of 7 and guided the *Discovery* vehicle through an unprecedented back flip maneuver: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) commends the entire National Aeronautics and Space Administration team and community, who provided invaluable technical support and leadership for the historic mission of Space Shuttle *Discovery* STS flight 114;

(2) commends Commander Eileen Collins, for being the first female space shuttle commander and a role model for all;

(3) commends Col. Jim Kelly, pilot of STS 114, for his second flight aboard the Space Shuttle and his participation in robotic arm operations;

(4) commends Charlie Camarda, mission specialist, a "rookie" who performed like a veteran by transferring the multipurpose logistics module from the International Space Station to the Space Shuttle;

(5) commends Wendy Lawrence, mission specialist, for outstanding skill in operating Canadarm2;

(6) commends Soichi Noguchi of Japan, mission specialist, a "rookie" who was a "spacewalker" for the inspections and repairs of the Space Shuttle;

(7) commends Steve Robinson, mission specialist, for his outstanding skill as a "spacewalker," who enhanced and repaired *Discovery* and the International Space Station; and

(8) commends Andy Thomas, mission specialist, who performed the laser checks on the leading edge of the Space Shuttle by the operation of Canadarm2.

□ 1615

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to the rule, the gentleman from California (Mr. CALVERT) and the gentleman from Texas (Mr. AL GREEN) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. CALVERT).

GENERAL LEAVE

Mr. CALVERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Res. 441, the resolution under consideration.

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

There was no objection.

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

Today, we are paying tribute to real American heroes, the crew of the return-to-flight STS-114 Discovery shuttle mission and the NASA team and community on the ground. These heroes have the right stuff that inspires a Nation, from kids studying math and science, to all of us who are awed and inspired by NASA, and our astronauts.

When I introduced this resolution less than a week ago, we had such enthusiastic support that we quickly secured 55 bipartisan cosponsors who represent communities across the Nation. When we pass this resolution today, we plan to present a copy to each member of the *Discovery* crew as a token of the Nation's gratitude for their heroism.

We all worry about the competitiveness of this great Nation and the fact that our schoolchildren are less competitive in math and science than many of their international peers. Currently, the U.S. share of undergraduate and graduate degrees in sciences and engineering has been falling behind those of Asia and Europe. Intuitively, we know that we need to encourage our youth to study these challenging subjects, and with heroes like Commander Eileen Collins, Pilot Jim Kelly, Mission Specialists Charlie Camarda, Wendy Lawrence, Soichi Noguchi, Steve Robinson, and Andy Thomas, it is much easier to inspire American students to devote their time and studies to science, as we saw during the Apollo program.

The NASA family and this *Discovery* crew have initiated the first step of the Nation's Vision for Space Exploration. Last year, the President announced the Vision for Space Exploration which states that NASA will complete the International Space Station, will return to the Moon no later than 2020, and will extend human presence across the solar system and beyond. This week, NASA released its Exploration Architecture for this vision, which outlines the steps NASA plans to take in order to return to the Moon and explore our solar system over the next 13 years.

In the first space age, our Nation invested in the space program to gain global leadership during the Cold War. Now we are in the second space age, with our global competitiveness worldwide at stake. We must have the United States at the forefront in the exploration of our solar system and the global leader in the high-technology industries. Our preeminence in the world is dependent on our leadership in space.

We honor the STS-114 *Discovery* crew as true American heroes. They are strong men and women who motivate our children and inspire our Nation and the world. They have taken the historic first step of the Vision for Space Exploration and have brought us one step closer to our Nation's destiny.

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

Mr. AL GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to honor the brave crew of STS-114 for their hard work and dedication in carrying out the space shuttle's return-to-flight mission.

The astronauts of STS-114 did a superb job. They performed their tasks flawlessly, executing complex maneuvers, conducting several space walks, performing on-the-fly repairs, and delivering critically needed supplies to the International Space Station. In short, they made it look easy, but in fact we know that it was an extremely challenging mission.

I am pleased that this House is honoring their accomplishments today. At the same time, I think they would be the first to acknowledge that they did not do it alone.

The STS-114 crew was backed by a superb team on the ground who also deserve our praise. The engineers and support staff who made this mission possible should be equally proud of their accomplishments. Their hard work and long hours spent preparing for this mission are fully recognized and gratefully appreciated.

Thus, by our actions today, we thank all of those who are responsible, not just the astronauts, but the entire NASA team, thousands of dedicated men and women at NASA centers and at contractor facilities across the country. We thank them for their dedication and perseverance, and we want them to know that they are special to us.

NASA has made great strides since the tragic *Columbia* accident. While it is clear that additional work lies ahead, it is fitting that we take a moment to celebrate what has been accomplished thus far.

I would like to thank the gentleman from California (Chairman CALVERT) for his leadership in introducing this outstanding resolution, and I am honored to speak in support of it.

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

Mr. CALVERT. Mr. Speaker, I yield 2 minutes to the gentleman from upstate New York (Mr. BOEHLERT), the chairman of our committee.

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

Mr. BOEHLERT. Mr. Speaker, I will insert this wonderful statement, developed by a very capable staff, in the RECORD, but let me just speak a couple of minutes about something that I think is really important.

While we salute the magnificent team of people that made STS-114 possible, and I am not just talking about Colonel Collins and her crew, I am talking about all those dedicated professionals in NASA all over the country. They are a part of a team that developed the success story, but I want to salute the American taxpayers for supporting this mission with their hard-earned tax dollars.

A lot of people will say to me what is all this about space, this Buck Rogers stuff, flying in the heavens? I will tell my colleagues what it is about. It is about finding new ways, better ways, to do things for the most important planet in the universe, the one we live on, the planet Earth.

We derive so much from that investment in space right here at home on the planet Earth, and Colonel Collins and all the other team provide a constant source of inspiration to our young people to pursue career opportunities, to master the science and math disciplines. It is wonderful. And if the United States of America hopes to maintain its preeminent position in the international marketplace, we have got to do better. What better example of what can be achieved than the dedicated, committed, outstanding crew of Space Transportation System 114?

It is a pleasure for me to join my colleagues in congratulating them and all of their associates in the NASA family and all those contractors, all the thousands of people who made possible this wonderful success story.

I want to congratulate the entire NASA return-to-flight team and the seven members of the crew of STS-114 for the recent successful completion of their 14-day mission on the Space Shuttle *Discovery*. Specifically, I would like to congratulate Commander Eileen Collins, Pilot Jim Kelly, Mission Specialist Charlie Camarda, Mission Specialist Wendy Lawrence, Mission Specialist Soichi Noguchi (SO-ee-chee NO-gu-chee), Mission Specialist Steve Robinson, and Mission Specialist Andy Thomas on the successful completion of their test flight to the International Space Station.

We commend the crew for the risks they take in furthering our Nation's goals in space exploration and we recognize them for the fine examples they set in pushing back the frontiers of knowledge. This flight was the first since the *Columbia* accident more than 2½ years ago and represents the culmination of a tremendous amount of work by government and contractor engineers, scientists, technicians, and operators. This flight also brought more than six tons of much needed supplies to the International Space Station. The return-to-flight team and crew is to be congratulated for this important step in moving our Nation's human spaceflight program forward.

I would like to thank the Chairman of the Space and Aeronautics Subcommittee for introducing this resolution to recognize the significant achievements of the NASA team and the crew of STS-114.

Mr. AL GREEN of Texas. Mr. Speaker, I am honored to yield as much time as she may consume to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, let me thank my colleague for his leadership in bringing this resolution to the floor.

I rise to congratulate the National Aeronautics and Space Administration and the *Discovery* crew on their successful return to flight this spring and on the many hours of work leading up to that pivotal moment.

As a member of the House Committee on Science, I support NASA's commitment to science and technology research in space. It has been very successful. I also support the breakthroughs in aeronautics research that NASA has made over the years.

NASA research touches many aspects of our everyday lives such as satellite phone technologies, intensive care monitoring, highway safety, breast cancer biopsies, and hurricane observation technology, and I could go on.

To NASA and the *Discovery* crew, I say well done. I was really on pins and needles until they hit Earth safely.

Mr. CALVERT. Mr. Speaker, I yield such time as he may consume to the gentleman from Dallas, Texas (Mr. HALL).

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

Mr. HALL. Mr. Speaker, I rise in support of the resolution to congratulate NASA and the crew of the Space Shuttle *Discovery* on their very successful completion of their latest mission.

Mr. Speaker, I rise today in support of this resolution to congratulate NASA and the crew of the Space Shuttle *Discovery* on the successful completion of their latest mission to the International Space Station. Commander Eileen Collins, Pilot Jim Kelly, Mission Specialists Charlie Camarda, Wendy Lawrence, Soichi Noguchi, Steve Robinson, and Andy Thomas skillfully executed the 14-day mission in outer space.

This Space Shuttle mission was the first since the *Columbia* disaster two years ago. NASA learned a great deal from that accident, and this test flight two months ago helped the space agency learn even more. While in space, the crew completed three successful spacewalks, and accomplished the first in-flight heat shield repairs on the Shuttle. The two-week mission also encompassed the first "back flip maneuver" so that crew could take pictures of the underbelly of the Shuttle to determine if there was damage to the vehicle during lift-off.

The *Discovery* crew also delivered more than 6 tons of needed supplies and equipment to the International Space Station. While on the Station, "spacewalkers" Noguchi and Robinson replaced a failed gyroscope with a new one, thus restoring full capability of the Station's attitude control system. The crew also facilitated "virtual visits" from the President of the United States and the Prime Minister of Japan.

Returning the Shuttle to flight was the first step toward meeting the goals of the new Vision for Space Exploration—it helps America fulfill its promise to our international partners to complete the International Space Station. While the Shuttle's next return to space will be delayed for a few months as engineers work to redesign the tiles on the fuel tank, I am hopeful that we will soon be on our way back to the Station.

Just this week, NASA administrator Michael Griffin unveiled detailed plans for achieving the goal of returning to the moon by 2018 and pushing on to Mars beyond that date. I am particularly pleased that the plans include many crew safety mechanisms for the new space ship. Astronauts like the ones we are

honoring today, deserve our best efforts to ensure their safe journey into space and return to earth. Our hopes and dreams ride with them, and we must do all we can, at whatever cost is necessary, to ensure their safety.

I look forward to working with my colleagues to help make the Vision for Space Exploration a reality. With astronauts like the *Discovery* team and specialists and staff at NASA, America will continue to push frontiers and lead the world in space exploration and discovery.

Mr. AL GREEN of Texas. Mr. Speaker, I am honored to yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, again, I thank my fellow Texan for the time, and I rise to congratulate NASA and, of course, the *Discovery* crew for the outstanding work and for the history that they made.

It is history for the United States to be able to return to space. Though, we have had a longstanding commitment, and NASA has been the agency and arm and focal point of Americans', if you will, fascination with space and science and the wonderment of exploration, it is important to celebrate this *Discovery* crew, not only because of Eileen Collins, but because of the bravery which they showed.

One of the issues we have been grappling with and working with since the tragedy of both *Challenger* and *Columbia* is the issue of safety. Even in the most scrutinized of Space Shuttle *Discovery*, it was determined that there was a deficiency in the launch, and a difficult posture was set for those who were now on board and in space. The cool-headedness, the cohesion of the crew, the guiding hand of the commander and the work of the Kennedy Space Center staff and the Johnson Space Center staff and all of the others created this opportunity for a safe return.

At the same time, I think what *Discovery* proved to us is that there is no measure we should leave, no stone unturned as relates to safety, and I look forward to my colleagues moving forward on hearings to address the question of how we can be even more safe and move more resources toward the question of safety and research.

So my salute to the *Discovery* crew for what they have done not only for their places in history, but what they have done with respect to the United States return to flight and our first step toward the Nation's Vision for Space Exploration. We have now begun where we started in the 1960s, with CAMRA. We have never given up hope. We have never given up the light that space provides for our young people.

Might I say that I am excited by the interest of our committee in working on funding sources to be able to encourage more young people in America to take up the sciences; more girls, and certainly boys, but an emphasis on young girls and young women to go into geology and biology and chemistry and the earth sciences and astronomy

and to be able to be part of this new vision of science and exploration in the 21st century.

I thank the *Discovery* crew. I thank them for their place in history. I thank them for the place in history they have put America and Americans, and I thank them for helping us return to our vision and that is the Nation's Vision for Space Exploration. Congratulations to all and to their families.

Mr. CRAMER. Mr. Speaker, I rise today in support of House Resolution 441, congratulating the NASA STS-114 team on the successful completion of the historic test flight to the International Space Station.

I join my colleagues in applauding Commander Eileen Collins and her crew on the outstanding job they did onboard the Shuttle *Discovery*. This 14-day journey was one of the most complex space missions in the history of our Nation's space program. The crew successfully completed three spacewalks, and accomplished the first in-flight repair of the Shuttle's heat shield. They replaced a failed gyroscope onboard the Space Station, helping restore the capability to control the Station's position in orbit. The crew also successfully utilized the new Orbiter Boom Sensor System for the first time. This boom system gives NASA an unprecedented ability to examine the condition of the Shuttle once it reaches orbit. And after an extended grounding of the Shuttle fleet, the *Discovery* crew delivered more than 12,000 pounds of much needed supplies and equipment to the Station. *Discovery* and its crew also returned about 7,000 pounds of Station material back to Earth. All of us are very proud of their heroism and resolve during their mission.

I also congratulate the NASA team on the ground who worked day and night to ensure that this mission was a success, and as safe as possible. In Congress, I have the privilege of representing NASA employees and contractors at the Marshall Space Flight Center. I am proud of their hard work and dedication to making this *Discovery* flight as safe as possible.

Mr. Speaker, STS-114 was the first of two Return-to-Flight test flights. And NASA collected an unprecedented amount of test data from this flight. NASA will build on what it has learned from this *Discovery* mission as it prepares for the second test flight. There is much work yet to be done, but I believe that under the leadership of Administrator Mike Griffin, NASA is moving along the correct path.

Finally, Mr. Speaker, I want to take a moment to remember the brave crewmembers of the Shuttle *Columbia*. *Discovery's* successful mission, and the ongoing work towards the second Return-to-Flight test flight, represents our nation's ongoing commitment to the *Columbia* crew's spirit of exploration.

I strongly urge my colleagues to adopt this resolution.

Mr. DREIER. Mr. Speaker, I rise today in strong support of House Resolution 441, which congratulates the National Aeronautics and Space Administration and the Space Shuttle *Discovery's* crew for their recent 14-day test flight. The mission was an important step in returning the Shuttle to flight and toward meeting our obligations in completing the International Space Station. The many NASA employees and contractors who worked to make the flight safe and successful deserve our support and praise.

The Shuttle's successful flight lays the foundation for an exciting decade for NASA and an exciting time for everyone interested in space science and exploration. I am especially looking forward to several missions that NASA will undertake through the La Canada Flintridge-based Jet Propulsion Laboratory. As my colleagues well know, I have the privilege of representing JPL and I am a strong supporter of it here in Congress. JPL's missions have consistently generated public support and are a mainstay in NASA's scientific portfolio.

JPL's continued management of NASA's Mars program, which for the last year and a half has brought us the twin Rovers Spirit and Opportunity, has resulted in unprecedented success. In addition, the planned 2007 launch of the Phoenix Mars Scout and the 2009 launch of the Mars Science Laboratory will provide the country with a long-duration science laboratory that represents a major leap in space exploration. Specifically, MSL will collect soil samples and rock cores from Mars and analyze them for organic compounds and environmental conditions that could have supported microbial life in the past.

Through its work at JPL, NASA is also slated to begin two major missions that will give us greater insight into the origins of our universe. The first of these is the Space Interferometry Mission, or SIM PlanetQuest. Scheduled for launch in 2012, SIM will determine the positions and distances of stars several hundred times more accurately than any previous program. This precision will allow us to measure the distances to stars throughout the galaxy and to probe nearby stars for Earth-sized planets. The second mission, the Europa Orbiter, will discover whether an ocean exists beneath the surface of one of Jupiter's most interesting moons. This mission should launch in 2015.

JPL is also poised to conduct a series of missions that will examine Earth and lead to better predictions and understandings of our planet's climate. These missions include the launch of CloudSat later this year; the Ocean Surface Topography Mission and the Orbiting Carbon Observatory in 2008; and the 2009 launch of Aquarius, which will provide the first-ever global maps of salt concentrations on the ocean's surface. These missions will provide valuable insight into our planet's precipitation and weather patterns.

Each of JPL's current and future missions are an integral part of NASA's overall space exploration plan. With JPL's missions and other NASA initiatives, such as the agency's rollout of its new exploration architecture for returning to the Moon, there can be no doubt the next decade will be an exciting one.

In closing, Mr. Speaker, I want to again say that the most recent Shuttle mission is just another example of what NASA is doing right. I am pleased to join my colleagues today in congratulating the crew and look forward to another successful Shuttle mission in the near future.

Mr. WELDON of Florida. Mr. Speaker, I rise today with my colleagues to acknowledge the crew of STS-114 in their heroic mission to the International Space Station this past summer. Their mission was watched with awe and appreciation by the entire world. I am proud that so many of my constituents work with NASA and especially the Human Space Flight program.

Great nations explore. America has taken up this banner and has committed itself to

space exploration. We gain so much for our efforts. Space is of such a vital interest to our Nation from an economic and strategic vantage point. The Shuttle *Discovery* and her crew provided a vital support and logistics mission to the ISS. Their mission was an important part of our on-going exploration of space. I thank the crew and all of those who made the mission a success.

We have a wonderful new Vision for Space Exploration that includes a return to the Moon and eventually go onward to Mars. STS-114 played its own small, but critical part in that journey.

Mr. GORDON. Mr. Speaker, I rise today to honor the brave astronauts of STS-114, Space Shuttle *Discovery*. These astronauts, and the entire NASA team, should be very proud of their accomplishments.

The long hours of training and preparing paid off in the nearly flawless execution of multiple spacewalks and many other critical tasks on this mission, including delivering much needed supplies to the space station and performing unprecedented in-flight repairs.

Americans all across this country were riveted by the adventures of these men and women. In fact, there was so much interest that new internet records were set: more than two-and-a-half million people visited NASA's website over the course of this mission.

Many of those "hits" were children, tomorrow's explorers, who have found new heroes and role models in the crew of STS-114. By showing our children what they can accomplish, these astronauts inspire the next generation and encourage them to focus on science, engineering and technology—fields that are vital to our future economy and security.

The ability to inspire is, perhaps, the greatest benefit of our space program and this *Discovery* crew has provided inspiration for all of us.

It is fitting that we honor the crew of STS-114 and all of the NASA employees and contractors who are helping this Nation explore space. I thus am proud to be an original cosponsor of H. Res. 441, and I urge its adoption.

Mr. UDALL of Colorado. Mr. Speaker, heroes are those select few among us who are endowed with courage and strength, those who risk life and limb to further a cause greater than themselves. I rise today to honor seven such heroes, the astronaut crew of STS-114.

These men and women should be very proud of what they accomplished on this historic mission. Through their bravery and ingenuity they helped bring our manned space program back to life. After two-and-a-half years on the ground, we have finally returned to space to continue our exploration into the unknown.

Though our shuttle program still faces many challenges in the months and years to come, we are taking time today to acknowledge the progress NASA has been made thus far. I would like to thank those responsible, not just the astronauts, but the entire NASA team, thousands of dedicated men and women at NASA centers across the country, for their commitment.

In honoring the astronauts of STS-114, we should not forget those who came before them. By continuing our exploration of space, this mission continues their legacy. I am sure

that the brave souls who gave their lives aboard the *Columbia* would be very proud of this *Discovery* crew.

Their steps of progress will lead us into the next chapter of human exploration.

Thank you and I urge members to suspend the rules and pass this resolution.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. CALVERT) that the House suspend the rules and agree to the resolution, H. Res. 441.

The question was taken.

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

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

The yeas and nays were ordered.

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

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 4 o'clock and 29 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMMONS) at 6 o'clock and 30 minutes p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 3761, by the yeas and nays;

H. Res. 441, by the yeas and nays.

#### FLEXIBILITY FOR DISPLACED WORKERS ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3761, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. BOUSTANY) that the House suspend the rules and pass the bill, H.R. 3761, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 400, nays 0, not voting 33, as follows:

[Roll No. 476]

#### YEAS—400

Abercrombie	Delahunt	Johnson (IL)
Ackerman	DeLauro	Johnson, E. B.
Aderholt	DeLay	Johnson, Sam
Akin	Dent	Jones (NC)
Alexander	Dicks	Jones (OH)
Allen	Dingell	Kanjorski
Baca	Doggett	Kaptur
Bachus	Doyle	Keller
Baird	Drake	Kelly
Baldwin	Dreier	Kennedy (MN)
Barrett (SC)	Duncan	Kennedy (RI)
Barrow	Edwards	Kildee
Bartlett (MD)	Ehlers	Kilpatrick (MI)
Barton (TX)	Emanuel	King (IA)
Bass	Emerson	King (NY)
Bean	Engel	Kingston
Beauprez	English (PA)	Kirk
Becerra	Eshoo	Kline
Berkley	Etheridge	Knollenberg
Berman	Evans	Kolbe
Berry	Everett	Kucinich
Biggart	Farr	Kuhl (NY)
Bilirakis	Fattah	LaHood
Bishop (GA)	Feeney	Langevin
Bishop (NY)	Ferguson	Lantos
Bishop (UT)	Filner	Larsen (WA)
Blackburn	Fitzpatrick (PA)	Larson (CT)
Blumenauer	Flake	Latham
Blunt	Foley	LaTourette
Boehlert	Forbes	Leach
Boehner	Fortenberry	Lee
Bonilla	Fossella	Levin
Bonner	Fox	Lewis (CA)
Bono	Frank (MA)	Lewis (GA)
Boozman	Franks (AZ)	Lewis (KY)
Boren	Frelinghuysen	Linder
Boucher	Gallegly	Lipinski
Boustany	Garrett (NJ)	LoBiondo
Boyd	Gerlach	Lofgren, Zoe
Bradley (NH)	Gilchrest	Lowey
Brady (PA)	Gillmor	Lucas
Brady (TX)	Gingrey	Lungren, Daniel
Brown (OH)	Gohmert	E.
Brown (SC)	Gonzalez	Mack
Brown-Waite,	Goode	Maloney
Ginny	Goodlatte	Marchant
Burgess	Gordon	Markey
Butterfield	Granger	Marshall
Buyer	Graves	Matheson
Calvert	Green (WI)	Matsui
Cannon	Green, Al	McCarthy
Cantor	Green, Gene	McCaul (TX)
Capito	Grijalva	McCollum (MN)
Capps	Gutierrez	McCotter
Capuano	Gutknecht	McCrery
Cardin	Hall	McDermott
Cardoza	Harman	McGovern
Carnahan	Harris	McHugh
Carson	Hart	McIntyre
Carter	Hastings (FL)	McKeon
Case	Hastings (WA)	McMorris
Castle	Hayes	McNulty
Chabot	Hayworth	Meehan
Chandler	Hefley	Meek (FL)
Chocola	Hensarling	Meeks (NY)
Clay	Herger	Melancon
Cleaver	Herseth	Mica
Clyburn	Higgins	Michaud
Coble	Hinchey	Millender-
Cole (OK)	Hinojosa	McDonald
Conaway	Hobson	Miller (FL)
Conyers	Holden	Miller (MI)
Cooper	Holt	Miller (NC)
Costa	Honda	Miller, Gary
Costello	Hooley	Miller, George
Cramer	Hostettler	Mollohan
Crenshaw	Hoyer	Moore (KS)
Crowley	Hulshof	Moore (WI)
Cubin	Hunter	Moran (KS)
Cuellar	Hyde	Moran (VA)
Culberson	Inglis (SC)	Murphy
Cunningham	Inslee	Musgrave
Davis (AL)	Israel	Nadler
Davis (CA)	Issa	Napolitano
Davis (IL)	Istook	Neal (MA)
Davis (KY)	Jackson (IL)	Neugebauer
Davis (TN)	Jackson-Lee	Ney
Davis, Jo Ann	(TX)	Northup
Davis, Tom	Jefferson	Norwood
Deal (GA)	Jenkins	Nunes
DeFazio	Jindal	Nussle
DeGette	Johnson (CT)	Oberstar

Obey	Ruppersberger	Tauscher
Oliver	Ryan (OH)	Taylor (NC)
Ortiz	Ryan (WI)	Terry
Osborne	Ryun (KS)	Thomas
Otter	Sabo	Thompson (CA)
Owens	Salazar	Thompson (MS)
Oxley	Sánchez, Linda	Thornberry
Pascarell	T.	Tiahrt
Pastor	Sanchez, Loretta	Tiberi
Paul	Saxton	Tierney
Payne	Schakowsky	Turner
Pearce	Schiff	Udall (CO)
Pelosi	Schmidt	Udall (NM)
Pence	Schwartz (PA)	Upton
Peterson (MN)	Schwarz (MI)	Van Hollen
Peterson (PA)	Scott (GA)	Velázquez
Petri	Scott (VA)	Visclosky
Pickering	Sensenbrenner	Walden (OR)
Pitts	Serrano	Walsh
Poe	Shadegg	Wamp
Pombo	Shaw	Wasserman
Pomeroy	Shays	Schultz
Porter	Sherman	Waters
Price (GA)	Sherwood	Watson
Price (NC)	Shimkus	Watt
Price (OH)	Shuster	Waxman
Putnam	Simmons	Weiner
Rahall	Simpson	Weldon (FL)
Ramstad	Slaughter	Weldon (PA)
Rangel	Smith (NJ)	Weller
Regula	Smith (TX)	Westmoreland
Rehberg	Smith (WA)	Wexler
Reichert	Snyder	Whitfield
Renzi	Sodrel	Wicker
Reyes	Solis	Wilson (NM)
Reynolds	Souder	Wilson (SC)
Rogers (AL)	Spratt	Wolf
Rogers (KY)	Stark	Woolsey
Rogers (MI)	Stearns	Wu
Rohrabacher	Stupak	Wynn
Ross	Sullivan	Young (AK)
Rothman	Sweeney	Young (FL)
Roybal-Allard	Tancred	
Royce	Tanner	

#### NOT VOTING—33

Andrews	Ford	Pallone
Baker	Gibbons	Platts
Bilchrest	Hoekstra	Radanovich
Boswell	Kind	Ros-Lehtinen
Brown, Corrine	Lynch	Rush
Burton (IN)	Manzullo	Sanders
Camp	McHenry	Sessions
Cummings	McKinney	Skelton
Davis (FL)	Menendez	Strickland
Diaz-Balart, L.	Murtha	Taylor (MS)
Diaz-Balart, M.	Myrick	Towns
Doolittle		

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMMONS) (during the vote). Members are reminded they have 2 minutes remaining in which to cast their votes.

□ 1851

Mr. PAUL changed his vote from “nay” to “yea.”

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### ANNOUNCING THE BIRTH OF JACK KEVIN BARTON

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

Mr. BARTON of Texas. Mr. Speaker, we have had some catastrophes the last several weeks in our great Nation, but there is some good news. I am proud to report that the Sixth District of Texas has a new voter, at least in 18 years.

Jack Kevin Barton was born to my sweet wife, Terri, last Thursday evening at 7:06. He weighs 10 pounds, 4 ounces. He is in good health and is politically unaffiliated.

#### CONGRATULATING NASA AND THE “DISCOVERY” CREW

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 441.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. CALVERT) that the House suspend the rules and agree to the resolution, H. Res. 441, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 401, nays 0, not voting 32, as follows:

[Roll No. 477]

#### YEAS—401

Abercrombie	Conyers	Green, Al
Ackerman	Cooper	Green, Gene
Aderholt	Costa	Grijalva
Akin	Costello	Gutierrez
Alexander	Cramer	Gutknecht
Allen	Crenshaw	Hall
Baca	Crowley	Harman
Bachus	Cubin	Harris
Baird	Cuellar	Hart
Baker	Culberson	Hastings (FL)
Baldwin	Cummings	Hastings (WA)
Barrett (SC)	Cunningham	Hayes
Barrow	Davis (AL)	Hayworth
Bartlett (MD)	Davis (CA)	Hefley
Barton (TX)	Davis (IL)	Hensarling
Bass	Davis (KY)	Herger
Bean	Davis (TN)	Herseth
Beauprez	Davis, Jo Ann	Higgins
Becerra	Davis, Tom	Hinchey
Berkley	Deal (GA)	Hinojosa
Berman	DeFazio	Hobson
Berry	DeGette	Holden
Biggart	Delahunt	Holt
Bilirakis	DeLauro	Honda
Bishop (GA)	DeLay	Hooley
Bishop (NY)	Dent	Hostettler
Bishop (UT)	Dicks	Hoyer
Blackburn	Dingell	Hulshof
Blumenauer	Doggett	Hunter
Blunt	Doyle	Hyde
Boehlert	Drake	Inglis (SC)
Boehner	Dreier	Inslee
Bonilla	Duncan	Israel
Bonner	Edwards	Issa
Bono	Ehlers	Istook
Boozman	Emanuel	Jackson (IL)
Boren	Emerson	Jackson-Lee
Boucher	Engel	(TX)
Boustany	English (PA)	Jefferson
Boyd	Eshoo	Jenkins
Bradley (NH)	Etheridge	Jindal
Brady (PA)	Evans	Johnson (CT)
Brady (TX)	Everett	Johnson (IL)
Brown (OH)	Farr	Johnson, E. B.
Brown (SC)	Fattah	Johnson, Sam
Brown-Waite,	Feeney	Jones (NC)
Ginny	Ferguson	Jones (OH)
Burgess	Filner	Kanjorski
Butterfield	Fitzpatrick (PA)	Kaptur
Buyer	Flake	Keller
Calvert	Foley	Kelly
Cannon	Forbes	Kennedy (MN)
Cantor	Fortenberry	Kennedy (RI)
Capito	Fossella	Kildee
Capps	Fox	Kilpatrick (MI)
Capuano	Frank (MA)	King (IA)
Cardin	Franks (AZ)	King (NY)
Cardoza	Frelinghuysen	Kingston
Carnahan	Gallegly	Kirk
Carson	Garrett (NJ)	Kline
Carter	Gerlach	Knollenberg
Case	Gilchrest	Kucinich
Castle	Gillmor	Kuhl (NY)
Chabot	Gingrey	LaHood
Chandler	Gohmert	Langevin
Chocola	Gonzalez	Lantos
Clay	Goode	Larsen (WA)
Cleaver	Goodlatte	Larson (CT)
Clyburn	Gordon	Latham
Coble	Granger	LaTourette
Cole (OK)	Graves	Leach
Conaway	Green (WI)	Lee

Levin	Osborne	Sherwood
Lewis (CA)	Otter	Shimkus
Lewis (GA)	Owens	Shuster
Lewis (KY)	Oxley	Simmons
Linder	Pascarell	Simpson
Lipinski	Pastor	Skelton
LoBiondo	Paul	Slaughter
Lofgren, Zoe	Payne	Smith (NJ)
Lowey	Pearce	Smith (TX)
Lucas	Pelosi	Snyder
Lungren, Daniel E.	Pence	Sodrel
	Peterson (MN)	Solis
Mack	Peterson (PA)	Souder
Maloney	Petri	Spratt
Marchant	Pickering	Stark
Markey	Pitts	Stearns
Matheson	Platts	Stupak
Matsui	Poe	Sullivan
McCarthy	Pombo	Sweeney
McCaul (TX)	Porter	Tancredo
McCollum (MN)	Price (GA)	Tanner
McCotter	Price (NC)	Tauscher
McCrery	Pryce (OH)	Taylor (NC)
McDermott	Putnam	Terry
McGovern	Rahall	Thomas
McHugh	Ramstad	Thompson (CA)
McIntyre	Rangel	Thompson (MS)
McKeon	Regula	Thornberry
McKinney	Rehberg	Tiahrt
McMorris	Reichert	Tiberi
McNulty	Renzi	Tierney
Meehan	Reyes	Turner
Meek (FL)	Reynolds	Udall (CO)
Meeks (NY)	Rogers (AL)	Udall (NM)
Melancon	Rogers (KY)	Upton
Mica	Rogers (MI)	Van Hollen
Michaud	Rohrabacher	Velázquez
Millender-	Ross	Visclosky
McDonald	Rothman	Walden (OR)
Miller (FL)	Roybal-Allard	Walsh
Miller (MI)	Royce	Wamp
Miller (NC)	Ruppersberger	Wasserman
Miller, Gary	Ryan (OH)	Schultz
Miller, George	Ryan (WI)	Waters
Mollohan	Ryun (KS)	Watson
Moore (KS)	Sabo	Watt
Moore (WI)	Salazar	Waxman
Moran (KS)	Sánchez, Linda T.	Weiner
Moran (VA)	Sanchez, Loretta	Weldon (FL)
Murphy	Saxton	Weldon (PA)
Musgrave	Schakowsky	Weller
Nadler	Schiff	Westmoreland
Napolitano	Schmidt	Wexler
Neal (MA)	Schwartz (PA)	Whitfield
Neugebauer	Schwarz (MI)	Wicker
Ney	Scott (GA)	Wilson (NM)
Northup	Scott (VA)	Wilson (SC)
Norwood	Sensenbrenner	Wolf
Nunes	Serrano	Woolsey
Nussle	Shadegg	Wu
Oberstar	Shaw	Wynn
Obey	Shays	Young (AK)
Olver	Sherman	Young (FL)
Ortiz		

## NOT VOTING—32

Andrews	Hoekstra	Pomeroy
Boswell	Kind	Radanovich
Brown, Corrine	Kolbe	Ros-Lehtinen
Burton (IN)	Lynch	Rush
Camp	Manzullo	Sanders
Davis (FL)	Marshall	Sessions
Diaz-Balart, L.	McHenry	Smith (WA)
Diaz-Balart, M.	Menendez	Strickland
Doolittle	Murtha	Taylor (MS)
Ford	Myrick	Towns
Gibbons	Pallone	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMMONS) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1912

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title of the resolution was amended so as to read: "To congratulate the National Aeronautics and Space Administration and the *Discovery* crew of Commander Eileen Collins, Pilot Jim Kelly, Mission Spe-

cialist Charlie Camarda, Mission Specialist Wendy Lawrence, Mission Specialist Soichi Noguchi, Mission Specialist Steve Robinson, and Mission Specialist Andy Thomas on the successful completion of their 14 day test flight to the International Space Station for the first step of the Vision for Space Exploration, begun from the Kennedy Space Center, Florida, on July 26, 2005, and completed at Edwards Air Force Base, California, on August 9, 2005, which historical mission represented a great step forward into the new beginning of the Second Space Age."

