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Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

SENATE—*Tuesday, December 13, 2005*

The Senate met at 11 a.m. and was called to order by the Honorable WAYNE ALLARD, a Senator from the State of Colorado.

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Dr. Richard Foth.

PRAYER

The guest Chaplain offered the following prayer:

Shall we pray.

Almighty God, creator of heaven and Earth, creator of each of us, we thank You for this day. This is the day You have made, and we ''will rejoice and be glad in it.''

As our Senators conduct the business of the Nation, pressing to determine critical issues before year's end, we pray for them a baptism of patience and clear seeing. Give them the strength to press on the issues and the capacity to give and receive personal grace in the heat of battle.

In the confluence of political pressures and seasonal celebrations of good will, we pause to recognize our need of You, Lord. We are grateful for Your sovereignty in the world and Your designed place in our lives. You are indeed, Immanuel, ''God with us.''

In Your Holy Name we pray. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WAYNE ALLARD 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 13, 2005.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WAYNE ALLARD, a Senator from the State of Colorado, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. ALLARD thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, today, after a period of morning business, the Senate will debate the Bahrain Free Trade Agreement under a 60-minute time agreement reached last night. Later today, we will also begin debate on the motions to instruct conferees with respect to the deficit reduction bill. We hope to have a unanimous consent agreement ready which will lock in those motions for debate and votes. We are still trying to determine exactly when those stacked votes will occur, and I will announce that shortly as we get closer to an agreement. Members should adjust their schedules to accommodate a lengthy week and possible weekend session so that we may complete our business and then go home for the holidays.

IRAQI DEMOCRACY

Mr. FRIST. Mr. President, I wish to comment just very briefly on what is going on over the course of this week in Iraq, as it focuses on Iraqi democracy and the process that has begun in this country today and will continue through Thursday when the elections are carried out in Iraq.

Earlier this morning, I had the opportunity to talk at the White House in a meeting by teleconference with our Ambassador to Iraq, in Iraq, and General George Casey about the remarkable progress going on in that country today as they updated us with the plans for the elections, what is underway, and looking back to the tremendous progress that has been made over the last several months and the truly remarkable progress that has been made in the elections in January and October and now the preparations made for the elections this week.

On Thursday, the Iraqi people began what is a historic process for choosing their first fully constitutional parliament since the fall of Saddam, culminating in this nationwide vote on Thursday, December 15. In our briefings this morning, it was pointed out that the elections are Thursday and many of us will be watching to see how large a turnout there will be, recognizing that 10 million people turned out for the last elections in October.

Our briefers also pointed out the fact that we have to moderate our expectations a little bit in terms of the overall timing because of the sequence of the events with the elections on Thursday and then a preliminary certification of the elections about a week later and then a final certification in early January, around January 6 or 7. The government itself becomes a product of that parliament, and that will not be finalized until April of next year, but the process has begun, and the votes, even among Iraqis in this country right now, are beginning today.

The country, as we think back just 2½ years ago, that was ruled by tyranny and despotism is, with the help of

● This "bullet" symbol identifies statements or insertions which are not spoken by a member of the Senate on the floor.

American and coalition forces, transforming itself into a hopeful and democratic society. That hope is being felt by the Iraqi people as they move forward, rebuilding and renewing their country.

In yesterday's widely reported new polling data, the Iraqis believe their lives are going well, with nearly two-thirds expecting that things will improve in the months and years ahead. Average household incomes have skyrocketed by 60 percent in the last 20 months, and Iraqis are quickly joining the swift current of modernity with cell phones and the Internet, cars, washing machines, and satellite dishes. Even ABC News, which commissioned the poll, rates the Iraqi mood at ''a remarkable level of optimism.''

In Thursday's elections, we will also have marked yet another milestone in their transition from dictatorship to democracy. Just in the past year, we have witnessed a series of truly extraordinary events. Last January, 8.5 million Iraqis defied the terrorists and marched to the polls. Who will ever forget the remarkable picture of Iraqis proudly displaying their purple-stained finger, citing that freedom, that ability to vote. They showed the world their readiness and eagerness to participate in a new system of government.

Throughout the summer, Iraq's leaders worked through the painful give-and-take process of drafting the nation's permanent constitution. Even though much of Iraq's Sunni Arab population boycotted the January elections, Iraq's elected officials worked hard to reach out and include the Sunni Arab representatives in the constitution-drafting process. They understood the importance of including leaders from all of Iraq's ethnic and religious communities in such a historic endeavor. As we saw by summer's end, their patience, compromise, and inclusion paid off. The draft they produced established the framework for a stable and democratic Iraq at the heart of the Middle East. Their new constitution safeguards individual minority rights, guarantees the protection of human rights, and creates a system of government based on the rule of law and the will of the Iraqi people.

In October, the Iraqi people turned out again, in overwhelming numbers, to ratify their permanent constitution. More than 10 million Iraqis across religious and ethnic lines went to the polls to demonstrate their growing desire to have their voice heard in a democratic political process.

Most of the increase in voter turnout came in Sunni areas of the country.

As the political process continues to unfold, Iraq's Sunni Arabs are coming to recognize the importance of taking part in that democratic process.

Only through peaceful politics can the Sunni Arab community in Iraq ensure that its rights are secured, its interests protected, and its people represented at the national, provincial, and local levels.

Even though many Sunnis voted against Iraq's permanent constitution, the trend line of increased political participation among the Sunni population is heading up.

This morning, we were briefed directly from Iraq. The number of polling stations in the Sunni parts of the country are increasing dramatically day by day, much surpassing expectations.

More than 300 political parties and coalitions have registered for this week's elections. Candidates are campaigning, and the Iraqi people are again showing their willingness to defy terrorist threats and participate—and participate actively—in the political process.

As President Bush articulated in his speech yesterday in Philadelphia, Iraq is that central front in the war on terror.

Their move to democracy is essential to our shared victory over terrorism.

It is not going to be easy.

We face an enemy who targets innocent civilians with bombings and beheadings—an enemy who despises freedom, that fears democracy. They will bend every effort to derail Iraq's continued progress until they are ultimately defeated.

But I am confident the Iraqi people will succeed and that together we will prevail over the terrorist enemy.

Time and time again, the Iraqi people have shown their friends and their enemies that they are steadfast in their determination to secure a bright, peaceful, and prosperous future for their children and for their grandchildren.

They will do so again on Thursday, this Thursday, December 15.

I applaud President Bush for his unwavering commitment to freedom and liberty for the Iraqi people. I applaud the Iraqi people for their unwavering courage to secure their democratic future.

The United States will continue to stand behind them as they work to become a peaceful, a united, a stable, and a secure and more prosperous nation, a full member of the international community and a full partner in the global war on terrorism.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, may I inquire as to the state of the Senate? Are we in morning business?

The ACTING PRESIDENT pro tempore. We are in morning business.

Mr. CRAIG. I thank the Chair. I will speak as in morning business.

CONTINUED DUMPING AND SUBSIDY OFFSET ACT

Mr. CRAIG. Mr. President, the leader, in opening the Senate this morning, said we would come to the floor later today to begin to debate motions to instruct the conferees on the budget resolution conference that is now underway and being negotiated between the House and the Senate.

Of course, that is critical to our going home—the process to finalize the work of the Congress this year. So for the next few moments, I wish to speak about two issues that are in that conference that will be a part of the debate this afternoon on the instruction of conferees.

The first one is what we call the Byrd amendment, also known as the Continued Dumping and Subsidy Offset Act.

To set the record straight, it is important to say that so people understand when I reference the Byrd amendment I am not talking about the Byrd rule as it relates to what can and cannot be inside the budget resolution but is, in fact, what Senator BYRD, I, and joined by others some time ago know as the Continued Dumping and Subsidy Offset Act.

As many Senators are aware, this amendment, the Byrd amendment, has had tremendous support in this body. In fact, in 2003, 70 Senators notified the President of our strong support for this provision. Further, just recently, 25 Republican Senators notified the majority leader of our strong opposition to any repeal of the Byrd amendment in the Deficit Reduction Act. I firmly believe those 25 Senators stand firm in their opposition to any repeal. A provision such as the Continued Dumping and Subsidy Offset Act that has so much support has no place whatsoever in the budget resolution or what we call the Deficit Reduction Act. However, some in this body are calling the Byrd amendment ''corporate welfare.'' If people in this country call a provision that protects U.S. companies and manufacturers from intentional and illegal foreign dumping and in subsidies, so be it. You can call it anything you want, but that is the reality of the existing law. When foreign companies continue to dump and get subsidies even after an order goes into effect, the U.S. industry gets absolutely no benefit from that measure. The only way we can level the playing field in those instances is to prevent those duties to be distributed to the very American companies that are injured by those flagrant and illegal practices.

Some in this body would like to repeal the Byrd amendment because it has been estimated to result in $3.2 billion in cost savings.

I have to tell you this estimate, in my opinion, is pure fabrication.

This year, for example, the Congressional Budget Office estimated that this act's provisions would come to $800 million in fiscal year 2005. In reality, however, the figure was $226 million. CBO's estimate was off by a factor of

three. That tells me that the 5-year estimate for 2006–2010 is grossly overestimated. Therefore, if we include repeal of the Byrd amendment to inflate budget-deficit reduction numbers, we are clearly not getting those cost savings, while at the same time injuring U.S. companies that are committed to preserving and growing manufacturing jobs in this country.

Finally, some have argued we must repeal the act because it is in violation of the WTO.

First, I believe this shows how far the WTO has overstepped their guidelines in placing obligations on our country we have never agreed to.

Second, there is nothing in any WTO agreement that specifies how countries must spend their dumping duty proceeds. If we must do anything with respect to WTO, we ought to tell Ambassador Portman, as the Senate has done many times in the past, to negotiate a specific agreement permitting duty distribution in the Doha Round. This is not the time to repeal this provision while our negotiators are still at the negotiating table.

I strongly urge my colleagues and the leadership to remove the repeal of the Byrd amendment from the Deficit Reduction Act. This is simply not the time nor the place for such an action.

Further, I urge my colleagues to fall in line and support a motion to instruct conferees to remove this repeal. Failure to do so will send a message to our injured U.S. companies and manufacturers that Congress is wearing rose-colored glasses and fails to see or act upon the evils of illegal dumping and foreign subsidies.

MILK INCOME LOSS CONTRACT

Mr. CRAIG. Mr. President, in speaking to conferees this afternoon in relation to the deficit reduction or the budget reconciliation process, this is an issue that, frankly, most Senators probably have not heard all that much about.

Everyone agrees that the reconciliation act, or Deficit Reduction Act, is an attempt by Congress to rein in spending and to build the appropriate budget in this climate. This legislation makes tough cuts in important programs in all areas of Government.

While nearly all programs are taking their lumps—if you will, sucking it up a bit—Congress is, ironically, considering increasing spending in a bill whose sole purpose is to decrease spending.

The Senate's version of the Budget Reconciliation Act, or Deficit Reduction Act, includes a provision renewing the Milk Income Loss Contract Program, also known as the MILC Program, which currently expired in September of this year.

The CBO has scored this renewal in costs to the taxpayers of $1 billion over a 2-year period. In other words, half a billion a year. This deserves much more attention than it got in the Senate. The MILC Dairy Price Support Program was included in the 2000 farm bill to create a permanent direct payment program to the dairy producers. During the farm bill debate, USDA warned that the new program would run counter to the old dairy price support program in place since the 1940s.

Analysis by the USDA in August of 2002 concluded that the MILC Program would cause overproduction, thereby lowering farm prices to producers, forcing the government to purchase the excess until prices stabilized. However, Congress ignored the USDA warning and authorized the program to last until September of 2005, enough time to see dairy producers through the tough times back in 2002.

Now, after over $2 billion in taxpayer-funded programs, some in the Congress have easily forgotten about the agreement to sunset a program. When we sunset a program it is the intent of Congress to conclude it.

Let me give some examples of how distorted it has become if the program is in support and in relation to production in our country. Idaho dairy production is now 4th in the Nation and one of the top economic drivers in the economy of my State. During the 2003–2005 period, Idaho received $39 million in MILC payments, enough to be ranked 12th in total payments received in the program, yet they are fourth in production in the Nation.

In comparison, California received $149 million over the same time, is ranked fifth in total payments and, of course, California is the No. 1 milk producer in the Nation.

There seems to be no relationship. I guess some hands are just too sticky to let money pass just because the law is 3 years old and ready to expire.

My point is this: It is important to understand just what this program does and what the $1 billion for one program means in the overall picture. It has become market distorted. It provides little to no parity to all producers. It encourages inefficient overproduction in milk and it sends the exact opposite signal to our trade negotiators trying to sell the rest of the world on the idea that the United States is willing to cut domestic subsidies and amber box payments.

Regarding the WTO negotiations, our United States Trade Representative and USDA Secretary and many others are currently attempting to negotiate in the latest Doha Round getting started in Hong Kong as we speak. It is clearly important we send a message. It is also important when we sunset a program after having found out it is market distorting, we ought to do just that, instead of pump it up again while we are asking all other programs that are federally expended to reduce their overall expenditures, to reduce the budget deficit and to bring this budget under control.

I hope our conferees, as they negotiate the budget deficit reduction act, or the budget resolution, would decide not to fund the MILC Program, adhere to the sunset provision provided and allow a program to die as this program effectively did by the sunset in September of this year.

Mr. President, I ask unanimous consent to have printed for the RECORD articles in opposition to the MILC Program and also an article from the Wall Street Journal.

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

DECEMBER 1, 2005.

DEAR REPRESENTATIVE: On behalf of the hundreds of thousands of senior citizens we support across America, I urge you to make every effort to be sure that MILC, the now defunct dairy farmer giveaway program is not resurrected through inclusion in Reconciliation, or any other measure. Costing roughly $1 billion (actual outlays could again top $2 billion), a new MILC program, once more propping up inefficient dairy farmers, should have no place in a budget that cuts spending on Medicare, Medicaid, and other key senior programs like LIHEAP. Outdated dairy farmer welfare has no business in what should be a free-market. MILC, and similar government intrusions into the dairy marketplace, cause instability and price spikes. If extended, MILC will once again (as the USDA admits) work in conflict with the federal milk price support system. Worst of all, the oldest and the poorest among us will suffer mightily to pay for the MILC giveaway to a select few dairy farmers.

It would truly be outrageous to create a new MILC program, or worse to have one included in reconciliation just to win passage! Just look at what that nearly $1 billion in MILC giveaway money will buy:

Medicare—The House proposal would cut $5 billion in Medicare funding over five years. The almost $1 billion being proposed for the MILC boondoggle could restore Medicare funding and help provide better health care to some 140,000 elderly Americans.

Medicaid—The House proposal cuts Medicaid spending by $11.4 billion, compared with $4.3 billion in Senate cuts. That $1 billion MILC giveaway could be better used to give over 248,000 of the poorest Americans access to health care through Medicaid.

Low Income Heating Assistance Program or LIHEAP—Through LIHEAP, that wasted $1 billion in MILC money could help some 2,680,965 people cope with sky-rocketing heating bills. It could be their only chance to stay warm this winter.

Student Loans—At a time when student loan programs are being slashed ($14.3 billion in the Senate and $8.8 billion in the House), $1 billion in special interest MILC funding could help our grandchildren attend college at a time when college costs are rising faster than inflation. The House cuts will cost each student up to $5,800 more in interest and fees over the life of their loans.

Food Stamps—Adding the $1 billion in MILC money to this important program that helps feed needy seniors would fully restore the $800 million in Food Stamp funding cut by the House.

We believe the wasteful, expensive MILC program should be left to rest in peace, thus

helping to keep needed senior health care and nutrition programs fully funded. As one recent Wall Street Journal Editorial, Milking the Taxpayer notes, the USDA identifies no less than a half-dozen support programs for dairy farmers. We urge you to oppose the same tired old politics of vote trading and ever more pork barrel largesse for just a handful of dairy farmers on the dole. Instead, we urge you to stand up for all of the seniors, the poor, the needy, the students, and the veterans who will have less, just to fund MILC. As the Journal Editorial says so well, ''Taxpayers have been MILCed enough by this particular boondoggle.''

Please do the responsible thing for all Americans by working to put an end to MILC once and for all. Rewarding inefficiency should never be the function of any government program, even when there are surplus funds to spend. Now, when important health care and nutrition programs are being cut or cancelled, MILC should not be allowed to rear its head again.

Sincerely,

MICHELLE PLASARI,
President, RetireSafe.
JIM MARTIN,
President, 60 Plus Association.

[From the Wall Street Journal, Nov. 14, 2005]

MILKING THE TAXPAYER

It is a sign of just how unmoored from fiscal responsibility the current Congress has become that in the midst of a loud struggle over mostly symbolic budget cuts, the party in power is having trouble even letting dead programs stay dead.

One such program is the Milk Income Loss Contract program—MILC for short, cleverly enough—which passed its sell-by date at the end of September and expired. The House budget bill does not include its revival. But the Senate version reauthorizes MILC, and in 2004 the President promised Wisconsin voters that he would fight for its extension, so its fate lies with the House-Senate conference that will reconcile the two massive budget bills.

MILC was one product of the 2002 farm-subsidy bill, and even by farm-subsidy standards it is perverse. At the time the program was voted into law, Congress asked the Department of Agriculture to study the effects of the various government-support programs on the dairy business. The USDA duly issued its report in August, and for a technical document the report was unequivocal that ''there is a basic incompatibility'' between MILC and other pre-existing dairy subsidy programs. (The USDA report identifies no fewer than a half-dozen support programs for dairy farmers.)

The conflict is this. One of the oldest programs is the milk price-support program, which dates to the Depression-era Agricultural Adjustment Act. Under that program, the government steps in and buys milk when the price falls below a certain level. If that support price is set low enough, it provides some income security to farmers while allowing the market to clear and production to fall to the point where prices can rise again.

Here's where MILC pours in and clouds the picture. MILC makes direct payments to farmers based on their production whenever the milk price falls below a certain level. What's more, MILC kicks in at a much higher level than the price-support program. The effect of this is that production is encouraged by MILC even as prices are falling, which drives the price down toward the support level and prevents the shakeout that the price-support program is intended to allow.

The Agriculture Department found that MILC does in fact artificially depress the price of milk by encouraging overproduction, which is just what you'd expect. Then, through the price-support mechanism, the government winds up buying the milk that MILC encouraged the farmers to produce. Thus, in the Ag Department's dry bureaucratese: ''The price support program and the MILC program provide an example of problems that can be caused by conflicting policy outcomes.''

In short, MILC distorts the market and conflicts directly with other pre-existing subsidy programs. It has also cost close to $2 billion since its inception, nearly twice the $1 billion originally budgeted for it. Letting it expire should have been a no-brainer, not least because dairy farmers still enjoy numerous other forms of government handouts. It was kept alive in the Senate through the exertions of Vermont Democrat Pat Leahy, who isn't known for helping the GOP agenda. With no GOP Senators in either Vermont or Wisconsin, Republicans don't even have a political motive for keeping this subsidy alive.

Two billion dollars over three years may be a drop in the fiscal milk-bucket, but Republican lawmakers used to insist on sunsetting government programs for a reason. Taxpayers have been MILCed enough by this particular boondoggle.

MORNING BUSINESS

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

The PRESIDING OFFICER (Mr. CHAMBLISS). Without objection, it is so ordered.

Mr. CRAIG. 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. SUNUNU. 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. SUNUNU. Mr. President, I ask permission to speak in morning business.

The PRESIDING OFFICER. The Senator is recognized for 10 minutes.

PATRIOT ACT REAUTHORIZATION

Mr. SUNUNU. Mr. President, today I come to the floor to speak about the pending reauthorization, extension of the PATRIOT Act, the legislation passed in the wake of the September 11 attacks. This debate is fraught with emotion because we were all outraged at what happened on September 11. Everyone in America and around the world shares a desire to address the threat of global terrorism, to give law enforcement appropriate powers to pursue those terrorists. But we want to make sure in doing so we pass legislation that is in keeping with the principles on which our country was founded—principles of individual liberty and freedom.

Ultimately, this debate about renewing, extending the PATRIOT Act is about police powers, the power that the people, through their elected representatives, give to government, give to agents of government. Whether it is at the State, local, or Federal level, we give certain police powers to government to conduct searches. We give the government power to detain individuals. We give the government power to serve subpoenas, to confiscate records. We do it because we think ultimately it is in the public interest to do so. But just as the Framers recognized, we need to provide a balance, to balance these very forceful, very powerful tools with personal freedom, civil liberty.

So as a result, we require the government, or government agents, to show cause before they conduct a search. We set standards for evidence in a courtroom. They need to meet certain standards of evidence to conduct a search, certain standards of evidence to detain an individual or a suspect. And, of course, we have the principle of due process, trial by jury, and the ability to have an appeal heard in a court of law.

Some people may say: We know that. These are fundamental. These are basic to our system of justice. But it is important that we are reminded of these basic principles if we are going to get the reauthorization and the extension of the PATRIOT Act correct.

This is not a new set of issues. These are the very issues contemplated by the Framers. In many respects, these police powers are issues that alarmed the Framers—and I say alarmed because they were so concerned about the powers of Government and the powers of the State that they wrote specific protections into the Constitution. The fourth amendment, protecting from unreasonable search and seizure, specifically addresses the threshold of probable cause, that the Government shall show probable cause before it conducts search and seizure of personal property.

The fifth amendment protects us from self-incrimination. We have all seen enough Perry Mason to understand what it means to invoke one's rights under the fifth amendment. It speaks specifically about due process and the right to an open, fair due process when one is being prosecuted, whether it is for a criminal act or whether we are prosecuting one of these powers of search and seizure, a power of the State to issue a search warrant.

