The Senate met at 9:45 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, who gives sunshine to the just and the unjust, thank You for not treating us as we deserve. We hear Your voice, wooing us through the whispers of conscience and through the promptings of Your spirit. You beckon to us through lofty ideals and through Your unfolding providence in the events of history. We see Your stately footprints in the courses of our lives.

Today, use our lawmakers as Your hands and feel of Earth. Through their work, transform discord into harmony, conflict into peace, despair into hope, and sadness into joy. Grant that their lives will teach us the lessons You desire our world to learn: Love, forgiveness, and peace. Remind each of us daily that there is always a road back to You.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

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

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for up to 60 minutes, the first half of the time under the control of the Democratic leader or his designee, and the second half of the time under the control of the majority leader or his designee.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning we have set aside a period of 60 minutes for morning business, which is equally divided to allow Senators to make statements. Following that time, Senators BENNETT and KOHL will be here to manage consideration of the Agriculture appropriations bill.

Before adjourning last night, the Democratic leader on behalf of Senator NELSON called up an amendment regarding rulemaking on Japanese beef. The managers have had time to review that amendment, and we may be able to set a vote on that issue for this morning. We will be recessing from 12:30 to 2:15 for our weekly policy luncheons, and we expect to vote prior to that recess.

I urge my colleagues, once again, to come to the floor and debate their amendments on this bill. If Senators have not contacted the managers about their amendments and no one comes to the floor to propose them, then the managers will be asking for third reading and passage of this bill.

We have a lot of work to do this fall. We need to use every day wisely, so Members should not delay with their amendments. I do thank everyone for their help and patience as we go through these appropriations bills.

The PRESIDENT pro tempore. The Senator from North Dakota is recognized.

AMERICA'S AGENDA

Mr. DORGAN. Mr. President, this country is reminded virtually every morning that we are at war. This morning we learned that additional Americans—these, I believe, civilian contractors—have been killed in the country of Iraq.

I have been listening in recent days to the discussions in the Senate and discussions from President Bush about where we find ourselves and what our obligations are. We not only are at war, we have just experienced the most significant natural disaster in the history of this country along the gulf coast, with a million people displaced from their homes. Yet the discussion in recent days from the President and others is that nothing has changed. Nothing has changed. Our agenda is the same.

I went back and pulled out a speech of Franklin Delano Roosevelt, a fireside chat on April 28, 1942. I want to read what the discussion was by someone who provided, I thought, great leadership to this country at a time of war. He said:

As we here at home contemplate our own duties, our own responsibilities . . . our soldiers and sailors are members of well disciplined units. But they are still and forever individuals—free individuals. They are farmers, and workers, businessmen, professional artists, clerks, the United States of America. That is why they fight. We too are the United States of America. That is why we must work and sacrifice. It is for them. It is for the United States of America.

That is from Franklin Delano Roosevelt.

The thing is, leadership is not about accounting or numbers. Leadership is calling this country together to say we are all in this together; yes, in a war, and in a response to a devastating hurricane. Yet we continue to hear around this Chamber and at the White House: No, things haven't changed. The agenda is the same. More tax cuts. Repeat that. More tax cuts. We need to use every day wisely, so Members should not delay with their amendments. I do thank everyone for their help and patience as we go through these appropriations bills.

The PRESIDENT pro tempore. The Senator from North Dakota is recognized.

This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
The response from the President? Nothing has really changed with respect to his fiscal policy or his plans. We have a tax cut of $200 billion. We went to Iraq and Afghanistan, all of it borrowed, none of it paid for. It is anticipated we will spend somewhat close to $200 billion with respect to Katrina and the natural disaster, the devastating disaster, the Katrina disaster. The question is: What do we do to pay for that? The President says we can manage that. We can manage that.

We send soldiers abroad and ask for their sacrifice, but we ask nothing of the American people at the same time: Be happy.

There are legitimate questions being asked about the response to Hurricane Katrina. But in my judgment we face a time when the question is not, Are we doing things right? The question is, Are we doing other right things? Are we on the right track? As I said, it is not about accounting; it is about leadership. It is about asking a country to join in common purpose and asking a country to sacrifice. Sometimes leadership asks people to do things that are not popular at the moment.

Franklin Delano Roosevelt lifted a country out of a depression and lifted the spirits of the country in the middle of the Second World War. He did that by being brutally honest with straight talk. He said to the American people: Here is what you must sacrifice. And he said: Sacrifice is a privilege, when in this country, together, we go to war with a need to be victorious over the oppression of the Nazis.

So he asked the American people for sacrifice. That is what leadership is about. It is about being honest. It is about straight talk, which we have too little of today.

The truth is, this country is off course and we need to put it on course. The truth is, we have made some mistakes, all of us. We started a war in Iraq because we said there were weapons of mass destruction in Iraq. It appears there were not. The intelligence community provided this information to us with great certainty, but now it turns out it was wrong. The person who led the Central Intelligence Agency during that period was given the Medal of Freedom after he retired, for reasons I will not go into.

But we are where we are. We now must ask more of the American people. In my judgment, we should not just ask of our soldiers for their sacrifice. We are where we are and we must ask the American people for their sacrifice as well.

We had the largest tax cuts in the history of this country because we were expected to have 10 years of budget surplus that was unprecedented. It turns out that was not accurate. It turns out things happened that were not anticipated by this President and others, and the result is we now have the highest deficits in history, not the highest surplus in history. But now we are told that the tax cuts were not for the purpose of giving back the surplus. That is what we do not need to do, and that is what we were told they were in 2001, but now we are told the tax cuts are really about stimulating the economy. So nothing ever really changes and now we have a hurricane, a devastating hurricane that hits the gulf coast of this country displacing 1 million people, perhaps costing up to $200 billion.

We need to create kind of a Marshall Plan to rebuild and to tell those folks we want to help you. Surely, if this country can reconstruct the country of Iraq, it can decide it is important to reconstruct this country. Any country that commits the billions of dollars we have to reconstruct the country of Iraq to do so in any region of the United States of America. But we can't do that saying nothing has changed and our priority remains tax cuts for America's wealthy.

Cut spending: We should tighten our belt. I wish we would do things that are not popular at the moment.

Warren Buffett, the second richest man in America and perhaps the world, as far as I know, wrote an op-ed piece and said: By the way, when all these tax cuts proposed by the President are phased in—that is exempting income from investments and taxing work—I will pay a tax rate of one-tenth the tax rate that is paid by the receptionist in my office.

So the question is, Are we willing as a country to sacrifice? Have some things changed? Are we willing to change course? Are we willing to take some risks? Is there some leadership, perhaps in the White House, maybe in this Congress? After all, we are in this together. All of us want the same thing for our country.

I take no pleasure in criticizing the President's program, nor the President and his actions. But I understand that our future is dependent on making the right choices now. It is dependent on our deciding to look truth in the eye and to insist the President do the same and understand things have changed. That requires us to adjust course. It requires us to ask of the American people that we have a common purpose together and work together and join together—yes, to support our soldiers, to support those in the gulf region who are rebuilding, to support those in this region who are being hit, and to support those in this country who are jobless so we lift America up and make America better. That is our responsibility.

That will not happen by a message coming from the White House or from this Congress that nothing has changed. The question is: Are we going to continue to press to see if we cannot give higher tax cuts, more tax cuts. At a time when we are borrowing money to fund a war and we are going to borrow money for reconstruction for Iraq, to give more tax cuts for the upper income people in America?—Why? Because those who do believe that America works when you dump something on top and it filters down—that is called trickle down economics.

I had a guy in North Dakota write me some while ago who said: I have been listening to all this trickle down nonsense for a long time and I ain't even damp.

The fact is, trickle down does not work. What works in this country is to percolate up economics. You give the American people something to work with: A job and opportunity and hope. When America goes to work, America does just fine. But, as I said, you have to look truth in the eye. And when this President says nothing has changed, he is wrong. My hope is that Republicans and Democrats will understand two things: Yes, we need to tighten our belts. Yes, we need to cut some spending. Yes, we need to decide when we are going to have to start paying taxes once again, and that we have a common purpose, and our common purpose ought to be to work together and march together toward a common goal.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, I ask to be given 10 minutes from the Democratic morning business and that I be notified when I have consumed 9 minutes of the 10.

The PRESIDENT pro tempore. The Senator will be notified.

HURRICANE KATRINA

Mr. DURBIN. Mr. President, last Friday, I joined 13 of my colleagues and went to view the devastation of Hurricane Katrina in New Orleans, LA, and Mississippi. It was a sight which I will never forget. This great bustling city gone, with hardly any activity other than a few people returning to their homes trying to retrieve lost treasures left behind from the flood—trying to put their lives back together by gathering all of this water-laden debris and tossing it outside in the hopes they might save their structures.

We then went over to Mississippi where it was a stunning scene in village and community and town after town after town. The scenes that have been wiped away, to look down at what appeared to be 50 concrete slabs and to see no evidence of debris but evidence of destruction, all gone, scoured from
the Earth by these horrible hurricane winds and waves which consumed some of these 40,000 homes.

A man in Pass Christian in Mississippi told us of the panic that set in when the remaining villagers went to the library with hurricane-proof windows, believing they might be safe, and then, as a 28-foot wave hit this library, thinking they all might drown right there in that building at that moment. I can’t imagine what that was like. I can’t imagine what it was like for so many who went through this devastating experience. Some are trying to come to grips with their future and there lives.

The President came to the American people last week at Jackson Square in New Orleans and made a speech which I think will be important for generations to come. He was asked to react to it, and I said I think the President has given us an agenda that we have to follow—to rebuild the gulf coast, to rebuild the lives and the communities. But I believed then, and I believe now, that the President’s call for this unity as a nation and this community of caring also has to be called for fiscal responsibility and accountability. We have to rebuild the gulf coast and help Katrina victims rebuild their lives. It is in our national interest. It is part of our national character. We rally as Americans to help our fellow Americans.

But I have a real concern. Instead of the “Big Easy,” people are getting a big uneasy feeling about where Katrina reconstruction effort is headed and who is in charge. Several published reports say the person heading up the administration’s Katrina rebuilding project is none other than Karl Rove, the President’s long-time political director. That is a suggestion that Karl Rove will have responsibility for the Katrina reconstruction effort, the No. 1 politician, the No. 1 political operative in the White House. Have we learned nothing?

Consider what happened when Katrina struck. FEMA was not there. Michael Brown is now gone. But how did he get in a position to be in charge of FEMA? It was because of political connections. He didn’t have the experience. He didn’t have the resume. He didn’t have the skills needed when he faced the greatest natural disaster in our history. What was his claim to this job to head FEMA? His claim was he was a college roomate of Joe Allbaugh, who happened to be the President’s Chief of Staff and campaign director in Texas who, when he left the FEMA agency to become a consultant, turned it over to Michael Brown, his college roommate, to take over—this little daisy chain of politicians who played a disastrous incompetence when Katrina struck.

Now this administration, instead of moving away from the politicians to the professionals when it comes to rebuilding, has decided that Karl Rove is going to be in charge of the same Karl Rove who, just a few weeks ago in a political speech, said the Democrats didn’t share the Republicans’ zeal for stopping the war on terrorism; the same Karl Rove who won’t give us straight answers when it comes to his role with Hurricane Katrina; the same Valarie Plame, an undercover CIA operative, which disclosure of her identity not only endangered her life but the lives of many other career employees; the same Karl Rove who incidentally will take his mind off of the Katrina reconstruction effort long enough to go to North Dakota on this Saturday night for a big political rally. Is this the person we want in charge of $60 billion or $100 billion in reconstruction funds? I hope not. I hope the President reconsiders.

This is a troubling admission—that this administration doesn’t have leadership to turn to in time of crisis, if the best the President can find is his political adviser, Karl Rove, to deal with the disaster of Katrina.

What have we seen so far? The Wall Street Journal said last week:

The Bush administration is importing many of the contract practices blamed for spending abuses in Iraq as it begins the largest and costliest rebuilding effort in United States history.

We know what happened in Iraq—no-bid contracts to Halliburton and other buddies of this administration, contracts that have never been investigated by this Congress. And here they go again with Katrina and with Karl Rove keeping his watchful eye on what is being done.

The Wall Street Journal article went on to say:

The first large-scale contracts awarded to Hurricane Katrina, as in Iraq, were awarded without bidding, using so-called “cost-plus” provisions that guarantee contractors certain profits regardless of how much they spend.

It turns out that not only are there no-bid contracts, but coincidentally they happen to be going to the clients of Joe Allbaugh. Remember that name? I mentioned him earlier. He was the President’s political campaign director in Texas who became the head of FEMA and who left to be a consultant, and now rumors are that his clients get $100 million in no-bid contracts. When is this going to end? When are we going to have true accountability?

Once again, we see the same names coming out of Hurricane Katrina—Halliburton, KBR, and the names of Joe Allbaugh’s clients who are, once again, coming up with these contracts.

If it wasn’t bad enough, this morning’s Washington Post, on the front page, talking of a Bush official arrested in a corruption probe. It says:

The Bush administration’s top Federal procurement official resigned Friday and was arrested yesterday, accused of lying and obstructing a criminal investigation into Republican lobbyist Jack Abramoff’s dealings with the Federal Government. It was the first criminal complaint filed against a governor or official in a corruption probe related to Abramoff’s activities in Washington.

The complaint, filed by the FBI, alleges that David R. Safavian, 38, a White House procurement official involved until last week in Hurricane Katrina relief efforts, made repeated false statements to government officials and investigators about a golf trip with Abramoff to Scotland in 2002.

The top official in the White House that was in charge of procurement involved in the Katrina effort not only resigned but was arrested for misleading the Federal Government in terms of his involvement with the Republican lobbyists.

Now the administration comes out and says they found just the person to look into the misadventures of Hurricane Katrina. It is a woman by the name of Frances Townsend. I do not know her. She may be a very competent individual. But how in the world can we get to the truth of the question as to what went wrong with Hurricane Katrina? How can we really hope to discover the incompetence that led to all of this human suffering and devastation if the administration is going to investigate itself?

We know from 9/11 that the only way we got to the heart of the matter, the critical questions about what went wrong on 9/11, was with an independent, nonpartisan commission. Yet this administration resisted the efforts of that 9/11 commission being created and today resists the efforts of an independent, nonpartisan commission to look into what went wrong with Hurricane Katrina.

The PRESIDING OFFICER (Mr. Vitter): The Senator has 1 minute remaining.

Mr. DURBIN. Thank you, Mr. President.

I will conclude by saying this: We owe it to the victims and their families and to the American people and the American taxpayers to get honest answers about what went wrong with Katrina, and to put people in charge to make certain that we don’t waste the billions of dollars that are going to be spent in this reconstruction effort. Putting Karl Rove in charge makes no sense whatsoever. He has no resume and no skills other than running political campaigns. If he is being put in place to protect the President politically, that decision does not serve the best interests of the American people nor the victims of Hurricane Katrina.

It is time to get to the bottom of this. If Congress will not have an honest investigation of what happened with Hurricane Katrina, we need to have this nonpartisan, independent commission like the 9/11 Commission to answer the questions about what went wrong and to make certain that
we don’t replicate those mistakes in the expenditure of these funds in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. CARPER. Mr. President, before Senator DURBIN leaves the floor, he has mentioned the 9/11 Commission. When he and I were first elected in the Congress in 1982—to the House—we arrived at a time when Social Security was not just rumored to be in dire straits but was in very dire straits. And an earlier commission was created similar to the 9/11 Commission but different as well.

The Republican Members were appointed by President Reagan. As I recall, the Democratic Members were appointed by Democratic Speaker, Tip O’Neill, and I think by Senator Robert Byrd. The Blue Ribbon Commission was chaired by Alan Greenspan, with Members Daniel Patrick Moynihan, Robert Dole, and Claude Pepper, with whom we served in the House. They worked for a whole year trying to couple a sort of benefit cut and revenue increases to enable us to put Social Security on a sound footing for another quarter of a century, I think that serves as a good role model as well as the 9/11 Commission, which Senator DURBIN mentioned.

While he was on the floor, I wanted to remind him and us of that. But I think our first response to the catastrophe is to make sure that people who need help get help.

First of all, get help in getting out of dangerous places to safe places, get help in reuniting families, get help in making certain their medical needs are met, having something to eat and drink, making sure the kids from K-12th grade are getting to the schools they need to get into, making sure students who have been displaced in college have a chance to get back in a college or a university to continue their studies without losing a quarter or a semester or a year, helping to create jobs and getting the economy moving in places that have been destroyed or badly damaged. Those are the kinds of things that need to be done and are being done.

While our startup was slow and disappointing, I believe, as time goes by, we are doing better. I commend all—not just in government, not just the first responders, not just the Guard, not just FEMA, which is doing a better job today, but also a lot of folks who are giving of themselves—volunteers from my State, and all other States, who have gone to the region, giving blood, and raising money in our home States, receiving folks who have been displaced, to give them a home, a place to live, and a job for a while. Those efforts are to be commended. Those are the first responders. Maybe I should say second responders because the first responders were not even responding.

Second, last week, Senator COBURN, Senator OBAMA, and I spoke about the introduction of legislation which is being considered by Senator REID, our respective leaders, to create a CFO—chief financial officer—to serve as a watchdog so we don’t find ourselves 6 months or 12 months from now looking back to see that we spent X billions so foolishly in response to Katrina, to make sure we get out ahead of this expenditure as best we can rather than looking at it after the money has already been spent, in some cases inappropriately.

The amount of money that is going to be spent in Katrina relief over the next couple of months will dwarf the annual appropriations that go to most of our Federal departments. Every one of our Federal departments has a chief financial officer. We need to make sure, when we are spending this much money this quickly to try to help a lot of people in a hurry, that we spend it wisely.

It is a bipartisan issue. We believe one of the ways to make sure we do that is to have a chief financial officer who is well qualified and can get on the job and do the work quickly.

The third thing I mention is oversight. I serve on the Committee on Homeland Security and Government Affairs. We have obvious oversight of a good deal of what is going on, including the Homeland Security Department, FEMA, the Coast Guard, and any number of responder agencies. We have a responsibility to do our oversight. We have begun that oversight with hearings last week and informal hearings the week before that. We will continue this week and next week and on and on.

Our interest is finding out what we did well, what we did collectively—State, local, Federal, volunteer organizations, military, National Guard, Armed Forces—and what we did not do well. Then, if this happens again—and we have another hurricane that is trying to round the corner in Key West today—to make sure if this comes north and revisits again, whether New Orleans, God forbid, or Mississippi—that we are better prepared to do more of the right things.

The last thing is the point Senator DURBIN raised, the notion of an independent commission. I was skeptical as to whether or not the 9/11 Commission would enable Congress to do much good with respect to restructuring of our intelligence operations in this country. The intelligence operation in place had not been changed much for 50 years. I don’t know if there was any reason to believe five Republicans and five Democrats could somehow find common ground and get the rest of Congress to do the same thing, to work with the President to change in substantial, far-reaching ways the way our intelligence community works in this country. They did, and the 9/11 Commission provides an excellent template, role model. If you will, for how we should do our oversight activity and the successive waves of help and aid are out the door, proceed to make sure a couple months from now we are in a position, whether it is five Republicans and five Democrats or whatever it is that is appointed by the committee, a vice chairman appointed by our leadership, but to put in place a commission that might have the kind of success not for us, and not just for them, but for our country.

Success would be measured by better ensuring that a lot of the good things that happened this time in response to Katrina happen the next time—and we know there will be a next time—and we reduce the likelihood that some of the same mistakes and foolish choices will be made.

The American people would approve of that. It is great the President has asked the Cabinet Secretary to look at what they did within their departments to make sure what they did was right, it made sense, and was appropriate. It is all well and good to have oversight here, but it would be helpful to have an independent commission that could stand back, not distracted by other issues we are distracted with each day, and impartially—led by people such as Governor Tom Kean and former Congressman Lee Hamilton—with good staff and only with this issue to focus on, and figure out what went well, what went badly, and how we can do better next time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak for up to 12 minutes.

The PRESIDING OFFICER. The Senator has that right. Without objection, it is so ordered.

Mr. ALEXANDER. The Chair is happy to do so.

KATRINA’S DISPLACED SCHOOLCHILDREN

Mr. ALEXANDER. Mr. President, I will talk this morning about helping all of Katrina’s displaced schoolchildren. Each weekend when I go home to Tennessee, the people who elected me teach me about how we should be doing our jobs in Washington, DC. This is not a lesson they shout from the rooftops. It is a lesson...
they live by their own example, and we would be wise to follow.

Two weeks ago, in Maryville, my hometown, it was Al Gore flying a planeload of evacuees from New Orleans into one of Tennessee’s most public counties. Nobody asked about anybody’s politics. Everybody just pitched in to help.

Last weekend, members of the church where I am an elder, Westminster Presbyterian Church in Nashville, sent $80,000 and a truckload of clothes and Clorox to southern Mississippi. “The Presbyterians are here,” one grateful Mississippi man relayed to his friends on his cell phone to say, “and they have Clorox.” When the Clorox was passed out, nobody asked if anybody was a Presbyterian.

And last Monday, the headline in the Tennessean, the Nashville newspaper, was:

Private schools Welcome Those Displaced by Katrina.

According to the newspaper:

A growing number of private schools in Middle Tennessee—especially in Memphis and Shelby County, where so many displaced students have gone up the Mississippi River from New Orleans, the willing students have gone up the Mississippi and are filling a huge need because the four Louisiana parishes hit the hardest had nearly one-third, or 61,000, of their 187,000 students in private schools, according to the U.S. Department of Education.

That is the story and the lesson from Tennessee.

The story in Washington last weekend, unfortunately, was different. According to Saturday’s Washington Post, when the President proposed temporary legislation that would help all of Katrina’s 372,000 displaced school children during the rest of this school year, the Senator from Massachusetts and some teachers’ unions objected. Senator Kennedy said:

“I am extremely disappointed that [the President] has proposed this relief using such a politically charged approach. This is not [the] time for a partisan political debate on vouchers. I absolutely agree with that last sentence. This is not the time for a partisan political debate on vouchers.

This is the time for those of us in the Senate to do what Tennesseans and Americans all across our country are doing: opening our arms and asking what we can do to help all displaced children not just some school children.

As the Presiding Officer knows so well, Katrina displaced 20 times more families than any natural disaster in the history of the Federal Emergency Management Agency. Mr. President, 372,000 of those displaced persons are children who were just beginning the K–12 school year, and 73,000 more are college students.

The President has proposed $2.6 billion in funding for students in elementary and secondary schools and colleges. Under the President’s proposal, colleges and universities would receive $1,000 for each displaced student enrolled; no person in an affected area in Louisiana, Mississippi, or Alabama would have to pay interest on their student loans for the next 6 months; public school districts would receive up to 90 percent of the State’s per-pupil expenditure, up to $7,500 per student; and $488 million would go to help displaced students who attend private schools.

The President is not throwing out a lifeline to just some displaced students. He is trying to help them all. The private schools in Tennessee are open again. Right now we need to be throwing out every lifeline we can for all of Katrina’s displaced school children, not just some.

Mr. President, in Time magazine this week, there is a story on this subject. It quotes Andrew Rotherman, a co-director of a think tank here and a former Clinton education adviser. Mr. Rotherman, who is not a fan of public schools, by law, have to accept all children. And Tennessee’s public schools have made room for more than 3,000 of Katrina’s displaced school children.

Our public schools have been greatly helped by these private schools, who do not have to accept anybody. In Tennessee, private schools have accepted at least 400 students, and probably many more.

“We couldn’t sit quietly and do nothing. We felt a need to reach out,” said the headmaster of Webb school in Bell Buckle, which is waiving the $29,500 tuition, the $500 in books for displaced students it simply calls “transfers.” “It’s not all about money,” said the principal. “There is no amount of money that equals being family,” he said.

Public schools, by law, have to accept all children. And Tennessee’s public schools have made room for more than 3,000 of Katrina’s displaced school children.

The President’s proposal has its problems. No one is suggesting a displaced mother can’t take her Federal daycare voucher to a Catholic daycare center in these exceptional cases. Food stamps are vouchers, and they are helping in this exceptional case. No one is suggesting we cannot pay Boston College or Harvard $1,000 for enrolling a displaced student who was set to attend Loyola or Xavier in New Orleans.

Scholars agree there is no constitutional issue here. So are we going to stand here and argue about old ideologies and leave these displaced children standing on the levee because the only doors that are open to them for this 1 year happen to be to a private school?

At the end of World War II, a grateful Nation enacted the GI bill, giving veterans scholarships for college. A lot of veterans had these vouchers for college but no high school degree. So thousands of veterans took their GI vouchers to Catholic high schools to earn their high school diploma. That did not create a big, new voucher program for high schools, this will not either. This is a one year exceptional disaster relief program for kids from the gulf coast who desperately need help. The public schools are brimming over. They need help from private schools. I hope those who are objecting to helping all displaced school children will think again. We can have our debates about vouchers next year when the floodwaters subside and the schools are open again. Right now we need to be talking about helping the only doors that are open to them for this 1 year happen to be to a private school.

As a temporary initiative to help families in exceptional circumstances, it’s reasonable. He is talking about the President’s proposal. He says:

“But if they use this disaster as a beachhead to establish a longstanding voucher program in the Gulf region, it would be wildly inappropriate.

I would agree. This is a temporary initiative to help families in exceptional instances.
Time goes on to say:

For evacuees, the constitutionality of assistance matters far less than the assistance itself. As Katrina hit, Albert and Anne Betz moved with Jane Todd, 10, and Owen, 7, out of soon-to-be-drowned Pass Christian, Miss., and into a condo in Sandestin, Fla. Back home, Anne had taught at the children’s private Episcopal school, but the couple heard that the best schools near Sandestin were public and were happy with the one to which their kids were assigned. Within days, however, Anne received a letter from the Walton County School District stating that the onslaught of evacuees had caused overcrowding, and her children would have to study elsewhere. Now they are bused daily to one school, only to be placed on a second bus to another. At this point, all Anne is asking for is normality. “It does not matter if it’s private or public school,” she says. “The most important thing is my children’s happiness.”

Mr. President, I ask unanimous consent that the entire article from Time, and also the story from Sunday’s Nashville Tennessean about the generosity of private schools all across Tennessee. I hope the example they are setting will be a good lesson for the world.”

There being no objection, the material was ordered to be printed in the Record, as follows:

[By Claudette Riley]

Teresa Castellon is more than 500 miles from her parents, her friends, her flooded New Orleans home and the now-closed private school she was attending just three weeks ago.

The sophomore was eager to go back to school. But, after years of going to private schools—and with so much of the rest of her life up in the air—she just couldn’t handle making the switch to public schools right now.

Luckily, she didn’t have to.

A growing number of private schools in Middle Tennessee, including the prestigious Wedding Chapel, have volunteered to accept students displaced by Hurricane Katrina. Many of them also are either waiving or drastically discounting tuition fees for these students, and some also accept evacuees from public schools.

“It just happened immediately. They’re just really welcoming and accepting,” said Teresa, 15, one of four evacuees now attending the private boarding school for grades 6-12. “The students and teachers are very nice and always want to help us with whatever we need.”

At least 50 private schools in Tennessee—including the 22 Catholic elementary, middle and high schools in the Middle—are expressing a willingness to help. No one is required to track displaced students who enroll in private schools statewide, but 390 have enrolled in the dozen or so schools that reported their numbers to the state Department of Education.

Some schools have room only for a few. Others, including Patrick Henry School in Nashville, are trying to accommodate all who show up.

“Our school’s mission is to be an example of the living gospel, and these children are in crisis. They have been displaced, but they have found a home,” said Jim McIntyre, principal of the 995-student Father Ryan High, which has 29 displaced students. “Even though we don’t know these people, we know these people. We are these people.”
The high school is waiving the $6,880 tuition, the $300 activity fee and the $600 to $800 in books for displaced students it simply calls “transfers.”

“It’s not all about money. There’s no amount of money that equals being family,” he said. “That’s why this school has accepted Catholic and non-Catholic students. “I’ve told these families that they’re a blessing to us because they’re giving us a chance to live our mission.”

Private schools don’t fall under the federal law that requires public schools to immediately enroll displaced students and give them busing, free meals and any required services. However, many private schools are opening their doors and going the extra mile anyway.

“We couldn’t sit quietly and do nothing. We felt a need to reach out,” said Albert Cauz, headmaster of Webb School, which is waiving the $29,500 room and board for up to 30 students. “No one flinched. Everybody just responded with ‘What can we do to help?’

The boarding school south of Nashville even allowed Teresa Castellon’s little sister, Madeline, to stay in her private dorm room even though she’s too young to attend the school. Cauz’s daughter attends nearby Cascade Elementary and has found a surrogate family in the Webb faculty members, who regularly invite her to dinner and take her on outings.

“I like it here,” said Madeline, 9, who misses her parents, involved in salvaging and rebuilding their home in New Orleans.

The price that do to reach out are filling a huge need because the four Louisiana parishes hardest hit by the storm had an above-average number of students enrolled in private schools. They had 61,000 of the 187,000 students there, or roughly 32% of students in kindergarten through grade 12, according to the U.S. Department of Education.

Shane Persich, 17, said his New Orleans school, Brother Martin High, is underwater and he appreciated being able to go to Father Ryan. He started his senior year at the all-boys school shortly before his family evacuated and ended up in Nashville, where they’re staying with family.

“I like it sometimes after class you get a little lonely. I do. And you want to go home but then you don’t want to be home,” he said, adding that his home has severe wind damage. “Your senior year you’re supposed to rule the school. Now it’s like starting all over again.”

Many displaced students who enroll in private and public schools don’t have access to their medical or academic records so counselors have to help them reconstruct their transcripts and find classes they need to graduate.

“We want to get their schedule identical to the one they had. We don’t know if they’re going to be here on week, two weeks or a year,” said Connie Hansom, Father Ryan’s director of admission, who assigns two student ambassadors to help each displaced student. “We do whatever we can do to make them feel at home. We don’t want them to stand out.”

Olivia Milton, a sophomore at Father Ryan, will soon return to Covington, La., because the Catholic high school has reopened and taking in students from surrounding high schools. She said her time at Father Ryan and the way she was welcomed will help her to the displaced students who transfer into her high school back home.

“I’ll get to return the favor,” said Olivia, 15, who was back in Louisiana in the coming weeks. “I like it a lot here. I don’t want to go back.”

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. ALEXANDER. I thank the Chair, Mr. President. Thursday, at 3 o’clock, the Education Subcommittee of the Health, Education, Labor, and Pensions Committee will be holding a hearing on helping all of Katrina’s displaced schoolchildren with the hopes that we can come up with a temporary exceptional way to do this, not as a way of establishing a long-term change in Federal policy, but as a way of helping all schoolchildren today who were displaced by Katrina who need help—whether they are going to public schools or private schools.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. BIMSTANT. We have all been saddened to see the images of Hurricane Katrina’s devastation. I know the Presiding Officer has seen more of these images than perhaps anyone in the Senate. We have seen images of children who have lost their homes. These images break the heart of every American.

Hurricane Katrina created an area of destruction that is 90,000 square miles, roughly the size that Britain, homes have been leveled, roads are unusable, bridges have crumbled, and hundreds of thousands of lives will be forever changed.

As the chairman of the Commerce Committee’s Disaster Prediction and Prevention Subcommittee, I traveled with the Coast Guard to the Gulf coast earlier this month. We viewed the coasts of Mississippi, Alabama, and Louisiana.

What became immediately clear to me was that television cannot accurately convey what happened. The devastation is massive and comprehensive. Seeing a home demolished on television begins to communicate the tragedy, but seeing 60 to 70 miles of that repeated over and over again is heartbreaking and almost impossible to comprehend.

As we can see from these slides, beginning in New Orleans, during the helicopter trip, from a distance, we could see the waters covering everywhere. From a few feet above the water, you could also smell the contamination from oil and sewage. It is unbelievable what the folks there are having to deal with.

To continue, at the time, the water was still up to the rooftops. The Coast Guard captain who was with me told me when they first arrived the day after the hurricane, about 70 percent of these roofs were PRBS on them who needed to be rescued.

We became very aware that we had two disasters: In New Orleans, continued flooding; and along the entire coast of Mississippi, it was as though a hand had wiped everything off the face. Everything was completely destroyed. Not a house along the beaches was either there or inhabitable. And we continued to see the same thing all along the coast.

Again, television can capture one or two homes, but the concretelike ‘gravestones’ showed where homes used to be, and trees are already dying from the saltwater, which will damage the whole coastal area for many years to come.

These are completely different disasters and different challenges for our first responders.

In Mississippi, the houses themselves have been demolished by the wind and storm, as we can see. In New Orleans, the flooding has severely damaged the homes.

One thing both locations have in common is that the homes will never again be inhabitable. The wind-damaged homes, those that still stand, will likely be declared a complete loss.

In New Orleans, the homes that were flooded are permanently damaged and are beyond repair.

One of the positive stories that is often lost in this tragedy is the amazing work performed by first responders, especially those from the U.S. Coast Guard.

Working hours on end in awful conditions, they rescued thousands of people and are, without question, true heroes. I visited the Coast Guard aviation training center in Mobile, AL, which was transformed from a few hundred personnel before the storm to nearly 1,200 personnel after the storm. The Coast Guard sent people from all around the Nation to run rescue operations 24 hours a day. Coast Guardmen came from all over the Nation, as far away as Alaska, answered the call and came to the rescue of their fellow citizens. To date, first responders have been responsible for saving approximately 49,000 lives, 33,000 by the Coast Guard alone. That is more than six times the number they saved in all of 2004.

The impact to the coast is going to be a long-term issue. The storm has had a significant impact on the trees in the region. You can see significant portions of the area along the coastline where trees are dead. These trees were a natural obstacle to erosion, and now that protection will be missing for a number of years. Boats can be seen among the trees far inland. The gulf coast is our Nation’s provider of shrimp and oysters. Their way of life has been destroyed. It was clear from the boats I saw stranded inland, sometimes on rooftops, that the gulf’s fishing industry will need years to recover. But I believe the Hurricane Katrina is certainly one of the worst disasters to ever hit our Nation, it has also brought out the greatest outpouring of compassion from American citizens.
In my State of South Carolina, families have opened their wallets and homes to affected people. Our State knows all too well the tragic effects hurricanes can bring, and we have often been the recipient of help from other States. We remember the show of support from the Gulf when we were struck by Hurricane Hugo, and South Carolinians have not been hesitant to come to the Gulf’s rescue. Well over 2,000 South Carolina families have contacted our Red Cross to offer whatever assistance is needed. It is now estimated that up to 5,000 evacuees are being hosted in South Carolina, either by individual families or in shelters such as the Palmetto Expo Center in Greenville.

The South Carolina National Guard has also joined in the relief effort. Nearly 350 of them have been to the Gulf to help. Countless churches and civic organizations have taken their own initiatives to organize relief efforts. From fundraising drives to collection and delivery of supplies, to driving to the region to volunteer in any capacity needed, the people of South Carolina have risen to the occasion. This show of support is so encouraging to me about our State and the state of our Nation. Americans are caring and compassionate, and we will work side by side with our fellow citizens to rebuild and bring hope back to the Gulf coast.

This afternoon my Subcommittee on Disastor Prevention and Prediction will be hearing from the Director of the National Hurricane Center and witnesses from the Gulf coast region on what the Government got right in advance of the storm and how we can replicate that in the future to protect our Nation’s coastal communities. Our most powerful defense against hurricanes is accurate prediction and effective evacuation. I look forward to their testimony and am confident it will provide important lessons for America’s emergency planners.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. Sununu). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON of Nebraska. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.
Congressional Record—Senate
Dated September 20, 2005

MS. NELSON of Nebraska. I also have additional letters that I signed, including one to USDA Secretary Mike Johanns, urging the Secretary to delay the proposed rule until such time as Japan completes its process and accepts beef from the United States. Another letter was recently sent to the Secretary, and I am thankful for their leadership and recognition that USDA’s rulemaking effort should cease.

Additional letters that I signed, again with bipartisan support, were forwarded to President Bush and Secretary of State Condoleezza Rice. The letters complimented the administration’s work in impressing upon Japanese officials the need for the resumption of trade and urged their continuing efforts in making restoration of United States beef trade the highest economic priority with Japan.
This amendment is simple and straightforward. If passed, the amendment would restrict funds made available in the Agriculture appropriations bill from being used by the Secretary of Agriculture for the purpose of developing a final rule relating to the proposed rule entitled "Importation of Whole Cuts of Boneless Beef from Japan," to allow the importation of beef from Japan unless the President certifies to Congress that Japan has granted open access to Japanese markets for beef and beef products produced in the United States.

While some have said this amendment is too restrictive, limiting the ability of the Agriculture Secretary to negotiate with Japan, I see it another way. I see it as simply applying the same policy Japan has in place against United States beef. I think it strengthens the Secretary's hand by sending Japan the clear message that the Senators from beef-producing States and from our neighboring State of Colorado are not going to let this matter go to continue, and if they want to sell beef here, then they need to let us sell beef there.

Finally, I cannot back down from a personal commitment to the folks back home to aggressively pursue a Japanese market that in 2003 accounted for $1.4 billion of the $1.7 billion beef export market.

Like Secretary Johanns, when he served as Governor of Nebraska, I have traveled to Japan on numerous occasions touting the exceptional quality and value of Nebraska beef and U.S. beef. Beef producers throughout the Nation produce a superior quality product and have been very supportive of Secretary Johanns' continuing efforts on behalf of the U.S. beef industry as Secretary of Agriculture.

Unfortunately, bipartisan letters of support have not been able to resolve this issue. A congressional response is warranted. That includes a strong statement that prematurely allowing Japan any access to our markets is simply unacceptable.

Mr. President, I yield the floor. The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, I am interested in the subject which is raised by the Senator from Nebraska in his amendment. There are some aspects with relationship to it about which I would like to get a little more information. I would like to set the vote for 11:25 a.m. If I may, before we lock that in, there are a few items I would like to settle.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KOHL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KOHL. Mr. President, I ask unanimous consent that the Democratic leader be recognized to speak at 2:15 p.m. today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KOHL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senaor from Colorado.

AMENDMENT NO. 1738

Mr. ALLARD. Mr. President, I ask that the pending amendment be laid aside, and I ask that the clerk report amendment No. 1738.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado (Mr. ALLARD), for himself, Mr. ROBERTS, Mr. CRAIG, Mr. BURNS, Mr. THUNE, and Mr. HAGEL, proposes an amendment numbered 1738.

Mr. ALLARD. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To express the sense of the Senate on the importation into the United States of beef from Japan)

At the appropriate place, insert the following:

Sec. 8. It is the sense of the Senate that the United States Government should not permit the importation into the United States of beef from Japan until the Government of Japan takes appropriate actions to permit the importation into Japan of beef from the United States.

Mr. BENNETT. Mr. President, I ask unanimous consent that the vote in relation to the Allard amendment No. 1738, to be followed by a vote in relation to the Nelson amendment No. 1732, occur at 11:20 a.m. today, with no amendment in order to either amend prior to that time, and that the two votes occur in that order. I further ask that there be 2 minutes between the two votes for explanation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLARD. Mr. President, if the Senator from Utah will yield, I would like to have an opportunity, with the presentation of this amendment, to speak for 10 minutes, if I might.

Mr. BENNETT. The Senator from Colorado should certainly take the time to explain his amendment. The Senator from Nebraska has expressed a desire to respond to the Senator from Colorado. I suggest that the time between now and the vote be evenly divided between the Senator from Colorado and the Senator from Nebraska, or should we say the Senator from Colorado have a little extra time because it is his amendment. However we work this out, I think we should make sure both sides get an opportunity to speak.

Mr. ALLARD. Mr. President, how much time is remaining until the next vote?

Mr. BENNETT. There is approximately 10 minutes remaining until the vote.

The PRESIDING OFFICER. There is approximately 10 minutes remaining.

Mr. ALLARD. Mr. President, I ask unanimous consent that the time until the vote be equally divided, with 5 minutes per speaker.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLARD. Mr. President, I thank the Senator from Utah, and I appreciate his leadership.

The Government of Japan has maintained an embargo on U.S. beef for more than 20 months. The beef industry is an integral part of the U.S. economy. It is an integral part of the State which I represent, the State of Colorado, and is an integral part of Nebraska's economy, as we just heard from Senator NELSON about concerns that apply to his State. This issue is particularly important for the southern and western parts of the United States.

Before the embargo, exports to Japan were approximately $100 million a month. Today, the border closure has cost us over $2 billion. Since the border closure, 10,000 U.S. meat packers have lost their jobs. To address this we came to an agreement with the Japanese on what it would take to open our borders to each other. The United States has worked diligently to meet our end of the agreement and to assure that we can resume trade with the Japanese. Yet even with all of our efforts, Japan's border remains closed. The Japanese Government has made some progress. Yet the process is becoming muddled underneath unnecessary bureaucratic on the part of the Japanese Government.

The United States has a long commitment to producing the world's safest food, and they still continue to have that strong commitment. The safety of U.S. beef is assured by sound science based on policy. I emphasize that U.S. beef is both safe and delicious. The time has come for us to express our frustration as a collective body.

I, along with a number of my colleagues, met with the Ambassador from Japan to the United States a number of months ago and was assured they were giving serious consideration to the embargo they placed against
American beef because of, at that point, one case of mad cow disease in the United States. They were relatively assured that the process was going to move along. We told them at the time that we believed the process was being delayed. They assured us they would move it along.

They did move it along. Last week or so, we did get our decision back from this commission in Japan, and it was unfavorable as far as allowing U.S. beef to be imported into the country of Japan.

Japan has had a number of mad cow disease cases. We have had only two cases. Both of those have not resulted in any other outbreaks. They have had upwards into the teens of cases of mad cow disease, and yet they are using, in my view, the mad cow disease as a reason Japanese embargoes American beef.