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. ANDREWS. Mr. Speaker, I regret that I missed two votes on September 20, 2005. Had I been present I would have voted "yes" on rollcall Nos. 476 and 477.

## PERSONAL EXPLANATION

Mr. BURTON of Indiana. Mr. Speaker, I was regrettably delayed in my return to Washington, DC, from a meeting with Nicaraguan President Bolaños in Managua, and therefore unable to be on the House Floor for rollcall votes 476 and 477. Had I been here I would have voted "yea" on rollcall vote 476, and "yea" on rollcall vote 477.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 250, MANUFACTURING TECHNOLOGY COMPETITIVENESS ACT OF 2005

Mr. GINGREY, from the Committee on Rules, submitted a privileged report (Rept. No. 109-227) on the resolution (H. Res. 451) providing for consideration of the bill (H.R. 250) to establish an interagency committee to coordinate Federal manufacturing research and development efforts in manufacturing, strengthen existing programs to assist manufacturing innovation and education, and expand outreach programs for small and medium-sized manufacturers, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1915

## HONORING TIANNA MADISON

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

Mr. BROWN of Ohio. Mr. Speaker, I rise today to recognize a distinguished Ohioan, Tianna Madison. In August, Ms. Madison, a graduate of Elyria High School, won the long jump at the World Track and Field Championships held in Helsinki.

A nine-time State champion, Ms. Madison shocked the world when she leaped 22 feet, 7¼ inches to win the title, defeating Russian Olympic silver medalist Tatyana Kotova.

During her senior year in high school, Ms. Madison became only the third athlete in Ohio history to capture four events in a State meet 2 years in a row. The first was another long jumper, Jesse Owens.

At 19, Ms. Madison is one of the youngest-ever world track champions. When asked by the Plain Dealer if she was surprised by her stunning performance, she replied, "I expected it. I prayed about it. I knew it was going to happen. I just did not know which year."

Mr. Speaker, it is my honor to congratulate Tianna Madison on her remarkable achievement.

## PERSONAL EXPLANATION

Ms. WOOLSEY. Mr. Speaker, I was unavoidably detained and missed roll call vote 471 and 472 on Thursday of last week. Had I been present, I would have voted nay on roll call 471, and nay on roll call 472.

## SPECIAL ORDERS

The SPEAKER pro tempore (Mr. SIMMONS). Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

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

## EXCHANGE OF SPECIAL ORDER TIME

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Minnesota (Mr. GUTKNECHT).

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

There was no objection.

## COST OF E85 FUEL AND UNLEADED FUEL

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

Mr. OSBORNE. Mr. Speaker, I am certainly a great supporter of the ethanol industry. Ethanol does a great many good things. It reduces our dependence on foreign oil. It reduces the trade deficit, which is certainly a very difficult problem for our economy. It reduces the cost of the farm bill. And it helps the economy, creates roughly 200,000 jobs. And, of course, it also produces more energy than it consumes.

Mr. Speaker, this is something that is widely misunderstood. And I would like to show the chart here, Mr. Speaker, that I think illustrates something



that many people do not realize. For every BTU of energy that goes into the process of making ethanol, you get roughly 1.4 BTUs of energy back.

On the other hand, with gasoline, for every BTU that you put into the input cost into the manufacturing, you get eight-tenths of a BTU back. An MTBE which, of course, is a fuel additive, for every one unit of energy you get sixty-seven hundredths back.

Now the reason for that is that ethanol harnesses the energy of the sun, as corn grows. And so it is a net savings. And so a lot of good things about ethanol, a lot of things that are positive.

However, there are some things that have occurred here recently that are rather disturbing at the present time, and I think that this following chart pretty well illustrates this. We had assumed that since ethanol is made from corn, corn prices are low. In Nebraska recently, the price of a bushel of corn was \$1.54. And a good price would be maybe \$3 a bushel. So corn is very, very low right now. That is the primary ingredient to make ethanol.

We have heard about the refinery capacity being reduced. And that has been a problem that has caused gasoline prices to spike. But ethanol is not dependent, largely, upon the refinery industry.

Fifteen percent of E85 is gasoline. The other 85 percent is ethanol, which is made at an ethanol plant, which is really distributed mostly across the Midwest. So the hurricane had absolutely no effect on most of the cost of ethanol, and yet we find these things to be true.

On August 1 of 2005, in North Platte, Nebraska, the cost of E85, 85 percent ethanol, was just slightly under \$2; \$1.99 a gallon. In Lincoln, Nebraska it was \$2.04. So, pretty close; just a 5 cent spread.

However, by September 19, yesterday, that price had risen dramatically. North Platte was \$2.69 a gallon, which was a 70 cent increase. Lincoln, Nebraska was \$3.09, which was \$1.05.

Again, we understand that there is a shortage of fuel. We realize there are refinery problems. But ethanol should be pretty much insulated from those problems. So it is very difficult for those of us who are fairly close to that industry to understand how in the world we could see those kinds of increases in such a short period of time.

By the same token, the cost of unleaded fuel, with no ethanol in it, actually was cheaper in North Platte and Lincoln by 10 cents and 40 cents a gallon, and this is unheard of, because normally E85 should run 30, 40, 50, even 60 cents a gallon cheaper, because there is a 51-cent tax credit for ethanol because of the fact that it does rely primarily on corn, which is a domestically produced commodity.

So anyway, we are quite concerned about this. We have asked people to look into this. I believe that the Energy and Commerce Committee is will-

ing to take a look at it, the volatility of fuel prices and the fact that this is really very damaging to our economy.

It is very damaging to our farm economy, particularly, and they are the ones that produce the ethanol. So this is really something that is very puzzling and something that we are hoping that Congress, particularly the Energy and Commerce Committee, can get to the bottom of.

#### ANNIVERSARY OF ASSAULT WEAPONS BAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

Mrs. MCCARTHY. Mr. Speaker, just over a year ago, Congress allowed the Federal ban on assault weapons to expire without a floor vote. The ban was allowed to die despite the support of two-thirds of the American people and the support of nearly every police organization in the country. And although he did nothing to help, President Bush even said he supported the ban. But Congress refused to listen to common sense and allowed weapons such as AK-47s and Tec-9s to be available throughout the United States.

Since then, the NRA and its allies in Congress have pursued a radical agenda to weaken our gun laws. In July, the other body passed legislation giving the gun industry unprecedented protections from negligent lawsuits. This legislation will see that negligence goes unpunished.

It will also give the industry no incentive to pursue safety innovations for their products. Had these protections been in place for the auto industry 40 years ago, cars would not have seat belts, air bags, antilock brakes.

The NRA says this law will prevent frivolous lawsuits against the gun industry. But it is a problem that does not exist. Over the past 10 years, over 10 million lawsuits have been filed in the United States. Only 57 have involved the gun industry. And only 12 of those have been ruled frivolous by judges.

The current system works. Frivolous lawsuit against the gun industry are not coming to trial. Also, the NRA has begun a lobbying campaign to convince State legislatures to overturn workplace gun laws. Whether it is at a day care center or school, church or hazardous material plant, the NRA wants employees to come to work armed.

Again, it defies common sense. Guns are already the third greatest hazard in the work field. Seventeen Americans die in the job because of guns each and every week. Instead of dismissing irresponsible business practices and allowing guns in day care centers, Congress should focus on legislation that keeps illegal guns out of the hands of criminals and terrorists.

We need to give gun law enforcement the tools to enforce current gun laws. According to the Department of Jus-

tice, only 2 percent of Federal gun crimes are enforced. I have introduced legislation to improve the National Instant Background Check System, or NICS, to make sure people who are not allowed to own guns cannot access them.

NICS is a database used to make sure potential gun buyers are legally permitted to own firearms. But the system is only as good as the information States provide. Twenty-five States have entered less than 60 percent of their felony convictions into the NICS database.

In 13 States, domestic violence restraining orders are not entered into the NICS system. My bill will require States and Federal agencies to provide the FBI with all relevant records necessary to conduct effective background checks.

The bill estimates a nationwide grant program to allow State law enforcement agencies to update and transmit records for inclusion into NICS.

Another step towards reducing the threat of gun violence is to include individuals on the Federal terrorist watch list in the NICS system. That individuals with known terrorist ties are allowed to buy guns, with no questions asked, represents a serious threat to our homeland security.

Earlier this year, the United States Government Accountability Office issued a report revealing 44 instances of persons listed on Federal terrorist watch lists attempting to purchase firearms from gun shows during a 4-month period in 2004. Thirty-five of these transactions resulted in a successful purchase of a firearm.

Our current law allows our enemies in the war on terror to arm themselves within our own borders. I have introduced legislation to place persons on the Transportation Security Administration's no-fly list into the NICS system. If we do not trust an individual to board a plane, common sense dictates that we should not allow them to buy guns.

Both sides of the gun issue have a vested interest in reducing gun violence. In 2002 alone, guns killed over 30,000 Americans. Each year, gun violence kills more of our children than cancer, pneumonia, asthma, AIDS, and the flu combined.

Studies show gun violence costs our health care system more than \$100 billion a year. Mr. Speaker, we must work together to achieve commonsense solutions to violence, without infringing on the second amendment rights of law-abiding citizens.

#### UNEQUAL TAXATION HURTS EDUCATION

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

Mr. BISHOP of Utah. Mr. Speaker, in a prior existence, I spent eight terms in the Utah legislature and 28 years as a

public classroom teacher. And in both of these situations I recognized, first of all, as a legislator, the capacity of the State to fund public education. And as a teacher, I understood firsthand the need for adequate funding of education. And it seemed as if in all cases there was some gigantic blockage that made it impossible for those two needs to kind of coalesce together.

Well, today I am a Member of this august body, I am a member of the Federal Government, and I have identified what I think is that blockage that made it so difficult to bring these two needs together. That blockage is we. It is the Federal Government. It is the amount of land that the Federal Government owns.

Like a dam in a creek that artificially stops the flow of water in that creek, there is a dam on the stream of funds for kids, and that dam is the biggest landowner this side of the Soviet Union: we, the Federal Government.

Let me try and illustrate what I am talking about. If you look at this first map, notice the States that are in red. These are the States that have the most difficult time of increasing their funds and their commitment to public education. And you will notice that these red States are predominately in the West. Twelve of the 15 States with the slowest growth in public education funding are actually found in the West. And it is a significant difference.

These Western States have an increase of around 33 percent in their funding growth of education, whereas the Eastern States have a 68 percent increase in their growth of funding.

Let us try the next one. If you look at the kind of concept of class size, once again if you look at the States that are in red, those are the States with the largest class size. And it is a significant difference, as much as an average of 3 per class in each of those particular States.

Let me try the third one as well. If you look at the need for public education funding, the States once again in red are the States where the need is greatest.

□ 1930

The States in red, those in the West have a 3 percent growth rate in their population going into public education. The East this year for the first time got up to zero percent. They had been the negative number system before that time. So why is this situation where the States in red, those in the West, are always having a difficult time in funding of education? It is not because they do not tax as much.

If you look at the western States, their total State and local taxes are equal to or higher than those in the East. And it is not because they do not have a commitment to education. If you look at the percentage of their budget that goes to education, it is once again a higher ratio almost by .6 percent higher in the West than it is in the East.

If the West is taxing as much, if they are as committed in their budget, if they have the need, yet their class sizes are high and they cannot fund the education that happens to be there, then what seems to be the problem? What is this obstacle?

I happen to think that I found at least a prima facie case for a correlation, and it is land. If you draw an imaginary line between Montana to New Mexico, everything west of that line, 52 percent of that is owned by the Federal Government. Go east of that line and only 4 percent is owned by the Federal Government. Let us try this next map and you will see what I mean.

Everything indicated in blue is the amount of each State owned and controlled by the Federal Government. If you make a correlation with those States having a difficult time funding their educational system and the amount of land owned by the Federal Government, you see an amazing correlation. The problem lies at the feet of the Federal Government. The enormous amount of land owned and controlled by the Federal Government is the reason why those States in the West are basically in the back of the financial bus for education.

Land has historically been the mechanism of funding education by States. The State of George in 1777 was the first State that actually offered opportunities to try to assist those local communities. The State of Connecticut actually sold 3 million acres of land to fund their education system. Of course it was land that was in Ohio which they claimed at the time; but even though it was not their State, at least they were selling something. Close enough for government work.

The State of Texas, you will notice, has very little land owned by the Federal Government because when they were admitted they kept their land; but immediately they set aside 17,000 acres by the State to put in a trust fund to pay for their public education programs and systems.

It goes back to when Henry VIII closed down the monasteries and redistributed the land. One of the conditions for redistributing that land was they would take the traditional role of that monastery land and help to fund the purposes of education.

There are four ways in which land connects with public education funding: through school trust lands, through royalties from land, through the enacting clause promised western States, and, fourth, through property tax.

Let me talk about a few of those for just a moment. Property tax. It is obvious those in the West do not have the property to tax. If you were to change the situation around and simply say four percent of the West should be owned by the Federal Government and put the price at about \$525 an acre, that is an average, and up it at the lowest tax rate, this is what the result would be. This is the amount of money

that each western State would have additionally that they could raise by themselves to fund public education. My State of Utah would have \$116 million. California, \$110 million. Alaska would have \$782 million, and that is only the portion that would deal with the funding of education.

There is another concept that should be involved here. When every one of these western States was made a State, there was a clause in their enabling language that said the land should be given to the Federal Government until such time as the Federal Government shall dispose of the land.

With that, Mr. Speaker, I will come back at another time and review some of these issues with you. But there is a need to recognize the situation in the West. And there is a need to understand that the West is being treated unfairly, and it goes back to this problem of public ownership with the West. At some time, there needs to be a solution to this problem.

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

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

#### EXCHANGE OF SPECIAL ORDER TIME

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Oregon (Mr. DEFAZIO).

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

There was no objection.

#### BETRAYAL OF AMERICAN VALUES

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

Mr. BROWN of Ohio. Mr. Speaker, for too long we have borne witness to relentless attacks on America's poor and working families. Abandoned by corporate America, betrayed by the political right, largely ignored by the mainstream media, our Nation's poor have become little more than an afterthought, most recently evidenced by what we saw in the aftermath of Hurricane Katrina.

While productivity is up in this country, while profits are up in this country, wages are falling, and poverty is increasing. Since 1973, not coincidentally the year that America went from a trade surplus into a trade deficit, since 1973 the average worker has seen her wages or his wages go up about 10 percent in real dollars while that worker's productivity has increased about ninety percent. Productivity up ninety percent, wages up only 10 percent.

It used to be in this country since World War II that when productivity went up, workers' wages went up roughly the same amount. And this is the key, that workers shared in the wealth they created for their employers. So productivity jumped up 90 percent, wages went up only 10 percent, profits skyrocketed for employers. Workers have not shared in the wealth they create.

An August census report revealed around the same time as Hurricane Katrina that in the United States the number of uninsured Americans has increased dramatically as has the number of families living below the poverty line; 1.1 million Americans dropped into poverty in 2004 alone, 2 million more Americans enrolled in Medicaid that year. Yet in the face of growing poverty and the rising number of uninsured Americans, this administration and Republican leadership are demanding that we cut \$10 billion, that is billion with a B, \$10 billion from Medicaid.

Think about that again. More and more people need Medicaid, not just because of Katrina but because of layoffs, because of plants closings like Michigan, in my State of Ohio, other places, because more and more employers are dropping their coverage. The congressional response is cutting Medicaid by \$10 billion so that the President and Republican leadership can give tax cuts to the wealthiest 1 percent of people in this country.

Think about that. That is a choice. We give tax cuts to the wealthy, more tax cuts to the wealthiest 1 percent. The way to pay for it is to cut Medicaid by \$10 billion. That is a choice that politicians and elected officials made. Give tax cuts to the wealthiest people. Cut programs like Medicaid that really matter for people who have lost their jobs, for the working poor, for people that have suffered from Katrina, for all the reasons that people have been down on their luck.

Household incomes fell for the fourth year in a row in 2004, something that has not happened since the Depression. In every segment of the American society except for the very wealthy, every segment has seen income decline in the last 5 years. America's men and women working full-time, the recent productivity is up; but they are not sharing in the wealth they create.

The number of people living in poverty increased by 1.1 million people. The infant mortality rate in this country is rising. The infant mortality rate in Washington, DC, is twice the infant mortality rate in Beijing. The infant mortality rate in this country went up last year for the first time since 1958. Our Nation cannot survive as a thriving democracy under policies that rely on trickle down economic theories.

Now, 2 weeks ago President Bush signed an executive order that will allow companies that win Federal no-bid contracts, Halliburton, Bechtel, some of the other friends of the Presi-

dent's and the Vice-President's, his executive order will allow those companies to pay less than the prevailing wage. We give them unbid contracts and huge profits, as they have had in Iraq. They will have these huge contracts in Mississippi, Louisiana, and Alabama; and yet they are exempt from paying the prevailing wage.

When government should be in its most proactive to ensure the return of a thriving economy, this administration is actively working to lower wages. The community hit hardest by Katrina is the working poor. These men and women will literally do the heavy lifting and the rebuilding of Louisiana, Alabama, and Mississippi. Yet the President is saying, Cut their wages.

Cheating workers out of fair wages robs them of the ability to take ownership in their community. The goal should be to put wealth in those communities from people that are working and rebuilding those communities. One must ask why the President would depress wages for a community in crisis. Cutting wages for people who are struggling to rebuild their lives is a betrayal of American values. The President of the United States should know better.

#### PLEDGE POLICE

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

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

Mr. Speaker, this simple, powerful statement is a patriotic phrase defining what we are all about as citizens of this Republic. It is being said in school yards across America every day. In some States it is the State law that it be said. In Texas, for example, it is required along with the Texas State pledge and a moment of silence each day. This is observed by students and by teachers. But not every school child may say it. In fact, some are actually forbidden to say it because it mentions, heaven forbid, under God.

A member of the pledge police, a Federal judge in California, has issued his decree denouncing the pledge and forbidding it in some school districts in California because some adult atheist has become offended. The atheist, mind you, is not a student in any school, just an offended individual that has convinced the pledge police to stop the pledge from being uttered in schools because he is offended.

It has become the habit of the offended to use the Federal courts to change the majority will of the people, claiming the conduct of the majority of Americans is unconstitutional because it is offensive.

Okay, Mr. Speaker, what constitutional violation has occurred here?

Some claim the first amendment is violated by kids saying the pledge because of the theological phrase "under God." Let us examine this.

The first amendment reads in part: Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.

First of all, assume the pledge establishes religion. Congress has not made any law about the pledge, but our Federal courts have taken the word "Congress," reinterpreted that phrase, and applied it universally to all governments, including school boards. By what authority do Federal courts expand the word "Congress" to include all government entities?

Well, because they make words mean something more than they really mean by twisting simple concepts in the Constitution to mean difficult concepts for us people to understand. It is also necessary to understand that our Forefathers put the phrase in the Constitution to prevent a State and national religion like what was occurring in England at the time.

So are the atheists and the pledge police Federal judges seriously really thinking that the phrase "under God" is equivalent to establishing a national religion in the United States?

Well, my question for them is, what exactly would that religion be? Too bad the court did not enlighten us simple Americans what national religion the pledge establishes. But our Federal judges here have systematically tried to remove any mention of a divine being in the public sector by claiming any mention of God establishes a national religion. This defies common sense and makes the first amendment say something it does not say.

By the way, if this phrase is purely a religious one, why does the pledge police judge not read the second half of the first amendment that says, the government may not prevent the free exercise of religion? By banning the pledge if it is religious, does not this judge violate the free exercise of religion? That phrase is in our first amendment as well. It does seem so to me.

The pledge, when stated and looked at objectively, is a statement of patriotic duty and affirmation to America, to truth and liberty and justice. It is not purely a religious statement. It is a statement of civic duty and responsibility and national pride.

So what is next, Mr. Speaker? Are the pledge police going to ban the pledge we say each day here in the House of Representative? We shall see about that.

The real issue here is not the forbidding of the Pledge of Allegiance by our courts. It is more serious than that. It is the new constitutional right that is being invented and conceived in the minds of the far-fetched Federal elites that is not even in the Constitution at all, but the Constitution is being used as excuse to invent this new right. It is the right not to be offended.

If I am offended by what you say or do or by what the government says or does, I can go to court and sue you because I am offended. This atheist was offended by a bunch of school kids, by their mere utterance of the Pledge of Allegiance. So he goes and sues and convinces a judge to protect his right not to be offended. So no more offended words, so no more pledge. This is an example of the new phantom constitutional right of freedom from being offended.

Mr. Speaker, I was a felony court trial judge in Houston for over 20 years. I heard thousands of cases. All of those were based on the United States Constitution. But the last time I checked in the Constitution, freedom from hurting someone's feelings was not included in the Constitution. So in truth this is the right that was allegedly violated by those kids in California. They offended someone, they hurt someone's feelings, and now they have to stop.

This is a dangerous movement, but this mysterious right is not in the Constitution. But the right of free speech, Mr. Speaker, is in the Constitution. And I say to those kids in California, your right of free speech was violated by the pledge policeman when he issued his pronouncement against you mentioning "under God."

So now you may proudly say the pledge each morning in a closet or in silence, and when you get to that phrase "with liberty and justice for all," just remember you lost some of your liberty by this ruling, and it certainly is not justice for all but only for those who are offended. Mr. Speaker, this ought not to be.

□ 1945

#### IRAQ HEARING

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

Ms. WOOLSEY. Mr. Speaker, last Thursday, September 15, we held an informal congressional hearing to discuss and explore a military withdrawal from Iraq. It was called "The Bipartisan Congressional Forum on How to Bring the Troops Home." It was the first of its kind and it was about time.

I had hoped that the House Committee on Armed Services or the House Committee on International Relations would have taken up the matter, but repeated calls for such hearings have fallen on deaf ears. So, with the help of my colleagues and with many others and also my wonderful staff, we went about putting together this very needed hearing.

In so doing, we knew absolutely that opposition to the war is a stance that is firmly in the political mainstream. Less than 40 percent of Americans, according to the recent polls, approve of the President's handling of Iraq, and

roughly half want to see our troops come home as soon as possible. With this being an American sentiment comes responsibility to be more than a protest movement.

We also knew that we needed to offer sound, thorough policy proposals that could turn our deeply held convictions into operational reality, and that is what Thursday's hearing was all about. This was not an opportunity for placard waving, though there is certainly a time and a place for that. We were more interested in how to bring our troops home, rather than why.

We heard from a broad range of experts, from scholars and military strategists. We heard from Senator Max Cleland from Georgia.

We started with an overview of the situation on the ground, including a perspective on the lives of Iraqis under U.S. occupation. Later, we heard about specific ways that we can pivot away from the current policies, ending our military presence in Iraq and bringing our troops home. From there, we transitioned into a discussion of what next. I have always insisted that ending the war does not and cannot mean abandoning Iraq and its people.

Believing in the principle underlying Colin Powell's "Pottery Barn Rule," and that even if it was the Bush administration policy that broke it, at the very least we must play a constructive role in the rebuilding of Iraq.

Most of all, Thursday's hearing was designed to inspire a long overdue national conversation about alternatives to the current Iraq policy.

Our goal was to fill the policy vacuum and break the silence on Capitol Hill where, frankly, Members of Congress have been slow to embrace the fresh thinking and new approaches to Iraq that their constituents are eager to discuss and are eager to hear. For too long, for a number of reasons, this debate has been ceded to the Bush administration, even as they have produced a bloody and ruinous debacle.

Thursday's hearing demonstrated that we want to do more than just say no to the war in Iraq. We want to say yes to a new, intelligent, progressive, peaceful Iraq policy that will both protect the American people and fulfill our obligations to the Iraqi people. Chief among these obligations is to ensure that the United States does not maintain a long-term military presence in Iraq. That means no permanent bases and no control over Iraqi oil.

From our witnesses, it was clear: We need to engage in an open and robust dialogue, both at home and in Iraq. They agreed that multiparty peace talks are the best way to convince all factions of Iraqis that we are serious about allowing them to dictate their country and rebuild it, and, most important of all, the need for a commitment to bring the U.S. troops home. The truth is that our military presence in Iraq is contributing to the chaos there, not alleviating it. By bringing our troops home, we can save both

American and Iraqi lives and we can reunite thousands of American families in the process.

Mr. Speaker, my hope is that last week's hearing will serve as a catalyst for elected officials, for think-tanks and others around the country to join in a dialogue about military disengagement from Iraq, that the hearing will start a discussion that has been long, long overdue. The time for action in Iraq is now. So let us start taking action.

#### UNIVERSITY OF WEST GEORGIA

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

Mr. GINGREY. Mr. Speaker, I rise today to share one of the many stories of human compassion and generosity that have emerged in the aftermath of Hurricane Katrina.

Organizations across the 11th District of Georgia are working hard to assist Katrina's victims, and the State University of West Georgia in Carrollton is a shining example. As evacuees from the gulf coast began making their way north into our State, the University of West Georgia community realized these victims needed shelter, food, and support immediately.

So the university arranged to house 180 evacuees, including 80 children, in Roberts Hall, an empty dorm in the middle of campus. Dormitory living is now providing these families with the privacy and security they need to begin piecing their lives back together.

But the State University of West Georgia did not just house these evacuees. The community understood that shelter was only the first step to helping these victims get back on their feet. So the university and Carroll County community mobilized all their resources to assist their adopted residents.

The health services staff and nursing department faculty worked to provide the victims with health care services. The university opened its computer labs, and volunteers helped victims locate family members and find relief resources. The community came together to provide food, clothing, personal necessities, and home items for their guests, and local organizations are helping many of these victims find work in the area.

Mr. Speaker, it would have been more than enough for the University of West Georgia and Carroll County residents to house, feed and clothe these victims, but this generous community wanted to do more. They wanted to help these victims get their lives back together and start them on the path to recovery.

So the Carrollton public school system quickly registered children so they would not fall behind in their education. Because a college dormitory is only a temporary living situation, the Carroll County Housing Authority is

helping these evacuees locate more permanent housing in West Georgia. Counselors and social workers are on the university's campus every day helping victims access both emotional and financial resources.

Perhaps what is most inspiring, Mr. Speaker, is the way the West Georgia student body has gotten involved. Students are supervising play activities for the children. They are helping school-aged kids with their homework every night. Campus organizations are planning social and recreational activities for the evacuees, trying to bring some joy to their incredibly trying days.

Mr. Speaker, this level of personal and organizational generosity would be impressive anywhere in America, but in Carrollton, Georgia, this outpouring of support is especially heartening. Carroll County was hit by severe tornadoes and storms in the days following Hurricane Katrina. The community spent much of Labor Day weekend cleaning up the 30 homes that were destroyed and the many other community resources damaged by the storms and, yes, mourned a life tragically lost.

Yet even as this community was recovering from its own hardships, it was eager to help others in need. By opening their doors and hearts to Katrina's evacuees, Carroll County residents assured their guests that together they would rise to the challenges of this natural disaster. And, together, they have.

Mr. Speaker, I ask that my colleagues join me in praising the amazing work of the University of West Georgia and Carroll County community.

In the aftermath of Hurricane Katrina, we have seen the best side of humanity. We have shown that no American is a stranger, and the State University of West Georgia exemplifies this amazing American capacity to help others, no matter how great their need.

I thank the school and the community for their service.

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

#### PAYING TRIBUTE TO JOHN HAROLD JOHNSON IN RECOGNITION OF HIS MANY ACHIEVEMENTS AND CONTRIBUTIONS

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

##### GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their re-

marks and include extraneous material on the subject of my Special Order.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I rise today to pay tribute to one of the America's most outstanding citizens, the late Mr. John H. Johnson, founder and chief executive officer of the Johnson Publishing Company, who died August 8 of heart failure at the age of 87.

Mr. Johnson was recognized and renowned as an emblem of the American dream, an embodiment of the civil rights movement, and a revolutionary businessman.

Given the breadth and impressiveness of his contributions to American society and to African American culture, the Congressional Black Caucus Foundation will honor him later this week with its Phoenix Award.

He was perhaps best known for launching the twin publications *Ebony* and *Jet* magazines. These sister magazines were started by Mr. Johnson specifically to engage the African American community. He also published numerous books, owned *Fashion Fair* Cosmetics and several radio stations, as well as held a majority ownership stake in *Supreme Liberty Life Insurance Company*. Mr. Johnson earned tremendous influence and success in his lifetime, but by no means were any of his accomplishments given to him.

He was born a child of meager means, but left this earth as one of America's wealthiest businessmen. Mr. Johnson personified the idea that hard work and determination can lead to success. He simply refused to accept anything less.

Born January 19, 1918, in Arkansas City, Arkansas, Mr. Johnson was raised by his widowed mother. She moved the two of them to Chicago in 1933 after saving her money over several years so that he could have the chance to go to high school, as his own hometown offered no education for blacks beyond primary grades.

After thriving in high school as the class president and student council president, an honor student, and the newspaper and yearbook editor, Mr. Johnson won a scholarship to the University of Chicago. He took classes at night while working as an office boy at the *Supreme Liberty Life Insurance Company* where he was in charge of compiling stories about the black community and sending them to the president of the company.

It was while working in this position that Mr. Johnson realized that there were no magazines or publications specifically designed for America's black population. This inspired him to create his own magazine, the *Negro Digest*. Started in 1942, with only \$500 from a loan secured with the assistance of his mother, the magazine began to draw followings when Mr. Johnson sent out letters asking for donations to fund its publication. Three thousand people donated \$2 each, and within a year the

magazine was selling 50,000 copies a month.

In November of 1945, *Negro Digest* evolved into *Ebony*, a magazine modeled after *Life* magazine. *Ebony* focused on successes and achievements within the black community. Today, this magazine reaches about 42 percent of all African American adults, with a paid circulation of about \$1.7 million. Mr. Johnson also founded *Jet*, another highly successful magazine aimed at the black community.

Mr. Johnson also sought to publish with a conscience. He published the highly controversial photographs of the open casket of Emmett Till, a 14-year-old Chicago boy who had been beaten to death by white men in Mississippi. While the images were thoroughly disturbing, Mr. Johnson felt that they simply needed to be published and seen by the public. "I decided finally that if it happened, it was our responsibility to print it and let the world experience man's inhumanity to man," he said.

A philanthropist, Mr. Johnson donated to many worthy causes, including a gift of \$4 million to historically black Howard University in Washington, D.C. The university would thank Mr. Johnson by later renaming its school of communications in his honor.

□ 2000

Although Mr. Johnson attended the University of Chicago and Northwestern University, he never completed a degree. However, during his lifetime he received honorary degrees from 31 schools, including Harvard, Howard, and Northwestern universities.

In 1982, Mr. Johnson had the honor of being the first African American to be included in *Forbes* Magazine's list of "The 400 Richest Americans." His 1989 autobiography "Succeeding Against the Odds," was a national best-seller.

Indeed, Mr. Johnson's initial loan of \$500 for his first magazine, he would later grow and develop that initial investment into an empire worth close to half a billion dollars.

We owe Mr. John H. Johnson a great debt of gratitude. His name may not have been known to every household in America, but his 60-year-old publications have had an important and unmistakable impact on American history and culture. His legacy has touched countless African Americans, including myself, and his inspiration and example will continue to be felt for generations of blacks to come.

Both his wife, Miss Eunice Johnson, and daughter were his business partners, and his daughter, Miss Linda Johnson Rice, has succeeded him as chairman and chief executive officer of Johnson Publishing Company. A great man, a great humanitarian.