The sixth amendment speaks specifically about a right to a trial and what it means to have one's case heard before a jury or in a court of law. All of these amendments and others, but

these three in particular, speak directly to balancing the rights of individuals and the liberty of individuals with the powers of the State.

The Framers were, quite frankly, very distrustful of Government and the power of the Federal Government. I try to be a little less pessimistic in my work in the Senate, but I must be frank with my colleagues in stating that on this issue, on the PATRIOT Act, I have begun this debate more from a position of mistrust and concern about the work that had been done in preparation for this reauthorization and the position taken by the administration. I will speak to that in a moment, but it is important to note that on the Senate side we had bipartisan agreement and on the Senate side we had terrific leadership by Senator SPECTER on these issues. He understands this balance probably as well as anyone in the Senate. I do not fault his work as a chairman and certainly not the work of the Senate as a whole, given that we had incorporated a number of protections in our legislation.

The Justice Department began this process well over a year ago, taking the position that we should make all the provisions of the PATRIOT Act permanent and we should not make any changes, we did not need to make any changes. This is legislation that was passed just 6 weeks after September 11. I would not say it was passed in haste, but it was passed during a very difficult and emotional time in our country's history. We had sunsets on 16 provisions in the PATRIOT Act for just that reason. We knew there was a lot of uncertainty as to how this war on terrorism would progress, what tools law enforcement really did need to pursue legitimate terrorist suspects, what we needed to do to get our hands around financial records or other financial transactions that might lead investigators to uncover terrorist cells in America or around the world.

Anyone who understands the legislative process knows that was not a perfect bill, no matter how hard people worked on it. To suggest that when it came time for reauthorization there would be no need for changes I believe suggests a lack of understanding of the process of Congress, the legislative process, and how things get put together on Capitol Hill, or lack of understanding about the substance in the bill, not understanding all the provisions in the bill and how they did in some cases unnecessarily infringe on civil liberties, or perhaps an arrogance that leadership, those who were responsible for providing leadership within the Justice Department, knew they were not abusing any of the provisions in the law so no changes needed to be made. I will speak to that argument shortly, but I think it is very unfortunate.

So when one has this kind of legislation, as sweeping in scope as this is, and suggests when it comes time to deal with these sunset provisions that no changes need to be made, I think shows a lack of substantive reflection on the balance between the police powers of the State I spoke about and civil liberties on the other hand.

Two years ago, I joined with a number of my colleagues in introducing the SAFE Act: Senators DURBIN, SALAZAR, and FEINGOLD on the Democratic side, Senators CRAIG, MURKOWSKI, and myself on the Republican side. We spoke specifically to a few provisions in the PATRIOT Act where we thought we could do a better job of protecting civil liberties.

The 215 section that allows the subpoena of business or library records, the national security letter provision—the national security letter is a sweeping order issued without the approval of a judge that gives investigators access to financial data, to medical data, or to other transaction records; the roving wiretap provision that is necessary because we have new communication technologies that are more mobile than ever but where we still need to do a good job of specifying who the target is of that roving wiretap; delayed search warrants—again, sometimes there is going to be a need for conducting a search warrant before notifying a target so that the investigation is not jeopardized. But we should have specific provisions written in the law for notifying that target after a certain period of time. As it was written, there was no period specified for notification.

Of course, the idea of sunsets is important to civil liberties anytime one is dealing with law enforcement legislation, because a sunset calls on Congress to come back, look at how a law was used, look at how it was implemented, how it affected civil liberties, and make appropriate changes.

I ask unanimous consent to speak for an additional 10 minutes.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I have no objection. I add to that consent that I would then follow the distinguished Senator from New Hampshire on the same subject.

Mr. SUNUNU. I so modify my request.

Mr. ALEXANDER. Reserving the right to object, I ask unanimous consent to follow the distinguished Senator from Vermont.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SUNUNU. We introduced the SAFE Act to deal with very specific areas where we thought the PATRIOT Act needed to be improved to better protect civil liberties. Some would argue that with the PATRIOT Act, as it has been rewritten, the conference agreement, that there were only a few areas now where there is a disagreement and so we ought to accept it as it is. I make a broad argument, though, that simply because we are conducting shortcuts on civil liberties in only a few areas is simply not an effective argument. I think where civil liberties are concerned, as I illustrated with the Framers' concerns, we ought to do everything in our power to make sure proper protection is provided.

A few key points about the weaknesses that remain in the PATRIOT Act, and with these weaknesses I will not be able to support the final conference report. I certainly will not support moving forward with the conference report, in part because I think these are substantive problems but also because they are problems that should be easily addressed in a reworked conference agreement. The first deals with the business and libraries provision, section 215. In section 215 we have established a very broad standard, too broad a standard, for investigators to get access to sensitive records—whether it is at a business or a library; it makes no difference. The standard is that the records simply be shown as relevant to an investigation. That does not sound inappropriate, but as a legal standard that means records could be subpoenaed that have no direct connection to a particular suspect.

As a result, the records of many innocent Americans, or the burden placed on businesses to continually produce records under this provision is going to be far too onerous.

There is also associated with this provision, this business records subpoena power, a permanent automatic gag order that prevents you from discussing the fact that this order has been issued to you as an individual or your business, and there is no judicial review of that gag order. I think this is a fundamental flaw in this conference report, the idea that you have been served with a permanent gag order to restrict your free speech, to restrict you from talking about that gag order, and it is permanent and you have no ability to appeal it in a court of law.

I would argue that taking your case, your appeal before a judge is fundamental to our system of justice in the United States of America. I would further argue that it in no way undermines law enforcement's ability to conduct an investigation to give the business or the individual the opportunity to appeal that gag order in a court of law. The argument that it might cost a little bit extra is ridiculous in the face of the need to protect individual civil liberties.

The system of judicial review for these section 215 subpoenas simply is not acceptable. Similarly, the system of judicial review on national security letters fails to meet the important test

of balancing individual civil liberties. There is a very low threshold for getting a national security letter. It is not approved by a judge. The threshold is merely a ''showing of relevance,'' once again not a direct connection to a suspect, which is very problematic. Moreover, the threshold for overturning the gag order—again a restriction on the ability to even discuss the national security letter—is that you must show bad faith on the part of the Federal Government. That is virtually impossible. No individual, no business served with a national security letter will effectively be able to show bad faith on the part of the Federal Government, and therefore they will never have a national security letter or its accompanying gag order overturned.

To have meaningful judicial review you have to have a meaningful standard, a reasonable standard of showing in that court of law. I think it is fair to say, if we look around the world at different governments' attempts to eviscerate the power of due process, this is one way to do it—to have judicial review, to ''let people have their case in a court of law,'' but set the standard of evidence or the standard for overturning an egregious decision so high that the government always wins. That is simply not acceptable where American civil liberties are concerned.

Finally, let me turn to a few of the arguments posed or made to individuals, such as Senator LEAHY or Senator FEINGOLD or me, who have brought forward these objections. One argument is what I would describe as a very broad argument, that we need to extend the PATRIOT Act, we need to fight terrorism, we need to make sure we don't undermine the ability of law enforcement in their work to deal with terrorist threats. I agree. Senator LEAHY—I will take the opportunity to speak for my colleague from Vermont. He agrees we need to do all of these things. But that is not a substantive argument for not making these changes he and I support. We are all for fighting terrorism. We are all for extending the PATRIOT Act. I do not oppose the idea of subpoenaing business records or even library records or the idea of a national security letter. What I oppose is having such a powerful government force in place without countervailing protections for civil liberties.

A second argument is one I mentioned earlier: for the Justice Department to say we have not abused any provisions in the current PATRIOT Act so just extend them all as written. It doesn't matter to me whether it is a Democratic administration or Republican administration, the argument that you have not abused a poorly written law is no argument at all for extending and making permanent that poorly written law. If it does not protect civil liberties, we should modify it. We should make sure the protections are there so that no matter who holds the reins of power, in the executive or the legislative or the judicial branches of Government, those freedoms continue to be protected.

A third argument is if we do not move forward, if this bill fails to get a cloture vote this week and it goes back to conference, it will only get worse. Let me get this straight. If you vote against a bill that doesn't adequately protect civil liberties, we are going to take it back to conference and compromise civil liberties even further? I think that is an outrageous argument to make. I think there are some people who are making it, or who have made it, who do not intend it to be taken that way. But I think it is only fair that it be taken that way. That is an inappropriate threat. If the attitude of the conferees is they will further restrict civil liberties if they do not get this poorly written bill passed, then perhaps no law is better.

I do not believe that. I think there ought to be a willingness to make improvements. Again, there are no specific reasons for how these changes that I have described—judicial review of a 215 gag order, a better threshold for overturning an NSL there is no substantive argument that I have heard for how these would undermine law enforcement's ability to pursue terrorists. These arguments simply do not hold up.

Benjamin Franklin, 200 years ago, observed that:

> Those who would give up Essential Liberty to purchase a little Temporary Safety deserve neither Liberty nor Safety.

Those words are as true today as they were over 200 years ago. There is no reason to compromise the right to due process, the right to a judicial review, to fair and reasonable standards of evidence, in the pursuit of our security and the pursuit of terrorists wherever they may be around the world. I think making these changes is reasonable. They are fair.

I have joined with Senator LEAHY in introducing a 3-month extension of the existing PATRIOT Act to ensure that we have plenty of time, in a reasonable and thoughtful way, to make very modest changes that would go a long way toward ensuring this is a better bill, that it is a bill that we can be proud of, and a bill that will protect civil liberties.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, first, if I might, I wish to compliment my colleague and neighbor from across the Connecticut River, Senator SUNUNU of New Hampshire. He has laid out very clearly and eloquently the reasons we should not be rushed into a bad bill. It is not because any of us here have any love of terrorists. Of course none of us do; no Americans do.

On a September morning 4 years ago, nearly 3,000 lives, American lives, were lost—not in a foreign nation but on our own soil. Our lives as Americans changed in an instant. There is not a person within this Chamber who does not remember exactly where he or she was when they heard the news of the attacks of 9/11. In the aftermath of those attacks, Congress moved swiftly to pass antiterterrorism legislation. We moved as a Congress, as a Senate, as a House—not as Republicans or as Democrats, but as Americans, united in our efforts. The fires were still smoldering at Ground Zero in New York City when the USA PATRIOT Act became law on October 30, 2001, just 6 weeks after the attacks.

I know how hard we worked. I was chairman of the Senate Judiciary Committee at the time. Many of us here in the Senate today worked together in that spirit of bipartisan unity. We resolved to craft a bill that would make us safer as a nation.

Freedom and security are always in tension in our society, especially so in those somber weeks after the attacks. We tried our best to strike the right balance between freedom and security.

The Senator from New Hampshire quoted Benjamin Franklin. As one reads the history of the founding of this Nation and what the Founders went through, his quote stands out so much. Benjamin Franklin, like the other Founders, knew that had our new country not worked, had the Revolution not worked, most of them would have been hanged for trying to break away from our mother country. When he spoke of a people who would give up their liberties for security deserving neither, he knew of what he spoke. And he set a key idea for the fledgling democracy of America, and it is one that I like to think through the generations we have strengthened. During my years in the Senate, I have done everything possible to strengthen that balance to maintain our liberties because if we do not maintain our liberties, at the best we have a false security. It is not a real security.

One of the fruits of the bipartisanship of the PATRIOT Act, in trying to work out this balance, was the sunset provisions. Those key provisions set an expiration date of December 31, 2005, on certain Government powers that had great potential to affect the civil liberties of the American people. We are just weeks away from that date now.

Some may wonder how these sunset provisions worked their way into the PATRIOT Act. They were put there by the Republican leader of the House, Dick Armey of Texas, and myself. We have entirely different political philosophies, but we agreed on one thing: If you are giving great powers to our Government, you want to make sure

there are some strings attached. It makes no difference whether it is a Republican administration or a Democratic administration, you want to make sure there are strings attached. Leader Armey and I insisted on these sunsets to ensure that Congress would revisit the PATRIOT Act within a few years and consider refinements to protect the rights and liberties of all Americans more effectively, and we prevailed on that point.

Sadly, the administration and some in the leadership in the House and Senate have squandered key opportunities to improve the PATRIOT Act. The House-Senate conference report filed last week by Republican lawmakers falls short of what the American people expect and deserve from us. The bipartisan Senate bill, which the Senate Judiciary Committee and then the Senate adopted unanimously, struck a better balance.

If I might, I wish to compliment the chairman of the Senate Judiciary Committee, Senator ARLEN SPECTER, the senior Senator from Pennsylvania, and those Republicans and Democrats in this body who worked with him, as I did, to put together a fair and balanced bill which was able to go through our committee, which is sometimes heavily divided on issues. Instead, it went through the Judiciary Committee unanimously and passed the Senate unanimously. We worked together on that because we understand that the reauthorization of the PATRIOT Act has to have the confidence of the American people.

Think for a moment. Governments can limit the rights of the people in their countries really in only two ways: they can do it by force of arms, by oppression and repression, as we have seen with totalitarian governments, or, if they have done it right, they can do it with the consent of the governed.

As we are limiting some of these rights, as we are giving greater powers to our Government, we want to do it in a way where the American people—all of the nearly 300 million people in this great country—would have confidence in what we have done, because we do not enforce our laws in this country by force of arms, by dictatorship; we do it with the consent of the governed.

I believe what we passed in the Senate and in the Senate Judiciary Committee would have the confidence of the American people. But now we have pushed forward and changed that to flawed legislation which will not have that confidence and respect of the American people. The Congress should not rush ahead to enact flawed legislation to meet a deadline that is within our power to extend. We owe it to the American people to get this right. America can do better than this flawed legislation.

The way forward to a sensible, workable, bipartisan bill is clear. It is very clear, as Senator SUNUNU said on the floor earlier this morning and as I have suggested. Yesterday, Senator SUNUNU and I introduced a bill to extend the sunset for the expiring PATRIOT Act powers until March 31, 2006. Give us until March 31 to get this right, give us until March 31 to have a bill that would have not only the respect of the American people but especially the confidence of the American people. Our laws work if we have confidence in them, and they fail if we do not have confidence in them.

In offering this bill, Senator SUNUNU and I have been joined by Senators CRAIG, ROCKEFELLER, MURKOWSKI, KENNEDY, HAGEL, LEVIN, DURBIN, STABENOW, SALAZAR, and others. It is a bipartisan effort to extend this deadline. A deadline which Congress imposed to ensure oversight and accountability should not now become a barrier to achieving bipartisan compromise and the best bill we can forge together.

This is a vital debate. It should be. These are vital issues to all Americans. If a brief extension is needed to produce a better bill that would better serve all of our citizen then by all means, let us give ourselves that time. We want to give tools to prosecutors. I spent 8 years of my life as a prosecutor. Some of the finest people on my staff are former prosecutors. We know the needs, especially in the electronic age. But we can do better, and America can do better if given the time.

I thank Senator SUNUNU and all of our cosponsors in coming together in a bipartisan way to advance what is a commonsense solution.

I ask unanimous consent to have printed in the RECORD some recent editorials on this matter.

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

[From the Washington Post, Dec. 12, 2005]

A BETTER PATRIOT ACT

The conference report on the USA Patriot Act reauthorization bill contains one major improvement over the previous version and a few minor ones. The new bill contains strong ''sunset'' provisions, under which the three most controversial provisions would lapse again after four years, not the seven of the earlier draft. This is no small win for civil liberties. The sunset provisions in the original Patriot Act have given Congress leverage over the past few years to extract information from an administration not known for openness concerning its use of the powers Congress gave it. Insisting that the administration justify itself again relatively soon ensures that Congress will be able to adjust and refine the law as need be.

Yet the conference report remains far from perfect. A bipartisan group of senators is still objecting that it does too little to protect civil liberties, and they are threatening a filibuster, though it is not clear whether they have the votes to sustain one. Some of the changes they are seeking are reasonable and constructive. While the bill does not contain the worst excesses of the House version, which was larded with irrelevant and often terrible policy changes, it still has a fair number of extraneous sections. Some are silly, some ugly.

What makes all this so frustrating is that a consensus bill was surely possible. Indeed, it happened. The Senate version of the bill passed on a unanimous vote, representing broad agreement to grant government authorities the powers they legitimately need while ensuring accountability in their use—and it didn't contain a raft of irrelevant laws unrelated to intelligence. The members balking at the current bill would do a service if they forced a cleaner, more accountable Patriot Act reauthorization.

Debate over the conference report has focused on a narrow array of civil liberties issues, all quite technical. The rhetoric from civil libertarians makes the stakes here seem greater than they really are. The differences between the various proposals are not huge in practical terms. They are, however, significant. The conference report contains weaker controls on secret warrants for business records in national security cases than the Senate bill did. It also does too little to get a handle on the use of national security letters—a form of administrative subpoena that the FBI uses in national security cases to obtain records of certain business transactions. These problems are not unsolvable, and it's hard to believe the government is today getting much data through uses of these powers that would be forbidden were they written more accountably.

What's more, sift through the bill and you'll find provisions dealing with tobacco smuggling, establishing civil immunity for folks who donate firefighting equipment to fire departments, establishing new crimes—some punishable by death—related to marine navigation, creating a new national security division in the Justice Department, letting Secret Service forensics experts help out in finding missing kids, combating methamphetamine abuse and making life more miserable for people challenging state convictions in federal court. None of this, needless to say, has much to do with protecting America from al Qaeda.

The Patriot Act cannot be allowed to lapse at year's end, and the current bill is much improved over earlier versions. But it could still be a lot better. Precisely because the administration cannot afford to let its powers expire, further improvement should still be possible.

[From the Fresno Bee, Dec. 12, 2005]

TAKE THE TIME

FRESNO, CA.—Barring an unlikely successful filibuster, the USA Patriot Act is likely to be renewed this week, mostly in the form it was given in 2001. That's when Congress, in the wake of the Sept. 11 terrorist attacks, rushed to give law enforcement broader powers of investigation. That's still justified up to a point. Law enforcement and intelligence agencies should not be hamstrung, for instance, by a now-lapsed ban on sharing information.

But it's risky to give blanket authority to government agencies to bypass the courts, as this law partly does. It's too tempting to look into every nook and cranny just to be sure there isn't something amiss there.

After lengthy debate behind closed doors, a House-Senate conference committee agreed on compromise language that congressional negotiators say will include more protection for individuals. But if that's true, why do six senators—three Democrats and three Republicans—still oppose the measure? (One of

them—Democrat Russ Feingold of Wisconsin, the only senator to vote against the original law—is threatening to filibuster the revised version on the Senate floor.)

The principal objection of these lawmakers, and those of us who cherish individual liberty, is that the law sets too low a threshold for justifying the need to examine private records, including medical, financial and employment. And they are not persuaded—nor are we—that requiring authorities to show that their investigation has some relevance to an anti-terror investigation is enough.

These secret searches should be limited to specific individuals and not be so broad as to allow ''fishing expeditions.''

Supporters of the revised law say action is necessary now because 16 provisions of the original act are set to expire Dec. 31. That's true. But there's a way to avoid undue haste without tying the hands of law enforcement: Adopt a proposal by Sen. Patrick Leahy, ranking Democrat on the Judiciary Committee, to extend the law for three months, allowing time for public debate on a law that could be used as much to harm individuals as to catch terrorists.

The compromise bill would make all but two of the 16 expiring provisions permanent. The other two are to be extended for only four years, rather than the 10 years sought by House Republicans. That's small comfort to those whose privacy will be at risk in the meantime.

House Judiciary Chairman James Sensenbrenner, a proponent of quick action, claims it's needed to aid law enforcement in detecting terrorists before they strike. But that sense of urgency extends only so far. Former members of the 9/11 Commission have just scorched Congress and the White House for failing to protect the country in many ways, including the misallocation of resources to states or localities based on political clout instead of risk.

Americans would be no less safe if Congress were to postpone a final vote and allow time for an open and honest debate.

[From the Kansas City Star, Dec. 12, 2005]

MORE TIME NEEDED TO FORGE BETTER BILL

KANSAS CITY, MO.—A shaken Congress passed the Patriot Act with almost no debate in the wake of the 2001 terrorist attacks.

Since then politicians across the spectrum have joined librarians, city councils and other groups in raising alarms about the law's intrusions on the privacy of American citizens.

With the act set to expire Dec. 31, lawmakers are scrambling to reach a compromise that would allow most of the provisions to be renewed permanently. Time is short, but it's essential for Congress to give Americans a better balance between national security and civil liberty.

The House and Senate this week will consider a compromise agreement reached by negotiators. The package makes a good-faith attempt to address some of the problems. But it continues to give law enforcement agencies too much leeway to search people's homes and examine their records without first obtaining permission from judges.

Provisions in the proposed law instruct judges to presume federal agents' requests for records are valid, unless the targeted people can prove the government acted in bad faith. That places citizens at a serious disadvantage. Judicial oversight doesn't mean much if the judges merely serve as rubber stamps for law enforcement agents.

The compromise also does little to curb the burgeoning use of ''national security letters,'' which the FBI uses to make sweeping requests for records from libraries, telephone companies and Internet providers.

Former Attorney General John Ashcroft used to sneer and scoff at librarians who raised concerns about these requests, implying they were rare. But The Washington Post has reported that the FBI issues 30,000 such letters a year.

Senators from both political parties are raising valid concerns about the proposed new law. Democratic Sen. Patrick Leahy proposed renewing the existing act for 90 days to give lawmakers more time to write a better bill.

Leahy's idea has merit. National security and individual freedoms are too important to be compromised in haste.

[From the Morning Call, Dec. 12, 2005]

THE WAR ON TERRORISM

ALLENTOWN, PA.—An unusual coalition of conservatives and liberals, along with the U.S. Chamber of Commerce and the American Civil Liberties Union, merits attention. It's rare for groups so far apart along the usual political spectrum to agree on something. But they are united in their concern that a compromise reached by Senate and House negotiators Thursday won't sufficiently protect Americans' civil liberties. They have reason for concern.