We cannot stand aside and lose thousands upon thousands of jobs in the beef industry as a result of this action. It is not based on good science. We have extremely good meat processing procedures that protect human health in the United States, the best in the world as far as I am concerned. I don’t think we have anything to be apologetic for. Just because you recognize one or two cases of mad cow disease does not mean you have a problem. It may mean you are doing a good job. I can think of countries that have not had any cases of mad cow disease and may very well have it. It may be they are not doing a good job, that they are not checking for the disease, and if you don’t check for it, you are not going to find it.

We have a very strict system of surveillance in this country. When we process beef, we hold suspected animals if there are any clinical signs at all, whether it is a temperature or that they show any signs of being uncoordinated that might suggest mad cow disease—if this is the case we take them out of the processing lines until we have a confirmation as to whether they are afflicted or not afflicted.

As a result of these frustrations, I offer this sense-of-the-Senate resolution asking that the U.S. borders not be open to Japanese beef imports until the Japanese borders are open to us.

The sense-of-the-Senate resolution is perhaps a softer way of saying to Japan, finish this project as quickly as you can so this process does not go on another 20 months. The truth is I think it is for the Japanese to talk to harder talk. Perhaps this will help the Japanese Government understand that we are very serious about this continuing nontariff trade barrier against United States beef. It is extremely important to the economy of the State of Nebraska. It is important to the economy of our country. What it boils down to is it is unfair. There is no sound science that justifies the action that has been taken. With two cases of mad cow detected in the United States, one coming from Canada, statistically it is nonexistent in terms of the millions of head of cattle that are sent to slaughter every year.

When you look at the situation, you have to ask yourself the question of why has it taken so long, 20 months, for this process.

Now, I am at times frustrated by our own bureaucracy, but I think on its worst day, our bureaucracy can’t compete with this process that has continued to delay and delay and delay this whole effort to try to reopen the trade between the United States and Japan for cattle.

I suggest we can do both. We can pass a sense-of-the-Senate resolution which perhaps says in its own way that we need to reopen the trade barriers and knock down these trade barriers. But I think we also need to say that we cannot move forward through the USDA until—not suggest but say we cannot move forward until and unless the Japanese reopen their borders to our exports. I think you can do both. I think one is a soft way, but the other sends a strong message. It is time for that strong message. Everywhere I go across Nebraska, I hear: How can we possibly continue to allow our trading partner to treat us this way? How can we continue to allow our trading partner to treat us this way? I think the answer is we cannot, and this is the way in which we stop it and we bring it to a head.

I yield the floor. Mr. BENNETT. Mr. President, I would ask the Senators if they would allow us to do the Allard amendment by a voice vote, given the fact that the Senator from Nebraska has suggested he be in support of this, and would allow us to do both. Perhaps we could adopt the Allard amendment by a voice vote and then move to the yeas and nays on the Nelson amendment.

I would ask each Senator if they would respond to the Chair how they might feel about that. I am happy to call for the yeas and nays on both amendments if that is what they would like, but I have a sense that the Allard amendment is probably going to pass yesterday that the Secretary of Commerce has indicated his position on it, and it may be we can save the Senate some time by having only one recorded vote rather than two.
To point out some of the increases over the fiscal year 2005 level that have impacted Hurricane Katrina recovery in this bill: $16.6 million for food defense activities at FDA; $36.2 million for food safety activities at USDA; nearly $250 million in loan authorizations for rural housing, including housing repair; $1.1 billion in rural utility loan authorizations for rural water and sewer systems; $22 million for the Women, Infants and Children feeding program; and $5.6 billion in food stamp funds. These are all issues that affect the victims of Hurricane Katrina, and every State and every citizen will benefit from the programs in this bill. So I hope we can move forward with it in an expeditious fashion.

The USDA and FDA, the principal agencies funded in this bill, are working under very difficult conditions to address the needs in the hurricane-affected areas. FDA has had to transfer 50 employees from their regional office in New Orleans to Nashville, and USDA has had to relocate several hundred employees to keep its programs going. So I hope we can do our best to effectively and quickly get this bill moving. I urge those who have amendments to the bill to come to the floor and help us with this bill.

We have one amendment which I understand has been cleared, and the Senator from Colorado has that amendment.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

AMENDMENT NO. 1737, AS MODIFIED

Mr. ALLARD. Mr. President, I send to the desk amendment No. 1737, as modified.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. ALLARD] proposes an amendment numbered 1737, as modified.

Mr. ALLARD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 93, line 9, before the period at the end insert the following: Provided further, That the Secretary, through the Agricultural Research Service, on issuance of such a lease may conduct research and educational activities on the subject acreage and to conduct agricultural research and educational activities in those buildings: Provided further, That the Secretary understands that it is the intent of the University to conduct research and educational buildings on the subject acreage and to conduct agricultural research and educational activities in those buildings: Provided further, That as consideration for a lease, the Secretary may accept the benefits of mutual cooperative research to be conducted by the Colorado State University and the Government at the Shortgrass Steppe Biological Field Station.

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of the third branch of the Federal Government for many decades.

The fact we will hand to Judge Roberts by this confirmation vote is awesome. We should only vote to confirm this nominee if we are absolutely positive that he is the right person to hold that authority. For me, this is a very clear question, but I must resolve my doubts in favor of the American people whose rights would be in jeopardy if John Roberts turns out to be the wrong person for this job.

Some say the President is entitled to deference when he nominates individuals to high office. I agree that deference is appropriate in the case of executive branch nominees such as Cabinet officers. With some important exceptions, the President may generally choose his own advisers. In contrast, the President does not have the authority to much deference in staffing the third branch of Government, the judiciary. The Constitution envisions that the President and the Senate will work together to appoint and confirm Federal judges, including constitutional duty. The Senate’s role in screening judicial candidates is especially important in the case of Supreme Court nominees because the Supreme Court has assumed such a large role in resolving fundamental disputes in our civic life. Any nominee for the Supreme Court bears the burden of persuading the Senate and the American people that he or she deserves a confirmation to a lifetime seat on that Court.

First, I start by observing that John Roberts has been a thoughtful, mainstream judge on the DC Circuit Court of Appeals, but he has only been a member of that court for 2 years and has not confronted many cutting-edge constitutional issues. If anything, the result, we cannot rely on his current judicial service to determine what kind of a Supreme Court Justice he would be.

I was very impressed with Judge Roberts when I first met him in my office soon after he was nominated, but several factors caused me to reassess my initial view. Most notably, I was disturbed by the memos that surfaced from Judge Roberts’ years of service in the Reagan administration. These memos raise questions about the nominee’s approach to civil rights.

It is now clear that as a young lawyer, John Roberts played a significant role in shaping and advancing the Republican agenda to roll back civil rights protections. He wrote memos opposing legislative and judicial efforts to remedy race and gender discrimination. He argued that affirmative action programs were motivated by bigotry or animosity toward minorities or women. These memos lead one to question whether he has truly appreciated the history of the civil rights struggle. He wrote about discrimination as an abstract concept, not as a flesh-and-blood reality for countless of his fellow citizens. The memos raised a real question for me whether their author would breathe life into the equal protection clause and the landmark civil rights statutes that come before the Supreme Court repeatedly. Nonetheless, I was prepared to look past these memos and chalk them up to the folly of youth. I looked forward to the confirmation hearings in the expectation that Judge Roberts would repudiate those views in some fashion. However, the nominee adopted what I considered an unconvincing strategy of suggesting that the views expressed in those memos were not his, even at the time the memos were written. That is what he said. He claimed he was merely a staff lawyer reflecting the positions of his client, the Reagan administration.

Anyone who has read the memos can see that Roberts was expressing his own personal views on these important policy matters. In memo after memo, the text is very clear. It is simply not plausible for the nominee to claim he did not share the views he personally expressed. For example, there is a memo in which he refers to the Equal Employment Opportunity Commission as “un-American.” If Judge Roberts had testified that this was a 20-year-old bad joke, I would have given the memo no weight. Instead, he provided a tortured reading of the memo that simply doesn’t stand up under any scrutiny.

In another memo, Judge Roberts spoke about a Hispanic group President Reagan would soon address and he suggested that the audience would be pleased to know the administration favored legal status for the “illegal amigos” in the audience—illegal amigos. After 20 years, couldn’t he acknowledge that was insensitive, that it was wrong? The use of the Spanish word “amigos” in this memo is patronizing and offensive to a contemporary reader. I don’t condemn Judge Roberts for using the word in a memo written 20 years ago in a nonpublic memo but I was stunned when at his confirmation hearing he could not bring himself to express regret for using that term or recognize that it might cause offense.

My concerns about these Reagan-era memos were heightened by the fact that the White House rejected a reasonable request by committee Democrats for documents written by Judge Roberts when he served in the first Bush administration 23 years ago. If memos written 23 years ago are to be dismissed as not reflecting the nominee’s mature thinking, it would be highly relevant to see memos he had written as an older man in an even more important policymaking job. The White House’s claim of attorney-client privilege to shield these documents is utterly unpersuasive. Senate LEAHY, ranking member of the Judiciary Committee, asked Attorney General Gonzales for the courtesy of a meeting to discuss the matter and was turned down. This was simply a matter of stonewalling.

The failure of the White House to produce relevant documents is reason enough for any Senator to oppose this nomination. The administration cannot treat the Senate with such disrespect without some consequence. In the absence of these documents, it was especially important for the nominee to fully and forthrightly answer questions from committee members at his hearing. He failed to do so adequately. I found it disturbing that the duty—of a judicial nominee to decline to answer questions regarding specific cases that will come before the Court to which the witness had been nominated. But Judge Roberts declined to answer many questions more remote than that, including questions seeking his views of long-settled legal precedent.

Finally, I was very swayed by the testimony of civil rights and women’s rights leaders against the confirmation. When a civil rights icon such as John Lewis, one of my American heroes, appears before the committee and says John Roberts was on the wrong side of history, I take note. Senators should take notice.

I personally like Judge Roberts. I respect much of the work he has done in his career. For example, I agree with his advocacy for environmentalists in a Lake Tahoe takings case several years ago was good work. In the fullness of time, he may well prove to be a fine Supreme Court Justice, But I have reluctantly concluded that this nominee has not satisfied the high burden of justifying my voting for his confirmation based on the current record.

Based on all these factors, the balance shifts against Judge Roberts. The question is close, and the arguments against him do not warrant extraordinary procedural tactics to block his nomination. Nevertheless, I intend to cast my vote against this nomination when the Senate debates the matter next week.

I thank the Chair and suggest the absence of a quorum.

The PRESIDENT pro- ced to call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT. Without objection, it is so ordered.
AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES Appropriations Act, 2006—Continued

AMENDMENT NO. 174
Mr. DURBIN. Mr. President, I believe this has been cleared on the other side. Mr. President, I send an amendment to the desk on behalf of Senator Reid and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendments will be set aside.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN], for Mr. Reid, proposes an amendment numbered 1747.

Mr. DURBIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide for minimum prices for milk handlers)

On page 173, after line 24, insert the following:

SEC. 7. (a) Section 8c(5) of the Agricultural Adjustment Act (7 U.S.C. 608c(5)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by adding at the end the following:

"(M) MINIMUM MILK PRICES FOR HANDLERS—

"(i) APPLICATION OF MINIMUM PRICE REQUIREMENTS.—Notwithstanding any other provision of this section, a milk handler described in clause (ii) shall be subject to all of the minimum and uniform price requirements of a Federal milk marketing order issued pursuant to this section applicable to the counties in which the plant of the handler is located, at Federal order class prices, if the handler has packaged fluid milk product route dispositions, or sales of packaged fluid milk products to other plants, in a marketing area located in a State that requires handlers to pay minimum prices for raw milk purchases.

"(ii) COVERED MILK HANDLERS.—Except as provided in clause (iv), clause (i) applies to a handler of Class I milk products (including a producer-handler or producer operating as a handler) that—

"(I) maintains a plant that is located within the boundaries of a Federal order milk marketing area (as those boundaries are in effect on the date of enactment of this subparagraph);

"(II) has packaged fluid milk product route dispositions, or sales of packaged fluid milk products to other plants, in a milk marketing area located in a State that requires handlers to pay minimum prices for raw milk purchases; and

"(III) is not otherwise obligated by a Federal milk marketing order, or a regulated milk pricing plan operated by a State, to pay minimum class prices for the raw milk that is used in the production or sale of such milk products.

"(III) OBLIGATION TO PAY MINIMUM CLASS PRICES.—For the purpose of clause (ii)(III), the Secretary may not consider a handler of Class I milk products (including a producer-handler or producer operating as a handler) that—

"(I) a handler (otherwise described in clause (ii)) that operates a nonpool plant (as defined in section 1000.6(e) of title 7, Code of Federal Regulations (as in effect on the date of enactment of this subparagraph));

"(II) a producer-handler (otherwise described in clause (ii)) for any month during which the producer-handler has route dispositions, or sales of, packaged fluid milk products equaling less than 3,000,000 pounds of milk; or

"(III) a handler (otherwise described in clause (ii)) for any month during which—

"(aa) less than 25 percent of the total quantity of fluid milk products physically received at the plant of the handler (excluding concentrated milk received from another plant by agreement for other than Class I use) is disposed of as route disposition or is transferred in the form of packaged fluid milk products;

"(bb) less than 25 percent in aggregate of the route disposition or transfers are in a marketing area or areas located in 1 or more States that require handlers to pay minimum prices for raw milk purchases.

"(N) EXEMPTION FOR CERTAIN MILK HANDLERS.—Notwithstanding any other provision of this section, no handler with distribution of Class I milk products in the Arizona-Las Vegas marketing area (Order No. 131) shall be exempt during any month from any minimum milk price requirement established by the Secretary under this subsection if the total distribution of Class I products during the preceding month of any such handler’s own production that exceeds 3,000,000 pounds.

(b) Section 8c(11) of the Agricultural Adjustment Act (7 U.S.C. 608c(11)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended—

(1) in subparagraph (C), by striking the last sentence, and

(2) by adding at the end the following:

"(D) EXCLUSION OF NEVADA FROM FEDERAL MILK MARKETING ORDERS.—In the case of milk and its products, no county or other political subdivision of the State of Nevada shall be within a marketing area covered by any order issued under this section.

(c) Notwithstanding any other provision of this section or the amendments made by this section, a milk handler (including a producer-handler or producer operating as a handler) that is subject to regulation under this section or an amendment made by this section shall comply with any requirement under section 1000.27 of title 7, Code of Federal Regulations (or a successor regulation) relating to responsibility of handlers for records or facilities.

(d)(1) This section and the amendments made by this section take effect on the first day of the first month beginning more than 15 days after the date of enactment of this Act.

(2) To accomplish the expected implementation schedule of the amendments made by subsection (a), effective on the date of enactment of this Act, the Secretary of Agriculture shall ensure that the pool distribution of each Federal milk marketing order issued under section 8c(5)(B) of the Agricultural Adjustment Act (7 U.S.C. 608c(5)(B)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, provides that a handler described in section 8c(5)(M) of the Agricultural Adjustment Act, reenacted with amendments by the Agricultural Marketing Agreement Act of 1937 (as added by subsection (a)), will be fully regulated by the order in which the distributing plant of the handler is located.

(3) Implementation of this section and the amendments made by this section shall not be subject to a referendum under section 8c(19) of the Agricultural Adjustment Act (7 U.S.C. 608c(19)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937.

Mr. DURBIN. Mr. President, I urge adoption of the amendment.

Mr. BENNETT. Mr. President, I ask for a voice vote.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1747.

The amendment (No. 1747) was agreed to.

AMENDMENT NO. 1748
Mr. DURBIN. Mr. President, on behalf of Senator Inouye, Senator Feinstein, and others, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To limit the use of funds made available to the Animal and Plant Health Inspection Service)

On page 101, line 10, before the period at the end insert the following: "Provided further, That none of the funds may be used to demolish or dismantle the Hawaii Fruit Fly Production Facility in Waimanalo, Hawaii."

Mr. INOUYE. Mr. President, today, I offer an amendment that would prohibit the Animal and Plant Health Inspection Services, APHIS, from using appropriated funds to demolish or dismantle the Hawaii Fruit Fly Production Facility in Waimanalo, HI.

This amendment, which is cosponsored by my dear friends, Senator Akaka and Senator Feinstein, is in response to a recent decision made by APHIS to dismantle the Hawaii Fruit Fly Production Facility in Waimanalo, HI and would preclude the agency from carrying out this decision until other alternatives have been articulated and analyzed. In addition, this amendment would provide the agency and the many stakeholders with additional time to examine the issue, to seek a more creative solution, and to have the Secretary recommend a plan that is acceptable to the agricultural representatives of the State of Hawaii, California, and other impacted States.

Releases of sterile insects have played a prominent role in the success..."
of most pest control or eradication programs. It is in this context that I have two main concerns with the agency’s decision to proceed solely on Guat-
atemala as a source of sterile Mediterr-
anean fruit flies places the United States at risk if the supply from Guat-
atemala was curtailed for any reason. In these times of terrorist activities and civil unrest, disruption is much more than an academic debate. I have been assured by other states impacted by the APHIS decision that they share my concern.

Second, from a Hawaii perspective the permanent closure of the facility in Waimanalo does not bode well for the future of diversified agriculture in Ha-
waii. Unfortunately, Hawaii is infested with four fruit fly pest species—not just the Mediterranean fruit fly. Any hope of area wide control or eradi-
cation of these pests requires efficient rearing of all four species for sterile re-
lease programs. It is my intent to seek support for a multiple species rearing facility in Waimanalo to address this problem that is unique to Hawaii. While suppression of all four of the fruit fly species in Hawaii is of great benefit to our State, such activities may be among the best mechanisms for avoiding inadvertent fruit fly infesta-
tions in other states where these alien pests survive.

Given these concerns, I urge my col-
leagues to support my amendment that would prohibit APHIS from imple-
menting its demolition decision and to provide additional time for the agency to work with all stakeholders in ex-
ploring and implementing a sound pub-
lic policy on this issue of great impor-
tance to the State of Hawaii.

Mr. DURBIN. Mr. President, I urge adoption of the amendment.

Mr. BENNETT. Mr. President, I ask for a voice vote.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1746.

The amendment (No. 1746) was agreed to.

Mr. DURBIN. I move to reconsider the vote.

Mr. BENNETT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1798

Mr. DURBIN. I send an amendment to the desk on behalf of myself, Sen-
ator ENZI, and Senator KENNEDY.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN], proposes an amendment numbered 1798.

Mr. DURBIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To insert provisions related to con-
fl icts or interest among members of advisory panels of the Food and Drug Adminis-
tration)

On page 173, after line 24, insert the fol-
lowing:

Ssec. 7. (a) Subject to subsection (b), none of the funds made available in this Act may be used to—

(1) grant a waiver of a financial conflict of interest requirement pursuant to 505(n)(4) of the Federal Food, Drug, and Cos-
metic Act (21 U.S.C. 355(n)(4)) for any voting member of an advisory committee or panel of the Food and Drug Administration; or

(2) make a certification under section 208(b)(3) of title 18, United States Code, for any such voting member.

(b) Subsection (a) shall not apply to a waiver or certification if—

(1) not later than 15 days prior to a meet-
ing of an advisory committee or panel to which such waiver or certification applies, the Secretary of Health and Human Services discloses on the Internet website of the Food and Drug Administra-
tion—

(A) the nature of the conflict of interest at issue; and

(B) the nature and basis of such waiver or certification; information exempted from disclosure under section 552 of title 5, United States Code (popularly known as the Freedom of Information Act); or

(2) in the case of a conflict of interest that becomes known to the Secretary less than 15 days prior to a meeting to which such waiver or certification applies, the Secretary shall make such disclosure as soon as poss-
ible thereafter, but in no event later than the date of such meeting.

(c) None of the funds made available in this Act may be used to make a new appointment to an advisory committee or panel of the Food and Drug Administration unless the Commissioner of Food and Drugs submits a confidential report to the Inspector General of the Department of Health and Human Services of the efforts made to identify qualified persons for such appointment with minimal or no potential conflicts of interest.

Mr. DURBIN. Mr. President, the Sci-
entific Advisory Committee system at the Food and Drug Administration is meant to provide the Agency with unbiased, independent, professional ad-
dvice on the safety and efficacy of drugs, devices, biologics, food, and veterinary medicine.

To protect the objectivity and the in-
tegrity of advisory committees, mem-
ers have long been subject to a num-
ber of conflict of interest laws and reg-
ulations. Unfortunately, the Food and Drug Administration has routinely granted waivers to scientists with fi-
ancial ties to the manufacture of the products under consideration or their com-
petitors. These waivers can com-
promise the integrity of this important advisory process. Let me give one ex-
ample.

The February 2005 advisory panel con-
idering whether painkillers, Celebrex, Bextra, and Vioxx, could safely be sold to the public in-
cluded 10 scientists who were granted conflict of interest waivers. Ten of the thirty-two members—that is 31 per-
cent—consulted for or received re-
search support from Pfizer, which makes Celebrex and Bextra; and Merck, which makes Vioxx; or Novartis, which was seeking approval for a similar pain-
killer.

Had the votes of those 10 scientists been excluded, the panel would have fa-
vored withdrawing Bextra from the market and blocking the return of Vioxx.

As the New York Times pointed out in a March editorial:

Unless the FDA makes a more aggressive effort to find unbiased experts or medical re-
searchers start severing their ties with the industry, a whiff of bias may taint the ver-
dicts of many advisory panels.

I, along with two of my colleagues, Senators Enzi and Kennedy, have of-ered this amendment to the Agri-
culture appropriations bill, a bill which funds the Food and Drug Administra-
tion. It will increase the transparency of the process. It will ensure the FDA has searched for experts without con-
flicts of interest.

Specifically, our amendment requires the FDA to disclose any conflict of in-
terest waivers on their Web site 15 days prior to the meeting of the advisory committee. They must detail the na-
ture of the conflict of interest and the rationale for the waiver.

The amendment also requires the FDA to send a report to the Health and Human Services inspector general after each advisory advisory committee con-
vened. The report must detail the steps the FDA took to find scientists who were free from conflicts.

Finally, Senators Enzi, Kennedy, and I will request that the Government Ac-
countability Office conduct an in-depth study of the waiver process and provide recommendations on how it can be im-
proved.

My amendment will increase the tran-
sparency of the waiver process and require the FDA to report to a third party about their efforts to identify scientists without conflicts. I think this will create a powerful incentive for the FDA to find more scientists without the potential for bias.

Let me close by saying that, over the years, it has been my good fortune to work with this important agency, the Food and Drug Administration. The American people don’t know how much we rely on this tiny agency to decide what is sold to us in drug stores and other places in our daily lives must be safe and they must be effective as advertised. It is an arduous and impor-
tant process, and they get it right so often, but occasionally they do not. We have to make sure we don’t take out of this decision process any question that would be raised about the integrity of the Agency or the means they are using to reach their conclusions. I hope this amendment moves us in that direction.

I yield the floor.

The PRESIDING OFFICER. The Sen-
ator from Utah.
Mr. BENNETT. Mr. President, I thank the Senator from Illinois for his initial statement. I suggest that the pending amendment be set aside and that I may offer an amendment dealing with horse inspections and that no second-degree amendments be in order.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. ENSIGN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk reads as follows:

The Senator from Nevada [Mr. ENSIGN], for himself, Mr. BYRD, Ms. LANDRIEU, Mr. LOTT, Mr. GRAHAM, Ms. STABENOW, Mr. DEMINT, Mrs. FEINSTEIN, and Mr. LAUTENBERG, propose an amendment numbered 1753 to amendment numbered 1726.

The PRESIDING OFFICER. The amendment is now pending.

AMENDMENT NO. 1753 TO AMENDMENT NO. 1726

Mr. ENSIGN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk reads as follows:

The Senator from Nevada [Mr. ENSIGN], for himself, Mr. BYRD, Ms. LANDRIEU, Mr. LOTT, Mr. GRAHAM, Ms. STABENOW, Mr. DEMINT, Mrs. FEINSTEIN, and Mr. LAUTENBERG, propose an amendment numbered 1753 to amendment numbered 1726.

Mr. ENSIGN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENSIGN. Mr. President, I withdraw my previous unanimous consent request and I call for the regular order with respect to amendment No. 1726.

The PRESIDING OFFICER. The amendment is now pending.

AMENDMENT NO. 1753 TO AMENDMENT NO. 1726

Mr. ENSIGN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk reads as follows:

The Senator from Nevada [Mr. ENSIGN], for himself, Mr. BYRD, Ms. LANDRIEU, Mr. LOTT, Mr. GRAHAM, Ms. STABENOW, Mr. DEMINT, Mrs. FEINSTEIN, and Mr. LAUTENBERG, propose an amendment numbered 1753 to amendment numbered 1726.

Mr. ENSIGN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit the use of appropriated funds to pay the salaries or expenses of personnel to inspect horses under certain authority or guidelines)

At the appropriate place, add the following:

SEC. 4. None of the funds made available in this Act may be used to pay the salaries or expenses of personnel to inspect horses under section 3 of the Federal Meat Inspection Act (21 U.S.C. 603) or under the guidelines issued under section 903 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 1901 note; Public Law 104-127).

Mr. ENSIGN. Mr. President, I rise, along with my colleagues, Senators BYRD, LANDRIEU, GRAHAM, LOTT, STABENOW, DEMINT, FEINSTEIN, and LAUTENBERG, to submit an amendment to the 2006 Senate Agriculture Appropriations bill.

The goal of our amendment is simple: to end the slaughter of America's horses for human consumption overseas.

I graduated from Colorado State with a degree in veterinary medicine. I have
been concerned with animal welfare since my earlier days as a youth and pursued those interests as a practicing veterinarian. Our Nation's history and cultural heritage is strongly associated with horses. George Washington is pictured many places with horses. We are reminded of the legend of Paul Revere's ride and the Pony Express in the West. The Depression era race between Seabiscuit and War Admiral raised the morale of our country during desperate times.

The owners who sell their horses at auction are often unaware that those horses may be on their way to one of the three remaining horse slaughterhouses in America. These slaughterhouses—two in Texas and one in Illinois—are owned by French and Belgian companies. They slaughter American horses almost exclusively for one purpose—exporting the meat overseas for human consumption.

Workhorses, racehorses, and even pet horses—many young and healthy—are slaughtered for human consumption in Europe and Asia, where their meat is considered a delicacy. The profits, along with the product, are shipped overseas. These horses are slaughtered in America and shipped to Japan, France, Belgium, Italy, Germany for human consumption.

Last year, nearly 100,000 American horses were slaughtered for human consumption overseas. Sixty-five thousand of these were sent to three slaughterhouses in the United States, and more than 30,000 were shipped across our borders to Canada and Mexico for slaughter.

Our amendment effectively stops this practice. It restricts the use of Federal funds for the importation of horses being sent to slaughterhouses for human consumption. Without these inspections, required under the Federal Meat Inspection Act, horses cannot be slaughtered, or exported for slaughter, for human consumption overseas.

Strong support for our amendment is reflected in the House of Representatives, where an identical measure was passed by a vote of 269 to 158 this past June.

We have several articles and editorials from around the country that have been written in support of our amendment. Articles have appeared in the Washington Times, the St. Petersburg Times, the Charleston Gazette, and the Louisville Courier-Journal, just to name a few. I ask unanimous consent to have these articles printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[HORSE SENSE IN SENATE]

This week, the U.S. Senate may vote on an amendment to the agriculture appropriations bill that would outlaw the slaughter of horses for food. For most Kentuckians—in fact, for most Americans—it's shocking that such a vote would need to be taken. In this country, horses are companion animals. Most folks don’t know that in three foreign-owned slaughterhouses within our borders, about 45,000 horses are killed each year.

The meat is then shipped to Japan and several European countries, where a horse is served for dinner. In the international market, the price of a live horse is especially coveted, since most of them have been well fed and have received superior care. This should be an easy vote for Sens. Mitch McConnell and Jim Bunning. Horses are central to Kentucky’s culture. Our famous Bluegrass farms breed and raise them for higher purposes than ending up on some dinner table overseas.

And no horse is currently safe from that fate. Ferdinand, the 1986 Kentucky Derby winner, was killed in a Japanese slaughterhouse in his stud services were longer needed. This past spring, 41 wild mustangs were slaughtered for food in a Texas plant after being purchased through a program meant to give them new homes.

That’s why, in June, the U.S. House of Representatives overwhelmingly passed legislation identical to what the Senate is considering. Kentucky’s own Rep. Ed Whitfield, R-1st District, led the effort.

Now the Senate should do the same, with Kentuckians again playing a leadership role.

[BRING AN END TO HORSE SLAUGHTER]

Horse meat has no place in the United States. The House of Representatives confirmed that earlier this year by passing an amendment to the agriculture spending bill the Senate would, in essence, stop the practice. Now it is the Senate’s turn.

Currently, horses that are no longer wanted are sold to buyers who presumably seek them for recreation or work. Horses that often end up in slaughterhouses or in the hands of exporters who send them outside the country for slaughter. Sometimes the buyers hide their true intentions and make a profit by selling the horses for slaughter. Each year, nearly 100,000 horses are subjected to a cruel end to their lives.

Horse meat for human consumption hasn’t been sold in the United States for decades and isn’t even used in pet food here. If a horse is near the end of its useful life, there are more humane ways for an owner to get rid of it. Adoption groups offer horses a peaceful retirement, and if the horses need to be euthanized, it can be done painlessly and humanely for a couple hundred dollars.

The Senate vote could come up in the next few days, so those opposed to horse slaughter should contact their senators and tell them to support the amendment. The only problem with adopting such conduct. The only problem with a ban on commercial horse slaughter entirely. Some critics contend an outright ban is an abuse of congressional power. But Cases Sunstein, the distinguished University of Chicago law professor, conclusively addressed those concerns a few years ago: “A ban on commercial slaughter of horses would be plainly within congressional authority, if accompanied by reasonable findings that such slaughter is often or generally a way of yielding products for international trade, and therefore has a substantial effect on interstate or international commerce.” Few would argue that it doesn’t.

We adopt a moral equivalency in our appeal to ban horse slaughter. The horse has always held a hallowed place in our national identity, much like the bald eagle.

And just as we would consider ordering up a bald eagle, if only out of respect, so would none ask for a horse steak.

[SAVE HORSES—BILL WOULD STOP SLAUGHTER]

Around 90,000 American horses are slaughtered each year for human consumption. Foreign-owned slaughterhouses on American soil kill about 50,000 of them; the other 20,000 are sent live to Mexico or Canada. Some are wild horses that still wander ranges of the West; others are unwanted, disposed of by their owners or unscrupulous dealers who promise they will go to good homes.

Many of these creatures undergo extreme suffering en route to their final destination. Transport law allows them to go for 24 hours without food, water or rest, even if they are badly injured or heavily pregnant.

West Virginia Sen. Robert Byrd plans an amendment to the Agriculture appropriations bill banning horse slaughter in the United States. All three of the state’s representatives voted for a similar amendment in the House that passed last week for a nominal amount. Many horse rescue organizations work with retired racehorses, many of
whom have tragically ended at slaughterhouses—entities in the industry. Horses that have truly come to the end of their useful or for- 
tortable lives can be humanely euthanized, rather than having to endure the pain, panic and trauma of a trip to the slaughterhouse. The industry continues to kill horses and humans is as close as the connection between dogs or cats and their owners. The horsemeat industry is not a vital part of the American economy. We hope the Senate will pass this humane amendment.

City of Kaufman,
Kaufman, TX, September 6, 2005.
Re Support Congressional efforts to end horse slaughter.

Dear Senator: As the Mayor of Kaufman, Texas, I am all too well acquainted with an issue that has been getting plenty of atten- tion on Capitol Hill recently: horse slaughter.

Kaufman is “home” to Dallas-Crown, one of only three slaughterhouses that continue to operate in this country (the other plants are in Ft. Worth, TX and DeKalb, IL). To- gether, the plants killed more than 65,000 of our horses and human companions abroad. All three plants are, foreign owned, and all three are out of step with American public opinion. Seventy-eight percent of Tex- ans oppose horse slaughter and polls from other parts of the country reflect this senti- ment. Both of the Texas plants operating in violation of state law which prohibits the sale of horsemeat for human consumption. And Dallas-Crown is operating in violation of a multitude of local laws pertaining to wastemangement, air quality and other en- vironmental concerns.

When the District Attorneys in the two Texas jurisdictions moved to prosecute under the state law, the plants filed suit and the District Attorneys were prevented from proceeding. Horses continued to be slaugh- tered while the case languished in federal court; judge ruled in the plants’ favor. The District Attorneys are considering an appeal.

When the city took action against the plant for refusing to cooperate or run their air conditioners without endur- ing the most horrific stench. Children play- ing in their yards do so with the noise of turn his or her horses out, animal con- 
control agents can enforce humane laws. These animals still can be euthanized con- sideration of ending this slaughter.

She stated:

My city is little more than a doormat for a foreign-owned business that drains our resources, thwarts economic development and stigmatizes our community. There is no jus- tification for spending American tax dollars to support this industry.

That is Paula Bacon, the mayor of Kauf- man, TX, home to the Dallas Crown horse slaughterhouse facility.

Members of the local community would like to see this slaughterhouse closed, as well.

Concerns have been raised about what will happen if this slaughter is ended. Many of these horses will be sold to a new owner. Some horses will be kept longer by their original owner, others will be euthanized humanely by a licensed veterinarian, and still others will be cared for by the horse rescue community. Efforts are underway to standarize practices for horse rescue organizations. Guidelines for this over- growing sector have been developed by the animal rescue community and embraced by sanctuaries.

Statistics do not support claims that this legislation will result in more abuse and neglect of unwanted horses. In Illinois, the number of abuse cases actually dropped from 2002 to 2004, when the State’s only slaughterhouse was closed due to fire. In California, there has been no rise in neglect cases since the State passed a ban on slaugh- ter for human consumption in 1998.

Furthermore, it is illegal to “turn out,” neglect, or starve a horse, so this amend- ment will not lead to more or- phaned horses. If a person attempts to turn his or her horses out, animal con- 
trol agents can enforce humane laws. These animals still can be euthanized and disposed of by a veterinarian for about $225, a fraction of the cost to keep a horse. That cost is not too big of a burden to bear when no other op- tions are available.

Our amendment is good for horses. That is why it is supported by many animal protection groups. The Humane Society of the United States, the American Society for the Prevention of Cruelty to Animals, the Doris Day Ani- mal League, the American Humane As- sociation, and Society for Animal Pro- tection Legislation support our amend- ment. We have also received sup- port from much of the horse industry and veterinarians nationwide. In fact, congressional measures to end horse slaughter are supported by Veterin- ians for Equine Welfare, the National Thoroughbred Racing Association, Churchill Downs, Incorporated, and dozens of owners and trainers of cham- pion racehorses, including Kentucky Derby winners.

The time to end this slaughter is now. Please join my colleagues and me in supporting this important amend- ment.

I yield the floor and suggest the ab- sence of a quorum.

Presiding Officer. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that the amendment by Mr. Byrd be agreed to.

The PRESIDING OFFICER. The unanimous consent is agreed to.

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senator be recognized to speak as in morning busi- ness.

Mr. BYRD. Mr. President, Winston Churchil said, “when you are on a great horse, you have the best seat you will ever have.” Indeed, throughout the ages, the horse has carried mankind across continents, helped forge civiliza- tions, and has been that beloved beast of burden that has borne the human race on its back.

In America, the horse was the pri- 
mary source of transportation of our founding fathers, the vehicle of our Revolutionary soldiers, and a symbol of the majesty and character that this great country was based upon. American centers rose with the help of the horse’s brawn. Our American frontier expanded farther and farther west, with families travel- ing by horse-drawn wagons across
mountains and valleys, the plains and prairies. The American cowboy, an indelible image of the fierce and undying determination of the American spirit, was never without his trusty four-legged companion.

But each year, 65,000 horses are slaughtered in this country for human consumption in Europe and Asia, where horse meat is considered a delicacy. Another 30,000 horses are shipped every year to Canada and Mexico to be slaughtered.

These horses often suffer unnecessarily while in transit to slaughterhouses. Horses can be shipped for more than 24 hours without food, water, or rest. They can be transported with broken legs, missing eyes, or while heavily pregnant. The horses are kept in cramped conditions, in trucks with ceilings so low that they prevent the horses from holding their heads in a normal, upright position. The cramped nature of their transport often results in trampling, with some horses arriving at the slaughterhouses seriously injured or even dead.

Even more cruel than the suffering these animals endure while in transit is their often injurious end. Improper use of stunning equipment at the slaughterhouse can result in the animal having to endure repeated blows to the head, meaning that horses sometime remain conscious throughout the slaughter process.

The market for horsemeat is not an American market. Horsemeat is shipped abroad. The three slaughterhouses in the U.S. are foreign-owned. Thus, American horses are sold to a foreign company, killed for consumption in a foreign market, and foreign-owned companies profit from the export of horse meat. Many Americans would like to learn that our animals suffer such a fate, all in order to satisfy the tastes of those living in Europe and Asia. Indeed, many individuals who sell horses to slaughterhouses do so unwittingly. Slaughterhouses often employ third parties, called “killer buyers,” to auction to buy horses.

Senator Ensign and I have offered an amendment to stop the slaughter of horses for human consumption by preventing taxpayer dollars from being used to inspect the horses intended for slaughter. Without these inspections, which are paid for by the American taxpayer, it would be impossible for these companies to slaughter horses in the U.S., or to transport horses abroad for slaughter.

I ask my colleagues to support the Ensign-Byrd amendment to end the slaughter of one of the most precious American symbols.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Mr. President, I rise to offer two amendments to H.R. 2744, the Agriculture appropriations bill for FY 2006, that will help protect the health of the American public. Amendment 1729, the downed animal amendment, would prohibit the U.S. Department of Agriculture, USDA, from utilizing funds under this act to approve downed animals for human consumption. Downed animals are livestock such as cattle, sheep, swine, goats, horses, mules, or other equines that are too sick to stand or walk unassisted. Many of these animals are dying from infectious diseases and present a significant pathway for the spread of disease.

While I commend USDA and livestock organizations for their efforts to address the issue of downed animals, I am still very concerned about diseases such as BSE, more commonly known as mad cow disease, that pose a serious risk to the United States cattle industry and human health. A food inspection study conducted in Germany in 2001 found that BSE is present in a far greater percentage of downed livestock than in the general cattle population. USDA stated that downed animals are one of the most significant potential pathways that have not been addressed in previous efforts to reduce risks from BSE. Stronger legislation is needed to ensure that these animals do not enter our food chain. My amendment is very simple. It would prevent downed animals from being approved for consumption at our dinner tables. This will allow USDA and other stakeholders to continue working on reducing and potentially eliminating the risk of BSE or any other prions from entering our food chain.

Currently, before slaughter, USDA’s Food Safety Inspection Service, FSIS, diverts downer livestock that exhibit clinical signs associated with BSE or other types of diseases until further tests may be taken. However, this does not mean that downed livestock cannot be processed for human consumption. If downer cattle are present for slaughter, they pass both the pre- and post-inspection process, meat and meat by-products from such cattle can be used for human consumption. Routinely, BSE is not correctly distinguished from many other diseases and conditions that show similar symptoms. This was demonstrated by the surveillance of a similar inspection process in Europe, showing that the process is inadequate for detecting BSE. Consequently, BSE-infected downed cattle are approved for human and animal consumption.

Today, USDA has increased its efforts to test approximately 10 percent of downed cattle per year for BSE. However, it is my understanding that USDA is looking to revisit this issue. I do not believe that now is the time to lower our defenses. While I am not asking the industry and Federal Government to test every slaughtered cow, I am asking the Federal Government to address and reduce the real risks associated with BSE and similar diseases in the U.S.

Some individuals fear that my amendment would place an excessive

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Mr. President, I rise to offer two amendments to H.R. 2744, the Agriculture appropriations bill for FY 2006, that will help protect the health of the American public. Amendment 1730, the downed animal amendment, would prohibit the U.S. Department of Agriculture, USDA, from utilizing funds under this act to approve downed animals for human consumption. Downed animals are livestock such as cattle, sheep, swine, goats, horses, mules, or other equines that are too sick to stand or walk unassisted. Many of these animals are dying from infectious diseases and present a significant pathway for the spread of disease.

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Some individuals fear that my amendment would place an excessive
financial burden on the livestock industry. I want to remind my colleagues that on single downed cow in Canada diagnosed that BSE this year brought down the world’s third largest beef exporter. It is estimated that the Canadian beef industry lost more than $1 billion as a result of the discovery of BSE and more than 30 countries banned Canadian cattle and beef. As the Canadian cattle industry continues to recover from its economic loss, it is prudent for the United States to be proactive in preventing BSE and other animal diseases from entering our food chain.

We must protect our livestock industry and human health from diseases such as BSE. My amendment reduces the threat of passing diseases from downed livestock to our food supply. It also ensures higher standards for food safety and protects human health from diseases and the livestock industry from economic distress.

**AMENDMENT NO. 1729**

Amendment No. 1729 is based on my bill, the Pet Safety and Protection Act, S. 45. It will protect family pets while allowing research on dogs and cats to continue in an environment free from scientific fraud and animal abuse.

This amendment prohibits Federal funds from being provided to a research facility that purchases animals from Class B dealers. Class B animal dealers collect dogs and cats from “random sources” and routinely violate the Animal Welfare Act. The Animal Welfare Act sets the minimum standards of care for animals and requires accurate record keeping on their acquisition and disposition. Dogs and cats are subjected to abusive handling and exposure to the elements while kept on the premises of Class B dealers. They are routinely unsanitary for food, water, and veterinary care before they are sold off to laboratories.