Ms. KILPATRICK of Michigan. Mr. Speaker, I rise tonight to acknowledge and celebrate the life and vast and phenomenal achievements of John H. Johnson, the CEO, chairman, founder and publisher of the Johnson Publishing Company Inc., in Chicago, Illinois.

Mr. Johnson rose from humble origins to become an icon in the African-American community. It was his vision and creation that launched *Ebony* and *Jet* magazines which became staples in black family homes. His publications depicted positive and factual images of our culture, accomplishments and social advances and plight. Through his resourcefulness, tenacity and love for his people, he created a vehicle for us to see images of ourselves and read articles that reflected our human condition.

I have vivid memories of growing up and seeing *Ebony* and *Jet* in the home of my parents and seeing pictures of my race and individual struggles to secure civil rights for all African-Americans. Ultimately, the efforts of Mr. Johnson resulted in the creation of a publication that achieved a circulation of 1.7 million readers with a monthly readership of 11 million persons.

Truly, John H. Johnson deserves all the accolades we heap upon him. In an effort to highlight the diverse beauty amongst our people, John Johnson produced the *Ebony* Fashion Fair, the world's largest traveling fashion show. The efforts of John Johnson resulted in him being able to employ over 2,600 people and sales in excess of \$388 million.

The contributions of John Johnson were acknowledged and commended by U.S. presidents. President Nixon brought John Johnson with him in 1957 on a tour of the continent of Africa where they visited nine countries. In 1959 he accompanied President Nixon to Russia and Poland, and in 1961 he was appointed by President Kennedy to serve as the Ambassador to the Independence Ceremonies of Ivory Coast. President Clinton awarded him with the Presidential Medal of Freedom.

I am pleased to acknowledge the contributions of John H. Johnson, a publishing pioneer, entrepreneur, visionary and African-American icon.

#### NORTHWEST AIRLINES

The SPEAKER pro tempore (Mr. KUHLMANN of New York). Under a previous order of the House, the gentlewoman from Michigan (Mrs. MILLER) is recognized for 5 minutes.

Mrs. MILLER of Michigan. Mr. Speaker, the American airline industry is struggling, absolutely struggling in the face of very high fuel prices, of pension costs, and fierce competition. Delta and Northwest Airlines have recently filed for bankruptcy protection under chapter 11. United Airlines also recently got a bankruptcy court to severely discount the value of its employee pensions. Clearly, the airline industry needs some help, and they need some leadership. But an article that I read yesterday forces me to question the leadership of certain executives in the airline industry.

Gary Wilson is the chairman of Northwest Airlines, a role where he is supposed to be providing leadership to his company. Northwest Airlines is currently subject to a work stoppage by mechanics and cleaners over wage concessions and job reductions. And now Northwest has approached their pilots and their flight attendants asking them to take significant wage cuts.

Earlier this year, Northwest Airlines stopped funding their defined pension benefit program, only funding their employees' 401(k) program, and I am sure that the 401(k) was also buying plenty of Northwest stock. And what was Chairman Gary Wilson doing during this time with his 4.3 million shares of company stock? He was selling that stock.

Mr. Speaker, today, in the *Detroit Free Press*, there is an article, and the title is "Northwest Airline Chief Sold Shares Just Before Bankruptcy." The article says: "Less than a month before Northwest Airlines Corporation filed for bankruptcy, its chairman sold nearly a third of his remaining shares."

Gary Wilson was not showing faith or confidence in the company that he is charged with leading. Instead, he was dumping his stock before his company went under. And I wonder if the employee 401(k) was selling, or even if it was allowed to sell at the same time. Mr. Wilson sold his shares at an average of \$5.45 per share, and just yesterday that stock was trading for 84 cents per share.

Northwest Airlines is a major carrier in the Detroit, Michigan, market; and it serves my district. We have been hearing all summer long that Northwest was in trouble and that it could be forced to file for bankruptcy protection. Well, what took so long? One has to wonder if the bankruptcy filing was delayed simply so executives like Mr. Wilson could sell their stock to make sure they got their money before the company went out. That is not leadership; that is cowardice or worse.

The employees and the customers of Northwest deserve better. And while Northwest has been asking employees to make concessions in their pensions, they have not been asking the same of their executives. In fact, this past July it was reported that the supplemental pension plan that covers the company's CEO was not subject to a pension freeze. That pension was slated to give the CEO nearly \$1 million a year if he retired at the age of 65.

That was reported again in the *Detroit Free Press* on July 16: "Northwest Airlines to Freeze Pensions for Salaried Staff." Not affected by the freeze is the supplemental pension plan that covers CEO Doug Steenland, among others. In its last annual report, Northwest indicated that Steenland was on track to receive an annual pension of \$947,417 a year if he retires at age 65." And "The airline has said that such generous pensions are needed to recruit and retain top executives."

Well, based on those examples, I do not think Northwest has done a very good job of attracting the best executives. Mr. Speaker, we need strong airlines in this country. We also need competition. We need safety and quality customer service in the airline industry. Of course, employees need to know if sacrifice is needed in the face of increasing costs and competitive pressures, but so do executives. They

should be setting the tone for the company, and they should lead by example. They should not cut and run in the face of trouble.

What is happening at Northwest Airlines at its very highest levels is disgraceful.

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

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

#### COMMEMORATING THE LIFE OF JOHN H. JOHNSON

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

Mr. LEWIS of Georgia. Mr. Speaker, like my colleague, the gentleman from Illinois (Mr. DAVIS), I rise tonight to salute an extraordinary and gifted American.

John H. Johnson had a vision and used that vision to destroy negative racial stereotypes and to expand opportunities for all African Americans and for all Americans. With a dream and a \$500 loan, secured by his mother's furniture, Mr. JOHNSON began publishing the "Negro Digest" in 1942. With very limited resources and his dream, he built an empire that included publishing and cosmetics.

Through his work and his vision, he has made a lasting contribution. "Jet" and "Ebony" provided a window to the African American community that benefited African Americans and all Americans. "Ebony" and "Jet" became part of the dialogue. It was a way of communicating. We read it in our homes, schools, and in the barber shops and beauty shops.

There is a saying in the African American community: "If it is in 'Jet,' it must be true." In the pages of "Jet" magazine, we read the current news that had an impact on the African American community. In the pages of "Ebony," people saw how other people lived; and we aspired to be like the people we saw on those pages. The pages of his magazine inspired and motivated generations of African Americans. It also helped to break down racial stereotypes by offering positive images and stories of African American men and women.

In 1957 and in 1959, he accompanied Vice President Richard M. Nixon on a special goodwill tour to nine African countries and to Russia and Poland. In 1961, he was appointed by President John F. Kennedy as Special U.S. Ambassador to the Independence Ceremonies of the Ivory Coast. And in 1963, he was appointed by President Lyndon B. Johnson as Special United States Ambassador to the Independence Ceremonies of Kenya. In 1996, he was awarded the Presidential Medal of Freedom by President Bill Clinton.



Johnson was solid, dependable, and reliable. He helped to energize the African American community during the height of the civil rights movement. During the struggle for equality, he published the images of the murder of Emmett Till, which galvanized the civil rights movement. His magazines have been an anchor for African Americans and continue to do that today.

His contribution to the African American community and to American life was unique and significant, and tonight we all salute the memory of John Johnson.

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Ms. CARSON) is recognized for 5 minutes.

(Ms. CARSON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. EDDIE BERNICE JOHNSON) is recognized for 5 minutes.

(Ms. EDDIE BERNICE JOHNSON of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Ms. KILPATRICK) is recognized for 5 minutes.

(Ms. KILPATRICK of Michigan addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 5 minutes.

(Mrs. CHRISTENSEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### JUDGES AND OUR CONSTITUTION

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

Mr. FRANKS of Arizona. Mr. Speaker, I appreciate the opportunity to speak tonight regarding some very significant things that are happening in our country today. We are in a critical time in our history when we have two U.S. Supreme Court vacancies and when we have a nominee like Judge John G. Roberts put forth by the President for Chief Justice of the United States.

Mr. Speaker, tonight I want to talk about the importance of having people on the courts who will read the Constitution for what it says, because I believe that it goes to the very heart of this Republic.

Our Founding Fathers, those who fought in the Revolution, did so because they wanted a rule of law and not a rule of men. Mr. Speaker, I believe with all of my heart that the historical moments that we are in will dictate whether or not that revolution is affirmed or vitiated, and I hope with all of my heart that the President, that the U.S. Senate and that this body will do everything that they can to make sure that we find people who will have fidelity to the Constitution and will read those words that our Founding Fathers so meticulously put down for what they say and not for what a liberal activist judge might wish them to say.

Mr. Speaker, the reason we write constitutional words down, the reason we write words down in agreements, in constitutions, or declarations is because we want to preserve their intent. We want to preserve the agreement between the parties. We also want to make sure that no one can distort them in the future. And I will say more about that later; but, Mr. Speaker, there is going to be a great battle in the body next to us, because the liberal activists in that body will do everything they can to stop the confirmation of John G. Roberts or anyone who is committed to the rule of law, anyone who is committed to the original intent of the Constitution.

I am convinced that no matter what the President does in the next nomination, no matter what he does, they will attack the next nominee with equal force. It occurs to me that it is just important for us to encourage the President, to encourage the Senate to appoint and confirm people that will read the Constitution regardless of the outrage that the liberal activists put forth.

There is an old rhyme that says: "No one gains when freedom fails. The best of men rot in filthy jails. And those who cried appease, appease, are shocked by those they tried to please." And that is really the scenario before us. No matter how the efforts are made to appease those that want to use the judiciary to impose liberal activist notions on the people as a whole, no matter how we try to appease them, they are going to attack. I just hope that we see people that will firmly read the Constitution for what it says and will

do what is right no matter what. And I pray the President can steel his heart and that the Senators that stand for the rule of law will steel their own and that we will make sure that we find people on that Court that will do what is right.

You know, popularity sometimes overrules principle; but in this case I do not think it is going to, because popularity has always been history's pocket change. It is courage that is history's true currency, and I pray that for the President and for the U.S. Senate.

I use one example to start out this evening to relate how an out-of-control liberal judiciary affects our Nation. Just last week, an activist Federal judge once again ignored the law and the great traditions of this Nation to declare that the Pledge of Allegiance of the United States of America is unconstitutional. Now, Mr. Speaker, this speaks to the desperate need that I have outlined here to confirm judges who will apply the law, judges like John G. Roberts. Mr. Speaker, Mr. Roberts is a man that will read the Constitution for what it says, and the Pledge of Allegiance should have no fear with him as Chief Justice.

Last week's ridiculous ruling and decision by Jimmy Carter appointee and Federal liberal judge Lawrence K. Karlton is an outrage and a breathtaking example of arrogance on the part of a bigoted tyranny of liberal extremists on the Federal bench. In this decision, this activist judge cited as binding the Ninth Circuit Court of Appeals ruling that said that the voluntary recitation of the Pledge violates "the children's right to be free from a coercive requirement to affirm God."

In 2003, the United States Supreme Court dismissed for lack of standing that preposterous 2002 ruling by the Ninth Circuit, and that is the one we all know that found the Pledge unconstitutional. Michael Newdow, a self-professed atheist, did not even have custody of his daughter when he sued on her behalf. What is more, Mr. Speaker, his daughter did not even object to reciting the pledge in the first place. So when the Supreme Court vacated this obscene ruling, the late Chief Justice William Rehnquist concurred, and he so eloquently put forth the very simple truth of this matter. He said that the phrase "under God" does not change the Pledge into a religious idiom and it "cannot possibly lead to the establishment of religion or anything like it."

□ 2015

The late Chief Justice listed many references to Presidents invoking God, going all the way back to the very first one, George Washington. He cited other events as well that, "strongly suggest that our Nation and our national culture allows public recognition of our Nation's religious history and character."

Sandra Day O'Connor in her concurrence even stated that to eliminate references to divinity would "sever ties to a history that sustains this Nation even today."

Mr. Speaker, for 50 years the Pledge of Allegiance has been voluntarily recited in schools throughout the United States of America and it has always been voluntary. Nobody in America has ever been required by government to say the Pledge of Allegiance. And if they say it voluntarily, they are not required to say the words "under God." However, it is an outrage that beggars my vocabulary for those who hold the office of Federal judge to rule that it is now unconstitutional for students who want to voluntarily say the words "under God" if they so choose.

In my opinion the Founding Fathers who wrote the Constitution would deem those who handed down such outrageous rulings to be pitiful excuses for Federal judges and to be traitors to the Constitution itself. This ruling is a prime example of the liberal, activist priesthood of the black robe seeking to force upon the people a state of irreligion, and it is a pathetic example of jurisprudence that has dictated that the people must ignore their own belief and faith and embrace only a nonreligious expression. Mr. Speaker, it is a violation, pure and simple, of the free exercise clause.

We must not allow the people of this Nation to be forced by judicial tyranny to follow such an empty creed. This ruling is disgraceful and it serves as exhibit A in the case against judges who are intent on ignoring the Constitution and imposing their own twisted ideology upon the people. When liberal activist judges discount laws enacted by the people's representatives to enact their own agenda, the Constitution itself provides a remedy; and it is time for the people's House to fulfill our duty to the people, to protect the Constitution from liberal activist Federal judges.

Mr. Speaker, in striking down our Pledge of Allegiance, this judge has once again ignited a resolve in the American people that will ultimately lead to Federal reforms limiting their power to legislate from the bench. This judicial obscenity will not stand.

With all of that said, I still stand on this floor with great hope in my heart for the future of this country, because even a cursory, a cursory glance back at America's history should impart hope to all of us.

By the time the 1860s had come to America, the world had marked 7,000 years of powerful societies enslaving their fellow human beings. And, sadly, this was also true of America. However, America was never truly at peace in her heart with this hellish institution of slavery, and so it was that American slaves began to earnestly pray to God to intervene, and it seems God sent them President Abraham Lincoln, a man who understood the true meaning of those magnificent words,

"We hold these truths to be self-evident that all men are created equal and endowed by their Creator with certain unalienable rights."

Mr. Speaker, our Founding Fathers wrote those words down for us because they did not want us to forget their true meaning or fall prey to those who would deliberately destroy it. That has always been the preeminent reason why we write down documents, agreements, or constitutions in the first place: to preserve their original meaning and intent.

When the smoke of a horrible Civil War finally drifted from the air, 7,000 years of the world accepting the unrequited toil of human slavery was over. The prayer of slaves had been answered, and the United States of America began to emerge as the flagship of human freedom in the world.

But only 100 years later we began to stray from that path. We began to think only of ourselves. And in 1973 *Roe v. Wade* was handed down by the U.S. Supreme Court, and it brought wholesale abortion on demand to the land of the free, and the veil of darkness fell upon America. In that darkness we heard, but we disregarded the mortal cry of one little baby in the womb, and then there was another, and even another was heard until that sound had become the soul-wrenching cry of tens of millions.

We found ourselves and our national conscience disoriented and awash in the blood of our own children. Millions of prayers called out for another leader to remind us of those words that speak the divine message of human dignity, "all men are created equal."

Mr. Speaker, from the time we were conceived, all human beings are created equal. We do not become equal when we each reach a certain age or status. This is America's creed, that is our foundation, and how grateful we should all be that our Founding Fathers wrote those words down, and how desperate our commitment should be to remember what they mean.

Now in this day, in these moments, that test is upon us. The President of the United States has nominated an individual in John G. Roberts as Chief Justice of the United States who understands that all men are created equal. Mr. Speaker, I believe that this President understands those words in his own heart; and, indeed, it is his commitment to their meaning and his commitment to human dignity itself that has given him the courage to stand resolutely against terrorists to protect innocent human life.

But this President and each one of us in this body and each person in the body across the way must never forget that this thing called *Roe v. Wade* has taken more than 15,000 times the number of innocent lives lost on that tragic day of September 11. We live in a time when there is truly a glimmer of light breaking on the road before us; but the curve just ahead is sharp, and to miss it may be to plunge into the darkness.

The voice of destiny calls to our President and all of us in these decisive days to once again steel our hearts and to ask anew, Is it true in America that all men are created equal?

Mr. Speaker, our legacy to future generations and the survival of human freedom in the world will depend upon our answer. May God bless America, may God bless President George W. Bush, and may God bless Judge John G. Roberts.

Mr. Speaker, I yield to the gentleman from Texas (Mr. CARTER), whom we call Judge, who we all have the deepest respect for.

Mr. CARTER. Mr. Speaker, I thank the gentleman for yielding and for taking this time tonight to talk about this very important matter before our Nation right now.

The House of Representatives does not have a vote in this issue, but it does and should have a voice in the issue concerning the selection of the highest court of this land, and of all of the judicial appointments.

One of the duties of this House is to be a voice of the people of this country, because we of the elected officials in this House of Representatives, we are the ones that have the smallest districts and are closest to the people. Most of us are home every weekend talking to the folks back home. We have a good idea of the kind of capabilities that our people are looking for in their judges.

We have one of the great debates in history going on right now, with two potential justices to be appointed to the Supreme Court. We were here last week talking about this, and we told you that we would hope that everyone would watch the hearings that took place last week to see Judge Roberts. I predicted that Judge Roberts would be outstanding before the Senate, and I think my prediction was absolutely proven true. I think everyone acknowledges he showed great intelligence and great insight. He answered the questions appropriately. He asked to be excused from questions which were inappropriate for a judge to answer. He handled himself with charm and grace and intelligence, just exactly the way I predicted last week. I am not clairvoyant, I just know this man is the right man to be on the Supreme Court and to be the Chief Justice to lead that Supreme Court.

We know the Constitution gives them the vote. We hope that they will hear our voice. There is a lot of criticism that has been out there, and I want to ask the American people to think about just exactly what is the role of a judge in our society. I served for 21 years as a judge in Texas, a proud 21 years as part of the justice system of this Nation. I think what the lawyers that appear before a court and what the people who those lawyers represent want from a court is a judge that comes into the court with no preconceived notions, that will listen to the facts that pertain to the case, examine those facts carefully, apply the

law and the facts, and come up with a solution. That is what they want from the judge. That is what the Founding Fathers wanted for the justices of our Supreme Court. They wanted them to examine American law as it relates to each set of disputed facts that comes before that court, and, from the American jurisprudence and the common law, come up with an interpretation of whether or not our Constitution has been violated under certain circumstances, and to examine the laws of the United States and make them proper.

I do not think anybody argues with that. I think that it would be totally inappropriate to ask a judge to make a pretrial statement before a case is brought before the court as to where he would stand on an issue without hearing the full presentation in the court, reading the briefs, and making a decision based upon what has been presented in the court and the law as it stands in the United States at that time. That is what we want from our judges. Judge Roberts is that kind of judge and will give us those decisions.

I think it is almost laughable if you know how the court works. When a man is hired as a lawyer for somebody else, when a client comes into a lawyer's office and says I want to hire you to represent me in a case, now you would not want that lawyer that you hired to represent you in that case to go into court and argue the other side of the case against you, because that is not what he is getting paid to do. His job is to be an advocate for his client. And yet the criticisms that we hear against Judge Roberts are that he made arguments as a lawyer for a side before the Supreme Court or before other courts in favor of or against certain positions that some Members of the Senate do not agree with; therefore, he is inappropriate to be involved in any case that has to do with that.

We will start off with the pro-life issue. They argue that Roberts is pro-life because of two arguments that he made while he was representing the United States of America as a deputy solicitor general in *Rust v. Sullivan* and *Bray v. Alexandria Women's Health Clinic*. Roberts' opponents argue that Roberts unnecessarily called for the Supreme Court to overturn *Roe v. Wade* in *Rust*, a case challenging Federal regulations which prohibit certain recipients of Federal funds from counseling patients on abortion. Critics argue that the case could have been argued solely on the basis of statutory construction of the provisions at issue. Critics also point out that Roberts coauthored the government's amicus brief in *Bray*, a private suit brought against Operation Rescue, which argued that Operation Rescue was not engaged in a conspiracy to deprive women of equal protection rights.

Who was he arguing for? His side, his client, the people paying him to make an argument for them. And who is

someone sitting outside the courtroom, who are they to tell a lawyer how he should argue his case? Well, he should argue his case but not argue *Roe*. If he felt the interest of his clients were best protected and put forward by arguing against *Roe*, it is his job to argue against *Roe*.

□ 2030

If the next time he comes into court and someone has hired him to take the opposite position, that same lawyer would be arguing the other side of that case because that is what lawyers get paid to do. And an argument a lawyer makes in the courtroom and whom a lawyer represents in the courtroom, if that defines that lawyer, there is something wrong with how we think. That would be accusing every criminal lawyer in America of being a criminal because they talk in favor of criminals.

But if we do not have defense lawyers in criminal cases, we do not have a case because the State has the burden of proof in that case. The defense has no burden of proof whatsoever, but they have the right to representation under our Constitution.

Would we say that no lawyer would ever be fit for a court if he argued any position that might come before that court and we can tell what his position is going to be by his arguments in court? That, Mr. Speaker, is just one of the most ridiculous arguments that I think anyone could ever make. And anybody who would hire a lawyer to go into court to argue the other side of a case ought to fire his lawyer before the third word came out of his mouth and ask the judge to give him some more time to hire a decent lawyer to represent his position, and I think most lawyers would grant that.

And almost every argument that is made in this whole list of things that says Roberts is a right wing extremist, Roberts is anti-environment, Roberts is hostile to civil rights and affirmative action, Roberts is hostile to the rights of criminal defendants, Roberts is hostile to the first amendment of the establishment clause, all of these things are baloney because about 90 percent of their arguments are that he made this argument as an advocate for a client, which is his job. Lawyers argue every day in court as advocates for their clients when, in their heart of hearts, we cannot tell whether they are for what their client is for or against what their client is for. But, by golly, they make us think they are because that is their job to represent their client and convince the court that their position is valid. That is what they get paid for.

The other arguments they have in here are some arguments about dissents that were written by Judge Roberts on the court of appeals. Well, what do we want from a judge, a multijudge panel on the court? Do we want everybody up there that thinks exactly the same way on every issue? Then why do we need all of them? Why not just pick

one every day, and we know we can get the same verdict every time because they all just think alike? Or why do we even need judges? If we have a set of criteria that we absolutely feel that everybody ought to have to be a judge, why do we not just program it into the computer, feed the facts and the argument into the computer, and if it does not fit the computer program, we spit it out and they lose?

That is not what a court is all about. That is not what a multijudge court is all about. It is about intelligent students of the law with experiences in the courtroom, both as advocates and as fair and impartial judges, who are able to go together, take their combined intelligence, make arguments to themselves as they discuss the case, and come up with the combined intelligence of those people and the combined opinions of those people, which may be diverse, which comes up, we have discovered, over and over and over in our courts of justice, comes up with good decisions that fit the appropriate actions that are necessary for the court.

If we have everybody who thinks just alike and there is a litmus test for every member of the judiciary, we do not need all those Supreme Court Justices. Let us just give one guy superpower and dictatorial power over the judiciary and move on.

I think that both sides would feel passionately about issues concerning the Court. But the reality is there is a place in that Court for diverse opinion, and if we do not have diverse opinion, we do not have a Court that can effectively give a broad-based analysis of the law that comes before it. And then to go and try to come up with stuff that does not mean a thing by saying he represented somebody is just on the verge of laughable, and I think in all reality the arguments that are being made are spurious at best.

I would encourage our colleagues in the Senate that they pass this case on, bring it up on the floor as soon as possible. We now have a Court that has basically two vacancies, one being filled until another Justice is selected and one that is empty. We have a Court that is going to work in October. I think it is important that we pass Judge Roberts out to a vote on the floor of the Senate, that they have an up-or-down vote on the floor of the Senate; and if Judge Roberts does not get the vote, then let us find somebody else to fit the job with an up-or-down vote on the Senate side. If he does get it, let us get him in to start working on the job so he can be ready as this Court convenes in October. And then let us get to work on our next Justice that is coming down, and let us not try to establish litmus tests.

Let us not try to make people walk the line of somebody's political agenda. Let us say, Mr. President, give us a fair and impartial judge that knows the law, knows how to find the law, knows

how to interpret the American jurisprudence, not some foreign jurisprudence, but the American jurisprudence and the common law and come up with the solution to our problems in our Supreme Court, and we will have fair and impartial justices in the Supreme Court of the United States. But there should be no litmus test whatsoever that is required of these nominees.

And I hope the President will come up with a good nominee for this next vacancy; and if he comes up with one with the quality of Judge John Roberts and the ability of Judge John Roberts, we will have hit a home run in the two nominees that have been submitted to the Senate. And I hope for rapid confirmation of both so that we can put the Supreme Court back to work with a full house.

Mr. FRANKS of Arizona. Mr. Speaker, I thank the gentleman from Texas (Mr. CARTER) for his comments. Mr. Speaker, we are all, again, so fortunate to have the gentleman from Texas (Mr. CARTER) in the House of Representatives because of the experience that he has. I could not help but see so clearly his commitment to the Constitution itself and his understanding of what the role of a judge is. I have to say that I think that the only time I have ever heard it put as succinctly was when Daniel Webster said: "Hold on, my friends, to the Constitution and to the Republic for which it stands. For miracles do not cluster, and what has happened once in 6,000 years may not happen again. Hold on to the Constitution, for if the American Constitution should fail, there will be anarchy throughout the world." And I know that the gentleman from Texas (Mr. CARTER) holds on to the Constitution.

I want to also yield to another man that holds on to the Constitution. The gentleman from Iowa (Mr. KING) is one who always has a copy of the Constitution in his pocket wherever he goes, and he is someone who has shown himself to be a true champion of this Constitution.

Mr. Speaker, I yield to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Arizona (Mr. FRANKS) for yielding to me. It is an honor for me to join him here on the floor again tonight. The last time, as I recall, the gentleman from Arizona (Mr. FRANKS), the gentleman from Texas (Mr. CARTER), and also the gentleman from Texas (Mr. GOHMERT) and I were here together to celebrate the life of Chief Justice William Rehnquist. That was a somber moment, a moment of reverence and respect and reminiscing; but also, we came away from that evening and we came away from that week with a sense of the legacy that was left by the years on the bench by Chief Justice Rehnquist.

And tonight we are actually looking ahead now, looking ahead to the future of this country, the future of this Constitution, this one that they have checked to see if I would have it in my

pocket. And, of course, it is there. That rumor has started around this Congress. Now I do not dare be without it. But I have carried it in my pocket for years, and it is not the freshest one. The old one that I had I autographed and handed over to the chief justice of the supreme court of the People's Republic of China as he visited here. I thought he should have a copy of the United States Constitution.

It is clear to me that already soon-to-be-Chief Justice Roberts is very familiar with this Constitution document and very reverent and very respectful.

A number of things in the conversation, particularly the gentleman from Texas's (Mr. CARTER) remarks reminding the press accounts and the critics of Judge Roberts, that he is hostile to *Roe v. Wade* or hostile to this or hostile to that. And as I look across that list that was presented, it occurs to me that he is hostile to one thing that I think we can agree on: he is hostile to enemies of the Constitution. I am grateful for that hostility. It might be the only sign in the gentleman's character that one can see that is of a hostility.

And I want to tell my colleagues that my background and history with him is not extensive, but I did have the privilege to have breakfast with Judge Roberts a couple months before he was nominated by the President. There was a group of about six or eight of us at the table, and certainly it was a larger room. I had a conversation with him that was not a continuous type of conversation where I could probe into his constitutional thoughts so much as it was to judge his reactions and judge by his remarks.

I would say that, of course, what I saw there was the man that we have seen day after day here before the Senate Judiciary confirmation hearings. The man that I think in the private life of John Roberts is the same person that we see in the public life of John Roberts. The people whom he surrounds himself with, the people who count themselves as his friends, the people who know him far better than I do I am impressed by, and I know them far better than I know John Roberts. But one can be judged by the company they keep, and the company that he has kept has been stellar company throughout.

I do not think that one could write for a blueprint for a life that would better describe a path to the Supreme Court and, in fact, to the Chief Justice of the Supreme Court than the life so far, the bio, resume of John Roberts. It is exemplary. I know that when they did the background check, or I am told this through the media, that there was not a single thing, it was the cleanest background check one could have asked for. Of course, I expected that, but I wanted to put that into the record as well.

There would not have been a nomination if there had been a problem; but it

was one of the more stellar background checks, I understand, that has been run. And that is through the grapevine. Nothing that has been public that I know of.

I want to tell the Members that Judge Roberts has this reverence for the Constitution, and I have put together some of the quotes that have come out of the confirmation hearings over in the Senate, and some of these quotes fall into different categories, but one is under strict construction of the Constitution. Judge Roberts confirmed my initial beliefs that he would uphold the true intent of our Founding Fathers by strictly construing our Constitution. And over and over in his testimony before the Senate Committee on the Judiciary, he verified that he is a strict constructionist and that he believes judicial activism is dangerous to our system of government.

He summed it up in one line, the duty of all of us in the Federal Government, when he stated: "My obligation is to the Constitution. That's the oath."

I would like those words to echo again: "My obligation is to the Constitution. That's the oath."

If that happened to be the conviction of everyone in a black robe, we would have a lot easier task on the Committee on the Judiciary in the House of Representatives and on the Committee on the Judiciary in the United States Senate, for that matter.

His qualifications for the position of Chief Justice are, I think, clear. And the President has been impressed with not just his clarity of thought, not just with his brilliance of his legal reasoning but also with his personality, his character, his leadership abilities.

He explained his support for strict construction of the Constitution, and this would also be part of the record, when he said in the hearings, "Judges are not to put in their own personal views about what the Constitution should say, but they are supposed to interpret it and apply the meaning that is in the Constitution . . . and the job of a good judge is to do as good a job as possible to get the right answer." And over and over again, this kind of philosophy comes through, not an activist philosophy but a strict constructionist philosophy.

The same day he further described a judge's proper role, and he explained: "We don't turn a matter over to a judge because we want his view about what the best idea is, what the best solution is. It's because we want him or her to apply the law."

"We turn a matter over to a judge because we want him or her to apply the law." Not to apply their judgment, not to apply their whim, not to apply what they think the policy should be. That is the job of the legislative branch. And that is consistent with the vision of our Founders, and it absolutely consistent with the language and the text of the Constitution, and it certainly is not something that we see within the

activist judges that sometimes come before our courts and make those kinds of decisions, particularly the ninth circuit out there. And I know the gentleman from Arizona (Mr. FRANKS) referenced that, and I appreciate his bringing that subject up before the Speaker and before this country.

□ 2045

And Judge Roberts went on when he said, "It is because we want him or her to apply the law." I will continue that quote: "They are constrained when they do that. They are constrained by the words that you choose to enact into law," meaning the Senate or the Congress, "in interpreting the law. They are constrained by the words of the Constitution. They are constrained by the precedents of other judges that become part of the rule of law that they must apply."

Constrained, constrained, constrained, constrained. Four times in that paragraph he used the word "constrained." I think that is indicative of the kind of judge we are going to see, a judge that exercises constraint, and a constraint that is bound up within the words of the Constitution, within the text of the Constitution, within the clear meaning and the defined boundaries of the Constitution, and the rule of law, and constraint within the boundaries of being a member of the judicial branch of government whose job it is to, as he said, call the balls and the strikes.

I want to express some gratitude to Phyllis Schlafly for bringing that idea before this country and, in her book "The Supremacist" when she said that a judge's job is to be the umpire, to interpret the rule book. And now this man in his hearings picked up one more notch on that philosophy and said, my job is to call the balls and the strikes. Who would want to play a game before an umpire that did anything else? Who would want to play a game before an umpire that called the balls and the strikes as he wished them to be rather than what they actually were? That is what the judge's job is, and it is a very, very clear way to describe that.

Mr. Speaker, John Roberts will not be a justice who seeks to usurp the roles of the other two branches. On the first day of his hearings he stated, "I prefer to be known as a modest judge. That means an appreciation that the role of the judge is limited, that judges are to decide the cases before them," and I continue to quote, "they are not to legislate, they are not to execute the laws."

They are not to legislate, they are not to execute the laws.

He also explained that, "Judges have to decide hard questions when they come up in the context of a particular case. That's their obligation. But they have to decide those questions according to the rule of law; not their own social preferences, not their policy reviews, not their personal references,

but according to the rule of law. According to the rule of law."

Now, I never dreamed as a young man, and I began in about eighth grade to study this Constitution and read this document and understand and really get some depth and appreciation for our history; I never thought I would be standing on the floor of the United States Congress celebrating an appointee to the Supreme Court because they want to rule according to the rule of law. I believed that every judge that ever put on a black robe would rule according to the rule of law. And here we have come to this point where activist judges cause me to come to celebrate because we have one before the Senate Committee on the Judiciary for a confirmation.

On the second day of the testimony, Judge Roberts said to his colleagues, "Judges need to appreciate that the legitimacy of their action is confined to interpreting the law and not making it, and if they exceed that function and start making the law, I do think that raises legitimate concerns about the legitimacy of their authority to do that." Another challenge, another constraint.

I could stand here and repeat Judge Roberts' testimony all night, Mr. Speaker; showcasing what a great candidate he is for this position would be something that I would continue on with. But when asked about his threats to the rule of law, he stated, "The one threat, I think, to the rule of law is a tendency on behalf of some judges to take that legitimacy and that authority and extend it into areas where they are going beyond the interpretation of the Constitution, where they're making the law. And because it's the Supreme Court, people are going to follow it, even though they're making the law."