Sen. Arlen Specter, the Republican chairman of the Senate Judiciary Committee, said the compromise legislation is ''not a perfect bill, but a good bill.'' House and Senate negotiators came up with a plan to permanently extend 14 of 16 provisions set to expire at the end of the year. Of particular note: When a law enforcement agent seeks access to records, by order of a secret court established under the Foreign Intelligence Surveillance Act, the agent must provide a ''statement of fact'' proving it is relevant to an anti-terrorism investigation.

But the coalition's concerns about fishing expeditions got a boost last week when a bipartisan group of six senators issued a statement critical of the compromise: Republican Sens. Larry E. Craig of Idaho, John E. Sununu of New Hampshire and Lisa Murkowski of Alaska, and Democratic Senators Russell D. Feingold of Wisconsin, Richard J. Durbin of Illinois and Ken Salazar of Colorado.

The primary concern is that restrictions in the Patriot Act haven't gone far enough since its passage in the wake of 9/11 to prevent government officials from going on so-called ''fishing expeditions.'' The Washington Post reported in October that the FBI used provisions of the act regarding records-gathering to annually issue more than 30,000 specialized subpoenas, or national security letters, seeking information from businesses.

The letters don't require the government to demonstrate a link between the information being sought and a suspected terrorist. They only attest that the records sought are relevant to a terror investigation. This provision of the Patriot Act must be tightened before the anticipated House and Senate votes this week.

Or, if such an agreement cannot be reached, both chambers should take the advice of Sen. Patrick J. Leahy of Vermont. The ranking Democrat on the Judiciary Committee, who didn't agree to the compromise, has proposed a three-month extension of the Patriot Act, past its year-end expiration date.

Sen. Feingold, the only senator to vote against the original legislation in 2001, has threatened to filibuster the bill extending Patriot Act provisions because it lacks sufficient safeguards to protect constitutional freedoms. Sixty votes would be required to block a vote on final Senate passage.

A three-month extension is preferable, however, to a bitter partisan battle on the Senate floor.

[From the Times Union, Dec. 12, 2005]

TRUE PATRIOTS

ALBANY, NY.—There's scant comfort in the compromise reached by House-Senate conferees late last week on renewing the USA Patriot Act. While it is welcome news that House negotiators failed in their attempt to have the most controversial provisions of this law extended for seven years, rather than four, as the Senate insisted upon, and which is now part of the compromise, there is no justification to put basic civil liberties at risk for even four minutes, let alone four years.

Fortunately, a bipartisan group of six senators is vowing to filibuster the accord, which is scheduled to be voted upon this week. They are the true patriots. Their demands are hardly burdensome. To the contrary, they want any final legislation to include checks and balances against possible abuse of power by government agencies acting under the surveillance powers of the Patriot Act. That means some monitoring of, say, FBI demands for reading, financial and other personal information on American citizens. Former Rep. Bob Barr of Georgia, who now heads a group called Patriots to Restore Checks and Balances, sums up the issue this way:

''Lawmakers could have easily fixed these controversial record search provisions by simply adopting the Senate-passed amendment to Section 215, requiring the government to show a connection between records sought and a suspected foreign terrorist, and by applying a similar requirement to the NSL (National Security Letters) powers. The decision of some lawmakers to rush this flawed Patriot Act legislation to a vote may allow them to leave a little earlier for the holidays this year, but it will also leave the civil liberties of their constituents in jeopardy for years to come.''

Supporters of the compromise argue that it does offer safeguards against government abuses by requiring some judicial overview. But a close reading of these oversight requirements shows that investigators would have no trouble meeting the loose standards for initiating searches.

No one, least of all Mr. Barr, is suggesting that the government shouldn't be able to track down suspected terrorists. But the broad surveillance powers granted under the Patriot Act open the way for possible abuses, such as collecting information on law-abiding Americans without notifying them or allowing them the opportunity to challenge the searches.

Sen. Patrick Leahy, D-Vt., who refused to sign the compromise, suggests a reasonable solution: Rather than rush the vote, extend the current act for three months and use the extra time to forge a better bill. ''We owe it to the American people to get this right,'' Sen. Leahy says. It's a debt that should not be taken lightly.

[From the Sacramento Bee, Dec. 11, 2005]

PATRIOT ACT RENEWAL: TAKE TIME TO DO IT RIGHT

SACRAMENTO, CA.—Barring an unlikely successful filibuster, the USA Patriot Act is

likely to be renewed this week, mostly in the form it was given in 2001. That's when Congress, in the wake of the 9/11 terrorist attacks, rushed to give law enforcement broader powers of investigation. That's still justified up to a point. Law enforcement and intelligence agencies should not be hamstrung, for instance, by a now-lapsed ban on sharing information.

But it's always risky to give blanket authority to government agencies to bypass the courts, as this law partly does. It's too tempting to look into every nook and cranny just to be sure there isn't something amiss there.

After lengthy debate behind closed doors, a House-Senate conference committee agreed on compromise language that congressional negotiators say will include more protection for individuals. But if that's true, why do six senators—three Democrats and three Republicans—still oppose the measure? (One of them—Democrat Russ Feingold of Wisconsin, the only senator to vote against the original law—is threatening to filibuster the revised version on the Senate floor.)

The principal objection of these lawmakers, and of civil libertarians, is that the law sets too low a threshold for justifying the need to examine private records, including medical, financial and employment. And they are not persuaded—nor are we—that requiring authorities to show that their investigation has some relevance to an anti-terror investigation is enough. Instead, these secret searches should be limited to specific individuals and not be so broad as to allow ''fishing expeditions.'' That has happened before and almost surely will again.

Supporters of the revised law, mainly House Republicans and the White House, say action is necessary now because 16 provisions of the original act are set to expire Dec. 31. That's true. But there's a simple way to avoid undue haste without tying the hands of law enforcement: Adopt a proposal by Sen. Patrick Leahy, ranking Democrat on the Judiciary Committee, to extend the law for three months, allowing time for public debate on a law that could be used as much to harm individuals as to catch terrorists.

The compromise bill would make all but two of the 16 expiring provisions permanent. The other two are to be extended for only four years, rather than the 10 years sought by House Republicans. That's small comfort to those whose privacy will be at risk in the meantime.

House Judiciary Committee Chairman James Sensenbrenner, a proponent of quick action, claims that's needed to aid law enforcement agencies ''in the detection, disruption and dismantling of terrorist cells before they strike.'' Yet such a sense of urgency seems to extend only so far on Capitol Hill. Former members of the 9/11 Commission have just scorched both Congress and the White House for failing to protect the country in a variety of ways, including the misallocation of resources to states or localities based less on risk than on political clout.

Americans would be no less safe if Congress were to postpone a final vote and allow time for an open and honest debate.

[From the Brattleboro Reformer, Dec. 10, 2005]

REPEALING PATRIOTISM

BRATTLEBORO, VT.—At some future date, when sanity perhaps returns to our nation, historians will look back at the Patriot Act and put it in the same category as other assaults on our civil liberties, such as John Adams' Alien and Sedition Act, Abraham Lincoln's suspension of habeas corpus during the Civil War or Franklin Roosevelt's internment of Japanese-Americans during World War II.

On Oct. 26, 2001, President Bush signed the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act. The House of Representatives passed this grab bag of police-state tactics by a 357–66 vote with almost no debate.

Wisconsin Democrat Russ Feingold was the only senator to vote no. At the time, Feingold called the Patriot Act a ''truly breathtaking expansion of police power.''

A fearful Congress was stampeded into approving, almost sight unseen, one of the broadest assaults on civil liberties in our nation's history. Despite assorted court challenges, the expansion of police power continues—an expansion which has done little to capture the masterminds of the Sept. 11 attacks or to prevent future attacks. But this expansion has done much to undermine our hard-won Constitutional rights.

What has happened to our legal rights since then? Here's a refresher:

You've lost your freedom of association. The federal government can now monitor the doings of religious and political organizations, even if there's no reason to suspect that illegal activity is going on.

You've lost your freedom from unreasonable searches. The federal government may search and seize your papers and effects without probable cause and without a court warrant. It can also question librarians and booksellers about your reading habits, and threaten them with jail if they reveal to anyone that you're being investigated.

You've lost your right to a speedy and public trial. The federal government can now jail you indefinitely without you being charged with a crime and can do so without holding a trial and without allowing you to confront your accusers. This is what you can expect if you are deemed to be a ''terrorist'' or are deemed to be ''assisting a terrorist group.'' The definition of ''terrorist'' and ''terrorist group'' is purely up to the government, of course.

You've lost your right to legal representation. Conversations between attorneys and clients can now be monitored in federal prisons. That is, if you're fortunate enough to have an attorney. The federal government now has the right to deny you legal representation too.

In short, the federal government can arrest virtually anyone it deems to be a danger to national security, even without a formal criminal charge, and jail them indefinitely. It can deny you a lawyer or even a trial, public or secret. And all of this can happen without your family or friends and relatives ever knowing what happened.

This is what the so-called war on terrorism has done to our Constitutional rights. This is why the current debate in Congress over extending the provisions of the Patriot Act is important.

To keep the Patriot Act as it is means more secrecy, more disinformation and more repression. It is quite frankly, un-American. It is behavior straight out of a totalitarian state; tactics not worthy of the world's greatest democracy.

The average American thinks he or she is safe. But history has shown us that when a regime has absolute power, it's only a matter of time before anyone and everyone is subject to official intimidation and attack.

Security and ''fighting terrorism'' are not suitable pretexts for destroying more than two centuries of American jurisprudence. The rule of law as enshrined in the Constitution is supposed to still mean something in America.

It's time to demand that Congress and the Bush administration respect our civil liberties. There shouldn't be a discussion to modify or extend the Patriot Act.

Instead, Congress should be working to repeal it.

Mr. LEAHY. Mr. President, I thank the distinguished Senator from Tennessee for his willingness to allow me to go forward at this time. I know he has been sitting here patiently. I thank him, and I yield the remainder of time.

The PRESIDING OFFICER. Under the previous order, the Senator from Tennessee is recognized for 10 minutes.

Mr. ALEXANDER. Thank you, Mr. President.

IMMIGRATION

Mr. ALEXANDER. Mr. President, the majority leader has said that after the first of the year we would turn our attention to immigration, and well we should. Some estimates show that 10 to 20 million people living in the United States may be here illegally. Whatever one may think about immigration, one has to start with the idea that our Nation is based on a few principles, and one of the most important of those principles is the rule of law. This is a problem we need to address and the American people have a right to demand we address. The buck stops here. This is not something Governors can deal with or school districts can deal with. It stops here.

Not long ago in Nashville I gave a speech in which I attempted to say I believe there are three parts to a comprehensive solution to immigration, the kind of comprehensive solution President Bush has talked about. Part No. 1 is border security. I had no more said the words ''border security'' than the whole room rose and began to applaud; they were not interested in the rest of the story. I would like to say a word today about the rest of the story, what our immigration debate needs to include in addition to border security.

Let me turn to a lesson we are learning from across the ocean, from Great Britain and France. Last month, the British Government instituted a citizenship test that immigrants to Britain must pass before becoming British citizens. When he announced a number of related measures regarding British citizenship last August, Prime Minister Tony Blair said:

People who want to be British citizens should share our values and our way of life.

These new rules were spurred by the terrorist attack in London last July in which four young men, three of whom were British-born children of Pakistani immigrants and the fourth who was a Jamaican immigrant, bombed the London subway system. In addition to taking new security precautions, the British Government recognized the need to

ensure that immigrants to their country, and especially those who become citizens, integrate into British society and demonstrate loyalty to their newly adopted homeland.

France is similarly facing a period of self-examination on integrating immigrants and the children of immigrants following the 2-week violent civil unrest that spread across many of France's poor suburbs last month. That violence resulted in 126 policemen being injured, 9,000 cars burned, and $250 million in damages, according to the French Government.

Like their British neighbors across the English Channel, the French are trying to figure out how to integrate this dissatisfied population—the children of Muslim immigrants—into French society. According to the French Ambassador:

> [T]hese teenagers feel alienated and discriminated against both socially and economically. They don't want to assert their differences. They want to be considered 100-percent French.

We should learn a lesson from our friends across the ocean. As we in the Senate begin to debate our immigration policy next month in the Senate, we would be wise to consider their quandary. Too often discussions on immigration reform begin and end with securing our borders. Securing our borders is step No. 1, but there are two additional, essential steps to any comprehensive solution to our immigration problems.

Step No. 2, once we have secured our borders, is to create a lawful status for those whom we welcome to work here and those we welcome to study here. We should remember who we are. This is a nation of immigrants. President Franklin D. Roosevelt began one of his addresses, ''My fellow immigrants.'' Once we secure the borders, once we deal with the rule of law problem, we need then to remember step No. 2, which is that we have millions of people whom we welcome to work here in all aspects of our society. They need a legal status that respects our rule of law. We welcome the 572,000 foreign students who come here to study. We hope many of them stay here. They are helping to create a higher standard of living for us. If they go home they become ambassadors for American values. Recently, Dr. Steven Chu, an American who was the cowinner of the 1997 Nobel prize in physics, pointed out to me that 60 percent of Americans who have won the Nobel Prize in physics are immigrants or the children of immigrants.

That is a second point—a lawful status for workers, and a lawful status for students and researchers, whom we want to come here. We want them here because their being here helps raise our standard of living.

The third part that is essential to comprehensive immigration reform is an examination of how we help new immigrants to this country become American.

In short, we need to have a discussion about fulfilling the promise to the national motto that is right above the head of the Presiding Officer: E pluribus unum; from many, one. How do we do that? We do that by reminding ourselves that while we have all of this magnificent diversity in this country, that is not our greatest accomplishment. Our greater accomplishment is that we have turned that magnificent diversity into one nation; that while we are proud of where we came from, we are prouder of where we are. We are united by principles, not race. We are united by a common language, English, and by our history of constantly struggling to reach high ideals which our Founders set for us as a nation.

We welcome new immigrants to join in that struggle toward becoming Americans. We have an advantage, therefore, over our European friends. We have been doing this through our whole history. We are unique in our world in our attitude toward welcoming others. We are different because under our Constitution, becoming an American can have nothing to do with ancestry. America is an idea, not a race.

One can see that in the various naturalization ceremonies which occur in courthouses all around this country, as new citizens raise their hands and take an oath that George Washington first administered to his officers at Valley Forge when he declared that he had no allegiance or obedience to King George III, and he renounced, refused, and abjured any allegiance or obedience to him, and swore he would support, maintain, and defend the United States. That is what George Washington and his officers said. That is the standard for every American citizen who comes to this country.

Once we secure our borders, once we establish a lawful status for workers and for students we welcome here, then we should set about helping prospective citizens become American.

Senator CORNYN and I have introduced a bill that we hope will be included as part of comprehensive immigration reform legislation. Our bill, the Strengthening American Citizenship Act, would do the following: provide $500 grants for English courses; allow prospective citizens who become fluent in English to apply for citizenship 1 year early; provides for grants to organizations for courses in American history and civics, and authorize the creation of a foundation to assist in those efforts; codify the oath of allegiance that George Washington gave to his officers and took himself, and which is substantially administered to every new citizen today; direct the Department of Homeland Security to carry out a strategy to highlight the moving ceremonies in which immigrants become American citizens; and establish an award to recognize the contributions of new citizens to our great Nation.

Real immigration reform must encompass all three important steps: First, securing our borders. Second, a legal status for guest workers and guest students. Third, I hope I have reminded us of the importance today of remembering that motto we see when we are here in the Senate chamber that indispensable to immigration reform is helping prospective citizens become American.

HIGHER EDUCATION

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a statement I made to the Secretary of Education's Commission on the Future of Higher Education on December 9, 2005, in Nashville.

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

A NATIONAL DIALOGUE: THE SECRETARY OF EDUCATION'S COMMISSION ON THE FUTURE OF HIGHER EDUCATION

Thank you for the time you are giving to this Commission's work, and thank you for inviting me to testify.

I've seen higher education from many sides, so I'm sometimes asked, ''What's harder: being governor of a state, a member of a president's cabinet, or president of a university?''

My answer is: ''Obviously, you've never been president of a university, or you wouldn't ask such a question.''

I have six suggestions for recommendations you might make.

First, I hope you will urge the Administration that appointed you to make the National Academies' ''Augustine Report'' a focus of the President's State of the Union address in January and of his remaining three years in office.

This 20-point, $10 billion a year report is the National Academies' answer to the following question that Senator Pete Domenici, Senator Jeff Bingaman and I posed to them in May: ''What are the ten top actions, in priority order, that federal policy makers could take to enhance the science and technology enterprise so the United States can successfully compete, prosper and be secure in the global community of the 21st century?'' The report was written by a distinguished panel of business, government, and university leaders headed by Norm Augustine, former CEO of Lockheed Martin.

As 2005 ends, we Americans—who constitute just five percent of the world's population—will once again produce nearly thirty percent of the world's wealth.

Most of this good fortune comes from the American advantage in brainpower: an educated workforce, and our science and technology. More Americans go to college than in any country. Our universities are the world's best, attracting more than 500,000 of the brightest foreign students. No country has national research laboratories to match ours. Americans have won the most Nobel Prizes in science, and have registered the most patents. We have invented the internet,

the automobile and the computer chip, television and electricity. From such advances have come a steady flow of the world's best paying jobs.

As one scientist has said, we don't have science and technology because we're rich. We're rich because we have science and technology.

Yet I am worried that America may be losing its brainpower advantage. Most Americans who travel to China, India, Finland, Singapore and Ireland come home saying, ''Watch out.''

The Augustine panel found I am right to be worried:

Last year, China trained 500,000 engineers, India 200,000, while the U.S. trained 70,000.

For the cost of one chemist or engineer in the U.S., a company can hire five chemists in China or 11 engineers in India.

China is spending billions to recruit the best Chinese scientists from American universities to return home to build up Chinese universities.

They also found signs that we are not keeping up:

U.S. 12th graders performed below the international average of 21 leading countries on tests of general knowledge in math.

In 2003, only three American companies ranked among the top 10 recipients of new U.S. patents.

Of 120 new chemical plants being built around the word with price tags of $1 billion or more, one is in the U.S. and 50 are in China.

Among the Augustine Report's twenty recommendations were:

Recruit 10,000 new science and math teachers with four year scholarships and train 250,000 current teachers in summer institutes.

Triple the number of students who take Advanced Placement math and science exams.

Increase federal funding for basic research in the physical sciences by 10 percent a year for seven years.

Provide 30,000 scholarships and graduate fellowships for scientists.

Give foreign students who earn a PhD in science, engineering and computing a ''green card'' so they can live and work here.

Give American companies a bigger research and development tax credit so they will keep their good jobs here instead of moving them offshore.

Some may wince at the $10 billion a year price tag. I believe that the cost is low. America's brainpower advantage has not come on the cheap. This year, one-third of state and local budgets go to fund education. Over fifty percent of American students have a federal grant or loan to help pay for college. The Federal government spends nearly $30 billion per year this year on research at universities, and another $34 billion to fund 36 national research laboratories.

Just this year, Congress has authorized $75 billion to fight the war in Iraq, $71 billion for hurricane recovery, $13 billion in increased Medicaid spending and $352 billion to finance the national debt. If we fail to invest the funds necessary to keep our brainpower advantage, we'll not have an economy capable of producing enough money to pay the bills for war, Social Security, hurricanes, Medicaid, and debt.

Aside from the war on terror, there is no greater challenge than maintaining our brainpower advantage so we can keep our good paying jobs. That is the surest way to keep America on top.

Second, I suggest that you recommend that Presidents of the United States appoint a lead advisor to coordinate all of the federal government responsibilities for higher education.

My greatest regret as U.S. Education Secretary was that I did not volunteer to be that lead person. Secretary Spellings, with the appointment of this commission, has assumed at least some of that responsibility. But the authority of the Secretary of Education over higher education is somewhat like the authority of the U.S. Senate Majority leader or a university president: overestimated. Almost every agency of the federal government has something to do with higher education, tens of billions of taxpayer dollars are invested every year and someone should be looking at all of this in a coordinated way.

Third, I urge you to join me on the bandwagon for deregulation of higher education.

The greatest threat to the quality of American higher education is not underfunding, it is overregulation. The key to the quality of our higher education system is that it is not a system. It is a marketplace of 6,000 autonomous institutions. Yet, thanks largely to the last two rounds of the federal Higher Education Act, each one of our 6,000 higher education institutions that accepts students with federal grants and loans must wade through over 7,000 regulations and notices. The President of Stanford has said that seven cents of every tuition dollar is spent on compliance with governmental regulations.

Fourth, I urge the Congress to overhaul the Medicaid program and free states from outdated federal court consent decrees so that states may properly fund colleges and universities.

You have two charts before you that tell the story. Nationally, during the five year period from 2000 to 2004, state spending for Medicaid was up 36 percent, while state spending for higher education was up only 6.8 percent. As one result, tuition was up 38 percent.

The story in Tennessee was worse. Medicaid spending was up 71 percent, while higher education was up only 10.5 percent, and tuition was up 43 percent.

By the way, during this same four year period, federal spending for higher education was up 71 percent.

When I left the governor's office in 1987, Tennessee was spending 51 cents of each state tax dollar on education and 16 cents on health care, mainly Medicaid. Today it is 40 cents on education and 26 cents on health care, mainly Medicaid.

To give governors and legislatures the proper authority to allocate resources, Congress should give states more authority over Medicaid standards and more ability to terminate outdated federal court consent decrees that remove decision-making authority from elected officials.

Fifth, I hope you will put a spotlight on the greatest disappointment in higher education today: Colleges of Education.