Less than a month ago, one of the more notorious Class B dealers, C.C. Baird, pleaded guilty in a case before a U.S. District Judge. He had violated the Animal Welfare Act because he transferred the dogs and cats to research facilities with false acquisition records. During the search, approximately 126 dogs were seized by Federal agents for violating the Act’s provisions and for violatios of the Animal Welfare Act.

I recently sent a letter to all my colleagues in the Senate requesting support in passing the Pet Safety and Protection Act. On the front were pictures of a hound dog. Buck, who was in terrible shape—skinny, his ribs sticking out, pieces of his ear torn off—after being held by a Class B dealer.

There are only 17 Class B dealers selling random source dogs and cats for research. There are hundreds of suppliers to these dealers. Random source animals are dogs and cats that may be obtained by fraudulent means, through “free to good homes” ads, false animal origin records, and stealing of pet dogs and cats from their owners. The Department of Agriculture lacks the resources to track the interstate activities of Class B dealers to ensure that they comply with Federal law. USDA cannot provide an assurance that illegal acquired pets are not being sold by Class B dealers. This is not a problem that is certain to grow in the aftermath of hurricane Katrina with the thousands of animals placed in shelters.

From a scientific research point of view, Class B-acquired animals have not had standardized care nor is there any certainty of the history of the animals. These circumstances make them unsuitable as research subjects in any case, since they cannot be used as control cases or experimental animals. Valid scientific research relies on controlled experimental design and replicable results—two things highly questionable when using animals with unknown history and background.

This simple amendment prohibits funding in this FY 2006 appropriations bill for going to research facilities that purchase animals from a dealer that holds a Class B license under the Animal Welfare Act.

I urge my colleagues to support these two amendments.

The PRESIDING OFFICER (Mr. MARTINEZ). The Senator from Utah.

Mr. BENNETT. Mr. President, as near as I can tell, there is support for these amendments on both sides of the aisle. I ask they be considered on a vote by a voice vote.

The PRESIDING OFFICER. Without objection, the amendments will be considered on a voice vote.

The question is on agreeing to amendments Nos. 1729 and 1730, en bloc.

The PRESIDING OFFICER. The amendments (Nos. 1729 and 1730) were agreed to, en bloc.

Mr. AKAKA. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BENNETT. Mr. President, unless the Senator has an additional amendment—

Mr. AKAKA. Mr. President, I thank the Senator from Utah and the ranking member, Senator KROL, for accepting these amendments.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, I ask unanimous consent that I be allowed to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

**STORAGE OF NUCLEAR WASTE**

Mr. BENNETT. Mr. President, one of the issues that has occupied this Chamber most is the decision that the United States is going to have a single repository for nuclear waste. It was very clear that we are going to need a logical place to put it when we go ahead with the existing plans to relicense the Yucca Mountain facility.

From a scientific research point of view, that sentence is the word “if.” If we are going to have a single repository for nuclear waste, it appeared that the logical place to put it was Yucca Mountain. And I voted in favor of Yucca Mountain.

My reaction to that was, if it is safe where it is and if it is safe to transport, why transport it at all? Why not leave it where it is?

It was very clear that the Congress was not going to accept that position, that the President was not going to accept that position, and that we were going to go ahead as a matter of public policy and have a single repository for nuclear waste.

So I said: If we are going to have a single repository for nuclear waste, the most logical place for that is Yucca Mountain. And I voted in favor of Yucca Mountain.

Looking back on it, the keyword in that sentence is the word “if.” If we are going to have a single repository for nuclear waste, it appeared that the logical place to put it was Yucca Mountain. And now that repository is being challenged on scientific grounds. Yucca Mountain has been challenged on scientific grounds. Yucca Mountain has been challenged in the court on legal grounds. And as we look at the present state of our need for energy, Yucca Mountain will be challenged on practical grounds because it is very clear that we are going to need more, not less, nuclear power.

Nuclear power is here to stay. The nuclear plants that we have are going to be recommissioned and relicensed, and Yucca Mountain will be full if we proceed with the construction plans to send nuclear waste there. We will still need storage in place even if Yucca Mountain opens. It doesn’t make sense from a practical point of view to move the material all across the country, store it in Yucca Mountain for the purposes of ending storage place, and then have storage in place come back.

Those who saw this in advance—Senator REID and Senator ENSIGN—have...
the right to tell the rest of us, “I told you so,” as it now becomes clear that scientifically, legally, and practically, Yucca Mountain is not going to become the single repository for nuclear waste. And we need to start thinking about new strategies and new places to deal with this issue.

I want to make it very clear that I am not opposed to nuclear power. Indeed, I am a strong supporter of nuclear power. I have supported Senator DOMENICI in his efforts in crafting the Energy bill to craft the bill in such a way as to encourage America to build new nuclear powerplants. We are behind the rest of the world on this issue.

Go to Europe and you will find the French have something like 80 percent of their power generated by nuclear power. The British have large amounts of nuclear power.

With the price of natural gas going as high as it is, it becomes increasingly economically unwise for us to continue to build gas-powered electric plants. Nuclear power is something in which we should get involved in a big way in the future, and the Energy bill we passed prior to the August recess laid the groundwork for that.

The question is, of course, if we go in that direction, what do we do with the nuclear waste? If Yucca Mountain is not going to be available—and I am now convinced that it will not be—where should it be put? There is a proposal that it should be put in the State of Utah at an interim storage site that has just recently been licensed by the Nuclear Regulatory Commission.

I put stress on the word “interim” because the whole idea behind the proposed facility in Utah, in a place called Skull Valley, was that it would simply be a stopover for the waste on its way to Yucca Mountain, and so it has been designed and it has been licensed as an interim storage facility.

If it does not make sense for us to take this nuclear waste and put it in a permanent repository, which is what Yucca Mountain is, why does it make sense to put it in an interim repository that does not have the safeguards that are built into Yucca Mountain?

Yucca Mountain would put the waste below ground. It would put the waste in vaults that have been prepared for it. The interim facility in Skull Valley would leave the waste above ground. It would leave the waste in the dry cask receptacles that were built for transportation. Why ship it from its present site underground to another site aboveground to say, well, this is an interim storage site until we put it in permanent storage?

The reality is, if you do that, you are creating a permanent storage site because there is no place to put it after it has been transported to the interim storage site.

There are those who say: You just don’t want it in Utah. And that is true, I don’t want it in Utah. But there is another factor that drives the reason I don’t want it in Utah. This particular interim storage facility, the Utah Test and Training Range. Even most people in Utah have never heard of the Utah Test and Training Range, and they have no idea what it is. It is the largest land range for bomb testing in the United States. It goes all the way back to the Second World War. The crew that flew the mission over Hiroshima in the Enola Gay trained at the Utah Test and Training Range.

Today, it is still in use. F-16s from Hill Air Force Base fly over the Utah Test and Training Range and practice their bombing runs with live ordinance. I have flown over the Utah Test and Training Range in a helicopter and have been told we have to get out of here because the F-16s are coming, and they are going to start bombing.

It clearly does not make sense to have an interim storage facility for nuclear waste in an area where F-16s with live ordinance are going to be flying.

There are those who say: The F-16s can change their flight pattern; they can go around this area; they don’t need to pay attention to it.

One of the things we have learned from spending time with the BRAC process in determining which military facilities will be retained and which will not is that more military facilities have been closed by encroachment than have been closed by BRAC—encroachment being development or other activities that come close to the gate of the military base that make it impossible for the people on the base to do their job, and they ultimately say: When we built this base, it was surrounded by open spaces. Now activity has encroached in, and encroachment has happened, and we are going to have to close this base.

I do not want to see encroachment take away the last remaining large, land-based test and training range in the United States. We need to rethink this whole thing.

So, Mr. President, I am now making it clear that my support for Yucca Mountain, however well intended it was at the time, in my opinion does no longer hold in the situation in which we find ourselves.

I also believe the proposal that was made at the time we approved Yucca Mountain the last time, that of leaving the material in place until we can work out the economics and the technology of reprocessing it, is the right approach. That is what the future holds.

Right now people say: Reprocessing it is too expensive. But we know from past experience that technology will become cheaper and cheaper the more we do it. We are already involved in reprocessing warheads from the former Soviet Union as we go through the process of reducing nuclear weapons and nuclear stockpiles around the world. As that reprocessing activity goes forward, we will learn how to do it cheaper, and reprocessing will be available for the nuclear waste that is currently being developed by our nuclear power facilities.

At that time, it would make sense for the nuclear waste that is stored onsite to be shipped to a reprocessing center, not to an interim storage facility.

There is one other factor that needs to be stressed. At the present time, the contract to take the nuclear waste and ship it to the interim storage facility in Utah—which, by the way, has not been built; there is still $1 billion worth of investment that will have to go into that—the process by which that will go forward will be under the ownership and control of the private utilities that run the nuclear plants.

The main difference between an interim storage facility and a permanent storage facility in the law has to do with titles. In the interim storage facility, the utility that created the waste and ran the nuclear plant retains title to the waste. While it is being packaged, while it is being shipped, and while it is in interim storage, it is owned by the utility. Under the Yucca Mountain proposal, the Federal Government would take title to the waste the minute Yucca Mountain would open so the Federal Government would be responsible for packaging it, the Federal Government would be responsible for transporting it, and the Federal Government would be responsible for the security on the site where it would be located. If we leave it where it is while we work on the issue of reprocessing, title remains with the utility that produced the waste, and the security that has already built into its plant is already there. It is not exposed to any terrorist attack while it is moving so that utility does not have to bear the expense of extra security in moving waste to which they retain title.

Then when we get to the point where we can move it to a reprocessing plant, once again the Federal Government may take title to it.

The Federal Government can provide the security during transportation. The Federal Government can see that it is kept safe from terrorist attack and bring it to the reprocessing facility.

One last point. One of the reasons we want to be sure the Federal Government is in charge of all of the reprocessing is that the end product after reprocessing is not only additional energy created by the process, but the residue that is left is weapons-grade plutonium. We don’t want to run the risk of having weapons-grade plutonium in the hands of private entities. We want to be sure that the Government controls it.
What I think we need to do—"we" being the collective word for the administration and the Congress, generally—I am in favor of nuclear power. We want more nuclear power in this country for all of the environmental reasons dealing with greenhouse gases, for all of the demand reasons dealing with the increased necessity for electric power, and for all of the legal reasons having to do with the control of the ownership of these facilities. So the No. 1 principle, I am in favor of nuclear power. No. 2, I am in favor of reprocessing. I think we should work toward that technical solution for the quiescent reprocessing, while we are in the process of building new nuclear plants and working toward reprocessing of the waste, we should leave the waste where it is. If, indeed, as I say, it is safe to transport and it is safe to reprocess somewhere else, by definition, it is equally safe to store it where it is. That is cheaper, that is equally as safe, and that sets us up for the solution of our problem. I believe that if we reprocess the whole issue as to how we are going to handle it and what we are going to do, there may very well be a useful purpose for Yucca Mountain. We have spent, as a nation, billions of dollars preparing that facility. We should review the facility and what it offers and see how it might be used at some particular point in the future and see how we might retain some of the investment we have made there.

I am not one who thinks we ought to fill Yucca Mountain up with dirt and walk away and leave it. There can be a win-win situation for all. Nevada can get some value out of the investment that has been made in Yucca Mountain if we think it through carefully. The Nation can get additional power without the greenhouse gas effect that comes from fossil fuels, and we can ultimately solve the problem of nuclear waste with reprocessing.

I have discussed this in general terms with Senator Domenici, who is the chairman of the Energy Committee as well as the chairman of the energy and water subcommittee of the Appropriations Committee, and I commend him for his original thinking of moving in directions that will make sense for the future. However, much as the idea of a single repository may have made sense decades ago, it is now clear, as I say, that it does not make sense, and we need to move in some future direction. To the degree that Senator Domenici will also participate in trying to find logical solutions under the three principles I have described, I will be more than happy to cooperate with him. To those who had the vision long ago who, as I say, have earned the right to say to the rest of us, "I told you so," I say I will be happy to join with you, too, in seeing how we can think this thing through and get the best solution for our Nation and all of those who live in it.

With that, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, I ask unanimous consent that the Ensign amendment No. 1753 be modified to be drafted as a first-degree amendment, provided further that the vote in relation to the Ensign amendment No. 1753 occur at 4:45 today with no amendment in order in any amendment prior to the yeas and nays vote. I also ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BENNETT. I suggest the absence of a quorum.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second. The yeas and nays are ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1726

Mr. BENNETT. Mr. President, I believe that amendment No. 1726 is now the pending business.

The PRESIDING OFFICER. The Senator is correct.

Mr. BENNETT. This is the managers' amendment that Senator Kobl and I introduced last Thursday. It makes some technical corrections in the bill regarding conservation technical assistance for DuPage County, IL. It also makes some technical corrections in the Rural Electrification Act of 1936. It has the approval of the authorizing committee, as well as the support of USDA, and there is no additional cost to the bill. Senator Kobl and I have taken the position that we will not offer any authorizing legislation on this bill that does not have the approval of the authorizing committee. And this one falls within that scope. So it has been cleared on both sides of the aisle, and I believe we are now prepared to pass it on a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1726) was agreed to.

Mr. BENNETT. Mr. President, I move to reconsider the vote and ask that that be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. TALENT. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1763

Mr. TALENT. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Missouri (Mr. TALENT), for himself and Mr. PRYOR, proposes an amendment No. 1763.

Mr. TALENT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit the use of funds to close or relocate certain local offices of the Farm Service Agency)

On page 173, after line 24, insert the following:

SEC. 7. None of the funds made available by this Act or any other Act may be used to close or relocate a county or local Farm Service Agency office unless or until the Secretary of Agriculture has determined the cost effectiveness and enhancement of program delivery of the closure or relocation, and report to the House and Senate Committees on Agriculture and Appropriations.

Mr. TALENT. Mr. President, this amendment, which I am offering on behalf of myself and Mr. PRYOR, the Senator from Arkansas, is an attempt to address a development within the Department of Agriculture. The Department is proposing closing a quarter to a third of the Farm Service Agency's local offices around the country, including, as far as we can tell, around 30 out of the 90 offices in Missouri, the object, according to the Department, being to modernize and consolidate functions and to provide better service.

Certainly nobody is opposed to better service. But I want to emphasize something here. The key with regard to how we handle FSA offices has to be service to the agricultural community and to our producers. The idea is accessibility. The idea is responsiveness. The idea is not necessarily somebody's planning in Washington about how they would organize everything in the United States if they could do it exactly the way they wanted.

I am a little concerned about changing our FSA offices when, from what I am told back in Missouri, there has
been little or no consultation either with local FSA people or with producer organizations, more particularly farmers of the affected communities. I don't know how we can do this in a way that emphasizes service, acceptability, and accountability without having to talk to the people whom we are trying to serve.

The amendment basically says hold up on this until we have an opportunity for that kind of accessibility and that kind of accountability.

Again, I am not saying—and I don't think Mr. Pryor is saying either—that no consolidation is possible. I imagine it is possible in Missouri. We certainly want to look at how we can modernize these offices so we can perform better service. But we have to remember that these are the offices our producers have to go to any time they want to deal with any of the Government's various programs that affect them. Some of them in Missouri are already driving 30, 40 minutes, or more than that, and if they drive and they don't have all the forms they need or they left something at home, they have to go all the way home, get it, and turn around and come back.

When you are proposing eliminating some of those offices when they are already difficult to access, in many cases, I think that is something we need to look at. I certainly believe we need more consolidation, at least in Missouri, than we have had now.

That is all this amendment says. I appreciate very much the bill managers working with us. I understand they are going to be willing to accept the amendment. I appreciate that. I pledge to work with them in conference.

This language isn't necessarily the be-all and end-all with regard to this issue. I think they see what Senator Pryor and I are driving at, and I think everybody would agree this is something we want to do with consultation and discussions with the affected communities—in particular, the affected producer and producer groups. They are not opposed to making the Farm Service Agency work better. We all know the problems that have sometimes occurred. But we have potentially disaster relief coming down the pike, and I certainly hope so for producers who have been affected negatively by the hurricane, or by drought. We have another farm bill that is not that far away. We need to do this right, if we are going to do it. That is what the amendment says.

I appreciate the support of the Senator from Utah, and certainly pledge to work with him and his ranking member in conference on this amendment.

I yield the floor.

Mr. BENNETT. Mr. President, I share the concern and frustration of the Senator from Missouri with the proposal. We have had some of that same concern and frustration in Utah. Charitably, I will say that the efforts to close these offices have been handled a little less wisely than might otherwise have been the case.

I hope that between now and the conference we can learn more about this proposal. I think the Senator's comments about getting information and input from those directly affected is very wise.

I pledge to work with all the Senators concerned on this issue between now and the time we get to conference. So knowing that this will be the vehicle whereby we can get to conference, I am willing to proceed now to a voice vote and urge Senators to support it. I understand it has been cleared on both sides.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 1763) was agreed to.

AMENDMENT NO. 1753

Mr. BENNETT. Mr. President, as we are approaching the hour of 4:45, which has been set as the time for the vote on the Ensign amendment, I say to my colleagues that Senator Ensign outlined the reasons for his amendment. I have heard others who for one reason or another have already been opposed to it. But so far, none of them have come to the floor to express that opposition.

I make it clear to anyone who is following the proceedings that one of the reasons we have delayed the vote as we have and kept the afternoon as open as we have been to allow those who may be opposed to the Ensign amendment the opportunity to present their proposals.

We now are at 4:45. I expect the time is far gone and the vote will proceed. I didn't want anyone thinking we had made any effort to prevent anybody from presenting a different point of view than what Senator Ensign laid out when he proposed his amendment this afternoon.

The PRESIDING OFFICER. The hour of 4:45 having arrived, the question is on agreeing to the amendment of the Senator from Nevada.

The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. CORZINE), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

The PRESIDING OFFICER (Mr. ALEXANDER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 68, nays 29, as follows:

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</tbody>
</table>

Mr. BENNETT. Mr. President, I announce that the Senator from New Jersey (Mr. CORZINE), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. Roberts] proposes an amendment numbered 1742.

Mr. ROBERTS. I ask unanimous consent that reading of the amendment be dispensed with.
The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide a technical correction to the amendment.)

On page 153, line 10, insert the following:

Sec. 7. Section 508(a)(4)(B) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)(4)(B)) is amended by inserting 'or similar commodities' after 'the commodity'.

Mr. ROBERTS. Mr. President, this amendment is very straightforward. It has been cleared by both the chairman and ranking member of the Agriculture Committee, and I have also received word that the Risk Management Agency is supportive of this change.

Very simply, the amendment amends the section of the Federal Crop Insurance Act regarding the use of written agreements for commodities in counties where the crop has not yet been approved for insurance purposes. The problem is that 3 years of cropping history is needed in order to issue a written agreement for coverage. However, producers cannot get a history of planting because the banker won't lend the money if they can't get insurance coverage. Thus, it is an endless cycle.

We have many counties where coverage exists for sunflowers, and we would like to use that data to expand coverage to canola. The Risk Management Agency has indicated that this would be an acceptable practice. However, the current law says that data must be used from the same commodity for which the policy is being issued. This amendment simply changes that language to allow data from agronomically similar crops to be used in providing written agreements.

The amendment has been given a score of zero by the CBO, and I urge my colleagues to accept it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, I have no objection to this amendment and believe we should move forward on a voice vote.

The PRESIDING OFFICER. Is there further debate on the current amendment?

Mr. BENNETT. Mr. President, I ask that we withhold from the vote, and I suggest the absence of a quorum.

The PRESIDENT PRO Tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk read as follows:

The Senator from Wisconsin (Mr. KOHL), for Mr. HARKIN, proposes an amendment numbered 1765.

Mr. KOHL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KOHL. Mr. President, I yield the floor.

The PRESIDING OFFICER. The amendment (No. 1765) was agreed to.

The amendment (No. 1742) was agreed to.

The amendment (No. 1766) was agreed to.

The amendment (No. 1766) was agreed to.

The amendment (No. 1766) was agreed to.

The amendment (No. 1766) was agreed to.

The amendment (No. 1766) was agreed to.

The amendment (No. 1766) was agreed to.

The amendment (No. 1766) was agreed to.

Mr. KOHL. Mr. President, I ask unanimous consent that the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The motion to lay on the table was agreed to.

Mr. KOHL. I yield the floor.

Mr. BENNETT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DAYTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DAYTON. I thank the Chair. I ask unanimous consent that I speak in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DAYTON. I thank the Chair. I also thank the distinguished Senator from Utah, in charge of the proceedings right now, for this opportunity.

RESPONSE FROM THE ADMINISTRATION

Mr. President, it has been 3 weeks now since the levees failed in New Orleans, and the Committee on Homeland Security and Governmental Affairs, on which I am a member, is holding its second public hearing since those levees failed. The title of the hearing is, “After the London Attacks, What Lessons Have Been Learned To Secure U.S Transit Systems?” What is a worthy topic. I don’t question that. But in the context of what is occurring in the United States, it is not, and should not, be the most pressing priority of that committee.

On this coming Friday, we are having the second hearing of that committee related to Hurricane Katrina. The witnesses, very distinguished individuals to be sure, are a county judge from Harris County, Texas; mayor of Baton Rouge, LA; mayor of Brookhaven, MS; and the mayor of Fayetteville, AR—no one from the administration with responsibility for the rescue-recovery efforts in Louisiana, Mississippi, and Alabama. No administrator is appearing, as last week when the hearing was held no one with any direct responsibility for Hurricane Katrina and the response to it by the Federal Government or any other level of Government was present.

Some would say we should not disrupt the relief efforts in that region, and I totally agree. I do not want any of us to be involved in any way that is disruptive. Lord knows, those relief efforts have been disruptive enough and continue to be by all the goings on down there. But last Sunday, Coast Guard Vice Admiral Allen, now in charge of the relief effort, found time to appear on four of the five major TV talk shows. Two weeks before, Homeland Security Secretary Chertoff found time to appear on all five of the major TV Sunday talk shows. If they are actually in Louisiana or its vicinity around the clock leading the recovery efforts, let’s hook up a closed television system, communications system, and let them appear before our
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committee in a public session via that communication, but to appear before the committee which has, under the Senate's authorizing resolution, the authority, not subject to some subsequent decision by the majority leadership with concurrence by a sufficient number of Members of the Senate to establish a select committee, but right now, here and now the authority and the responsibility to this body and more importantly to the American people to be conducting oversight and what is going on there, how the now over $53 billion this body has appropriated, and necessarily so, with more requests to come soon, how that money is being expended, or not. These are vital questions that are relevant to decisions that are being made every day in expending those billions of dollars and affecting the lives of those people in this country.

We have the right, the responsibility to be asking questions in public hearings and getting answers from those who are directly responsible in the administration. That is long overdue, and I urge again the leadership of the committee and the leadership of the Senate, majority leadership, to make the insistence and to assure that we get the proper witnesses at the highest levels of the administration who are responsible, and that we get answers in public settings.

Similarly, tomorrow we are informed that the Secretary of Defense, Donald Rumsfeld, and Chairman of the Joint Chiefs of Staff, Richard Myers, will be appearing before Members of the Senate to discuss the situation in Iraq and Afghanistan. Once again, that gathering is going to be in a closed setting, private, nonpublic, no press, and not the American people. This is a pattern that has been continued repeatedly over the last 3 months by the administration in not being willing to have its top people responsible for the war effort in Iraq and Afghanistan appear in a public setting before the Committee on Armed Services, of which I am also a Member.

The last hearing that the Senate Armed Services Committee held regarding oversight in Iraq was almost 3 months ago. It was June 30 of this year. Since then we have had, again, private top secret classified briefings but nothing in a public setting where we can ask questions and where we and the American people can hear the answers. I call upon this administration and its responsible authorities, Cabinet Secretaries, those to whom the President has delegated responsibility to make these life-and-death decisions affecting our constituencies, affecting the brave men and women who are serving in Iraq and Afghanistan, affecting the brave men and women who are involved in the rescue efforts down in Southern United States, who are making decisions affecting the lives of those of our constituents and our citizens, make those leaders available to us in public hearings starting now. We deserve the answers. The American people deserve the answers.

I thank the Chair. I yield the floor. I suggest the absence of a quorum. The PRESIDING OFFICER (Mr. Chambliss). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THUNE. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. I send the following bill to the desk.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

(For the remarks of Mr. Thune pertaining to the introduction of S. 1733 are located in today’s Record under “Statements on Introduced Bills and Joint Resolutions.”)

PET IDENTIFICATION TAGS

Mr. HARKIN. I understand that the House report on this appropriations measure includes language that directs the APHIS to adopt a particular standard with respect to microchip identification tags for pets, but that the present measure does not include this language.

As the ranking member of the authorizing committee that has jurisdiction over this issue, I strongly disagree with the approach taken in the House report and, with a process that would dictate a standard for these microchips without fully considering alternatives. It is my understanding that pet animals with chips that conform to the standard included in the House report are a small fraction of all the pet animals in the U.S. that presently have a microchip identification tag implanted under their skin. These ID tags play a vital role in reuniting pets animals that have gone astray with their owners.

Further, I understand that adopting this standard as directed would interfere with ongoing intellectual property litigation over patented technology incorporated in the most widely adopted microchip standard in the U.S. I think it would be improper for Congress to take this action at this time.

I do not advocate any action in the current legislation, other than to ensure that the language unfortunately included by the House is not included in the conference report. I would ask the subcommittee chair and the ranking member whether, since the Senate report is silent on this issue, this issue is preserved for our consideration as part of the conference, and whether they agree with me that this provision should be dropped from the conference report?

Mr. BENNETT. I would tell the Senator that I share his concern regarding this provision in the House Report. The report on the Senate version of this legislation is silent on this matter, but this matter will certainly be preserved for consideration in conference.

Mr. KOHL. I share the concerns of the Senator from Iowa and the observations of Chairman BENNETT and look forward to working with both of them on this in conference.

OCEANIC INSTITUTE (HAWAII) FINFISH HATCHERY TECHNOLOGY DEVELOPMENT AND TRANSFER

Mr. INOUYE. Mr. President, I believe it is time to discuss the potential of open ocean cage culture as a sustainable source of high protein seafood for the United States and the world, and the issues associated with advancing oceanic aquaculture.

Mr. BENNETT. I am pleased to yield to the senior Senator from Hawaii.

Mr. KOHL. I, too, would also like to join in on the discussion of this matter.

Mr. INOUYE. I thank my distinguished colleagues for yielding. Along with the increased demand for seafood, we have also witnessed the decline in natural fisheries. While we have, as a Nation, made great advances with land-based aquaculture to address the widening gap between seafood demand and supply, we are beginning to see the emerging potential of open ocean cage culture as a way to bolster supply without detrimental impacts on the marine environment. With the development of viable open ocean cage culture technology, we will have a valuable tool to assist our efforts to manage wild fisheries and ensure that United States consumers will have access to a range of high quality, environmentally responsible seafood products. I am proud to say that producers and the marine aquaculture research community in my State of Hawaii are among the leaders in the development of this new industry. To date, growers in Hawaii have demonstrated the commercial viability of open ocean cage culture for Hawaiian finfish and have small scale ventures that supply Hawaii as well as some mainland markets.

To move open ocean cage culture to the next level requires the refinement and transfer of finfish hatchery technology to the industry. The Oceanic Institute in Hawaii has been the leader in developing this technology but recently has encountered problems in transferring hatchery technology to a commercial level. To overcome these problems, this research organization has recently expressed a need to remove the nutritional and other constraints in
However, dairy economists forecast that the price of milk will fall in 2006 below the set prices established in the MILC program. This, therefore, is an urgency to extend this program to ensure that our dairy farmers continue to have the safety-net of the MILC program. If prices fall and the MILC program is not in place, our farmers will suffer tremendous losses.

I urge my fellow Senators to support this amendment and America’s dairy farmers.

Mrs. BOXER. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill, H.R. 2744, the Agriculture appropriations bill, the following amendment:

 **AMENDMENT NO. 1756**

On page 173, after line 24, insert the following:

**SEC. 7.** Notwithstanding the proclamation by the President dated September 8, 2005, or any other provisions of law, the provisions of subchapter IV of chapter 31 of title 40, United States Code (and the provisions of all other related Acts to the extent they depend upon a determination by the Secretary of Labor under section 3142 of such title), whether or not the President has the authority to suspend the operation of such provisions, shall apply to all contracts to which such provisions would otherwise apply that are entered into on or after the date of enactment of this Act, to be performed in the counties affected by Hurricane Katrina and described in such proclamation.

Mr. BENNETT. Mr. President, in consultation with the Democratic manager of the bill, I now ask unanimous consent that all first-degree amendments to the Agriculture appropriations bill be filed at the desk no later than 4 o’clock tomorrow, Wednesday, with the exception of those managers’ amendments that have been cleared by both managers.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

**MORNING BUSINESS**

Mr. BENNETT. Mr. President, I ask unanimous consent that there now be a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

**NOTICE OF INTENT**

Mr. INOUYE. I thank my colleagues.

Mr. SPECTER. Mr. President, I wish to describe my amendment to the fiscal year 2006 Agriculture appropriations legislation. My amendment would extend the Milk Income Loss Contract, MILC, program for 2 years. It is imperative that we extend this crucial program for our dairy farmers that expires at the end of this month.

The MILC program provides a safety-net for farmers when the price of milk falls below a set price per hundredweight, or 100 pounds of milk, roughly 11 gallons. Dairy farmers in Pennsylvania, and across the country, are an integral part of our rural economy. In Pennsylvania alone, agriculture is our No. 1 industry with dairy being the largest sector composing over 40 percent of the industry. We need to ensure that dairy farmers, like most farmers in America, have the protection needed when the price they receive for their milk falls.

During the consideration of the 2002 farm bill, I coauthored this program to provide payments to dairy farmers when the price of Class I fluid milk falls below $16.94 per hundredweight. This program applies to all dairy farmers in the United States, from my former home State of Kansas to Oregon to Georgia and all the way up to Maine.

When the milk prices are low, as they were in 2002 and part of 2003, the MILC program partially supplements dairy farm income to bridge the gap until prices recover. When the milk prices are strong, the program is dormant. This was the case for most of 2004 and 2005. However, one payment of 3 cents per hundredweight was made in June.

**NATIONAL PUBLIC LANDS DAY**

Mr. REID. Mr. President, I rise today to honor Lori Carpenter and Clay Cooper of Nevada. NV, who were recently honored as Angels in Adoption by the Congressional Coalition on Adoption. Lori and her husband, Clay Cooper, have adopted three daughters and one son from foreign countries. All four children have come from countries with high levels of poverty and a great deal of political turmoil.

Lori and Clay have made it a priority to keep the children’s heritage and culture an integral part of their lives. They share stories and nursery rhymes from the children’s countries of origin, cook native foods, and put the children in touch with people from their country in an effort to keep their native languages alive. And all four children are thriving both academically and socially.

The Angels in Adoption program provides an opportunity for all Members of Congress to honor the good work of their constituents who have enriched the lives of foster children and orphans. And I am pleased to highlight the extraordinary work of Lori Carpenter and Clay Cooper.

I salute the Carpenter-Cooper family and their richly deserved recognition as Angels in Adoption.
with the responsibility of protecting, managing, and maintaining these lands each and every day. Our public lands are some of the most important national legacies that we leave behind for future generations. Working together—at places like Lake Mead, Mount Charleston, Red Rock Canyon, Lake Tahoe, the Ruby Mountains, and the Black Rock Desert—I can make sure that this legacy is a strong one.

BUDGET SCOREKEEPING REPORT

Mr. GREGG. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under Section 308(b) and in aid of Section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the first current resolution on the budget for 1986.

This report shows the effects of congressional action on the 2005 budget through September 14, 2005. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the 2006 concurrent resolution on the budget, H. Con. Res. 95.

These estimates show that current level spending is under the budget resolution by $1,922 billion in budget authority and over the budget resolution by $101 million in outlays in 2005. Current level for revenues is $477 million above the budget resolution in 2005.


I ask unanimous consent to print the following in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 15, 2005.

Hon. JUDD GREGG,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

Dear Mr. Chairman: The enclosed tables show the effects of Congressional action on the 2005 budget and are current through September 14, 2005. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions for fiscal year 2005 that underlie H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2006. Pursuant to section 402 of that resolution, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the enclosed current level report excludes these amounts (see footnote 2 of the report).


The effects of the actions listed above are detailed in the enclosed reports.

Sincerely,

DOUGLAS HOLTZ-EAKIN,
Director.

TABLE 1.—SENATE CURRENT-LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2005, AS OF SEPTEMBER 14, 2005

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget Authority</th>
<th>Current Level</th>
<th>Current level over/under (—) resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>ON-BUDGET</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Budget Authority</td>
<td>1,996.6</td>
<td>1,994.7</td>
<td>—1.9</td>
</tr>
<tr>
<td>Outlays</td>
<td>2,023.9</td>
<td>2,024.0</td>
<td>0.1</td>
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<tr>
<td>Revenues</td>
<td>1,483.7</td>
<td>1,484.1</td>
<td>0.4</td>
</tr>
<tr>
<td>OFF-BUDGET</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Social Security Outlays</td>
<td>398.1</td>
<td>398.1</td>
<td>0</td>
</tr>
<tr>
<td>Social Security Revenues</td>
<td>573.5</td>
<td>573.5</td>
<td>0</td>
</tr>
</tbody>
</table>

Note: "—" is less than $50 million.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT-LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2005, AS OF SEPTEMBER 14, 2005

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget Authority</th>
<th>Outlays</th>
<th>Revenues</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enacted in Previous Sessions</td>
<td>n.a.</td>
<td>n.a.</td>
<td>1,484,024</td>
</tr>
<tr>
<td>Revenues</td>
<td>1,109,476</td>
<td>1,070,500</td>
<td>n.a.</td>
</tr>
<tr>
<td>Appropriation legislation</td>
<td>1,298,963</td>
<td>1,369,211</td>
<td>n.a.</td>
</tr>
<tr>
<td>Deficit reduction provisions</td>
<td>—415,912</td>
<td>415,912</td>
<td></td>
</tr>
<tr>
<td>Total, enacted in previous sessions</td>
<td>1,992,527</td>
<td>2,023,899</td>
<td>1,484,024</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget authority</th>
<th>Outlays</th>
<th>Revenues</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surface Transportation Extension Act of 2005 (P.L. 109–14)</td>
<td>n.a.</td>
<td>n.a.</td>
<td>1,484,024</td>
</tr>
<tr>
<td>Transfer Act of 2005 (P.L. 109–19)</td>
<td>36</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Surface Transportation Act of 2005, Part B (P.L. 109–20)</td>
<td>81</td>
<td>45</td>
<td>0</td>
</tr>
<tr>
<td>Surface Transportation Act of 2005, Part III (P.L. 109–30)</td>
<td>15</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Surface Transportation Act of 2005, Part IV (P.L. 109–37)</td>
<td>3</td>
<td>0</td>
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<tr>
<td>Surface Transportation Act of 2005, Part V (P.L. 109–40)</td>
<td>5</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Energy Policy Act of 2005 (P.L. 109–58)</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (P.L. 109–59)</td>
<td>1,762</td>
<td>0</td>
<td>8</td>
</tr>
<tr>
<td>Appropriation Acts</td>
<td>—1,058</td>
<td>4</td>
<td>41</td>
</tr>
<tr>
<td>Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (P.L. 109–13)</td>
<td>1,500</td>
<td>120</td>
<td>0</td>
</tr>
<tr>
<td>Total, enacted this session</td>
<td>2,126</td>
<td>177</td>
<td>81</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget authority</th>
<th>Outlays</th>
<th>Revenues</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Current Level</td>
<td>1,994,653</td>
<td>2,023,896</td>
<td>1,484,105</td>
</tr>
<tr>
<td>Total Budget Resolution</td>
<td>2,078,456</td>
<td>2,056,026</td>
<td>1,483,658</td>
</tr>
<tr>
<td>Adjustment to budget resolution for emergency requirements</td>
<td>—81,811</td>
<td>n.a.</td>
<td>n.a.</td>
</tr>
<tr>
<td>Adjusted Budget Resolution</td>
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<td>1,483,658</td>
</tr>
<tr>
<td>Current Level Over Adjusted Budget Resolution</td>
<td>1,483,700</td>
<td>1,483,700</td>
<td>1,483,700</td>
</tr>
<tr>
<td>Current Level Under Adjusted Budget Resolution</td>
<td>1,483,653</td>
<td>1,483,653</td>
<td>1,483,653</td>
</tr>
</tbody>
</table>

1 The effects of an act to provide for the proper tax treatment of certain disaster mitigation payments (P.L. 109–7) and the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (P.L. 109–8) are included in this section of the table, consistent with the budget resolution assumptions.
NATIONAL ADDICTION COUNSELOR’S DAY

Mr. BIDEN. Mr. President, over the course of this entire month we are celebrating National Drug and Alcohol Addiction Recovery Month, a time when we focus on the benefits of substance abuse treatment and highlight the hope of recovery for those in the grasp of drug and alcohol addiction. And today, September 28, we are focusing on those on whom we have placed our hope to recovery as we recognize National Addiction Counselor’s Day. These professionals are unsung heroes who deserve our recognition, respect, and gratitude.

It is an unfortunate reality that substance abuse and addiction are pervasive in our country. Last year, over 19 million Americans used illicit drugs, 55 million had engaged in binge drinking, and over 16 million were considered heavy drinkers. These are staggering statistics. We have all known someone—a family member, friend, or coworker—who has or has had a drug or alcohol problem. Many of us have even spent time trying to convince a loved one to seek treatment, confident that a good treatment center and a qualified health professional would be able to restore hope to our loved one and help them into recovery.

Left untreated, addiction is a devastating disease which has far-reaching consequences. It exacerbates social ills including crime, disease, child abuse and neglect, domestic violence, and a wide range of family problems. It costs society billions each year in health care costs, lost productivity, and property damage. It also costs lives and causes immeasurable amounts of grief and pain. But there is hope: drug and alcohol abuse are treatable problems. Addiction is a chronic relapsing disease and, as with other chronic relapsing diseases such as diabetes, hypertension, and asthma, there may not be a cure but there are a number of treatments to control the disease. That means that addicts are not sentenced to living their lives out of control; they can seek treatment with an addiction counselor or other health professional and take charge of their futures.

The people who treat this destructive disease are a dedicated, knowledgeable group of professionals who have committed their lives to a noble cause. They are a critical part of our Nation’s health care system. Today there are countless sober individuals living happy, productive lives only because, in a moment-of-truth, a counselor was there and made the difference. Not only do these counselors assist in recovery but in prevention and intervention as well. Through training and experience, addiction professionals can help turn a life around and often even save it. And for the friends and family of a person struggling with addiction, counselors are an answer to a prayer, guiding their loved one to a life in recovery.

I ask all of my colleagues to join me today in recognizing the priceless contributions of addiction counselors, and giving them our gratitude. Their work to restore hope to shattered lives and broken families is invaluable. I applaud their work and hope that on National Addiction Counselor’s Day they know how much they are respected and appreciated.

HONORING OUR ARMED FORCES
CHIEF WARRANT OFFICER TWO STEPHEN E. SHEPHARD

Mr. INHOFE. Mr. President, today I would like to stand in honor of a great Oklahoman. CWO2 Stephen Shepard gave his life in the battle for freedom in Iraq. Steven is a true American hero who joined the war against terrorism after he witnessed the September 11 attacks on our own country. He was truly an admirable soldier and a great man. Chief Warrant Officer Shepard was born in Stillwater, OK, in 1974. His family then moved to Purcell, OK, where Stephen attended Purcell schools until he graduated in 1993. Stephen played baseball and the saxophone in high school. His baseball coach remembers him as “hardworking and dedicated.” His friends remember him as having a great sense of humor. In high school, Stephen was voted “most witty.”

Ever since he was a child, Chief Warrant Officer Two Shepard had a love for aviation. He got his pilot’s license before he even graduated from high school. His sister says that “being a pilot was his lifelong dream.” After graduating from high school, Stephen was accepted into aviation from Oklahoma State University and then served as a flight instructor at the Air Force Academy in Colorado Springs and at Kansas State University. Stephen was a wonderful teacher with patience and a sense of humor in the classroom. His students loved him and looked up to him.

In 1998, Stephen married Meleah, who is also from Purcell. Like many other Americans, Stephen felt a call to duty following the September 11 attacks, and he joined the Army in 2002 in response to that call. Stephen and Meleah were expecting their first child in September of this year.

Stephen was assigned to B Company, 3rd Battalion, 3rd Aviation Regiment of the 3rd Infantry Division out of Fort Bragg, NC. He was killed on June 27, 2005, in Tija, Iraq, when enemy forces shot down the Apache helicopter he was flying. Stephen died doing what he loved—flying—and fighting for our freedom. For this soldier from Purcell, OK, there is no deeper honor than the memory he leaves behind. He gave of himself in life as well as in death, and stands out as an example to all of us. Today I honor a true hero, CWO2 Stephen Shepard.

MARINE SERGEANT JAMES R. GRAHAM, III

Mr. President, it is a great but solemn honor to rise today in memory of a courageous young man who recently gave his life in defense of his Nation and his fellow soldiers, Marine Sgt James R. Graham, III.

Sergeant Graham, 25, leaves behind a wife and two small children. He was known for his kindness and willingness to help others, often playing soccer with neighborhood children.

Sergeant Graham was assigned to 4th Tank Battalion, 4th Marine Division, Marine Forces Reserve, an antitank unit based in Broken Arrow, OK. He was deployed to Iraq with the 2nd Marine Division, II Marine Expeditionary Force to provide support in the ongoing reconstruction and security efforts. While serving there he was awarded the Good Conduct Medal, the Armed Forces Reserve Medal and the Selective Marine Corps Reserve medal. On Monday, August 1, he was killed as a result of a suicide bombing while conducting combat operations near Hit, a city about 85 miles northwest of Baghdad.