That is chilling to those of us who revere this Constitution, but we do revere the Supreme Court. And because it is the Supreme Court, in his testimony, "people are going to follow it," even though they are making the law. Now, I will expand that and say, even though they are not following the law, even though they are not following the Constitution, people will respect and revere the decisions of the Supreme Court, because of the stature of the Court, without regard to the text and the intent of the Constitution or the law itself. That is my edit.

Then I will pick up that quote again. He follows that with, "The judges have to recognize that their role is a limited one. That is the basis of their legitimacy. Judges have to have the courage to make the unpopular decisions when they have to. That sometimes involves striking down acts of Congress. That sometimes involves ruling that acts of the executive are unconstitutional. That is a requirement of the judicial oath. You have to have that courage."

And I continue to quote: "But you also have to have the self-restraint to

recognize that your role is limited to interpreting the law and doesn't include making the law." And doesn't include making the law. I repeat that for effect because it has significant effect on me, Mr. Speaker.

This man, who is poised to step forward and don the robes of the Chief Justice of the Supreme Court, is a young man with a clear legal mind, a solid moral set of values, a clear understanding of his duty before the Court, a constitutional understanding, a rule of law understanding, and a duty to history. The years that I have left on this earth may not be as many as I pray he has, but every year that this unfolds and every year that these cases come before the Court, I pray that the President can appoint some justices to this court that will match the vision and the clarity and the legal understanding of this man, John Roberts, so that one day we can work ourselves back to this Constitution, this Constitution that he revere, that we revere.

Mr. Speaker, I yield back to the gentleman from Arizona, and I thank the gentleman.

Mr. FRANKS of Arizona. Mr. Speaker, I thank the gentleman. I would just echo some of the comments of the gentleman from Iowa (Mr. KING) in that this man, Judge John G. Roberts, is perhaps the most qualified person for Chief Justice, certainly in my lifetime, that we have seen. And if he is somehow castigated by liberals in the Senate and attacked because of his fidelity to the Constitution, then it seems that our only road leads to a judicial oligarchy, and those of us in this body can lock the doors and go home and quit pretending to be lawmakers, because the courts will then prevail over all.

It is interesting, because some of the Founding Fathers, and one in particular, Thomas Jefferson, said it this way. He said, "The object of my great fear is the Federal judiciary. That body, like gravity, ever acting with noiseless foot and unalarming advance, gaining ground step by step and holding when it gains, is engulfing insidiously the special governments into the jaws of that which feeds them."

This is not a new concern. Our courts have ruled that the black man was property. Our courts have ruled that unborn children are not human beings. Our courts have ruled that marriage and the family itself may be unconstitutional. Our courts have ruled that it is unconstitutional to protect a 9-year-old girl from Internet pornography. Our courts have ruled that that same little girl cannot say a certain prayer in school. Our courts have now ruled that it is unconstitutional for her to say the Pledge of Allegiance. And I wonder, Mr. Speaker, if those of us standing in this place would look out across the fields of Arlington and ask ourselves, is that why they died, so that we could uphold those kinds of asinine, ridiculous interpretations of the greatest Constitution that was ever written by man?

I think that we are turning a corner, and I think John G. Roberts is going to be a significant part of that.

Mr. Speaker, I would like very much to yield to my very good friend, the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I thank the gentleman from Arizona. In fact, I am humbled to follow my colleagues in this discussion about this great man, Justice Roberts, and of course my colleagues, the gentleman from Arizona and the gentleman from Iowa, are both members of the House Committee on the Judiciary, and my great friend and classmate, in fact all four of us are classmates, but our own judge, we have several in the House, but my judge, the gentleman from Texas Mr. CARTER. It is an opportunity, though, for this physician Member to stand up here before this body, Mr. Speaker, and say while sometimes physicians are probably pitted against attorneys, I have great respect for them. In fact, I have two members of my immediate family, my brother and my daughter who are attorneys, who I am very proud of.

But just to have watched this gentleman in the hearings in the Senate Committee on the Judiciary, Mr. Speaker, after a week of questioning by our counterparts in the other body, I believe that the Congress and our Nation has a good sense of what kind of a jurist John Roberts will be if confirmed as our Nation's 17th Chief Justice. In fact, on one of the television news shows this past Sunday, a member of the Senate Committee on the Judiciary, the gentleman from South Carolina, Senator GRAHAM, when asked how did Judge Roberts perform, he said, "Well, let me just put it this way: If it had been a prizefight, they would have called it in the second round as a technical knockout and the person on the ropes would not have been Judge Roberts."

Without question, it was a technical knockout heading for a knockout.

Judge Roberts will indeed, Mr. Speaker, bring a refreshing, fair, and balanced approach to the United States Supreme Court which has not had a vacancy in 11 years.

Our Nation is a different place than it was in 1994. We have more access to information, more technology, a stronger economy; we have our brave soldiers defending democracy in our global war against terrorism. The United States Supreme Court needs a perspective that understands accountability to both the American people and, as the gentleman from Iowa said, especially to the United States Constitution. Like one of his mentors, the late Justice William Rehnquist, Roberts has a strict constructionist view of the Constitution. He interprets laws considering the intentions of our Founders instead of the whims and desires of a political party or electorate. That is why we need Judge Roberts on the Supreme Court. He can restore a sense of restraint to some very creative

interpretations of late. The gentleman from Arizona just talked about a few.

Judge Roberts' qualifications are, Mr. Speaker, unquestioned. However, the Supreme Court nominee has to face a litmus test on ideology. Some Senators are asking whether or not this particular justice will protect their favorite judicially constructed rights. Others have questioned how he might use the position as Chief Justice to help the survivors of Hurricane Katrina. Roberts very politely responds that he will interpret our laws on a case-by-case basis, he will hear each side and will always heed restraint to the separation of powers and constitutional government.

I could go on and on, but my colleagues, Mr. Speaker, have said it so well. This is a man that is a brilliant jurist, and it showed through so clearly during the Committee on the Judiciary hearings. I hope that when they have the vote on Thursday, or whenever it comes to a vote in the Committee on the Judiciary, there should not be many, if any, "no" votes, and I look forward to a speedy confirmation by the United States Senate.

I thank the gentleman from Arizona and my colleagues, the gentleman from Texas and the gentleman from Iowa, for letting me participate in this special hour. It is so important, as the gentleman from Texas said, that while we do not have any official role in regard to advice-and-consent responsibilities, we do have a responsibility and we have a voice, and it is good that we have this opportunity tonight to express that voice and to commend to the American people the new Chief Justice, John Roberts.

Mr. FRANKS of Arizona. Mr. Speaker, I thank the gentleman from Georgia. Mr. Speaker, in that the gentleman from Georgia (Mr. GINGREY) and I are such good friends and that I hold him in such high regard, I am going to forgive him here on the floor for suggesting that I might be a lawyer. I do not know if the gentleman from Iowa (Mr. KING) might want to extend such a forgiving hand as well. We are both on the Committee on the Judiciary and, of course, sometimes it is assumed that we are lawyers. But his points are so well taken, in that we do need judges that will simply read the law for what it is.

I know that we repeat this a lot, Mr. Speaker, but when courts forcefully interject false and unconstitutional notions that go against justice and natural law and common sense, without allowing the issue to go through the legislative process of debate and consensus, it abrogates the miracle of America and it abridges the freedom of the people to govern themselves. I just am hopeful that we can recognize that our courts, I say to the gentleman from Texas, were never intended to decide social policies, or any policies, for that matter. This is the job of the people's Congress. This is why people send us here. The legislative process creates a

dynamic for opposing voices on any issue to be heard in an open forum, and a strong consensus is necessary for any kind of decision, and where each decisionmaker can ultimately be held accountable by the people they govern.

□ 2100

And I know that the people of Texas are very proud that they have sent Judge Carter to the Congress.

Mr. CARTER. Mr. Speaker, first I want to say that I am happy to be privileged in that when Judge Roberts made his opening statement, and he started talking about balls and strikes, calling the balls and strikes, being the umpire, as far as I was concerned, it was over right there; he had won, because he understood the role of being a justice.

And he happened to use something that I had used on multiple occasions. You know, back in the small town where I started out as a judge, it grew to be a big town, we have a lot of baseball and girls' softball, and one time they said, hey, Judge, would you come out and call the balls and strikes; we lost our umpire.

And I said, friends, I call balls and strikes for a living. And I am not about to get up there and call balls and strikes at my daughter's softball game. But that is exactly right. That is understanding what a judge's job is. It is so very important that we have a judge that has the common sense of the American people to go along with a great intellect into the law.

It is just so very important that we have that kind of a judge that comes to the Court. This is exactly what we have in Justice Roberts. He is so impressive, I mean phenomenally impressive. So Judge Roberts stole that from me. But probably I would say stole it from lots of good judges. I kind of think that I was a good judge; but lots of good judges in the United States, because they understand the concept of what their job is.

Mr. FRANKS of Arizona. Mr. Speaker, Judge Carter can call the balls and strikes, in my judgment, any time.

With that, I would yield to my friend, the gentleman from Iowa (Mr. KING), for any further comments he might have.

Mr. KING of Iowa. Mr. Speaker, I want to express my gratitude for you setting up this hour and providing an opportunity for myself to speak. And as I stand here as a nonlawyer and reflect upon the future and upon this Constitution, I think there is something that young people lose sight of. And I gave a guest lecture at Central College in Pella a week ago last Friday, so that has been about, what, 9 days ago or so. And in that guest lecture, it was on the Constitution, and it lasted maybe an hour and 40 minutes or so. And it was interesting to me that one of the professors there came up afterwards and he said, you have made the Constitution interesting. I had not seen that before.



It never occurred to me that the Constitution was anything but interesting. It is a fascinating document. And if you know the history of it, there is a piece of it that we seldom talk about here, we often forget, and that is this guarantee, this guarantee of our freedoms and our liberties in this foundational document that is drawn upon the Declaration of Independence, and that our rights come from God, clearly in the Declaration, and we are endowed by our Creator with certain unalienable rights. Among them are life, liberty, the pursuit of happiness. But those rights are even more clearly defined in the Constitution, the rights that come from God. No man can take them away, because they come from God. And the Constitution defines that.

But as we watch this Constitution get amended with decision after decision by an activist Court, we see these rights be diminished by decisions of the Court.

And so I will take us to this question, which is: The Constitution either means what it says or it does not. If it means what it says, then we are constrained by the language, and we are further constrained by the language that was the intent of the original meeting, because the founders cannot be held responsible for an evolving language or evolving values system, or any idea that it should be read in light of contemporary values.

People try to do that with the Bible and they get off base. Truth, justice, sin, virtue have always been the same. They have been the same 1,000 years ago, 4,000 years ago, and they will be the same 4,000 years from now.

But the Constitution is our guarantee. And when we deviate from that language, that strict construction, that originalist, the understanding of the guarantee that the States have all opted into voluntarily, an irrevocable bond that was established at the end of the Civil War, and we understand that guarantee must be maintained through the constraint of the judicial branch, not the activism of the judicial branch, because an active judicial branch of government undermines our Constitution, erodes our rights.

If that is the case, then what value has that document whatsoever, if you are going to let the majority of nine justices determine the future of America? We have stepped back from that now with this appointment. We need at least two more to get there. It is a long evolutionary process to see this Constitution reestablished by the Court.

We did not get here overnight. We got here over 40 years or longer. It will take at least that long to get back again. But I look for that day.

Mr. FRANKS of Arizona. Mr. Speaker, I want to thank all of these men. You know, it is said in this place that the friends you find here, you can pick your pallbearers out of them. And I certainly feel that way about these three men.

I am grateful to have the opportunity to serve at this time in history with

men that love America, that love freedom, that love their fellow human beings as much as these men do.

We have talked a lot tonight about protecting the Constitution. But you know, really, sometimes it is good for us to step back and ask why we are really here. And ultimately we are here because we believe that the miracle of life in America is something that is unique.

Mr. CARTER. Mr. Speaker, let us point out that when our founders as States decided they wanted to write a document that they were going to submit to govern our Nation by, the Constitution of the United States, they chose to sit in Congress as a group of diverse opinions representing their various States to come up with this document.

They did not ask a battery of judges to come in here and do that. They asked people that represented their States to come in and represent the interests, and they debated, as we debate here in Congress, the laws we designed, and the intent is clear, that they wanted a Congress to make the laws of this United States.

They, in *Marbury v. Madison*, set the precedent that said the Courts may interpret the laws that are made, to see if they comply with the Constitution of the United States, which is the sovereignty of our Nation.

Of course, our true sovereignty is in God; and it is clear as the gentleman from Iowa (Mr. KING) points out, we stated the sovereignty that we look to in the Declaration of Independence, where we get our rights from. And they are not given to us by our government, they come from the divine authority of God. But they went forward on that and they established the Congress to make the laws.

And I agree 100 percent that is the intent of our founders, and that is the way it is supposed to be. That is the right and proper place. And the interpretation of Judge Roberts, so adequately and effectively and eloquently presented to the Senate to educate that bunch in the last week, proves that fact.

I want to say that I am honored to be here with these four gentlemen. These are some of my best friends. Let me point out that Judge Roberts is not from any of our States. We have no parochial interest in this whatsoever. We are just glad that we have got a great jurist coming forward.

Mr. FRANKS of Arizona. Mr. Speaker, I guess he says it so well, there is so little to add. But you know, the umpire kind of corollary has been used quite a lot here tonight, and what some of us have objected to is like in the book, *The Judicial Supremacist*, when the umpire says strike 2, you are out. And that is what has happened a lot in some of these decisions lately.

The courts and some of the activist judges have simply thrown the Constitution aside and said that they are not going to follow it. That is why we

are so grateful that John G. Roberts is going to be our next Chief Justice, because he, I believe, will have the erudition and the mentality and the heart to bring the rest of the Court to reaffirm what the rule of law is all about.

And, again, we talk about the rule of law. But, really, is it not about trying to uphold our fellow human beings? Because if we were willing to let judges drag us into that darkness where this concept of the survival of the fittest prevails, and whoever was strongest prevails, then it would not matter.

But, no, we believe that all people are created by God and have a divine spark in them and that they deserve to be protected and that is what the rule of law is all about.

And I just pray that God will continue to give the President of the United States the courage and the insight and the soundness of mind to protect America and the world and this United States Constitution that has given us the greatest Republic on earth.

#### FUND INTEROPERABILITY REQUIREMENTS

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

Mr. STUPAK. Mr. Speaker, I am pleased to appear here tonight on behalf of the Democratic leader to talk about a problem that we have faced for many, many decades in this country and little or nothing is being done about.

And actually we have a very huge problem on our hands, and it is a problem that this Republican-led Congress and the administration has tried to minimize and brush aside for way too long, and that is interoperability.

Our first responders, our police, our firefighters, our sheriffs, our National Guard members, emergency medical technicians, cannot talk to each other in time of emergency, or even out on routine patrol, they cannot talk to each other across agencies, across country or across city lines. And they cannot talk to each other, to the State, to the local and Federal Governments for which they serve. We have law enforcement and first responders out trying to do their job, but what they see and what happens before them, they cannot communicate with each other.

The issue is called interoperability. Can I talk to the agencies next to me? Can I talk to that firefighter? Can I talk as a police officer to the emergency medical technician who is coming to help me?

As a former city police officer, and as a Michigan State police trooper, I can tell you that this is something that the law enforcement community has known for decades. The issue gained national attention after the Oklahoma bombing in 1995 at the Murrah Building and again on September 11.

Unfortunately after the wake-up calls this country has received, especially after September 11, this administration has simply rolled over and went back to sleep, until it was once again awakened by the arrival of Hurricane Katrina.

Local first responders, government officials, military and National Guard leaders have all said that the inability of first responders to communicate made this national crisis, Hurricane Katrina, much worse than what it should have been.

With Hurricane Katrina, we witnessed a complete communications meltdown that stretched from the gulf coast all of the way here to the Beltway. We witnessed the unimaginable horror that resulted from this meltdown. We saw babies crying. We saw older women weeping. We saw police officers running towards gunfire, unable to describe what is going on and unable to call for backup, because they had no communications.

We saw buildings burning because there was no way to notify the fire department and the firefighters who were still in the area. The communications breakdown was so absolute that the director of FEMA said he did not know until Thursday, 3 days after the hurricane, that there were over 25,000 people stuck in the hell that was once known as the New Orleans Convention Center.

We know that the inability to communicate contributed to the deaths of 121 firefighters on September 11. We do not yet now how many people died in the aftermath of Hurricane Katrina, simply because public safety officials could not communicate with one another.

But we do know that people died. We have all seen the pictures of bodies covered in sheets at the convention center. That should not have happened. Those people should not have to have died. We could see the frustration on the faces of the first responders, the medical professionals, the police, who did not have the necessary communications to get the job done and to save lives.

Despite the difficult conditions and despite the lack of communication, those first responders should be commended for a job well done with the resources this Nation gave them to work with. But we owe it to our first responders. We owe them more than just thanks, more than just honors, and more than just promises.

For once cannot we just stop the rhetoric, and I for one am sick and tired of the rhetoric and the empty promises that they will soon have interoperability, they will be able to communicate with each other, they will be able to save lives, as is their sworn duty to do.

And that is why I am down here tonight and joined by some of my Democrat colleagues. That is why we have offered amendments, written letter after letter, and introduced legislation to increase funding for our first responders for interoperability.

□ 2115

I am not alone. Democrats have been calling for more resources and more funding for your first responders year after year. Unfortunately, our voices, these calls have fallen on deaf ears of the majority party and this administration.

In the years since September 11, in 2 years Congress did allocate \$260 million for interoperability. \$260 million may sound like a lot, but the communications challenges facing this country, as we have ignored it for so long, are such a daunting task that it is estimated it will take \$18 billion for this country to finally become interconnected with their communications for public safety and first responders. So you see, \$260 million is really only a drop in the bucket for interoperability.

What is more troubling is the last 2 years this administration has zeroed out any money in the budget for the only grant program specifically designed for public safety communications upgrade. In the last 2 years requests put in it get zeroed out by the administration. And the majority party is obligated to do what the administration has been telling them to do, and they failed to provide any money specifically for first responder communications.

Shockingly, the administration continues to request no funding. Even in their most current budget, no funding, even though everyone knows and realizes that there is a lack of communications. Interoperability is a problem that must be solved to save lives and to properly respond to the disasters or terrorist attacks here in the country.

The Department of Homeland Security has solicited proposals for a \$10 billion program to make 80,000 Federal law enforcement officers and agents interoperable. The Department of Justice and the Department of Homeland Security, they want to take most of the money and make sure the Federal Government can talk to each other. That is a good start. But there are about ten times as many State and local law enforcement officers, 800,000 in the United States. We should be making sure we are making the same commitment to our State and local governments, especially after what we saw this month, that State and local governments may be on their own for days following an attack or another hurricane like Hurricane Katrina.

Why is it the Federal Government has a plan to make itself fully interoperable, but the first responders who are always the first on the scene, the first at the disaster, the first at the terrorist attack will have to wait until the Federal Government is fully interoperable? It is the local first responders who must be made interoperable first.

The lack of commitment to our country's first responders became glaringly evident this past week. As The Washington Post reported on September 2, 2005: "Police officers and National

Guard members, along with law enforcement officers imported from around the State, rarely knew more than what they could see with their own eyes."

Dr. Lee Hamm, chairman of medicine at Tulane University said three days after the hurricane, "The physicians and nurses are doing an incredible job, but there are patients laying on stretchers on the floor, the halls were dark, the stairwells are dark. There's no communication with the outside world."

Major General Harold Cross of the Mississippi National Guard said, "We have got runners running from commander to commander. In other words, we're going to the sound of gunfire, as we used to say during the Revolutionary War."

Rescuers and helicopters could not talk to the crews in the boats down below patrolling to try to save and rescue people. Three days after the hurricane, the emergency radio system in New Orleans had the capacity to support 800 users while there were three times as many trying to use that system. It was just simply overloaded.

As Louisiana State Senator Robert Barham said regarding communication, "We are no better off now than we were before September 11."

The best way we can honor these public safety officials who bravely work through the devastation is to finally provide them with meaningful investment in public safety communications. No more excuses, Mr. Speaker.

This Congress is made up of Members who are dedicated to our first responders and many Members with firsthand expertise in public safety communications. This problem has been studied for years. In fact, it has been over-studied. We on this side of the aisle have been saying for years, enough hand-wringing, enough finger-pointing. Let us get a plan and get that plan funded so that all first responders, whether they be local, State or Federal, can talk and communicate with each other at all times during disasters or terrorist attacks or just during routine regular patrol, coordinate their efforts. We know what the solutions are. So why, after all these years, have we done nothing?

Why does this Congress and this administration continue to fail our first responders? Because governing is about priorities. And it was the priority of this Congress and this administration to cut taxes for the richest Americans over investing in radios to communicate with each other for our police officers. It was the priority of this Congress and this administration to cut taxes for the richest people in this country rather than investing in a stronger emergency 911 network.

In the Committee on Energy and Commerce, a committee which I sit on, we are now going to be ordered to cut \$10 billion in Medicaid instead of investing in our health care safety net.

This Congress and this administration have the wrong priorities. Tax

cuts not only take precedence over first responder funding, but they also take precedence over allocating spectrum first responders need to better communicate. Our first responders need more spectrum because the radio channels they have now are clogged with too much traffic. The lack of spectrum is impeding their ability to talk to one another.

Getting first responders the additional spectrum they need must be a priority; but instead of doing what needs to be done, the majority insists on waiting until the reconciliation bill so they can use the spectrum sales to pay for more tax cuts for the wealthiest Americans. First responders' communications should come before any more tax cuts.

After September 11, I introduced a bipartisan piece of legislation along with the gentleman from New York (Mr. FOSSELLA) and the gentleman from New York (Mr. ENGEL) to create a dedicated funding source for public safety communications upgrades.

This sessions I again introduced the Public Safety Interoperability Implementation Act, or H.R. 1323, to create a public safety communications trust fund. Under my legislation, after an initial 3-year grant program, the funding for the trust fund would come from the future sales of the spectrum. Grants would be allocated to eligible entries to achieve interoperability, with multiyear grants available to ensure that agencies can develop a long-term plan without having to worry about funding from one year to the next or who is in charge of the budget.

Congress has been using the sale of spectrum as a budget gimmick for years. This year we are again considering the legislation to sell a block of spectrum by 2008 estimated to be worth 10 to \$20 billion. Where is this money going? The money is going to offset \$126 billion in tax cuts for the wealthiest Americans.

I think the proceeds should go to our police, our firefighters and not the millionaires. With all due respect to the people who are well off in this country, they are not clamoring for these tax cuts. It is just the philosophy of one party over the priority of needs of this great country.

Senator JOHN MCCAIN even agrees with me. He has introduced a bill to give first responders the spectrum they need and to direct the proceeds of the spectrum auctions to a public communications grant program. The companies who are going to buy the spectrum are going to use it for advanced wireless communications. But what are we going to do if we do not act now? We will continue to fail our first responders if some of the auction proceeds do not go to ensuring that public safety, first responders, and local governments can invest in the very wireless communications that will result from the sale.

It is an embarrassment that our 14-year-old students and kids in many cases have better wireless communica-

tions than our first responders. Again, I ask my colleagues in the majority, what is your priority going to be? Tax cuts for the richest of Americans or our firefighters? Tax cuts for the richest Americans or our police officers? Tax cuts for the richest Americans or emergency medical technicians?

How many more people will have to die and how many more natural disasters and terrorist attacks will this country have to endure before the excuses stop and actions begin?

What communication problems are we going to see with Hurricane Rita currently knocking on our door? We cannot continue to send our first responders out on the beat without the back-up, without the communication tools they need to do their jobs. We have the technology today to fully connect our first responders. Let us make the investment today to keep America safe.

Mr. Speaker, as I said, this is an issue some of us have been working on for a long time. We have been to this floor offering amendments. We have gone to the Committee on Rules offering amendments. We have spoken on the floor. We have asked for reports. We want to see where the money is being spent, because it certainly is not being spent on the communications our first responders need.

One of the champions, one of them who has been down here day-in and day-out working side by side on this issue is the gentlewoman from New York (Mrs. LOWEY). We also have the gentlewoman from Pennsylvania (Ms. SCHWARTZ) who is a new Member who has taken up this issue, and she will speak after the gentlewoman from New York (Mrs. LOWEY).

I yield to the gentlewoman to kindly share a few thoughts with us.

Mrs. LOWEY. Mr. Speaker, I want to thank the gentleman for organizing this Special Order and emphasizing over and over again how important this issue is.

Frankly, Mr. Speaker, it amazes me that 4 years after September 11 we are still talking about gaps in our Nation's strategy to prepare for the unthinkable, another terrorist attack. And one of these glaring gaps is the inability of first responders to effectively communicate in an emergency situation. We witnessed this 10 years ago in Oklahoma City. It resurfaced in Columbine in 1999. The problem proved to be deadly on September 11.

Of the 58 firefighters who escaped the north tower on the World Trade Center and gave oral histories to the Fire Department of New York, only three, three heard radio warnings that the north tower was in danger of collapse. People all over the city looked at it happening, but our firefighters who bravely responded did not get any kind of radio warning. We will never know how many of the firefighters who died that day while heroically rescuing thousands of workers would have been spared if they had effective interopera-

ble communications equipment to receive the evacuation orders.

In the wake of Katrina, reports from the gulf indicate that communications failures plagued our first responders once again. The lack of communication with State and local officials in New Orleans compounded FEMA's poor response.

The New York Times reported that rescuers in helicopters could not talk to crews patrolling in boats, and National Guard commanders in Mississippi had to use runners to relay orders. In 2005? We are going back to the days of Paul Revere. They had to use runners. They could not communicate. Crews on the ground could not talk to one another to coordinate searches, slowing down the rescue effort.

For years, as my good colleague just said, several of us have demanded that the administration take the necessary steps to facilitate adequate communication between first responders in the event of an emergency. These demands have gone largely unanswered. I have once again introduced legislation to require the Department of Homeland Security to create a comprehensive interoperability strategy and to authorize funding for first responders and government agencies to plan and purchase equipment.

Despite consensus, I do not know anyone that disagrees that interoperability is a problem and that first responders do not have necessary resources. The bill has not even moved out of committee.

□ 2130

The record of this majority and this administration is troubling in other ways, too. First responders also lack adequate radio spectrum for their radios to work. The gentleman from Michigan (Mr. STUPAK), my good colleague, referenced that legislation. Legislation has been repeatedly introduced to solve this, but the majority will not let it advance.

The Intelligence Reform Act that we passed last year stated the DHS, the Department of Homeland Security, must come up with a timeline for achieving interoperability by April of this year. Five months later, I have not seen the report. Has the gentleman seen the report? There is no report.

Finally, in his fiscal year 2006 budget request, the President did propose to fund the Office of Interoperability and Compatibility within the Department of Homeland Security at \$20.5 million, a 35 percent decrease from fiscal year 2005 levels, and far below the billions needed to meet this challenge. The President did not get briefed adequately when Katrina hit. When he was preparing the budget, he clearly was not briefed adequately.

Eight years ago, let me repeat that again, 8 years ago, the final report of the Federal Public Safety Wireless Advisory Committee concluded that, "Unless immediate measures are taken to promote interoperability, public safety

agencies will not be able to adequately discharge their obligation to protect life and property in a safe, efficient and cost-effective manner.”

Last week, the 9/11 Public Discourse Project found that minimal progress has been made to provide adequate radio spectrum for first responders, and Commissioner Kean has called the failed communications that slowed Katrina rescue efforts a “national scandal.”

Now, forgive me if I sound impatient or even angry, but with nearly every major study and report on homeland security concluding that lack of interoperability remains one of the most serious issues facing first responders in this country, I simply cannot understand why this administration has done little more than pay lip service to this issue. Well, it is time to do more than talk the talk.

We must do something now to ensure that in the event of an emergency, be it a natural disaster or a terrorist attack, our local police, firefighters, EMS workers, 911 dispatch operators, State police, National Guard, Coast Guard, FEMA, FBI and all other public safety agencies have the ability to communicate with one another. Hurricane Katrina is not a wake-up call that something needs to be done, it is a fire alarm. And I urge my colleagues to immediately adopt legislation to address this critical problem.

Again, I want to thank the gentleman from Michigan (Mr. STUPAK) for organizing this Special Order. I do hope that the administration and some people in the leadership are listening. I am tired, and I know the gentleman is, I am impatient and I am angry.

We have hearings in the Committee on Homeland Security. Members of the administration testify; they agree with us. We ask them, when are you going to send out requests for proposals; when are you going to seriously address this problem? We are going to do it; we are going to do it.

Katrina came. Hundreds of people lost their lives, and we still do not have a definite plan in place to make sure that people can talk to each other and communicate with each other to save lives.

So I thank the gentleman again.

Mr. STUPAK. Mr. Speaker, I thank the gentlewoman for her words and her passion, for the statement. She has been on this issue from day one. She has been a great advocate for New York and the devastation you saw on September 11. And the administration continued to say, the gentlewoman is right, threw a little bit of money the first year, second year; but 3 years later, the last 3 years, the budget proposal by the President and approved by the majority party, the Republican Party in this Congress has zeroed out the only program specifically set up to develop interoperability.

Through the objection of the gentlewoman from New York (Mrs. LOWEY) and the gentlewoman from Pennsyl-

vania (Ms. SCHWARTZ) and myself, by the gentleman from New Jersey (Mr. PASCRELL), a number of us have come down here repeatedly, saying we have got to fund this program. They say, we will get to it, we will get to it, we will get to it. Even before Hurricane Katrina hit, some of us said, have you got your interconnectability ready? We know that technology exists. The military has it. Why can we not use it? Once again, it is, we will get to you. We are getting tired of that excuse. So I appreciate the gentlewoman's help and leadership on this issue.

Next, I would like to yield to the gentlewoman from Pennsylvania (Ms. SCHWARTZ), who is a new member of our caucus and has done a wonderful job. She has really been concerned about what happened in the terrorist attack of September 11; and of course, Pennsylvania was part of the September 11 tragedy. We all know too well the lack of communications, how it hindered our operations, even our communication, to know what is going on, whether it was in the air or on the ground in Pennsylvania.

So, with that, I yield to the gentlewoman from Pennsylvania (Ms. SCHWARTZ), my friend.

Ms. SCHWARTZ of Pennsylvania. Mr. Speaker, I do appreciate the opportunity to speak with my colleague. Mr. Speaker, I thank the gentleman from Michigan for organizing this evening's conversation on first responder communications.

This past weekend, I joined with other Members of this body on a fact-finding mission to the gulf shore communities which have been ravaged by Hurricane Katrina. I was struck by several things, two particularly relevant to this evening.

First, I felt, as so many other witnesses have felt, that the images on television, on the Internet, in the printed press, do not do justice to the enormity of the devastation.

Second, I was moved by the sense of shared duty among the first responders who have arrived on the scene from all across this Nation.

These police officers, firefighters, medics and National Guardsmen and -women came to the distressed gulf coast region, and many of them came voluntarily because they saw their fellow Americans in need of help. They came because they felt duty bound to their brothers and their sisters, their fellow Americans, most of whom they had never met.

Mr. Speaker, we in this body are also duty bound. It is our duty to ensure that our first responders have the tools that they need to protect and serve any community in this Nation, under any circumstances.

We seemed to understand this responsibility after the tragedy of September 11. Our respect and admiration for the role of first responders in New York and here in Washington and in Pennsylvania was to be matched by a Federal commitment to address some of

the difficulties that they faced in the minutes and hours after the plane struck. However, what we found in the aftermath of Katrina was that our first responders still lack the tools that they need to be most effective.

Four years ago, almost to the day, evacuation orders were not heard in the towers of the World Trade Center because the police, the firefighters and other emergency personnel simply could not speak to each other. And just weeks ago, in the days following Hurricane Katrina, similar problems hampered initial search-and-rescue, security, and relief efforts.

Those of us who are participating in this evening's discussion, along with many of our colleagues who could not be with us this evening and Americans across the country, were alarmed by the lack of leadership coming from the Federal Government, particularly the administration, in preparation for and in response to Katrina.

The American public was rightfully disappointed, if not horrified, by the Nation's state of preparedness, which appeared to be so woefully inadequate, despite our past experiences and promises from this administration to do better.

Over the past 4 years, members of this body, like my colleague from Michigan, like my esteemed colleague from New York, have worked tirelessly to prod the Department of Homeland Security to provide our Nation's cities with standards for interoperable communications. As a State senator in Pennsylvania, I authored and passed a resolution calling on Congress to act; yet this guidance has not yet come.

So as we await leadership from the Department of Homeland Security, communities across the Nation are working to equip themselves with the technology necessary to enable various local and regional first responders to seamlessly communicate in the event of an emergency or mass incident, and they are doing so because they cannot afford to wait.