''At a time when America's schools face a critical demand for effective principals and superintendents, the majority of programs that prepare school leaders range in quality from inadequate to poor.'' Those are not my words, but those of a new report by Arthur Levine, the President of Teachers College, Columbia University. Or ask Richard Light, the Harvard professor, who is working with university presidents trying to find and inspire a new generation of leaders for our colleges of education. Sometimes colleges of education are even roadblocks to the very reforms they ought to be championing. In 1983, when I asked colleges of education to help me find a fair way to pay teachers more for teaching well (which not one state was doing at the time), they said it couldn't be done. So we invented our own system for thousands of teachers, with virtually no help from the very people who are in business to figure out such things. And still today, despite the good work of Governor Hunt and others, the lack of differential pay is the major obstacle to quality teaching.

Finally, I hope you will put a spotlight on the greatest threat to broader public support and funding for higher education: the growing political one-sidedness which has infected most campuses, and an absence of true diversity of opinion.

To describe this phenomenon, allow me to borrow some words from the past which may sound familiar to your chairman, Charles Miller, who was once Chairman of the Board of regents of the University of Texas: ''systematic, persistent and continuous attempts by a politically dominant group to impose its social and educational views on the university.'' This was what the American Association of University Professors (AAUP) called it in its censure of Texas Governor Pappy O'Daniel's Board of Regents when the Board fired University of Texas President Homer Rainey in the 1940's. This is reported in Willie Morris' book, North Toward Home. Then the AAUP was talking about one-sidedness imposed by the right, instead of by the left—but political one-sidedness is political one-sidedness, no matter from what direction it comes.

There is more to this charge of one-sidedness than the academic community would like to admit. How many conservative speakers are invited to deliver commencement addresses? How many colleges require courses in U.S. history? How many even teach Western Civilization? How many bright, young faculty members are encouraged to earn dissertations in the failures of bilingual education, or on the virtues of vouchers or charter schools?

I am not surprised that most faculties express liberal views, vote Democratic and that most faculty members resist authority. That is the nature of most university communities. But I am disappointed when true diversity of thought is discouraged in the name of a preferred brand of diversity. This one-sidedness is not good for students. It is not good for the pursuit of truth. And it undermines broad public support for higher education. The solution to this political rigidity lies not in Washington, D.C., but in the hands of trustees, deans and faculty members themselves.

Last year Senator Kay Bailey Hutchison of Texas invited former Brazilian President Fernando Henrique Cardoso to join a small group of U.S. Senators in the Majority Leader's office for a discussion. Dr. Cardoso was completing a residency at the Library of Congress.

''What memory of the United States will you take back to your country?'' Senator Hutchison asked Dr. Cardoso.

''The American university,'' he replied immediately. ''The uniqueness, strength and autonomy of the American university. There is nothing like it in the world.''

I salute Secretary Spellings and this Commission for undertaking to preserve and improve higher education, America's secret weapon for its future success. In coming to your conclusions, I hope that you will urge the President to adopt the Augustine Report and to designate a lead advisor for higher education, that you will jump on the bandwagon to deregulate higher education and

preserve its autonomy, that you will urge Congress to overhaul Medicaid and federal court consent decrees so states can properly fund higher education, and that you will urge trustees to revamp Colleges of Education and ensure a campus environment that honors true diversity of opinion.

Mr. ALEXANDER. Mr. President, Secretary Spellings has appointed this commission to look at the future of higher education. Other than the war against terror, keeping our brain power advantage so we can create new jobs here in the United States and keep our jobs from going to China, India, Finland, and Ireland, is the biggest challenge we face as a nation.

I made a statement before the Commission on the Future of Higher Education that it adopt the recommendations of the National Academies' ''Augustine Report'' and urge the President to make it a focus of his State of the Union Address. The report recommends 20 steps to keep that brain power advantage, and was written by a distinguished panel of business, government, and university leaders headed by Norm Augustine, former CEO of Lockheed Martin.

I also urged the commission to make certain that we deregulate higher education; to make certain that the President appoints an adviser to coordinate all of the Federal Government's responsibilities for higher education; to urge Congress to overhaul Medicaid so States may properly fund higher education; to put a spotlight on the greatest disappointment in higher education today, our colleges of education; and, finally, to put a spotlight on the greatest threat to broader public support for funding of higher education, the growing political one-sidedness which has infected most campuses in an absence of true diversity of opinion.

I salute Secretary Spellings and her distinguished commission. I look forward to their recommendations. There could not be a more important subject to our country's future for them to consider than how do we take this remarkable system of higher education that we built in this country—the best in the world—and strengthen it so it can play a pivotal role in helping Americans keep good-paying jobs in the United States.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Delaware.

TANF PROGRAM

Mr. CARPER. Mr. President, I rise today to urge our colleagues in the Senate to instruct the conferees to the budget reconciliation bill to reject the House provisions dealing with the Temporary Assistance for Needy Families, TANF, Program.

Like several of our colleagues, I have a long history of working to improve our Nation's welfare policies to, first of all, make them more effective for States, but also more effective for families.

When I was privileged to serve as Governor of the State of Delaware, I also served, at the same time, as cochairman of the National Governors Association's Welfare Reform Task Force, along with then-Governor John Engler, and played a lead role in helping to craft welfare reform legislation for Delaware and for our Nation.

As Senator, I have pushed, for the past 3 years, for welfare reauthorization legislation that emphasizes work while also providing help to welfare participants with respect to childcare and educational opportunities.

Because of my extensive involvement with welfare reform for more than a dozen years and my belief that the program can work for both States and families, I am troubled that the House of Representatives has chosen to include its welfare reauthorization bill in the budget reconciliation package. Doing so gives the Senate no opportunity to debate the needed changes in this important program.

The TANF provisions included by the House would reauthorize and make significant policy changes to our Nation's welfare program. Those changes include far more stringent work requirements than under current law while failing to provide sufficient childcare funding or other work supports to help participants meet those new requirements. The House bill would dramatically increase requirements on States without giving them additional resources. And the House language would make it more difficult for TANF recipients to make the successful leap from welfare to work.

The budget reconciliation process is not the right place to reauthorize our country's welfare program. Instead, we should take the opportunity to reauthorize welfare through the regular legislative process, using the bipartisan bill reported out of the Senate Finance Committee as our guide.

Earlier this year, you may recall, the Senate Finance Committee reported out a welfare reform bill—it is called the Personal Responsibility and Individual Development for Everyone Act, lovingly known as the PRIDE Act—on a bipartisan basis. This legislation would make commonsense changes and reauthorize the welfare reform program for the next 5 years. The measure would also provide long overdue stability to States and beneficiaries who have been waiting since 2002 for us to provide long-term reauthorization, a path forward.

I would like to commend this afternoon Chairman GRASSLEY and Ranking Member BAUCUS, their Finance Committee colleagues, and their staff for their hard work in crafting the bipartisan PRIDE Act. That legislation is a testament to their dedication and their commitment to enabling Americans to move off welfare and, most importantly, be better off. That committee was able to find consensus on issues that can be both complex and, at times, controversial.

The PRIDE bill can and should be taken up by the full Senate and debated on the Senate floor early next year. This is not a debate that should consume weeks but, rather, a debate that should consume at most a few days. I pledge today to work closely with my colleagues on our side and the Republican side of the aisle to ensure that the bill does not get bogged down in the Senate and that we move it along.

A full debate, though, on the issues would give the Senate, not just a few Senate conferees to a reconciliation bill, the opportunity to have a real discussion about the future of welfare and what policies we should accept or reject during reauthorization. That is what we need to do. And I believe it need not take weeks to develop a consensus and pass a bipartisan bill by a wide margin.

In my view, the House welfare reform bill, called the Personal Responsibility, Work, and Family Promotion Act of 2005, is, unfortunately, decidedly partisan. The bill was reported out of both subcommittee and committee by party-line votes and was then dropped wholesale into the budget reconciliation bill.

While I am opposed to the inclusion of the House TANF provisions in the reconciliation bill, I encourage my Senate colleagues to oppose including it for a number of other reasons as well.

I fear that the House's inclusion of a welfare reauthorization bill in a budget reconciliation bill sets up two likely possibilities: No. 1, that the conferees will simply recede to the House TANF provisions; or, No. 2, differences between the House TANF provisions and the Senate PRIDE bill will have to be worked out during a hurried conference committee, in which a few conferees will be faced with tough choices on an incredible array of other issues. Neither scenario is acceptable. Welfare will likely be overshadowed in this context and is not likely to get much thoughtful review.

The work-first approach to welfare reform has enabled States to reduce caseloads dramatically over the last decade or so, while helping members of low-income families to move into jobs and toward financial self-sufficiency. We should build on these successes, not jeopardize them. By giving welfare the proper legislative consideration in both the House and the Senate, we can do just that.

The House TANF provisions differ greatly from the Senate's, and I believe a number of the House provisions are flat out unacceptable. The House bill

would dramatically increase, for example, the number of hours that welfare recipients must work. You may recall, under current law, welfare recipients must work an average of 30 hours per week. However, under current law, mothers with young children under the age of 6 must now work at least 20 hours per week. The House bill, by comparison, requires that all welfare recipients—if you have a child a week old or a month old or a year old—even mothers with young children must work 40 hours per week. That is a doubling of the required hours for single parents with young children.

I have been supportive of increased work requirements in the past, but the House bill increases work hours while failing to provide adequate funding for badly needed childcare.

My friends, we can do better than that. To me, it is just basic logic, basic common sense that in order to move parents off welfare into work, we have to give them access to decent childcare. The House bill provides only $100 million per year in additional childcare funding to meet a doubling of work hours. Spread out over 50 States, that does not come close to meeting the needs of families. In fact, over 5 years, this level of funding is $500 million less than what has been included in previous House-passed bills, and $5.5 billion less than what the Senate would provide. What is more, according to the Congressional Budget Office, it is $4.3 billion less than what is needed to keep pace with inflation and almost $8 billion less than the amount needed to offset increased demand for childcare caused by the increased work requirements.

Again, when I was privileged to serve as Governor of my little State, I saw firsthand that parents cannot move to work successfully if they do not have an answer to this question: Who is going to take care of my children and how will I pay for it?

If we want to help parents find jobs—and I know we do—we need to help them secure childcare. It is just that simple.

In addition to what I feel are inadequate provisions surrounding work and childcare, the House bill also limits the ability of welfare recipients to participate in educational activities such as vocational education, allowing participants to participate in that activity for only 3 months in a 2-year period instead of the current 12 months.

The Senate bill, on the other hand, continues to allow 12 months of vocational education and also establishes something called a Parents as Scholars Program, which allows welfare recipients to go on to higher education, not forever but for at least a limited period of time.

In my view, the House bill is not friendly to States either. It asks States to make dramatic changes to their programs. Yet it gives them no additional funding to accomplish those changes and little time to meet those requirements before they would be subject to harsh penalties. The Senate bill, on the other hand, gives States time to meet new requirements. If States make improvements but for some reason are not able to immediately ramp up to the strenuous new targets, penalties will be temporarily waived—not permanently, temporarily. Perhaps some of my Senate colleagues on the other side of the aisle could find common ground with the House provisions. Perhaps some believe we could improve upon the House provisions in conference to come up with something that is more workable.

I argue, however, that no matter what my colleagues think about the House proposal, we can all agree that the Senate should have the chance to consider welfare reauthorization under regular order, and soon. If we are allowed to debate welfare reform in this body, I am confident we could come up with a bipartisan agreement that truly advances our shared goal of making work pay more than welfare.

The motion I will offer tomorrow would urge conferees to give the Senate a chance to do just that, by rejecting provisions related to the reauthorization of TANF. Instead, the motion I will offer would urge that the Congress enact freestanding legislation that builds on the bipartisan Senate Finance Committee PRIDE bill.

I cannot emphasize enough that the Senate bill was reported out of the Finance Committee on a bipartisan basis. The House bill, on the other hand, has consistently enjoyed the support of only one party. Further, welfare reform should not be considered in the whirlwind of budget reconciliation. Reform should be based on sound policy, and we should seek to find bipartisan consensus on this most important issue, something I am confident we can do.

Tomorrow, when the motion to instruct is offered, I urge and invite my colleagues, both Democratic and Republican, to support it.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I ask unanimous consent to speak for up to 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator is recognized for 30 minutes.

PATRIOT ACT

Mr. FEINGOLD. Mr. President, one of the major items that we will be taking up prior to the end of the year is the issue of the renewal of the so-called USA PATRIOT Act. There was quite an effort in the last couple of years in the Senate to try to fix the problems with the PATRIOT Act that led me to vote against it originally. That was a very difficult time, obviously, after 9/11/2001. The PATRIOT Act got through on a very accelerated basis, and a number of us identified serious problems that other people didn't have a chance to analyze at the time. But the situation now has changed. We have had years to look at this. Thankfully, the Senate worked together to do its job on this bill.

In the Judiciary Committee and in the Senate as a whole, we passed changes to the USA PATRIOT Act, along with renewing the provisions scheduled to sunset at the end of this year. It was a unanimous vote. People from very different philosophies came together and said: Let's get this right. Let's make sure law enforcement has the power and the ability to go after the terrorist network. But, at the same time, let's do what we have to do to protect the civil liberties and rights of absolutely law-abiding Americans.

Sadly, the conference committee did just the reverse. The conference committee ignored the will of the Senate. The conference committee did not make changes in critical areas such as library records and business records, so-called sneak-and-peek searches, and national security letters, changes that were essential to reaching the changes that were agreed to in the Senate. I didn't think the Senate version did as much to protect civil liberties and the rights of innocent Americans as we should have, but it was a move in the right direction. Regrettably, the conference report is nothing of the kind.

I join Senator SUNUNU, who spoke eloquently about this earlier today, in saying that the conference report that will be before the Senate is not acceptable in its current form. The conference committee needs to go back to the drawing board and make the changes that are needed. The changes are very easy to find. They were contained in the unanimously approved Senate reauthorization bill.

Clearly, there will be much more to say about this as the week goes on, but we are prepared to use whatever means we are allowed to use under the Senate rules to try to prevent this conference report from becoming law in its current form.

IRAQ

Mr. FEINGOLD. Mr. President, over the past few months, I have addressed the Senate on a number of occasions about the administration's flawed Iraq policies. I have discussed a number of problems with those policies. But the most important problem is that they are undermining our ability to counter a wide range of transnational threats that face our country. In too many cases, these threats have been overlooked or insufficiently addressed because of this administration's misguided emphasis on policies in Iraq.

Today I will explain why we need to refocus our national security strategy on the global campaign against terrorist networks, and I will briefly identify five areas on which we need to focus. A clear, targeted strategy to strengthen our national security is not an option but a necessity in the face of the growing threats posed by jihadist terrorist networks. The President is spending a lot of time talking about success in Iraq. Unfortunately, he fails to recognize that success in Iraq will not be achieved by a massive and indefinite U.S. military presence. He appears to fail to understand the limited role that the U.S. military can play in Iraq's long-term political and economic reconstruction efforts. I am afraid to say, he fundamentally fails to understand that success in Iraq, as important as it is, is secondary to success in our larger campaign against global terrorists. Iraq—simply put—is not the be all and end all of our national security.

Our brave service men and women won a resounding victory in the initial military operation in Iraq. They have performed magnificently under very difficult circumstances. Now their task is largely over. The current massive U.S. military presence, without a clear strategy and a flexible timetable to finish the military mission in Iraq, is actually fueling the insurgency and will ultimately prevent the very economic and political progress that the Iraqis are demanding and that the President has started to talk about in his speeches. This isn't a strategy for success in Iraq or a strategy for success in the fight against global terrorism. That is why we need a flexible timeline for meeting clear benchmarks and also withdrawing U.S. troops.

I am not talking about an artificial timetable, a phrase the President likes to use. I am calling for a public, flexible timetable with clear benchmarks. I have suggested the end of December 2006 as a target date for completion of that mission. But I have made clear that any date will have to be flexible to respond to unforeseen circumstances.

The administration has a unique opportunity this week to set our Iraq policy on track. Iraqis will return to the polls on December 15 to choose their leaders. Spelling out a plan for the timely withdrawal of U.S. troops from Iraq will signal U.S. support for an autonomous, independent, and self-sustaining Iraqi government. There is no better way to empower the new Iraqi government and the Iraqi people than by showing that the U.S. military mission in Iraq is not indefinite. If we don't heed the advice of a growing chorus of experts to set a timetable for withdrawal, it will be impossible to recenter our priorities and reengage in the global campaign against terrorist networks.

And that is what we need to do in order to defeat those networks.

We have not kept our eye on the ball, Mr. President. We have focused on Iraq to the exclusion of these critical priorities, and we have done so at our peril. It is far past time for us to engage in a serious dialogue about the threats we face, and come up with a tough, comprehensive national security strategy to defeat them.

What are these threats and where do they come from? As we all know, the jihadist network is global in its reach, and it is showing no signs of slowing its recruitment and organization in every region of the world. Since we waged war against the Taliban in the fall of 2001—a war I supported, by the way—we have seen the network of extremist jihadist movements proliferate throughout the world. We have seen it surface in Madrid, London, Amman, Bali, and in places such as the Philippines, Algeria, Pakistan, Somalia, and Nigeria. And while it has spread throughout the world, it holds certain similar characteristics wherever it appears.

It is good to turn to the definition that the 9/11 Commission report itself gave of what this threat is: ''the enemy is not Islam, the great world faith, but a perversion of Islam.'' The report reads:

> [t]he enemy goes beyond Al-Qaeda to include the radical ideological movement inspired in part by Al-Qaeda that has spawned other terrorists groups and violence. Thus our strategy must match our means to two ends: dismantling the Al-Qaeda network and in the long term prevailing over the ideology that contributes to Islamist terrorism.

In order to reduce the danger of Al-Qaeda and radical jihadism all over the world, we must invest our time, our attention, and our best minds on this global threat. And we can't defeat it with just one aspect of American power. We need to develop and execute a national security strategy that utilizes our entire arsenal of political, economic, diplomatic and military power in order to counter the primary threats against us. I want to lay out five major areas of concern today. They are (1) addressing the conditions in which terrorists thrive; (2) enhancing our military's ability to wage the campaign against global terrorists; (3) improving our public and private diplomacy; (4) strengthening our non-proliferation efforts; and (5), finally finishing the job in Afghanistan.

First, we must combat the conditions that make extremist ideologies attractive and that allow terrorist networks to take root and grow. Failed and weak states, such as Somalia, allow terrorism, narcotics trade, weapons proliferation, and other forms of organized crime to take root and grow. By not addressing these conditions, we allow warlords and terrorists to thrive and we leave people suffering from poverty and oppression susceptible to their rhetoric, promises, and pressure.

Let us not forget that three of the poorest and most isolated countries in the world—Somalia, Sudan, and Afghanistan—served as the starting blocks for the terrorist network that delivered the most lethal attack ever on the U.S. If it wasn't clear before September 11, 2001, it is now—we ignore these places at our national peril.

Over 4 years after 9/11, places like Somalia continue to be large, black holes on our radar, and continue to create the conditions that allow terrorist networks to recruit, train, and export their lethality at will. While Somalia has remained a failed state for over a decade now, recent examples of the lawlessness that exist within that country made headlines when freely operating pirates attacked a civilian cruise ship 25 miles off of the Somali coast. We can expect more headlines like that if we continue to think that supposedly small, marginal states are not worth our attention.

That is why we should be taking seriously the inability of Uganda, the new government of southern Sudan, or the U.N. to defeat the Lords Resistance Army, which continues to commit atrocities around the Great Lakes region of central Africa. And we do not always have to look far for failed states. Right here in our backyard, Haiti endures rampant political violence and a festering humanitarian crisis, and has served as a base for narcoterrorists and criminal power structures throughout the region for over a decade. Unfortunately, this administration has failed to develop a comprehensive policy to help Haiti lift itself from chaos and to create livable conditions for the citizens of Haiti. That is a mistake because leaving a country to suffer under chaos only creates a platform for further threats to the region and to our country.

If we fail to address weak and failed states, the lawlessness displayed by warlords, pirates, bandits, thugs, and thieves there will eventually be exploited by our enemies. After all, terrorists find active and passive support among the alienated and the disaffected. Addressing failed and failing states is not easy, but turning a blind eye to them is naive and dangerous.

My second area of concern today is the need to prepare and equip our military for a global campaign against terrorist networks. The war in Iraq has had a devastating affect on our military's readiness and capabilities. I have voted for an increase in the military's end strength, but this is a long-term solution and does not address the immediate problems we face as we continue to over-burden the brave men and women of our armed forces. It also does not address our failure to prioritize military spending. Right now, courageous servicemembers are too often required to do their jobs without the right equipment. While we continue to spend billions of dollars on Cold War-era weapons systems, we are not fully

funding the needs of the military personnel fighting our current wars. It is a national shame that the Department of Defense budget, which so dwarfs our spending in any other sector, still has failed to pay for the timely provision of adequate armor for our men and women in the battlefield.

Mr. President, waging a successful global campaign against terrorism also will require us to counter new and growing terrorist tactics. Improvised Explosive Devices, IEDs, continue to increase in lethality and complexity in Iraq and elsewhere. I was pleased that Secretary Rumsfeld recently appointed a retired general to lead a joint task force on countering the threat of IEDs. As the death of 11 marines in Iraq on December 5 showed, the U.S. military has yet to develop a strategy or technology to sufficiently defend our servicemen and women from these troubling weapons. More troubling is the fact that we are now seeing the use of increasingly sophisticated IEDs outside of Iraq. This know-how and technology is being proliferated throughout the global network of terrorists who seek to harm the United States.

The IED task force needs to identify a strategy, tactics, technology, and training to defend from these weapons, but it also needs to figure out ways of countering the proliferation of IED technology, know-how, and tactical training that are currently being exported from Iraq. Tragically, Iraq has turned in to a testing-ground for these new weapons, and the administration needs to explain not just how it is countering the lethality of IEDs in Iraq, but also how it is mitigating or preempting the use of these weapons by terrorist networks globally.