The soldiers, friends, and family who are left behind remember a true example of professionalism and patriotism. Sergeant Graham died a true hero, worthy of the respect and gratitude of every American. None among us can dispute the tragedy of plans unrealized and ambitions unfulfilled, and our thoughts and prayers are with Sergeant Graham’s wife and family. Though we are all grieved by the loss of this soldier, we will never cease to be proud of him. His sacrifice echoes across the world and in our hearts. He was a true Oklahoman, and a true American—Sgt James Graham, III.
OPERATION HOME DELIVERY

Mrs. BOXER. Mr. President, Hurricane Katrina has caused unprecedented destruction and suffering for so many people in the region. The response of the country—let me say the world—has been extremely generous to help people who are suffering from the devastation caused by Katrina.

One area where people need help is rebuilding. To help Katrina victims, Habitat for Humanity International is launching “Operation Home Delivery,” to provide assistance and rebuilding opportunities in New Orleans and elsewhere along the gulf coast. A major component of this operation is the “home in a box project.”

The plan is to “pre-build” the frame of a home. The house will be assembled to ensure the construction, and then, the frame will be taken apart and the components placed, along with other necessary construction materials, in a container and shipped to a area along the gulf coast or New Orleans where families, volunteers, and builders will rebuild the home.

“Operation Home Delivery” homes will mirror traditional Habitat homes by being simple and affordable, providing approximately 1,100 to 1,300 square feet of living space. The estimated cost of a house for the Gulf region is only $85,000. This includes all components to completely build the home and costs associated with transportation, delivery, utilities and site preparation. The first project in “Operation Home Delivery” will be this month in Jackson, MS.

I am asking each Senator to go back to your respective States and seek assistance for Habitat for this outstanding project. Designated dollars for “Operation Home Delivery” will purchase specific pieces of the house. For example, $33 will buy roof shingles or $100 will buy a front door. These gifts will allow people not only to have a home but to begin to rebuild their lives.

Habitat for Humanity is working to provide hope for the future to the victims of Katrina with this worthy project.

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, and allow these waivers over local and State opposition.

On September 22, 2004, a 36-year-old man was stabbed several times outside his home by two men in New Orleans, LA. The apparent motivation for the attack was the man’s sexual orientation.

I would note that recently in the House, hate crimes legislation was passed in a bipartisan vote. I strongly believe that we must also move similar legislation in the Senate. In the months ahead I look forward to working with Senator KENNEDY as we continue our work in passing a hate crimes bill.

“SHOW-ME” LEADERSHIP THAT SAVED LIVES

Mr. BOND. Mr. President, the tragedy that has befallen the Gulf coast region, its impact on families and communities, has been truly staggering. Our thoughts and prayers are with each individual who was affected by this hurricane. Yet even in our darkest hours and our most difficult days once again we have seen the emergence of an American spirit that takes pride in triumphing in the face of great adversity. The examples of this American spirit are too numerous to mention. We have seen examples in every neighborhood, every city, and every state in the nation as Americans all over the country have rallied around those who are most in need. In Missouri, we have opened our doors and welcomed displaced families to our homes, our communities, our churches, our schools, our health centers, and our hospitals.

Today, I would especially like to highlight the efforts to bring some of New Orleans’ littlest victims to safety in Kansas City. Confronted with no electricity, shortage of supplies and the growing security concerns in the face of looters, the New Orleans Children’s Hospital was forced to evacuate and seek safer locations for all of their young patients. In the great spirit of the Show-Me State, the dedicated leadership of the Kansas City Children’s Hospital didn’t sit back and wait to be asked to help. Instead, Children’s Mercy President and CEO Rand O’Donnell picked up the phone and called the CEO of the New Orleans Children’s Hospital and asked how he could help. Children’s Mercy threw open their doors to make room for 24 of these children ranging in age from 3 months to 73 years old, from New Orleans Children’s Hospital. These patients are being treated for a variety of conditions including asthma, cystic fibrosis, leukemia, kidney failure, and broken bones.

With the help of the Missouri National Guard, two C-130 military transport planes transported the patients and family members from New Orleans Children’s Hospital. The C-130 planes, part of the 139th Air-lift Wing in St. Joseph, MO, were already in the region as part of national hurricane relief efforts. Children’s Mercy also sent a smaller, fixed-wing aircraft capable of transporting two patients at a time. That plane and the Children’s Mercy crew were used to transport a critically ill child to another children’s hospital. Children’s Mercy and MAST ambulance helped transport the children from the airport to Children’s Mercy and Children’s Mercy South. About 30 parents and other family members traveled with the patients. I am pleased to report that these children are doing well; in fact some of these children have already been discharged from the hospital.

Missouri, no stranger to disaster, wasted no time in showing folks that in difficult times we pull together, sending doctors, transport teams, supplies, and the National Guard to rescue these children and their families. Children’s Mercy even arranged for lodging, food and transportation to be provided for the parents and families during their time in Kansas City. Thanks to the generosity and hospitality shown to these families by both the hospital and the community some of these families are considering a permanent relocation to the Kansas City area.

I rise today to salute the remarkable work of the staff at Kansas City Children’s Mercy and the Missouri Air Guard on behalf of some of the hurricane’s littlest victims and their families. In times of trouble, people look for leadership. During a week of great uncertainty, you pulled together as a team and led people from chaos to safety. Together you provided leadership and hope to those who desperately needed it. You were an inspirational example to others seeking to provide help. I have never been prouder to represent you and the State of Missouri.

S. 1711

Mr. FEINGOLD. Mr. President, while I do not make it a practice to comment on every bill that has been introduced, I am moved to remark on what I consider to be a particularly misguided recent legislative initiative—a bill allowing the Environmental Protection Agency, EPA, the very agency charged with protecting the public’s health, to waive all laws under its jurisdiction—public health and environmental laws—during the cleanup of Hurricane Katrina. The bill, S. 1711, would even allow these waivers over local and State opposition.

People returning to areas devastated by the hurricane deserve to know that new construction won’t put them or their families in harm’s way by polluting their air or by destroying wetlands that can provide valuable ecological services. Additionally, the legislation grants up to 18 months of waivers, given the long-term nature of the types of activities involved, the effects of these waivers could be long lasting.
The broad approach being pushed is completely unnecessary and puts people using enormous mental resources they depend upon at risk. While all of us want to help those affected by hurricane Katrina, there is simply no valid reason to think that we need to erode established environmental and public health protections in order to do so. We should be focusing on efforts that could harm the very people who have already faced the unthinkable but on efforts that will safeguard the health of the public and the health of the environment. Anything short of this should be off the table.

DEFEATING TERRORIST NETWORKS

Mr. FEINGOLD. Mr. President, throughout the 4 years since the September 11 terrorist attacks on this country, it has been clear to me that our first national security priority must be combating and defeating the terrorist networks that seek to do us harm. Former U.S. Ambassador to the United Nations Richard Holbrooke wrote a thought-provoking piece about the ideological battleground that is a vitally important part of our challenge, and about the importance of public diplomacy efforts in our overall campaign. It was published in the Washington Post on September 9, and I ask that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

From the Washington Post, Sept. 9, 2005

OUR ENEMY’S FACE

(By Richard Holbrooke)

Let us take a hard look at some extremely important words: “the global war on terrorism.” Since Sept. 11, this phrase—often reduced in Washingtonese to “GWOT”—has entered the language, popularized by journalists and administration officials. It is the way our highest national priority is described by almost everyone.

But “GWOT” is not an accurate description of America’s enemy or of what we are engaged in. Unless people know whom we are fighting, it will be virtually impossible to win the war of ideas that is such a key part of this struggle. The new undersecretary of state for public diplomacy, Karen Hughes, who is charged with primary responsibility for this part of the war, has a chance to fix the problem, but only if she is willing to change some deeply ingrained rhetoric and the political reasons behind it.

Stopping terrorists, using all necessary means, is vital in protecting the Nation. We cannot win without the use of force and first-rate intelligence. But suicide bombers are merely the expendable, deluded cannon fodder of ruthless ideologues. This has been true with terrorists throughout history. The long-term battle is against the underlying ideas that motivate these groups of terrorists.

Despite factionalism and fierce doctrinal disputes, our enemies, broadly speaking, constitute a coherent, well-organized constituency, with goals, ideologies, myths and martyrs. They share a core set of virulently anti-Western beliefs and have common goals: to destroy the moderate (and many of them) wing of Islam (to establish Islamic theocracies that look backward toward a “golden age”); to seek the destruction of Israel; and to inflict maximum damage and human suffering through acts of terrorism.

Among its leaders, there is one whose face is as internationally recognized today as Adolf Hitler’s was in 1941. He was responsible for Sept. 11. Yet the United States has not made it a primary goal to expose Osama bin Laden as the monster he is, something Rumsfeld and Rice both did. Hitler and American leadership did to communism during the Cold War by demonstrating its moral and intellectual bankruptcy. Bin Laden (unlike Saddam Hussein) has been virtually ignored in public by official Washington.

“Terrorism is not an end in itself; it is a tactic, just as it has been for countless other movements throughout history that sought to destroy or paralyze the established order, or attract attention to their cause. Over 20 years ago, along with others, I pointed out that a “war on terror” was like a “war on blitzkrieg” or a “war on war.” For this important insight, the former national security adviser both attacked and ignored. During the 2004 campaign, I stumbled into a public dispute with senior administration officials, including Vice President Cheney, when, as a John Kerry surrogate, I told a New York Times Magazine writer that the phrase could be considered a metaphor and compared it to phrases such as “the war on poverty.” For this both Kerry and I were assailed as naïve, and I was asked, in the sneering tones of certain cable television interviewers, if I really thought we were at war “metaphor.” Of course not. But despite the grand rhetoric, does anyone think the United States is actually fighting “terror” or “terrorism” globally? We may detect terrorism in Sri Lanka, but we are not engaged in that civil war. Nor in Nepal, northern Uganda, Aceh or countless places around the world.

By calling both Iraq and Sept. 11 part of the war on terrorism, the administration has been partially successful in linking public support for the less popular war in Iraq to the victorious war on terrorism. And al Qaeda, even though no convincing evidence has been produced connecting the two. No other explanation has proved as valuable in keeping Americans, albeit in declining numbers, behind our increasingly controversial involvement in Iraq. “GWOT” as Dan Froomkin wrote on The Post’s Web site last month, is “the metaphor that has consistently been [President Bush’s] most potent weapon in the battle for public opinion.” The struggle against violent extremism will continue, of course, long after Bin Laden is eliminated by death or capture. It will be a long conflict, with casualties and high costs, just like the efforts against fascism and communism. But fundamentally this is a war of ideas, and a more aggressive, direct attack on those ideas, and the men behind them, is necessary.

For starters, Osama bin Laden must be discredited, even if he remains at large. He is not, as some argue, irrelevant simply because his war will continue after he is gone. His doctrine motivates an army of suicidal and fanatic frightened men. He remains a folk hero to millions of Muslims; youths wear T-shirts of him and children are named after him throughout the Muslim world. The United States would benefit if it treated him as a terrorist, not a hero, his henchmen; exposing them must become a top priority. He is a false prophet who in-cites mass murder, but he is clearly eloquent and charismatic. Even if he seems to us, appeal to many people. (Hitler had those qualities, too.)

Which brings us back to Karen Hughes. With her enormous influence, derived from her closeness with President Bush, the new undersecretary of state has a chance to make history. To do so, however, she must change some fundamental parts of our public message, and then devise better delivery systems for it—precisely what she did so effectively for Bush during so many campaigns.

Hughes should begin by revisiting what her own boss said on Aug. 6, 2004, speaking without a text. “We actually misnamed the war on terror,” the president said that day. “It ought to be the struggle against ideological extremists who do not believe in free societies, who happen to use terror as a weapon.” He was, inexplicably, laughed at for this remark, and rapidly retreated to safer rhetorical terrain. More recently, when Defense Secretary Donald Rumsfeld tried to replace “GWOT” with the “global war against violent extremism”—a somewhat more accurate phrase—the president immediately overruled him and again linked GWOT closely to Iraq during a series of public appearances.

But the president got it right last year. Words matter, and we need better ones to explain the war to the world, and to ourselves, who the enemy is. How about making it simple and specific: something like “the war against Osama bin laden and his followers”? And then create an all-out, no-holds-barred campaign to expose, ridicule and destroy everything he and his ilk stand for—murder, horror, intolerance, disrespect for human life and a false view of Islam.

ADDITIONAL STATEMENTS

IN RECOGNITION OF REVEREND DR. VAHAN H. TOOTIKIAN

Mr. LEVIN. Mr. President, I would like to call my colleagues’ attention to a distinguished religious leader in Michigan, Reverend Dr. Vahan H. Tootikian. Dr. Tootikian will be honored at a special testimonial banquet on Sunday, September 25, 2005, in Troy, MI. The tribute will mark his retirement from active parish ministry and will recognize his 30 years as pastor of the Armenian Congregational Church of Greater Detroit and his 46 years of Christian ministry. Since accepting his call to the ministry in 1959, Dr. Tootikian has used his talents and unique skills to encourage and enlighten people around the world. He has earned the respect and admiration of the Armenian and the greater religious community in Michigan, throughout North America and around the world for his pastoral leadership and his commitment and devotion to service.

Born in Kessab, Syria in 1933, Dr. Tootikian received his primary education at the Armenian Evangelical schools in Syria and his secondary education in Beirut, Lebanon. He simultaneously earned a bachelor of art degree with honors and a bachelor of theology.
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degree with honors from the American University of Beirut and the Near East School of Theology, respectively. He then served as associate pastor in Armenian Evangelical Churches in Syria and Egypt before coming to the United States in 1965 to pursue religious studies at Hartford Seminary, Harvard Divinity School, and Andover Newton Theological Seminary. While serving as minister of the Armenian Memorial Church in Watertown, MA, Dr. Tootikian earned a master of sacred theological degree in 1970, and a doctor of ministry degree cum laude in 1973.

In 1975, Dr. Tootikian was welcomed into the pastorate of the Armenian Congregational Church of Greater Detroit. Under his spiritual guidance, the Church has flourished and undergone expansion, which has included a new Church Educational Building, the founding of an Armenian library, and the organizing of the Armenian Heritage Committee to preserve and perpetuate the Armenian Christian Heritage.

Over the years, Dr. Tootikian has also provided leadership to numerous organizations, including the Armenian Evangelical Union of America, Armenian Missionary Association of America, and the Armenian Evangelical World Council—AEWC. During his tenure with AEWC, the 170th Anniversary of Armenian Christianity was celebrated by all Armenian Evangelical Unions in Yerevan, Armenia, and the first Armenian Evangelical Pastors’ Conference was held in May 2003 in Evian, France. As a scholar and lecturer, Dr. Tootikian has provided instruction at the University of Michigan and at the Lawrence Technological University. Dr. Tootikian has authored 27 books, with 6 of them currently in use as college textbooks. In addition, he has been frequent contributor to many magazines and papers, and currently writes bilingual articles for 12 Armenian papers and periodicals. His efforts in support of various educational, philanthropic, religious and cultural organizations have been recognized through many awards and the establishment of endowment funds in his honor.

I know my colleagues join me in congratulating Dr. Tootikian on his service to the community, and on his many achievements in the pastoral ministry.

MESSAGE FROM THE HOUSE

At 4:39 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House agrees to the amendment of the Senate 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 message also announced that the House has passed the following bill, without amendment:

S. 1340. An act to amend the Pittman-Robertson Wildlife Restoration Act to extend the date by which surplus funds in the wildlife restoration fund become available for appropriation.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1718. A bill to provide special rules for disaster relief employment under the Workforce Investment Act of 1998 for individuals displaced by Hurricane Katrina.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and referred to committees as indicated:

EC–3798. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitted, pursuant to law, the report of a rule entitled “Modification of the Los Angeles Class B Airspace Area: CA” ((RIN2120- AA66)(2005-0195)) received on August 22, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3799. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitted, pursuant to law, the report of a rule entitled “Modification of the Los Angeles Class B Airspace Area: CA” ((RIN2120- AA66)(2005-0191)) received on August 22, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3800. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitted, pursuant to law, the report of a rule entitled “Modification of the Los Angeles Class B Airspace Area: CA” ((RIN2120- AA66)(2005-0194)) received on August 22, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3801. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitted, pursuant to law, the report of a rule entitled “Modification of the Los Angeles Class B Airspace Area: CA” ((RIN2120- AA66)(2005-0193)) received on August 22, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3802. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitted, pursuant to law, the report of a rule entitled “Modification of the Los Angeles Class B Airspace Area: CA” ((RIN2120- AA66)(2005-0192)) received on August 22, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3803. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitted, pursuant to law, the report of a rule entitled “Modification of the Los Angeles Class B Airspace Area: CA” ((RIN2120- AA66)(2005-0191)) received on August 22, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3804. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitted, pursuant to law, the report of a rule entitled “Modification of the Los Angeles Class B Airspace Area: CA” ((RIN2120- AA66)(2005-0190)) received on August 22, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3805. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitted, pursuant to law, the report of a rule entitled “Modification of the Los Angeles Class B Airspace Area: CA” ((RIN2120- AA66)(2005-0189)) received on August 22, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3806. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitted, pursuant to law, the report of a rule entitled “Modification of the Los Angeles Class B Airspace Area: CA” ((RIN2120- AA66)(2005-0188)) received on August 22, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3807. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitted, pursuant to law, the report of a rule entitled “Modification of the Los Angeles Class B Airspace Area: CA” ((RIN2120- AA66)(2005-0187)) received on August 22, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3808. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitted, pursuant to law, the report of a rule entitled “Modification of the Los Angeles Class B Airspace Area: CA” ((RIN2120- AA66)(2005-0186)) received on August 22, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3809. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitted, pursuant to law, the report of a rule entitled “Modification of the Los Angeles Class B Airspace Area: CA” ((RIN2120- AA66)(2005-0185)) received on August 22, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3810. A communication from the Attorney Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitted, pursuant to law, the report of a rule entitled “Reorganize and Harmonize Controls and Displays” ((RIN2127-
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A(90) received on August 22, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3812. A communication from the Attorney-Advisor, National Highway Traffic Safety Administration, Department of Transportation, pursuant to law, a report of a rule entitled “CompactWheels” (RIN1204–AC28) received on August 22, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3813. A communication from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled “Securities of Nonmember Insured Banks” (RIN065–AC56) received on August 22, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–3814. A communication from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled “Community Reinvestment Act Regulations” (12 CFR Part 345) received on August 22, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–3815. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (20 subjects on 1 disc beginning with “Environmental Restoration for Military Munitions Response Program”) relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–3816. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (13 subjects on 1 disc beginning with “Nuclear Fuel Movers Installation” (ARPIC) relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–3817. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (32 subjects on 1 disc beginning with “Environmental Restoration for Military Munitions Response Program”) relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–3818. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (14 subjects on 1 disc beginning with “Miscellaneous Medical Questions”) relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–3819. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (7 subjects on 1 disc beginning with “DUSD(1&E) Letter on Environmental Hearing QFRAs from August 11, 2005”) relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–3820. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (11 subjects on 1 disc beginning with “Center for Fixed Wing Air Platform KDAT&E”) relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–3821. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (21 subjects on 1 disc beginning with “DFAS Data Back-Up”) relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–3822. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (1 subject on 1 disc entitled “Selfridge ARM–ARB M1 MILICON”) relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–3823. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (2 subjects on 1 disc beginning with “TBc’s From Moody AFB, GA Position Paper 1FP (Rev)” relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–3824. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (9 subjects on 1 disc beginning with “TBc’s From Moody AFB, GA Position Paper 1FP (Rev)” relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–3825. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (1 subject on 1 disc entitled “Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred to committees as indicated:

By Mr. VITTER:
S. 1726. A bill to designate the facility of the United States Postal Service located at 231 Main Street in Grambling, Louisiana, shall be known and designated as the “Coach Eddie Robinson Post Office Building”; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:
S. 1727. A bill to provide grants for prosecutions of cases cleared through use of DNA backlog clearance fund; to the Committee on the Judiciary.
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SUBMISSION OF CONCURRENT AND
SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. OBAMA (for himself, Mr. DODD, Mr. REID, Mr. CORZINE, Mrs. CLINTON, Mr. HARKIN, Mr. FEINGOLD, Mr. AKAKA, Mr. DORGAN, Mr. KENNEDY, Mr. KERRY, Ms. MIEKULSKI, Mr. LIE TENBERG, Ms. STABENOW, Mr. PFEYOR, Mr. DAYTON, Mr. LEAHY, Mr. DURBEN, Mr. WYDEN, and Mr. SALAZAR):

S. Con. Res. 53. A concurrent resolution expressing the sense of Congress that any effort to impose photo identification requirements for voting should be rejected; to the Committee on Rules and Administration.

At the request of Mr. AKAKA, the name of the Senator from Nevada (Mr. ENGROSS) was added as a cosponsor of S. 113, a bill to modify the date as of which certain tribal land of the Lytton Rancheria of California is deemed to be held in trust.

At the request of Mr. GRAHAM, the name of the Senator from Vermont (Mr. JEFFFORDS) was added as a cosponsor of S. 337, a bill to amend the Internal Revenue Code of 1986 to modify the treatment of qualified restaurant property as 15-year property for purposes of the depreciation deduction.

At the request of Mr. JOHNSON, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 633, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

At the request of Mr. COCHRAN, the name of the Senator from Mississippi (Mr. COLEMAN) was added as a cosponsor of S. 655, a bill to suspend temporarily new shipper bonding privileges.

At the request of Ms. SNOWE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 769, a bill to enhance compliance assistance for small businesses.

At the request of Mr. HARKIN, the name of the Senator from Maryland (Mr. SARRANES) was added as a cosponsor of S. 828, a bill to enhance and further research into paralysis to improve rehabilitation and to increase the quality of life for persons living with paralysis and other physical disabilities, and for other purposes.

At the request of Mr. GRASSLEY, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 112, a bill to make permanent the enhanced economic savings provisions for qualified tuition programs enacted as part of the Economic Growth and Tax Relief Reconciliation Act of 2001.

At the request of Mr. SPECTER, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 1190, a bill to provide sufficient blind rehabilitation outpatient specialists at medical centers of the Department of Veterans Affairs.

At the request of Mr. VITTER, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 1260, a bill to make technical corrections to the Indian Gaming Regulatory Act, and for other purposes.

At the request of Mr. SALAZAR, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 1190, a bill to provide sufficient blind rehabilitation outpatient specialists at medical centers of the Department of Veterans Affairs.

At the request of Mr. JEFFFORDS, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 1272, a bill to amend title 46, United States Code, and title II of the Social Security Act to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

At the request of Mr. DURBIN, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 1358, a bill to protect scientific integrity in Federal research and policymaking.

At the request of Mr. SMITH, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1360, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage to designated plan beneficiaries of employees, and for other purposes.

At the request of Mr. BROWNBACK, the names of the Senator from North Carolina (Mr. BURR), the Senator from Nevada (Mr. ENSIGN), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Pennsylvania (Mr. SANTORUM) were added as cosponsors of S. 1373, a bill to amend title 18, United States Code, to prohibit human chimeras.

At the request of Mr. NELSON of Nebraska, the name of the Senator from Hawaii (Ms. ISCHY) was added as a cosponsor of S. 1405, a bill to extend the 50 percent compliance threshold used to determine whether a hospital or unit of a hospital is an inpatient rehabilitation facility and to establish the National Advisory Council on Medical Rehabilitation.

At the request of Mr. CRAPO, the name of the Senator from Kentucky (Mr. BURNHAM) was added as a cosponsor of S. 1440, a bill to amend title XVIII of the Social Security Act to provide coverage for cardiac rehabilitation and pulmonary rehabilitation services.

At the request of Mr. DEWINE, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 1563, a bill to amend title XX of the Social Security Act to provide benefits to certain individuals who served in the Armed Forces of the United States.

At the request of Mr. TALENT, the name of the Senator from Idaho (Mr. BINGAMAN) was added as a cosponsor of S. 1561, a bill to facilitate the development of science parks, and for other purposes.

At the request of Mr. ROBERTS, the name of the Senator from Kansas (Mr. COLEMAN) was added as a cosponsor of S. 1633, a bill to allow law enforcement officers to represent themselves as minors on the Internet to better protect America’s children from sexual predators.

At the request of Mr. REID, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1637, a bill to provide emergency relief to meet the immediate needs of survivors of Hurricane Katrina for health care, housing, education, and financial relief, and for other purposes.

At the request of Mr. OBAMA, the name of the Senator from Minnesota
(Mr. DAYTON) was added as a cosponsor of S. 1638, a bill to provide for the establishment of programs and activities to assist in mobilizing an appropriate and skilled healthcare workforce in the event of a health emergency or natural disaster.

S. 1589

At the request of Mr. Kyl, the name of the Senator from Florida (Mr. Nelson) was added as a cosponsor of S. 1638, a bill to state the policy of the United States on international taxation.

S. 1700

At the request of Mr. Coburn, the names of the Senator from Ohio (Mr. Voinovich) and the Senator from New York (Mrs. Clinton) were added as co-sponsors of S. 1700, a bill to establish an Office of the Hurricane Katrina Recovery Chief Financial Officer, and for other purposes.

AMENDMENT NO. 762

At the request of Mr. Grassley, the name of the Senator from Alabama (Mr. Shelby) was added as a cosponsor of S. 1716, a bill to provide emergency healthcare relief for survivors of Hurricane Katrina, and for other purposes.

AMENDMENT NO. 1548

At the request of Mr. Conrad, the name of the Senator from Virginia (Mr. Warner) was added as a cosponsor of amendment No. 1548 intended to be proposed to S. 1042, an original bill to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 1730

At the request of Mr. Akaka, the name of the Senator from Washington (Ms. Cantwell) was added as a cosponsor of amendment No. 1730 proposed to S. 1042, an original bill to authorize appropriations for the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. Akaka:

S. 1729. A bill to extend the time during which persons affected by Hurricane Katrina may appeal certain decisions of the Board of Veterans’ Appeals that are rendered during the period beginning June 1, 2005, and ending November 30, 2005, to the Committee on Veterans’ Affairs.

Mr. AKAKA. Mr. President, today I want to discuss one of the many potential problems that will face this Nation in the aftermath of Hurricane Katrina. We have all heard the stories of the displacement of thousands of citizens from Louisiana, Mississippi, and Alabama. Many of these people have lost everything—their homes and belongings destroyed.

Undoubtedly, some of these people are veterans with claims they wish to appeal from the Board of Veterans’ Appeals to the Court of Appeals for Veterans Claims. Under current law, a veteran has 120 days to file a notice of appeal to the Court of Appeals for Veterans Claims. If a notice of appeal is not filed within the 120-day window, the veteran essentially loses the right to appeal and might not receive benefits to which the veteran is entitled.

Given the current conditions in the gulf coast region, Congress must conclude that 120 days is not enough time for a veteran to file a notice of appeal. The sheer stress of the situation and the possibility that veterans and their advocates may not have access to the appropriate files makes 120 days for appeals unreasonable.

I have submitted legislation that extends the window for a notice of appeal from 120 days to 240 days for a veteran affected by Hurricane Katrina. This extension will provide appropriate relief to those attempting to rebuild their lives. Veterans should not be additionally burdened during these turbulent times.

I urge my colleagues to support this commonsense legislation and it is my hope that this legislation will pass the Senate in the near future. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1729

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled, SECTION 1. EXTENSION OF TIME FOR APPEAL OF CERTAIN DECISIONS RENDERED BY BOARD OF VETERANS’ APPEALS

(a) APPEAL PERIOD.—Notwithstanding section 7266(a) of title 38, United States Code, a Hurricane Katrina-affected person adversely affected by a final decision of the Board of Veterans’ Appeals, which is rendered during the period beginning on June 1, 2005, and ending on November 30, 2005, may file a notice of appeal with the Court of Appeals for Veterans Claims before the expiration of 240 days after the date on which notice of such decision is mailed pursuant to section 7104(e) of such title.

(b) DEFINITIONS.—In this Act, the term ‘Hurricane Katrina-affected person’ means a person—

(1) who, as of August 28, 2005, resided in a county identified as being adversely affected by Hurricane Katrina in Florida, Louisiana, Mississippi, or Alabama by Federal Disaster Declaration notice 1602, 1603, 1604, or 1605, respectively (as amended), issued by the Federal Emergency Management Agency; or

(2) whose claim is under the jurisdiction of the Department of Veterans Affairs regional office in New Orleans, Louisiana or Jackson, Mississippi.

By Mr. VOINOVICH (for himself and Mr. Conrad):

S. 1730. A bill to establish the Trust Fund Administration to invest in non-Federal Government debt instrument index funds all Federal trust fund revenues transferred to the Federal Government upon the issuance of special rate Treasury obligations to such trust funds, and for other purposes; to the Committee on Finance.

Mr. CONRAD. Mr. President, I rise today to join Senator VOINOVICH of Ohio in introducing a new Social Security lockbox proposal, the Truth in Budgeting Act of 2005. For years, I have urged my colleagues to stop what I believe is the reckless practice of raiding Social Security trust fund surpluses to pay for other things. By failing to save these surpluses, we are putting future generations in the position of having to borrow trillions of dollars to make good on our Social Security, Medicaid, Medicare, and other commitments.

The legislation Senator VOINOVICH and I are introducing today would not only take Washington’s hand out of the Social Security cookie jar, it would literally take the cookie jar away. If our bill is adopted, Social Security surpluses and other trust fund surpluses would no longer be used to fund other functions of Government and to mask the size of the Federal deficit. Instead, Social Security payroll taxes would be used to provide future Social Security benefits as they were intended.

Our bill would end the practice of spending trust fund surpluses. Instead, it would require those surpluses to be set aside and invested in a broad-based bond index fund that will be drawn on to finance our future obligations. In many ways, this legislation is a truth-in-budgeting bill because it will force us to recognize the true size of our fiscal deficit. It is our hope this will force Congress and the President to work together to address our current budget imbalances but our long-term entitlement challenges.

Let me take a few minutes, if I could, to explain why I think this legislation is so important. Our budget situation has taken a dramatic turn for the worse. Over the last 5 years, we have gone from record surpluses to record deficits. The 2005 deficit is now projected to be $331 billion, the third worst in U.S. history. That is before Katrina. If the increase in debt this year will be far higher.

This is something that I find confuses the American people, confuses my
There is the real 800-pound gorilla. No.2, the shortfall in very large deficits now before the baby boomers retire. No.3, the problem is, first, we are running deeper deficits before starting to fill it in. Again, that is before Katrina.

Looking forward, our current budget takes every penny of Social Security surplus over the next 10 years to pay for tax cuts and other spending priorities. Over the next 10 years, under the budget that has been passed here, every penny of Social Security surplus is being taken to pay for other things—$2.5 trillion.

The reported shortfall in Social Security over the next 75 years is $4 trillion on a net present value basis. I, frankly, do not believe that. I think that shortfall is significantly overstated. But if it were real, if it were $4 trillion, look at the comparison here on this chart: We are taking $2.5 trillion in Social Security money over the next 10 years, putting it to pay for other things, when we say Social Security has a $4 trillion shortfall on a net present value basis. What sense does this make? We are digging the hole deeper and deeper each day we fail to fill it in.

I said something I want to go back to because I indicated I do not believe the projected $4 trillion shortfall in Social Security is correct. That is the estimate of the actuaries. I think they are wrong. Why do I think they are wrong? Because their whole scenario is based on economic growth for the next 75 years averaging 1.9 percent a year. Over the previous 75 years, the economy has grown at 3.4 percent a year. If the economy were to grow in the future as it has in the past, 80 percent of the Social Security shortfall would disappear.

Does that mean we do not have a problem? No. I wish it did. We have a huge problem. The problem we have, I believe, is a budget problem. The problem we have is, first, we are running very large deficits now before the baby boomers retire. No.2, the shortfall in Medicare is 7 times the shortfall in Social Security with Medicare already costing $20 trillion. There is the real 800-pound gorilla.

In Social Security, the problem is not so much the shortfall, at least from my perspective. I think the problem is that the assets in the Social Security trust fund—and there are assets there. There are assets there. There is special-interest Government bonds, backed by the full faith and credit of the United States, that are in the trust fund. The problem is, those bonds have to be redeemed out of current income. That is the problem. Those bonds sitting in the Social Security trust fund have to be redeemed out of current income.

We already have a circumstance in which we are running massive deficits. We have this looming shortfall in Medicare. Oh, yes, we have a problem. We have a big problem, and the sooner we get at it, the better. The first thing to do is stop diverting Social Security money to other purposes. As I have indicated, this increase in debt is happening at the worst possible time, right on the brink of the retirement of the baby boom generation. The number of Social Security beneficiaries is projected to climb to 64 million by 2015, 76 million by 2030, and 84 million by 2040. This is not a projection. It is not a corner deal and loses $10 or $20. This is the practice of borrowing against future tax revenues at the White House; they would be on their way to a Federal institution. It would not be Congress; it would not be the White House; they would be on their way to a Federal penitentiary. It is happening in the real world, and it is a very big game with enormous consequences, not like a shell game where somebody bets on some corner deal and loses $10 or $20. This is a shell game being played by society, I believe it is time to put a stop to this practice of borrowing against future commitments.

That is why I am proud to join Senator Voinovich to introduce a newly designed bipartisan lockbox bill to stop the raid on Social Security and other trust funds. This legislation says enough is enough. The raid on Social Security and other trust funds has to stop. It is time to start saving Social Security and to stop raiding the Social Security piggy bank to pay for other priorities.

With this bipartisan legislation, Senator Voinovich and I intend to finally put Social Security in a lockbox that works. Our bill takes a new tack on the lockbox concept by fundamentally changing the way in which Social Security and other trust fund surpluses are invested. The legislation would create a new Office of Trust Fund Administration at the Treasury Department.
that would be charged with investing Social Security and other trust fund surpluses in safe, non-Federal debt instruments, like State and local municipal bonds, corporate bonds, mortgage-backed securities, and bond index funds. These interest-bearing investments could only be used to meet the obligations of Social Security and other Federal trust funds.

Under our proposal, trust fund surpluses would no longer be used to fund the general operations of Government, and the true size of the Federal deficit would be revealed, forcing us to tackle these deficits head on. This bill, if passed, would force Congress, the President, and the public to recognize the true cost of Federal borrowing, and it would force the Federal Government to invest in real assets that could be used to finance future financial obligations.

I believe our Nation is in a precarious financial position. Unfortunately, our current budget policies have worked our clock by driving the Nation further into deficits and debt. We need to begin by returning to budget discipline and paying down debt.

It is time for us to take a new direction. I believe this legislation is an important first step.

I thank my colleague, Senator Voinovich, for his work on this matter. He has spent months pursuing the issue. I am honored to join him. I believe this is an important policy change for the country and for the Congress. I hope that my colleagues will support it.

By Mr. THUNE:
S. 1734. A bill to establish pilot projects under the medicare program to provide incentives for home health agencies to utilize home monitoring and communications technologies; to the Committee on Finance.

Mr. President, as I traveled across my State of South Dakota this August, I heard from many constituents about the high cost of health care. Concerns about the high cost of health care are preventing the implementation of technology into the health care delivery system to meet the medical needs of all citizens. The adaption of telehealth has been hampered by legal, financial, and regulatory barriers.

My legislation, the Fostering Independence Through Technology Act of 2005, takes a step in the right direction of breaking down the barriers that prevent the adoption of telehealth. It provides incentives for home health agencies to purchase and utilize home monitoring and communications technologies.

Specifically, my bill requires the Secretary of the Department of Health and Human Services to create demonstration projects that would encourage home health agencies to utilize remote monitoring technology. Utilizing technology in the home health setting would reduce the number of visits by home health aides while still providing quality care.

Each demonstration project is required to include a performance target for the home health agency. This target will be used to determine whether the projects are enhancing health outcomes for Medicare beneficiaries as well as saving the program money.

Each year, the home health agency participating in the pilot will receive an incentive payment based on a percentage of the Medicare savings realized as a result of the pilot project.

The demonstration projects would be conducted in both rural and urban settings because medically underserved areas exist across the country. One project, however, is required to be conducted in a state with a population of less than one million.

Technology is improving each and every day. I ask then, why are we able to stop and take notice. Any visitor to the Valle Vidal finds it hard to see what inspires such a grand comparison. The scenic and wildlife features of the Valle Vidal stand out, even in the spectacular country of northern New Mexico.

For decades the area was admired from afar by the public as a famous private hunting and fishing ranch, until it was finally taken into public ownership in 1982. Since then, the Valle Vidal has become a premier destination for all manner of lovers of the outdoors. Whether you are drawn to its beautiful aspen stands, its wide meadows and the spectacular views they afford, its abundant wildlife, or the outstanding camping opportunities that the Boy Scouts rarely return unhappy.

The Valle Vidal is also home to native Rio Grande cutthroat trout and will play an important role in the State’s plans to recover that species from its depressed numbers today.

The Forest Service has recognized the unique values of the Valle Vidal and manages the area with a special emphasis on wildlife but they are responsible for only the elk herd there, not the Valles, the elk herd is so prized that the State only allows for a once-in-a-lifetime permit to hunt there. When the hunting opportunities that the Boy Scouts took advantage of every year, there is much to cherish in the Valle Vidal.

As the home and crucial wintering ground of the State’s largest elk herd the area is of iconic importance to New Mexican hunting, the elk herd is so prized that the State only allows for a once-in-a-lifetime permit to hunt there. The elk herd is so prized that the State only allows for a once-in-a-lifetime permit to hunt there. I am told that those that do get a permit rarely return unhappy.

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September 20, 2005

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that could be produced are of no national significance. The Forest Service has begun the process of amending their plan for the area and would later begin analyzing the potential conflicts that drilling would encompass sometime late next year. This bill would remove the need for the second part of that process.

New Mexico has significant coalbed methane resources in both the Raton Basin, where the eastern half of the Valle Vidal is, and the San Juan Basin. In fact, the San Juan basin is one of the Nation’s foremost natural gas production areas, generating about 1 trillion cubic feet of gas each year. New Mexico is one of this country’s foremost producers of oil and natural gas and we are proud of what we do for our Nation’s energy picture. But New Mexicans we cooperate closely and are with what we want to set them aside for our children and our grandchildren. This is particularly true when it is not an easy choice to set them aside. It would be easy to simply pursue resources wherever we find them. We certainly need the energy and have shown remarkable ingenuity in extracting oil and gas from places previously thought unreachable and with gradually lessening effects on the surrounding landscape. But our essential character is revealed in making the harder choice to slow down and recognize that some places are special and warrant special treatment. The Valle Vidal is such a special place.

Even where there were significant gas resources under the Valle Vidal it would be very difficult to risk turning it into an industrial zone. But we don’t really face that choice here. The eastern half of the Valle Vidal comprises less than 1 percent of the gas-producing Raton Basin. According to the Forest Service, even with the most optimistic projections the gas resources are less than one-half of 1 percent of the Raton Basin resources. Using those same projections and even with intensive development, we could only expect enough gas to come out of the Valle Vidal over its 20 year development to meet our Nation’s gas needs for less than 3 days. In short, drilling the Valle Vidal wouldn’t make a dimes worth of difference in our national energy picture.

The Raton Basin will continue to be developed and I’m sure we will continue to find additional areas in New Mexico to meet this nation’s growing energy needs but I hope we can set aside some of our other needs. Our need to get outside and experience the best the natural world has to offer. By creating the Valle Vidal National Preserve with this bill we can take the opportunity to preserve an essential piece of New Mexican character and demonstrate that value is more than a question of dollars and cents.

By Ms. CANTWELL (for herself, Mr. REID, Mr. DURBIN, Mr. INOUYE, Mrs. FEINSTEIN, Mr. KERRY, Mr. FEINGOLD, Mrs. CLINTON, Mr. WYDEN, Mr. KOHL, Mr. SCHUMER, Ms. STABENOW, Mr. DORGAN, Mr. JEFFORDS, Mrs. BOXER, Ms. MUKULSKI, Mr. BROWN, Mr. LIEBERMAN, Mr. HARKIN, Mr. REED, and Mr. SALAZAR):

S. 1735. A bill to improve the Federal Trade Commission’s ability to protect consumers from price-gouging during energy emergencies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Ms. CANTWELL. Mr. President, I rise today to introduce the Energy Emergency Consumer Protection Act of 2005. I want to thank the original sponsors of this legislation, which include Senate Minority Leader REID, and Senators DURBIN, FEINSTEIN, KERRY, FEINGOLD, CLINTON, KOHL, SCHUMER, STABENOW, DORGAN, and CORZINE.

This legislation would put in place a Federal law to prohibit gasoline price-gouging during national emergencies, and would institute new protections for American consumers from manipulation of oil and gasoline markets.

Even before the devastation caused by Hurricane Katrina and its tragic aftermath, skyrocketing oil and gasoline prices were burdening American families and our Nation’s economy—with the notable exception of the oil industry, which continued to rack up record profits. Already in my home State of Washington, prices had reached 74 cents a gallon more than last year before the storm hit. After the storm—though our supplies were not directly affected—prices topped $3 per gallon in some areas of my State, including some of the most rural and economically challenged. And following that tragic storm, gas prices in some areas of this Nation reached almost $6 per gallon.

The volatility in oil and gasoline prices shows few signs of abating. Just yesterday, we saw oil set the new record for a one-day spike in prices. At the New York Mercantile Exchange, those prices rose more than $1 per barrel just yesterday, to close at $67.39. That’s the largest single-day price spike since oil started trading on the exchange, in 1983.