In my region, the Philadelphia Police Department, along with Southeastern Pennsylvania Transit Authority officials, are working to address the fact that their radio systems are not compatible, making it virtually impossible for them to communicate should a coordinated response be necessary in any of our subway tunnels, as might have happened, and did happen in London.

I have been working closely with city and transit officials to find interim remedies to this problem, but the Federal Government should be enabling them to implement a long-term solution. This is what is required nationally.

The President must propose, and Congress must act, to provide a dedicated radio spectrum for first responders.

The Department of Homeland Security must establish Federal standards for interoperability.

The President should request, and the Congress should provide, the funding necessary to implement these goals.

Mr. Speaker, I stand with the gentleman from Michigan (Mr. STUPAK) tonight to say that the time for these actions is now. Our communities and our citizens across the Nation cannot wait.

Mr. STUPAK. Mr. Speaker, I thank the gentlewoman for coming out and joining us tonight on this Special Order. I was really interested in some of those recommendations she made here earlier tonight. Those are many of the recommendations we have heard for years and failed to act upon. Even the planning money that was to be for this national operability, so they will be coordinated together, has been zeroed out in the budget.

Then we have Hurricane Katrina, and it just emphasizes the devastation that occurred and the lack of knowledge and response. People are saying, well, why did we not know? We did not know because there are no communications. We cannot continue to say the excuse we did not know, because we had the opportunity to do this. This has been going on since I worked the road some 20 years ago, and trying to communicate with each other. Unfortunately, we had these tragedies, but maybe we can use this opportunity in a positive light to learn something from this and maybe get some interoperability. I certainly appreciate the gentlewoman's leadership and compassion for those who have suffered so much in Hurricane Katrina.

Mr. Speaker, last Thursday, ABC News, Ted Koppel, the headline, "Primetime Moment of Crisis: System Failure." I am not talking necessarily about the lack of communication and who should have done this or not. I just want to talk for a moment about what they saw in this Primetime program last Thursday on communications, just communications.

We start with Greg Meffert. I got the transcript of the show because it was so revealing of so many of the problems they had just through lack of communication.

Mr. Meffert says, "The only communication we had was a laptop that we brought, and it had a wireless broadband card that worked all the way up into the Hyatt." The Hyatt was where the mayor of New Orleans had his command center. "So the mayor and the chief and all of us were getting our information via this little laptop. Finally, the Internet feed goes out."

Ted Koppel says: "It was one in a series of communications breakdowns that would contribute to untold suffering and a still untallied number of deaths. At 8:14 central time, the National Weather Service issued a bulletin reading, 'flash flood warning, a levee breach occurred along the industrial canal at Tennessee Street.' The problem was that by the time the bulletin went out, the hurricane had been battering the city for hours. Elec-

tricity and phones were out. So most people neither saw nor heard the warning. Officials in Washington seemed totally oblivious to the bulletin."

Going on, on Ted Koppel, Live Primetime last Thursday, Michael Chertoff said, "We are extremely pleased with the response that every element of the Federal Government, all of our Federal partners have made to this terrible tragedy."

Ted Koppel: "If Secretary Chertoff was pleased, it could only have been because he had no notion of what was actually happening on the ground in New Orleans. Between 20 and 30,000 people were stuck inside the Superdome. There was no more food and water. The toilets overflowed long ago. While those inside were supposed to be bused to the Houston Astrodome, the streets were flooded and there weren't enough buses available anyway."

□ 2145

Let me go on. Here is what the President said: "I don't think anybody anticipated the breach of the levees. They did anticipate a serious storm, but these levees got breached. And as a result, much of New Orleans is flooded, and now we're having to deal with it and will."

Ted Koppel: "The President is correct. Nobody did anticipate the breach of the levees, but they did predict that the levees would be flooded. At Toru Hospital, 10 patients have died overnight. There was only one working telephone in the entire hospital and a small staff which was low on supplies. They were forced to make some very tough choices. Correspondent Bob Woodruff was there."

Female doctor: "What we're doing today is, the physicians are going around and evaluating every patient. If they can say their name, we're giving them an IV fluid to make their tank better, to kind of give them a boost."

Bob Woodruff: "What if they can't say their name?"

Doctor: "We're not giving them IV fluids. We consider them not viable."

Going on, underneath this report last Thursday, Lieutenant General Russell Honore, U.S. Army.

The reporter asked: "Will these people be out of New Orleans by sundown?"

Lieutenant General Honore says: "No, how do you move 20,000 people by sundown? No, hell no."

Ted Koppel: "Having heard reports of guns inside, SWAT teams and the military arrived with weapons locked and loaded. From the perspective of those stranded inside, the rescuers looked more like men prepared to put down a prison riot."

President George W. Bush: "I'm pleased to report that the convention center is secured. One of the objectives we had today was to move in and secure the convention center."

Ted Koppel: "It would be one more day before the buses finally came."

President George W. Bush: "I'm going to fly out of here in a minute,

but I want you to know that I'm not going to forget what I've seen. I understand that the devastation requires more than just one day's attention."

I would like to hold the President to his words because I came here tonight to talk about public safety communications and the failure of this Congress and the Bush administration to adequately respond to the communication needs of our first responders. Sadly, we in law enforcement and in Congress who work on these issues were not surprised by the lack of communication after Katrina. Much of that transcript which I read we were not surprised by.

We have seen many examples of crises where first responders could not communicate, going back to 1982, with the plane that left Washington National and crashed into the Potomac, or take the Oklahoma bombing at the Murrah Building in 1995, or the California forest fires in 2003, and September 11. We just experienced Hurricane Katrina, and now we have Hurricane Rita knocking at our door.

Mr. Speaker, that is why I have been working for years to make the needed investments so that firefighters and police can talk to each other, so that police can talk to EMTs, so that officials can talk to ambulances, so that the medical personnel that people need to get better or to be rescued can talk and communicate and save lives. We thought we finally made some progress when President Bush said, and this is what he said in January of 2002 in talking about 9/11, the President said and I quote: "It is important that we understand in the first minutes and hours after an attack that that is the most hopeful time to save lives, and that is why we're focusing on the heroic efforts of those first responders. That's why we want to spend money to make sure equipment is there, strategies are there, communications are there, to make sure that they have whatever it takes to respond."

I agree with the President 100 percent; but, unfortunately, I say they are empty words. What did the President say and what did he close with on the Ted Koppel show last Thursday? He said: "I'm going to fly out of here in a minute, but I want you to know that I'm not going to forget what I've seen. I understand that the devastation requires more than one day's attention." With all due respect, Mr. President, we are pushing 3 years, over 3 years since you gave us almost similar words after 9/11. There has been scant follow-through, very little planning, very little standards-making, and minuscule funding for interoperability.

Evidently, former FEMA Director Brown was surprised by the meltdown. Even he told CBS News that the agency failed to anticipate "the total lack of communication, the inability to hear and have good intelligence on the ground about what was occurring there."

Perhaps FEMA Director Brown should have read the report published

by the U.S. Conference of Mayors, which I have cited many times on this floor before. According to the U.S. Conference of Mayors report released in June of last year, more than 80 percent of our cities are not interoperable with Federal agencies. New Orleans is and was one of those cities. This means that in the event of a terrorist attack or another natural disaster, far more than three-fourths of the United States cities would be woefully unprepared to coordinate responses and communicate effectively to be safe, to be secure, and to do their job.

Here are some more troubling numbers from that U.S. Conference of Mayors report: 97 percent of cities are unprepared to communicate during a chemical plant disaster; 94 percent of the cities are unprepared to communicate during a rail disaster, much like we saw in Chicago this last week; 92 percent of the cities are unprepared to communicate during a seaport disaster.

Clearly, our local public safety agencies are no closer to being interoperable than they were 3 years ago, 5 years ago, 20 years ago, or in 1982 when the plane went down in the Potomac, or even 20 years ago when I worked the road as a Michigan State Trooper. It all points back to the fact that public safety communications have not been a priority for this Congress or this administration.

The estimates to make local, State, and Federal first responders interoperable are as high as \$18 billion, yet only \$260 million has been provided specifically for these upgrades; and the President continues to zero out funding for this program in his budget requests.

Mr. Speaker, my legislation would take communications funding away from the whims of the congressional appropriation process and away from the President. H.R. 1323 would set up a public safety communications trust fund, and revenue from that fund would come from the sales of the spectrum. My bill would dedicate 50 percent of the net revenue from future spectrum sales into a public safety trust fund. By dedicating these funds from the sale of the spectrum, we would ensure that funding would be set aside no matter what happens in the annual appropriations process.

Local agencies cannot afford to upgrade their communications equipment without Federal assistance. I believe that Federal assistance is more than justified when the Federal Government repeatedly calls upon local first responders to be even more vigilant and to be even more prepared for possible acts of terrorism and, now, from natural disasters.

In fact, the 9/11 Commission report outlines a similar recommendation. The report states: "The inability to communicate was a critical element of the World Trade Center, Pentagon, and Somerset County, Pennsylvania, crash sites where multiple agencies and multiple jurisdictions responded. The occurrence of this problem at three very

different sites is strong evidence that compatible and adequate communications among public safety organizations at the local, State and Federal levels remain an important problem. Federal funding of such interagency communication units should be given high priority."

Last week, the former Republican Governor of New Jersey and co-chair of the 9/11 Commission said their recommendations have not been heeded. Governor Thomas Kean said, "It's the same thing all over again. It's a lack of communication, first responders not being able to talk to each other. It's no command and control, nobody in charge; it's delayed responses. It's basically many of the things that, frankly, if some of our recommendations had been passed by the U.S. Congress, that could have been avoided."

Some may argue that local agencies can apply for grants under the Department of Homeland Security State formula block grants. They argue that money can be used for interoperable communication systems. Well, Mr. Speaker, I have been out on this floor and I have offered amendments on the House floor to find out how much money has gone to interoperability. I have received incomplete and delayed responses from the Department of Homeland Security. They have no idea how much money. They can tell you how much money has been spent, but they cannot tell you how much money from these grant programs has been spent on interoperability in 2002 or 2003.

They just recently figured out how much has been spent for 2004, but they are not sure if it went to interoperability or not. They sort of think some of it did. That does not say much about the oversight or the planning from the Department of Homeland Security about where the billions of dollars of State formula grant money has gone.

Finally, Mr. Speaker, this administration must develop a plan and standards to give State and local officials some guidance. There has to be minimum standards setting. We have been saying this for years. It does not cost that much to set them, but it has not been done. The folks at SAFECOM, which is one of the departments within the Department of Homeland Security that is in charge of developing these standards, SAFECOM, charged with developing these standards, told Congress last year that "at the rate we're going, it will be another 20 years before our public safety agencies are fully interoperable." Another 20 years.

I do not know about you, Mr. Speaker, but I am sure the American people would agree with me that we do not have another 20 years. Another terrorist attack on the U.S. is not a question of if, but when. Another hurricane is approaching the gulf as I speak here tonight. Public safety is not an issue where the administration and Congress should continue to drag their feet. Yet here we are, 4 years after 9/11, still at

square one. It is a disgrace, and it must be changed.

I hope that tonight we have helped to enlighten the American people and that interoperability becomes a reality and not a fiction or a dream that many of us in law enforcement have had for more than 20 years. Maybe the words of the President after 9/11 and after Hurricane Katrina, when he says he is going to jump on his plane and do something about it, we will actually get to work and do something now. We cannot take any more natural disasters like the one we saw in the last few weeks on TV because we are unprepared, because we cannot communicate, because we do not have intelligence on the ground, because those who are sent in to do the job cannot talk to each other.

How much longer does this have to go on? I hope and pray not much longer.

#### DISASTER BRINGS OUT THE BEST IN HUMAN NATURE

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

Mr. GINGREY. Mr. Speaker, I wanted to take this opportunity briefly to just say that in the aftermath of this terrible natural disaster known as Katrina we certainly have heard a lot of name-calling and finger-pointing on both sides of the aisle in regard to who might be responsible, who did good, and who did bad. I think at the end of the day, after we have an opportunity in this House to thoroughly investigate that, we will have answers to those questions.

In the meantime, Mr. Speaker, I just wanted to let my colleagues know that when I had an opportunity to go down to Baton Rouge to one of the shelters over the Labor Day weekend, I did not see the worst in human nature, as depicted in some of the TV scenes with the looting and the crime in the immediate aftermath of the levee break. I saw the best of human nature. I saw people pulling together, working hard; the Red Cross folks and volunteers doing all they could, driving down to Baton Rouge or trying to get down into the gulf coast or into Mississippi or New Orleans; just dropping everything and taking days off work and bringing supplies. It was really an amazing show of the best in human nature.

□ 2200

It is something that I want to tell my colleagues that have not seen that side of the issue, a lot of good is coming out of this natural disaster. Hopefully we will continue to see that good as we help the people in the gulf coast, and particularly in the city of New Orleans, put their lives back together.

Mr. Speaker, I appreciate the time to touch on this. As we go through this week and the next several weeks, we will be talking more and more about this, hopefully during Special Orders,



and drawing from other experiences, and experiences I experienced myself a week or so ago in the gulf coast area.

#### WORST CASE SCENARIO

The SPEAKER pro tempore (Mr. PRICE of Georgia). Under the Speaker's announced policy of January 4, 2005, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate the opportunity to say a few words tonight, and I appreciate the gentleman from Georgia (Mr. GINGREY) for being here and his consistent approach to good government and good policy. I also understand that the gentleman from Georgia (Mr. GINGREY) has been down to the hurricane-ravaged region to see what is going on down there.

I wanted to take an opportunity to say some words about Hurricane Katrina, about the disaster itself, how it came to that point, what has happened to get us to this point, and what we need to do to get ahead in America and rebuild and reconstruct the ravaged region of the gulf coast.

As I speak, we have another hurricane that is swelling up to a category 4 hurricane. Who knows where it is going to make landfall, or if it will make landfall. If it takes a turn in the wrong direction, it could get the very location that is still underwater from Hurricane Katrina.

I take us back to those days prior to Hurricane Katrina striking that region. I know back as early as 2002 there were significant documents published in the local paper that illustrated the structure of the dikes, the levee system, the protection from hurricanes and flooding that existed around the New Orleans area.

For years they had been building miles and miles of levees and dikes. The original concept of the city, as the city got established and grew, like most cities, it was not the most scientifically identified location, but it was a location good for commerce. If you can pick a good location for commerce, then you will find out that the value of that commerce flowing into that city would be great enough to justify the construction of the infrastructure that was required to, at least within the vision of the people making the decisions and paying the taxes and appropriating the funds at that time, to protect the city with at least minimal advocacy.

As the years went by, New Orleans grew. It began to settle below sea level. And as the Mississippi River would rise and bring its periodic floods, as I have seen in Iowa, and I have worked in the floods of 1993, that water made its way down there and flooded that region too. They built protection, and each device was designed to protect the last flood, and seldom do we design to protect against the next flood.

I do not take issue with the design of the Corps of Engineers, but New Orleans

was a city that was growing. And as it grew, the land settled. As it settled, the levees were constructed and the protection was established; but it was more designed for something we had experienced in the past rather than something we might anticipate in the future.

But it was not without anticipation. In fact, the newspaper articles in the New Orleans Times Picayune had laid out, I believe, five different editions of that newspaper that all dealt with the structure of the levee system, the protection of the levee system, and what would happen in the event of certain weather circumstances, particularly hurricanes. Each of those editions had five or six articles that laid out certain segments.

As I sat through the night reading through those, it struck me this was a concise presentation of the circumstances. If one wants to go and visit and understand what happened around New Orleans, I highly recommend that they revisit those pages on the Web site of the New Orleans Time Picayune newspaper. I believe it was 2002, although the articles do not have a date I can find.

What I saw was a Mississippi River leveed off from the city of New Orleans. The levees are 25 feet above sea level. They protect the flooding of the Mississippi River. It gets over 25 feet over sea level, it would spill out over the levees. And as far as I know, it has not done that, at least not from the river itself.

There were also levees designed to protect the city from the surge from the gulf. It is unclear to me the elevations of those levees. Some of them were not as high as the 25 feet above sea level that is the level around the Mississippi River. There are also levees operated by the levee district and in conjunction with the Corps of Engineers. As I picked out of that article, there is cost sharing. First of all, the Corps of Engineers constructs, operates, and maintain the levees on the Mississippi River. The other levees, particularly the levees that are the boundaries of Lake Pontchartrain that keep Lake Pontchartrain from surging into New Orleans, those levees are managed and constructed in conjunction with the Corps of Engineers. And then there are lateral levees that run along some of the canals that are constructed and maintained by the levee district themselves, according to the published documents.

As I look at those elevations, the river elevations, Corps of Engineers, 25 feet above sea level. The hurricane levees around Lake Pontchartrain, approximately 17.5 feet above sea level. The elevations along the 17th Street Canal, there was one elevation that was 4.5 feet above sea level. That canal needed floodgates at the inlet of Lake Pontchartrain to protect the surge from spilling out and breaching the levee on the 17th Street Canal. The other two canals fell in the same category.

But as it laid out this system, the system of levees designed to protect a city that is settling and a city that had as much as 16 feet of water in the city, the idea was, of course, to plan for an expected or an historical event. But one article in there laid out the scenario that was called worst case scenario; and worst case scenario was if a category 4 or category 5 hurricane came into New Orleans from the south and sat with its center near the center of the city of New Orleans, or perhaps a little to the left or west where the counterclockwise winds of the hurricane would drive the ocean water up into Lake Pontchartrain, and there would be a surge of water that actually lifts water up out of the ocean above sea level, as that water comes up it raises an elevation. Water has a tendency to flow downhill. That is one thing I can say professionally: Water runs downhill. The south wind would push that water that was elevated up into Lake Pontchartrain and raise that lake up, a lake that might have a depth between 8 and 20 feet deep, approximately 16 to 17 feet average depth, but half again more water, 8 to 10 feet more water pushed into Lake Pontchartrain. And as the south wind drove that water to the north, and it is a huge lake, that lake had half again more water.

As the hurricane shifted further to the right or to the east, that moved the eye to the east of New Orleans and to the east of Lake Pontchartrain. When that happened, the wind turned around to the north. When it turned to the north, it began to drive that water that was stacked up in Lake Pontchartrain, drive it back to the south. And when it did that, there was a 10- or 12-foot or greater wall of water because there was that much water in the lake, it was 155-mile-an-hour winds driving that water, pushing that surge over the levees, over where the floodgates needed to be and the inlets to the canal levee system.

Mr. Speaker, that was the worst case scenario, and that was the scenario that was laid out in the newspaper in 2002. It was the scenario that hit with Hurricane Katrina when Lake Pontchartrain spilled over the levees. Once it breaches a levee and the water starts to flow, the velocity of the water erodes the soil out and creates wide gaps in the levees and lets more and more water come faster and faster, and New Orleans began to fill up. We saw the low parts of New Orleans on our television screens, and I saw them from the air a week ago last Sunday. That was the worst case scenario that hit.

I pose one more thing into this question. There were a couple of other things with regard to how people responded, and perhaps we will get to that, but the scenario was this. By my information and I have not checked the actual river flows, but by my information, the Mississippi River was running at one of its lowest levels. It was at least a seasonal low, if not an historical low. As I flew down from New Orleans to the gulf, south about 90 miles of

channel to get to the Gulf of Mexico, and looked at the devastated communities down there, the 25-foot levees down below were breached. I would say they were topped. The river levees were topped by water that surged over the top, which said that this low-flow Mississippi River saw such a surge from the ocean that it came up and went over the top of the 25-foot levees, 25 feet above sea level, surged over the top of those levees and flooded the bottom ground between the gulf levee and the Mississippi River levee and washed out anyone that lived in that half-mile stretch that lives in between the two levees, all of the way from New Orleans down to the Gulf of Mexico.

That surge in that river, that surged all of the way up into New Orleans and put pressure on the entire system, I wonder what it would have been like if the Mississippi River had been running at a high flow as opposed to a low flow. It would have been worse yet if that had been the case.

I looked at what caused that disaster and how it came about and how it was predictable, it was predicted, and what we might have done and what we might well do. That will be something that I will commit a lot of my energy to in the upcoming months, to have some oversight on the planning process, since it is my background and my life's work and my history of having been flooded. I had four large construction contracts going on in 1993 in Iowa, and had them all underwater intermittently throughout that spring and early summer, and, by the 9th of July, having them all underwater with some of my equipment as well. That helps me empathize with the victims of this flood. My house did not wash away, my business nearly washed away. That season was washed away, and it put all of us through a lot of work and stress and economic hardship that I think served me well to have been tested in that fashion. Hopefully I will be able to use and draw on that experience as we reach out a helping hand to the people on the gulf coast.

As far as that background and that history subsequent to the floods of 1993, we did flood mitigation work and worked in conjunction with the victim communities throughout the region in Iowa all through the balance of the decade. We were not able to do any flood mitigation in 1993 because we were one of the companies that was underwater; but by 1994 we had pulled ourselves up out of the water and we had gotten our contracts finished and we reached out and we did flood work.

We have done work on all of the reservoirs in Iowa on the Missouri River and Mississippi River. So we have extensive experience in that kind of work and elevations and drainage and hydrology and water flows and elevations and the impact of the velocity.

□ 2215

So these are things that I will pay close attention to as we move forward

with putting a plan together for a solution for New Orleans and the region in the gulf coast.

The gentleman that is here tonight that spoke briefly with a 1-minute speech is the gentleman from Georgia. And this gentleman is a doctor from Georgia, a colleague of mine, a classmate of mine, elected to come in for the 108th Congress together. A gentleman who has given a lot of his life for the betterment of this country, including who-knows-how-many babies delivered, how many passionate speeches on the floor based on that experience, and the times that he has taken his profession to support his work here in Congress but also the times he steps away from his work in Congress to lend a healing hand to people who need that.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I thank the gentleman from Iowa for yielding to me in this Special Order tonight. Of course, he brings to us an expertise that few Members of Congress really have and an understanding of this rather complex system of levees. The city of New Orleans, how it is constructed and how it is protected, and the lower Mississippi, the gentleman from Iowa (Mr. KING), of course, understands that and had an opportunity within the last 10 days to actually go down to the area of devastation, as he points out; and I am very happy that he is going to be working to try to restore and get it right as we seek to rebuild.

I had, Mr. Speaker, an opportunity that I want to share with my colleagues. It was entirely different reality, not from the engineering technical perspective, which I have very little expertise on. But as a physician Member of the Congress, I found myself going into the Labor Day weekend enjoying a dove shoot. The opening day of dove season in my great State of Georgia was that Saturday of Labor Day, the long Labor Day weekend. And as I was sitting in a dove field waiting for these few birds to come over that I had very little chance of hitting, I began to feel a little bit compelled to do something, especially as a physician Member.

And I was fortunate enough, when I got back home, to call around and realize that there was an opportunity to go into Louisiana, into Mississippi, and to try to help out a little bit. A lot of folks have done that; and I am sure that they felt, coming back from that experience, just as I did, tremendously gratified to have made the effort.

But I basically, Mr. Speaker, hooked a ride with an angel flight. Angel flights are private pilots or corporate pilots who are willing in an emergency situation to donate their aircraft to fly either medical personnel or supplies and equipment into an area. And that is exactly what I ended up doing. On Sunday morning of the Labor Day weekend, a good friend, a compassionate citizen from Rome, Georgia,

Mr. Bob Ledbetter, Jr., allowed me to fly down on his plane, an angel flight, to Baton Rouge with medical supplies, three nurses, two from Emory, one from Cobb County.

We basically went to one of the largest shelters in Baton Rouge, 5,000 people there at the River Center, took those medical supplies. And then I spent some time seeing patients. No life-threatening emergencies, but stress patients that have been through a lot, fatigue, some who had swallowed the contaminated water and were suffering symptoms from that. But mainly I just had an opportunity to talk to evacuees to get a sense of what they went through and to also see volunteers who were just working day and night with very little sleep and doing it in a most compassionate way. Not perfect order, but organized to the best of their ability.

I want to give very high marks to the Red Cross, Mr. Speaker, at the River Center in Baton Rouge. If the gentleman from Iowa will allow me, I would like to mention some names of people that I felt need some pats on the back and some accolades.

First, I met the director of the Red Cross effort at the River Center, Mr. Jeff Schnoor. His name is a little difficult to pronounce, but Jeff is a retired military man, 21 years in the military, a single parent, I think from San Antonio, had been working with the Red Cross for 12 years, been through a lot of disasters, but told me that this was the toughest assignment that he had ever had. And he handled himself in that entire center with 5,000 evacuees with such calmness and patience. It was a very difficult time, but he handled it extremely well.

I also was able, Mr. Speaker, to meet with a group of physicians who had gone down from Atlanta, and I want to particularly mention Dr. Cecil Bennett. He had an organization that he put together through his Atlanta primary care practice, some of his partners, some of the nurses that work for him, and he called this Operation Brother's Keeper. And his focus was to not let these angel flights just come down with medical supplies and personnel and fly back empty, but he was determined to see that any evacuee, displaced person, that had family or friends in another State, particularly in Georgia, to be given an opportunity to fly back and to get into maybe a less crowded situation and join family or friends in another location.

And so when I came back from Baton Rouge, it was with another angel flight pilot, Mr. Steve Stemmer, in a very small plane carrying the pilot, myself, and four evacuees, one of whom had just had a baby a week before the hurricane hit. So it was really quite a thing to see.

There was a couple in Baton Rouge. We had worked all afternoon in the shelter seeing patients; and then, lo and behold, it got to the wee hours of the morning and we realized we had no

place to sleep except maybe on the concrete floor. And this couple, Eva and David Kelley, took in six of us, and their teenage boys had to sleep on the couch, and they gave us their beds.

I guess what I want to say, and I appreciate the gentleman from Iowa for giving me the opportunity, is that I had a chance to see the best of human nature. I know right after the levees broke and we were all so shocked to see all that water in the city of New Orleans and particularly shocked by the looting and the kind of mob behavior that we see in situations like that, maybe that did bring out the worst of human nature in a very limited few; but what I saw, Mr. Speaker, was the best of human nature in the majority, the vast majority of people.

And not just in the volunteers and the professionals, the Red Cross, who were doing their job, but really in the evacuees themselves. They are good people. They explained to me why they did not leave. I was very curious to know if they had been able to hear the warnings. In almost every instance, Mr. Speaker, they had clearly heard the warnings. Some of them had never been out of the city of New Orleans in their entire lives, and they had been through plenty of near misses without this big perfect storm flooding their city, and they knew that some of the neighbors in the past had actually left their property, only to come back and find New Orleans dry but their property totally ransacked and looted and destroyed.

Even if they did not own. If they were renting property, everything that was in there was theirs. It was their stuff. They had that pride, that sense of ownership. So it gave me a much better understanding as to why these people did not leave. They were not stupid. They had a good reason.

So we need to continue to be compassionate and realize that, while it is hard to look for any good out of such a tremendous disaster, natural disaster, I think we do have a chance, if we all pull together and do not get into too much partisan bickering over this and finger-pointing, to help New Orleans and the gulf coast and the State of Mississippi and Louisiana rebuild and maybe make the lives better for a lot of these people that did not have such a good existence prior to this storm.

So I thank the gentleman for allowing me to come and share just a few thoughts tonight with my colleagues.

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Georgia (Mr. GINGREY) for his presentation tonight and also for his service and for getting in there as he did early and seeing the situation there and reaching out a helping hand. I know that his experience there and the perspective that he picked up down in that region will serve him well as this Congress makes decisions on the taxpayers' dollars and, when we appropriate those dollars, when we direct those dollars, that they go to the most good and to the greatest use that they possibly can.

I also want to point out that many of us in this Congress recognize that there needs to be a private sector solution to this, that we need to help those people that need and deserve the help, but at the same time the government cannot be the solution to everything, that the human spirit will win out with all. And as the gentleman from Georgia (Mr. GINGREY) said, the spirit of the people down there showed very much the positive sides of this.

I saw some things too that strike me in a way as a sense of humor that helps people adjust to the disaster. Having been through some disaster myself, I understand that psychology that one cannot just wallow in feeling sorry for oneself. The poor me's do not clean up anything. And after a couple of weeks of people coming up and saying, I am sorry, I am sorry, one gets to the point of saying all right, but now I want to go to work and it is time to start cleaning up the mess and putting this thing back together.

One of the things that I saw was in a sporting goods store that was boarded up with plywood in Slidell, Louisiana. It had a series of windows there with about a four by eight sheet of plywood over every one of them. And as I looked at that, the one on the left said in big red letters, "Looters will be shot." And the next window to the right said, "Survivors will be shot again," and there were three more windows with plywood on them painted on in big red letters, "And again and again and again."

And I walked in there to talk to that gentleman, and he had not had a problem with looters. His sporting goods store was full of inventory, and he was open for business that day, and he was selling product over the counter. I did not notice that there were any lights on in there. I suspect there was not any electricity, but he was doing business, and he had protected his place. I think the signs on the windows had to help, and it also helped him send a message to the people that were looting and shooting in the city off to their south and west, and that would have been the city of New Orleans. I believe Slidell was pretty close to the center of the worst of it. Although a fair amount of the town seemed to remain intact, once we got out into the countryside, there was not much left in a lot of those regions to the south and somewhat to the west of there.

As the gentleman from Georgia (Mr. GINGREY) has spoken about taking a ride back to Georgia with some of the evacuees and reaching out a hand to help, I wanted to point out, Mr. Speaker, the effort that we have done within the district that I represent, roughly the western third of Iowa. There are 32 counties there, and they range all the way from Minnesota down to Missouri. And we looked on television as we saw the tens of thousands of evacuees that were trapped temporarily in New Orleans that were being evacuated out. They were going to the Astrodome.

They were going to the River Center, as the gentleman from Georgia (Mr. GINGREY) mentioned, in Baton Rouge, and around that region in the country. There were cities that more than doubled in their population in a matter of a few days.

And we watched that unfold, and we saw that tens of thousands had been taken to the Astrodome in Houston and received their cot, and the cots were lined up side by side with barely enough room to walk in between them, where people's new home was a small bag of some possessions that sat underneath their own personal cot, which was laying out there in the middle of everywhere with hundreds and hundreds of people all in one room sleeping together and set up with food lines and passed drinks and receiving medical care and doing all we could do at the time.

□ 2230

But they needed to be relocated some place more permanent, some place that they could call home.

I know that there were some States that set up cots within their city centers and some of those were used and they needed them. But we looked at it from a different perspective, where I am from, and we looked around and asked the question, how could we best serve some people? How could we best reach out to people in need?

We came up with the idea that I call the "package deal." We sent a message out to each of the county seat mayors in the 32 counties, asked them to hold a meeting and ask to come to that meeting their emergency manager in the county, several of their top employers, their pastors, the school administrator, and any other volunteers and groups that would like to, especially the service clubs that are very effective in our region, such as the Rotary and Kiwanis and the Optimists and the Lions who all have a significant role to supplement the work of the churches.

We asked them to identify the package deal, as I referenced, and that is, with this vision in mind that we could invite people into our communities and save family units. So that when the plane landed or the bus pulled in, the mayor would be standing there to greet the family or families, and alongside them would be the pastor of their choice, if they had a choice, and next to the pastor would be the sponsoring family that would be sponsoring the newly-arriving family or the sponsors of the families, and perhaps a school administrator there.

But the essential core would be the mayor for the ceremonial duties, so to speak, and the formal welcome; the pastor for the spiritual support which we know that everyone needs; and the sponsoring family would help the new family get acquainted and be absorbed into the community, so that they would know when they set foot on the ground that they could lay their head

on a pillow that night that would be theirs and a home that they could call home, at least for a while, and a refrigerator that had food in it, and that the kids could go to school the next day.

As we put that package together and the inventory came together, we have since identified perhaps two dozen households and sponsoring families of the package deal, and I would think there are that many again in Iowa that are almost ready to say, yes, we will be happy to sponsor a family.

So we are moving forward with that process. We have some families who are placed in the region. Most of that comes from family connections or church connections, and we are reaching out to expand them. It is important for us to do all we can to donate money, commit our time, and it is also important for us to identify the resources in our communities and be able to offer a package deal where a family needs a new community and a new home to adopt them, either temporarily or, if they choose, permanently. All we ask from them is be a good citizen and you can stay here as long as you want or need to, and we are going to help you find a job. Part of the job prospects was part of the offer that we put together.

As one of my district people who will be heading this up had to say, whether or not we get a long line-up of people that are willing to come and accept this offer and take a trip to get relocated in our part of the State, as long as we offer them an option, it gives them at least some power. People that do not have options do not have hope, people who have been loaded onto planes and flown across this country and landed into cities in different States and when they got on the plane, they did not know where they were going, and I am told that sometimes they did not actually know where they were when they arrived. They found out soon enough. Mostly, though, I can confirm that in the heat of the evacuation attempt, which was a successful effort, it was not practical to be negotiating with people that were under stress on where they would go. It was just important to find a place for them to go, and the rest could be sorted out later.

So even though it sounds a little bit inhuman to load people on airplanes and fly them places, by the same token, when you go into a situation where you have that many tens of thousands of people in one place, and if you begin to negotiate and you say, here is the offer, I want to fly you off to Minneapolis, for example, somebody is going to hold out for Las Vegas or Des Moines, or wherever it might be, and then you end up with a chaotic situation when you have to act, act fast, load the plane, get going so that plane can get out of the way for another one to land and get turned around.