My third area of concern is our woefully inadequate diplomatic efforts, public and private. As the recent 9/11 Commission report card showed, we need to do much better in communicating our principles and goals to the international community. In part we are failing because this administration has not consistently adhered to the core American values that have made us a model around the world, that helped defeat communism, and that have inspired democracies globally. The administration's approach to detainees, torture, and secret prisons, to name a few issues, has jeopardized this country's unique moral authority as a country that upholds the rights, liberties, and freedoms of every individual. I believe that we can combat terrorism while remaining true to those values.

Mr. President, we need a new, sustained and comprehensive public and private diplomacy, and a concerted effort to tell the rest of the world who we really are and what we really believe in. This diplomatic effort is essential if we are going to prevail in what is in part a battle of ideas—and one that we cannot afford to lose. I am not talking about giving lectures or showing videos, but about engaging in genuine dialogue with other peoples and countries. Listening, and responding to, their concerns is one of the most effective ways to improve our image, and thus our relationship, with the international community.

Diplomacy also involves looking for opportunities to demonstrate our core values. One such opportunity was lost in the response to the recent tragic earthquake in Pakistan where hundreds of local religious organizations—many of them linked to extremist or anti-American ideologies—beat out American relief efforts with quick, appropriate, and thoughtful responses. A CEO of a U.S.-based relief agency, having just returned from Pakistan, relayed to me his frustration that ''the United States lost a significant opportunity to win the hearts and minds of a core population in Pakistan vulnerable to extremist ideologies because we responded with standard, boxed solutions.''

We also need to engage our international partners not only in the campaign against terrorist networks, but also in the challenge to eradicate malaria, address HIV/AIDS, help rebuild countries such as the Democratic Republic of the Congo, bring peace to the Darfur region in Sudan, and help counter the impact that illicit power structures and the absence of rule of law have on societies around the world, to give just a few examples. We need to work hand in hand with those partners in developing strategies to isolate rogue states and to advance democracy and respect for human rights.

The fourth area we need to focus on is the proliferation of weapons, large and small. We need to do much more to stop nuclear proliferation and ensure that terrorist organizations do not obtain access to nuclear weapons. We must deal with the threats of loose nukes as an urgent priority both at home and abroad. This administration unfortunately has failed to do so. More nuclear weapons were secured in Russia in the 2 years before 9/11 than in the 2 years after. That is an alarming fact. And we should not have missed the opportunity at the last Nuclear Non-Proliferation Treaty conference to start moving forward on a new global regime; one that does a better job of protection and punishing cheating so that states cannot take their nuclear programs right up to the line of compliance and then withdraw from the treaty when they are ready to become new nuclear weapons states.

We should also reverse the foolish decision to ease export restrictions on bomb-grade uranium that was part of the massive and misguided Energy bill signed by the President this summer.

We must also focus on smaller weapons that continue to fall into the hands of terrorist networks at a cost of tens of thousands of lives each year. I applaud the recent announcement by my distinguished colleagues, Senators LUGAR and OBAMA, of their initiative to make more funding and new authorities available for new proliferation programs and to counter the growing threat that light weapons, such as the Man Portable Air Defense System, pose to the United States.

Unfortunately, we are behind the ball on this issue, and we need to drastically improve our ability to hunt down, shut down, and capture the networks of arms dealers that are getting rich by selling weapons to our enemies.

Fifth and finally, we must refocus our energies on Afghanistan. The President spends a lot of time discussing Iraq, but not much time on Afghanistan which was and maybe still is home to Osama bin Laden. Unlike our presence in Iraq, our presence in Afghanistan is contributing to increased stability in the country and region and is delivering progress in the war on al-Qaida.

Success in Afghanistan is essential for making progress in the campaign against terrorist networks, and it is where we must show the commitment, resolution, and capabilities of America. It is one of the first battlefields in this war. We now have the opportunity to turn what was once a despotic and broken country into a thriving democracy. It needs a lot of work, though, and disproportionate attention to Iraq has drained many of our positive and appreciated efforts in Afghanistan.

I see three major areas that need further attention in Afghanistan.

First, as part of assuring long-term success in Afghanistan, we need to ensure that international assistance, much of it from the United States, continues to be targeted, coordinated, and appropriate. We are running the risk of creating a ''Donor's Republic of Afghanistan'' by creating an unsustainable Afghan Government that the Afghans themselves cannot afford or manage. At this time, annual recurring costs to maintain the U.S.-developed Afghan National Army outweigh the central Government's revenue streams by a multiple of two or three. And this is not taking into consideration the police force and other essential public services that are in drastic disrepair or in need of further development.

Second, we need to continue burden sharing throughout the international community and encouraging a greater role for NATO, the United Nations and, most importantly, the Afghan Government, as it struggles to fight resurgent terrorist and obstructionist threats.

I was glad to receive news last week that NATO will increase its presence in southern Afghanistan, but we need to assure that long-term development and security aid is tied to measurable benchmarks for success.

Third, we need to continue to pressure countries such as Pakistan, Iran, China, Russia, Turkmenistan, Kyrgyzstan, and others to be constructive partners in the development of Afghanistan's new and fragile government and economy. Afghanistan is suffering from porous borders which make it an ideal environment for a thriving illegal drug trade, illegal imports and exports, and terrorists and insurgents who want to prevent the new Afghan Government from developing.

We have to succeed in Afghanistan. If we allow the new Afghan Government to become weak, feckless, and corrupt, we will risk losing everything we have invested. We will lose a partner in the campaign against terrorist networks, and we will lose the opportunity to point to Afghanistan as an accomplishment.

I have tried to identify five crucial areas in which we are not doing enough to protect our national security. We are not doing enough for a number of reasons, but foremost among them is the administration's single-minded and self-defeating emphasis on Iraq. The President's debilitating and misguided Iraq policy is preventing us from focusing our attention, our resources, and our efforts on the global campaign against terrorist networks. That is why we need a plan to wind down our military presence in Iraq and bring our focus back to the threat of radical jihadist-based terrorism.

While this administration talks and thinks about Iraq, our enemies are growing stronger around the globe. Those enemies are disparate, diffuse, and relentless. They operate in ungoverned spaces, on the Internet, in cities, mountains, and jungles. Left unchecked, they will continue to plot against the United States.

Our national security policy is adrift, but we have the power to change it, to correct our course. We must tackle these challenges and build a security strategy that protects our Nation from the most dangerous threat that it faces.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BURR). The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, before the Senator from Wisconsin leaves the floor, I request that he be available to discuss some of the provisions of the PATRIOT Act. I see him remaining on the floor, so permit me at this time to take up a couple of the issues which the Senator from Wisconsin has raised, appropriately putting my question to the Chair as our rules require, and then asking for responses.

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

Mr. SPECTER. The Senator from Wisconsin has raised an issue on the national security letters with respect to the presumption which arises when a high-ranking governmental official, such as the Attorney General, Deputy Attorney General, Assistant Attorney General, head of the FBI, or head of the departments making the request, certifies that there is a national security interest or an issue of diplomatic relations.

This is an issue which, as I understand it, the ranking member, the Senator from Vermont, Mr. LEAHY, raised earlier. The question I have for the Senator from Wisconsin is whether he is aware of the fact that the conclusive presumption, which is present in the conference report, is not as tight as the conclusive presumption which was present in the Senate bill which passed unanimously from the Judiciary Committee, of which the Senator from Wisconsin is a member, and by unanimous consent on the floor of the Senate, without objection by the Senator from Wisconsin.

I refer specifically to the provision in the Senate bill which says: In reviewing a nondisclosure requirement, the certification by the Government that the disclosure may endanger the national security of the United States or interfere with diplomatic relations shall be treated as conclusive unless the court finds that the certification was made in bad faith.

That language is substantially repeated in the conference report, except that the conference report makes it tougher on the governmental certification by requiring the high-level official to make the certification.

Quoting from the conference report, it says: If at the time of the petition the Attorney General, the Deputy Attorney General and Assistant Attorney General or the Director of the Federal Bureau of Investigation or, in the case of a request by a department, agency, or instrumentality of the Federal Government other than the Department of Justice, the head or deputy head of such department, agency, or instrumentality—and now we come to the crucial language, continuing—certifies that disclosure may endanger the national security of the United States or interfere with diplomatic relations, such certification shall be treated as conclusive unless the court finds that the certification was made in bad faith.

My questions to the Senator from Wisconsin are the obvious ones: No. 1, was he aware that the conference report has the identical provision, except more restrictive, and if so, why does he now object to this provision in the conference report when he approved it in committee and raised no objection on the floor?

Mr. FEINGOLD. As the Senator well knows, on the floor we passed this bill by unanimous consent, without debate, but I and others raised our concerns in the Judiciary Committee. The Senator well knows I was not pleased with the outcome on this provision in the Senate. I fought hard to get as many changes as possible, but we did not get the changes we needed with regard to national security letters, and the conference report failed to improve this provision as it should have done.

The Senator is correct, as I understand it, that the Senate version did not change much of existing law in this area, and the conference report is essentially the same. The conference report did not include the national security letter standard that a bipartisan group sought, three Democrats and three Republicans, as well as other cosponsors of the SAFE Act, which is that the Government can only obtain records that pertain to a terrorist and spy.

In addition, in answer to the Senator's question, the judicial review of the NSL gag rule in the conference report also is inadequate. In the SAFE Act, we included meaningful judicial review of national security letters and the NSL gag rule. Under the Senate version, there is judicial review of national security letters and gag rule, but there again, disappointedly, even the Senate version of the bill failed to create a standard that was realistic. It created a standard for the gag rule that would be virtually impossible to meet.

Of course, the areas that caused me to vote for the Senate bill were the improvements it contained, especially the change to Section 215, which we have lost; on sneak and peak search warrants, which was largely pulled back; and on John Doe roving wiretaps, which have been only partially preserved.

The point is that I was not happy with this portion, but in light of some of the other changes in the Senate bill, I did work, as the Chairman knows, cooperatively with him to create a document that at least had some balance. What has happened now is we have lost the positive changes we gained in the Senate bill, and we continue to have a very inadequate provision relating to the national security letter authority.

Mr. SPECTER. Mr. President, with all due respect, the Senator from Wisconsin has not answered my question. When he takes up the SAFE Act, which he cosponsored, so did this Senator. I was not satisfied with the provisions of the PATRIOT Act in effect at the present time, and I was a cosponsor of the same bill as the Senator from Wisconsin, Senator DURBIN, and others, in order to protect civil liberties, which I sought to do in the Senate bill and I sought to do, and I think successfully, in the conference report.

When the Senator from Wisconsin talks about Section 215, I am coming to that and I wish to engage him in a discussion on that specifically, but let me put it aside for a minute so as not to confuse that issue. With respect to sneak and peak, the delayed notice, I am coming to that as well because

there are major, vast improvements in the conference report over existing law. With respect to the roving wiretaps, I am coming to that, too. But focusing for just a minute one at a time so there can be some understanding—this is a very complicated bill. I spoke on it at some length yesterday afternoon in order to acquaint my colleagues with it. I have made quite a number of calls to my colleagues, as far as I can go, to acquaint people with what is in this bill so we can understand it and vote on it with an understanding.

Coming back to the conclusive presumption in the national security letter, the question I posed to the Senator from Wisconsin was whether—well, maybe three questions. Does not he agree that the conference report is even more protective of civil liberties than the Senate bill? The second question: Did he know about it? And if on this provision alone, putting aside the others he referred to, 215, sneak and peak, and wiretap, and we want to come to sunset, too, which is a gigantic improvement—it was not mentioned by the Senator from Wisconsin. I think when we get to that he will concede that was a big improvement and maybe he overlooked it in commenting or at least any comment that I heard him make. But coming back to the national security letter, what about my three questions, if I may pose them through the Chair to the Senator from Wisconsin?

Mr. FEINGOLD. I would say to the chairman through the Presiding Officer, I did respond to his question, and I can tell him that I was aware of the changes that occurred in the conference report vis-a-vis the Senate bill. They are not adequate. We are still very far away from the SAFE Act with regard to this provision. I note that the chairman cosponsored the SAFE Act and yet did not object, apparently, to the significant withdrawal from the SAFE Act provisions in this area. What we need in this provision on these national security letters to prevent potential abuses, as well as the abuses that may well be already occurring—the Washington Post suggested some 30,000 national security letters per year—is a clear standard that these provisions can only be used to obtain records that pertain to a terrorist or a spy. Neither the Senate version nor the version in the conference report achieves that. So, yes, I acknowledge there are some language differences, but I do not believe they achieve what we need to achieve with regard to national security letters.

Mr. SPECTER. Mr. President, the Senator from Wisconsin does not know what I did in conference because he was not a conferee. There is no reason why he should know. But I can tell him that I fought very hard for a lot of these provisions, and I can tell him further that I was not persuasive enough to get 100 percent of what I wanted.

Mr. FEINGOLD. Mr. President, I would like to say——

Mr. SPECTER. Wait just a minute. I have the floor. I want to finish this, and I will come back to the Senator from Wisconsin and give him ample time to comment on what he wants to comment on.

We have a bicameral system. If the Senate could act alone, we would have had the Senate bill. When the Senator from Wisconsin says he was not satisfied with this provision in the Senate bill contrasted with the SAFE Act, I would not disagree with him about that. I will not disagree with him about that at all. In the Senate bill, I did not have everything that I would like. There are 17 other members of the Judiciary Committee and there are many members who thought the Senate bill went too far on civil rights. It was necessary to balance very delicately to get 18 Senators to agree, sort of unheard of, and I will not go over the composition of the committee, but we have people from opposite ends of the political spectrum on that committee.

Mr. FEINGOLD. Mr. President, would the Senator yield so I can respond to his comment?

Mr. SPECTER. One moment, and then I will yield for the Senator's reply.

The point is, the Senate came to this conclusive presumption and the Senator from Wisconsin voted for it. The full Senate came to this conclusion. The Senator from Wisconsin did not object to it. So I think it is rather late in the day—frankly, too late in the day—for the Senator from Wisconsin to say that a provision which he has approved is the basis for rejecting the conference report because the conference report did not do something he would have liked better.

Now, without yielding the floor, I ask unanimous consent that the Senator from Wisconsin be allowed to make whatever comments he chooses on this point.

Mr. FEINGOLD. Mr. President, the first thing I want to say is that the Senator from Pennsylvania is not the problem here. Everything he has said is accurate. He fought tenaciously in the committee, and I think brilliantly, to bring us together in a balanced package. I say to the Senator, through the Presiding Officer, I am grateful for his efforts in the Judiciary Committee and the Senate as a whole, and for his efforts in the conference committee, because I know the Senator tried. What happened in the Senate was that the will of this body as a whole, which we all compromised on, prevailed. The Senator from Pennsylvania correctly points out that I had to give, unfortunately, on this national security letter issue, to get the important changes regarding library records, sneak-and-peek searches, and sunsets.

The fact is, I say to the Senator that of course I objected to that provision. But I was trying to work with the Senator to come up with a balanced package, as Senator SUNUNU and I were commenting earlier, a package we could support as a whole. The Senator is now suggesting that after we made some gains and we lost some issues, I should now accept the one part we did not prevail on and give up the parts I did prevail on. That strikes me as a rather odd deal.

It was, as the Senator knows, a very difficult vote for me to support the Senate package. I was the only Member of this body to vote against the original PATRIOT Act because it was deeply flawed, and the Senator from Pennsylvania and many others have acknowledged there were such flaws and we have worked together to fix what we could. I was determined, as I said at the time we passed the Senate bill, to work with my colleagues to fix the other flaws, especially those in the national security letters.

But this idea that when you get the package back and it only includes the things you don't like and it doesn't include the things you did like, that you should keep your mouth shut and you should not oppose it, that to me is ridiculous.

Mr. President, I say to the Senator, and I mean it absolutely sincerely, he has been a tremendous chairman. He has been one of the real keys to us having any chance at all to fix this legislation. But I am very disappointed with what we got back from the conference committee. I know very well that the chairman did not want this document to look like this. He wanted it, I assume, to look like the very document he crafted in the Senate Judiciary Committee.

I yield back to the Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I do not disagree with everything the Senator from Wisconsin has said. In fact, I like part of it where he said I was brilliant, I like the part where he said I was a tremendous chairman, but there were other parts with which I disagree as to what he said.

A little levity will not hurt this debate any.

I focus only on national security letters at the outset, to establish the point that the conference report is more protective of civil liberties on that point than the Senate bill. I want to go on to the other points. I have only faint hopes of persuading the Senator from Wisconsin to support the conference report, but I do think it is very useful to have this discussion because he is, appropriately, very deeply involved in this bill and there is no better way to acquaint our colleagues and the staffs—perhaps two or three people

watching on C–SPAN2—to acquaint America, to the extent we can, with what we are doing here.

On to section 215: Section 215 involves business records and the highly controversial point on library records. The Senator from Wisconsin is correct that the existing law is deeply flawed. Bear in mind, we are living under that law until we pass a new law. That is the law we are operating under today. Existing law enables a law enforcement official unilaterally to go to get records on his determination that they are relevant, and there is no judicial review. What the Senate bill did, and what the conference report perpetuates, is to put in judicial review. The traditional safeguard of liberty has been to interpose a disinterested, impartial magistrate between law enforcement and the citizen. That is what happens when you get a search-and-seizure warrant to establish probable cause. That is what happens when you get an arrest warrant to take somebody into custody. We have moved substantially toward that cause, although not quite probable cause for a search warrant or an arrest warrant, but a very substantial portion of the way by the Senate bill, which is perpetuated in the conference report, that a court may issue an order for records only on ''a statement of facts showing that there are reasonable grounds to believe that the tangible things sought are relevant to an authorized investigation to protect against international terrorism.''

The Senate bill established three criteria for the relevant standard. First, activities of a suspected agent of a foreign power; second, a foreign power or agent of a foreign power; third, an individual in contact with or known to a suspected agent of a foreign power. In conference we did add an additional provision, which the Senator from Wisconsin has objected to. The additional provision is that the judge may order the production of records of an individual where the judge concludes those records are important—crucial to the investigation, to a terrorism investigation.

If I had my druthers, I wouldn't have put the provision in, but we had a closed-door briefing where the Department of Justice came in and showed us what they consider to be needed. I thought it was within the realm of reason, but I knew it would be an obstacle to getting the law put into effect and getting support for that provision, and I opposed it. But when I recognized that there are other points of view besides mine and besides the Senate's, and without a lot of other major concessions on the national security letter, which I have already described and will come back to—there were more concessions we got there—it seemed to me that provision was acceptable.

The question which I have for the Senator from Wisconsin is whether he has had an opportunity to get that briefing? Last Thursday, I asked my Chief Counsel, who has done such an extraordinary job, Michael O'Neill—who was here a moment or two ago; he's probably too busy to stay and listen to his speeches—to make a briefing available to the Senator or his staff. My question to the Senator from Wisconsin is, No. 1, if he has had an opportunity to get that briefing; No. 2, if so, what he thought of it with respect to the weightiness of what the Department of Justice had to say; and, No. 3, if this modest addition is so significant as to sink—or in conjunction with other similarly unweighty matters—sink the bill?

Mr. FEINGOLD. In response to the Senator from Pennsylvania, the Senator knows very well I am familiar with what went on in that briefing. You and I spoke here outside this Senate Chamber about these very provisions. I indicated to the Senator that I had my staff, who received this briefing, go over with me, in a secure setting, exactly the hypotheticals that those who wanted this additional provision in the conference report raised. My staff and I looked at those hypotheticals and were very unpersuaded.

Here is the significance. What the Senator from Pennsylvania is suggesting is that it is not a major change to add, on top of the three-part test of the Senate, an additional provision that merely requires relevance. This is a big deal, because the other three provisions require that the records pertain to a terrorist or spy, or records of people in contact with or known to a terrorist or spy, or relevant to the activities of a terrorist or spy. All three of those tests require something closer to the connection that the Senator from Pennsylvania and I demanded in the SAFE Act.

The additional item put in the conference report is the loophole, the exception, that swallows that three-part test. It does not require the connection to the terrorist or spy, even though this legislation, from the very outset, was supposed to be a response to what happened on 9/11, to terrorism. This does gut the changes to section 215 that are in the Senate bill. This does render meaningless the efforts you and I and others made to get a good provision in the Senate. And, yes, it is a sufficient reason not to go forward.

The feelings the American people have about this poorly drafted section 215 cannot be answered by a provision that simply demands general relevance and does not require a connection to terrorism or espionage. It is unacceptable. And on that ground alone, although there are other grounds, it is very disturbing.

I want to say that the Senator, my colleague and friend, did try hard. He said earlier that if he had his druthers he would have preferred a better provision. This isn't about druthers. This is about a devastating power of the Government to be able to go and take your library records on some general notion of relevance that has nothing to do with any connection to terrorism or espionage. That is unacceptable in America, and under our Bill of Rights.

Mr. SPECTER. Mr. President, I did not acquiesce in this matter simply as a matter of druthers or nondruthers. I acquiesced in this matter because it was, as a total scheme of things, acceptable. There was adequate protection. It is not, as the Senator from Wisconsin defines it, broad-ranging authority of a judge. The impartial judicial official has to agree that it is a terrorism investigation, and that these records are crucial and important to the investigation, that they are relevant to the investigation, and it is not something that is extraneous but it is a terrorism investigation.

I focus on this matter again not with any expectation of persuading the Senator from Wisconsin but to tell my colleagues why he is objecting to this provision, and to invite my colleagues, the other 98 Senators, if they want the briefing, to see why there were sensible reasons for the Department of Justice and the details of this provision not going too far, not impinging on civil liberties because I wouldn't support a bill which impinged on civil liberties. I simply wouldn't do it. But there are others who have contentions, and we had a great many concessions from the House of Representatives.