It’s clear to me that we have a lot of work to do, if we’re going to get serious about addressing one of the most important challenges facing our generation of Americans: improving our Nation’s energy security. We need a long-term plan and national commitment to free us from our over-dependence on oil in general. We need to make the American economy more fuel efficient and position this Nation to compete in the 21st Century economy. It is in our Nation’s long-term economic and national security interests to improve the fuel efficiency of American vehicles, provide consumers with the tools to make smart choices, provide those same consumers with a broader array of fuel-flexible vehicles and transportation options, and expand our production of home-grown biofuels, in more diverse regions of this country. Especially when it comes to fuel efficiency, this body has to date lacked the political will necessary to take the steps we must to bolster this Nation’s energy and economic security. Along with my colleagues who have been tireless champions on this issue for so long, Senators FEINSTEIN and DURBIN, I will continue to fight to put our Nation on the right path when it comes to fuel efficiency.

But in the short-term, we also need to take a closer look at the lack of transparency and increased concentration in the oil and gasoline markets, which has left us in a situation where the very few can set the prices that impact the lives of so many. And we need to make sure we have a national plan triggered in cases of national emergencies—that makes it clear profiteering at the gas pump will not be tolerated.

Right now, the oil companies know we don’t have a plan to protect American consumers. That’s why we need a Federal law that’s going to prohibit price gouging, and assess Federal penalties from those who exploit national tragedies to maximize their profits. That is why my colleagues and I have come together today to introduce this legislation.

In the wake of Hurricane Katrina, we have already heard gas station owners complaining that the big oil companies ordered them to raise prices. Investigating those claims should be the top job of federal regulators—and there should be harsh penalties for that kind of behavior, profiteering in the midst of a national disaster.

Today, 26 States have anti-gouging laws on the books. Unfortunately, my own State is not among them. But in crafting this legislation, I have looked to those other state laws—focusing specifically on the law of the State of New York, where price gouging cases have been successfully prosecuted in the past, related to natural disasters.

But I also want to remind my colleagues again that, while Hurricane Katrina exposed the underlying vulnerability of the American economy to supply chain disruptions, average U.S. gasoline prices were already 75 cents more than they were a year earlier—and many consumers had begun to ask why. While the oil companies have filled
their coffers with record profits over the past few years, our Nation’s airlines, truckers, farmers and small businesses across the board are struggling to make ends meet because of skyrocketing fuel costs. Worker pensions are in jeopardy, and families are already feeling the squeeze.

That’s why this legislation also contains provisions to ban manipulation in oil and gasoline markets, and institutes new market transparency, investigatory and enforcement mechanisms. These measures are based on provisions in the recently enacted bipartisan energy bill that prohibited these practices in other sectors of the energy industry. It provides for the same kind of anti-manipulation and transparency rules as those with which electricity and natural gas industries must comply. A parallel legislation would apply the same sort of anti-manipulation and transparency standards to the oil industry that we already apply to companies that sell other essential energy commodities.

Already, these prices are impacting a diverse swath of the U.S. economy and hurting hard-working Americans. According to the Department of Energy, Americans will spend over $200 billion more on energy this year than they did last year, totaling over one trillion dollars.

These energy prices are also costing us jobs. On average, every time oil prices go up 10 percent, 150,000 Americans lose their jobs—based on the calculations of the Bureau of Labor Statistics and Federal Reserve Board.

What’s more, according to the nonpartisan Congressional Budget Office, a 40 percent increase in gas prices this month will decrease total domestic consumption by 4.4 percent. As gas prices come down in the fourth quarter, our Gross Domestic Product (GDP) will fall by 0.9 percent. These energy price spikes are strangling economic growth. According to the Congressional Research Service, every time oil prices go up by 10 percent for a sustained period of time, we lose somewhere between $80 billion and $160 billion in economic growth.

But while these prices are hurting the economy as a whole, they are having a particularly profound impact on our Nation’s energy-intensive industries. For example, they are hampering the American airline industry. The airline industry estimates it will pay $9.2 billion more for fuel in 2005 than in 2004, a 103 percent increase from 2001. As Southwest CEO Steve Kelly told the Seattle Times just last week, “We are now facing energy prices that no airline can make money at, at least with today’s [ticket prices].”

This increase in fuel costs is also making it impossible for our farmers to break even. Even during a good year, farmers operate on profit margins of only about 5 percent, so fertilizer, fuel, and pesticide price increases of 20 percent or more have made it very difficult to get by.

Other sectors of the transportation industry are also being dramatically impacted. Take, for example, the trucking industry. Diesel fuel accounts for a quarter of the trucking industry’s operating expense, or $65 billion in 2006. Each penny increase in diesel costs the trucking industry $350 million over a full year.

And these prices are impacting essential services in this country. School districts and local governments are feeling the pain, as are federal agencies themselves. Higher fuel prices are expected to add $300 million to the Postal Service’s transportation costs nationwide this year.

What about the pain these prices are causing in other ways? Energy costs are putting pensions at risk and requiring taxpayer bailouts. That’s particularly true when it comes to the hundreds of thousands of airline workers in this country. United Airlines has already transferred $6.6 billion of its pension obligations to the government pension agency. If Delta and Northwest terminate their pension plans following their bankruptcy declarations, taxpayers would have to cover another $12 billion.

And these prices are especially harmful to low-income Americans. Households with incomes under $15,000—about one-fifth of all households in this country—this year will spend around 10 percent of their total income on gasoline alone.

And what’s going to happen this winter? Heating costs for the average family using heating oil are projected to hit $1,666 during the upcoming winter season. In 2003 and 2004, the national average price of gas was $1.56, representing an increase of over $400 over last winter’s prices and $700 more than the winter heating season of 2003 and 2004. For families using natural gas, prices are projected to hit $1,568, an increase of over $600 over last winter’s prices and $940 more than 2003 and 2004.

These alarming statistics lead me to question where is all this money going? The Congressional Budget Office wrote recently that increased gasoline prices are “basically a temporary redistribution of income from consumers of gasoline to the stockholders of refiners.”

This is a situation that is causing gross inequities between different industries themselves. Oil industry profits have nearly tripled over the last three years to roughly $87 billion last year—likely to be even more this year—while the airline industry has lost over $32 billion over the last four years.

How is this happening? While we watch all of these economic impacts transpire, our federal regulators have allowed the oil industry to strengthen its choke-hold on American consumers and businesses. According to the Independent Government Accountability Office, mergers and increased market concentration with the U.S. petroleum industry has increased wholesale gasoline prices in this country.

That’s why it’s time for this body to do something about it. The Energy Emergency Consumer Protection Act is a common-sense approach to protect American consumers from gasoline price gouging during national emergencies. And it begins to shine the spotlight on the marketing practices of the oil industry in general.

I thank my cospassadors for their support, and I ask my colleagues to support this legislation.

Mr. KOHL. Mr. President, I rise today to join Senator CANTWELL in co-sponsoring the Energy Emergency Consumer Protection Act of 2005. This bill provides the first time that our Federal Government the needed tools to prosecute those unscrupulous individuals and companies that seek to take advantage of emergencies and disasters by price gouging consumers in the sale of gasoline and other petroleum products. With the tremendous suffering caused by Hurricane Katrina resulting in gas supply disruptions, and with gas prices at record levels well in excess of $3.00 per gallon in many places throughout the Nation, the time is now for passage of this essential legislation.

In the wake of the Hurricane Katrina disaster and the associated disruptions to supply and distribution networks, the national average price of gas is now at record levels. Allegations of price gouging and drastic price spikes were unfortunately commonplace in the immediate days following the disaster—including, for example, gas being sold at $6.00 per gallon in the Atlanta area. These outrageous price increases were caused by loss of life, housing, and employment, has been compounded by some unscrupulous individuals and businesses who have taken advantage of the emergency by gouging consumers. Yet, under current law, the Federal Government has virtually no ability to prosecute such price gouging. Our bill will correct this critical deficiency.

This legislation contains several important provisions. First, it gives the President the authority to declare an energy emergency during times of disruptions in the supply or distribution of gasoline or petroleum products. Second, the bill, for the first time, declares illegal under federal law selling gasoline or petroleum products at a price unconscionably high or when circumstances indicate that the seller is taking unfair advantage to increase prices unreasonably in times of energy emergency. Those who violate this law face civil penalties of up to $3,000,000 per day and criminal penalties, including jail terms of up to five years for individuals, as well. The bill also forbids market manipulation in connection...
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with the sale of gasoline and petroleum products and empowers the experts at the Federal Trade Commission to write regulations setting forth specific conduct constituting market manipulation. Additionally, our bill gives states Attorneys General the power to enforce these provisions as well.

These measures are an urgently needed deterrent to prevent all those who would seek to profit from this enormous tragedy by price gouging consumers in the price of gasoline. It will protect consumers—both those who were the victims of the immediate effects of Hurricane Katrina and those around the country—who suffer every day at the gas pumps from the real and growing economic pain caused by record high gas prices. As Ranking Member on the Senate Antitrust Subcommittee, I believe that this legislation is necessary to prevent unscrupulous companies using the disaster on the Gulf Coast to justify uncompetitive gas price hikes. All of us can agree that profiteering and price gouging in the price of an essential commodity like gasoline is simply unacceptable. Such conduct violates every principle of free and fair competition. We must give the Federal Government the necessary tools to prevent such misconduct, and prosecute those who do so.

I urge my colleagues to support the Energy Emergency Consumer Protection Act.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION S 3—EXPRESSING THE SENSE OF CONGRESS THAT ANY EFFORT TO IMPOSE FEDERAL IDENTIFICATION REQUIREMENTS FOR VOTING SHOULD BE REJECTED

Mr. OBAMA (for himself, Mr. DODD, Mr. REID, Mr. CORZINE, Mrs. CLINTON, Mr. HARKIN, Mr. FEINGOLD, Mr. AKAKA, Mr. DORGAN, Mr. KENNEDY, Mr. KERRY, Ms. MIKULSKI, Mr. LAUTENBERG, Ms. STABENOW, Mr. PRYOR, Mr. DAYTON, Mr. LEAHY, Mr. DURBIN, Mr. WYDEN, and Mr. SALAZAR) submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 53

Whereas the most fundamental right accorded to United States citizens by the Constitution is the right to vote, and the unimpeded exercise of this right is essential to the functioning of our democracy; Whereas historically, certain citizens, especially racial minorities, have been prevented from voting because of significant barriers such as literacy tests, poll taxes, and property requirements; Whereas the long and difficult struggle to remove these and other barriers to voting resulted in the passage of the 15th, 19th, and 24th Amendments to the Constitution; Whereas in the face of persistently low voter turnout in our privatized democracies, exaggerated fears of voter impersonation have led to calls for more stringent voter identification requirements, including the requirement of government-issued photo identification cards as the only approved form of voter identification; Whereas there has been no substantiated evidence of any significant incidence of fraud due to voter impersonation, and the more serious attack on ballot integrity has been the discounting of millions of ballots, including an estimated 6,000,000 ballots lost in the 2000 Presidential election; Whereas there is no evidence that photo identification requirements address the few isolated instances of such fraud; Whereas 12 percent of voting-age Americans do not have a driver's license, most of whom are minorities, new United States citizens, the indigent, the elderly, or the disabled; Whereas government-issued identification cards can cost, as much as $30 and are unnecessary for the daily needs of, or inaccessible to, many urban, rural, elderly, and indigent voters who do not own cars; Whereas the Commission on Federal Election Reform reported in 2001 that a photo identification requirement would "impose an additional expense on the exercise of the franchise, a burden that would fall disproportionately on people who are poorer and urban"; Whereas an alarming number of States, including most currently the State of Georgia, have passed proposals requiring voters to produce government-issued photo identification at the polls; Whereas the State of Georgia no longer allows affidavit affirming one's identity to meet the identification requirement for voting, a change that will likely disproportionately affect minorities, new United States citizens, the indigent, the elderly, and the disabled; Whereas 150,000 senior citizens in the State of Georgia do not have a form of government-issued photo identification; Whereas residents in the State of Georgia can obtain a voter identification card in only 56 places in all 159 counties in Georgia with no such places currently located in Atlanta, Georgia; Whereas the State of Georgia permits the use of various forms of proof of identity to obtain government-issued identification that it does not accept in a similar manner when the citizen is applying for its constitutionally protected right to vote; Whereas the State of Georgia will charge United States citizens at least $20 for voters to purchase 1 of the government-issued photo identification cards required under the new State law unless such citizens wish to endure the potential humiliation of swearing to their indigency; Whereas poll taxes are prohibited in Federal elections by the 24th Amendment to the Constitution and in State elections by a 1966 Supreme Court case; Whereas the Secretary of State of Georgia has stated that photo identification would not have resolved any instances of voter fraud; Whereas the Voting Rights Act of 1965 requires that Georgia and other States with histories of discrimination in elections prove that election laws and practices do not hinder minorities' ability to exercise the franchise, including access to the polls, and that such laws and practices approved by the Department of Justice before implementation; Whereas the Department of Justice's approval of the Georgia photo ID law of 2005 was a troubling example of a recent trend towards weakening voter protections and countenancing voter suppression; Whereas Hurricane Katrina and its aftermath have destroyed or rendered unusable the official records of many State and local government agencies in Louisiana, Mississippi, and Alabama, as well as the documents of thousands of residents in those states, which will significantly complicate the ability of those residents to obtain photo identification cards; Whereas the residents of the Gulf Coast region, in particular, those residents displaced by Hurricane Katrina, have already suffered immeasurably in recent weeks and should not be further burdened by losing their right to vote because they cannot obtain photo identification cards; Whereas the Carter/Baker Election Reform Commission recommended that States implement mandatory State-issued photo identification requirements for voting at the State level. All of us agree that such identification will address documented instances of voter fraud; and Whereas an electoral system with integrity is one that allows all the opportunity to cast their votes, and thus election reform must further democratic empowerment, not disenfranchisement: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) 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 such citizens;

(2) the Department of Justice should—

(A) vigorously enforce the Voting Rights Act of 1965; and

(B) challenge any State law that limits a citizen's ability to vote based on discriminatory photo identification requirements; and

(3) any effort to impose national photo identification requirements for voting should be rejected.

Mr. OBAMA. Mr. President, today I am submitting a resolution to express the Senate's strong disapproval of recent efforts to disenfranchise Americans.

In the weeks since Hurricane Katrina ravaged the Gulf Coast, our country has been awakened to the plight of the most vulnerable Americans—the poor, the elderly, the sick, and the disabled. And if we have learned anything from this tragedy, it is that the Government has too often ignored the needs of these citizens in crafting its policy. Whether it is homeland security or education or health care, these Americans have consistently been left behind.

Now, we are in danger of proceeding down another path that disregards the needs of our Nation's neediest—the right to vote. This is the most fundamental right protected by the Constitution and the right for which many Americans have fought and died.

The last two Presidential elections were tainted by allegations of fraud and abuse. The complaints ranged from long polling lines to faulty machines to
confusing ballots. The rampant complaints have shaken people's confidence in our election system. And so it is all the more important to work together and protect the integrity of the electoral process.

Unfortunately, in this new millennium, too many electoral reform efforts seem intent on limiting access to the ballot box as opposed to expanding it. In the mid-20th century, the poll tax was the preferred means of disenfranchising large minority populations, specifically African Americans. Today, the poll tax is taking on a new form—a photo identification requirement for voters.

According to the National Commission on Federal Election Reform, such a requirement would “impose an additional expense on the exercise of the franchise that would fall disproportionately on people who are poorer and urban.” Nevertheless, a number of States, including Georgia, have recently passed laws mandating government-issued photo identification for voters at the polls.

In Georgia alone, at least 150,000 senior citizens do not have government-issued photo identification, which can cost up to $85. Nationwide, at least 12 percent of eligible drivers do not have a driver’s license. And Georgia has made it difficult for rural and urban folks to obtain their voter identification. There are currently only 56 places in all 159 counties where such identification is available, with no places available in Atlanta. For people who already lack transportation, which may be why they do not have driver’s licenses, it is far-fetched to think that these same people could easily get to another county to obtain a voter identification card.

Earlier this year, the Carter-Baker Commission on Federal Election Reform released its recommendations for improving the electoral process. While many of the Commission’s recommendations are worthy of consideration, its report recommends the implementation of a national voter identification requirement, despite acknowledging that there is “no evidence of extensive fraud in U.S. elections or of multiple voting.”

This past weekend, Afghanistan held its second successful national election, and we have seen successes in Iraq’s elections as well. If these nascent democracies can commit themselves to bringing any and all citizens to the polls, surely we can do the same.

Many of us both here in Washington and around the country have been asking questions over the past three weeks about our Nation’s priorities and our commitment to helping our country’s most vulnerable citizens. But a top priority should be ensuring that these citizens can exercise the most fundamental right in a democracy—the right to vote.

The resolution I am submitting today, along with Senator DODD and jointly with Senators REID, CORZINE, CLINTON, HARKIN, FEINGOLD, AKAKA, DORGAN, KENNEDY, KERRY, MIKULSKI, LAUTENBERG and others, expresses the Senate’s strong disapproval of photo identification requirements for voting. The resolution also urges the Department of Justice to challenge any State law that limits a citizen’s ability to vote based on discriminatory photo identification requirements and urges the rejection of any national photo identification requirements for voting.

I am honored that Representative JOHN LEWIS, a civil rights icon who put his life on the line to fight for the right to vote, will be introducing the same resolution in the House later this week.

I urge my colleagues to support this important resolution.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1736, Ms. COLLINS (for herself and Ms. SNOWE) submitted an amendment intended to be proposed by her to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table.

SA 1737, Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 2744, supra.

SA 1738, Mr. ALLARD (for himself, Mr. ROBERTS, Mr. CRAIG, Mr. BURNS, Mr. THUNE, and Mr. HAGEL) proposed an amendment to the bill H.R. 2744, supra.

SA 1739, Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1740, Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1741, Mr. DeWINE submitted an amendment intended to be proposed by him to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1742, Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill H.R. 2744, supra.

SA 1743, Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 2744, supra.

SA 1744, Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1745, Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1746, Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1747, Mr. DURBIN (for Mr. REID) proposed an amendment to the bill H.R. 2744, supra.

SA 1748, Mr. DURBIN (for himself, Mr. INOUYE, for himself, Mr. AKAKA, and Mrs. FEINSTEIN) proposed an amendment to the bill H.R. 2744, supra.

SA 1749, Mr. DURBIN (for himself, Mr. INOUYE, for himself, Mr. AKAKA, and Mrs. FEINSTEIN) proposed an amendment to the bill H.R. 2744, supra.

SA 1750, Mr. BENNETT proposed an amendment to the bill H.R. 2744, supra.

SA 1751, Mr. BENNETT proposed an amendment to the bill H.R. 2744, supra.

SA 1752, Ms. BOXER submitted an amendment intended to be proposed by her to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1753, Mr. MOORE submitted an amendment intended to be proposed by him to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1754, Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1755, Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1756, Ms. MOORE submitted an amendment intended to be proposed by her to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1757, Mr. LUGAR (for himself and Mr. HAGEL) submitted an amendment intended to be proposed by him to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1758, Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1759, Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1760, Mr. BENNETT proposed an amendment to the bill H.R. 2744, supra.

SA 1761, Ms. STABENOW (for herself, Mr. LEVIN, Mr. DREW, Mr. BAYH, and Mr. Voinovich) submitted an amendment intended to be proposed by her to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1762, Ms. STABENOW submitted an amendment intended to be proposed by her to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1763, Mr. TALMADGE submitted an amendment to the bill H.R. 2744, supra.

SA 1764, Mr. CRAIG (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1765, Mr. KOHL (for Mr. HARKIN) proposed an amendment to the bill H.R. 2744, supra.

SA 1766, Mr. KOHL (for Mr. PRYOR) proposed an amendment to the bill H.R. 2744, supra.

SA 1767, Mr. NELSON of Nebraska submitted an amendment intended to be proposed by him to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1768, Mr. SPECTER (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill H.R. 2744, supra; which was ordered to lie on the table.

SA 1769, Mr. DAYTON submitted an amendment intended to be proposed by him to the bill H.R. 2744, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1736, Ms. COLLINS (for herself and Ms. SNOWE) submitted an amendment intended to be proposed by her to
the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 128, line 19, strike "$12,400,000" and insert "$17,400,000".

On page 128, line 24, strike "$1,000,000" and insert "$6,000,000".

On page 129, line 2, insert before the period at the end the following: "Provided further, That $3,000,000 shall be provided to each third round empowerment zone".

On page 173, after line 24, insert the following:

SEC. 7. Notwithstanding any other provision of this Act, each amount provided by this Act is reduced by the pro rata percentage required to reduce the total amount provided by this Act by $5,000,000.

SA 1737. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 93, line 9, before the period at the end insert the following: "Provided further, That the Secretary, through the Agricultural Research Service, or successor, is authorized to lease approximately 180 acres of land at the Central Plains Experiment Station, Nunn, Colorado, to the Board of Governors of the Colorado State University System, for its Shortgrass Steppe Biological Field Station, on such terms and conditions as the Secretary deems in the public interest: Provided further, That the Secretary understands that it is the intent of the University to conduct research and educational activities on the subject acreage and to conduct agricultural research and educational activities in general: Provided further, That as consideration for a lease, the Secretary may accept the benefits of mutual cooperation from Colorado State University and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 143, line 13, strike the period and insert the following: "Provided further, that the amounts appropriated under this heading for salaries and expenses, $15,000,000, shall be transferred from the Office of the Commissioner to the Office of Over-the-Counter Drug Evaluation.".

SA 1740. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 143, line 13, strike the period and insert the following: "Provided further, that the amounts appropriated under this heading for salaries and expenses, $15,000,000, shall be transferred from the Office of the Commissioner to the Office of Drug Safety for purposes of postmarket surveillance activities.".

SA 1745. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 143, line 13, strike the period and insert the following: "Provided further, that the amounts appropriated under this heading for salaries and expenses, $10,000,000, shall be transferred from the Office of the Commissioner to the Office of Drug Safety for purposes of postmarket surveillance activities.".

SA 1746. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 143, line 13, strike the period and insert the following: "Provided further, that the amounts appropriated under this heading for salaries and expenses of the Office of the Commissioner shall be reduced by $5,000,000."
for other purposes; which was ordered to lie on the table; as follows:

On page 143, after line 19, insert the following:

In addition, notwithstanding any other provision of this Act, none of the amounts appropriated for this title shall be expended to initiate or conduct a rulemaking process relating to the over-the-counter application for the drug Plan B. The preceding sentence shall apply to the 60-day public comment period initiated on August 26, 2005, relating to such drug.

SA 1747. Mr. DURBEN (for Mr. REID) proposed an amendment to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 173, after line 24, insert the following:

SEC. 1747. (a) Section 805(5) of the Agricultural Trade Act of 1937 (7 U.S.C. 608c(5)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended—

'(M) MINIMUM MILK PRICES FOR HANDLERS.—Notwithstanding any other provision of this section, a milk handler described in clause (ii) shall be subject to all of the minimum and uniform price requirements of a Federal milk marketing order issued pursuant to this section applicable to the county in which the plan of the handler is located, at Federal order class prices, if the handler has packaged fluid milk product route dispositions, or sales of packaged fluid milk products to other plants, in a marketing area located in a State that requires handlers to pay minimum prices for raw milk purchases.

'(ii) COVERED MILK HANDLERS.—Except as provided in clause (iv), clause (i) applies to a handler (including a producer-handler or producer operating as a handler) that—

'(I) operates a plant that is located within the boundaries of a Federal milk marketing area (as those boundaries are in effect on the date of enactment of this subparagraph);

'(II) has packaged fluid milk product route dispositions, or sales of packaged fluid milk products to other plants, in a milk marketing area located in a State that requires handlers to pay minimum prices for raw milk purchases; and

'(III) is not otherwise obligated by a Federal milk marketing order, or a regulated milk pricing plan operated by a State, to pay minimum class prices for the raw milk that is used for the milk dispositions or sales.

'(III) OBLIGATION TO PAY MINIMUM CLASS PRICES.—For the purpose of clause (i)(III), the Secretary may not consider a handler of Class I milk products to be obligated by a Federal milk marketing order to pay minimum class prices for raw milk unless the handler operates the plant as a fully regulated fluid milk distributing plant under a Federal milk marketing order.

'(IV) a-producer-handler (otherwise described in clause (i)(II)) that operates a nonpool plant (as defined in section 1900.8(e) of title 7, Code of Federal Regulations (as in effect on the date of enactment of this subparagraph));

'(IV) a producer-handler (otherwise described in clause (i)(II)) that operates a nonpool plant (as defined in section 1900.8(e) of title 7, Code of Federal Regulations (as in effect on the date of enactment of this subparagraph));

'(a) a handler (otherwise described in clause (i)(II)) that operates a nonpool plant (as defined in section 1900.8(e) of title 7, Code of Federal Regulations (as in effect on the date of enactment of this subparagraph));

'(a) a handler (otherwise described in clause (i)(II)) that operates a nonpool plant (as defined in section 1900.8(e) of title 7, Code of Federal Regulations (as in effect on the date of enactment of this subparagraph));

SA 1748. Mr. DURBEN (for Mr. INOTTIE (for himself, Mr. AKARA, and Mrs. FEINSTEIN)) proposed an amendment to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 101, line 10, before the period at the end insert the following: ‘‘: Provided further, That none of the funds may be used to demolish or dismantle the Hawaii Fruit Fly Production Facility in Waimanalo, Hawaii.’’

SA 1749. Mr. DURBEN (for himself, Mr. ENZI, and Mr. KENNEDY and Mr. BINGAMAN) proposed an amendment to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 173, after line 24, insert the following:

SEC. 1749. (a) Subject to subsection (b), none of the funds made available in this Act may be used to—

(1) grant a waiver of a financial conflict of interest requirement pursuant to section 505(n)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(n)(4)) for any voting member of an advisory committee or panel of the Food and Drug Administration; or

(2) make a certification under section 288(b)(3) of title 18, United States Code, for any such voting member.

(b) Subsection (a) shall not apply to a waiver or certification if—

(1) not later than 15 days prior to a meeting of an advisory committee or panel to which such waiver or certification applies, the Secretary of Health and Human Services discloses on the Internet website of the Food and Drug Administration—

(A) the nature of the conflict of interest at issue; and

(B) the nature and basis of such waiver or certification (other than information exempted from disclosure under 5 U.S.C. 552 of title 5, United States Code (popularly known as the Freedom of Information Act)); or

(2) in the case of a conflict of interest that becomes known to the Secretary less than 15 days prior to a meeting at which such waiver or certification applies, the Secretary shall make such public disclosure as soon as possible thereafter, but in no event later than the date of such meeting.

(c) None of the funds made available in this Act may be used to make an appointment to an advisory committee or panel of the Food and Drug Administration unless the Commissioner of Food and Drugs submits a confidential report to the Inspector General of the Department of Health and Human Services of the efforts made to identify qualified persons for such appointment with minimal or no potential conflicts of interest.

SA 1750. Mr. BENNETT proposed an amendment to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:
SA 1751. Mr. BENNETT proposed an amendment to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 173, after line 24, insert the following:

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Sect. 7. The Secretary of Agriculture (referred to in this section as the "Secretary") shall prepare a report for submission by the President to Congress, along with the fiscal year 2007 budget request under section 1105 of title 31, United States Code, that—

(1) identifies measures to address bark beetle infestation and the impacts of bark beetle infestation as the first priority for assistance under the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 et seq.);

(2) describes how such a report will be conducted by the Secretary to address bark beetle infestations and the impacts of bark beetle infestations;

(3) describes the financial and technical resources that will be dedicated by the Secretary to measures to address bark beetle infestations and the impacts of the infestations;

(4) describes the manner in which the Secretary will coordinate with the Secretary of the Interior and State and local governments in conducting the activities under paragraph (2).
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SA 1752. Mr. BENNETT proposed an amendment to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 173 after line 24 insert the following:

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Sect. 7. The Secretary of Agriculture may convey all rights and interests in all properties which the Secretary may determine to lie on the table; as follows:

On page 173, after line 24, insert the following:

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Sect. 7. The Secretary of Agriculture (referred to in this section as the "Secretary") shall prepare a report for submission by the President to Congress, along with the fiscal year 2007 budget request under section 1105 of title 31, United States Code, that—

(1) identifies measures to address bark beetle infestation and the impacts of bark beetle infestation as the first priority for assistance under the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 et seq.);

(2) describes how such a report will be conducted by the Secretary to address bark beetle infestations and the impacts of bark beetle infestations;

(3) describes the financial and technical resources that will be dedicated by the Secretary to measures to address bark beetle infestations and the impacts of the infestations;

(4) describes the manner in which the Secretary will coordinate with the Secretary of the Interior and State and local governments in conducting the activities under paragraph (2).
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SA 1753. Mr. ENSIGN (for himself, Mr. BYRD, Mr. GRAHAM, Mr. LOTT, Mr. DE MINT, Ms. LANDRIEU, Ms. STABENOW, Mrs. FEINSTEIN, Mr. LAUTENBERG, and Mr. CORZINE) proposed an amendment to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, add the following:

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Sect. 7. The Secretary of Agriculture may convey all rights and interests in all properties which the Secretary may determine to lie on the table; as follows:
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SA 1754. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

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Sect. 7. The Secretary of Agriculture (referred to in this section as the "Secretary") shall prepare a report for submission by the President to Congress, along with the fiscal year 2007 budget request under section 1105 of title 31, United States Code, that—

(1) identifies measures to address bark beetle infestation and the impacts of bark beetle infestation as the first priority for assistance under the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 et seq.);

(2) describes how such a report will be conducted by the Secretary to address bark beetle infestations and the impacts of bark beetle infestations;

(3) describes the financial and technical resources that will be dedicated by the Secretary to measures to address bark beetle infestations and the impacts of the infestations;

(4) describes the manner in which the Secretary will coordinate with the Secretary of the Interior and State and local governments in conducting the activities under paragraph (2).
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SA 1755. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

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Sect. 7. The Secretary of Agriculture (referred to in this section as the "Secretary") shall prepare a report for submission by the President to Congress, along with the fiscal year 2007 budget request under section 1105 of title 31, United States Code, that—

(1) identifies measures to address bark beetle infestation and the impacts of bark beetle infestation as the first priority for assistance under the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 et seq.);

(2) describes how such a report will be conducted by the Secretary to address bark beetle infestations and the impacts of bark beetle infestations;

(3) describes the financial and technical resources that will be dedicated by the Secretary to measures to address bark beetle infestations and the impacts of the infestations;

(4) describes the manner in which the Secretary will coordinate with the Secretary of the Interior and State and local governments in conducting the activities under paragraph (2).
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SA 1756. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

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Sect. 7. Notwithstanding the proclamation by the President dated September 8, 2005, or any other provision of law, the provisos of subsection IV of chapter 31 of title 40, United States Code (and the provisions of all other laws that extend the extent they depend upon a determination by the Secretary of Labor under section 3142 of such title, whether or not the President has the authority to suspend the operation of such provisions which apply to all contracts to which such provisions would otherwise apply that are entered into on or after the date of enactment of this Act, to be performed in the counties affected by Hurricane Katrina and described in such proclamation.
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SA 1757. Mr. LUGAR (for himself and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, line 15, strike "$128,072,000" and insert "$126,072,000".

On page 167, line 20, strike "$12,000,000" and insert "$14,000,000".

SA 1758. Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 94, line 9, before the semicolon, insert the following: "(ii) of which not less than $1,500,000 shall be used for special grants for agricultural research related to hardwood scanning;"

On page 85, line 15, strike "$128,072,000" and insert "$126,072,000".

SA 1760. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 173, after line 24, insert the following:

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Sect. 7. (a)(1) Section 101 of division B of Public Law 108-324 (118 Stat. 1222) is amended—

(A) in subsection (a)(2)—

(i) by striking the "2003, 2004, or 2005 crop" (as elected by a producer), but limited to only one of the crop years listed" and inserting the "2003 or 2004 crop (as elected by a producer) and the 2005 crop"; and

(ii) by striking "qualifying crop losses" and all that follows through "in this paragraph;" and
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On page 173, after line 24, insert the following: Sec. 7. None of the funds made available by this Act, or any other Act may be used to close or relocate a county or local Farm Service Agency location or the Secretary of Agriculture has determined the cost effectiveness and enhancement of program delivery of the closure or relocation, and report to the House and Senate Committees on Agriculture and Appropriations.

SA 1764. Mr. CRAIG (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows: On page 85, line 15, strike "$128,072,000" and insert "$116,072,000". On page 173, after line 24, insert the following: Sec. 7. In addition to other amounts made available by this Act, $12,000,000 shall be made available to the Secretary of Agriculture for specialty crops for the fiscal year ending September 30, 2006, and for other purposes, which was ordered to lie on the table; as follows: On page 34, line 20, strike "2005" and insert "2006". On page 173, after line 24, insert the following: Sec. 7. None of the funds made available by this Act, or any other Act may be used to close or relocate a county or local Farm Service Agency location or until the Secretary of Agriculture has determined the cost effectiveness and enhancement of program delivery of the closure or relocation, and report to the House and Senate Committees on Agriculture and Appropriations.

SA 1765. Mr. KOHL (for Mr. HARKIN) proposed an amendment to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows: On page 173, after line 24, insert the following: Sec. 7. On page 173, after line 24, insert the following: Sec. 7. None of the funds made available by this Act, or any other Act may be used to close or relocate a county or local Farm Service Agency location or until the Secretary of Agriculture has determined the cost effectiveness and enhancement of program delivery of the closure or relocation, and report to the House and Senate Committees on Agriculture and Appropriations.

SA 1766. Mr. KOHL (for Mr. PRYOR) proposed an amendment to the bill H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows: On page 173, after line 24, insert the following: Sec. 7. On page 173, after line 24, insert the following: Sec. 7. None of the funds made available by this Act, or any other Act may be used to close or relocate a county or local Farm Service Agency location or until the Secretary of Agriculture has determined the cost effectiveness and enhancement of program delivery of the closure or relocation, and report to the House and Senate Committees on Agriculture and Appropriations.
NOTICES OF HEARINGS/MEETINGS
COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP
Ms. SNOYER. Mr. President, the Chair wishes to inform Members that the Committee on Small Business & Entrepreneurship will hold a public hearing entitled, “The Impact of Hurricane Katrina on Small Businesses” on Thursday, September 22, 2005, at 10 a.m., in room 428A of the Russell Senate Office Building.

AUTHORITY FOR COMMITTEES TO MEET
COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY
Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition and Forestry be authorized to conduct a business meeting during the session of the Senate on Tuesday, September 20, 2005 at 10 a.m. in SR–328A, Russell Senate Office Building. The purpose of this meeting will be to markup S. 1582, a bill to reauthorize the U.S. Grain Standards Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS
Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 20, 2005, at 10 a.m., to conduct a hearing on the nomination of Mr. Emil Henry Jr., of New York, to be Assistant Secretary for Financial Institutions, Department of the Treasury; Ms. Scottie Theresa Neese, of Oklahoma, to be Director of the United States Mint; and Mr. Patrick O’Brien, of Minnesota, to be Assistant Secretary for Terrorist Financing, Department of the Treasury.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES
Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, September 20, 2005 at 10 a.m. The purpose of this hearing is to receive testimony regarding the current state of climate change scientific research and the economics of strategies to manage climate change. Issues to be discussed include: the relationship between energy consumption and climate change, and the potential effects on the U.S. economy of climate change and strategies to control greenhouse gas emissions.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS
Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Subcommittee on Western Hemisphere, Peace Corps, and Narcotics Affairs be authorized to meet during the session of the Senate on Tuesday, September 20, 2005, at 2:30 p.m. to hold a hearing on China’s Role in Latin America.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY
Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on “The Kelo Decision: Investigating Takings of Homes and other Private Property” on Tuesday, September 20, 2005 at 10 a.m. in the Dirksen Senate Office Building Room 226. The tentative witness list is attached.

Panel I: The Honorable John Cornyn, United States Senator [R-TX].
Panel II: Ms. Susette Kelo, New London, CT; Fred Jenkins, Pastor, St. Luke’s Pentecostal Church, North Hempstead, NY; The Honorable Eddie A. Perez, Mayor, Representing the National League of Cities, Hartford, CT; Hilary O. Shelton, Director, NAACP Washington Bureau, Washington, DC; Thomas Merrill, Charles Keller Bекkman Professor of Law, Columbia University, New York City, NY; Steven J. Eagle, Professor of Law, George Mason University, Arlington, VA.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON DISASTER PREVENTION AND PREDICTION
Mr. BENNETT. Mr. President, I ask unanimous consent that the Subcommittee on Disaster Prevention and Prediction be authorized to meet on Tuesday, September 20, 2005, at 3 p.m., on Review of the Prediction of Hurricane Katrina.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE PLACED ON THE CALENDAR—S. 1718

Mr. BENNETT. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the second time.

The assistant legislative clerk read as follows:

A bill (S. 1718) to provide special rules for disaster relief employment under the Workforce Investment Act of 1998 for individuals displaced by Hurricane Katrina.

Mr. BENNETT. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceeding.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

ORDERS FOR WEDNESDAY, SEPTEMBER 21, 2005
Mr. BENNETT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, September 21. I further ask consent that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to a period of morning business for up to 60 minutes, with the first 30 minutes under the control of the majority leader or his designee and the final 30 minutes under the control of the Democratic leader or his designee; provided that following morning business, the Senate resume consideration of H.R. 2744, the Agriculture appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM
Mr. BENNETT. Mr. President, tomorrow, the Senate will return to the consideration of the Agriculture appropriations bill. Under a previous order, there is a filing deadline of 4 p.m. for first-degree amendments. I urge Senators to come forward early with their amendments so that we can finish the bill tomorrow night. Rollcall votes will occur throughout the day tomorrow, and I announce on behalf of the majority leader that a late night may be necessary in order to finish the bill.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW
Mr. BENNETT. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:36 p.m., adjourned until Wednesday, September 21, 2005, at 9:30 a.m.
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, including his own mother, perished at the hands of the Nazis.

Upon his liberation, Mr. Wiesenthal relentlessly and often single-handedly 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—but 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 lost their homes 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 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 wanted 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 not least of which they are 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 the need for housing in Louisiana, that they could not hold the rollcall 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 would have been needed for housing in Louisiana, that they could not hold the rollcall open long enough to twist enough arms to get there. Well, that is democracy. Let us have the vote on the floor.

I hope Members will look at these recommendations and 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 hard 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 stood with the vote 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 or invalidate the resolution or disapproving 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.
AFTER RECESS

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

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. 2662. 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, Mr. Skakel, Mr. Inouye, 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 Adult Education at the 12th Street Baptist Church in Gadsden, Alabama.

Reverend Young is joined today by Annette and I will miss our visits with Simon Wiesenthal, but for his grandchildren, for if one generation’s criminals go unpunished, their descendants will conclude that they too can get away with murder.

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 escape justice.

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 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 bail out 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 if we are going 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. When 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. 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 have 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. 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.

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 and discussions that were being discussed here in this town. 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.

Honorng Afghan 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, Afghan 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 violence 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.
September 20, 2005

CONGRESSIONAL RECORD—HOUSE

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. Emerson). Pursuant to clause 8 of rule XX, I am prepared to 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.

The Clerk reads 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 the disaster area (as such term is defined in section 173(a)(2) of such Act).

(b) Eligibility for Disaster Relief Employment.—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, or public sector employment authorized under subsection (c) of this Act, to individuals affected by Hurricane Katrina, including those 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.

(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 (29 U.S.C. 2918(a)(2)) to address the effects of Hurricane Katrina may be used to provide disaster relief employment 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 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.

(d) Extension of the Duration of Disaster Relief Employment.—The Secretary
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 bill 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.

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 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 $2 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 Department of Labor appropriated $157.8 million in national emergency grant funds, and DOL has already promised $191 million to help Katrina victims.

The 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 hurricane-damaged sector. The order 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 extends 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 extended 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.

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, against this community, as a 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 knows that our thoughts are with them for bringing forward this important piece of legislation.

One way we are doing this is through the national emergency grants which provide temporary disaster relief employment 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 national emergency 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 grants available for employment projects located outside the designated 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 Congress. 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 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 Louisiana (Mr. BOUSTANY) for his work and urge my colleagues to join me in support of this bill.

Mr. GENE GREEN of Texas. Madam Speaker and members, I rise today in support of the Flexibility for Displaced Workers Act because it is the right thing to do. This bill provides greater flexibility to the National Emergency Grant Program at the Department of Labor.

This will enable communities that are assisting evacuees to increase employment opportunities for evacuees.
For example, this legislation will allow temporary employment of evacuees in positions that are not directly related to the disaster.

While thousands of jobs will be created in rebuilding New Orleans, the Houston area has an estimated 200,000 evacuees in the area. If we pass this bill today, we will be able to offer these people more job opportunities for a longer period of time.

We must ensure those who want to return and help rebuild New Orleans will do so.

However, we also expect many evacuees will find it easier to settle in Houston now that there are opportunities to find housing and employment.

The State of Texas has already processed over 49,000 calls from evacuees seeking unemployment benefits since the evacuation started.

Texas, and especially Houston, need this bill to pass in order to help these people find employment.

I urge all my colleagues to support this measure.

Those of us with large numbers of evacuees in our districts need this change to help those displaced by Hurricane Katrina rebuild their lives.

Mr. GEORGE MILLER of California. Madam Speaker, I yield back my time as well.

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 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.

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

Madam Speaker, I rise today in support of the HEROES 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 give 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 wrote a letter on the 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. Formerly, 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 payments 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 loans 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 vision 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 much 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 assistance 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 stability 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. BOEHNER) 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 law, which I know many Members feel will help to bring the higher education reauthorization bill to the floor which will deal with the issue our friend from Maryland has referred to, and I want to say thank you. It 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 bring to the floor the 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 the Higher Education Act was. 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 will have to pay attention to 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 chair 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 are extremely important and something, frankly, not for us to triffl 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 or 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, 2006.