So I visited the area, and I left Ames, Iowa in a small plane at about 6:15 in the evening on Saturday, it was Sep-

tember 10, and flew down there and landed at Little Rock that night, pretty late, and left Little Rock early in the morning at 5:15, in keeping with the flight plan that we had filed. We flew on in to Louis Armstrong International Airport and landed there about 7:26 a.m., Sunday morning, September 11. Somehow, it seemed that we had not come all that far in 4 years when I got a look at New Orleans, but certainly that thought came to mind, that reverent day to commemorate September 11, it became September, 2005, and a great, great city was under water, and a huge, huge area of the gulf coast had been destroyed and blown away and washed away by the surge of the storm, an area roughly 90,000 square miles, perhaps the size of Kansas.

But as we landed there that morning, I got out of the plane and walked into the airport service center there, and there were three men that had spent most of their time working there, had not really been outside that area that I could tell. Some had lost their homes, or at least they were flooded, wind damaged, temporarily at least. They were living off of military meals, ready to eat, they seemed to be everywhere down there and there was not much of anything else, but there was plenty of water. So there was bottled water and food, the essentials of life; there was shelter there.

Their telephones, I believe their land lines were not functioning, but their cell phones were working, and my cell phone did work. So I called over to the joint operations center, which was across the other side of the air strip, and they sent a car to pick me up. I arrived at the air strip there sometime after 8 o'clock that morning, perhaps 8:15, 8:20. As I walked into that center, I met officer after officer that was there on duty in that center where they are controlling the communications for the rescue and recovery and the evacuation of New Orleans.

It took about an hour to discuss some of that through with the officers that were there, and they asked if I would stay for the 9 o'clock briefing, which began precisely at 9 o'clock, and I did stay for the briefing. It seemed as though they directed a lot of their briefing to me, and I say that because some of the details that they went into I suspect everyone in the room knew those answers except for myself. So as they directed that briefing on me and invited me to ask questions, I did ask a few; and in the end, they asked me if I would say a few words, and I did.

Good people there. They had pulled that together. I am going to guess that there were 40 to 45 people in the room, each representing their own government agency which would have been Federal and State and city, as well as the nongovernment agencies, the nongovernment organizations, the NGOs that were there. As I listened to them talk about what they had done, how they adapted and what they were plan-

ning to do, and I looked at the list, the checklist, the problems that had been raised and posted and the solutions that were proposed and how they arrived at that, it was a textbook study, I think, on how to put together a rescue and recovery operation.

The communications had been wiped out in New Orleans. In fact, Michael Chertoff stood here and gave us a presentation on the disaster of Katrina in a session of Congress in his briefing and, as he described this, he said that if the military were going to attack a city, the classical attack would be to go in and wipe out the power and the communications, which Hurricane Katrina did for the city of New Orleans, wiped out the power and communications; and then it would wipe out the transportation routes, destroy the ability, disturb the ability to get in or out of the city of New Orleans, and then attack. That is exactly what the storm did. It wiped out the electrical power, wiped out the communications, took out the cell phones even, and then wiped out the access to and from the city, even including the part of the causeway; flooded the approaches to the bridges, you could not get in or out of New Orleans, it was a stranded city, and then the attack was the water that flowed in and filled that city up, as much as sometimes 16 feet of water.

So that classical attack that came to New Orleans shut off all of the communications, made victims of hundreds of the rescue workers whom the rescue plan was designed to put to work to help save others, but they were victims of the storm and the attack, so to speak, themselves. I would describe what happened, and each of us, I think, in this country now could go down the path of criticizing a number of public figures in this event; but in lieu of that, I will take my colleagues back to the storm that I described earlier. This storm that was the worst-case scenario, that was the classic military-style attack on the city of New Orleans, the hurricane that positioned itself so that it was almost perfect.

If you were on the side of the hurricane, you would say it was a perfect storm. It was a perfect storm in that it came with the velocity and the power and the intensity and the speed and exactly in the location that it could do the most damage. It positioned itself so that it stacked all that water up in Lake Pontchartrain, then it positioned itself to surge the water back out of Lake Pontchartrain, flowed over the levee dikes, breached the dikes, and then began lowering the water level in Lake Pontchartrain while it filled the city of New Orleans.

That all took place, and it took place even though man had prepared for a bad disaster. But it was the perfect storm; Katrina was almost the perfect storm. It could have been a little more intense, it could have clearly been a Category 5, but it was nearly the perfect storm to destroy New Orleans and destroy the gulf coast and destroy the

whole flow of the channel in the bottom ground all along from New Orleans all the way down 90 miles to the Gulf of Mexico along the Mississippi.

That perfect storm, Mr. Speaker, and then I would add to that another perfect storm, another perfect storm, which was the chain reaction of disaster that came when the plans for the storm and the plans for the hurricane reaction, the evacuation of people and then the recovery and the response to the storm, broke down. And it can be argued that it broke down at nearly every level at one point or another.

Having been in business for 28 years, I have seen a number of times when I have called it in business a chain reaction of disaster. In my business, the earth-moving business, I talk about this scenario: somebody forgets to load the grease tubes onto the maintenance trailer, and then they show up at the job and there is no grease. Then the man who is doing the greasing does not grease. Then, because of that, then a bearing goes out. Because the bearing goes out, the machine breaks down. Because the machine breaks down, it is not there to support the other machines; and when that happens, the whole job and the whole operation breaks down, and all for want of a grease tube.

Sometimes, the disaster could have been worse for want of better communication. As the gentleman from Michigan (Mr. STUPAK) spoke here earlier in his Special Order perhaps 30 minutes ago or more, they did not have the ability, the interoperability to communicate across the different levels of law enforcement. I know that we had law enforcement sometimes standing on one side of the river or even opposite sides of the road with water in between and could not get to each other because their radios would not communicate because of frequency problems. We have the technology today to tie that all together and make that work. That was not the case down in New Orleans in many of those cases.

So because of that lack of ability to communicate between the law enforcement officers, because the power was out, the lights were out, because we had vandals and because we had looters and, in fact, on Monday, and the storm was still passing through on Monday, by Monday afternoon at 3:30, there were looters in the streets with guns, shooting, robbing, breaking in, and stashing that loot in places where they thought they could go back and get it, and many of them did. That was another piece that broke down, was the public order.

But, also, the worst-case scenario that was in the paper described that small boats would have to come in as volunteers and penetrate into the city and haul people out. Yet there were 1,000 people outside the city on Thursday morning I think, 1,000 people outside the city with boats preparing to go in, and the first boat that went in got shot at. So they were turned back and prevented from going into the city.

I happen to know that there was a fleet of air boats that came from Georgia, and they waited to get the orders to go in. They wanted to go in and save people. They could not get orders to go in, partly because of the security, and I think partly because the communication was breaking down; but, nonetheless, they decided to take matters into their own hands, went into the city, and that small group of air boats rescued 800 people. That was a point of light in this disaster of the storm, and it happened over and over again, people taking charge, people acting, reacting, responding, taking initiative the American way.

Sometimes when top-down management is destroyed because of communications or the plan just does not work, people have to take over and recover. We have done that in wars from the beginning of time, or the beginning of this country; and we have served ourselves well with that kind of initiative and that kind of inspiration that comes from that.

But the communications broke down, the plan that was there for evacuation filled up the civic center, filled up the Superdome. There did not seem to be adequate water or supplies or medicine or order in the Superdome, and it filled with people and put a lot of pressure on the people that were in there. We know that bad things happened inside that building, and they will unfold as time goes on.

The Superdome was surrounded with water, and yet I have reports that some people drove to the Superdome presumably before it was completely surrounded with water, parked their car, and walked in. If they could drive to the Superdome and park their car, they could drive out of New Orleans and evacuate themselves. Why did they not do that? So the questions remain, and many of them that are critical of government have been publicly aired, and I will not dig down into that.

But I will just say that from a weather standpoint, Mr. Speaker, we had a nearly perfect storm, from a chain reaction of disaster, from a break-down of communications and power and cut-off of the transportation routes, and then the inability of the local law enforcement people and the local security people, those who were not already victimized by the flood that were on duty, their inability to communicate with each other, and then their inability to communicate with the chain of command, going up from the city to the State to the Federal Government.

□ 2245

It had to have been extraordinarily difficult to get enough information to make an informed decision in a time of crisis like that, and it was immobilizing.

So the perfect storm of the weather, and almost the perfect storm of the chain reaction of disaster that flowed from lack of communications, inability to communicate with each other, and

then sometimes the inability to agree on what the next appropriate action was, not having had thought this out in advance, in my history I will look back and tell you that much of what I have seen in the form of people who appear to be quick thinking, were really people who had thought ahead and simply reacted to the scenario that had played out in their mind.

And I do not know that this scenario had been played out in the minds of the local leadership, but I did read this scenario in the newspaper. And again these questions will be asked. They will be answered. And I think that America will get a reasonable perspective when Congress gets finished with our hearings sometime in the future. Right now, we are in the recovery and planning the reconstruction mode.

A few other things that come across my mind. I stopped and talked to a shrimper down at Slidell, Louisiana. He had five boats. Two of them were west of New Orleans; they survived the storm. Three of them were east of New Orleans; all of them were blown up on high ground.

He had a friend who had been running a video tape on the day that the water surge came in. I think there they said the surge was perhaps 17 feet. As the water began to come in the house, he turned on the video player. And within 3 to 5 minutes the water had filled the house to the point where he was going up the stairs. His wife was trying to save the dogs and go up the stairs, and the last sounds in the film, I am told, and I hope to be able to see that film, is the sound of this individual that is chopping a hole in the roof so he can get out on top of the roof with his wife and the dogs, to save themselves from the flood.

That 17-foot surge of water there, which in some cases was as high as 27 feet, that filled the House up in just a few minutes, in 3 to 5 minutes the water came up. It is not quite like a tsunami that breaks like a surfer's wave, and it is not quite like a wall of water, but I understand, and wish I had seen film of this, it is more like a big surge of water, a big belly of water that just rolls up and goes over the top of anything in its path.

And the power, the power of that water, of the wind too, but of the water is awesome. I have spent my life in the construction business. I have worked with asphalt, base courses and overlays. And I saw hundreds of feet of asphalt surfacing, 4-inch overlay, that had been washed off of the highway down along the levee east and south of Slidell on the road going to New Orleans.

Any water that hits powerfully enough on the top of a levee to wash off 4 inches of asphalt in great slabs and wash it several hundred feet out onto the land, is a powerful, powerful wall of water.

And I want to take you down, in your mind's eye, Mr. Speaker, down south of New Orleans, down along the Mississippi channel, along that channel

where I flew that Sunday, September 11, with the Corps of Engineers as they went down to review the levies and the places where the levies had been breached going south. It is perhaps 90 miles of river from New Orleans south down to the Gulf of Mexico. There is a 25-foot-high levee along on each side of the Mississippi River that contains the river, and there is also a 25-foot-high, approximately 25-foot-high levee that keeps the gulf from washing out the back side of that levee.

Now, as you fly down there, the communities that used to exist in that stretch, and this stretch is perhaps, it varies in width, but perhaps a half a mile wide, on average, with the bottom ground in between the two levees, the gulf levee on the west side, and the Mississippi River, that is the west side of the Mississippi River, about a half mile of bottom ground in between. There are similarities on the east side of the Mississippi too, but just speaking of the west side.

When you fly down through there, on that bottom ground you will see the places where the communities used to be. And these communities used to be communities, because the wind came up and blew hard and blew a lot of these communities away. Shattered the buildings and tore the buildings down and blew them away. And anything that stayed was flooded. The water surge in the Mississippi River surged over the top of the Mississippi River levee, and filled that area up in between those two 25-foot-high dikes with water; then the surge came from the gulf side and did the same thing.

Heavy winds blowing almost everything out of its path, and destroying almost everything, and then the water in from the Mississippi River side, from the east side sloshed in, and then the surge from the gulf side sloshing in as well, and filled that area up twice. And there is no place for the water to get out, Mr. Speaker.

And the communities as we flew along there, I saw the water towers, and could read the water towers of most of them. As you go south from New Orleans, it goes Belle Chasse, is one community; next community is Port Sulphur; the next community is Empire; the next community is to my left, Mr. Speaker. This is what is left of the community of Buras, Louisiana.

This is the best side of the water tower. This water tower has been blown down, crushed. The other side is dented and caved in. The legs are wandering back across over here. This picture is the best side of the water tower, because that is the side that has the city's name. That is why we chose this picture to put here tonight. This is what used to be the City of Buras. These homes that are here, it is unlikely that they are sitting on their own foundations, but there were a few that were, but most of them were just gone, washed away, blown away, double flooded, and destroyed.

But I have never, in the tornados that I see, living in the part of the

country I do, I have never seen a tornado take out a water tower. I have never seen a wind take out a water tower. I have never seen a force take out a water tower. But this force took out this water tower. And I do not know whether it was the trash that was blown into it or washed into it, or the wind itself, or the combination of the trash, the wind, and the water. But it caved this water tower in.

By the way, there is your dish up here on top. Perhaps the cell phone tower was on top of the Buras water tower too, and they were out of communication. But that gives an example of how bad it was.

In these communities, as I mentioned earlier, Belle Chasse, Port Sulphur, Empire, Buras, and then from there further south, Buras is about 65 miles south of New Orleans, then Boothville, then Venice. Venice, by my math at least, is the last community before you hit the Gulf of Mexico, perhaps another 18 or 20 miles.

Here is another sign of the spirit of the people in Louisiana. And as you can see, as I could see from the air, still flooded, this water surge, this is the Mississippi River right here on top. And the surge has come over the top and dropped silt up here on top. This is all trash that has been pushed in from the flooding. This is in between the two levees. It goes half a mile width. This set of homes is essentially nothing left here. Shattered shards of what used to be buildings, and water standing perhaps 6 or 8 feet deep in this area. Yet after it has been up as high as here, you can see the trash has floated to here from the inside.

But one thing that did survive, Mr. Speaker, was the flagpole. And the first thing that had to happen was, the person that owns this land had to come in by boat and bring in Old Glory and run her up the flagpole as a sign of patriotism, as a sign of God and country, as a sign of defiance, that they were not going to let this storm get the best of them, Mr. Speaker.

And I am encouraged by the spirit of the people that I met, and awed by the power of the storm, and by the breadth and the magnitude of this disaster, Mr. Speaker. And I am also motivated by the challenge that lays before us all as we reach out to the people of Louisiana, Mississippi, and Alabama.

And I visited the shelters also the next day, and I slept on a Red Cross cot, and appreciated their hospitality. I was not aware until the next day that there were people sleeping without a cot, perhaps not too many miles from where I was. As I looked at that effort that was done by Red Cross people and volunteers of all kinds, some of them had been working 18, 20 hours a day for 13, 14, 15 days in a row, now more days than that. They have committed and sacrificed a lot to help others out. And we all need to do the same. I am going to continue in my efforts.

And I am going to look forward to the challenge of rebuilding. And I am

going to look forward to, in 10 years, 20 years, going back down to the gulf coast, Mr. Speaker, and seeing what has been brought about by the reconstruction effort that we will see.

And I want to be sure that the work that we do builds adequate levees, adequate protection, adequate hurricane walls and flood walls so that a category 5 hurricane can be withstood by the protection that will be reconstructed around New Orleans and around the other communities in that area.

I do not know if they will rebuild Buras. I do not know if they will rebuild these communities down there. I will say, I cannot imagine them not. But it is still highly vulnerable, and I do not know that there is very much more that we can do to protect the people of that area.

So as I add it all up, I would say, in summary, that we have to be prudent and responsible in the spending that we provide. We have to look to the private sector to contribute as much as it can. We have to get a handle on how many insurance dollars are there. A handle on how many people will not be going back to New Orleans, and I believe that number will be significant.

We need to reconstruct New Orleans in the areas where it is not likely to go underwater again first, and get a handle on how many people the population of New Orleans will be in the short term, say within the next 2 to 5 years; and the lower part of the bowl may be better used, instead, for some public purpose like a park, a golf course, rather than housing, which is going to be very, very vulnerable.

But we can do three things to protect New Orleans and protect them from an engineering prospective. One is to build a hurricane levee and hurricane walls at the outlet of Lake Pontchartrain, so when another hurricane comes, the low pressure center and the southern wind that pushes that water up into and surges into Lake Pontchartrain cannot get into Lake Pontchartrain. Keep the water out of Lake Pontchartrain is number one.

Number two is build hurricane gates at the inlet of the canals, like the 17th Street Canal and the other canals along that area, so that if the water does get into Lake Pontchartrain, or there happens to be a high wind that comes from the north, that we can protect the inlets of those canals as well as the rest of the area along Lake Pontchartrain was protecting.

And then the third thing is to raise the pump stations, the many pump stations that are there in New Orleans that found themselves underwater, out of commission, and we fit those pump stations with a backup redundant system so that if the power goes out they can still run, whether they be diesel engines or whether they be generator run, the city power that might run the pumps needs to be backed up with a generator on that location. They need to be well above the elevation where the highest likely water can be.



So those are the things that I will be taking a look at and weighing in on. These will be the things that I think Congress has the responsibility to consider. And as we encourage the people of New Orleans to keep the faith, keep the spirit, show this American spirit you have for the most part. And sometimes on television the best side of New Orleans was not shown.

But as this saga unfolds, Mr. Speaker, we will continue to see the best side of humanity, and a lot of it exists in the people in Louisiana, Mississippi, and Alabama.

### 30-SOMETHING WORKING GROUP

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

Mr. MEEK of Florida. Mr. Speaker, once again it is an honor to address the House. And I want to thank the Democratic leader, Democratic leadership, Democratic whip, and also the chairman of our Democratic Caucus and also the vice chair.

Mr. Speaker, as we have been doing, week after week, and for now two Congresses, a Congress and a half, coming to the floor, sharing issues and concerns of the American people, need it be the 30-somethings that are out there, or young people in America, and those that are underrepresented in many cases as relates to their everyday lives, and so we take honor and privilege in coming here.

□ 2300

The 30-something Working Group consists of Members who are in their 30-somethings on the Democratic side of the aisle. We get together every week and talk about the issues that are facing America. Then we come to the floor to be able to share with our colleagues some of the good things that we are doing and also some of the things that we can improve on.

Mr. Speaker, I would just like to start out by saying now I have the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) on the floor here with me and the gentleman from Ohio (Mr. RYAN) is on his way.

I must say from the outset that I am very proud of the work that so many individual Americans have done in volunteering their time and also contributing to the victims of Hurricane Katrina.

The gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) and I close to our districts received some weather today from the ongoing system that we have in the gulf, but we pray and we hope that it weakens before it reaches the gulf coast area. And I would also add that there are so many unsung heroes and sheroes in this country that have done, some have done their job as it relates to first responders, others have volunteered their time because it was the right thing to do.

As I said last week, we are in the first couple of minutes in the first quarter as it relates to the recovery of Hurricane Katrina. We are going to talk this week about many of the issues that are facing the people in the Gulf State areas and Americans in general. Because we have appropriated the largest supplemental appropriations in the history of the United States of America outside of war with the \$62.3 billion just as a down payment to start helping the Gulf States recover, Mr. Speaker, a couple of weeks ago and last week, I am really concerned about the Federal commitment to the South, not only in what we say but mainly focusing on what we do. And I am disturbed in many areas of how we are starting out on the part of what we do.

Now, one may say, \$62 billion, that is a lot of money. It is. More money than has been appropriated to any disaster thus far, and it will continue to grow because of the needs and because of the work that needs to be done. But it is one thing to appropriate. It is another thing to make sure those dollars go to the right, not only areas, but also it will go down to the people that are involved in the recovery process.

We are going to talk a little bit about Davis-Bacon and the waiving of Davis-Bacon by the President. We will also talk about the issue as it relates to no-bid, no-requirement contracts that were given to companies that are participating in Iraq and that are under investigation on their Iraq contracts; but they were in the part of the group of big contractors that received contracts in the aftermath of Hurricane Katrina. And how does that play as it relates to sending a strong signal to the South and to the Gulf States that we mean business when we say that we are about them recovering.

I would also add, Mr. Speaker, last week we took some action here on this floor. I personally voted against it because I felt that it was important that we have an independent commission look at what happened. And we are joined by a super, and when I say "super," a supermajority of Americans that have said they want an independent commission to look at what happened and what did not happen and to make sure it never happens again.

Now, not on the natural disaster side. We cannot legislate, we cannot stop natural disasters from happening. That is an act of God. But one thing we do have within our power is making sure that we govern in a way that the people of the United States, no matter where you are, that you will be protected and the government will not fail you.

When I say "government," I want to make sure that we do not get confused. I am talking about Federal. I am talking about State. I am talking about local. And in the case of Louisiana, parishes, presidents, government facilities that were opened, plans that were available that were not executed on all levels. Some of this we already know.

Last week, I brought many of these publications to the floor. This is just a few of them. There are news reports and accounts of people just not doing what they are supposed to do. So we need to make sure that we do not fail the people that pay taxes, the people that woke up one Tuesday morning to vote for representation, that we do not fail them as it relates to being the stewards of the very government that they pay taxes to.

I am glad, Mr. Speaker, this week to share the floor with my good colleague and friend of many years, the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ). It is great being on the floor with the gentlewoman again.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, it is, once again. This is a regular weekly event for us, and it is an important thing we do. And I really enjoy spending the time with you on the floor and with our colleague from Ohio just trying to talk to folks in our generation. So often when I talk to friends of mine and neighbors and colleagues in the 30-something range, they sort of tell me, they scratch their heads and wonder, you know, most of the stuff you all talk about in Congress has no impact on my life.

They really think, because what they are doing is they wake up in the morning. They get their kids ready for school. They get themselves ready for work. They get in their car in their garage. They drive out of their garage. They go to work. They pick up their kids, they come home and park the car in the garage again and start it all over the next day. And when you are living that kind of life, trying to balance work and family, trying to in many cases live paycheck to paycheck, it is very difficult to listen to the debate on this floor and understand how the things we do affect their lives.

But if there is anything that we could do to show our generation how government impacts their lives and can significantly alter their lives or through inaction how it can alter their lives, it is the aftermath of Hurricane Katrina. Because we have so many glaring examples of what went wrong, of what should have happened and did not, and how hundreds of thousands of people's lives have now been turned upside down. And normally, I think people that are in our generation look at, and quite honestly, older and younger than our generation look at the victims of Hurricane Katrina or of any tragedy which is a natural human thing to do and say to themselves, you know, that is not me. That is them. That would never happen to me. I do not live in a community where that could happen.

But the gross underpreparation and disregard for the potential for a Katrina to happen, I mean, substitute any potential disaster in my region of the country and there but for the grace of God.

We have got to take the next step and help not just our generation but all

Americans understand what should happen for these Katrina victims now. They need housing. They do not need a lot of talk. Of course, they need sympathy and empathy. They need emotional assistance, but they need housing. They need roofs over their head. They need economic security. They need to know how it is they are going to get a job again, where are they going to get a job again. How are they going to get their home loans resolved?

I was reading an extensive article today how you have banks that were in those gulf coast States that the bank was blown out, the properties that they lent money on are gone, the people are gone. So what happens to the transaction? How do they get the money back? What is Congress going to do to try to help put all that back together and sew it all back together?

Then there is health care. We have to make sure that these people can go to the doctor and get well. Some of them were not well to start with. Some of them were the picture of health and no longer are.

Finally, we have got to make sure that these kids, these thousands and thousands of displaced kids, get back to school somewhere and that the communities that they are going to end up going to school in, we are from south Florida. An influx of children the size of which came out of the gulf coast States is not a depth that our community could absorb. We are already in an overcrowded situation in our public schools, and so are many communities.

So we need to make sure that the leadership in this Congress understands that those are the kinds of tangible things that we need to talk about and stop moving forward with an investigation that is basically turning inward on itself. We need the independent commission. Objective observers, experts, people who can be trusted because it is trust that we need to restore so that when this, God forbid, happens again, and, unfortunately, we know nature will cause yet another problem like this to occur, that we have the accountability in place to know it will not happen. And a partisan committee set up by the Congress with a majority of one party serving on it, whether it is our party or the Republican Party, is not the appropriate way to handle this.

□ 2310

Mr. RYAN of Ohio. Mr. Speaker, this is what has been going on in this chamber for years, I mean, since we got here, since the gentleman from Florida (Mr. MEEK) and I got here, and the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) got here. Everything has been partisan. The committees have been partisan. Eleven-nine they want the oversight committee to be, which means basically the Democrats do not have any say.

If you have the majority in the committee, that majority party will dictate everything that goes by an eleven to nine vote. We saw it happen with the

prescription drug. We saw it happen with all these other ones.

The bottom line is the committees that are set up now in Congress do not have proper oversight, do not reflect, I think, the will of the American people and I think ultimately do not reflect the truth of what is going on.

Mr. MEEK of Florida. Mr. Speaker, I think it is important to just understand that we have the same thing happening. This is not a mystery.

After 9/11 we did a little work. I tell folks all the time that we do work within the 30-Something Working Group. We do not come to the floor with the Debbie Wasserman Schultz-Tim Ryan-Kendrick report.

Mr. RYAN of Ohio. These are facts.

Mr. MEEK of Florida. These are facts. We do not get in the back of the chamber and say this is what we are going to say today; this is the story today; let us look at who said what today in the paper today. We want third party validators, and I am going to tell you what is important here.

We did a little work. We have something in the Congress, and I know many of the Members know. We call it the Congressional Research Service. These are the individuals that are in the Library of Congress.

Mr. RYAN of Ohio. Nonpartisan.

Mr. MEEK of Florida. Nonpartisan, academics.

Mr. RYAN of Ohio. Smarter than us.

Mr. MEEK of Florida. Very smart, I must add, and I am just glad to rub elbows with them. We have been spending a lot of time together. They have been coming over to the office.

Today, we had a conversation, and one of the gentlemen from the Congressional Research Service said, Congressman, I actually had to wear a coat to work today to come over here. I thought that was quite interesting. I want to try to find a little humor within this tragedy, but at the same time it is important, and you have to look at history.

I just want to make sure that Members understand, after the 9/11 Commission, it is almost like the Congress protects or tried to protect itself as an institution. It is just natural. I mean, it is almost like if something happens that may be embarrassing to the Federal Government, we then circle the wagons and say we have to protect the institution, regardless of the fact that it may end up in that circling wagons and protecting the institution, when I say the institution, the Washington Beltway, the inside politics here, partisan politics here in Washington, D.C., we must protect ourselves; we need to protect ourselves.

What do we have to do first? We have to have control of the situation, and so by saying that we will pass a bill on a bipartisan panel, you let the majority side tell you that it is bipartisan. We already said that it is eleven-nine, eleven Republicans, nine Democrats, and under this kind of situation, you are going to need subpoenas to make sure the people can come and testify.

Mr. RYAN of Ohio. That is exactly right.

Mr. MEEK of Florida. Under oath, and let it be known they are telling the truth to the American people.

Mr. RYAN of Ohio. And so Republicans do not want certain people to testify. They have votes to prevent the Democratic group from saying, hey, we need to talk to this guy from FEMA or wherever, homeland security.

Ms. WASSERMAN SCHULTZ. It would be like if Enron executives or Tyco executives suggested that they would do the investigation on what went wrong with their two companies themselves, the corporate executives.

Mr. RYAN of Ohio. We do not need the government to come in here; we will investigate it. You are exactly right. That is what is going to happen. It is going to be the same kind of cover-up and whitewash, get out the Brillo pads because we are going to clean this up. We need accountability and I think the American people want it and demand it right now.

Mr. MEEK of Florida. There is no question. The latest Washington Post-ABC poll found that 76 percent of the public supports the creation of a 9/11-type independent panel. When we say independent panel, let me just go down the history of what happened after 9/11.

Basically what happened is that the Congress did what it is doing now. It said, oh, we will review this and we will get back to you in some months, do not worry, do not ask any questions. Even after 9/11, it was on the Permanent Select Committee on Intelligence level. I think the only reason why the Senate, the other body across the hall, and the House got together was that you had Congressman Porter Goss at that time and Senator GRAHAM from the same State, and they knew each other for a number of years. They got their committees together, and behind closed doors, they had meetings. They questioned the CIA, and they questioned a number of other folks as it relates to what happened and what went down.

There are a lot of honorable Members on the Permanent Select Committee on Intelligence here in the Congress, some that I know. Some are good friends of mine, but the bottom line is, it is not about relationships. This is about making sure the American people get what they need, not only the truth, but to make sure that we have the ability to correct ourselves. Let me just go down the line here.

Then the 9/11 families, God bless them, came to the Congress for months, talking to congressional leaders. Two times here on this floor an independent panel was introduced in the form of an amendment because that is the only way as Democrats we can get anything to this floor. I must add in case some Members forgot, the Republican party is in the majority. The Republican leadership runs what happens on that side of the aisle, and I believe there was some good-hearted Republican Members. Some of them

are friends of mine. We talk, we read some of the same newspapers. I come from some of the same area of the country, and they wanted an independent panel but could not vote for an independent panel those first two times here in this House. That is the truth.

So when it came down to the amendment in the Intelligence bill that created the independent panel, the pressure from the American people and the pressure from those 9/11 families helped. Once again, I am glad they came up here and forced this Congress to do what it was supposed to do because we never would have had the outcome measures that we had with the 9/11 bill passing on this floor that has made this country safer, that has made it where agencies can talk to one another. It sounds kind of familiar.

FEMA, that is a true, it is an acronym, but it is a four-letter acronym, and a lot of folks have problems with FEMA. I know the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) and I have a problem with FEMA as it relates to not letting our constituents being able to make claims. Their homes were damaged, too, and there are going to be problems in the Gulf States as it relates to that.

So I am saying this to make a point. It took an entire year for the 9/11 Commission families and Americans to get justice as it relates to getting a real independent review, and I am talking about the people from the White House, all the way down to the local government, and they came out and it was bipartisan and they worked with one another. These were past elected officials, some individuals that were professionals in the area of intelligence. We had governors on there.

This is the kind of review that the American people deserve and the individuals that have lost their lives and the injured. We still have children now that are still missing. This is not lightweight stuff. This is heavy, very heavy. So it is important that we do this.

I want to talk about Davis-Bacon when we get a chance, but I just want to make sure that we share with the Members that this is nothing new. This is what the Congress does. This is what they do. This is what we do. I am not a part of it because I voted against it, and I am glad that I did, not that I do not want to get down to the bottom of it. I know what the deal is. I know when I see the Potomac Two-Step, when I start hearing the music, I understand what is going on. I understand this is inside the Beltway. I understand there is a Republican President in the White House and there is some protection that needs to take place here. I understand there are individuals that will probably do things better under other circumstances.

So, as we continue to move on week after week on the 30-Something Working Group, this will be exposed. The way when I am talking about right now, where we have on this paper will continue to be exposed to not only

Members of Congress saying, listen, if you do not think that no one wants to say it out loud on the CONGRESSIONAL RECORD, we are going to say it out loud: Protect those families. They need the representation, to make sure we have the independent counsel. Fine, if they want to do the independent panel here. Whatever the majority wants, that is fine.

□ 2320

But we need an independent panel.

Mr. RYAN of Ohio. And I think the 30-something Working Group is encouraging and 100 percent behind Leader PELOSI on this. We do not want to appoint anyone to this.

Ms. WASSERMAN SCHULTZ. That is right.

Mr. RYAN of Ohio. Why justify this? Why give some kind of credence or credibility to this nonsense that is going on? This is America, and so America should have 50-50. The Presidential election was about 50-50, and we should all be right down the line.

Ms. WASSERMAN SCHULTZ. And the gentleman is absolutely right, we are here to say it right out loud. I also voted against the partisan committee that was voted on last week.

And something else we should address out loud are the ludicrous comparisons that have been made to other so-called partisan or internal congressional investigations. They are comparing the Katrina committee that was formed in the Congress last week to the Iran-Contra investigation. Well, there is absolutely no comparison. The Iran-Contra investigation was by a Democratic Congress versus a Republican administration, where clearly there would not be the legislative branch and the executive branch walking in lockstep. Clearly there was the accountability there when you have two different party leaderships running those two different branches of government. So that is a ludicrous comparison and makes absolutely no sense to use it, and it is disingenuous to use it.

And to add insult to injury, and I also hope we spend some time talking about this, what the leadership in the Congress is talking about, as if it is not bad enough we are not going to really get to the bottom of why there was a serious lapse in emergency preparedness and disaster response in the gulf coast States, now, during the rebuilding effort, when we have all said and all Americans have locked elbows and said we will rebuild the gulf coast region and we will do everything we can to help them, and we absolutely should, what are they talking about here in the Congress? They are talking about massive spending cuts, including cutting the prescription drug benefit for our senior citizens in Medicare; eliminating it, repealing it, or delaying its implementation as an offset to paying for the reconstruction of the gulf coast States.

Mr. MEEK of Florida. I do not want to cut my colleague off.

Ms. WASSERMAN SCHULTZ. Go right ahead.