I have taken up the two principal considerations which the Senator from Wisconsin was arguing, the conclusive presumption in the national security letter and this additional provision under section 215.

But I want to come back for a moment to the national security letter on important concessions which the Senate obtained in the conference report, first, to point out that the national security letter was not established by the PATRIOT Act which we enacted shortly after 9/11. The national security letters have been in existence for decades. But the Senate utilized the revisions to the PATRIOT Act to put limitations on the national security letters because they fit within the overall parameters. We have some very important concessions on national security letters in the conference report. The standard has always been that if you had a national security letter, you kept quiet about it, the recipient did. There was no explicit opportunity for the recipient of a national security letter to challenge it. But the conference report fixing up the Senate provision explicitly gives the recipient of a national security letter the right to contact an attorney, to go to court, and to have a national security letter quashed, if it is unreasonable, oppressive, or otherwise contrary to law. The

recipient also has the power to get a court order to tell the target. That is subject to a certification by these high-ranking governmental officials that it would endanger national security or diplomatic relations.

But again, the provision in the conference report is more protective of civil liberties than what was in the Senate report. On this provision on national security letters, the conference report goes much further than existing law. Again, the national security letters were not covered in the PATRIOT Act.

I don't have a question for the Senator from Wisconsin. I will come to some later, but I ask unanimous consent that I might yield to the Senator, if he cares to reply at this point to what I have said, without losing my right to the floor.

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

Mr. FEINGOLD. Mr. President, I say to the Senator that I meant what I said about his efforts and his sincere desire to try to fix these provisions, and that is what we started to do in the Senate version.

Second, I do think this is an excellent process, that we need to come out here on the floor and be very specific about what is right and what is wrong about these provisions. It is neither sufficient to say to our colleagues that we have to pass it as it is because the time is running out, nor is it sufficient for somebody on my side to say, look, this is an enormously dangerous, unfixable provision and the whole thing should go down. Neither of those positions is defensible. What is defensible is to look at each of these provisions as we have been doing and ask if we have done enough to protect law-abiding Americans. I come to the conclusion that we were very close, had maybe even achieved that with regard to section 215. But the conference report failed in that regard, and it brings us back far too close to the original mistake.

On the national security letters, I am not impressed by the improvements of the Senate version, which I didn't find to be adequate in the first place. So with regard to both of those, not to mention the sneak-and-peek searches that we will discuss later on, the conference report simply does not do the job.

I do recognize the Senator's sincere desire to make sure the Senate is well informed about the remaining issues that could affect how Members vote on the conference report.

I yield the floor.

Mr. SPECTER. Mr. President, the national security letters are stronger in the conference report than they were in the Senate bill. The conclusive presumption in the conference report is more protective than the language in the Senate bill on conclusive presumption. The conference report picking up the Senate bill provisions improves the civil liberties protection from existing law by the explicit right of the recipient to go to court to quash or to make the disclosure to the target.

Mr. FEINGOLD. Mr. President, if I could make one remark, and then I will have to leave. If the Senator will yield.

Mr. SPECTER. I will yield on the condition that I not lose my right to the floor.

Mr. FEINGOLD. On the national security letters, we will have to agree to disagree and continue to debate this and come to a similar conclusion with regard to what the conference report did vis-a-vis the Senate bill. Perhaps we could agree on how valuable it would be in light of how serious these concerns are about the national security letters, for that provision at least to be part of the group of provisions subject to a sunset.

I want to point out to my colleagues with regard to these national security letters that there may have been 30,000 issued, according to the Washington Post, per year. That power is not sunsetted. That is troubling.

I yield the floor.

Mr. SPECTER. Mr. President, I suggest that the Senator from Wisconsin get a classified briefing and not accept what he reads in the Washington Post. The Washington Post is wrong. I hope the Senator from Wisconsin will not leave the floor. If I can have the attention of the Senator from Wisconsin, I hope he will not leave the floor while I make a couple of other comments. I will try to be brief, although I don't think it has been extensive so far.

Mr. FEINGOLD. I appreciate that. I need to leave briefly. I will be right back, but I enjoy this process. I need to take care of one matter, and I look forward to returning to continue this discussion.

Mr. SPECTER. Let me be brief with one comment about 30,000. I urge the Senator from Wisconsin to get a classified briefing and not to take the facts of the Washington Post, because the Washington Post is totally wrong. I am not at liberty to tell the Senator what the facts are, although I asked the Department of Justice to put those facts before the public. Too much is classified, and I think this is inappropriately classified. I would like to be able to detail it.

Let me talk about the delayed notice provisions.

Existing law provides for notification of the target in a reasonable period of time, which could mean anything. The Senate bill called for 7 days, the House bill wanted 180 days, and we got 30 days.

I suggest in the totality of the legislation that we are in the 85 to 15-percent range, 85-percent Senate provisions, 15-percent House provisions, and the 15 percent which the House has does not impinge on civil liberties. I wouldn't take 1 percent if this were an inappropriate impingement on civil liberties. The 30 days can be extended by a court on cause shown for specific reasons.

With respect to the wiretap provision, I joined the Senator from Wisconsin in opposing the roving wiretaps. I have never liked wiretaps. When I was district attorney for Philadelphia, this issue came up for consideration of our body, and I was the only one of 67 county district attorneys to object to wiretapping.

Since I can only be brief here, I would invite my colleagues again—I know I am not going to persuade the Senator from Wisconsin. In talking about the late notice and talking about the wiretap provisions, I want my colleagues to look at the details as to how we have protected against random selection on the specification, a description of the person who is to be wiretapped, and showing that the person subject to the wiretap is likely to try to avoid the wiretap.

The final comment I have to make is about sunsetting. The House put in a provision for a 10-year sunset. The Senate put in a provision for a 4-year sunset. The House wanted the compromise of 7 years, halfway between 4 and 10. The Senate conferees insisted on a compromise at 4 years. The House said it was not much of a compromise, not when they were at 10 and the Senate was at 4 years. I thank the White House for assistance in working this detail out. We did so on the expectation that by working the sunset to 4 years, we would have a number of Senators' signatures on the conference report and a number of House signatures on the conference report.

I am not going to wash that linen in public as to what happened but only to say that our ability to review this bill at 4 years is a mighty potent weapon to keep law enforcement on its toes, knowing it is going to be subject to review in that period of time.

I have pledged privately and publicly and again in the Senate yesterday to have extensive and piercing oversight as to what law enforcement does. I think the Senator from Wisconsin will agree on the point that in the year I have been chairman, there has been real oversight. We have called for it and done a job here.

The debate has been very useful. I don't have any questions to pose to the Senator from Wisconsin. I am glad he is here to respond so the other side can be articulated and so my colleagues can make their own evaluation as to the weight of the objection of the Senator from Wisconsin to section 215, which is very limited to that one additional provision, which is justified, so they can evaluate his objection to the national security letters where the conclusive presumption is tighter in

the conference report than in the Senate version and other protections, and the protections on delayed notice, so-called sneak and peek, and wiretaps, and then especially on sunset.

The debate is very illuminating and does more than the speech I gave yesterday. There is nothing as dull as a speech on the Senate floor and nothing as lively as a little debate. This Senate has very little debate, very little exchange of ideas where Senators come and in a respectful way pose questions and in a respectful way give answers to illuminate rather than obfuscate; no table-pounding.

I thank the Senator from Wisconsin for what he has done this year on the committee and for his thoughtful approach here, albeit wrong, albeit not persuasive and should not carry the day. I thank him for his contribution.

Without yielding the floor, I ask unanimous consent I may yield to the Senator from Wisconsin without losing the floor.

The PRESIDING OFFICER (Mr. CHAMBLISS). Without objection, it is so ordered.

Mr. FEINGOLD. Mr. President, I am thoroughly enjoying this, and I came out here and described the Senator again as valiant on this issue. But I am getting a little worried as we start reviewing each of these provisions. The Senator from Pennsylvania voted for every single one of these provisions that I have talked about as part of the Senate version. There was a reason we drafted it that way.

When the Senator properly puts me through my paces on each of these issues and I identify my remaining objections and he minimizes the objections—keep in mind he already voted for those very provisions; he voted for exactly these provisions in the Senate bill. So when I point out on section 215 that a general relevance standard is not a sufficient protection and he agrees on the record that was troubling to him, it seems to me that is a valid issue to be concerned about.

With regard to the sneak-and-peek provision, the Senator did not vote, when he voted in the Senate, for 30 days' permission for a sneak and peek and a 90-day extension after that; he voted for 7 days, because the Senator from Pennsylvania knows as well as any Member in this Senate that the idea of a sneak-and-peek search in the first place is a very troubling exception to the fourth amendment protection that every American has against unreasonable searches and seizures. This is a very narrow exception. When the Senate voted in the Senate, he did not vote for 30 days. He did not vote for a period of time that is over four times larger than 7 days; he voted for 7 days. To now suggest this is somehow a trivial concern is not consistent with either the Senator's record on this particular legislation or consistent with his apparent cosponsorship of the SAFE Act in the past.

This debate is valuable, but when the Senator actually lists these all together as he has done, the only thing I can agree with him on is—and I am grateful—that the sunsets have been preserved. That is positive.

Let me say, the Senator cosponsored the SAFE Act. He knows some of the things we are sunsetting potentially permit the violations of the rights of innocent and law-biding Americans. A sunset is only a secondary level of protection that essentially says, Look, people's rights might be violated now, but at least we will have a chance to change it later. The idea of simply prevailing on the sunsets, which allow violations to continue without changing the substance of the law to protect Americans' rights and civil rights liberties, is not a sufficient reason to vote for the conference report. But I do look forward to further exchange with the Senator on this as the week goes on.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. I thank the Senator from Wisconsin.

The last comments made the argument better than I have during the course of the last hour when he chastises me for agreeing to 30 days when I voted for 7 days but the House bill has 180 days. That is a reason to vote against the bill. He has made my case.

When you take up an issue about what is fair and appropriate and adequately protective of civil rights as to when the target should be notified as to a surreptitious or secret search of his apartment, and you have an existing bill which says a reasonable period of time—which could be anything—and the Senate comes in at 7 days and the House comes in at 180 days, there is no real concession on civil liberties. The House made a concession of 150 days, from 180 to 30. The Senate made a concession of 23 days, from 7 to 30.

I ask the other 98 Senators whether this is a meritorious argument, a weighty argument, or more of scintilla. That is an expression we use in the law when the item has virtually no weight. In the common law, they talk about a peppercorn being adequate for consideration. But this is a scintilla. Maybe this is not even a scintilla, to say a concession from 7 to 30 days is meaningful.

I am glad the Senator from Wisconsin made that as his final, persuasive, overwhelming argument because that illustrates the flimsiness of the considerations.

Mr. FEINGOLD. Mr. President, because of the last exchange, that will not be——

Mr. SPECTER. I have the floor, but I will yield to the Senator from Wisconsin on unanimous consent. I saw Senator BYRD one day perfect this, and I will not make a mistake of yielding without reserving the right to the floor.

Mr. FEINGOLD. I have no desire——

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

Mr. FEINGOLD. I have no desire to take the floor away from the Senator from Pennsylvania, but back where I live, when the Government comes into your home and you do not know they have been rummaging around in your house and you find out 7 days later that they did this, you are upset. If you do not find out for 30 days, where I come from that is not a scintilla; that is a big deal. The U.S. Government coming into your house without giving you notice, as people expect under the fourth amendment, is not a triviality.

It is at the very core of one of the most important provisions of the Bill of Rights. I am not sure I am, in the end, even comfortable with this concept of a sneak and peek search. I think it has been demonstrated it may be needed in some cases, but why in the world can't a judge have to renew that every 7 days?

It is not a matter of trivia to the people of my State that the Government can come into their house without notice under the fourth amendment. And I reject the idea that it is a minor difference between 7 and 30 days.

Mr. SPECTER. Mr. President, the problem with the renewed argument by the Senator from Wisconsin is not on 7 days or 30 days, it is on 1 day. It is on any sneak and peek. It is on any delayed notification. Law enforcement has that latitude because they need to continue the investigation. If a disclosure is made, it will impede an investigation. A short period of time enables them to continue the investigation without alerting the target.

One day would be too long for the argument which is made by the Senator from Wisconsin. We are conducting this debate as if we have a law enforcement community in this country made up totally of rogues who have no regard for the rights of the individual. And when they get a delayed notice warrant, bear in mind, my colleagues and the Senator from Wisconsin, they have gotten judicial review on this sneak-and-peek warrant. On this delayed notification warrant, they have gone to a judge and have gotten leeway on standards which are set forth and articulated in the PATRIOT Act.

Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senator is correct.

The Senate will come to order.

Mr. SPECTER. Back to the substance of the argument: this period of time, the less, the closer to the Senate position the better. But this is not some random act of a rogue law enforcement officer. This is a delayed notice warrant which has been obtained by going

to an impartial magistrate and by showing cause and by showing reason to have this delayed notice.

Mr. President, the Senator from New Hampshire was on the floor earlier today and has raised a number of arguments. I see other of my colleagues on the floor seeking recognition so I will not take these up at this time. But I would invite my colleagues to examine what the Senator from New Hampshire has had to say in the context of the debate which I have had with the Senator from Wisconsin because I think they are covered. But I will want to deal with them specifically.

I would point out—I am looking through the transcript for a moment on some of the things which he has had to say. There are also some comments made by the Senator from Vermont, the distinguished ranking member, which I will comment about later. We will have a debate.

CONTINUED DUMPING AND SUBSIDY OFFSET ACT

Mr. SPECTER. Mr. President, I want to take an additional moment or two, while I have the floor, to make a brief argument in support of the motion which is going to be offered by Senator DEWINE and Senator BYRD to instruct the budget conferees to drop the repeal of the Continued Dumping and Subsidy Offset Act.

This legislation was passed in the year 2000 under a program which allows the Bureau of Customs and Border Protection to distribute duties collected on unfairly traded imports to those U.S. businesses and their workers who have been injured by dumped or unfairly subsidized imports.

Over 700 companies in almost every State of the Union, including many small- and medium-sized companies, have received distributions under this act, benefitting producers and workers in lumber, crawfish, shrimp, honey, garlic, cement, mushrooms, steel, bearings, raspberries, furniture, semiconductor chips, and a broad range of other industries across the Nation hurt by continued unfair trade.

My State, Pennsylvania, has been a victim to a very substantial extent. Companies in a variety of industries, including those that produce steel, cement, agriculture, and food products, have benefitted from the $1.261 billion since this program was put into operation. The World Trade Organization has objected to this provision, and it is my hope that the administration will fight the World Trade Organization's conclusion. There have been instances in the past where the World Trade Organization has said our practices violate their laws, and our executive branch has gone to fight them to make a change. I think that is what they should do here.

This compensates the companies and the workers who have been victimized by these unfair trade practices. As a matter of basic and fundamental fairness, this money ought to continue going to that.

In the interest of brevity, I ask unanimous consent that the complete text of my statement be printed in the RECORD following my oral remarks.

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

DEWINE MOTION TO INSTRUCT CONFEREES TO DROP THE REPEAL OF CSDOA STATEMENT OF SENATOR ARLEN SPECTER

Mr. SPECTER. Mr. President, as I have said, I have sought recognition to express my opposition to section 8701 of H.R. 4241, the House-passed budget reconciliation bill, which seeks to repeal the Continued Dumping and Subsidy Offset Act, CDSOA, or Byrd amendment, and to express my support for the DeWine motion to instruct conferees to not include this provision in the conference report.

CDSOA was enacted in 2000 to enable U.S. businesses and workers to survive the face of continued unfair trade. The program allows the Bureau of Customs and Border Protection to distribute duties collected on unfairly traded imports to those U.S. businesses and their workers who have been injured by dumped and unfairly subsidized imports.

Over 700 companies in almost every State of the Nation, including many small- and medium-sized companies, have received distributions under CDSOA, which benefits procedures of lumber, crawfish, shrimp, honey, garlic, cement, mushrooms, steel, bearings, raspberries, furniture, semiconductor chips and a broad range of other industries across the Nation hurt by continued unfair trade.

In Pennsylvania, companies in a variety of industries, including steels, cement, agriculture, and food products have benefitted from these distributions by investing in research and development, infrastructure improvements, and improvements to pension programs. In doing so, companies have been able to continue operations and, in some situations, increased capacity.

Overall, disbursements have totaled $1.261 billion since its inception in 2000, $226 million in fiscal year 2005. Pennsylvania companies, alone, have received over $111 million in disbursements under CDSOA from fiscal year 2005 through fiscal year 2005 approximately $22 million annualy—approximately 9 percent of the total distributions.

Repealing or modifying this act would negatively impact U.S. workers and businesses, leading to the loss of the U.S. jobs to foreign competition, which would cost thousands of American workers their health insurance and pension benefits and contribute to the further outsourcing of Americans jobs.

This provision has had broad support in this body, where some 75 Senators have signed letters to the administration urging retention of this vital provision in the face of an adverse WTOP decision allowing countries to retaliate by imposing tariff surcharges on U.S. products.

Congress directed the administration to resolve the WTO issued in ongoing trade negotiations in the fiscal year 2004 and fiscal year 2005 ombinus appropriations bills, and the fiscal year 2006 CJS appropriations bill that became law last month. That language requires the administration to hold negotiations to recognize the right of countries to distribute duties collected from unfair trade as they deem appropriate.

I urge my colleagues to support the motion.

Mr. SPECTER. Mr. President, I ask unanimous consent that a letter dated November 4, 2005, and a letter which I signed along with some 69 other Senators, dated February 4, 2003, be printed in the RECORD.

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

U.S. SENATE,
Washington, DC, November 4, 2005.

Hon. BILL FRIST,
U.S. Senate,
Washington, DC.

DEAR SENATOR FRIST, It is our understanding that the House of Representatives will include the repeal of the Continued Dumping and Subsidy Offset Act (CDSOA) in their budget reconciliation measure. We do not believe that the budget reconciliation process should be used to substantively change U.S. trade law.

The goal of our trade laws is to ensure that an even playing field is provided for American and foreign producers of goods. As you know, Congress passed CDSOA in response to concerns about the consistent, unfair trade practices in which some of our trading partners have been engaged. Under CDSOA, hundreds of companies, farmers, ranchers, and worker groups, from all across America, have received distributions from duties collected from our trading laws. Recipients include large, medium and small companies, worker representatives and farmers in nearly every state in the country.

Seventy-two senators have made their opposition to repealing CDSOA public. Should legislation regarding budget reconciliation move towards conference, we would urge the Senate not to accede to any provisions that may be included in the House bill that would repeal CDSOA.

Sincerely,

Mike DeWine, John Warner, Elizabeth Dole, Larry E. Craig, George V. Voinovich, Arlen Specter, Johnny Isakson, ——— ———, Rick Santorum, Conrad Burns, Norm Coleman, Mel Martinez, Saxby Chambliss.

Richard Shelby, Olympia Snowe, George Allen, John Thune, Susan M. Collins, Mike Crapo, Jim Bunning, David Vitter, John Cornyn, Thad Cochran, Trent Lott, Michael B. Enzi.

———

U.S. SENATE,
Washington, DC, February 4, 2003.

Hon. GEORGE W. BUSH,
President of the United States,
Washington, DC.

DEAR MR. PRESIDENT: We write to express our strong interest regarding the approach that may be taken by the U.S. Government in response to the WTO Appellate Body's January 16, 2003, ruling that the United States violated its WTO obligations when it enacted the Continued Dumping and Subsidy Offset Act (CDSOA) in 2000. In our view, the WTO has acted beyond the scope of its mandate by finding violations where none exists and where no obligations were negotiated.

CDSOA is a payment program established by Congress to address policy objectives that can enable our domestic producers to continue to invest in their facilities and workers. Its continued operation is critical to preserve jobs that will otherwise be lost as the result of illegal dumping or unfair subsidies and to maintain the competitiveness of American industry.

In its November 2002 statement to the Appellate Body defending this law, the Administration stated that, ''[T]he Panel in this case has created obligations that do not exist in the WTO Agreements cited. The errors committed are serious and many about a statute which, in the end, creates a payment program that is not challenged as a subsidy.'' We concur with this statement and consequently believe that America's trading partners must be pressed into negotiations on CDSOA prior to any attempt to change our laws.

Specifically, we urge you to: (1) seek express recognition of the existing right of WTO Members to distribute monies collected from antidumping and countervailing duties; (2) promptly integrate the Administration's recent Report to Congress on the WTO Dispute Settlement Process; and (3) consult closely with the Congress on the particulars of any approach taken in negotiations on this issue.

We look forward to consultations with your Administration on this important matter and to obtaining a positive resolution that preserves the law for American companies and their workers.

Sincerely,

Robert C. Byrd, Max Baucus, Mark Dayton, Tom Daschle, Jay Rockefeller, John Breaux, Kent Conrad, John F. Kerry, Jeff Bingaman, Mike DeWine, Rick Santorum, Larry E. Craig, Trent Lott, Jim Bunning, ——— ———, Olympia Snowe, George V. Voinvich, Arlen Specter, Dianne Feinstein, Dick Durbin.

Blanche L. Lincoln, John Edwards, Fritz Hollings, Joe Biden, Hillary Rodham Clinton, Jon Corzine, Byron L. Dorgan, Norm Coleman, Saxby Chambliss, Susan Collins, Mike Enzi, Evan Bayh, Robert E. Bennett, Craig Thomas, Pete Domenici, Thad Cochran, Richard Shelby, Russell D. Feingold, Ron Wyden.