(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 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;

(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 authorized 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 amounts authorized to be appropriated for a program description (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.

(d) ADJUSTMENTS TO 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, shall be extended to the extent that those provisions shall be applicable 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 108-186.

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).

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.

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, participate 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. McKee) 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 accountable to students, parents, and taxpayers, the people they serve, through increased sunshine and transparency.

I yield a point of order.

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 expand if taxpayervs. 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 responsibility 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 taxpayervs., 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 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.

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 the 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, we must move college access.

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 taxpayervs. 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 BOEINER) 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, I move forward in a way that helps, not harms, our students. I look forward to working with the gentleman from Ohio (Mr. BOEINER) and the gentleman from California (Mr. MCKEON) to achieve that.

Madam Speaker, I reserve the balance of my time.

Mr. BOEINER. 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 proposals to save money as well. The only difference here is that we decided that not of those $9 billion ought to be saved for taxpayervs. 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 responsibility to enact public policy that is fair for all.

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

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

The gentleman is right, we do over $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

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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 good 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.

I yield myself the balance of my time, 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.


I would prefer to rise today to express my support for a bill that expands access for students to college and fulfills the federal government’s promises to make college more affordable for the millions of students attending our nation’s colleges and universities.

Unfortunately, that is not the bill before us today. It is my hope, however, that the Republican leadership will use this time provided by the extension to improve their plan to reauthorize the Higher Education Act—H.R. 609.

The Republican bill that passed out of the House Education and the Workforce Committee on a strictly partisan vote balances the massive deficit created by enormous tax breaks to America’s most fortunate and the war in Iraq on the backs of students—who continue to face increased tuition costs across the nation. H.R. 609 cuts nearly $9 billion from the Federal student loan program, with Republican plans to cut an additional $2 billion in order to balance their misguided budget. This cut is the largest cut to student financial aid in the history of Federal student financial aid.

The Reauthorization of the Higher Education Act should be an opportunity to enhance access for our nation’s low and moderate income students and first generation students to a higher education. Instead of finding ways to increase college affordability and fund student financial aid during this reauthorization, Republicans have been focused on finding ways to open up more Federal dollars for for-profit education institutions, while finding ways to usurp college campus autonomy. Instead of increasing access, millions of students will see the cost of a college education increase significantly because of provisions found in H.R. 609.

In committee, I voted to support the Democratic amendment to reauthorize the Higher Education Act, which would have increased access and enhance affordability for all students—all without raising taxes. The Democratic plan would have increased Pell Grants and would have maintained the promise Congress made in 2002 to cap the interest rate on student loans at 6.8 percent.

The tax cuts proposed by President George W. Bush and the House Republican budget, forces college students to bear the weight of irresponsible fiscal policies.

Today, this temporary extension is necessary, but I will continue to work to ensure that students will not be forced to pay for this enormous deficit now through financial aid cuts and in the future as taxpayers.

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

The SPEAKER pro tempore (Mrs. NOLAN). The question is 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.


(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 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).

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

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 permits needed to process permits more efficiently. 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 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 yield 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 wholeheartedly 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 catas-
trophe 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 Mem-
ber 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 bi-
partisan piece of legislation. It is criti-
cally important, and I urge its passage.

Madam Speaker, I have no further re-
quests 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. 3765.

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

SPORTFISHING AND RECREA-
TIONAL BOATING SAFETY AMEN-
DMENTS 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 pro-
grams funded out of the Highway Trust Fund through the end of fiscal year
2005, and for other purposes.

"The Clerk reads as follows:

Senate Amendment:

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

SEC. 302. CORRECTION OF DISTRIBUTION OF OB-
LIGATION AUTHORITY UNDER SEC-
TION 1102(c)(4)(A) OF PUBLIC LAW
109–59.

Notwithstanding section 1102(c)(4)(A) of Pub-
lic Law 109–59; 119 Stat. 1144, et seq., or any
other provision of law, for fiscal year 2005, obli-
gation authority for funds made available under
section 1102 of division H of Public Law 109–447; 118
Stat. 2126 for expenses necessary to discharge
the functions of the Secretary of Transportation with
respect to traffic and highway safety under chapter
391 of title 49, United States Code, and part C of subti-
ble VIf of title 49, United States Code, shall be made available in an
amount equal to the funds provided therein:
Provided, That the additional obligation au-
thority needed to meet the requirements of this
section shall be made available 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 109–447.

The SPEAKER pro tempore. Pursu-
ant to the rule, the gentleman from
Louisiana (Mr. BOUSTANY) and the gen-
tlewoman from Texas (Ms. EDDIE BER-
NICE JOHNSON) each will control 20 min-
utes.

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

GENERAL LEAVE

Mr. BOUSTANY. Madam Speaker, I ask unanimous consent that all Mem-
bers may have 5 legislative days within
which to revise and extend their re-
marks and include extraneous material on H.R. 3649.

The SPEAKER pro tempore. Is there
objection to the request of the gen-
tleman from Louisiana? There was no objection.

Mr. BOUSTANY. Madam Speaker, I
yield myself such time as I may con-
sider.

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 tech-
nical 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 fund-
ing is made available for State rec-
reational boating programs for the re-
mainder of fiscal year 2005. These funds support boating safety and edu-
cation, outreach and communication programs in each and every State and U.S. terri-
ory to promote safe and responsible
boating and fishing practices nation-
wide.

I thank my colleagues for their con-
tinued support of this important legis-
lation and for their work to improve
access and safety on our Nation’s wa-
terways. I urge a “yes” vote on H.R. 3649.

Madam Speaker, I reserve the bal-
ance 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 Rec-
reational Boating Safety Amendments

The purpose of this bill is very sim-
ple: to correct two provisions in the re-
cently 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 ex-
thended 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 reau-
thorization and funding of the Recre-
ational Boating Safety program be-

beginning on October 1, the new fiscal
year. So as a result, gas taxes that are
collected between August 15 and Octo-
ber 1 from recreational boaters cannot
be given to the State boating law ad-
ministrators to fund their recreational
boating safety programs.

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

Mr. BOUSTANY. 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 pro-
grame. That high way safety and vehi-
icle safety program funding is split be-

tween the highway trust fund and gen-

eral fund. For fiscal year 2005, appro-
piations chose to not provide any gen-
eral fund money to the National High-

way Traffic Safety Administration vehi-

cle safety program, instead pulling
additional resources from the highway

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 activi-
ties may be significantly impacted, in-
cluding ongoing research to test and
evaluate automobiles and numerous re-
search 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 re-
quests 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 Sen-
ate 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 For-
est, California, and for other purposes.
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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 comprising approximately 160 acres and located in township 9 south, range 25 east, section 30, E1⁄4SW1⁄4 and W3⁄4SE1⁄4, 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, N1⁄2SW1⁄4, 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 applicable Federal land acquisition and approval standards of the Attorney General applicable to Federal land acquisitions and shall be acceptable to the Secretary.

(b) 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.

(c) REQUIRED TERMS AND CONDITIONS.—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, 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 non-Federal land.

(d) 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. 520 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 conveyed under this section shall forever convey 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 to take such actions on the Federal land as may be necessary to comply with all applicable rules, regulations, orders and other governmental, regulatory, and administrative authorities and requirements, or that may be necessary for the efficient operation of the property for hydropower purposes. Grantor, its successors and assigns, shall not deposit or permit or allow to be deposited, earth, fill, debris or any 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 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 Grantor, which consent shall not be unreasonably withheld. The terms, covenants and conditions of the Grant shall bind and inure to the benefit of the successors and assigns of Grantor and the successors and assigns of Grantee.

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

(a) PURPOSE.—A hydroelectric project, licenses, and all future licenses or authorizations issued pursuant to the Federal Power Act or any other applicable law, under section (b) and all future licenses or authorizations issued pursuant to the Federal Power Act or any other applicable law, under section 3 and its reconveyance to the Sequoia Council of the Boy Scouts of America, as required by section 34(k), 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 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 hydroelectric project owner rejects an offer under subsection (b) or fails to respond to the offer before the expiration of the 90-day period provided in this Grant or Easement, 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 any 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.
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 transfer. 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.

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. 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 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 may impact the public enjoyment of Barrett's Farm.
(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 alternative means to preserve and interpret the historical importance 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).

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 Mississippi (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 cannon, 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.

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, already listed on the National Register for Historic Places, has 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 stop its development into something else.

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 under 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 hardworking 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 Arizona (Mr. RENZI) and the gentlewoman from Guam (Ms. BORDALLO) for all the work they are doing to ensure our history is preserved.

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 INHOFFE. 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.

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.

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 appropriation.

The Clerk reads 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 revise and extend their remarks and in-
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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 yeas 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.

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 during mission STS–7;

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 1996, 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, Eileen Collins became the first African-American woman to fly in outer space aboard the Space Shuttle Endeavor during mission STS–47;

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 Ochoa, Yvonne Cagle, Laurel Clark, Kalpana Chawla, Laurel B. Clark, Mary Cleave, Catherine Coleman, Eileen Collins, Nancy J. Currie, Jan Davis, Bonnie Dunbar, Linda Godwin, Susan 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 McNair, 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 SSTS–114; and

(2) commends 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.

Mr. CALVERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to review and consider 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 those 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 this 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 are not 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 Ellen Collins and Wendy Lawrence.

I am delighted today to recognize the achievements of my fellow New Yorker, Ellen 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 most historic 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 disappointments 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 lead the way.

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.


Mr. AL GREEN of Texas. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Mrs. SCHMIDT).

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 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 a degree in biological science from Ohio State University, eventually earning a 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 electrical 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 world. They are role models, with a new sense of purpose, rebound from these disasters, as it always has, with a new sense of purpose, stronger and more determined than ever.

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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 science and aeronautics, and I am especially proud of the many 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. 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 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 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 their hard work and the excellent example they set.

Ms. JACKSON-LEE 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. 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 acknowledge not only the leadership of women but also NASA's contributions to America. So I rise to speak as well to H. Res. 411 and H. Res. 416. I thank the gentlewoman from New York (Mrs. MALONEY), who has been steadfast in reminding us of the importance of the involvement and 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 new technology was critical 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. Resnik, and also 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 importantly, 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 which 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 disaster. 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 as 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 declared 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 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 apropos that this shuttle was named Discovery. Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today as a proud cosponsor of H. Res. 450 which recognizes 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. Let me offer my own personal congratulations to these women who have not only advanced the cause of aeronautics through their work, but they have advanced the cause of women through their determination.

Let me take a moment to recognize Commander Eileen Collins who successfully re- moved a failed Space Station gyroscope. She was born in Elmhurst, New York on November 19, 1956. As a child, Eileen dreamed about space and of becoming a pilot. Her parents often took her to the airport to watch the planes take off and land. The Collins family wanted Eileen to attend college, but did not have the money to send her. After high school, she attended Corning Community College. While there, she studied hard to earn a two-year scholarship to Syracuse University. In 1978 Eileen Collins graduated with a bachelor’s degree in ocean engineering and a minor in mathematics from Syracuse University. Later, she went on to earn a master of science degree in operations research from Stanford University and a master of arts degree in space systems management from Webster University.

In 1979, LTC Collins graduated from Air Force Undergraduate Pilot Training at Vance Air Force Base. In 1990, while attending the Air Force Test Pilot School, she was selected for the astronaut program. Eileen Collins became an astronaut in July 1991 and the first woman pilot on the Space Shuttle on February 2, 1995. She made history once again in 1999. On July 23 LTC Collins became the first woman to command a Space Shuttle mission. Eileen Collins is also a wife and mother, but on top of all these titles and distinctions, she is an inspiration for many women throughout the world.

I also want to take a moment to recognize CAPT Wendy B. Lawrence who served as a mission specialist on the Space Shuttle Discovery. CAPT Lawrence is a native of Jacksonville and has flown on four missions to space. Lawrence graduated from the U.S. Naval Academy in 1981 with a degree in Ocean Engineering. She went on to earn a master of science degree in Ocean Engineering from M.I.T. in 1988. Her mission aboard Discovery was to transfer payloads back and forth from the International Space Station using the robotic arm. She’s made history, too. She was one of the first two female helicopter pilots to make a long deployment to the Indian Ocean as part of a carrier battle group task. While stationed at Helicopter Combat Support Squadron Six. Clearly, she made history again when the Shuttle Discovery returned NASA to flight.

Both these women deserve great recognition for their work aboard the Shuttle Discovery and their lifetime of service to our Nation. Truly, many women from Sally Ride to Mae Jemison have made great strides to get to this day when a woman can command a space shuttle. To paraphrase a historic statement once made from the moon: ‘This is one small step for women and one giant leap for womenkind.’

Mr. AL GREEN of Texas. 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.

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 the STS-114 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
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 accomplishment, as well as the 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. 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 who are 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.

The SPEAKER pro tempore (Mr. LAHODD). 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).

GREAT 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 groups. 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 averaged 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.

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 groups. 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.

The SPEAKER pro tempore. Now, therefore, be it

Whereas Commander Eileen Collins led the crew of the Discovery as a token of the Nation’s gratitude for their heroism.

Whereas the crew of the Discovery experienced "virtual" visits from leaders of 2 nations, 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, to perform 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," who enhanced and repaired Discovery and the International Space Station;

(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.

The SPEAKER pro tempore (Mr. LAHODD). 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).

The SPEAKER pro tempore (Mr. CALVERT). Mr. Speaker, I rise today to honor the STS–114 crew. Pursuant to the rule, the gentleman from California (Chairman CALVERT) and the gentleman from Texas (Mr. AL GREEN) each will control 20 minutes.

The SPEAKER pro tempore (Mr. CALVERT). Mr. Speaker, I reserve the balance of my time.

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

The SPEAKER pro tempore. 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.

The SPEAKER pro tempore. Mr. Speaker, I reserve the balance of my time.

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 who are 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-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 others.

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.

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

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 mission to the International Space Station. Commander Eileen Collins, Pilot Jim Kelly, Mission Specialists Charlie Camarda, Mission Specialist 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 inflight 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 rid the fleet of 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 hosped and dreams made 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. 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.

As 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 forward 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 rebegun 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 and 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 re-store 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 position of the Shuttle as 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 the Discovery mission and 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. BREIER. 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 this 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, including the STS–114 mission. NASA’s scientific portfolio includes projects like the 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 2008 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 the 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 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 observe nearby stars for Earth-sized planets. The second mission, the Europa Orbiter, will discover whether an ocean exists beneath the surface of one 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 completed with always 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 workforce. Space is of such 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 the universe. 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 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 co-sponsor 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.
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Inhorn 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.

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 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, as above recorded.

NOT VOTING—33

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.

Mr. PAUL changed his vote from "yea" to "nay."

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

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:

YEAS—400

[Roll No. 476]

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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

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.

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| 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 pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 441, on which the ayes and nays are ordered.

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

Rolle No. 477

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

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 Specialist Charlie Camarda, Mission Specialist Wendy Lawrence, Mission Specialist Solchi 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 voting on two votes on September 20, 2005. Had I been present in each 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 Bolanos 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.

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, 7 3/4 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.

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 Minnesota (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 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, whereas gasoline is from corn. 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 willing 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 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 gentlewoman 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 pushed 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, and 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
UNEQUAL TAXATION HURTS EDUCATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah (Mr. Bishop) is recognized for 8 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. 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, those 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.

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 that 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
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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 endowment of 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 $325 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.

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. 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 then the average worker has seen either 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 closing 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 President 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, D.C., is twice the infant mortality rate in Beijing. The infant mortality rate in our nation is four times 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 President'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 work the heaviest 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 deprioritize poverty in this 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 schoolyards 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 been offended by it. Found 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 major 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 interpreted 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 Founding Fathers 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 the first amendment says 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 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 Representatives? 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 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 he’s more offended words, 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 the act not only certain is not justice for all but only for those who are offended. Mr. Speaker, this ought not to be.
very least we must play a constructive role in the rebuilding of Iraq.

Most of all, Thursday’s hearing was designed to launch 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 Iraq 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 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.

The SPEAKER pro tempore. There was no objection.

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.

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.

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 remarks and include extraneous material on the subject of my Special Order.

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 casked of Emory Till, a 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 2 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 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.

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 “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 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 Enuice 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 to the White House in 1975 on a goodwill visit to 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 Indonesia. 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.
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 age 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; we need strong 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.

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 said how other people lived and what 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 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.

Mr. CUMMINGS. Mr. Speaker, I rise today to pay homage to John H. Johnson, who left this Earth on August 8, 2005 after a lengthy illness. I again send my sincerest condolences to his family.

For my colleagues who may not be familiar with his legacy, John H. Johnson was a publishing icon—a true legend—who exemplified the power of faith, his mother and entrepreneurial spirit. He was an extraordinary businessman whose life was like a giant tree that had grown from a small seed—one step and one season at a time.

His journey began on January 19, 1918, when he was born in Arkansas City, Arkansas. Although his father died in a sawmill accident when John was only eight years old, his mother worked diligently to move her family to Chicago and to give them a better life. As a result of his mother's sacrifice and his unwavering faith, his dreams knew no boundaries. Consequently, in 1936 during the era of Jim Crow, with the mere vision of formulating a national magazine geared toward the empowerment of African-Americans and a $500 loan from his mother, Johnson did what many would deem impossible. He formed the now successful Johnson Publishing Company, Inc., which later published two of the nation's top African-American magazines, Ebony and Jet.

Not only have these magazines served as the beginning of prosperous careers for young journalists, but they also serve to highlight positive accomplishments and achievements in the African American community often overlooked in the mainstream media.

For Archbishop Desmond Tutu of South Africa, Ebony was the light that inspired him through the stormy days of apartheid. To Newsweek's contributing editor, Mr. Ellis, Chicago was the city that for the first time Mr. Johnson's company symbolizes just how high black entrepreneurship can reach. And for Members of the Congressional Black Caucus, both Jet and Ebony help us better serve our constituents by providing invaluable information on how we work in Washington affects their lives.

In addition to his publishing empire, John Johnson's phenomenal entrepreneurial skills coupled with his tenacity led him to successfully venture into cosmetics, television production, as well as the fashion industry. Needless to say, Mr. Johnson realized almost 70 years ago, that entrepreneurship can provide a path to achievement and wealth for Americans willing to invest in their own vision and abilities.

Besides his $500 million enterprise, some of his more well-known accolades include, among others, the first African American named to the Forbes list of the 400 wealthiest Americans in 1982, receiving the Black Journalists' Lifetime Award in 1987 and the Wall Street Journal/Dow Jones Entrepreneurial Excellence Award in 1993, as well as the Presidential Medal of Freedom from President Clinton in 1996, the highest honor the nation can bestow on a citizen.

Furthermore, in 2003, the John H. Johnson School of Communications was established in his honor, while the John H. Johnson Delta Cultural and Entrepreneurial Learning Center in Arkansas City was dedicated to him in 2005. These are fitting honors to a man who dedicated his life to breaking barriers and to being a hallmark of excellence.

Mr. Speaker, again it is both an honor and a privilege to stand before you to give tribute being a hallmark of excellence. His journey began on January 19, 1918, when he was born in Arkansas City, Arkansas. Although his father died in a sawmill accident when John was only eight years old, his mother worked diligently to move her family to Chicago and to give them a better life. As a result of his mother's sacrifice and his unwavering faith, his dreams knew no boundaries. Consequently, in 1936 during the era of Jim Crow, with the mere vision of formulating a national magazine geared toward the empowerment of African-Americans and a $500 loan from his mother, Johnson did what many would deem impossible. He formed the now successful Johnson Publishing Company, Inc., which later published two of the nation's top African-American magazines, Ebony and Jet.

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Mr. Speaker, again it is both an honor and a privilege to stand before you to give tribute to a man who dedicated his life's work to ensuring that African-Americans were uplifted. As a result he helped to uplift our nation.

I would like to close with a quote from his autobiography, Succeeding Against the Odds, that says: "I hope you never have to try . . . and if my life has meaning . . . it is because millions of Americans, Black and White, have proved through me that the Dream is still alive and well and working in America."
Mr. Speaker, John Johnson’s life encapsulated the American dream—his works while on Earth ensure that the Dream remains an attainable reality. May he rest in peace.

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 whether or not we have a nominee like Judge John G. Roberts is a very, very big battle in- dent 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. I believe that 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 as important for us to encourage the President, to encourage the Senate to appoint and confirm people that will read the Constitution regardless of the outcome, 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 they 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 pocketbook, whereas 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 breath-taking 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 pledge “under God” does not change the Pledge into a religious idol and it “cannot possibly lead to the establishment of religion or anything like it.”

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 concur- rence 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. 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 irreli- gion, and it is a pathetic example of jur- isprudence 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 diabolic and it serves as ex- hibit 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 Con- stitution from liberal activist Federal judges.

Mr. Speaker, in striking down our Pledge of Allegiance, this judge has once again ignored a resolve in the American people that will ultimately
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lead to Federal reforms limiting their power to legislate from the bench. This judicial obliquity 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 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 where we have a moment 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 talking 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 think my prediction was absolutely proven true. I think everyone acknowledges he showed great intelligence and great insight. He answered the questions appropriately. He was able to be эксперт 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 that 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 court that comes into the case with 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 to bring 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, 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 represent 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
If the next time he comes into court and someone has hired him to take the opposite position, that same lawyer who is arguing the other side of that case would be accusing him of being a crook because he represents somebody who is just on the other side. And almost every argument that is made in this whole list of things that says Roberts is a right wing extremist, 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 what their client wants, they want 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 dissenting arguments in the case that was 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 arguments 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 diverse opinions 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 from there. I think 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 issues that come before it. And then we go to try and 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 is 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 and 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, then let us get him in charge of 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 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. If we do not have diverse opinion, if we do not have diverse judges, then how do we produce good decisions that fit the appropriate actions that are necessary for the court.

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 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 the argument that you made yourself 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,
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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. JUDD) that he is hostile to Texas (Mr. CARTER), and also the gentleman from Texas (Mr. GOMERT) 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 reminiscing 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 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 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.

And over and over in his testimony before the Senate Committee on the Judiciary, when he stated: "My obligation is to the Constitution." 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.

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 must apply the law. They must be constrained by the words of the Constitution."

"And not 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.
text of the Constitution, within the clear meaning and the defined boundaries of the Constitution, and the rule of law. I believe that every judge that ever put on a black robe would rule according to the rule of law, even though they are following the Constitution, people will respect and revere the decisions of the Supreme Court. And because it is the Supreme Court, people will respect and revere the decisions of the Supreme Court, without regard to the text and the intent of the Constitution or the law itself. That is my edit.

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." 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, people will respect and revere the decisions of the Supreme 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 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 reveres, that we reveres.
Sometimes physicians are probably pitied 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, Speaker, I just feel 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 of his mentor, 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, quite evident. Just like the Senate Committee 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 out with prejudice 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. They may 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. 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 explain that to him. I thank the gentleman from Texas said, that while 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 that notion 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 am just 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.

Mr. CARTER. Mr. Speaker, first I want to tell you 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 judge.

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. We have a judge that has the common sense of the American people.

It is just so very important that we have that kind of a judge that comes to the Court. This is exactly want 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 my colleagues and I to stand here and express our appreciation for the gentleman from Texas and the gentleman from Iowa and all that has happened in the confirmation hearings. I hope that when they have the chance to vote on the Committee on the Judiciary, there should not be a strong consensus for any further comments he might have.

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life, liberty, the pursuit of happiness. But those rights are even more clearly defined in the Declaration, 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 the Court, we see those rights 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, we have gone off track. This is 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 to 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 this 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, step back and ask why we are 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 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 Lincoln (Mr. KENYER) 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 object 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 truth to 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 communicate with 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 cannot allow 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. We owe them 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 Demo­cratic colleagues. That is why we have offered amendments, written letter after letter, and introduced legislation to increase funding for our first responders for interoperability.

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 the administration has spent $250 million for interoperability. $200 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, $250 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.

Shocking, 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 said that 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 were running from the field to the field, 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 Hurricane Katrina, 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. 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 patrol and 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 from our budget 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 thinking of all 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 session 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 entities to achieve interoperability, with multiyear grants available to ensure that agencies can develop a long-term plan for improving their communications. The bill has not even moved out of committee.

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 this 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 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, not corporate profits, are the priority; but instead of doing what needs to be done, the majority insists on thinking of all the reconciliation bill so they can use the proceeds to pay for more tax cuts for the wealthiest Americans.

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 communications 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 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 or Katrina for that matter? 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 ability to ensure that public safety, not the inconsiderable, 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 bill had 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 south tower was going down. 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 interoperable 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.

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.

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 in the House.

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 any report. The Administration has not even given us a timeline. This was a special order 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, “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 an 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. She saw on September 11 and she 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 zoned 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 Pennsylvania (Ms. SCHWARTZ) and myself, by the gentleman from New Jersey (Mr. PASCARELL), a number of us have come down here repeatedly, saying we have the mission to the smoky sky, we will get to it, we will get to it. Even before Hurricane Katrina hit, some of us said, have you got your interconnectibility 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 the kind permission of the gentlewoman from Pennsylvania, I want to thank the gentlewoman from New Jersey, the leadership of the Democratic Party in this Congress has zeroed out the gentleman from New Jersey (Mr. PASARELL) and the gentleman from 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 zoned out the only program specifically set up to develop interoperability.

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So, with the kind permission of the gentlewoman from Pennsylvania, I want to thank the gentlewoman from New Jersey (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, like my esteemed 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 the 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 the initial search-and-rescue 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 a terrorist or mass incident, and they are doing so because they cannot afford to wait.

In my region, the Philadelphia Police Department, along with Southeastern...
Congressional Record—House

September 20, 2005

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: “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 communications needs of our first responders. Sadly, 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 thatfirefighting 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 about 9/11, the President said and I quote: ‘It is important that we understand.

Let me go on. Here is what the President said: “I don’t think anybody anticipated the breach of the levee. 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 triage and physicans 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.”

Pennsylvania Transit Authority officials, are working to address the fact that 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 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 and.”

Rita was there.”

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.”

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why we want to spend money to make sure equipment is there, strategies are there, communications are there, to make sure that we 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 to get us closer to 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 tell 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 Katrina.

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 20 years away from 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 well over $3 billion. A little over $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 appropriations 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 direct 10 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. It’s the 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 give State and local officials what they need. Too 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 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, not sure, 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 speak on 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 place to thoroughly investigate this that we have, 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 bringing in work and bringing in supplies. It was really an amazing show of the best in human nature.

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 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.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. Gingrey) has the floor.

As I sit through the night reading 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.

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.

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 districts 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 maintains the levees on the Mississippi River. The other levees, particularly 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 therefore are later to be 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 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 I drove to the north, and it was 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 Lake Pontchartrain. As it 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 out in the news in 2002. It was the scenario that hit with Hurricane Katrina when Lake Pontchartrain spilled over the levees. Once it breached 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 the week after 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 drove from New Orleans to the Gulf, south about 90 miles of the Mississippi and then 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 and the water 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 predictable, and what might have happened if it had gone 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 there flooded. I had four large construction contracts going on in 1993 in Iowa, and they 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 worry, which 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 underwriter; 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.

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 on Hurricane Katrina and how 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 gentlemen 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 sitting 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, he brought an angel flight to let 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 the example maybe on the converge 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 Ben nett. 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 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 go except maybe to 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 have 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 was not noticed 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.

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, why they did not leave 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 them. The neighbors in the past had actually left their property, only to come back and find it flooded.

For Operation Brother’s Keeper, they 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. I want to give him the public service 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 people that they are 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 have 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 created 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 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 turn to the 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 plyboard 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, “Stay from Minnesota down to Missouri 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 the 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 working 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 couple of 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 clothing possessions that sat under neath their own personal cot, which was laying out there in the middle of everywhere with hundreds and hun-
dreds of people all in one room sleeping together and set up with food lines and passing medical care and doing all we could do at the time.

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 cen-
ters and some of those were used and they were loaded and they were 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 went 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 em-
ployers, their pastors, the school ad-
ministrator, and any other volunteers and groups that would like to, espe-
cially the service clubs that are very effective in our region, such as the Ro-
tary and Kiwanis and the Optimists and the Lions who all have a signifi-
cant role to supplement the work of the churches.

We asked them to identify the pack-
age 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 refrig-
erator 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 have now identified, and if we are able to do that, 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 reach-
ung 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 re-
sources 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 tempo-

darily or, if they choose, permanently. All we ask from them is be a good cit-
izen and you can stay here as long as you want to fly off not that 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 they did not have that that people that are willing to come and accept this offer and take a trip to get relo-
cated 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 evacu-
ation attempt, which was a successful effort, it was not practical to be nego-
tiating 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 sit-
tuation 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 11, and I flew in 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 sit-
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raised and posted and the solutions that were proposed and how they arrived at that, it was a textbook study. I think this is why we 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, 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 story that I described earlier. That 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 speed and exactly in the location that it could do the maximal damage. It positioned itself so that it stacked all that water up in Lake Ponchartrain, then it positioned itself to surge the water back out of Lake Ponchartrain, flowed over the levee dikes, breached the dikes, and then began lowering the water level in Lake Ponchartrain 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, 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 and Louisiana 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 these vandals and because we had looters and, 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 90 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 one of the papers 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 the civic center, the Civic Center, the levee center, the fire center, and the hospital 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, but they did not get orders to go in, partly because of the security, and I think partly because the communications 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 they were told to go to the Superdome, it was 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 breakdown of communications and power and cutoff 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.
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; 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 there. His wife was trying to save the dogs and go up the stairs. The last sounds in the film, I am told, 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 levees and the places where the levees 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 water surge. On either side, there is 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, 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. This is right in the wake of the winds, on 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 this many feet. 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, did you note this? This is what is left of the water tower out here on the west side. And the communities as we flew along 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.

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 a 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.

So this is an example of what has to happen was, 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 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 so the next day, and I saw 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 like a parent 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 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 public purposes 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 huge 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 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 still 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 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 minority, 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.

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 individuals 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 a state 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.

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 States 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 the country that 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 the need and the use 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 areas that are involved in the recovery process.

We are going to talk about 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-competition 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,” I mean that they 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 my life 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 the 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 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 change their lives or improve 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 is it they are going to get a job again, where 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 mortgaged were there and 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 it is not just that the leadership in this Congress understands that these are the kinds of tangible things that we need to talk about and stop moving forward with an investiga-

tion that is basically turning inward on itself. We need the independent commission.Objective observers, experts who can be trusted because it is trust that we need to restore so that when, 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.

Mr. NYMAN of Florida. Mr. Speaker, this is what has been going on in this chamber for years. I mean, since we got here, 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 even 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 in 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 projects 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 going to be the same, kind of 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. MEEK of Florida. 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 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 was chairman of 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 Congress going to the bottom line, what 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 on this floor and made this country fail. This 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 gentleman 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, the President, the members of Congress, the White House, 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 we do. We have 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 make the independent panel here. Whatever the majority wants, that is fine.

But we need an independent panel.

Mr. RYAN of Ohio. And I think the 30-something Working Group is encouraged, and the Democratic leadership is absolutely 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 Katrina investigations. They are comparing the Katrina committee that was formed in the Congress last week to the Iran-Contra investigation. Well, there is 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 root 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 pay 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 ahead.

Mr. MEEK of Florida. It is about priorities, 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 they do not want 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 to 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, 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 part of an 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 reduce. 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 pipe to Congress.

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 of tax cuts are going 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 contributes 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, the same 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 transportation 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 are not generous at this point.

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?
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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 benefit. 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 community. If someone thinks 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 the 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 majority leadership, 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. Out of 120 of them. 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 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 shown 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 make a living.

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 Gulf States, the 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 no 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 re instituted. 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 on 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 I talked about last week; there is not the oversight of the contractors. We have 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 Katrina State.

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
Katrina. Victims in Florida of Hurricane through their roof at the sky that were had their homes damaged, looking to reimburse and grant individual as-

FEMA, his administration, has refused the prevailing wage requirements in through Florida. Not one of them did were four storms last year that came through Florida? Presidential election that came how many storms last year during the Under Katrina he did. But there were that Members do not get confused. clarify because I want to make sure Broward, Miami-Dade, and Monroe State. Interestingly enough, he waived talk about how important a State we affection for Florida and Floridians, the President’s waiver because last year that got a contract, a no-bid con-

tract, 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 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? 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 that got a contract, a no-bid con-

tract, 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 cor-

porations as opposed to real people since the day that they walked into the White House?

I mean, our legislation that was in-

roduced by the gentleman from Cali-

fornia (Mr. WAXMAN) and the gentle-

woman from California (Ms. PELOSI) today would be extremely im-

portant things. One is it would estab-

lish an independent commission to pre-

vent fraud and abuse. I mean, that is essential. We have to have some re-

views 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 with-

out 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 coinci-

dence there. Nothing granted to Halli-

burton based on relationship with the administration. Right? Could not pos-

sibly be.

Review in realtime the spending that is going on under ongoing Federal con-

tracts 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 con-

tracts that the government has been involved in because in almost every in-

stance 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 ac-

countability, 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 record this Congress, the highest deficit in the history of the Republic. I think that there is a real reason to have not only debate but 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 re-

ality 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 budg-

et, 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 repre-

sent how would we pay for that dol-

lar 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 budg-

et. 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 def-

icit in the history of the Republic, be-

cause someday I am going to be walk-

ing 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 106th and 109th Congresses, when the deficit went through the roof. What did you do? So I think it is important that we point this out.

Now, there is a good, healthy discus-

sion; and we know that we have indi-

viduals 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 some 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 they 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 it all disaster issue, but on a goven 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 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 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 doing this for the $200 billion.

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 this. We do not have the ability for, 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.

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 anything. 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 and 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.

Mr. 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 a need for 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 uncloug 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 balking 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 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 reimburse 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, and what is happening here in the Congress. We passed out our e-mail address; again, it is 3somethingdems@mail.house.gov.

LEAVE OF ABSENCE
By unanimous consent, leave of absence was granted to:
Ms. ESLICKO (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:
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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. Meek, 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. 
Mr. Kilpatrick of Michigan, for 5 minutes, today. 
Mr. Christensen, for 5 minutes, today. 
Mr. Burton of Indiana, for 5 minutes, September 21, 22, and 23. 
Mr. Roscoe, for 5 minutes, today and September 21. 
Mr. Burton of Indiana, for 5 minutes, September 21, 22, and 23. 
Mr. Rangel, 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. Meeak 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; Revisions in Requirement of Certificates of Purity, [Docket No. 05-896-1 FPR] received September 14, 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; Revisions in Requirement of Certificates of Purity; [Docket No. FV05-946-1 FPR] 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 FPR] 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 Crys4Ab1 and Crys3Ab1 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-heptylid-2-(3H)-furanone, Dihydro-5-pentyl-2-(3H)-furanone, and Dicofol; and 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.


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.


4016. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule — Approval and Promulgation of Implementation Plan; State of Nevada; Modification of Pack Requirements for Walnuts Grown in California; [Docket No. FV05-946-3 IFR] 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 Ohio; 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 — Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District [R02-OAR-2005-CA-0003; FRL-7966-4] 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 Plan; State of Missouri; Control of Emissions from Commercial and Industrial Solid Waste Incineration (CISWI) Units [R01-OAR-2004-MO-0001; FRL-7966-4] 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, California; [FRL-7665-1] 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 — Interim Final Determination to Stay and/or Defer Sanctions, San Joaquin Valley Unified Air Pollution Control District, California; [FRL-7665-1] 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 — Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities [CC 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.


4035. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; The New Piper Aircraft, Inc. PA-34 Series Airplanes [Docket No. FAA-2004-19690; Directorate Identifier 2004-CE-47-AD; Amendment 2005-20166; Amendment 2005-20167] 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; The New Piper Aircraft, Inc. PA-34 Series Airplanes [Docket No. FAA-2004-19690; Directorate Identifier 2004-CE-47-AD; Amendment 2005-20166; Amendment 2005-20167] 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; Convair, Inc. Model CV-240 and CV-580 Series Airplanes [Docket No. FAA-2005-20725; Directorate Identifier 2004-CE-47-AD; Amendment 2005-20166] 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; Boeing Model 737-700B, -700C, -800, -900 and -900 Series Airplanes [Docket No. FAA-2005-20725; Directorate Identifier 2004-CE-47-AD; Amendment 2005-20166] 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; The New Piper Aircraft, Inc. PA-36 Series Airplanes [Docket No. FAA-2004-19690; Directorate Identifier 2004-CE-47-AD; Amendment 2005-20166; Amendment 2005-20167] 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; Boeing Model 777-300ER, -300LR, and -300ER Freighter Series Airplanes [Docket No. FAA-2005-20725; Directorate Identifier 2004-CE-47-AD; Amendment 2005-20166] 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 777-300ER, -300LR, and -300ER Freighter Series Airplanes [Docket No. FAA-2005-20725; Directorate Identifier 2004-CE-47-AD; Amendment 2005-20166] 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; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model 190AR, Model 190, Model 195, Model 200AR, Model 200, and Model 205; Model EMB-145 and Model EMB-315 Series Airplanes [Docket No. FAA-2005-20733; Directorate Identifier 2005-NE-041-AD; Amendment 2005-14-02; Amendment 2005-14-06; Amendment 2005-14-08; Amendment 2005-14-09] 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 190AR, Model 190, Model 195, Model 200AR, Model 200, and Model 205; Model EMB-145 and Model EMB-315 Series Airplanes [Docket No. FAA-2005-20733; Directorate Identifier 2005-NE-041-AD; Amendment 2005-14-02; Amendment 2005-14-06; Amendment 2005-14-08; Amendment 2005-14-09] 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; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model 190AR, Model 190, Model 195, Model 200AR, Model 200, and Model 205; Model EMB-145 and Model EMB-315 Series Airplanes [Docket No. FAA-2005-20733; Directorate Identifier 2005-NE-041-AD; Amendment 2005-14-02; Amendment 2005-14-06; Amendment 2005-14-08; Amendment 2005-14-09] received August 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

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CONGRESSIONAL RECORD—HOUSE

September 20, 2005
REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing in connection with the proper calendar, as follows:


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 and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and several referred, as follows:

By Mr. MELANCON (for himself and Mr. GORDON):
H.R. 3823. 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. HONESTTILL):
H.R. 3831. A bill to provide certain immigration benefits for victims of Hurricane Katrina, and for other purposes; to the Committee on the Judiciary.

By Mr. CHABOT:
H.R. 3832. 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 2005 gasoline and diesel fuel prices; to the Committee on Ways and Means.

By Mr. BOREN:
H.R. 3835. 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-WATTE of Florida, Mr. DAVIS of Florida, Mr. BILIRakis, Mr. MIKIE of Florida, Mr. MILLER of Florida, Mr. HARDER of California, Mr. WELDON of Florida, Ms. CORINE BROWN of Florida, Ms. ROS-LEHTINEN, Mr. PUTNAM, Mr. WEXLER, Mr. MARIO DIAZ-BALART of Florida, Ms. WASSERMAN SCHULTZ, Mr. FERNENY, Mr. SHAW, Mr. MICA, Mr. CRENshaw, Mr. LINCOLN DIAZ-BALART of Florida, Mr. YOUNG of Florida, Mr. KELLER, and Mr. STEARNS):
H.R. 3833. A bill to designate the facility of the United States Postal Service located at 190 East Boulevard, Gordo, 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 employers; to the Committee on Ways and Means.

By Mrs. LOWEY (for herself, Mr. CHRISTENSEN, Mr. CROWLEY, Mr. ETHERMAN, Mr. JACKSON-LEE of Texas, Mr. MARKAY, Mr. NADLER, Mr. SERRANO, Mr. CLEAVER, Mr. DELA-HUNT, 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 provide an exclusion for wages paid to persons 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 Federal Government to establish 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. 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. SHADDEG (for himself, Mr. BARRETT of South Carolina, Mr. BISHOP of Utah, Mrs. MCGRATH of Texas, Mr. BROWN of South Carolina, Mr. CANTOR, Mr. CHABOT, Mr. CHIOLA, Mr. DOOLITTLE, Mr. FERNEY, Mr. FLAHERTY, Mr. FOXX, Mr. FRANKEN, Mr. GARRETT of New Jersey, Mr. GINGREY, Mr. GOMERT of Florida, Mr. HASTETTILL, Mr. HART, Mr. HENSARLING, Mr. ISTOOK, Mr. MR. JOHNSON of Texas, Mr. KENNEDY of Minnesota, Mr. KINK, Mr. MCHINERY, Mrs. MUSGRAVE, Mr. PENCE, Mr. FITTS, 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 Committee 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 Mr. SLAGH (for herself, Mr. ABERCROMBIE, Mrs. CAPITTO, Mr. CAPPS, Mr. CROWLEY, Mr. FILNER, Mr. GRIJALVA, Mr. HATCHETT, Mr. PATTERSON of Michigan, Mr. LEWIS of Georgia, Mrs. MALONEY, Mr. McDERMOTT, Mr. OWENS, Ms. SCHAKOWSKY, Mr. SOLIS, and Mr. WELCH):
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. OSEY, Mr. THOMPSON of Mississippi, Mr. DINGELL, Mr. CONyers, Mr. RANGEL, Mr. FRANK of Massachusetts, Mr. LANTOS, Ms. LAUGHERT, Ms. DELAUNO, 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 and serious injury and mortality of marine mammals in commercial fishing operations, and to modify the goal of take reduction plans for reducing such takings; 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. BARTLETT 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 the 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. BOHRLEIT.
H. R. 230: Mrs. JIPSON.
H. R. 303: Mr. KAHAL.
H. R. 503: Mr. CHABOT and Ms. MATSUI.
H. R. 583: Mrs. Jones of Ohio and Ms. TAUBER.
H. R. 657: Mr. UPTON, Mr. GESLACH, Mr. FRELINGHUYSEN, Mr. BASS, Mr. SCHWARZ of Michigan, Mr. PLATTS, Mr. PETRI, Mr. KUHNL, Mr. YOUNG, Mr. EILEENS, Mr. LEACH, Mr. DENT, Mr. SHAYS, Mr. KIRK, Mr. BOHRLEIT, Mrs. KELLY, Mrs. JOHNSON of Connecticut, Mr. BRADLEY of New Hampshire, Mr. HINOJOA, Mr. CROWLEY, Ms. WASSERMAN SCHULTZ, Mr. SHERMAN, Ms. SCHAKOWSKY, Mr. HOLDEN, Mr. GILLMOR, Mr. GUTIERREZ, and Ms. MAYS.
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. 866: Mr. HINCHY and Mr. MELANCON.
H. R. 936: Mr. FORD, Mr. PETERSON of Minnesota, Mr. BOHRLEIT, Ms. SLAUGHTER, Mr. MOHAN of Kansas, and Mr. GUTIERREZ.
H. R. 939: Mr. McCaul of Texas, Mr. MENendez, and Mr. RICHARD.
H. R. 923: Mr. Wilson of South Carolina and Mr. MCCOTTER.
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.
EXTENSIONS OF REMARKS

A PROCLAMATION HONORING BETHLEHEM APOSTOLIC TEMPLE

HON. ROBERT W. NEY
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Mr. NEY. Mr. Speaker, Bethlehem Apostolic Temple is celebrating their 73rd Church Anniversary; and
Whereas, Dr. D.W. Cummings, Senior Pastor, is celebrating his 25th Anniversary with Bethlehem Apostolic Temple; and
Whereas, Bethlehem Apostolic Temple and Dr. D.W. Cummings have served and worshipped with their community with devotion and care; and
Whereas, I wish Bethlehem Apostolic Temple and Dr. D.W. Cummings the best of luck in all of their future endeavors.