Mr. MEEK of Florida. It is about priorities. Priorities.

Mr. RYAN of Ohio. Bingo.

Mr. MEEK of Florida. I want to say that out loud. And I cannot say we, because we are not a part of that, but the majority, the majority leadership, I will put it that way, and the White House, would much rather protect billionaires in receiving taxes. For instance, let us say that they decide to repeal this tax cut for 2 years for billionaires. Let us make a sacrifice on behalf of the country.

Ms. WASSERMAN SCHULTZ. Let us roll back a piece of it.

Mr. MEEK of Florida. Roll back a piece of it. So maybe they cannot buy another yacht for 2 years, but just hold it off for a couple of years to give us the money to be able to respond to not only the natural disaster but also as it relates to what is going on in Iraq right now. That is coming in. That train is going to roll in here again to the tune of \$50 billion.

Priorities. We would much rather take prescription drugs away from seniors. And I am smiling because it just seems like a bad dream. We would much rather cut the transportation bill.

Ms. WASSERMAN SCHULTZ. That is right.

Mr. MEEK of Florida. That is going to put people to work and allow local communities that have traffic congestion, to let that continue because we want to protect the few.

Ms. WASSERMAN SCHULTZ. I am sorry, we are all just champing at the bit tonight, but including in a region where the plight of over 100,000 people after the hurricane was the result of their poverty. So now we are going to go in, and the second proposal for spending cuts as opposed to rolling back the tax cuts is to repeal or eliminate or delay massive transportation funding, particularly in communities where mass transit is necessary and the only way poor people can get to work is using mass transit. So they are victims of a natural disaster; and now, a few months later, we will make them victims of a congressional disaster.

Mr. RYAN of Ohio. If I can say something here. We are taking from the poor to give to the poor. That is exactly what we are doing. My district is one of the poorest in the country, and they say they want to take the \$15 million, which is not really a whole lot of money, for projects that are going to increase economic development in a district like mine, and I know my colleagues have some areas in the same way, and shift it to poor people?

Well, what have the wealthiest people in the world or in the country been asked to sacrifice in the last 5 years? Nothing. Bill Clinton said he got four tax cuts. This guy makes millions of dollars a year. He gets four tax cuts in the last 3 or 4 years. This President needs to have the guts, and I choose

my words carefully, the guts to ask his wealthiest contributors to pony up and actually help the country.

This is not partisan. This is not about a particular insurance industry or pharmaceutical industry. This is about the country. Can we for once make a decision that is based on the whole country, blue States, red States, everyone included? We are all going to help them. We are even going to ask the wealthiest people.

Ms. WASSERMAN SCHULTZ. They have a name for it. They are calling it Operation Offset. This is their plan. They are going to come back here in a few days and propose Operation Offset, which is going to say that we are not touching the tax cuts. In fact, I will quote. I believe it is the chairman of the Republican study group, our colleague from Indiana. He said, we need to rebuild. We can find the cuts in Washington, D.C. to do that, I really believe that. And his proposal is to set aside all those additional highway projects and delay the drug benefit by a year. Those are just some of the proposals that are expected to come down the pike.

Now, before I yield to the gentleman from Florida, I represent a district that is not poverty stricken. There are poverty stricken sections, but there are communities in my district that are quite wealthy. And I have people in those communities stopping me in the supermarket and saying, Debbie, keep my tax cut. These are people that need help. We need to make sure they can have health care and that they have a roof over their head. So there are people out there that benefit from these tax cuts that get it, so why do they not get it here?

Mr. RYAN of Ohio. And if we just had the leadership, my friends, to ask those people. It is not like the American people are not generous at this point. They have given everything, if you just ask them.

And we are not even asking average Americans to give. We are just saying the top 1 percent of the people; \$70 billion in tax cuts over the year, primarily to the top 1 percent. Will somebody in Washington, D.C. who has the hand on the lever of government ask these people to contribute to what is going on here?

No, they want to come to Youngstown, Ohio, where 50 percent of the kids going to the school district in Youngstown live in poverty. They want to ask them to give up the millions of dollars in transportation money that will build a roadway to build an industrial park so that we can get jobs to help grow our economy so that people can actually pay property taxes and so that we can fund the schools so that maybe some of those kids do not live in poverty. They want to take it from us.

And honest to God, honest to God, I raise my hand right now, if the President was willing to ask the top 1 percent to give up their tax cut, I would be willing to give up some of my trans-

portation money. I really would. Honest to God, as much as it would hurt my community, I recognize the situation that the country is in right now and I would be willing to say, Mr. President, how much do you need? As long as everyone is sharing the burden here.

I just cannot accept the fact that they are going to ask us to give up our money for poor districts and not ask the wealthiest people in the country. That is insanity. It is criminal.

Mr. MEEK of Florida. Look at us. We are here on the floor of the U.S. House of Representatives saying that the President, the leader of the Free World, the last standing superpower on Earth, that he should ask the most wealthy, the individuals that are receiving unprecedented tax cuts, that we have to say, can we please ask for some of that money back, even though you did not ask for it?

What happened to the leadership? It goes to show you what kind of government we have right now, especially when it comes down to the majority. We have to ask billionaires. Please, we are the Congress. But it is quite interesting, my colleagues, that we do not have to ask the elderly that are going to be delayed in their prescription drug benefits. We just do it. Or the majority just does it.

Ms. WASSERMAN SCHULTZ. We do not ask them.

Mr. MEEK of Florida. We tell them what we are going to do. We do not have to go out and ask mayors, Governors, people in local communities, like my colleague mentioned in Youngstown, and I am pretty sure my colleague and I from Florida can give similar examples of where to help our communities. Does anyone think the President is going to ask, can we have some of that transportation money back, even though I signed the bill?

□ 2330

I am not justifying all of the projects in the transportation bill. We know there are some issues within that bill. But this is the kind of America that we are living in right now. We are living in an America where on the one hand we are saying we have to ask the individuals that have, and I am not talking about the folks that are making \$100,000 or \$200,000 a year, I am talking about the folks who are making millions and millions a year. We have to go to them, head down, and say is it possible, if you will, please, allow us to have some. So that means if you are walking into a drugstore, that you are not going to be asked about your options.

And I want to segue over to Davis-Bacon, and I want to give our Web site out so that we hear from some folks on this. We need some feedback here in Congress. We need some intervention on behalf of the American people.

Mr. RYAN of Ohio. We need some adult supervision.

Mr. MEEK of Florida. It cannot be the water because I am drinking the

water here in the Capitol, and I am not running around saying that we need to protect billionaires.

I also want to talk about, and I do not want folks to get confused there were no recommendations; there was a bill dropped today by the gentleman from California (Mr. WAXMAN) and the gentlewoman from California (Ms. PELOSI) dealing with contractor fraud, making sure that the victims in the Gulf States do not become victims again, not by Hurricane Rita but Hurricane Washington, D.C. that is going to take away the opportunities that will come out of tragedy.

And that is a very substantial bill, something that I can say from the Democratic side of the aisle that we have been putting out proposal after proposal, day after day. If we were in charge, if we were the committee chairpersons, if we had a member of our caucus that was the majority leader, it would not be a letter, it would not be a proposal on an idea; the American people will see action carried out and will give another voice in this perspective.

Let me mention something about Davis-Bacon, and let me say the Congressional Research Service, I was reading in the newspaper, some Members of Congress on the majority side were saying they are concerned about Davis-Bacon because of the unions. Let us do "operation cleanup" here. We had the Congressional Research Service look at that. I did not think about Louisiana as being a union State, nor Mississippi nor Alabama nor Florida.

Mr. RYAN of Ohio. They are right-to-work States.

Mr. MEEK of Florida. That is what I am talking about.

Actually Mississippi, quite interesting, is number 45 in the Nation as it relates to being a unionized State. Mississippi, union members as a percentage of employment, 4.2 percent. Wow, if we do not do something about Davis-Bacon, that 4.2 percent, that is going to suck up all of the money.

Mr. RYAN of Ohio. Those union dues, and let us make that quite clear, the argument against having Davis-Bacon involved in FEMA is that the money will go to union dues in those States. And 4.2 percent of the workers in Mississippi are union workers, and this administration is trying to give us a bunch of bunk that the FEMA money is going to go to union dues when only 4 percent of the workers are involved in unions. It is bunk.

Mr. MEEK of Florida. Mr. Speaker, we get excited with third-party validators, and we come out with the truth, versus what individuals who may sit in the back of this Chamber asking what are we going to say today. Let me say this: Louisiana, the State where obviously a lot of this money is going to be spent, 6.8 percent organized labor. We have to watch out for that 6.8 percent.

Alabama, a lot of jobs with municipal workers, 8.8 percent, not even 10 percent of the workforce. So how in the

world can anyone be scared of Davis-Bacon and the prevailing wage?

Before I put this letter down, let me mention that Davis-Bacon, we talk about prevailing wages. These were two Republican Members of Congress who passed this legislation. Davis and Bacon were both Republicans. We all know that. They did it after World War II to make sure there was a prevailing wage and people would have an opportunity to support their families.

Ms. WASSERMAN SCHULTZ. Please explain prevailing wage.

Mr. MEEK of Florida. I am getting there.

Ms. WASSERMAN SCHULTZ. Sorry.

Mr. MEEK of Florida. This was during rough times in the United States. In Louisiana and most of the parishes, prevailing wage is \$9.60. It changes from county to county, but mainly \$9.60. Minimum wage is \$5 and change, and is not a wage that anyone can say I am going to rebuild my house making minimum wage. But when Federal dollars are being spent in contracting, the prevailing wage is supposed to be in place to make sure that the worker, the individual that is going to work. And I am talking about fact, not fiction.

On Sunday I flew with Members of Congress over Louisiana. I was speaking with the Governor of Louisiana, and she told us she wants her people to make prevailing wage. She wants to make sure that Louisianans who want to participate in the rebuilding of their State, that they are not cheated, that they are not left behind, that other individuals from other States or other countries, and I have to add that too, come in and take these jobs away from these people who are victims. Better yet, we are going to do wonderful things in the Gulf States, and this also is evident in my community, Miami-Dade County.

Mr. Speaker, I think it is important. And the only way the proclamation can be overturned that the President waives the Davis-Bacon requirement is through an act of Congress. That means both House and Senate would have to pass an act overriding the President or saying that Davis-Bacon should be reinstituted. Subsection 6 of Davis-Bacon allows the President in time of national emergency to be able to waive the prevailing wage.

We do not hear any discussion about waiving the prevailing wage in Iraq contracts or Afghanistan contracts. It really benefits the contractor. I can see if it was something there that said if we waive Davis-Bacon, then we can save money. That is what they are saying, but that is not actually what will happen. Contractors will make more money because they do not have to pay the people who are out there punching in and punching out every day.

□ 2340

Mr. RYAN of Ohio. And, Mr. Speaker, if the gentleman will continue to yield, it is important to understand that

there is not the oversight that he talked about earlier tonight and we talked about last week; there is not the oversight of the contractors. We have got Halliburton. The same people that have been the contractors in the war, the same process, the same procedure, is the same thing that is going on down in the Katrina States.

So we are taking the workers and we are saying they cannot make the prevailing wage here with 8.8 percent, even lower in some of the States, and then we are also not going to have the oversight of the contractors. So what are the contractors going to do? They are going to squeeze the worker. They are going to take the money without the oversight. They are going to get everything that they want. And I do not think that the American taxpayer is going to be happy with that. If people have got problems with this, give us a ring here on the Internet: 30somethingdems@mail.house.gov. Send us an e-mail.

We are going to continue this discussion in the weeks and months to come because we are not going to sit by and let this administration steamroll the workers that want to go back and help rebuild their own community.

Mr. MEEK of Florida. Do not leave the Congress out because we have a responsibility too, Mr. Speaker.

Mr. RYAN of Ohio. We have a constitutional responsibility to make sure that this institution has proper oversight. Article I, section 1, this House right here governs the country, the people. And 11 to nine in the committee is not going to be sufficient. So we are going to keep the pressure on, and we are going to make sure that this administration adheres to the standards that the American people want, not what the majority wants.

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

Mr. MEEK of Florida. I yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, to stay on Davis-Bacon for a second, there was also some irony in the President's waiver because last year when it was 2004 and we were in advance of a Presidential election, he took great pains at expressing his deep affection for Florida and Floridians, talked about how important a State we were and made many trips to our State. Interestingly enough, he waived the Davis-Bacon requirements for Broward, Miami-Dade, and Monroe County in this last go-round with Katrina.

Mr. MEEK of Florida. Make sure we clarify because I want to make sure that Members do not get confused. Under Katrina he did. But there were how many storms last year during the Presidential election that came through Florida?

Ms. WASSERMAN SCHULTZ. There were four storms last year that came through Florida. Not one of them did he do that. And after Katrina, in a year that is not an election year, he waives

the prevailing wage requirements in Davis-Bacon in three counties. Yet FEMA, his administration, has refused to reimburse and grant individual assistance reimbursement for people who had their homes damaged, looking through their roof at the sky that were victims in Florida of Hurricane Katrina.

If they are not going to reimburse people and they are going to have to rebuild themselves or be left out in the cold and not rebuild at all, then what is the burning need to waive Davis-Bacon and the prevailing wage requirements in those counties? I guess only to help contractors, only to ensure that whatever building is going on is going to put as much money in the pocket of a contractor and workers be dammed because they really do not matter anyway because it is not an election year.

I mean, the way that we can ensure that we prevent this fraud and abuse in contracting is stop the sweetheart deals, stop the monopoly contracts, make sure that we have some bidding and responsible bidding so that we know that the contractors that can actually do the work for a responsible amount of money are the ones that get the contract.

We have a funeral and cemetery company that got a contract, a no-bid contract, in Louisiana to bury and, I guess, deal with the bodies, and there are so many of them; and this is the same company that was prosecuted for throwing bodies into the forest of a cemetery in West Palm Beach, Florida. Prosecuted. Buried people in the same grave, moved bodies from one grave to another. This is the kind of track record this company has, and now they have been given a sole-source contract in Louisiana. I mean is it not time that we stop the madness in giveaways that this administration has been in lock-step involvement in trying to help corporations as opposed to real people since the day that they walked into the White House?

I mean, our legislation that was introduced by the gentleman from California (Mr. WAXMAN) and the gentlewoman from California (Ms. PELOSI) today would do several extremely important things. One is it would establish an independent commission to prevent fraud and abuse. I mean, that is essential. We have to have some reviews of the process. We have to review contract awards to ensure that the Federal Government is complying with the competition requirements that there are. I mean, the implication of potential payoffs is just rampant without that type of review.

We have to review whether contract awards are based on merit as opposed to relationships between awardees and Federal Government officials. I do not know if it is any coincidence, but the Vice President is the former CEO of Halliburton; and I would love to see how many contracts Halliburton has

gotten. I am sure there is no coincidence there. Nothing granted to Halliburton based on relationship with the administration. Right? Could not possibly be.

Review in realtime the spending that is going on under ongoing Federal contracts to determine whether it is wasteful, whether they are actually doing the job that we contracted with them to do. In Florida there is a huge review going on over the private contracting that the government has been involved in because in almost every instance none of the private contractors are meeting their obligations. They are not meeting their accountability standards. Money is going out the door.

At the Federal level, we deal in the billions. Billions. People do not have any concept. It is hard to get our mind around that much money. If we do not adopt an independent commission and start injecting, insisting, on some accountability, then it is mindboggling how much waste we are going to let go out the door.

Mr. MEEK of Florida. Mr. Speaker, reclaiming my time, as we look at our constitutional responsibility as Members of Congress, it gives me no pleasure to be a Member of the 109th Congress, the highest deficit in the history of the Republic. I think that there is a real reason to have not only debate but also action as it relates to the deficit. And when we give irresponsible tax cuts, we spend like we are in the black versus the red, and we continue to spend. We cannot control ourselves and we are spending.

Now, when it comes down to the reality of where we are now, that is the reason why people have insurance. That is the reason why folks save money. They save in a bank account for a rainy day. The majority has not allowed that to happen here in this Congress.

On the Democratic side of the aisle, every time it comes down to the budget, it is a partisan vote. On our side of the aisle, the amendment comes down to pay-as-you-go. Pay-as-you-go. For every dollar we spend, we have to represent how would we pay for that dollar that we are spending, how would we reduce the budget at the same time we are passing legislation to spend Federal dollars. That is not anything new. I mean, this is what happens.

So the Congress when the Democrats were in control, we balanced the budget. Balanced the budget. Surplus. The surplus is getting so small now in the rear-view mirror, we can barely see it. Not because of our doing, but because of the majority side.

So it gives me no pleasure to be a part of this Congress, the highest deficit in the history of the Republic, because someday I am going to be walking around somewhere with a big hat on, fishing on a peer somewhere, and someone is going to say, you were part of the Congress in the 108th and 109th Congress when they just ran the deficit through the roof. What did you do? So

I think it is important that we point this out.

□ 2350

Now, there is a good, healthy discussion; and we know that we have individuals that are living in large homes that are making very little sacrifice as it relates to the Federal commitment to education, to health care, to making sure our men and women have the equipment that they need over in Iraq and Afghanistan and other foreign lands, and now we have a natural disaster here in the country. Better yet, we have people that are saying here in the Congress, not only are we repeating what the Majority side is saying, oh, well, maybe we should ask, or maybe they should ask the wealthy Americans' top half percent, what have you, to give back some of what we have given them. Better yet, it is not carried out the same way as it relates to asking a senior citizen who cannot afford prescription drugs or asking a mayor or a State: the transportation dollars that we gave you, we want to take them back, or asking a child that is in an overcrowded classroom who every year, under the threat of losing Title I, reduced lunch, asking them to make a sacrifice; no, it just happens to them. That is the difference. That is the difference.

I think the Members need to understand, when we start talking about the differences and say, are there any great ideas, there are a number of great ideas, and there will be action carried out with those great ideas, if we were in the majority, to bring about the philosophy of this Congress, of the majority of the Congress to go to the White House. And the real issue, when you start looking at responsibility and start talking about responsibility of this Congress, I think it is important for us to understand, and I keep saying the majority runs this House, and the minority, we try to make sure that the American people get what they need. We offer amendments on the Floor many times which are voted down in a procedural vote.

But it is important as we close here tonight to let the American people know that there are amendments and there have been amendments here in the House and on the other side of the Rotunda, and this Congress that has been offered to create an independent commission to make sure that we never, ever have to go through what we are going through again, not only the natural disaster issue, but on a governance issue. Now, because of a lack of governance, a lack of follow-through, a lack of oversight, \$200 billion is on the horizon of the Federal tax dollar going to the Gulf States, rightfully so; guess what? If we were on our j-o-b on the oversight, if the State government was on their j-o-b as it relates to the oversight, if the levee board down in New Orleans and the parishes in the area were on their j-o-b, then maybe, just maybe, we would not be spending \$200

billion. And the \$200 billion, the way the majority would have it, will affect every man, woman, and child, individuals that are not billionaires. But, better yet, the majority is proposing with a straight face, with a straight face that we should bring about cuts for every-day Americans, but protect, protect those individuals that go and put their card in the ATM and do not even worry about how much money they get out, because they do not have to worry about it.

So I think it is important. I am not here to say, well, you know, we need to do X, Y, and Z and every American needs to, we need to take the tax cut, no. Some of the tax cuts are good for working families. But when you have billionaires that we cannot even man up and woman up and leader up, and we are not even willing to go see the wizard to get some courage, we are saying, we are going to ask them to give back some of the money that we have given them that they did not even ask for.

So I think this debate may very well be healthy, and I hope that the American people see exactly what is going on here in Washington, D.C., and I hope that some individuals that look at this entire situation say to themselves, hey, I am a Democrat and I disagree with that, or hey, I am a Republican and I disagree with that; or I am an independent and I disagree with that; or I am not even registered to vote, but I disagree with that, but I am going to get involved. Because we need the kind of representation here in Washington, D.C. that is going to protect the country, not just a few individuals, that is going to make sure that we do not waive Davis-Bacon and prevailing wage, to make sure that victims that swam and were clinging on to their roof, in the attic, had to leave some of their family members in the attic who died, behind, for the sake of making sure that contractors, of all people, get their just due out of the contract.

So I think it is important that this is very real and we need to make sure that every American understands what is going on, and is not just the minority side saying, well, they are not doing this and they are not doing that. We have ideas. We have proposed those ideas, you can go on the website and find those ideas. But, guess what? They will never surface to legislation unless we move in a bipartisan way and look at this. We do not have the ability, and when I say we, the majority of the Congress, the way it is operated, we do not have the ability to do it in a bipartisan way on this issue. It is evident. And we are going to continue to provide that evidence to the American people.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, as we have the last few minutes here, let us just recap what is not happening that should be happening.

The American people clearly have indicated that they want an independent commission. They want a commission that is going to truly investigate what happened so that it never happens



again. Instead, they get a partisan committee created in Congress with an imbalance of Republicans to Democrats and Congress investigating itself. What are they getting? Instead of a bipartisan effort to truly rebuild the Gulf States, they are getting proposals to cut prescription drugs for senior citizens, transportation projects for people that are in dire need of being able to use that transportation and unclog the arteries of America, billions of dollars in proposed cuts in higher education, in college aid in the budget; only a couple of weeks delay in the reconciliation process, our budget reconciliation process which is also a round of cuts; a response from the Republican leadership here that the answer to their ballooning the deficit is to cut into the hearts of the people that need it the most.

Mr. Speaker, at the end of the day, what we are proposing is an independent commission. We are proposing a review, a thorough review of the contracting process to make sure that there is some accountability in the way we spend these dollars. We are proposing housing and economic security and education assistance for the Katrina victims that need it the most. And I have to conclude by saying that we also have proposed passing legislation to ensure that all victims of Hurricane Katrina, including those in our home State of Florida, get reimbursement for the damage that they received, because they certainly are not getting that help right now.

Mr. MEEK of Florida. Mr. Speaker, I agree with the gentlewoman. I want to thank not only the gentlewoman from Florida, but the gentleman from Ohio (Mr. RYAN) and the rest of the 30 Something Working Group for doing what they do. We would also like to thank the democratic leadership for allowing us to come to the Floor again, Mr. Speaker, to not only share with the Members, but the American people, about what is happening here in the Congress. We passed out our e-mail address; again, it is 30somethingdems@mail.house.gov.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. ESHOO (at the request of Ms. PELOSI) for today on account of an airplane mechanical problem.

Mr. FORD (at the request of Ms. PELOSI) for today.

Mr. MENENDEZ (at the request of Ms. PELOSI) for today.

Mr. MANZULLO (at the request of Mr. DELAY) for today on account of inspecting hurricane damage.

#### 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. McDERMOTT) to revise and

extend their remarks and include extraneous material:)

Mrs. MCCARTHY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. MEEHAN, for 5 minutes, today.

Mr. McDERMOTT, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. CARSON, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. LEWIS of Georgia, for 5 minutes, today.

Ms. EDDIE BERNICE JOHNSON of Texas, for 5 minutes, today.

Ms. KILPATRICK of Michigan, for 5 minutes, today.

Mrs. CHRISTENSEN, for 5 minutes, today.

(The following Members (at the request of Mr. GINGREY) to revise and extend their remarks and include extraneous material:)

Mr. GUTKNECHT, for 5 minutes, September 23 and 27.

Mr. OSBORNE, for 5 minutes, today and September 21.

Mr. BURTON of Indiana, for 5 minutes, September 21, 22, and 23.

Mr. RAMSTAD, for 5 minutes, September 21.

Mr. BRADLEY of New Hampshire, for 5 minutes, September 21.

Mr. GINGREY, for 5 minutes, today.

Mrs. MILLER of Michigan, for 5 minutes, today.

Mr. BURGESS, for 5 minutes, September 22.

Mr. STEARNS, for 5 minutes, September 21.

#### ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3649. An act to ensure funding for sportfishing and boating safety programs funded out of the Highway Trust Fund through the end of fiscal year 2005, and for other purposes.

#### ADJOURNMENT

Mr. MEEK of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 58 minutes p.m.), the House adjourned until tomorrow, Wednesday, September 21, 2005, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4007. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule — Tomatoes Grown in Florida; Re-

visions in Requirement of Certificates of Privilege [Docket No. FV05-966-1 FR] received September 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4008. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Washington; Modification of Pack Requirements [Docket No. FV05-946-3 IFR] received September 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4009. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule — Walnuts Grown in California; Suspension of Provision Regarding Eligibility of Walnut Marketing Board Members [Docket No. FV05-984-1 IFR] received September 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4010. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Cyhexatin; Tolerance Actions [OPP-2005-0160; FRL-7732-8] received September 14, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4011. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Bacillus Thuringiensis Cry34Ab1 and Cry35Ab1 Proteins and the Genetic Material Necessary of Their Production in Corn; Exemption from the Requirement of a Tolerance [OPP-2005-0211-FRL-7735-4] received September 14, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4012. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Aminopyridine; Ammonia, Chloropicrin, Diazinon, Dihydro-5-heptyl-2(3H)-furanone, Dihydro-5-pentyl-2(3H)-furanone, and Viclozolin; Tolerance Actions [OPP-2005-0209; FRL-7732-5] received September 14, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4013. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Priorities List for Uncontrolled Hazardous Waste Sites [FRL-7968-3] received September 14, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4014. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plan; Minnesota [R05-OAR-2005-MN-0002; FRL-7969-7] received September 14, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4015. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New York; Revised Motor Vehicle Emissions Budgets for 1990 and 2007 using MOBILE6 [Region II Docket No. NY69-280, FRL-7968-1] received September 14, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4016. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri; Correction [R07-OAR-2005-MO-0003; FRL-7969-

6] received September 14, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4017. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Ogden City Revised Carbon Monoxide Maintenance Plan and Approval of Related Revisions [R08-OAR-2005-UT-0003; FRL-7961-7] received September 14, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4018. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Iowa [R07-OAR-2005-IA-0005; FRL-7967-5] received September 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4019. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District [CA-319-0488a; FRL-7966-4] received September 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4020. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; Maryland; Control of Emissions from Commercial and Industrial Solid Waste Incineration (CISWI) Units [R03-OAR-2005-MD-0008; FRL-7966-7] received September 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4021. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan and Revision to the Definition of Volatile Organic Compounds (VOC) — Removal of VOC Exemptions for California's Aerosol Coating Products Reactivity-based Regulation [OAR-2003-0200; FRL-7966-2] received September 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4022. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Onondaga County Carbon Monoxide Maintenance Plan Revision; State of New York [Region II Docket No. R02-OAR-2005-NY-0002; FRL-7959-1] received September 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4023. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Cyfluthrin; Pesticide Tolerance [OPP-2005-0205; FRL-7725-7] received September 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4024. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Interim Final Determination to Stay and/or Defer Sanctions, San Joaquin Valley Unified Air Pollution Control District [CA-319-0488c; FRL-7966-5] received September 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4025. A letter from the Principal Deputy Associate Administrator, Environmental

Protection Agency, transmitting the Agency's final rule — Revisions to the Territory of American Samoa State Implementation Plan, Update to Materials Incorporated by Reference [AS123-NBK; FRL-7955-6] received September 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4026. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Ocean Dumping; LA-3 Ocean Dredged Material Disposal Site Designation [FRL-7967-7] received September 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4027. A letter from the Legal Advisor, WTB, Federal Communications Commission, transmitting the Commission's final rule — Implementation of the Commercial Spectrum Enhancement Act and Modernization of the Commission's Competitive Bidding Rules and Procedures [WT Docket No. 05-211] received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4028. A letter from the Interim Legal Advisor/Chief, WTB, Federal Communications Commission, transmitting the Commission's final rule — Biennial Regulatory Review — Amendment of Parts 1, 22, 24, 27, and 90 to Streamline and Harmonize Various Rules Affecting Wireless Radio Services, [WT Docket No. 03-264] received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4029. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations. (Hawley and Munday, Texas) [MB Docket No. 04-408; RM-11107] received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4030. A letter from the Special Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Charlotte and Grand Ledge, Michigan) [MB Docket No. 03-222; RM-10812] received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4031. A letter from the Deputy Bureau Chief, CGB, Federal Communications Commission, transmitting the Commission's final rule — Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities [CG Docket No. 03-123; CG Docket No. 98-67] received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4032. A letter from the Deputy Bureau Chief, CGB, Federal Communications Commission, transmitting the Commission's final rule — Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities [CG Docket No. 98-67; CG Docket No. 03-123] received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4033. A letter from the Deputy Bureau Chief, CGB, Federal Communications Commission, transmitting the Commission's final rule — Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities [CG Docket No. 98-67; CG Docket No. 03-123] received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4034. A letter from the Program Analyst, FAA, Department of Transportation, trans-

mitting the Department's final rule — Airworthiness Directives; The New Piper Aircraft, Inc. PA-34 Series Airplanes [Docket No. FAA-2004-19960; Directorate Identifier 2004-CE-47-AD; Amendment 39-14153; AD 2005-13-16] (RIN: 2120-AA64) received August 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4035. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Air Tractor, Inc. Models AT-300, AT-301, AT-302, AT-400, AT-400A, AT-401, AT-402, AT-602, AT-802, and AT-802A Airplanes [Docket No. FAA-2004-19837; Directorate Identifier 2004-CE-43-AD; Amendment 39-14149; AD 2005-13-12] received August 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4036. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Model 650 Airplanes [Docket No. 2002-NM-332-AD; Amendment 39-14158; AD 2005-13-21] (RIN: 2120-AA64) received August 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4037. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-400, -400D, -400F; 767-200, -300, -300F; and 777-200 and -300 Series Airplanes [Docket No. FAA-2004-18784; Directorate Identifier 2004-NM-59-AD; Amendment 39-14157; AD 2005-13-20] (RIN: 2120-AA64) received August 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4038. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No. FAA-2005-20166; Directorate Identifier 2004-NM-175-AD; Amendment 39-14135; AD 2005-12-19] (RIN: 2120-AA64) received August 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4039. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model MD-90-30 Airplanes [Docket No. FAA-2004-19867; Directorate Identifier 2004-NM-58-AD; Amendment 39-14151; AD 2005-13-14] (RIN: 2120-AA64) received August 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4040. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-200, -200C, -300, -400, -500, -600, -700, -700C, -800, and -900 Series Airplanes [Docket No. FAA-2004-19567; Directorate Identifier 2004-NM-118-AD; Amendment 39-14152; AD 2005-13-15] (RIN: 2120-AA64) received August 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4041. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; AvCraft Dornier Model 328-100 Airplanes [Docket No. FAA-2005-21053; Directorate Identifier 2005-NM-053-AD; Amendment 39-14161; AD 2005-13-24] (RIN: 2120-AA64) received August 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4042. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hartzell Propeller, Inc. McCauley Propeller Systems, and

Sensenich Propeller Manufacturing Company, Inc. Propellers [Docket No. 2003-NE-53-AD; Amendment 39-14188; AD 2005-14-11] (RIN: 2120-AA64) received August 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4043. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-10-10 and DC-10-10F Airplanes; Model DC-10-15 Airplanes; Model DC-10-30 and DC-10-30F (KC-10A and KDC-10) Airplanes; and Model DC-10-40 and DC-10-40F Airplanes [Docket No. FAA-2004-18670; Directorate Identifier 2002-NM-83-AD; Amendment 39-14187; AD 2005-14-10] (RIN: 2120-AA64) received August 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4044. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 707-300B, -300C, and -400 Series Airplanes [Docket No. FAA-2005-20725; Directorate Identifier 2003-NM-250-AD; Amendment 39-14183; AD 2005-14-06] (RIN: 2120-AA64) received August 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4045. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 777-200 and -300 Series Airplanes [Docket No. FAA-2004-19795; Directorate Identifier 2004-NM-196-AD; Amendment 39-14181; AD 2005-14-04] (RIN: 2120-AA64) received August 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4046. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135 and Model EMB-145, -145ER, -145MR, -145LR, -145XR, -145MP, and -145EP Airplanes [Docket No. FAA-2005-20733; Directorate Identifier 2005-NM-004-AD; Amendment 39-14179; AD 2005-14-02] (RIN: 2120-AA64) received August 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4047. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Airplanes [Docket No. FAA-2005-20243; Directorate Identifier 2004-NM-153-AD; Amendment 39-14185; AD 2005-14-08] (RIN: 2120-AA64) received August 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4048. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rockwell International (Aircraft Specification No. A-2-575 Previously Held by North American and Recently Purchased by Boeing) Models AT-6 (SNJ-2), AT-6A (SNJ-3), AT-6B, AT-6C (SNJ-4), AT-6D (SNJ-5), AT-6F (SNJ-6), BC-1A, SNJ-7, and T-6G Airplanes; and Autair Ltd. (Aircraft Specification No. AR-11 Previously Held by Noorduy Aviation Ltd.) Model Harvard (Army AT-16) Airplanes [Docket No. FAA-2005-21463; Directorate Identifier 2005-CE-30-AD; Amendment 39-14144; AD 2005-12-51] (RIN: 2120-AA64) Received August 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4049. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Models RB211 Trent 768-60, Trent 772-60, and

Trent 772B-60 Turbofan Engines [Docket No. FAA-2005-21730; Directorate Identifier 2005-NE-18-AD; Amendment 39-14186; AD 2005-14-09] (RIN: 2120-AA64) received August 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4050. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B2-203 and B4-203 Airplanes; Model A310-200 and -300 Series Airplanes; and Model A300-B4-600, B4-600R, and F4-600R Series Airplanes, and Model A300 C4-605R Variant F Airplanes (Collectively Called A300-600 Series Airplanes) [Docket No. FAA-2005-20474; Directorate Identifier 2004-NM-221-AD; Amendment 39-14178; AD 2005-14-01] (RIN: 2120-AA64) received August 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4051. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-145 and EMB-135 Series Airplanes [Docket No. 2004-NM-37-AD; Amendment 39-14180; AD 2005-14-03] (RIN: 2120-AA64) received August 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4052. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — Packaging, Handling, and Transportation (RIN: 2700-AD16) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

4053. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — Head of Contracting Activity (HCA) Change for NASA Shared Services Center (NSSC) — received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

4054. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — NASA Grant and Cooperative Agreement Handbook — Intellectual Property Required Reports and Publications (RIN: 2700-AD14) received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

## 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. TOM DAVIS of Virginia: Committee on Government Reform. A Citizen's Guide on Using the Freedom of Information Act and the Privacy Act of 1974 to Request Government Records (Rept. 109-226). Referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. GINGREY: Committee on Rules. House Resolution 451. Resolution providing for consideration of the bill (H.R. 250) to establish an interagency committee to coordinate federal manufacturing research and development efforts in manufacturing, strengthen existing programs to assist manufacturing innovation and education, and expand outreach programs for small and medium-sized manufacturers, and for other purposes (Rept. 109-227). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. MELANCON (for himself and Mr. GORDON):

H.R. 3826. A bill to provide for the establishment of a Katrina Assistance Program through the Manufacturing Extension Partnership program, and for other purposes; to the Committee on Science.