Tom Harkin, Debbie Stabenow, Daniel Inouye, Frank R. Lautenberg, Mark Pryor, ——— ———, Zell Miller, Paul Sarbanes, Mike Crapo, John Warner, Harry Reid, Jeff Sessions, Ben Nighthorse Campbell, Jack Reed, E. Benjamin Nelson, Barbara A. Mikulski, Charles Schumer, Ted Kennedy, Patrick Leahy, Jim Jeffords.

Herb Kohl, Joseph Lieberman, Chris Dodd, Tom Carper, Carl Levin, Barbara Boxer, Bill Nelson, Mary L. Landrieu, Daniel K. Akaka, Judd Gregg.

Mr. SPECTER. I thank the Chair and thank my colleague from New Mexico, who has been waiting patiently, or at least waiting, and yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

MEDICAID

Mr. BINGAMAN. Mr. President, I rise to speak briefly in support of the motion that I understand is to be made by the Senator from Montana, Mr. BAUCUS, who is here on the floor, to instruct conferees with respect to the Medicaid Program.

The motion to instruct conferees on the Medicaid Program highlights one of the many ways in which the House of Representatives budget reconciliation bill radically departs from the Senate bill. Let me spend a very few minutes highlighting the differences between the House and Senate packages on Medicaid, particularly with regard to the health of children.

The contrast between the two bills could not be more stark. The Senate bill arguably improves coverage of children through the inclusion of the Family Opportunity Act that provides a State option to expand Medicaid coverage to children with disabilities and through inclusion of outreach and enrollment funding based on legislation that Senator FRIST and I introduced earlier this year.

In sharp contrast, however, according to the Congressional Budget Office, the House budget reconciliation package imposes increased cost sharing on low-income Medicaid beneficiaries and reduces health services by $6.5 billion over 5 years and by $30.1 billion over 10 years.

For children, the impact of the House bill would be devastating. Medicaid covers more than 27 million children, almost one in four in this country. Medicaid also covers more than a third of all the births and health care costs of newborns in the United States each year.

In spite of the importance of Medicaid for children, the House budget package increases cost sharing for all children who rely on it for prescription drugs or for emergency room services. The bill also allows States to impose premiums for the first time under Medicaid for children's coverage and to deny children coverage even if their family cannot afford to pay the premium or other cost sharing.

The House budget bill also allows States to eliminate the early and periodic screening diagnosis and treatment benefit rules that are so critical to the health of children with special health care needs and disabilities. Benefits that could be lost include comprehensive developmental assessments, assessment and treatment for elevated blood lead levels, eyeglasses, dental care, hearing aids, wheelchairs and crutches, respiratory treatment, comprehensive mental health services, prescription drugs and speech and therapy services. In short, three-fourths of the savings in the House bill come at the expense of low-income Medicaid beneficiaries. By CBO's estimate, half of the beneficiaries affected by the increased cost-sharing provisions in the House package are imposed on children, and half of those who will lose Medicaid benefits would be children.

In CBO's own words:

We estimate that the number of affected enrollees [due to increased cost-sharing requirements] would increase from 7 million in 2010 to 11 million in 2015, and that about half of those enrollees would be children.

CBO adds that, due to added premiums, ''about 70,000 enrollees would lose coverage in fiscal year 2010 and 110,000 would lose coverage in fiscal year 2015 because of the imposition of premiums.''

Furthermore, CBO estimates that the flexibility in the House bill to reduce benefits will also heavily impact children. CBO estimates that ''benefit reductions would affect an estimated 2.5 million Medicaid enrollees in 2010 and about 5 million enrollees by 2015—about 8 percent of the Medicaid population—and that about one-half of those receiving alternative [or reduced] benefit packages would be children.''

Without the Medicaid Program, the number of children without health insurance, which was 8.3 million in 2004, would be substantially higher. In fact, the number of uninsured children has dropped by over 300,000 over the past 4 years due in large part to Medicaid and the SCHIP Program. We should not at this time be taking steps backward by reducing coverage for low-income and vulnerable populations that primarily include the children I have been referring to.

I urge that colleagues support the Baucus motion to instruct conferees on Medicaid. We are coming into the holiday season. This is not a time when we, the wealthiest Nation in the world, should be cutting health care assistance to the low-income children of this country. I did not support the Senate budget reconciliation bill for a variety of reasons, but even with the imperfections that were in that bill, it was far superior to the House budget package. For one thing, it does not contain the type of cuts for children's health that are included in the House bill.

I urge my colleagues to recognize how much better the Senate bill is for the health and well-being of our Nation's children. I urge my colleagues to vote to instruct conferees to support the Senate's approach over that of the House of Representatives.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

BUDGET RECONCILIATION

Mr. BAUCUS. Mr. President, at the appropriate time I will be sending a motion to instruct to the desk. I will be doing that at a later time. In the meantime, I rise to speak on that motion.

The motion instructs the Senate conferees on the spending reconciliation bill not to bring back a conference report that hurts Medicaid beneficiaries. This is the item about which the Senator from New Mexico just spoke.

Last month, the House passed such a bill, one that would hurt Medicaid beneficiaries. The House passed a bill that would cut health care for millions of seniors and lower income Americans who depend on Medicaid.

I believe the Senate should reject these harmful cuts. In early November, the Senate voted by a thin margin to

cut Medicaid, our Nation's safety net health program for low-income Americans. Many of us at that time objected to those cuts. That day, the Senate bill planted a seed of opportunity to make even more harmful cuts, hurting millions of low-income children, seniors, pregnant women, and individuals with disabilities. Just 2 weeks ago, the Senate reconciliation bill bore bitter fruit. Why? Because the Medicaid cuts in the House bill turned out to be substantial and, in fact, will hurt millions of the poorest and neediest among us.

According to the Congressional Budget Office, most of the Medicaid savings in the House bill come from targeting our poorest citizens. CBO says three-quarters of the House bill's Medicaid savings come from provisions that increase costs, cut benefits, or impair access to services for low-income individuals. These cuts will affect millions of people. The CBO estimates that about 17 million Medicaid enrollees will pay more under the House bill, and half of those paying more will be children.

Who will these cuts affect? Medicaid now serves more than 50 million low-income Americans. A quarter are children. A quarter are seniors and disabled. The rest are pregnant women, low-income parents, and individuals with serious medical needs.

Many believe that all low-income Americans are eligible for Medicaid. That is not the case. Often only the very poor qualify. On average, a non-working parent making about $150 per week for a family of three makes too much for Medicaid. Again, a non-working parent of a family of three making about $150 a week makes too much for Medicaid. That is less than one-half the Federal poverty level.

Eligibility levels for working parents are also low. On average, a working parent with a family of three earning more than $5.50 an hour also makes too much to qualify for Medicaid. So we are talking about the very poor.

Under the House bill, these needy individuals will pay more for less. CBO estimates that about 80 percent of the savings from increasing cost sharing would come from decreased use of health care services. Some may say that increasing cost sharing will curb waste, abuse. I am not saying we cannot or should not look at reducing unnecessary treatments under Medicaid. Far from it. But increasing cost sharing is not the right way to do it.

Increasing costs deters patients from seeking health care services, both good and bad services. If we really want to control overuse of services, we should be investing in care management strategies for expensive chronic diseases such as diabetes. These strategies have proven to lower cost while increasing the quality of care.

Increasing enrollee cost sharing can also have unintended systemwide effects. Many States have already said they will deduct the new copayment fees from provider rates regardless of whether providers collect the fees. The result puts the new burden on doctors and clinics and hospitals serving our health safety net. Many of these providers will be forced to make up uncompensated care costs by increasing private market rates, which will drive up health care costs for all of us, leading to more uninsured and an even greater need for Medicaid.

Even more troubling, the House bill's premium increases will result in tens of thousands of individuals losing Medicaid coverage. According to CBO, about a quarter of the savings from the premium increases are for individuals losing coverage. We don't need to rely on CBO to know that this will actually happen. Why? Because in the State of Oregon, this was tried, and the results were quite clear and disturbing. That State began to enforce nominal monthly premiums for higher income Medicaid beneficiaries. What happened? Oregon saw its enrollment drop by nearly one-half in 10 months. Nearly 50,000 individuals lost coverage.

This increased cost sharing amounts to a tax on poor families now in Medicaid. For a family of three with income at 135 percent of poverty, annual cost sharing would be as high as $1,086 per year or, stated another way, about 60 percent of their annual Federal tax liability.

Let me say that again. For a family of three, with income at 135 percent of poverty, annual cost-sharing could be as high as over $1,000, which amounts to less than 60 percent of their annual Federal tax liability. In effect, it is a tax—a big tax, about 60 percent of their Federal tax. Add them together and it is about 160 percent of tax they are paying.

Many of these poor individuals would also be forced to pay more to get less. How? Because the House allows States to cut Medicaid benefits.

The Congressional Budget Office estimates that 5 million enrollees would see their benefits cut over the next 10 years. Half of those affected would be children. Higher income children would no longer have guaranteed access to medically necessary care under Medicaid.

It is also unclear whether individuals with disabilities and chronic conditions would be protected. This could undermine access to more expensive treatments and services for those individuals who turn to Medicaid because the private market will not cover them.

Shifting costs and cutting benefits for our poorest and least able to pay is not the smart way to preserve our Nation's safety net for future generations.

In the Finance Committee, many of my colleagues on the other side of the aisle chose to support the Senate bill because it didn't include changes that would hurt Medicaid beneficiaries. My friend and colleague, Finance Chairman GRASSLEY, praised the bill, saying it ''protects Medicaid benefits for the most vulnerable in our society.''

The Senator from Oregon, Mr. SMITH, said that ''the reconciliation package we are considering today is not only fiscally responsible, but also morally defensible. This is a bill that protects the less fortunate among us. It takes pains to preserve the vital safety net programs that millions of Americans rely on.''

And the junior Senator from Pennsylvania said during the committee markup:

> Let us set the record straight. We are not cutting health care services to the beneficiary.

So today I will offer this motion to set the record straight on Medicaid cuts. This motion instructs Senate conferees on the reconciliation bill to reject changes to Medicaid that would hurt Medicaid beneficiaries or undermine Medicaid's guarantee. Given the threat of the cuts passed in the House, the Senate must take a stand in support of the neediest among us.

Let us ensure that we keep the record straight on Medicaid. Let us ensure that we do no harm to the vulnerable individuals whom Medicare serves. Let us pass this motion.

Mr. President, at the appropriate time I will make the motion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I, too, at the appropriate moment will offer a motion to instruct the conferees. I will offer the motion in conjunction with Senators COLLINS, KENNEDY, SNOWE, LIEBERMAN, LEAHY, BINGAMAN, COLEMAN, SALAZAR, STABENOW, CLINTON, LUGAR, HARKIN, LEVIN, SMITH, and PRYOR.

This motion to instruct conferees is about LIHEAP, the Low Income Heating Assistance Program. Each of us, at this point, is very familiar with the struggle that is taking place today. If you were in New England over the weekend, as I was, or in many other parts of the country, you understand that temperatures have fallen and many families are having to perform a juggling act with their budgets in order to heat their homes.

According to EIA's most recent short-term energy outlook, released last week, energy costs for the average family using heating oil are estimated to hit $1,454 this winter, an increase of $255. That is a 21-percent increase over last year's heating season. Natural gas prices could hit $1,024 for an average family using natural gas. That would be an increase of $282 or a 38-percent increase. For a family using propane, prices are projected to hit $1,269, an increase of $167 from last heating season, and that is a 15-percent increase.

Despite these sharp increases in fuel costs, we sadly continue to fund

LIHEAP—the one program that can provide sufficient help to these families—at the same level as last year, which in reality means an actual cut in the level of assistance we can provide low-income consumers this winter's heating season.

The responsible thing for Congress to do is to fully fund LIHEAP at the full $5.1 billion authorized in the Energy Policy Act enacted earlier this year. Indeed, we have tried to do that on numerous occasions. Today marks the fifth time in the last 2 months that Senator COLLINS and I, along with some 30 other colleagues, have made an attempt to fully fund LIHEAP. We offered amendments to the Defense bill, the Transportation-Treasury-HUD bill, Labor-HHS bill and, most recently, the tax reconciliation bill. On each occasion, we reach across the aisle and across the country to provide more assistance for the LIHEAP program. While we did not reach the 60-vote margin needed to pass these amendments under the budget rules, in each instance, a majority of this body was on record supporting full funding for LIHEAP.

My preference, of course, was to provide funding to fully fund LIHEAP on an emergency basis through an appropriations bill. Those opportunities have passed. Budget reconciliation is the last train that is leaving the station. That is why I come to the floor and will offer, at the appropriate time, a motion to instruct budget conferees to insist on a level of funding for LIHEAP that is sufficient to fully fund the program at its fully authorized level.

The heat-or-eat dilemma is not just rhetoric. The RAND Corporation conducted a study and found that low-income households reduced food expenditures by roughly the same amount as increases in fuel expenditures. In some respects, this is a tidal wave not of rising water, like Katrina, but of rising energy prices.

We have all had the opportunity to visit our constituents and get a first-hand glimpse of the struggle they are faced with. A few weeks ago, I visited with Mr. Aram Ohanian, an 88-year-old veteran of the U.S. Army in World War II, living on a $779-a-month Social Security check. Money is so tight that he sometimes has to eat with his children or go to a local soup kitchen. He also gets assistance from our Rhode Island food bank. These heating price increases to Mr. Ohanian will be very difficult. He received LIHEAP assistance last year, but that assistance will be relatively less this year because of rising prices and greater demand.

Last month, the Social Security Administration announced that cost-of-living adjustments for 2006, on average, are about $65. That $65 increase to Mr. Ohanian is not going to take up the slack in terms of these tremendous increases in fuel prices.

The motion to instruct conferees that we will submit at the appropriate moment calls for LIHEAP to be funded at the fully authorized level. Under the best-case scenario, if we fully fund LIHEAP, there would still be a significant number of Americans who qualify for the program but will not get any help. LIHEAP would still only serve about one-seventh of 35 million households that are poor enough to qualify for assistance. But at least we are taking a step by fully funding this important program.

I urge my colleagues to support this motion when it comes to the floor for a vote.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. I ask for the regular order, Mr. President.

The PRESIDING OFFICER. The Senate is in morning business with 10 minutes for Senators.

Mr. GREGG. Mr. President, we are trying, as the Senate and as a Congress, to wrap up the business for the Government this year. A major part of that effort is to complete the budget process. Included in the budget were two directions to the Congress, which were voted in by a majority of the Congress—regrettably, very few people from the other side of the aisle supported it—and one of the directions was, for the first time in 8 years, to attempt to bring under control the rate of growth of entitlement spending.

Anybody who looks reasonably at the Federal Government—and let's take an independent view here and the view specifically of Chairman Greenspan, who recently gave a speech in London where he pointed out that the biggest concern he has from the standpoint of fiscal policy was the burgeoning costs of the Federal Government which were being driven by entitlement spending, and which would explode as the baby boom generation began to retire in 2008 and become an untenable burden for the children of the baby boom generation and their children as they have to pay the taxes or costs of supporting that retired generation which is so large.

This bill, in what I consider to be the first act of fiscal responsibility of significance in the last 8 years, moved legislation that said the Congress, for the first time in 8 years, will address the issue of entitlements.

Now, the savings being projected in the bill were not that dramatic and they continue to be not that dramatic. They are large numbers, obviously, but in the context of the total spending on entitlements, they are not that large.

For example, the savings that are being projected in the area of Medicaid are about $10 billion over 5 years. But what you have to understand—and that is a big number—is over that period, Medicaid will be spending approximately $1.4 trillion—trillion dollars. So we are actually asking for less than a one-tenth of 1 percent reduction in the rate of growth in Medicaid, and Medicaid during that period will grow at 40 percent—a 40-percent growth rate over those 5 years, down from 41 percent, assuming we make the $10 billion reduction over the 10 years in the rate of growth.

The total deficit reduction bill was to be somewhere in the range of $35 billion to $50 billion, depending on which bill was taken from which House. It left the Senate at $39 billion and left the House of Representatives at about $50 billion, $51 billion, something like that; I am not sure. In any event, it is going to fall somewhere between those two numbers.

We as a Congress hopefully can pass legislation that accomplishes that goal which starts to reduce the rate of growth of entitlements and reduces the debt of the Government to at least $40 billion—hopefully more than that, $45 billion, $46 billion over the next 5 years. This is the responsible thing to do, and it will be the first act of significant fiscal responsibility in which we have participated in a while around here as we continue to pass in the entitlement area—there has been significant fiscal responsibility in the nondefense discretionary area executed by the Appropriations Committee under, again, the budget which essentially froze nondefense discretionary spending and put in place what is known as caps so we can enforce them.

Ironically, none of these proposals for fiscal responsibility put in place have received any significant support from the other side of the aisle. When the budget passed this Congress, I don't think any Members from the other side of the aisle voted for it. When the reconciliation bill passed this Congress, two Members from the other side of the aisle—I appreciate it very much—the Senator from Louisiana and the Senator from Nebraska voted for it, but other than that, no one else on the other side of the aisle voted for fiscal responsibility or an attempt to reduce the rate of growth of the Government. So this has become a lifting exercise in which, for all practical purposes, Republican Members of the Congress appear to be ready to participate.

Yet today we are hearing from the other side of the aisle that they want to instruct the conferees of a bill, against which they voted—they voted against the budget, which was the underlying bill—instruct the conferees how the conference should occur. I find that to be a touch inconsistent—to be kind, a touch inconsistent, a big touch inconsistent, to be honest. Here they are, folks who have not voted for any fiscal restraint and, in fact, as we moved through the appropriations

process have suggested that we add $500 billion of new spending to the Federal Government under the appropriations process, which is not, by the way, impacted under this deficit reduction bill because this is entitlement activity, the two accounts being separate, appropriations being one-time annual expenditures of the Government, entitlements being programs which people have a right to and, therefore, they can go out and receive funding. They may be veterans, they may be low-income individuals, they may be students—they have a right to receive funding. It goes on independent of annual legislation.

As I said, the other side of the aisle not only has not supported the efforts of fiscal responsibility by voting for either the budget or the vast majority, with the two exceptions I mentioned, not voting for a deficit reduction bill, but now come forward with a series of what are going to be instructions to the conferees as to how the conferees should act after they voted against passing the bill and moving forward with the legislation. Chutzpah is an understatement for that type of approach.

Let's just take one or two examples and discuss them for a second. For example, the Senator from Rhode Island was talking about LIHEAP. There is significant irony in the position of the Senator from Rhode Island—significant irony. To begin with, he voted against the one proposal that we could have passed—which was funded—which would have funded LIHEAP to keep people protected from the increase in oil costs. It was paid for. That amendment was offered by myself. It was paid for with an across-the-board cut in the Labor-HHS bill. It would have fully funded the LIHEAP account at a level which would have held harmless everybody who receives LIHEAP money, low-income energy assistance, because we all realize the Low-Income Home Energy Assistance Program is a critical program and there is going to be significant stress, especially in the Northern States, as a result of the increased costs of the price of oil. And yet this was opposed.

When this opportunity came along, it was opposed for political reasons, if nothing else, I suspect, because they wanted to make a claim that they were going to fund LIHEAP at a level that was significantly higher than what CBO and what the Energy Department and what everyone else said was needed, including the Health and Human Services Department, to hold the program harmless, to keep the people funded who needed to be funded.

That increase, which was required, was a $1.2 billion increase. You don't have to listen to me to believe that. Take a look at the letter the Senator from Rhode Island sent out asking that the funding in LIHEAP be increased—it was signed by I think 44 Members of the Senate—be at a level that held harmless the system so people who receive money under LIHEAP would get the money they needed. What was the number in that letter? The number was $1.2 billion. But suddenly, in order to promote an agenda which had nothing to do with making sure the people were held harmless but had a lot to do with maybe headlines, we find the number being asked for is another $1.5 billion on top of that. It is not paid for, not offset. Just run up the debt and put money into an account far in excess of what that account needs to do the job right.

In fact, as a result of the warm season in November in many of the Northern States and the result of the softening, to some degree, of oil prices, especially home heating oil prices, the number has now dropped. It is down below $1.2 billion, according to the estimates I have been seeing, to hold the system harmless. I am still willing to go to the $1.2 billion level and have it paid for. That is the way it should be done. You have to set priorities. You live in a household, and this is all about households trying to make ends meet. They set priorities.

One of the priorities should be that the Federal Government should not pass the bills in an energy program today which pays for oil that is purchased today and given out today on to our children and our grandchildren to pay through debt. We should pay for it ourselves. We should be willing as a Congress to step up and say: Yes, this is an important program; yes, it should be funded at a level that holds everybody harmless and makes sure they get the support they need, but also it should be paid for by the generation that is going to benefit from it or at least the Government that is taking advantage of it. It should not be passed on to the next generation as a bill to our kids because our kids are also probably going to have cold winters, and they sure are going to have tough energy issues because we haven't solved any of those issues around here. We passed an energy bill that was filled with a lot of vertical subsidies but didn't have a whole lot of good energy policy in it; a little bit, a little bit of good energy policy and a lot of bad policy which was basically driven by interest groups around here, but it sure didn't do anything to make us more long-term solvent in the area of energy.

One item that might address that is the issue of producing more energy for our country, and that, of course, is a big issue in this bill, and we will get into that in a later discussion.

The point here is we are being asked to vote for the reconciliation bill when it comes out of conference. We are being asked to instruct the conferees to add another $2.9 billion of debt onto our children's backs rather than doing an appropriate action which is what I suspect the conference will do, which is increase the money in the Low-Income Home Energy Assistance Program by $1.2 billion, or something in that range, and have it paid for within the context of the entire deficit reduction bill, which is the fiscally responsible way to approach this issue.