Therefore, I join with the residents of the entire 18th Congressional District of Ohio in congratulating Bethlehem Apostolic Temple and Dr. D.W. Cummings as they celebrate these momentous occasions.

HONORING MARY RUTHSDOTTER FOR INFLUENCING THE IMPORTANCE OF WOMEN’S HISTORY

HON. LYNN C. WOOLSEY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Ms. WOOLSEY. Mr. Speaker, I rise today to honor my friend, Mary Ruthsdotter, of Sebastopol, California. Mary will be 61 years old on October 14, an appropriate occasion to honor my friend, Mary Ruthsdotter, of Sebastopol, California. Mary will be 61 years old on October 14, an appropriate occasion to reflect on her profound influence on the recognition of the historical importance of women in this country.

In 1980, with Molly Murphy MacGregor, Maria Cuevas, Paula Hammett and Bette Morgan, Mary founded the National Women’s History Project (NWHP) in Santa Rosa, California. It was both the fulfillment of a dream to organize a national clearinghouse and curriculum development center and the beginning of a sustained effort to celebrate the diverse and historic accomplishments of women.

Mary’s passion for women’s issues began shortly after she moved to Sonoma County from southern California with her husband David Crawford and her daughter Alice. Although not previously involved in the burgeoning women’s movement, she became interested after receiving a letter from the Sonoma County Commission on the Status of Woman and volunteered to work for the group (she later became Chair). She soon realized the Commission could not provide all the needed services for women and was instrumental in organizing the nonprofit Women’s Support Network to fill these gaps and operate as an umbrella agency for other groups.

The NWHP, with the assistance of other supporters, spearheaded the movement for National Women’s History Week leading to the designation of March as National Women’s History Month in 1987. This designation raised the group’s national profile; however, Mary’s work with them involved much more.

In the days when the Internet was not available for widespread communication, Mary established a nation-wide network and newsletter and was instrumental in providing resource materials and lists to schools. She co-produced a video series, Women in American Life, as well as the first video documenting the role of Latino women, Adelante, Mujeres. Publishers all over the country sent thousands of books as Mary coordinated book reviews on various subject of women in history. She later indexed all the selections and donated them to Sonoma State University. In fact, she still reads women’s biographies for fun.

Mary’s can-do attitude, high energy, organization, and upbeat optimism are hallmarks of all aspects of her life. Several years ago she and her husband were leaders in organizing an “intentional community,” a co-housing project in Sebastopol, CA, where people of different ages and backgrounds could share in and enrich each other’s lives. They have recently returned from visiting their daughter, son-in-law, and grandson in Australia.

Recently, Mary worked as a field representative for State Assemblymember Patricia Wiggins who described how creatively “Mary never gave up when she was providing service and refused to let the bureaucracy interfere in her progress.” When a local hospital encountered long delays from the State in securing certification for a newly hired physician, Mary got busy on the phone. When she asked where his application was in the stack, her contact replied, “On the bottom.” So, Mary said, “Well, why don’t you just put it on the top?” The worker did, and the hospital received certification immediately. She was the heroine in many, many similar situations.

Mr. Speaker, as Mary wrote in her article Women and Equal Rights, “Today, America is living the legacy of the great progress women have made, while their earnest quest for full and true equality continues.” Mary Ruthsdotter exemplifies the passion and spirit behind this quest. She is a role model for young women and an inspiration for all of us. Thank you, Mary, for all you are and what you mean to so many.

TRIBUTE TO THE SAN MATEO COUNTY MEDICAL ASSOCIATION

HON. ANNA G. ESHOO
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Ms. ESHOO. Mr. Speaker, I rise today to honor the San Mateo County Medical Association as it celebrates a century of service to the people of San Mateo County, California.

In response to an invitation from the California Medical Association, a handful of Peninsula physicians met in the front parlor of the Union Hotel in the City of San Mateo, California, on December 22, 1904, to discuss the creation of a local society. The doctors reconvened on January 16th of the next year and elected the distinguished Dr. Harry Garrison Plymire of South San Francisco as their temporary President. The first official meeting of the San Mateo County Medical Society was called to order on September 12, 1905, and 16 physicians were listed as charter members.

The constitution of the new organization stated that its purpose was to “promote the science, and art of medicine while conserving and advancing public health.”

The Society incorporated as the San Mateo County Medical Association in 1992 and it continues its constitutional mission of promoting the art and science of medicine and advancing public health. It publishes a pictorial directory of physicians and as 10 editions of a bulletin each year. Various Association committees examine medical issues to interpret current practices and foster new professional insights. Together with the California Medical Association, the San Mateo County Medical Association shares the primary goals of organized medicine for the State of California: To educate and serve physicians, promote quality health care for the people of the State and create a strong voice on health care issues.

Mr. Speaker, I ask my colleagues to join me in honoring the San Mateo County Medical Association and all of its members, both past and present, for their extraordinary service to our community and out country.

ON THE 150TH ANNIVERSARY OF THE FOUNDING OF FIRST CHRISTIAN CHURCH

HON. KAY GRANGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Ms. GRANGER. Mr. Speaker, I rise today to recognize an outstanding church in my district, First Christian Church, located in the great city of Fort Worth, Texas. On Sunday, October 2, 2005, First Christian Church celebrates the 150th anniversary of its organization which began in 1855 in the home of Dr. and Carolyn Peak.

The First Christian Church holds the distinction of being Fort Worth’s oldest continuously operating church, forming just 6 years after Major Ripley Arnold brought a unit of the U.S. Army to a cliff overlooking the Trinity River to establish a military outpost in 1849 that he named in honor of his commanding general.
EXTENSIONS OF REMARKS

September 20, 2005

Mr. Speaker, it is my honor to recognize Assistant Director Link as a leader in the NCIS Zero Based Review, was a member of the NCIS Strategic Management Council, led the development of the new NCIS Management and Administration Office, participated in the NCIS Modernization and the past year, has led the Financial Management Directorate. Mr. Speaker, Assistant Director Link has served this nation honorably for 30 years and deserves the recognition of this body, his community and the United States of America.

WELCOMING PRESIDENT CHEN OF THE REPUBLIC OF CHINA

HON. PHIL GINGREY
OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2005

Mr. GINGREY. Mr. Speaker, on behalf of the NCIS Modernization, Assistant Director Link has the opportunity to travel all over the globe, to include Europe, the Far East, Middle East and Iraq.

After the bombing of the USS Cole, Assistant Director Link served as leader of the Secretary of the Navy’s Situational Awareness and Intelligence Working Group and as a member of the Department of Defense Counterintelligence Working Group. He continued as a member of these task forces after the 9/11 attacks.

Transferring to his NCIS Zero Based Review assignment, Assistant Director Link was a co-leader in the NCIS Zero Based Review, was a member of the NCIS Strategic Management Council, led the development of the new NCIS Management and Administration Office, participated in the NCIS Modernization and the past year, has led the Financial Management Directorate. Mr. Speaker, Assistant Director Link has served this nation honorably for 30 years and deserves the recognition of this body, his community and the United States of America.

Our shared goals of democracy, increasing standards of living, peaceful association, and economic development are vital to the growth and security of our nations. The Republic of China is a strong example of the achievement of these goals. Mr. Speaker, Taiwan enjoys a democratic government that fully upholds human rights, where its citizens enjoy the freedom to assemble and practice their religion of choice. These attributes allow the Republic of China to benefit from the world’s 14th largest economy and one of the world’s highest standards of living.

I personally cherish the close relationship between the Republic of China and the United States. Thousands of Taiwanese students study at U.S. colleges and universities while Taiwanese tourists choose the United States as their number one overseas destination outside of Asia. Moreover, Taiwanese consumers make purchases of the Republic of China one of our nation’s closest trade allies.

I would like to thank President Chen for the support and friendship of the Republic of China. I believe he deserves a great deal of
credit and thanks for his leadership in successfully maintaining the peace and stability in the Taiwan Strait. Mr. Speaker, I ask that you will join me in once again welcoming President Chen to the United States as our nation looks forward to working with his administration to promote peace, explore new economic frontiers, and expand our friendship.

A PROCLAMATION HONORING MARY EDITH STONEBURNER ON HER 100TH BIRTHDAY

HON. ROBERT W. NEY
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Mr. NEY. Mr. Speaker:

Whereas, Mary Edith Stoneburner was born on September 28th, 1905; and

Whereas, Mary Edith Stoneburner is celebrating her 100th birthday today; and

Whereas, Mary Edith Stoneburner, is a long-time active participant in the social and civic life of her community; and

Whereas, Mary Edith Stoneburner has exemplified a love for her family and friends and must be commended for her life-long dedication to helping others.

Therefore, I join with the residents of the entire 18th Congressional District of Ohio in wishing Mary Edith Stoneburner a very happy 100th birthday.

TRIBUTE TO DR. I. KING JORDAN

HON. LYNN C. WOOLSEY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Ms. WOOLSEY. Mr. Speaker, I rise to honor Dr. I. King Jordan upon his retirement as President of Gallaudet University on December 31, 2005. Dr. Jordan is an accomplished, respected leader and someone I consider a personal friend.

Dr. Jordan became the Nation's first deaf university President when appointed in 1988 and the first deaf President to preside over Gallaudet University. During his tenure there he has proven to be an able, caring leader propelling the University forward as well as becoming a strong advocate for deaf students on the federal level.

Among his accomplishments, he led the University's first ever capital campaign, raising nearly $40 million, which supported the construction of the state-of-the-art Student Academic Center and contributed to the extraordinary increase in the University's endowment, which paved the way for an increase in scholarships and more academic programs. He also established a fellows program to provide support for deaf college graduates to complete their terminal degrees and become faculty members.

Dr. Jordan was not only a strong advocate for the Gallaudet community, but for individuals with disabilities across this Nation. Another proud accomplishment of Dr. Jordan's is the work he did to assist with the passage of the American's with Disabilities Act (ADA) in 1990. He was a lead witness in support of the ADA during a joint session of Congress and delivered a unanimous plenary on Congress and across the country during the deliberations of this bill.

Before coming to Gallaudet Dr. Jordan's life was filled with many other accomplishments. A native of Glen Riddle, Pennsylvania, a small town near Philadelphia, Dr. Jordan earned a B.A. in psychology from Gallaudet University and M.A. and Ph.D. degrees in psychology from the University of Tennessee.

Upon receiving his doctorate, Dr. Jordan joined the faculty of Gallaudet's Department of Psychology. Before his appointment as President, Dr. Jordan served as chair of Gallaudet's Psychology Department and as Dean of the College of Arts and Sciences. He has been a research fellow at Donaldson's School for the Deaf in Edinburgh Scotland and an exchange scholar at Jagiellonian University in Krakow, Poland.

Dr. Jordan holds eleven honorary degrees and is the recipient of numerous awards, among them: The Presidential Citizen's Medal, presented by Bill Clinton in 2001; the Washingtonian of the Year Award; the James L. Fisher Award from the Council for Advancement and Support of Education (CASE); the Larry Stewart Award from the American Psychological Association and the Distinguished Leadership Award from the National Association for Community Leadership. President George H.W. Bush appointed Dr. Jordan Vice Chair of the President's Committee on Employment of People with Disabilities (PACEP) in 1990, and President Clinton reappointed Dr. Jordan to that role in 1993. In the summer of 2005, Dr. Jordan was presented the George Bush Medal for the Empowerment of People with Disabilities from President George H.W. Bush.

Mr. Speaker, I wish Dr. Jordan much happiness in his retirement as he looks forward to traveling with his wife Lynda and spending more time with his family. His compassion and service will be greatly missed. I am proud to have had a chance to work with him these past years.

TRIBUTE TO EDWARD LEO COYLE

HON. ANNA G. ESHOO
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Ms. ESHOO. Mr. Speaker, I rise today to honor Edward Leo Coyle as he celebrates the centennial of his life on September 27, 2005. Edward Leo Coyle, known to his friends as Ed, was born on September 27, 1905, on Mount Pleasant Avenue in Columbus, Ohio. He was the youngest of five children born to William and Anne Bradley Coyle.

Ed Coyle attended Catholic schools and was filled with many other accomplishments. A native of Glen Riddle, Pennsylvania, a small town near Philadelphia, Dr. Jordan earned a B.A. in psychology from Gallaudet University and M.A. and Ph.D. degrees in psychology from the University of Tennessee.

Upon receiving his doctorate, Dr. Jordan joined the faculty of Gallaudet's Department of Psychology. Before his appointment as President, Dr. Jordan served as chair of Gallaudet's Psychology Department and as Dean of the College of Arts and Sciences. He has been a research fellow at Donaldson's School for the Deaf in Edinburgh Scotland and an exchange scholar at Jagiellonian University in Krakow, Poland.

Dr. Jordan holds eleven honorary degrees and is the recipient of numerous awards, among them: The Presidential Citizen's Medal, presented by Bill Clinton in 2001; the Washingtonian of the Year Award; the James L. Fisher Award from the Council for Advancement and Support of Education (CASE); the Larry Stewart Award from the American Psychological Association and the Distinguished Leadership Award from the National Association for Community Leadership. President George H.W. Bush appointed Dr. Jordan Vice Chair of the President's Committee on Employment of People with Disabilities (PACEP) in 1990, and President Clinton reappointed Dr. Jordan to that role in 1993. In the summer of 2005, Dr. Jordan was presented the George Bush Medal for the Empowerment of People with Disabilities from President George H.W. Bush.

Mr. Speaker, I wish Dr. Jordan much happiness in his retirement as he looks forward to traveling with his wife Lynda and spending more time with his family. His compassion and service will be greatly missed. I am proud to have had a chance to work with him these past years.

TRIBUTE TO EDWARD LEO COYLE

HON. STEPHEN F. LYNCH
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Mr. LYNCH. Mr. Speaker, I rise today in recognition of the plaque dedication for the USS Elokomin, AO, a ship of the United States Navy whose keel was laid on March 9, 1943 and—served our Nation with honor until its decommission in March of 1970. I am here to honor the men who served on the Elokomin and to celebrate the 62nd anniversary of this extraordinary vessel.

The USS Elokomin served with distinction and received numerous Naval commendations for her service. During World War II, the Elokomin was more heavily armed than a destroyer-escort, having one 5-inch 36 caliber dual-purpose gun, four 40-millimeter twin-mount guns and eight 20-millimeter guns.

However, the story of the Elokomin is really the story of the men who served aboard her. The USS Elokomin, AO-50 Crewmembers Association was established in the 1980s and it is my understanding that since its first reunion in 1986, the Association has met regularly to keep the memory of this ship and her crew alive. These men and their families should be proud of their commitment not only to our country but also to each other. Their dedication and loyalty is commendable.

Mr. Speaker, it is my distinct honor to take the floor of the House today to join with the veterans, their family and friends who will gather later this month for a celebration and
The dedication of the USS *Elokomin* at the Navy Memorial here in Washington, DC. I hope my colleagues will join me in celebrating this distinguished ship and the men who so ably served aboard her to defend this Nation.

**COMMEMORATING 100 YEARS OF CHEESMAN DAM**

**HON. MARK UDALL**

**OF COLORADO**

**IN THE HOUSE OF REPRESENTATIVES**

Tuesday, September 20, 2005

Mr. UDALL of Colorado. Mr. Speaker, I rise today to recognize the century of service the Cheesman Dam has provided Coloradans. The dam is an engineering marvel that has provided water to the Denver metropolitan area for the past century.

The dam was constructed with the goal of providing the natural resources necessary to Denver area expansion. The dam has provided effective water management that has brought both environmental stability and economic growth to Denver.

Chief Engineer C.P. Allen executed the construction of Cheesman Dam with speed, precision, and creativity. The dam contains three million cubic feet of concrete, 21,000 tons of concrete and weighs an impressive 300,000 tons. The world’s largest dam at the time of its completion, Cheesman was hailed by many as an engineering marvel. Though it didn’t remain the largest dam in the world, it has continued to garner engineering acclaim. In 1975 it was proclaimed a National Historic Civil Engineering Landmark by the American Society of Civil Engineers.

Cheesman’s engineering prowess and historical significance are not its only qualities worthy of praise. The dam is, in many ways, a unique reflection of the Colorado spirit. Built to emulate the surrounding natural area, Cheesman’s granite construction attempts to assimilate modern engineering advancement with the beauty of Colorado’s open space. Its spillway follows the same pattern as it was intentionally developed in the formation of a natural cliff rather than a typical dam.

“The American Society of Civil Engineers explains that the, “Cheesman Dam is . . . of such historical significance and contemporary importance that is should never be forgotten, but placed side-by-side with other national and historical landmarks of the engineering profession.”

Its 100th anniversary is an accomplishment for the hundreds of workers that laid the stone in its construction and its talented engineers. Special recognition is also owed Denver Water and all of its employees—past and present—who have maintained this critical feature of Denver’s water supply system. Through the efforts of Denver Water and the foresight of those who built this facility 100 years ago, Denver has been able to thrive and prosper.

**EXTENSIONS OF REMARKS**

**A PROCLAMATION RECOGNIZING DR. KALLA**

**HON. ROBERT W. NEY**

**OF OHIO**

**IN THE HOUSE OF REPRESENTATIVES**

Tuesday, September 20, 2005

Mr. NEY. Mr. Speaker: Whereas Dr. Kalla is an exceptional individual worthy of merit and recognition; and Whereas, Dr. Kalla has proven himself to be a man of strong will and character; and Whereas Dr. Kalla shall be lauded for his strength, tenacity, and perseverance in his battle with cancer;

Therefore, I join with the residents of the entire 18th Congressional District of Ohio in honoring and congratulating Dr. Kalla for his outstanding accomplishment.

**CONGRATULATING STEVE MCCULLOUGH**

**HON. PETE SESSIONS**

**OF TEXAS**

**IN THE HOUSE OF REPRESENTATIVES**

Tuesday, September 20, 2005

Mr. SESSIONS. Mr. Speaker, I rise today to offer congratulations to my good friend Steve McCullough upon his retirement from employment as the city manager for the city of Irving, Texas. He has dedicated himself to the betterment of his community and neighbors and his tireless commitment and service should be commended.

Steve began his 30-year career with the City of Irving in June 1975 when he was employed as an administrative assistant in the Finance Department. He joined the City Manager’s Office in 1978 and was named deputy city manager in 1986. He has held the position of city manager in Irving since December 1993. Additionally, Steve was appointed by the governor of Texas to the Texas Municipal Retirement System Board of Trustees in 1990 and served as chairman in 1992 and 1995.

During his tenure as city manager, Steve served under five mayors and 26 council members. He was essential in developing and implementing many key initiatives including the Texas Transportation Summit and TEX-21, the Transportation Excellence for the 21st Century and a new Comprehensive Plan for the City of Irving. Under his direction, the Lake Chapman Water Supply project, the Family Advocacy Center, the North Police Substation, the Heritage Senior Center, Campion Trails and the Valley View Municipal Complex were constructed. In addition, Steve was instrumental in the planning of a DART light rail line through Las Colinas to DFW International Airport and achieving and maintaining the city’s AAA bond ratings.

I want to thank Steve McCullough for all that he has done to make Irving a better place to live, work and raise a family. He leaves behind a vision of pride, progress and continued success for the City of Irving, and I wish him all the best upon his retirement.

**NATIONAL ADDICTION COUNSELORS DAY**

**HON. PATRICK J. KENNEDY**

**OF RHODE ISLAND**

**IN THE HOUSE OF REPRESENTATIVES**

Tuesday, September 20, 2005

Mr. KENNEDY of Rhode Island. Mr. Speaker, I am pleased to offer my support for National Addiction Counselors Day, today, September 20, 2005. As we recognize the tremendous success of treatment for addiction disorders during the entire month of September, we must also acknowledge the great work of addiction counselors.

A staggering 63 percent of Americans say that addiction to alcohol or other drugs has had an impact on them at some point in their lives. Recovery Month, sponsored by the Substance Abuse and Mental Health Services Administration, SAMHSA, focuses on helping individuals with addiction problems access treatment and support services, as well as promotes measures that make treatment more affordable, equitable, and available. As a co-sponsor of the Paul Wellstone Mental Health Equitable Treatment Act, I am working to end discrimination within the health insurance system against those with mental illness and addiction disorders. Unfortunately, lack of insurance coverage is only one of several barriers that prevent individuals from seeking treatment. In fact, of the 22.2 million individuals needing treatment for substance abuse disorders, 20.3 million have not received it.

No one is immune from addiction; it afflicts people of all ages, races, classes, and professions. The impact is felt not only by individuals and their families, but by society as well. Addiction costs our society and economy billions...
of dollars each year, in health care costs, property damage, and lost productivity. It also costs lives, and causes immense amounts of grief and pain. The professionals who treat this destructive disease are a dedicated, knowledgeable group which has committed themselves to this serious health crisis. Today there are hundreds of thousands of clean and sober individuals living productive lives only because, in a moment-of-truth, a counselor was there and made the difference. 

I urge my colleagues to join me in recognizing the valuable contributions of addiction counselors by honoring National Addiction Counselors Day. 

THE DENNISON FAMILY OF FAIRBORN, OHIO

HON. DAVID L. HOBSON
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Mr. HOBSON. Mr. Speaker, I rise today to pay tribute to the Dennison family of Fairborn, Ohio. The Dennison’s are a wonderful family that has made many contributions to the community over the years.

Originally from West Virginia, Steve Dennison joined the Air Force in 1983 as a Munitions Systems Specialist. He served for 22 years and retired from the service on May 31, 2005 to go to work as a Conventional Munitions Specialist at the Headquarters of the Air Force Materiel Command, at Wright-Patterson Air Force Base in Ohio.

Steve and his wife, Tammy, had two children, Megan and Jacob. Unfortunately, these children were born with the lethal genetic childhood disease, ataxia-telangiectasia, or A-T for short. This disease causes the progressive loss of muscle control, cancer and immune system problems. Generally, the lifespan for children with A-T is 20 years. Unfortunately for the Dennison family, both of their children were born with severe symptoms of this already brutal disease.

In 2004, the Dennisons lost Megan at the age of 16, even as they worked night and day to keep her healthy and were greatly supported by the community. Jacob, age 16, whose mental capacity is sharp, like most children with A-T, misses his sister and is fully aware of what the future may hold for him.

In closing, the Dennison family’s courage and strength and Steve’s distinguished service to the country are an inspiration to us all. I wish the Dennison family the best in the future. For the Dennison family and all the other families with children suffering from this devastating disease, I wish for a cure.

A PROCLAMATION IN MEMORY OF
G. DAVID TOZZI

HON. ROBERT W. NEY
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Mr. NEY. Mr. Speaker:

Whereas, G. David Tozzi will be remembered by his mother, Irene, his sisters Nancy and Jennie, his brothers-in-law Raymond and Thomas, and his beloved nephews Tommy and David; and

Whereas, G. David Tozzi was born in Bellaire, Ohio, and resided in St. Clairsville, Ohio; and

Whereas, G. David Tozzi was a dedicated employee of the First Energy Corporation, a devout member of the St. Mary’s Catholic Church in St. Clairsville and a loyal member of the Bellaire Elks; and

Whereas, G. David Tozzi will certainly be remembered by all those who knew him because of his upright character.

Therefore, while I understand how words cannot express our grief at this most trying of times, I offer this token of profound sympathy to the family and friends of G. David Tozzi.

HONORING THE 100TH ANNIVERSARY OF THE SOLVAY PUBLIC LIBRARY, CELEBRATED ON SEPTEMBER 25, 2005

HON. JAMES T. WALSH
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Mr. WALSH. Mr. Speaker, I rise today to recognize the 100th Anniversary of the Solvay Public Library located in the Village of Solvay, New York. The history of the Solvay Public Library actually began on January 14, 1903, with an endowment by steel magnate Andrew Carnegie. Along with this endowment, the assistance of Frederick Hazard, President of the Solvay Process Company, and the Village of Solvay led to the creation of the public library. In May of 1903, the University of the State of New York granted an official charter to the Solvay Public Library.

The Solvay Public Library officially opened its doors on September 25, 1905, with a collection of 2,042 books. Since then, the library has served as an integral part of the Village of Solvay and its community. Since 1906, the library has offered weekly story hours, which continue to this day. During World War I, the Solvay Public Library converted its Community Room into a lounge for soldiers浪营 at the State Fair Grounds. In 2001, the Solvay Public Library Board of Trustees initiated a “Preservation and Expansion” Campaign to make the building handicapped accessible and to out reach even further into the community.

On behalf of all who have benefited from the services of the Solvay Public Library, the citizens of the Village of Solvay, and the people of Central New York, I would like to extend my best wishes for many more successful years of service to this outstanding public library.

HONORING DR. MARIE V. MCDEMMOND

HON. JAMES P. MORAN
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Mr. MORAN of Virginia. Mr. Speaker, today I rise in honor of Dr. Marie V. McDemmond, immediate past president of Norfolk State University and the 2005 Forever Upward award designee for her service and dedication to the cause of higher education in the Commonwealth of Virginia. Dr. McDemmond retired from Norfolk State University as president earlier this year, and while her indelible leadership skills will be sorely missed by all, I am pleased that Marie has chosen to continue to serve NSU by teaching.

Dr. Marie McDemmond made great strides in 1997 when she began her presidency at Norfolk State University by not only being the first woman to lead the university, but also the first African-American woman to head a public, 4-year institution of higher education in the Commonwealth of Virginia. Under her leadership, Norfolk State University has developed into a vibrant institution with cutting edge programs and operations, and is poised to be a leader in information technologies and other fields that significantly contribute to our Nation’s economy.

Under Dr. McDemmond’s leadership, Norfolk State University’s reputation as a leading minority-serving institution has soared. Dr. McDemmond’s vision has also helped to bridge both the digital divide and opportunity divide at several Historically Black colleges and other universities. Her innovative style, while working with other leading educators and government officials, contributed to these great successes will benefit the entire higher education community for many years to come.

I am pleased to rise in honor Dr. Marie McDemmond, a true education leader who embodies Norfolk State University’s creed of “Achieving with Excellence.”

100TH ANNIVERSARY OF THE PANGERE CORPORATION

HON. PETER J. VISCLOSKY
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Mr. VISCLOSKY. Mr. Speaker, it is with great honor and pleasure that I stand before you today to recognize the many accomplishments of the Pangere Corporation throughout its 100 years of service in Northwest Indiana. To commemorate this special occasion, the Pangere Corporation will be holding an anniversary celebration on September 24, 2005, at the Center for Visual and Performing Arts in Munster, Indiana.

John T. Pangere established The Pangere Corporation in 1905 as an industrial painting contracting company. He built the framework of a company that today offers a complete line of construction services. Because their roots are in Gary and they wanted to give back to
MEETING OF THE IRANIAN HUMAN RIGHTS AND DEMOCRACY CAUCUS

HON. THOMAS G. TANCREDO
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2005

Mr. TANCREDO. Mr. Speaker, please submit the following transcript from the June 25, 2005 meeting of the Iranian Human Rights and Democracy Caucus for the RECORD.

Congressman Tom Tancredo: We are going to be talking about the election in Iran and the aftermath of the election. According to reports, the government employed a variety of methods to get Mahmoud Ahmadinejad elected and including the use of 5 million national ID cards of the deceased, voting with unofficial ID cards, voting with both passports and birth certificates outside of Iran to allow the mullahs men to write in their votes twice, paying $15.5 million 300,000 members of the parliamentary Basiji force in support of a particular candidate, buying votes for $35.00 each in many provinces, furthermore in recent years we have learned critical facts about the mullahs of nuclear program. Since then the international community has come to better appreciate the extent of Iran's involvement in terrorist activity abroad, nuclear ambitions and interference in Iraq, Lebanon and Palestine. It would be a monumental error if we assume that the mullahs are reformable, can tolerate a collectively progress and regional or international peace. I look forward to the testimony of today's witnesses and I hope they can illuminate for us Iran's recent elections and the implications for the U.S. and the world.

Dr. Kenneth Katzman (Excerpt): Congressional Research Service—The twists and turns of the Iranian presidential elections in 2005 might indicate that Iranian politics are more vibrant and less scripted than some experts and some Administration officials appear to think. I'm not, however, Bush Administration criticism of the Council of Guardians' heavy hand in candidate selection—and eliminating of all women candidates—remains accurate. ... Although Iranian voters apparently did not vote for him because of his foreign policy positions, his victory has now ensured a hardliner lock-on virtually all major institutions—the Supreme Leadership, the Council of Guardians, 6 clerics appointed by Khamenei plus 6 jurists appointed by the Judiciary Council, and now the presidency and government ministries. The 86-seat Assembly of Experts is elected. Reformists are now virtually shut out in Congress. Reformists have already taken their bargaining strategies at the nuclear talks with the so-called EU-3, Britain, France, and Germany, are perhaps harder to judge. ... sex and devotion deserves the highest commendation, and I am proud to represent them in Congress.

Congressman Tom Tancredo: I would like to welcome to the meeting a number who have joined us, congressman Clay.

Congressman William Lacy Clay: I appreciate hearing from Dr. Tanter and the other experts, and claim on their take on the recent elections in Iran. Impressed that it's OK to mention Florida, you can also mention Ohio. This is a bipartisan committee (laughter). I'm delighted to be here, it's a pleasure, thank you.

Ilan Berman (Excerpt): American Foreign Policy Council— ... A great deal of think has been split in recent years or attempt to game the Iranian elections. The art of predicting the next president is going to be elevated to high drama, certainly on the editorial pages that we've all read. Also I think it's important to note that most of this analysis has been spectacularly wrong, not just wrong but spectacularly wrong. The power centers within the Islamic Republic are fully consolidated under the leadership of the Supreme Leader Ali Khamenei. In the past, the outgoing President Mohammad Khatami was a man on a very notable but very few and far between occasions on breaking with the clerical leadership and doing so publicly. With the rise of Mahmoud Ahmadinejad, it seems much more likely than not likely to become a thing of the past. Given his political leanings and his revolutionary credentials it is more to question the Iranian presidency into the out right rubber stamp of the clerical leadership. That is the first implication. ... Second is that Mr. Ahmadinejad's ascendance to power actually mirrors a deeper political shift that has taken place within the Iranian politics over the last couple of years. The reformists we now all see are in retreat and internal political changes have shifted power dramatically to a cadre of clerical hardliners who are committed to revitalizing and even expanding the Islamic revolution. Iran in short, constitutes a mounting strategic challenge to the United States and also to U.S. objectives and the broader Middle East and the war on terror. Unfortunately I use the words of the Dr. Katzae did, that these are my views alone, the White House seems to have failed to articulate a comprehensive strategy towards Iran, not only the U.S. but also the broader strategic threat from the Iranian regime and I think I'd like to conclude by saying that this is a high time in a good benchmark for us to urge to change that policy and to actually adopt a proactive approach.

Question from VOA: I'm wondering what the future relations between Iran and the United States and I see it as a stage that there is a divergence between the European in the U.S. concerns. The EU is welcoming the elections and the American are demanding the elections. What do you see as the future of Iran, U.S. EU relations and negotiations on the nuclear issue?

Congressman Tom Tancredo: I think we will have quite a tussle over the possible of sanctions we mentioned earlier that if they do have an effect and I would imagine if they do have an effect they would be if the economy were to thrive under a more expansive or more open arrangement.
we'll make the best of it. That's the pragmatic view and I think that Europe takes that and I would say the more realistic view is that we have to change the situation. The status quo is not acceptable, it's far too dangerous. But I don't know that my opinion will be the one taken by the administration.

CONGRATULATIONS TO THE EDEN LODGE NO. 46

HON. TOM PRICE
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Mr. PRICE of Georgia. Mr. Speaker, it is with great honor and enthusiasm that I congratulate the Eden Lodge No. 46 as they join together to celebrate their 110th birthday along with their sister chapter King Solomon Chapter No. 42 celebrating their 103rd anniversary.

Located in the city of Marietta, the Eden Lodge and King Solomon Chapter have a rich heritage and continue to serve the Cobb Community and beyond.

The Eden Lodge began in 1894 and the lodge proceeded to grow in the years that followed. After the Great Depression and the hard times that followed during World War II the Eden Lodge was reactivated and grew its strength when in 1961 Eden Lodge built its Masonic Hall.

I would especially like to commend the following members for their leadership and active participation in the Eden Lodge: Emanuel Wilson, Charles Ferguson, Sr., Charles E. Bartlett, Sr., Reginald H. Kemp, Joseph L. Collins, and Mario L. Eury.

With pride, I recognize the Eden Lodge for its 110 years and the King Solomon Chapter for its 103 years of offering a place of fellowship and friendship to the people of Marietta, Georgia and beyond.

Mr. Speaker, I ask all Members to join me in honoring and congratulating the membership for their remarkable achievements.

HONORING THE LIFE AND ACCOMPLISHMENTS OF PUBLISHING PIONEER JOHN H. JOHNSON

HON. EDDIE BERNICE JOHNSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to pay tribute to the life of innovator and publishing pioneer John H. Johnson. After living a remarkably accomplished life that spanned 87 years, John H. Johnson passed on Monday, August 8, 2005. By embracing positive portrayals of African-Americans, John Johnson's vision and innovation forever shaped the way African-Americans are portrayed in the media and advertising. At a time when media representations of blacks were mostly damaging and stereotypical, Mr. Johnson produced publications that highlighted African-American accomplishments and success.

This innovation and foresight brought together the African-American community. By giving African-Americans something to rally around, he instilled a sense of unity among the black community and created a positive identity. In addition, John Johnson successfully guided the mainstream media and corporations to expand outreach to blacks.

It has been said that the ultimate measure of a person's life is the extent to which they made the world a better place. John H. Johnson's work has forever shaped the African-American community. His contributions will always be remembered. We were all greatly saddened to learn of the passing of John H. Johnson.

A PROCLAMATION IN MEMORY OF WALTER ZALESNY

HON. ROBERT W. NEY
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Mr. NEY. Mr. Speaker: Whereas, I hereby offer my heartfelt condolences to the family and friends of Walter Zalesny; and Whereas, Walter Zalesny will be remembered by his son Barry, his daughters Sharon and Fran, his four grandchildren and seven great grandchildren; and Whereas, Walter Zalesny was born in Wegee, OH, and resided in Bellaire, OH; and Whereas, Walter Zalesny served in the Belmont County Engineer's Office and was a loyal member of the VFW and American Legion and a devout Presbyterian; and Whereas, Walter Zalesny will be remembered for his service in the U.S. Navy and for his ability to touch so many lives; Therefore, while I understand how words cannot express our grief at this most trying of times, I offer this token of profound sympathy to the family and friends of Walter Zalesny.

HON. MIKE ROGERS
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Mr. ROGERS of Michigan. Mr. Speaker, as September 21, 2005 is National School Backpack Awareness Day, I would like to recognize the many occupational therapists that live and work in my district. Each September, the American Occupational Therapy Association's (AOTA) members, students, and other health professionals join forces to alert the public, particularly teachers, parents, and children about the dangers of overweight backpacks and improper use.

Occupational therapy is a health, wellness, and rehabilitation service provided by qualified professionals whose expertise includes anatomy, physiology, psychology and other disciplines. Thousands of occupational therapists work with children in school systems, pediatric hospitals, and other health care facilities everyday to improve skills that will help them perform daily tasks at home, at school, and at play.

The AOTA is sponsoring its fourth annual National School Backpack Awareness Day to promote healthy backpack use among students. The goal of the National School Backpack Awareness Day is to reduce the load being carried to fifteen percent or less of a child's weight, to educate them on the risks of carrying too much weight and the proper ways to pack and wear their backpacks.

Over 700 participants in schools, stores, health fairs, and other areas from all fifty states will take part to “weigh-in” over 200,000 children and ensure their backpacks are fifteen percent or less of their weight. As part of the 2005 Healthy Families Community Fair in Clinton, MI in October, children and their families will be able to learn about the importance of loading and wearing backpacks the right way to avoid back and shoulder pain or strain, stooped posture, musculoskeletal pain, and aching heads.

In schools, occupational therapists use their unique expertise to help children to be prepared for and perform important learning and school-related activities and to fulfill their role as students. Additionally, they play a critical role in training parents, other staff members, and caregivers regarding the education, health, and success of students with diverse learning needs.

Please join me in support of all the school children, occupational therapists, and participants of the 2005 National School Backpack Awareness Day.

THANKS TO THE PEOPLE OF SOUTH CAROLINA

HON. JAMES E. CLYBURN
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Mr. CLYBURN. Mr. Speaker, I rise to say thanks to the people of South Carolina, most especially those in the Midlands area, for the tremendous outpouring of love and respect shown to victims of Katrina. And, I want to pay particular thanks to the Mayor of Columbia, Bob Coble; Columbia businessman, Sam Tenenbaum; Columbia Chamber of Commerce President, Ike McLeese; and the President of the University of South Carolina, Andrew Sorenson. This dynamic quartet decided that they would be guided from the beginning by the Golden Rule: “Do unto others as we would have them do unto us.” Consequently, they decided that nobody coming to Columbia would be placed in a shelter. Everybody would be put in motel rooms or in individual homes. We have just received word that we will be receiving additional evacuees tomorrow morning and I now call upon the people who will be manning our one-stop reception center to continue putting the Golden Rule into practice.
Mr. MORAN of Virginia. Mr. Speaker, I rise today to honor a lifetime commitment of service to our country. On October 14th, 2005, Major General Daniel G. Mongeon of Alexandria, Virginia will retire after 34 years of dedicated service in the United States Army.

General Mongeon was commissioned as a Second Lieutenant in the Quartermaster Corps through the Reserve Officers Training Corps program at the University of Arizona, where he earned his Bachelor of Science degree in Public Administration and was designated a Distinguished Military Graduate. Thereafter he received his Master’s degree in Logistics Management from the University of Arkansas. His military education includes the Quartermaster Officer Basic Course, Advanced Courses, the Command and General Staff College, and the Army War College.

After commissioning and initial training, his initial assignments included a posting as Logistics Officer for the United States Army Security Agency’s Communication Unit at Camp Drake, Japan. From there he transferred in December 1972 to Camp Zama, Japan where he was Executive Officer for the U.S. Army Garrison and subsequently as Welfare/Sundry Funds Division Chief and Installation Club Manager.

From 1978 to 1984 he served as the Division Services Officer, Property Book Officer and finally Commander, Headquarters and Headquarters Company, of the 4th Infantry Division (Mechanized) at Fort Carson, Colorado. After completing graduate school he was transferred to the Office of the Deputy Chief of Staff for Logistics, United States Army. There he served initially as the Logistics Staff Officer and then as Assistant Executive Officer. He ended his tour on the Army Staff with an appointment as Military Assistant to the Deputy Chief of Staff, Logistics.

In 1985 he was transferred to United States Army Europe and 7th Army where he was the S–3 (Operations) and later Executive Officer of the 203rd Forward Support Battalion. In July 1987 he was transferred to Headquarters 3rd Infantry Division (Mechanized) to be the Deputy G–4 (Logistics). In January 1988 he was selected for the position as Aide-de-Camp to the Supreme Allied Commander Europe (SACEUR).

In February of 1990 he assumed command of the Support Squadron, 3rd Armored Cavalry Regiment at Fort Bliss, Texas. From there he deployed with his unit to Operation Desert Shield and the first Gulf War—Operation Desert Storm.

Following a year of study at the Army War College, he again transferred overseas to United States Army South and assumed command of the 41st Area Support Group in Panama. In July 1995 he returned to Washington and joined the Joint Staff, initially as Deputy Director for Logistics, Readiness, and Requirements and then as Executive Officer to the Director of Logistics J–4. In September of 1997 he was designated the Special Assistant to the Director for Logistics, J–4.