By Mr. SENSENBRENNER (for himself, Mr. CONYERS, Ms. JACKSON-LEE of Texas, and Mr. HOSTETTLER):

H.R. 3827. A bill to preserve certain immigration benefits for victims of Hurricane Katrina, and for other purposes; to the Committee on the Judiciary.

By Mr. CHABOT:

H.R. 3828. A bill to amend the Internal Revenue Code of 1986 to allow individuals a credit against income tax of at least \$500 to offset the cost of high 2005 gasoline and diesel fuel prices; to the Committee on Ways and Means.

By Mr. BOREN:

H.R. 3829. A bill to designate the Department of Veterans Affairs Medical Center in Muskogee, Oklahoma, as the Jack C. Montgomery Department of Veterans Affairs Medical Center; to the Committee on Veterans' Affairs.

By Mr. FOLEY (for himself, Mr.

HASTINGS of Florida, Mr. MACK, Mr. BOYD, Ms. GINNY BROWN-WAITE of Florida, Mr. DAVIS of Florida, Mr. BILIRAKIS, Mr. MEEK of Florida, Mr. MILLER of Florida, Ms. HARRIS, Mr. WELDON of Florida, Ms. CORRINE BROWN of Florida, Ms. ROS-LEHTINEN, Mr. PUTNAM, Mr. WEXLER, Mr. MARIO DIAZ-BALART of Florida, Ms. WASSERMAN SCHULTZ, Mr. FEENEY, Mr. SHAW, Mr. MICA, Mr. CRENSHAW, Mr. LINCOLN DIAZ-BALART of Florida, Mr. YOUNG of Florida, Mr. KELLER, and Mr. STEARNS):

H.R. 3830. A bill to designate the facility of the United States Postal Service located at 130 East Marion Avenue in Punta Gorda, Florida, as the "U.S. Cleveland Post Office Building"; to the Committee on Government Reform.

By Mr. GERLACH:

H.R. 3831. A bill to amend the Internal Revenue Code of 1986 to include certain safe harbor deferred compensation plans for domestic and similar workers in the waiver of the tax on nondeductible contributions; to the Committee on Ways and Means.

By Mrs. LOWEY (for herself, Mrs.

CHRISTENSEN, Mr. CROWLEY, Mr. ETHERIDGE, Ms. JACKSON-LEE of Texas, Mr. MARKEY, Mr. NADLER, Mr. SERRANO, Mr. CLEAVER, Mr. DELAHUNT, Mr. GRIJALVA, Mr. JEFFERSON, Mr. MENENDEZ, Mr. OWENS, and Ms. WASSERMAN SCHULTZ):

H.R. 3832. A bill to amend the Internal Revenue Code of 1986 to reward those Americans who provide volunteer services in times of national need; to the Committee on Ways and Means.

By Mr. MICA:

H.R. 3833. A bill to amend title 18, United States Code, to provide penalties for violent crimes against members of the National Guard during Presidentially declared emergencies; to the Committee on the Judiciary.

By Mr. PALLONE:

H.R. 3834. A bill to repeal the authority of the President to suspend the prevailing wage requirements of the Davis-Bacon Act during times of national emergency and to reinstate the application of such requirements to Federal contracts in areas affected by Hurricane Katrina; to the Committee on Education and the Workforce.

By Mr. SAXTON (for himself, Mr. MCINTYRE, Mr. FARR, Mr. ABERCROMBIE, Mr. SIMMONS, Mr. WICKER, Mr. YOUNG of Alaska, and Mr. FOLEY):

H.R. 3835. A bill to establish a coordinated national ocean exploration program within the National Oceanic and Atmospheric Administration; to the Committee on Science, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHADEGG (for himself, Mr. BARRETT of South Carolina, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. BROWN of South Carolina, Mr. CANTOR, Mr. CHABOT, Mr. CHOCOLA, Mr. DOOLITTLE, Mr. FEENEY, Mr. FLAKE, Ms. FOXX, Mr. FRANKS of Arizona, Mr. GARRETT of New Jersey, Mr. GINGREY, Mr. GOHMERT, Mr. GOODE, Ms. HART, Mr. HENSARLING, Mr. ISTOOK, Mr. SAM JOHNSON of Texas, Mr. KENNEDY of Minnesota, Mr. KIRK, Mr. MCHENRY, Mrs. MUSGRAVE, Mr. PENCE, Mr. PITTS, Mr. SENSENBRENNER, Mr. SULLIVAN, Mr. WAMP, Mr. WESTMORELAND, Mr. WICKER, and Mr. WILSON of South Carolina):

H.R. 3836. A bill to expedite the construction of new refining capacity in the United States; to the Committee on Energy and Commerce, and in addition to the Committees on Resources, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SLAUGHTER (for herself, Mr. ABERCROMBIE, Mrs. CAPITO, Mrs. CAPPS, Mr. CROWLEY, Mr. FILNER, Mr. GRIJALVA, Ms. HART, Ms. KILPATRICK of Michigan, Mr. LEWIS of Georgia, Mrs. MALONEY, Mr. McDERMOTT, Mr. OWENS, Ms. SCHAKOWSKY, Ms. SOLIS, and Mr. WEXLER):

H.R. 3837. A bill to ensure that the confidential communications of a member of the Armed Forces with a victim service organization or a health care professional are not disclosed, and for other purposes; to the Committee on Armed Services.

By Mr. WAXMAN (for himself, Ms. PELOSI, Mr. HOYER, Mr. OBAYE, Mr. THOMPSON of Mississippi, Mr. DINGELL, Mr. CONYERS, Mr. RANGEL, Mr. FRANK of Massachusetts, Mr. LANTOS, Ms. SLAUGHTER, Ms. DELAURO, Mr. EMANUEL, Mrs. MALONEY, Mr. OWENS, Mr. CUMMINGS, Ms. NORTON, Ms. WATSON, and Mr. LYNCH):

H.R. 3838. A bill to establish the Independent Commission to Prevent Fraud and Abuse in the Response to Hurricane Katrina, and for other purposes; to the Committee on Government Reform, and in addition to the Committees on Transportation and Infrastructure, Energy and Commerce, and 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. YOUNG of Alaska:

H.R. 3839. A bill to amend the Marine Mammal Protection Act of 1972 to repeal the long-term goal for reducing to zero the incidental mortality and serious injury of marine mammals in commercial fishing operations, and to modify the goal of take reduction plans for reducing such takings; to the Committee on Resources.

By Mr. FORD:

H.J. Res. 64. A joint resolution disapproving the recommendations of the De-

fense Base Closure and Realignment Commission; to the Committee on Armed Services.

By Mr. LAHOOD:

H.J. Res. 65. A joint resolution disapproving the recommendations of the Defense Base Closure and Realignment Commission; to the Committee on Armed Services.

By Mr. DAVIS of Illinois (for himself, Mr. MEEK of Florida, Ms. NORTON, Mr. BUTTERFIELD, Ms. CARSON, Mr. CUMMINGS, Mr. LEWIS of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KILPATRICK of Michigan, and Mrs. CHRISTENSEN):

H. Con. Res. 246. Concurrent resolution paying tribute to John Harold Johnson in recognition of his many achievements and contributions; to the Committee on Government Reform.

By Mr. LEWIS of Georgia (for himself, Mr. CONYERS, Mr. DOGETT, Mr. NEAL of Massachusetts, Mr. GRIJALVA, Mr. FILNER, Mr. SERRANO, Mr. KUCINICH, Mr. HOYER, Mr. McDERMOTT, Mr. EMANUEL, Mr. BROWN of Ohio, Mr. GENE GREEN of Texas, Mr. MCGOVERN, Mr. STARK, Mr. FATTAH, Mr. PAYNE, Mr. HINCHEY, Mr. HONDA, and Ms. SCHAKOWSKY):

H. Con. Res. 247. Concurrent resolution expressing the sense of Congress that a requirement that United States citizens obtain photo identification cards before being able to vote has not been shown to ensure ballot integrity and places an undue burden on the legitimate voting rights of citizens; to the Committee on the Judiciary.

By Mr. WAXMAN (for himself, Mr. LANTOS, Ms. SCHAKOWSKY, Mr. CARDIN, Mr. CROWLEY, Mr. VAN HOLLEN, and Ms. JACKSON-LEE of Texas):

H. Con. Res. 248. Concurrent resolution honoring the life and work of Simon Wiesenthal and reaffirming the commitment of Congress to the fight against anti-Semitism and intolerance in all forms, in all forums, and in all nations; to the Committee on International Relations.

By Mr. DINGELL (for himself, Mr. REYES, Mr. MEEHAN, Mr. MORAN of Virginia, Mr. HINCHEY, Mr. JEFFERSON, Mr. MEEK of Florida, Ms. MATSUI, Ms. HARMAN, Mr. KILDEE, Mr. ENGEL, Ms. WASSERMAN SCHULTZ, Mr. McDERMOTT, Mr. SAXTON, Mr. KING of New York, Mr. HOEKSTRA, Mr. DAVIS of Illinois, Ms. BEAN, Mrs. MCCARTHY, Mr. UPTON, Mr. STARK, Mr. ORTIZ, Mr. WALSH, Ms. SCHAKOWSKY, Mr. WAXMAN, Mr. YOUNG of Florida, Ms. DEGETTE, and Mr. OBAYE):

H. Res. 452. A resolution recognizing the 75th anniversary of the American Academy of Pediatrics and supporting the mission and goals of the organization; to the Committee on Energy and Commerce.

By Mr. MCCOTTER (for himself, Mr. NORWOOD, Mr. DAVIS of Tennessee, Mr. FORD, Mrs. CAPITO, Mrs. SCHMIDT, Mr. SAM JOHNSON of Texas, Mr. BARRETT of South Carolina, Mr. PEARCE, Mr. FERGUSON, and Mr. SHUSTER):

H. Res. 453. A resolution expressing the sense of the House of Representatives with respect to a court decision relating to the Pledge of Allegiance; to the Committee on the Judiciary.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. DAVIS of Illinois introduced a bill (H.R. 3840) for the relief of David Adekoya;

which was referred to the Committee on the Judiciary.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mrs. TAUSCHER, Mr. MARCHANT, and Mr. BOEHLERT.  
H.R. 220: Mr. WAMP.  
H.R. 303: Mr. RAHALL.  
H.R. 503: Mr. CHABOT and Ms. MATSUI.  
H.R. 583: Mrs. JONES of Ohio and Mrs. TAUSCHER.

H.R. 657: Mr. UPTON, Mr. GERLACH, Mr. FRELINGHUYSEN, Mr. BASS, Mr. SCHWARZ of Michigan, Mr. PLATTS, Mr. PETRI, Mr. KUHL of New York, Mr. EHLERS, Mr. LEACH, Mr. DENT, Mr. SHAYS, Mr. KIRK, Mr. BOEHLERT, Mrs. KELLY, Mrs. JOHNSON of Connecticut, Mr. BRADLEY of New Hampshire, Mr. HINOJOSA, Mr. CROWLEY, Ms. WASSERMAN SCHULTZ, Mr. SHERMAN, Ms. SCHAKOWSKY, Mr. HOLDEN, Mr. GILLMOR, Mr. GUTIERREZ, and Ms. MATSUI.

H.R. 689: Mr. MARCHANT.  
H.R. 745: Mr. GARRETT of New Jersey.  
H.R. 764: Mr. HAYWORTH.  
H.R. 783: Mr. TERRY.  
H.R. 788: Mr. MARSHALL.  
H.R. 813: Mr. JEFFERSON.  
H.R. 818: Mr. PAUL and Mr. BARTLETT of Maryland.

H.R. 839: Mrs. DAVIS of California.  
H.R. 859: Mr. DENT.  
H.R. 896: Mr. HINCHEY and Mr. MELANCON.  
H.R. 910: Mr. FORD, Mr. PETERSON of Minnesota, Mr. BOEHLERT, Ms. SLAUGHTER, Mr. MORAN of Kansas, and Mr. GUTIERREZ.  
H.R. 920: Mr. MCCAUL of Texas, Mr. MENENDEZ, and Mr. MICHAUD.

H.R. 923: Mr. WILSON of South Carolina and Mr. MCCOTTER.

H.R. 939: Ms. BERKLEY.  
H.R. 947: Mr. ADERHOLT.  
H.R. 968: Ms. BEAN.  
H.R. 986: Mr. CALVERT.  
H.R. 995: Mr. ANDREWS.  
H.R. 997: Mr. SHIMKUS and Mr. CHOCOLA.  
H.R. 998: Mr. FORD and Mrs. MILLER of Michigan.

H.R. 1000: Mr. ALLEN.  
H.R. 1002: Mr. ISRAEL, Mr. RAHALL, and Mr. CROWLEY.

H.R. 1020: Mr. NEAL of Massachusetts and Mr. CARDIN.

H.R. 1043: Mr. HINCHEY, Mr. GENE GREEN of Texas, and Mr. SHIMKUS.

H.R. 1157: Mr. LEWIS of Georgia.  
H.R. 1183: Mr. BURGESS.  
H.R. 1258: Mr. STUPAK.  
H.R. 1262: Mr. BARTLETT of Maryland.  
H.R. 1297: Mr. SCOTT of Virginia.  
H.R. 1313: Mrs. CAPITO.  
H.R. 1356: Mr. FORD.  
H.R. 1366: Mr. GOODE.  
H.R. 1371: Mr. PAUL.

H.R. 1382: Mr. WESTMORELAND and Mr. GUTKNECHT.

H.R. 1402: Ms. DEGETTE, Mr. ROSS, and Ms. BORDALLO.

H.R. 1417: Mr. REYNOLDS.  
H.R. 1431: Mr. PASCRELL.  
H.R. 1491: Ms. MILLENDER-MCDONALD.  
H.R. 1561: Mr. SIMPSON, Mr. GILLMOR, Mr. KING of Iowa, Mr. ALLEN, and Mr. PRICE of North Carolina.

H.R. 1574: Mr. LIPINSKI.  
H.R. 1578: Mrs. JONES of Ohio and Ms. MATSUI.

H.R. 1607: Mr. HULSHOF.  
H.R. 1615: Mrs. MALONEY, Mr. BERMAN, Mr. WEINER, Mr. MICHAUD, and Mrs. CAPPS.

H.R. 1651: Mr. GILLMOR.  
H.R. 1668: Mr. CLAY and Mr. WEINER.



H.R. 1709: Mr. LEWIS of Georgia, Ms. MILLENDER-MCDONALD, Mr. ROTHMAN, Mr. EVANS, Mr. BAIRD, and Ms. VELÁZQUEZ.

H.R. 1736: Mr. MCCOTTER.  
H.R. 1738: Ms. VELÁZQUEZ.  
H.R. 1792: Mr. WALDEN of Oregon.  
H.R. 1849: Mr. WU and Mr. GORDON.  
H.R. 1951: Mr. SHAW.  
H.R. 1953: Mrs. KELLY and Mr. SESSIONS.  
H.R. 1973: Mr. PRICE of North Carolina and Mr. BERMAN.

H.R. 2037: Mr. BACA and Mr. FILNER.  
H.R. 2048: Mrs. MYRICK, Mr. FITZPATRICK of Pennsylvania, Ms. ESHOO, Mr. DEFazio, Mr. PETERSON of Pennsylvania, Mr. BILIRAKIS, Mr. RUSH, Mr. HASTINGS of Florida, and Mr. STRICKLAND.

H.R. 2061: Mr. CRENSHAW, Mr. WELDON of Florida, and Mr. BARTLETT of Maryland.

H.R. 2070: Mr. TIERNEY.  
H.R. 2106: Mr. CROWLEY.  
H.R. 2229: Ms. HARRIS.  
H.R. 2234: Mr. JEFFERSON, Ms. LORETTA SANCHEZ of California, and Mr. DELAHUNT.  
H.R. 2238: Mr. FITZPATRICK of Pennsylvania.

H.R. 2317: Mr. CLAY and Mr. DICKS.

H.R. 2328: Mr. OWENS.  
H.R. 2369: Mr. JENKINS.  
H.R. 2389: Mr. KING of New York.  
H.R. 2412: Ms. BERKLEY.  
H.R. 2511: Mr. UDALL of New Mexico.  
H.R. 2526: Ms. BEAN.  
H.R. 2533: Ms. MATSUI, Mr. LEVIN, and Ms. ROYBAL-ALLARD.

H.R. 2642: Ms. DEGETTE.  
H.R. 2668: Mrs. SCHMIDT.  
H.R. 2694: Mr. HINCHEY.  
H.R. 2716: Mr. OBERSTAR.  
H.R. 2719: Mr. PLATTS.  
H.R. 2799: Mr. JEFFERSON and Mr. SANDERS.  
H.R. 2804: Mr. MCCAUL of Texas.  
H.R. 2822: Mr. GARRETT of New Jersey.  
H.R. 2823: Mr. ALEXANDER.  
H.R. 2895: Mr. UDALL of Colorado.  
H.R. 2943: Mr. CAPUANO.  
H.R. 2963: Mr. KUCINICH and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 3011: Mr. HUNTER, Mr. ROGERS of Alabama, Mr. KING of Iowa, and Mr. MCINTYRE.

H.R. 3042: Mr. KILDEE.  
H.R. 3111: Mr. MELANCON.  
H.R. 3128: Ms. BERKLEY, Mr. BROWN of Ohio, Ms. ZOE LOFGREN of California, Mr. CAPUANO, and Mr. McDERMOTT.

H.R. 3134: Mr. SESSIONS.  
H.R. 3137: Mr. GUTKNECHT, Mrs. CAPITO, Mr. MARCHANT, Mr. SHADEGG, and Mr. ALEXANDER.

H.R. 3160: Mr. SERRANO, Ms. DEGETTE, and Mr. OWENS.

H.R. 3162: Mr. MICHAUD.  
H.R. 3180: Mr. GARRETT of New Jersey and Mr. ENGLISH of Pennsylvania.

H.R. 3191: Mr. EVANS, Mr. BLUMENAUER, Mr. TANCREDO, Ms. MILLENDER-MCDONALD, Mr. LEACH, Mr. WEXLER, Ms. WATSON, Mr. LANTOS, Mr. HONDA, Mr. CROWLEY, and Mr. MEEKS of New York.

H.R. 3197: Mr. MCCAUL of Texas.  
H.R. 3248: Mr. SHIMKUS, Mr. BALDWIN, Mr. SNYDER, and Mr. ABERCROMBIE.

H.R. 3255: Mr. COOPER.  
H.R. 3300: Mr. CONAWAY.  
H.R. 3313: Mr. WAXMAN, Mr. OWENS, Mr. MORAN of Virginia, Mr. McNULTY, Mr. PAYNE, Mr. HINCHEY, Mr. FARR, Ms. ESHOO, Ms. SOLIS, Mrs. MALONEY, Ms. MCCOLLUM of Minnesota, Mr. GRIJALVA, Mr. ABERCROMBIE, Ms. MOORE of Wisconsin, Mr. CROWLEY, Mr. CUMMINGS, Mr. McDERMOTT, Mr. HASTINGS of Florida, Ms. LINDA T. SANCHEZ of California, Mrs. MCCARTHY, Mr. SERRANO, Mr. DOGGETT, Mr. KUCINICH, Mr. KIND, Ms. MCKINNEY, Mr. VAN HOLLEN, Mr. BROWN of Ohio, Ms. JACKSON-LEE of Texas, Mr. MILLER of North Carolina, and Mr. STARK.

H.R. 3326: Mr. BAIRD, Mr. DAVIS of Illinois, Mr. UDALL of Colorado, Mr. JEFFERSON, Mr.

LEWIS of Georgia, Mrs. JONES of Ohio, and Mrs. MCCARTHY.

H.R. 3352: Mr. WHITFIELD.  
H.R. 3360: Mr. HULSHOF.  
H.R. 3361: Mr. LEVIN.

H.R. 3373: Mr. VAN HOLLEN, Mrs. KELLY, Mr. SOUDER, Mr. ENGLISH of Pennsylvania, Mr. SHIMKUS, Mr. LATHAM, Mr. ADERHOLT, Mr. OLVER, Mr. DOYLE, Ms. MILLENDER-MCDONALD, and Mrs. MALONEY.

H.R. 3379: Ms. JACKSON-LEE of Texas and Ms. DELAURO.

H.R. 3380: Ms. DELAURO, Mr. KENNEDY of Rhode Island, and Ms. ZOE LOFGREN of California.

H.R. 3402: Ms. WATERS.  
H.R. 3405: Mr. CLAY, Mr. EDWARDS, Mrs. MYRICK, Mr. EVERETT, Mr. LEWIS of California, and Mr. PUTNAM.

H.R. 3420: Mr. CLEAVER and Mr. STARK.  
H.R. 3436: Mr. KING of Iowa.  
H.R. 3438: Mr. WYNN.

H.R. 3478: Mr. MCGOVERN, Mr. GARRETT of New Jersey, and Mr. HUNTER.

H.R. 3492: Mr. BLUMENAUER, Mr. GRIJALVA, Mr. GEORGE MILLER of California, and Mr. CUMMINGS.

H.R. 3502: Mr. JEFFERSON.  
H.R. 3505: Mr. HINOJOSA, Mr. ROSS, Mr. ROTHMAN, Mr. CROWLEY, Ms. WASSERMAN SCHULTZ, Mr. FEENEY, Mr. BACHUS, Mr. MARCHANT, Mr. GILLMOR, Mr. NEUGEBAUER, Mr. LEWIS of California, Mr. MEEKS of New York, Mr. PEARCE, Mr. RYUN of Kansas, Mr. ISRAEL, Mr. PAUL, Mr. SESSIONS, Mr. JONES of North Carolina, Ms. ROYBAL-ALLARD, Mr. GARRETT of New Jersey, Ms. HOOLEY, Mr. RENZI, and Mr. CANTOR.

H.R. 3546: Mr. BERRY.  
H.R. 3561: Mrs. MCCARTHY, Ms. WASSERMAN SCHULTZ, and Mr. McDERMOTT.

H.R. 3584: Mr. McDERMOTT.  
H.R. 3588: Mr. McNULTY, Mr. SMITH of Washington, and Ms. ESHOO.

H.R. 3616: Mr. PLATTS and Mr. WAXMAN.  
H.R. 3628: Mr. McDERMOTT, Mr. MORAN of Virginia, Mr. MICHAUD, Mr. BONNER, and Mr. LEWIS of Georgia.

H.R. 3659: Mr. CARNAHAN.  
H.R. 3665: Mr. ABERCROMBIE, Mr. CASE, Mr. GRIJALVA, and Mr. MICHAUD.

H.R. 3666: Mrs. MALONEY and Mr. McDERMOTT.  
H.R. 3667: Mr. HERGER and Mr. THOMAS.

H.R. 3670: Mrs. MALONEY and Mr. McDERMOTT.  
H.R. 3685: Mr. PASTOR.

H.R. 3690: Ms. ESHOO and Mr. FRANK of Massachusetts.  
H.R. 3699: Mrs. DRAKE.

H.R. 3701: Mr. ROTHMAN.  
H.R. 3702: Mrs. EMERSON, Mr. ROSS, Mr. SNYDER, Mr. BOOZMAN, Mr. EVANS, Mr. SKELTON, and Mr. FILNER.

H.R. 3708: Mr. ORTIZ.  
H.R. 3709: Mr. HENSARLING, Mr. HONDA, Ms. MCCOLLUM of Minnesota, Mr. SODREL, Mr. TIAHRT, Mr. AKIN, Mr. GARRETT of New Jersey, and Mr. MARCHANT.

H.R. 3711: Mr. INSLEE, Mr. AL GREEN of Texas, and Ms. HERSETH.

H.R. 3727: Mrs. MALONEY and Mr. McDERMOTT.

H.R. 3748: Mr. DAVIS of Alabama, Mr. MCCAUL of Texas, Mr. KUCINICH, Mr. WEINER, and Ms. SCHAKOWSKY.

H.R. 3754: Mr. SALAZAR.  
H.R. 3757: Mr. DUNCAN and Mr. PAUL.

H.R. 3760: Mr. WYNN.  
H.R. 3761: Mrs. BIGGERT and Mr. TIBERI.

H.R. 3764: Mr. BARROW, Ms. MILLENDER-MCDONALD, and Ms. MOORE of Wisconsin.

H.R. 3774: Ms. KAPTUR, Mr. GRIJALVA, Mr. CONYERS, and Mr. BRADY of Pennsylvania.

H.R. 3781: Mr. KING of New York.  
H.R. 3782: Mrs. CUBIN, Mr. EVERETT, Mr. WALDEN of Oregon, Mr. SULLIVAN, Mrs. JOHNSON of Connecticut, and Ms. BERKLEY.

H.R. 3787: Mr. FRANK of Massachusetts.  
H.R. 3792: Mr. FORD and Mr. OWENS.  
H.R. 3796: Mr. PRICE of North Carolina, Mr. SHAYS, Mrs. DAVIS of California, Mr. OSBORNE, and Mr. HIGGINS.

H.R. 3800: Ms. WASSERMAN SCHULTZ, Mr. CONYERS, and Mr. GRIJALVA.  
H.R. 3809: Mr. EVANS and Mr. SKELTON.  
H.R. 3824: Mr. CANNON.  
H.J. Res. 12: Mr. SHERMAN.

H.J. Res. 38: Mr. ABERCROMBIE, Mr. FILNER, Mr. MCGOVERN, and Mr. MARKEY.

H.J. Res. 61: Mrs. CHRISTENSEN, Mr. LOBIONDO, Mr. HONDA, Mr. KUCINICH, Mr. PALLONE, Mrs. NAPOLITANO, Ms. DELAURO, Mr. VAN HOLLEN, Mr. CHANDLER, Mr. ROTHMAN, Mr. SMITH of New Jersey, Mr. UDALL of New Mexico, Mr. GARRETT of New Jersey, Mr. COOPER, Mr. PRICE of North Carolina, Mr. JOHNSON of Illinois, Mrs. JONES of Ohio, Mr. CANNON, Mr. FORTUÑO, Mr. McHUGH, Mr. GIBBONS, Mr. FRANKS of Arizona, Mr. SHAW, Mr. BILIRAKIS, Mr. GUTIERREZ, Miss McMORRIS, Mr. MURPHY, Mr. SHUSTER, Mrs. DRAKE, Mr. POMEROY, Mr. SCHIFF, Mr. McKEON, Mr. MARCHANT, Mr. WELDON of Pennsylvania, Mr. SNYDER, Mr. BOEHLERT, Mr. FRANK of Massachusetts, Ms. MATSUI, Mr. UDALL of Colorado, Mr. RYAN of Ohio, Mr. LARSEN of Washington, Mr. MEEHAN, Ms. BALDWIN, Mrs. LOWEY, Mr. MARKEY, Mr. DICKS, Ms. LORETTA SANCHEZ of California, Mr. CROWLEY, Mr. SKELTON, Mrs. DAVIS of California, Mr. KILDEE, Mr. MEEKS of New York, and Mr. RENZI.

H. Con. Res. 130: Mrs. BLACKBURN, Mr. TANCREDO, Mr. CONAWAY, Mr. BACHUS, Mrs. BONO, Mr. ROGERS of Michigan, Mr. TERRY, and Ms. LINDA T. SANCHEZ of California.

H. Con. Res. 173: Ms. WASSERMAN SCHULTZ, Mr. FARR, Mr. FILNER, Ms. SOLIS, Mr. PETERSON of Minnesota, Mrs. CHRISTENSEN, Mr. MANZULLO, Mr. CASTLE, Mr. REYNOLDS, and Mr. FOLEY.

H. Con. Res. 177: Mr. BISHOP of Georgia, Mr. CROWLEY, Mr. MORAN of Virginia, and Mr. FRANK of Massachusetts.

H. Con. Res. 178: Mr. ABERCROMBIE, Mr. McHUGH, Mr. VAN HOLLEN, Mr. JEFFERSON, and Mr. McNULTY.

H. Con. Res. 190: Mr. TOWNS.  
H. Con. Res. 210: Mr. CALVERT, Mr. DAVIS of Florida, Ms. MATSUI, Mr. ALLEN, Mr. BERMAN, Mr. HOEKSTRA, Mr. MCGOVERN, Mrs. TAUSCHER, Mr. RUSH, Mr. CASTLE, Mr. GEORGE MILLER of California, Mr. BROWN of Ohio, Mr. LEWIS of Georgia, Miss McMORRIS, Mr. WHITFIELD, Mr. FOLEY, Mr. HINOJOSA, Mr. KIND, Mr. STRICKLAND, Ms. BALDWIN, Mr. RANGEL, Mr. TIBERI, Mr. McDERMOTT, Mr. THOMAS, Mr. LANGEVIN, Mr. CLYBURN, Mr. HINCHEY, Mr. ORTIZ, Mr. WAXMAN, Mrs. MCCARTHY, and Mr. BOUSTANY.

H. Con. Res. 222: Mr. BRADLEY of New Hampshire, Mr. LYNCH, and Mr. KILDEE.

H. Con. Res. 231: Mr. MURTHA, Mr. WALSH, Mr. MOORE of Kansas, Mr. SIMMONS, and Ms. ESHOO.

H. Con. Res. 245: Mr. CHABOT, Mr. PENCE, Mr. CANNON, Mr. NORWOOD, Mr. SAM JOHNSON of Texas, and Mr. FORTUÑO.

H. Res. 15: Mr. ANDREWS, Mr. SHERWOOD, Mr. MORAN of Virginia, Mr. SHAW, and Mr. WAXMAN.

H. Res. 84: Mr. PAYNE.  
H. Res. 172: Mr. DICKS.  
H. Res. 215: Mr. AKIN.  
H. Res. 222: Mr. BOEHLERT.

H. Res. 316: Mr. KUHLMAN of New York.  
H. Res. 335: Mr. FRANK of Massachusetts, Mr. BUTTERFIELD, Mr. MARSHALL, Mr. McCOTTER, and Mr. TIBERI.

H. Res. 367: Mr. FRANK of Massachusetts.  
H. Res. 389: Mr. KELLER and Mr. MATHESON.  
H. Res. 415: Mr. SMITH of New Jersey.

H. Res. 438: Mr. HOLDEN, Mr. BURTON of Indiana, Mr. NADLER, Mr. PALLONE, Mr. CROWLEY, Mr. VISCLOSKEY, Mr. McNULTY, Mr.

BISHOP of Georgia, Mrs. MCCARTHY, Mr. MARSHALL, and Mr. WEINER.

H. Res. 441: Ms. BERKLEY, Mr. GOODE, and Mr. AL GREEN of Texas.

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PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

68. The SPEAKER presented a petition of the City of Pembroke Pines, Florida, relative to Resolution No. 3033, requesting af-

firmative action to maintain the Community Development Block Grant (CDBG) program funding, and seeking restoration of lost funding via the proposed fiscal year 2005 budget; which was referred to the Committee on Financial Services.

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AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2123

OFFERED BY: MR. FILNER

AMENDMENT NO. 1: At the end of the bill, add the following new section:

**SEC. \_\_\_\_ . TEACHER RETENTION REPORT.**

Not later than one year after implementation of the Head Start teacher qualifications and development under amendments made by this Act, the Secretary of Health and Human Services shall submit to Congress a report on Head Start teacher retention levels.