He was promoted to rank of Brigadier General and assumed command of the Defense Logistics Agency’s Defense Supply Center Philadelphia in 1998. From there he again returned to the Army Staff to be the Director of Sustainment for the Office of the Deputy Chief of Staff for Logistics. He was then transferred to Headquarters United States Army Forces Command at Fort McPherson, Georgia to become the Deputy Chief of Staff, G–4. Major General Mongeon entered into his current assignment as Director of Logistics Operation J–3 at the Defense Logistics Agency in October of 2003 where he has been able to bring his wealth of experience and singular talents to bear on solving some of the most intricate sustainment challenges faced by our nation’s military establishment.

His tireless and selfless dedication to serving his country’s representatives by the many decorations he has earned including the Distinguished Service Medal with Oak Leaf Cluster, the Defense Superior Service Medal with Oak Leaf Cluster, the Legion of Merit with 2 Oak Leaf Clusters, the Bronze Star Medal, the Defense Meritorious Service Medal, the Meritorious Service Medal with 2 Oak Leaf Clusters, the Army Commendation Medal with Oak Leaf Cluster, the Army Achievement Medal with Oak Leaf Cluster, two awards of the Joint Meritorious Unit Award, the Joint Chiefs of Staff Identification Badge, and the Army Staff Identification Badge.

In closing I wish to commend General Mongeon for his many years of distinguished service to our nation, protecting our freedoms of life, liberty and the pursuit of happiness. I wish him and his wife, Schele, Godspeed in his retirement.

Mr. SANDERS. Mr. Speaker, it gives me great pleasure to bring to your attention, to the attention of the House, and to the attention of the Nation, the remarkable step forward made by the Washington Electric Co-operative in Vermont. This week they opened a new facility which produces electricity from methane, a gas formerly burned as a useless byproduct of the landfill in Coventry, VT. It is a wonderful example of Yankee inventiveness—and Yankee frugality.

The new facility, which costs a relatively modest $8.5 million, will produce enough electricity for one-third of the Washington co-op’s customers, a percentage expected to rise to half when the plant is fully operational and tuned to take advantage of all the methane produced by decomposition in the landfill.

In a time of soaring energy and electricity prices, the co-op has not raised electricity prices for 5 years. Rates are not expected to rise in the next 5 years either, because the new powerplant operates economically and the electric utility makes good use of renewable energy certificates. This is a wonderful lesson for the Nation, which is increasingly pressed by both shortages of fossil fuel and by soaring prices for energy of all sorts.

We need to find sources of alternative energy which can meet our needs for power. Contrary to what the large oil companies tell us, not only are such alternatives available now, those alternatives are often far more economical than using fossil fuels.

Whether it is methane power, wind power, solar power, geothermal power, or the use of hydrogen fuel cells as an alternative to gasoline in cars, we must cut out dependence on foreign oil now. We will be better off environmentally, our national security will be enhanced, and—as the Washington co-op has so boldly demonstrated—we may well be better off economically as well.

In short, we need an energy revolution by breaking our dependence on fossil fuels. I am very, very confident our small State of Vermont will lead this. We will be notified by not only the country but the world.

My congratulations to the Washington Electric Co-Op for showing America, with its new facility in Coventry, what can and should be done to make our energy sources secure and sustainable.
In the House of Representatives
Tuesday, September 20, 2005

Mrs. MUSGRAVE. Mr. Speaker, due to meetings during the series of votes on Thursday, September 15, I did not make it back to the House floor in time for the last vote (roll-call vote No. 475).

H. Res. 473 was to establish the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina.

Mr. Speaker, had I been present, I would have voted "yes" to establish the hurricane commission.

Providing for Consideration of H.R. 889, COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2005

Hon. Juanita Millender-McDonald of California
In the House of Representatives
Tuesday, September 20, 2005

Ms. MILLENDERMCDONALD. Mr. Chairman, as a Member on the Coast Guard Subcommittee, I want to thank you and Ranking Member Flinner for your continued leadership in bringing this bill to the House floor today.

Year after year a select group of Members come to the Floor and sing the praises of the Coast Guard on how this agency continues to do more with less.

Recently, our Nation has witnessed what we have been addressing each year.

This month we witnessed just how vital the Coast Guard is to the safety and security of our country.

The Coast Guard was the only Federal agency that responded in the Gulf Coast States in a timely and efficient manner.

Here are the Search and Rescue numbers for the Coast Guard in response to Katrina: 24,132 lives saved to date; 33,537 lives saved or evacuated to date; 12,534 Cumulative lives saved by air resources; 11,958 Cumulative lives saved by surface resources; 9,405 Cumulated hospital evacuations.

Where would we be without the Coast Guard during the devastation of Hurricane Katrina?

As we speak here today—the Coast Guard continues to save lives. We must support them! We need more agencies like the Coast Guard.

The Coast Guard and Maritime Transportation Act of 2005 authorizes $8.7 billion for the Coast Guard and authorizes $1.6 billion for the Coast Guard’s Deepwater program to replace aging ships and aircraft, and requires a new implementation plan.

This bill before us today is important—now more than ever. It is our obligation to provide the Coast Guard with the tools to heighten their service.

I will argue that we need to go further as a Congress and increase the appropriated fund for the Deepwater program. I hope that with the Coast Guard’s strong showing in the gulf States during Katrina validates why the appropriations committee and the Administration should make a greater commitment to the Coast Guard and the Deepwater program this year by increasing funding for the program.

Finally, I want to take this opportunity to reiterate a request for a joint port security hearing with the Coast Guard subcommittee and the Full Homeland Security Committee.

In the aftermath of Katrina, we are reminded just how much work needs to be done in coordinating with Federal and local agencies and emergency responders.

Our approach to port security is no different. The Coast Guard is responsible for securing the 95,000 coast lines that includes Great Lakes and inland waterways. This is our long- border. Grain and miscommunication surrounding FEMA, the Department of Homeland Security and local and State emergency responders, a joint port security hearing is an excellent opportunity to make sure we are all on the same page—if there were to be a catastrophe at one of our ports—terrorist or natural—we will be able to respond and save lives.

In closing, I urge my colleagues to vote for this important bill that provides for the Coast Guard to continue to do its extraordinary job.

Mr. Chairman, I look forward to continuing to work with you on these and other vital issues that face our country.

Recognizing Rita Balian
Hon. James P. Moran of Virginia
In the House of Representatives
Tuesday, September 20, 2005

Mr. MORAN of Virginia. Mr. Speaker, I rise today to recognize the exceptional contributions of Rita Balian, a humanitarian activist and community leader who has worked tirelessly on behalf of women and children in the United States and Armenia.

Ever since the earthquake in Armenia in 1988, Ms. Balian has dedicated her time, talent and expertise to help the people of Armenia. She has realized many projects in support of women, schools, and universities. Since 1996, she has concentrated her efforts on women’s health, taking American technology, management skills and medical expertise to Armenia.

She is the founder, president and chief executive officer of the Arménia American Cultural Association (AACA), a non-profit charitable organization incorporated in 1995 in Arlington, Virginia. Through AACA, Ms. Balian established the Armenian American Wellness Center in Yerevan, a humanitarian project dedicated to saving, prolonging, and improving the lives of women through the early and accurate detection of breast and cervical cancer and to providing primary health care services to ensure the good health and well-being of families in Armenia. To facilitate the Wellness Center’s work, Ms. Balian partnered the Center with seven major U.S. medical institutions. Since the Wellness Center’s establishment in 1997, it has screened over 60,000 women and saved the lives of over 1,500 through the early detection of life-threatening illnesses.

Ms. Balian has dedicated herself to expanding the services offered at the Wellness Center and providing increased access to those services. The Center has added protocols in gynecology, family medicine, and pathology and reaches out to Armenians living in rural areas through monthly outreach missions and the establishment of two satellite clinics.

Along with her work on behalf of the Wellness Center, Ms. Balian’s accomplishments also include the establishment of a sister-city program between the cities of Gyumri, Armenia and Alexandria, Virginia. She co-chaired the Alexandria/Gyumri Sister City Committee for six years, organized several cultural exchanges and established the Alexandria Armenian Day Festival, which is now an annual celebration.

Through her work with the Armenian General Benevolence Union (AGBU), the largest and oldest Armenian philanthropic organization in the world, Mrs. Balian and her husband cofounded the AGBU New York Summer Intern Program for Armenian college students from around the world. She continues to manage the intern program, which is now in its nineteenth year.

She has received many awards in recognition of her work with the Wellness Center; most notably the “Spirit of Life Cancer Advocacy Award” in September 2003 from the International Spirit of Life Foundation and the Washington Cancer Institute, the “Outstanding Citizen Achievement Award” from the United States Agency for International Development in January 2003, and the Armenian Church’s highest medal of honor, the St. Nersess Shnorhali Medal, bestowed upon her through a Pontifical Encyclical by His Holiness, the Catholics Karekin II, in October 2001.

The Armenian people have acknowledged Ms. Balian’s humanitarian work as well. She has received honorary doctoral degrees from three different universities in Armenia, and in April 1996, Rita and her husband, Vartkess Balian, became honorary citizens of the Republic of Armenia through a special presidential decree presented to them at the Armenian Embassy in Washington, DC.

She has also been honored by the United Nations for her advocacy on behalf of women’s and children’s rights and by the American Red Cross for her leadership in obtaining humanitarian assistance for the victims of the 1988 earthquake in Armenia.

Since March of 2004, Ms. Balian has served as a member of Governor Warner’s Virginia/Armenia Advisory Commission.

Mr. Speaker, I am proud to recognize the numerous accomplishments of Rita Balian. Her dedication to the people of Armenia and her efforts to increase international understanding reflect a deep sense of purpose and remarkable ability to achieve difficult and worthy goals. Her work serves as an inspiration to us all.
ON THE PASSING OF SIMON WIESENTHAL

HON. CHRIS VAN HOLLEN
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Mr. VAN HOLLEN. Mr. Speaker, I rise today to honor Simon Wiesenthal, a man who survived the atrocities of the Holocaust and dedicated his life to ensuring that the world never forgets the more than six million Jews who perished during one of the darkest periods in human history.

Mr. Wiesenthal brought to justice more than 1,000 Nazi war criminals. He will be remembered for his fight against ignorance and anti-Semitism through a dedication to teaching others about the origins and realities of the Holocaust. He spent his life working to ensure that the unforgetting savagery of the Holocaust could not be repeated.

Today as we mourn the loss of Mr. Wiesenthal, we celebrate his spirit and honor his life and work by vowing to carry on his mission of eradicating intolerance and injustice.

A TRIBUTE TO BLM DESERT DISTRICT MANAGER LINDA HANSEN

HON. JERRY LEWIS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Mr. LEWIS of California. Mr. Speaker, I rise today to pay tribute to Bureau of Land Management California Desert District Manager Linda Hansen, a dedicated public servant who has been a leader in balancing the protection of our vast public lands in the California desert with the needs of our public to use those lands in the most beneficial way.

Throughout my years here in the House of Representatives, I have had the honor and pleasure of representing much of the Southern California desert lands, which range from the Sierra Nevada on the north to the Mexican border. The land itself is some of our nation’s most unique and unspoiled, and the people who live, work and recreate there are very unique in their own ways. Many desert peaks provide vistas of hundreds of miles in every direction with no sign of civilization. But often a short drive down a canyon road can reveal a desert experience.

It takes a special leader to balance the needs of our public to use those lands in the most beneficial way. And for the past 3½ years those needs have been very well balanced by the capable hands of Linda Hansen, the manager of the 10.5 million-acre California Desert District of the BLM.

She has found ways to protect desert dunes and grant access to off-road vehicle riders. She has helped preserve desert wildlife like the Bighorn Sheep and met the needs of the thousands of hunters who know those arid lands so well.

Linda Hansen joined the BLM by chance 28 years ago, taking a job as a receptionist in the Carson City office after her family moved there. She worked her way up through the ranks over the years, serving in both the state and national offices, and was finally named in 2002 to be the first female director of the Desert District.

During her three years, the BLM has completed regional land use plans to guide management of public lands in the Northern and Eastern Colorado Desert, Northern and Eastern Mojave Desert, Coachella Valley, and the Imperial Sand Dunes. She also oversaw the final stages of development of the largest Habitat Conservation Plan in the United States in the West Mojave Desert, slated for completion by the end of 2005.

She has improved the working relationship with her federal management partners, including the Forest Service, National Park Service, Department of Defense, and Fish and Wildlife Service. An Imperial Valley native, she has helped those that allowed off-road enthusiasts to use the Imperial Dunes, while at the same time protecting much of the Dunes’ fragile eco-system. At the same time, she has forged the United Desert Gateway, helping communities like El Centro and Brawley reap the benefits of the increased visitation there. Along the way, she has gained a reputation for being fair and patient in dealing with everyone who is dedicated to the protection and enjoyment of the desert.

Mr. Speaker, after 31 years of federal service and 28 years with the BLM, Linda Hansen will soon be retiring. Please join me in thanking her for her dedication, patience and perseverance, and wishing her well in her future endeavors.

IMPLEMENTING THE MICROENTERPRISE RESULTS AND ACCOUNTABILITY ACT OF 2004

HON. CHRISTOPHER H. SMITH
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Mr. SMITH of New Jersey. Mr. Speaker, today I chaired a hearing examining the implementation of PL 108–484, the Microenterprise Results and Accountability Act of 2004. Earlier this year, I traveled to coastal areas of Indonesia, Thailand, and Sri Lanka which had been devastated by the tsunami. The destruction from those 50-foot-high waves was almost total, and the vast majority of individuals affected were fishermen and other working poor whose boats and nets and livelihoods had been completely swept away. While they gratefully received the emergency food, aid and shelter which our military and our USAID disaster relief teams so efficiently provided, in the medium term, what these folks really needed and wanted was a small loan to enable them to rebuild their businesses and become self-sufficient again.

The same could be said of areas in our own country which have been devastated by Hurricane Katrina. While I am not aware of any microloan programs operating in New Orleans, having read Dr. Morduch’s testimony which he will give later today, I do know that a microcredit group, Accion New York, serves over 6,000 customers in the New York metropolitan area.

Whether here or abroad, I have long been a fan of microcredit programs because I have seen them work. The term “foreign aid” often has a bad connotation—and there are some good reasons why, too. Many times in the past, foreign aid was delivered in a topdown manner to corrupt governments and organizations, where it never really reached the intended recipients.

Microenterprise, on the other hand, takes a totally different approach. It’s a “trickle-up” approach that focuses on helping the poorest people on the planet build themselves up, little by little, into self-sufficiency by giving them access to financing. The success of microenterprise lending programs to empower entrepreneurs and borrowers in the developing world cannot be overstated.

Over two million clients are currently benefitting from D-assisted programs that provide the necessary capital through small loans, usually of a few hundred dollars or less, for entrepreneurs to start and expand their own small businesses. It is estimated that 97 percent of microenterprise loans are successfully repaid and 70 percent go to women, who are often very vulnerable, subjected to abuse, and in need of economic opportunities in the developing world. Microenterprise is a key vehicle to assist victims of trafficking and to raise the social and economic status of women around the world.

Microenterprise also complements the principles President Bush has outlined for more effective foreign aid through the Millennium Challenge Account, and is a key component for fulfilling the UN’s Millennium Development Goals to eradicate world poverty by the year 2015. Business owners assisted by micro-lending are not only able to increase their own incomes, but through their own efforts, they create jobs and help economies grow.

Success stories from the beneficiaries of microenterprise are quite numerous. Take for example, Dorothy Eyishah from Ghana. Dorothy was resourceful, but she had no idea how she was going to support her AIDS-stricken sister and family when she brought them into her home in Ghana. She used to support herself selling ice, but that wasn’t going to pay for the food and medicines she now needed. She started praying. All doors seemed shut until Dorothy met some women within her village who were part of an Opportunity International Trust Bank. The Trust Bank could help her grow a small business—providing her with financing, training, support. Five loans later, Dorothy is the secretary of her Trust Bank and runs three businesses, employing nine people in need of economic opportunities in the developing world.

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God has been so good to me,” she says.

Success stories such as this are what microfinance and the Microenterprise Results and Accountability Act of 2004 are all about. By building the best possible microenterprise program, we will be able to reach the greatest possible number of poor people with services that truly have an impact on their lives. As we compare the effectiveness of various methods of implementing microcredit programs, success will be measured by the ability to reach...
very poor people and other underserved populations, including women, and by the kind of impact these programs have on poor families. We also want to see them educate their children, achieve greater self-esteem, strengthen their families, and improve the quality of their lives.

I introduced the Microenterprise Results and Accountability Act of 2004 at the beginning of the 108th Congress, and the final product represents the culmination of months of hard work and discussion by Republicans and Democrats in both the House and Senate, members of the microenterprise community, and USAID, to build upon one of our most progressive and successful foreign aid programs.

This legislation is primarily about ensuring better results, not authorizing additional money. A comprehensive GAO report completed in November 2003 revealed that oversight and accountability of microenterprise programs administered by USAID is weak, and that programs are not having the desired effect of reaching the very poor—those earning less than the equivalent of $1/day—to the greatest extent possible.

In response to those concerns, PL 108–484 builds-in accountability through a focus on cost-effectiveness and efficiency. The law establishes a dedicated Microenterprise Office within USAID which will approve strategic plans of field missions, establish a monitoring system in order to maximize the impact of programs and measure results, and coordinate preparation of a yearly report to Congress. The legislation also ensures that more funds go to the “very poor” through the development and implementation of easy-to-use, cost-effective poverty assessment techniques. Identifying and targeting the poorest potential clients who would stand to benefit most from microenterprise loans has proven to be more difficult than originally anticipated. I am hopeful that once developed, these poverty assessment techniques may prove useful not only for microenterprise but also in other areas of our foreign aid.

PL 108–484 also stipulates that USAID should emphasize the use of global microfinance networks and other non-profit private voluntary organizations in the implementation of microenterprise and microfinance programs. In the last two years, I am concerned that USAID has been shifting its focus away from non-profit organizations and networks to contractors in the implementation of the Agency’s microenterprise program.

While for-profit entities such as consulting firms are making excellent contributions in the areas of technical assistance, research and policy reform, global microfinance networks and non-profit private voluntary organizations have the operational experience and track record of proven success in delivering financial services to poor people. These organizations are able to get resources directly to clients, and are well positioned to reach the very poorest economically active entrepreneurs in the countries where they work. Further, such networks have built self-sustaining microfinance institutions that now cover a significant portion of their operating costs. More than $150 million in earned revenue was captured by these institutions in 2002 to cover their operating costs, in addition to private donations that have added significantly to USAID’s investments. These microfinance networks have excelled in rapidly developing microfinance institutions in volatile and risky situations, including during the early stages of a country’s transition from war to peace.

When we provide microloans for the developing world, we export values upon which our nation is based upon, including the ideal that if you work hard and dream big, you can succeed.

ACKNOWLEDGING THE SERVICE OF RAY CHRISTENSEN

HON. MARK UDALL
OF COLORADO

IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Mr. UDALL of Colorado. Mr. Speaker, I rise today to acknowledge and honor the important contributions Ray C. Christensen has made to Colorado and the country’s agricultural community. Ray has served as the executive vice president of the Colorado Farm Bureau for the last 20 years and with his retirement, Colorado will lose a powerful advocate for agriculture.

Shortly after I was elected to the State legislature in 1996, I came to know Ray and was often reminded of how highly regarded he was at the State capitol. I was aware of agricultural issues, but hardly an expert—and I knew other legislators in both parties who took a somewhat disdainful attitude toward farm issues. Others felt that agricultural matters were best left to State legislators from rural areas. But as Lew Entz—now a State Senator—reminded me, “If you eat, you are in agriculture.”

I love that Ray made me take it to heart as a Member of Congress. From the farm to the table, nothing is plainer or more important, and no one embodies this truth better than Ray Christensen.

Ray’s professional biography makes this abundantly clear. He graduated from South Dakota University with a B.S. and graduate degrees in geography and agriculture. He has held positions at the South Dakota Department of Agriculture, the Missouri River Basin Commission, and the office of Public Affairs for the Farm Bureau. He has also served on the Colorado Agricultural Council, Denver Agricultural and Livestock Club, Colorado Public Expenditures Council, Colorado Medical Society Foundation, CSU Cooperative Extension Advisory Council and Colorado Commission on Taxation.

As executive vice president of the Colorado Farm Bureau, Ray cultivated valuable relationships with Colorado businesses, environmental organizations, and social advocacy groups, ensuring long-term progress that spanned the agricultural community.

Uniquely dedicated to cooperation and driven by the concerns of the family farm, Ray has provided invaluable service to Colorado agriculture.

Ray and I come from different walks of life and different political leanings, but I have always respected his depth of experience and his steadfast commitment to rural America.

Mr. Speaker, I ask my colleagues to join me in honoring Ray Christensen and in wishing him success in all his future endeavors. It has been a privilege to work with him on a number of issues, and as a friend from Colorado once remarked to me, “It’s a whole lot better to have Ray on your side than the other way around.”

I couldn’t say it any better.

TRIBUTE TO MAJOR GENERAL MARY L. SAUNDERS

HON. JAMES P. MORAN
OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 20, 2005

Mr. MORAN of Virginia. Mr. Speaker, I rise today to honor the career of Maj. Gen. Mary L. Saunders. General Saunders has served her country for more than 34 years and will retire from the United States Air Force on October 1, 2005.

General Saunders was born in Nacogdoches, TX, and grew up in Houston. She was commissioned as an officer in the Air Force after earning a bachelor’s degree from Texas Woman’s University in 1970, and served in a variety of assignments during her military career, excelling in key logistical positions. The general made her mark on Air Force logistics in a variety of transportation squadron, air terminal operations, and contingency plans staff positions. In August 1996, General Saunders was selected as the director of Transportation, Office of the Deputy Chief of Staff for Installations and Logistics, Headquarters U.S. Air Force, Washington, DC. In 2004, the Department of Defense, in recognition of her superb organizational skills, appointed the general as the vice director of the Defense Logistics Agency, Fort Belvoir, Virginia.

From early in her career, General Saunders’ exceptional leadership abilities were evident to both superiors and subordinates as she repeatedly proved herself in select command positions. These include serving as deputy commander and commander, Military Air Traffic Coordinating Office, Military Traffic Management Command, McGuire AFB, NJ; commander, 475th Transportation Squadron, Yokota Air Base, Japan; and commander, Defense Supply Center, Columbus, OH.

During her long service as a logistics expert, General Saunders was a crucial voice for critical Air Force policy and programs, always providing clear, concise and timely counsel to her service’s senior leaders. Her later role in the joint service arena proved invaluable to the Department of Defense as she led a variety of logistics, acquisition, and technical services for DLA in times of peace and conflict.

Alwats, the general put a human face to the Air Force’s core values of integrity first, service before self and excellence in all we do. Her increasingly responsible positions and public recognition bear this out.

I am especially pleased to note that upon her retirement, General Saunders plans to return to her home State of Texas to continue
EXTENSIONS OF REMARKS  

**HON. LOUISE McINTOSH SLAUGHTER**  
OF NEW YORK  
IN THE HOUSE OF REPRESENTATIVES  
Tuesday, September 20, 2005

Ms. SLAUGHTER. Mr. Speaker, today, I am proud to introduce the Military Victims of Violence Confidentiality Act. This important piece of legislation will ensure greater protections for women in the military who are victims of violence by keeping their medical and counseling records confidential and allowing them to obtain valuable treatment services without further victimization.

The military should be at the forefront of prosecuting assaults and setting the highest standards for treatment of service women victimized by sexual assault and domestic violence. Yet, our Armed Forces have failed to enforce the most basic protections to ensure these victims can receive necessary counseling and treatment. Counseling and treatment is essential to begin the healing process, and service members should be able to seek access to these services without fear of exposure or public humiliation.

Recently, the issue of protecting confidential communications was brought to light in the case of U.S. v Harding. Ms. Jessica Brakey was allegedly sexually assaulted in 2000 while serving as a cadet at the Air Force Academy. Following the assault, Ms. Brakey sought counseling by victim advocate, Ms. Jennifer Bier—a civilian who was contracted by the military. Under Colorado’s rape shield law, the disclosure of a victim’s counseling records is prohibited. However, the military court issued an extremely broad subpoena for Ms. Brakey’s treatment records with Ms. Bier, as well as her complete 10-year medical history. When Ms. Bier refused to turn over these records to the military court, the judge suspended the case against the alleged assailant.

Unfortunately, this precedent setting case sent a clear message to the thousands of women in the military who are victims of sexual assault and domestic violence each year that the Armed Forces will not protect you. It is critical that we take appropriate action to ensure that victims of these crimes are able to seek treatment and counseling without repercussion.

Although this bill is supported by many organizations that work to prevent and respond to sexual assault and domestic violence, the need for this legislation is also recognized within the military. The Department of Defense’s, DoD, own Task Force on Sexual Harassment and Violence at the Military Service Academies issued a report in June 2005 which recommended that “Congress should create a statutory privilege protecting communications made by victims of sexual assault to health care providers and victim advocates. This privilege should extend to both medical health care providers and to those victim advocates designated and trained to perform that duty in a manner prescribed by DoD regulation.”

"This is exactly what my bill will do. The Military Victims of Violence Confidentiality Act will establish comprehensive confidentiality protocols to protect the rights of victims within military law. Under my bill, communications made to secure advice, counseling, treatment or assistance concerning a victim's mental, physical, or emotional state will remain confidential. Moreover, a victim will be able to refuse to disclose and prevent any other person from disclosing a confidential communication. If a victim’s doctor and advocate cannot protect the confidentiality of treatment sessions, sexual assault and domestic violence victims will be unlikely to seek essential care for fear of stigma, public embarrassment, or threats to their career. Consequently, the military will continue to lose valuable women soldiers. These women put themselves in harm’s way to protect us and our Nation from threats at home and abroad. The military should work as hard to ensure they are protected when dealing with a horrible tragedy. Do not allow our brave service members to be victimized twice, once by their perpetrator and then again by the lack of appropriate, compassionate, and confidential care. Mr. Speaker, I encourage all Members to join me in cosponsoring the Military Victims of Violence Confidentiality Act.

REMEMBERING THE LIFE OF SIMON WIESENTHAL

**HON. ALCEE L. HASTINGS**  
OF FLORIDA  
IN THE HOUSE OF REPRESENTATIVES  
Tuesday, September 20, 2005

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor the life of one of the great figures in Jewish and world history, the late Simon Wiesenthal. Mr. Wiesenthal, a Holocaust survivor who crusaded to ensure that those responsible for the Holocaust were brought to justice, passed away earlier today in his home in Austria. Simon Wiesenthal followed his creed of “justice, not vengeance” and oversaw the arrest, capture and conviction of many Nazi war criminals.

Simon Wiesenthal was imprisoned at five German Concentration camps during the Nazi Holocaust, narrowly escaping execution on numerous occasions. After he was liberated, Mr. Wiesenthal went to work for the United States Army and began gathering information to be used in the Nazi war crimes trials. After the Nuremberg trials, while the governments of the United States and the Soviet Union were no longer interested in pursuing Nazi war criminals, Wiesenthal continued the charge to arrest and convict those responsible for the genocide of more than eleven million innocent people, including six million Jews and 89 of Wiesenthal’s personal relatives.

Wiesenthal’s most celebrated capture was that of Adolf Eichmann, one of Hitler’s main engineers of his final solution. While Eichmann’s wife claimed that he was dead, Wiesenthal was able to prove that the evidence for his death was insufficient. Wiesenthal then assisted Israeli efforts to track down Eichmann. Eventually, the war criminal was caught and executed thanks in large part to Wiesenthal’s efforts.

After the extremely high profile capture of Eichmann, Wiesenthal was able to gather enough support to continue in his efforts. He continued his mission and was able to secure the arrests and convictions of other important Nazis. His work led to the capture of Karl Silberbauer, a member of the German Gestapo who arrested Anne Frank. Silberbauer’s confessions disproved the claims that The Diary of Anne Frank was a forgery. Wiesenthal was also instrumental in the capture and conviction of Franz Stangl who was in charge of running the Treblinka and Sobibor concentration camps. Wiesenthal also is credited with locating Hermine Braunsteiner-Ryan, a housewife living in New York who had supervised the murder of hundreds of children during the war.

Simon Wiesenthal believed that it was his mission to ensure that the victims of the Holocaust were not forgotten and that the type of atrocities that occurred during the Second World War do not happen to anyone anywhere ever again. Personally, I was honored to have made his acquaintance and was humbled by his presence.

Thanks to Simon Wiesenthal’s lifelong dedication to the cause and organizations such as the Simon Wiesenthal Center, neither he nor the victims of the Nazi atrocities will ever be forgotten. It is now our responsibility to continue the vision of Simon Wiesenthal. We can not allow the horror of what occurred at Auschwitz and Treblinka and the other concentration camps to be erased from our memory; we can not allow racism and hatred to fester to the point where genocide becomes an option; and we can not allow those who commit acts of genocide to walk away without having to answer for the horrific crimes they have committed. The world has lost a champion for compassion and humanity in the death of Simon Wiesenthal. May his memory always be a blessing unto all of us.

COMMEMORATING THE LIFE OF SIMON WIESENTHAL

**HON. HOWARD L. BERMAN**  
OF CALIFORNIA  
IN THE HOUSE OF REPRESENTATIVES  
Tuesday, September 20, 2005

Mr. BERMAN. Mr. Speaker, I am deeply saddened today to learn of the death of Simon Wiesenthal, one of the world’s great humanitarians. Over the past 50 years he tirelessly fought to preserve the memory of those who perished in the Holocaust and dared the world to learn from their mistakes.

Wiesenthal, along with his wife Cyla, survived the Holocaust determined to bring those
Mr. SHAYS. Mr. Speaker, as September is National Alcohol and Drug Addiction Recovery Month, I would like to share the story of a resident of the Fourth Congressional District, Walter Ginter, who is recovering from a drug addiction.

I recently met with Mr. Ginter and heard of his struggle to overcome his addiction. In addition to wanting to call attention to the plight of recovering addicts, he was particularly concerned that as we consider the plight of many victims of Hurricane Katrina, we pay particular attention to those recovering from dependency. Since many are in treatment programs, interruption from these programs can result in setbacks. This is one of the many, many things that we need to consider as we go forward in rebuilding the lives of those affected in Louisiana, Mississippi and Alabama.

Our country has improved greatly, but we still have work to do in providing access to treatment and eliminating the stigma surrounding chemical dependency. I hope this month of awareness will help us accomplish this worthy goal.

The following is Mr. Ginter's story:

My name is Walter Ginter. I am 56 years old. I own a house in Westport CT. I participate in civic activities, have a subscription to the Westport Country Playhouse, and 1 am a registered Republican. Most days, along with hundreds of other Westport residents, I commute on Metro North Railroad to NYC. I am indistinguishable from the other commuters and completely typical in every way but one. Each day I take medication for a chronic medical condition. Taking a maintenance medication is hardly atypical, I am sure that other commuters take maintenance medications. The difference is that I take a medication to treat my opiate dependence.

I first became opiate dependent in 1971, when I was in the army. I spent much of the next 20 years in and out of various treatment programs in my effort to stop using heroin. For me, the only treatment that was effective was methadone maintenance. While on methadone I got my life together and attained goals promised by the SAMSHA matrix, "a life in the community for everyone."

However, every few years, no matter how well my life was going I felt pressured to leave methadone treatment. Sometimes the pressure came from my family, mostly from myself. I felt inadequate, weak, even cowardly. . . . I tried again and again . . . but each time I left methadone treatment I relapsed.

Eventually, through advocacy, I learned that opiate addiction wasn't a moral issue or a matter of strength or weakness but primarily a brain disorder. The reason I did well on methadone was because it restored my normal brain function.

Today, I am Director of Training for the National Alliance of Methadone Advocates. Through training and education we are trying to end the stigma experienced by patients on medication. Some methadone advocates like to say, "Methadone is Recovery." They are wrong! Methadone is not Recovery. Recovery has nothing to do with taking medication or not taking medication. Recovery is living a sober, happy, productive lifestyle. However, thousands of methadone patients are living that life and haven't been taught. That is what recovery advocacy is for me. Teaching and training so that my brothers and sisters who take medications can start enjoying life as recovering persons.

I have become intimately involved with this issue because the Army has proposed to send four million gallons of VX hydrolysate from Newport, Indiana to a DuPont facility in New Jersey where it would be treated and then dumped into the Delaware River. I’ve joined with many of my colleagues from New Jersey and Delaware to shine a brighter light on this illogical proposal. I believe that our involvement has provided people who live near the Delaware River and people in Newport with much more information about this proposal than they would have received otherwise. But we have a long way to go.

At our urging, the Centers for Disease Control and Prevention and the U.S. Environmental Protection Agency are taking a much closer look at this proposal. In April of this year they issued a report that could not recommend proceeding with the treatment and destruction of our nation’s stockpile of deadly chemical weapons.

Mr. ROBERT E. ANDREWS. Mr. Speaker, I rise today to speak about our responsibility to destroy our nation’s stockpile of deadly chemical weapons by April 2007, while also being forthright about the costs and time required to comply with this obligation. This is a commitment that we made to both the American people and the world when the Senate ratified the Chemical Weapons Convention (CWC) in 1997. As outlined by statute, Congress retains a continuing oversight role in the CWC’s implementation.

So far, we’ve destroyed 37 percent of our total stockpile of chemical weapons. Without a doubt, the destruction of these chemical weapons is a complicated and costly process. No one is under the illusion that we will meet the 2007 deadline for complete destruction. Unfortunately, civilian officials in the Department of Defense have managed, and continue to manage, much of this program in a way that has guaranteed that we will not meet our treaty obligations by the deadline. In fact, we will be hard pressed to meet the five-year extension that we will be forced to apply for in April of 2006. More importantly, the Department of Defense continues to mislead Congress and the public about the true financial cost of, and time requirements for, complete destruction of the remaining two-thirds of our chemical weapons.

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Ms. SCHAKOWSKY. Mr. Speaker, I rise to commend Simon Wiesenthal, who passed away last night at the age of 96. Wiesenthal, a Holocaust survivor, was responsible for bringing over 1,100 Nazi war criminals to justice. Equally as important, he played a major role in the founding of the Simon Wiesenthal Center in Los Angeles and the world-renowned Museum of Tolerance, which works diligently for the defense of human rights and the Jewish people.

The work of Mr. Wiesenthal is especially important to my district which is home to one of the largest concentrations of Holocaust survivors in the United States. Just this past weekend I stood with many of those survivors and several of their liberators in Skokie, Illinois to celebrate the 60th anniversary of the liberation of the Nazi concentration camps. As the conscience and voice for not only the Holocaust victims, but also the survivors, Mr. Wiesenthal has fought for the defense of human rights and the Jewish people.

When Simon Wiesenthal was asked why he chose to pursue the Nazi criminals and bring them to justice, Wiesenthal responded, “You believe in God and life after death. I also believe. When we come to the other world and meet the millions of Jews who died in the camps, and they ask us, ‘What have you done?’ there will be many answers. You will say, ‘I became a jeweler.’ Another will say, ‘I smuggled coffee and American cigarettes.’ Still another will say, ‘I became a jeweler.’ Another will say, ‘I smuggled coffee and American cigarettes.’ Another will say, ‘I built houses.’ But I will say, ‘I didn’t forget you.’”

When the Holocaust came to an end, Simon Wiesenthal never forgot. And because he became the leading representative of the victims, determined to bring the perpetrators of history’s greatest crime to justice, we will never forget Simon Wiesenthal. Many have noted that the heinous acts of the Holocaust, for their scale and brutality, make real justice for victims and survivors impossible. No punishment, even death for those Nazi criminals who were later apprehended, could match the horrific misery suffered by Hitler’s victims. But, nonetheless, Simon Wiesenthal’s work, his tireless pursuit of the last century’s most abhorrent criminals, brought a measure of justice and a measure of peace to the Jewish community. Most importantly, he was a reminder that “Never Forget” is not a guarantee, but a pledge, one for which we all share responsibility.

When Simon Wiesenthal died, the world lost one of the last survivors of the Holocaust. He was one of the last legacies of the 20th century. The world has lost an icon, a pioneer, and an inspiration to all of us who have the ability to do something about anti-Semitism. Simon Wiesenthal did just that. He was a teacher, a mentor, and a hero to all of us. He taught us to never forget the Holocaust, to never forget the lessons of the Holocaust, and to never forget the victims of the Holocaust. He was a true hero and a true friend to all of us. He will be missed by all of us.

When Simon Wiesenthal was asked why he chose to search for Nazi criminals and bring them to justice, Wiesenthal responded, “You believe in God and life after death. I also believe. When we come to the other world and meet the millions of Jews who died in the camps, and they ask us, ‘What have you done?’ there will be many answers. You will say, ‘I became a jeweler.’ Another will say, ‘I smuggled coffee and American cigarettes.’ Another will say, ‘I built houses.’ But I will say, ‘I didn’t forget you.’”

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Judge Westbrook was a charter member of the West Metro Rotary Club, and former member of the Jaycees, Lions’ Club, Sertoma, Woodmen of the World, and the Masons. He also served on the Central Midlands Regional Planning Council; the Governor’s Advisory Committee on Intergovernmental Relations; the Lexington County Hospital Advisory Board; the Anderson College Board of Directors; and an Anderson College Distinguished Young Alumnus.

Judge Westbrook was chairman of the Chief Justice’s Committee on Circuit Court Technology and the High School Mock Trial sub-committee for the South Carolina Bar. He was a member of the Joint Commission on ADR (1997–2003), presided over Lexington County Drug Court, and served as chairman of the Planning Committee for the Lexington County Judicial Center Building Project.

Judge Westbrook was a member of Springdale Baptist Church since 1973. During that time he had served as a Deacon and was currently serving as the church’s interim Music Director. He also served as Music Director for several other local churches. He participated with the Lexington Baptist Association as Music Director and as a member of the Executive Committee, and was a former member of the Palmetto Mastersingers.

Prior to taking the bench, Judge Westbrook was elected in 1976 as the youngest member of Lexington County Council, and is still the youngest person to serve as Chairman of that body. In 1978, he was elected to the South Carolina House of Representatives from Lexington County, where he served until his appointment as a Family Court Judge in 1983. Judge Westbrook was elected to the Circuit Court in 1984. On February 22, 2005, the main courtroom in the newly constructed Lexington County Judicial Center was named in honor of Judge Westbrook.

Surviving, in addition to his father, T.H. Westbrook of Cayce, are his wife, Linda Lawhon Westbrook of West Columbia; sons and daughters-in-law, H. and Christy Westbrook of Irmo, Richard N. Westbrook of Hilton Head Island; sisters and brothers-in-law, Dottie W. and Mark Luyster of Lexington, Anna W. and Cotton MeCleod of West Columbia; brothers and sisters-in-law, The Rev. Dr. Charles Norris and Jane Westbrook, currently of Thailand, Neal Randall and Laura Westbrook of Asheville, NC; granddaughter, Abigail Caroline Westbrook; a number of nieces and nephews; and several great nieces and nephews. Judge Westbrook was preceded by a brother, James Timothy Westbrook.

Randall Davis, Jr.

Services for James Randall Davis, Jr., 27, of Lexington, SC, will be held at 19:00 a.m. Saturday, September 17, 2005, at St. Peter’s Catholic Church, located at 257 Wattling Road, West Columbia, SC 29169.

Lynn Seithel Jekel, Michelle Lupton, Ervin F. Goings, Tasha Stringer Grinnell, Carson M. Barfield, Nikki G. Setzler, Timothy G. Driggers, Erik Hoffman, Matt McMahon and Driggers, Erik Hoffman, Matt McMahon and Eric Shell. Honorary pallbearers will be George S. Nicholson, Jr., Patrick J. Prawley, Jeff M. Anderson, Carey M. Ayer, John F. Fisher, Judith Callison Fisher, Lisa Lee Smith and John J. McCaulley. The family will receive friends from 6-6 p.m. Friday at Thompson Funeral Home of Lexington. Memorials may be made to St. Peter’s Catholic Church Parish Life Center; the American Heart Association; or to the University of South Carolina Law School Scholarship Fund.

Mr. Davis died Wednesday, September 14, 2005. Born in Columbia, SC, he was the son of James Randall Davis, Sr. and the late Anita Eleanor Kozlowski Davis. He was a graduate of Lexington High School and the University of South Carolina. Mr. Davis was a third year law student at Thomas Cooley Law School in Michigan. He was a law clerk for Circuit Judge Marc Westbrook, the Nicholson Law Firm in Lexington, and the Neuser-Pruet Law Firm in Charleston. Mr. Davis served as a page for four years in the S.C. Senate for Senator Nikki Setzler. He also worked for the National Advocacy Center in Columbia. Mr. Davis was a member of St. Peter’s Catholic Church.

Randall loved his family and was especially devoted to his grandparents. He enjoyed the beach and dearly loved his animals. He always had a smile for everyone he met.

Surviving, in addition to his father, Randy Davis of Lexington, are his sister, Julie Davis of Lexington; maternal grandmother, Louise Kozlowski of Springdale; uncles and aunts, Terry and Susan Darby, Kenneth and Chris Davis; cousins, Claire Darby, Elizabeth and Kenny Davis; and numerous relatives in South Carolina, New York, and Germany. Mr. Davis was preceded in death by his paternal grandparents, Kenneth L. and Mildred C. Davis; and his maternal grandfather, Stanley V. Kozlowski.

HONORING EDWARDSVILLE POLICE OFFICER CHARLES KOHLBERG

Mr. SHIMKUS. Mr. Speaker, I rise today to honor Edwardsville Police Officer Charles Kohlberg.

Officer Kohlberg recently took heroic actions to save the life of 18-year-old Megan Few. Miss Few’s airway became obstructed as she was eating lunch at Edwardsville High School. Officer Kohlberg applied the Heimlich maneuver and saved Miss Few’s life.

Along with the Few family and the City of Edwardsville, I am pleased to extend my gratitude and appreciation to Officer Kohlberg for his heroic efforts. May God bless.