This will make a good press release, and it will obviously make a good political ad, but I hope there will be a followup statement and maybe even a followup political ad, maybe paid for by our kids or grandkids which says: Hey, why are you doing this to us? Why do you not take responsibility for your generations? Why are you giving us a bill for oil and heat for this year when we may have the same bills to deal with when we retire or when our children have to take care of us in retirement 10, 15 years from now?

Let us do this the right way. Let us make this system solvent, not only solvent but make the system—put in the system the funds that are necessary to make sure that people who need the low-income energy assistance can get it under the higher oil prices, and then let us pay for it. Set a priority and say there are some things we can afford, some things we cannot afford, and in the Federal Government let us make the decisions to reduce the things we cannot afford and pay for the things we need, which specifically would be this proposal for low-income energy assistance at $1.2 billion. But that is not the politics of this institution.

So I do hope we will pass a reconciliation bill, otherwise known as a deficit reduction bill, and I do hope it will step forward and reduce the debt by somewhere around $45 billion or $46 billion, maybe more, and that in that process we will address the low-income energy assistance program and make sure that it is funded at a level that is necessary in order to make sure people are held harmless, and low-income individuals who need energy can afford it to heat their homes and do not have to make difficult choices. But we should all do it within the context of prioritizing the responsibilities of the Federal Government today and not pass our responsibilities today on to our children and our children's children tomorrow by deficit-financing this event.

So we are going to get these instructions. I guess there has been some unanimous consent agreement worked out. There are going to be about seven proposals, instructions to conferees. I just hope that as we go through these instructions people will have the intellectual integrity to ask the question, if they did not vote for the bill, if they did not vote for the budget which was trying to control spending, and they did not vote for the deficit reduction bill which is trying to control spending, why are they coming to the floor

and suddenly telling the conferees how they should go about hitting their targets which are part of the bill, which they did not vote for, and they do not support? Maybe we will hear somebody preface their request for instructions with an explanation of that point.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

ASBESTOS

Mr. BAUCUS. Mr. President, Libby, MT, is a special place. Libby is a city of more than 2,600 people in Lincoln County, in the northwest corner of Montana. It rests in a valley high in the Rocky Mountains, on the green Kootenai River between the Cabinet and Percell Mountains.

Libby is not a rich city. In 2000, the median family income in Libby was just under $30,000. That compares with just over $40,000 in all of Montana, and just over $50,000 in all of America.

Across the river, and 9 miles northeast of the town, rises a mountain that they call Zonolite Mountain. Until 1990, the W.R. Grace Company used to mine vermiculite there in the mountain.

Vermiculite is shiny mineral. Heat it, and it pops like popcorn. People used to pop vermiculite to make building insulation. They called the popped vermiculite ''Zonolite.''

The layers of rock where people found the vermiculite contained harmful asbestos. And the vermiculite outside Libby is laced with a especially dangerous type of asbestos, called tremolite.

Tremolite is the most toxic form of asbestos. Termolite has long fibers that are barbed like fishhooks. These fibers work their way into soft lung tissue. These fibers do not come out.

Until the mid-1970s, W.R. Grace processed the vermiculite mined in Libby in a nearby mill. The mill was so dusty that workers often could not see their hands on their brooms. Dust was everywhere. Mill workers swept dust outside. They dumped it down the mountainside. I remember seeing employees come out of the mine off the bus so caked with dust I wondered what in the world is going on here. I never knew any working conditions to be so dusty.

The mill's ventilation stack spewed the dust into the air. The ventilation stack released 5,000 pounds of asbestos every day. When the wind blew from the east, a deadly white dust would cover the town.

For decades, 24 hours a day, the dust fell all over Libby. Dust fell on Libby's gardens. Dust fell on Libby's homes. Dust fell on Libby's high school track. Dust fell on Libby's playgrounds.

Some of the vermiculite went downtown to a plant, right next to the baseball diamonds. The plant popped the vermiculite into Zonolite. Batches of Zonolite spilled all around the plant.

Kids played in the Zonolite. People brought home bags of Zonolite to pour into the attics. People put Zonolite in their walls. People put Zonolite in their gardens. People put vermiculite and ore in road beds. People used vermiculite and ore as aggregate in their driveways.

An article in the journal Environmental Health Perspectives would later conclude:

> Given the ubiquitous nature of vermiculite contamination in Libby, along with historical evidence of elevated asbestos concentrations in the air, it would be difficult to find participants who could be characterized as unexposed.

Every day, men from the valley went to the mountain to work in the mine and the mill. Every day, these men came home, covered with the fine, deadly white powder.

The powder got into their clothes. The powder got into their curtains. The powder covered their floors.

The fine fibers of tremolite asbestos are easy to inhale. Miners inhaled fibers in the mine. Workers inhaled fibers at the mill. Wives inhaled fibers when they washed their husband's clothes. Children inhaled fibers when they played on the carpet.

And those fibers caused respiratory disease. Those fibers caused a serious lung disease called asbestosis. And those fibers caused a serious form of cancer, mesothelioma, which plagues the chest and abdominal cavities.

Tremolite asbestos causes unique diseases. These diseases are highly progressive and deceptive. These diseases often result in severe impairment or death, without the typical warning markers that show up on x-rays. Without the usual medical signals, the people of Libby often went undiagnosed.

The Agency for Toxic Substances and Disease Registry found that people from Libby suffer from asbestos-related disease at a rate 40-to-60 times the national average. People from Libby suffer from the asbestos cancer mesothelioma at a rate 100 times the national average.

Because of the W.R. Grace mine and the mill, hundreds of people in Libby died from asbestos-related diseases. And hundreds of current and former area residents are now ill.

The people in Libby will be plagued by asbestos for years to come. These diseases can take 40 years to appear. Hundreds more will fall victim to these diseases in the future.

Now, the people of Libby must watch their neighbors struggle to tend their gardens. They must watch their neighbors struggle to walk to the café. They must watch their neighbors struggle to provide a future for their children. And they must wonder if they, too, will fall ill.

Hundreds of people live in discomfort. Hundreds of people live in pain. ''It took my mother 17 months to slowly suffocate,'' said Gayla Benefield.

After Gayla's mother died in 1996, Gayla and her sister sued W.R. Grace. They brought only the second such lawsuit to be decided by a jury in Libby. W.R. Grace had quietly settled dozens of other claims with agreements of secrecy.

In 1999, the Environmental Protection Agency started to investigate. The EPA found tremolite contamination in the air around the nursery. They found it near the ball fields. They found it inside homes.

The EPA started cleaning up. The entire community of Libby was designated a Superfund site. Libby was listed on the EPA's National Priorities List.

The EPA concluded:

> The occurrence of non-occupational asbestos-related disease that has been observed among Libby residents is extremely unusual, and has not been associated with asbestos mines elsewhere, suggesting either very high and prolonged environmental exposures and/or increased toxicity of this form of amphibole asbestos.

The EPA has worked hard. The EPA has shown a good response and solid clean-up work. And the EPA is committed to finishing the job. I commend them. I made many visits to Libby—many, many times. I talked with EPA officials over the years, and I think they have done a pretty good job.

The EPA has identified more than a thousand properties in Libby that still need cleaning up.

The agency has pushed back the timeframe for cleaning up the town from 2004 to 2008. After having been in Libby for 3 years, the agency had completed only 10 percent of the cleanup work needed to give the town a clean bill of health. The EPA must keep Libby a priority.

In 1999, I was the first high-ranking elected official to visit Libby. Since the winter of 1999, I have gone to Libby 16 times. I have worked heard to get funds to help with cleanup, health care, and economic development.

I have looked into the eyes of people in Libby. I have seen mothers and fathers, sister and brothers, husbands and wives. I have listened to their troubling stories.

In Libby, I heard many concerns of residents who cannot afford their health care. People are sick. Many are getting sicker. They are dying up there. Health care is one of the most pressing needs facing Libby.

In 2000, I helped to establish the Center for Asbestos Related Diseases, or CARD. The CARD clinic has done a tremendous job providing health care and screening for Libby residents. CARD needs additional Federal dollars to provide more and better care.

The healthcare costs of treating asbestos-related disease can be devastating. Simple, routine procedures to help a person breathe more easily can cost more than $30,000. Those costs continue to add up. They are crippling a

community that is struggling to get back on its feet.

The people of Libby face a health care crisis. This crisis was caused by alarming rates of tremolite asbestos-related disease. Treating the sick people in Libby will cost hundreds of millions of dollars. It was caused by no fault of their own, but, I might add, by a company that knew it was damaging and killing the people in that community.

Libby is working to overcome years of asbestos exposure from the W.R. Grace mine. They have been through enough. They did not ask for this lot. Affording quality health care remains one of the biggest hurdles for the town to move forward.

That is why I fought to make sure that asbestos bills working through the Senate addressed the needs of the people of Libby. When, in May of this year, the Judiciary Committee voted to report S. 852, the Fairness in Asbestos Injury Resolution Act, the committee included appropriate language.

The good people of Libby need our help. They are dying up there. They cannot afford health care. I am dedicated to getting them the healthcare treatment that they need and deserve. I made a commitment to the people of Libby and I intend to work together with my colleagues to see that commitment honored.

Asbestos disease has devastated many communities across the country But tremolite asbestos hit Libby hardest of all. Libby is unique. The type of asbestos at Libby is unique. The duration of exposure at Libby is unique. The manner in which asbestos disease manifests itself in Libby is unique. And the community-wide exposure in Libby was unique. That is why the tailored solution that the Judiciary Committee has proposed makes sense.

I want my colleagues to know that I will fight to defend the Libby provisions in the asbestos bill. Libby is extremely important to me. If the Congress takes out the Libby provisions from the bill, they will lose my vote.

People in Libby are dying from tremolite asbestos exposure. The town has risen mightily to the challenges that it has faced. But they need our help. They deserve our help.

The people in Libby are working hard to revitalize their economy and their community. They are rightly proud of their resilience and their ability to land on their feet. They deserve all the help that we can give them to make their town whole again.

I urge my colleagues to support the Libby provisions in the asbestos bill. Help us to right this terrible wrong. Help these hundreds of suffering people to get health care and help save the life of this town.

Mr. President, I yield the floor and suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. 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.

Mr. GRASSLEY. Mr. President, I do want to, as I have the privilege of so often doing, express my thanks to my Democratic colleague, the ranking member of the Senate Finance Committee, for his cooperation particularly on this United States-Bahrain Free Trade Agreement that we were able to unanimously report out of our committee. The reason I want to emphasize ''unanimous'' isn't just to be complimentary to Senator BAUCUS but also to the people of this country who think that everything done in this Congress is always so partisan, that Republicans and Democrats never get along, that we never talk to each other, that we never agree on anything. I can see why they have that impression because that is the impression the news media of America gives about the Congress of the United States. But as practical matter, nothing gets done in the Senate that isn't somewhat bipartisan, and particularly there is quite a tradition of bipartisanship in our Senate Committee on Finance.

This recent bill that is before us, the United States-Bahrain Free Trade Agreement, is the latest representation of that bipartisan cooperation.

I thank Senator BAUCUS very much.

I give strong support to the bill S. 2027; that is, the United States-Bahrain Free Trade Agreement Implementation Act.

This legislation is not only good for our U.S. economy, but it is also going to promote free trade, which is an economic issue as it creates jobs, but it also promotes democracy, and it promotes economic stability.

In regard to economic stability, the reason I emphasize that is because the Middle East is seen as an area of the world that is not very stable. I think that enhancing trade with those countries, large or small, is going to bring great economic stability which in turn ought to bring some political stability.

On top of all this, it is going to cement our ties with this small kingdom of Bahrain. That country is a very strong ally of the United States in that region.

This trade agreement is a clear win for our economy. It will create jobs.

Upon entry into force of this agreement, Bahrain will immediately eliminate 100 percent of its duties on imports of U.S. consumer and industrial products.

U.S. farmers will also benefit. On day one of the agreement, Bahrain will grant duty-free access on 98 percent of its tariff lines that apply to U.S. agricultural as well as food products. Duties with respect to that small remaining 2 percent will be phased out over a period of 10 years.

This is solid market access for U.S. farmers and U.S. manufacturers.

U.S. service providers will also gain from this agreement.

Bahrain will provide substantial market access across its entire service regime. The service provisions of the agreement are based upon a ''negative list'' approach, which means that all service sectors are covered. In other words, there will be trade in all service sectors unless they are specifically excluded as a result of the list.

Bahrain is already a major center for service providers in the Middle East, and the government recognizes that its service sector can become even stronger through economic liberalization. Because of this agreement, as the region develops, there is going to be very enhanced opportunities for U.S. exporters.

While it is important to note how the United States-Bahrain Free Trade Agreement will benefit the economy of the United States in the aggregate, it is even more important to point out how it will benefit individual U.S. companies and their workers.

For me, I didn't have to look very far to find Iowa workers and Iowa companies that benefit from this agreement.

For example, the HNI Corporation—it used to be referred to as the HON Corporation—the Fortune 500 company in my State, this company in Muscatine, IA, looks forward to the implementation of this trade agreement. HNI is the second largest manufacturer of office furniture in North America. It is specifically targeting the Bahraini market for increased sales. So HNI employees in Iowa as well as other States will benefit from Senate passage of the agreement.

Workers at the Lennox residential heating and cooling products factory in Marshalltown, IA, also stand to gain from the agreement. Lennox has a strong interest in increasing its sales in Bahrain. Like HNI, Lennox has a presence in many States, so its employees not only in Iowa but throughout the country will benefit from the implementation of this agreement.

Smaller businesses throughout the United States also stand to benefit from this trade agreement. One such company is Midamar Corporation located in Cedar Rapids. The Midamar Corporation supplies halal food and food service equipment to restaurants, hotels, and distributors throughout the world. This company was started in 1972 by Cedar Rapids native Bill Aossey. When Bill returned to Iowa after serving in the Peace Corps and traveling throughout the Middle East, he came up with the idea of starting a company dedicated to exporting Iowa products. Now, 33 years later, Bill has a lot to show for this hard work. He employs 30 Iowans and the Midamar Corporation is very much a clear success.

I visited the Midamar facility last August and I can report Bill Aossey and his employees are very enthusiastic about this prospect of a trade agreement with Bahrain being implemented so they can even do more business in the Middle East.

Aside from the immediate benefits to United States exporters to Bahrain, this agreement's impact will extend beyond Bahrain. The United States is promoting trade liberalization and economic growth in other countries in the Middle East and this agreement will serve as the template for other trade agreements being negotiated in the region. The solid gains for U.S. farmers, workers, manufacturers, and service providers found in this agreement may be replicated in other free trade agreements of their region.

This has already happened with the country of Oman. The United States recently concluded a free trade agreement with Oman that was based largely upon our agreement with Bahrain so the benefits to HNI Corporation, Lennox, and Midamar that I have identified will be multiplied as other Arab countries adopt free trade agreements with the United States that are based largely upon the Bahrain agreement.

This is all part of a broader goal and that was expressed in May 2000 by President Bush proposing a plan of graduated steps for Middle Eastern nations to increase trade and investment with the United States and others in the world economy, culminating with the establishment of the Middle East Free Trade Agreement by the year 2013. The importance of this vision of President Bush was brought home on July 22, 2004, when the report of the 9/11 Commission was released. That report contains as one of its key recommendations that ''comprehensive United States strategy to counterterrorism should include economic policies that encourage development, more open societies and opportunities for people who improve the lives of their families and to enhance the prospect of their children's future.''

Our trade agreement with Bahrain is an important achievement in that area and joins previously concluded bilateral trade agreements between the United States and Israel, Jordan, and Morocco. The agreement with Bahrain is an important part of a broader effort to encourage development, more open societies, and opportunities for people to improve the lives of their families and to enhance prospects for their children's future throughout the Middle East.

Finally, I urge my colleagues to support this bill before the Senate implementing the United States-Bahrain Free Trade Agreement.

Mr. BAUCUS. Mr. President, today we begin debate on the free trade agreement between the United States and Bahrain. This is an agreement that strengthens our ties with a stalwart ally in a troubled part of the world. It is an agreement with a leading reformer in the Middle East, and with the most open economy in the Arab world. And it is an agreement worthy of our support.

On the first day of enactment of the U.S.-Bahrain Free Trade Agreement, 100 percent of trade in manufactured goods will be duty free, opening up markets for U.S. exports of motor vehicles and parts, medical equipment, refrigeration equipment, et cetera. Agricultural exports are also expected to rise, and I hope Montana beef is among them.

The services chapter is the most robust of any agreement the United States has negotiated. Bahrain has promised American companies doing business in the kingdom a regime free of barriers, modern in its regulation, and respectful of intellectual property rights.

For Bahrain, this agreement means greater integration into the world economy, a better environment for its workers, and a pioneering role in the Arab world. For the Middle East as a region, I hope this agreement is a firmly planted seed that will grow prosperity, openness, and stability.

A strong agreement such as this one does not automatically happen. It takes hard work. It takes perseverance, followthrough. It takes vision. Fortunately, the United States and Bahraini officials have these qualities in spades. I applaud their hard work. Ambassador Belooshi—who, I might add, is observing these proceedings close by, very close, I might add—of the Kingdom of Bahrain typifies the courageous action and progressive thinking the Bahrainis have shown through the FTA process, and we should applaud him for it. He has done a super job.

I also applaud Ambassador Rob Portman and his predecessor, Bob Zoellick. Ambassador Zoellick negotiated a strong agreement, and Ambassador Portman saw it through. Ambassador Portman listened to Senators' interests in monitoring Bahrain's end to its boycott of Israel, and together we worked out a solution. He has been equally energetic and flexible in working with my colleagues in the House Ways and Means Committee to alleviate their concerns, especially on labor.

I also applaud the very capable and energetic staff of the USTR. They are dedicated public servants, putting in long hours and endless effort into their work. They do a super job.

This is the first FTA to come before us since the very contentious Central American Free Trade agreement.

The overwhelming support I expect the Bahrain agreement to secure is a testament to what can be achieved when the administration and the Congress work together to address concerns.

The Bahrain FTA shows that when the administration keeps an open dialogue with Congress, we can find common ground and achieve our common goals. I hope that we can continue to build upon the success of this FTA in helping to heal the wounds of previous battles.

I think we have before us a model for open dialogue, and for congressional support for trade liberalization.

I hope that we can take this model and apply it to much larger trading partners and even bolder agreements. Agreements that will open bigger markets, realize greater opportunities, and make our industries even more competitive.

Mr. President, I am pleased to support the U.S.-Bahrain free trade agreement. I urge my colleagues to pledge their support as well.

BUDGET RECONCILIATION

Mr. GRASSLEY. Mr. President, I also take this opportunity to speak on a motion to instruct conferees on the Byrd amendment.

Yesterday, a Senator sent a letter to the majority leader saying he would oppose the reconciliation bill if we used repeal of the Continued Dumping and Subsidy Offset Act to achieve billions in budget savings. While disappointed, I was not surprised. In fact, I say, join the club.

Already, one Senator told me he would oppose reconciliation unless specific provisions on specialty hospitals were not included. Several other Senators threatened to vote against the reconciliation bill unless the MLLC Program was not extended. Another Senator told me he will vote no if we save money by trimming waste from the Medicaid Program. A group of southern Senators said they would vote no on the reconciliation bill if the Grassley provision on payment limits in the farm program became a part of the bill.

So, no savings from the CDSOA repeal; no savings from the MLLC Program; no savings from Medicaid; no savings from payment limits. With everyone threatening to vote ''no'' there will be no savings in any Federal program, ever.

Everyone says they are for balanced budgets as long as it is someone else whose budget is cut to get the job done—not their pet issue. We need to ask ourselves whether we want to trim the Federal budget or not. If not, what does the Republican Party stand for?

The most egregious threat has to be over budget savings from the repeal of the Continued Dumping and Subsidy Offset Act. This program is Government pork at its worst. It takes money that should go to the treasury of the United States and it transfers that money to a select group of companies. Talk about special interests, Mr. President. Plus there are very few limits on

what these companies can do with the money that is raised by an act of Congress.

According to the General Accounting Office, one recipient even used the money to pay off his home mortgage. The program is so bad it did not even pass during the light of day a few years ago. Instead, it was pushed into a conference report before it could receive scrutiny by either House of Congress. Ironically, some are arguing that budget reconciliation shouldn't be used to save money by repealing this amendment. They argue it should go through the regular order. I don't know why they would argue this given the provision never went through regular order before it became law in the first place.

Here, unlike passage a few years ago of this bad amendment, repeal went through regular order in the House. Repeal just a couple weeks ago went through regular order in the House where that amendment had never even been considered by the other body when it was originally adopted a few years ago.

So let me be clear. We are not talking about repealing any aspect of our trade remedy laws. Every trade protection that has been in place for years stays in place. What we are talking about is getting rid of a Government subsidy program that enriches the few at the expense of the many.

A recent report from the Government Accountability Office shows this in very stark detail. Over $1 billion has been distributed so far under this program. One company alone—one company alone—of that $1 billion received almost 20 percent of the disbursements, and the top 5 recipients account for almost half of those disbursements.

You do not have to cast a very wide net to see where this corporate welfare is going. Just 39 companies account for over 80 percent of the disbursements. And the World Trade Organization has authorized a number of our trading partners to retaliate against us. This is where, to help a few companies through this amendment, we are going to end up hurting a lot of American producers, some of them in our powerful agriculture, and maybe end up hurting every consumer in America. As a result, innocent U.S. exporters are taking a big hit so the lucky few can continue guzzling at the public trough.

Already, our exporters face additional duties imposed by Japan, Canada, Mexico, and the European Union. Here is where it affects some products. Our producers of live swine, fish, oysters, cigarettes, dairy products, wine, paper products, clothing, sweet corn, industrial belts, steel products, forklift trucks, printing machines, and others, are all bearing the brunt of sanctions against some American companies because we have a law on the books that violates our international agreement and at the same time benefits a handful of major companies in America.

It happens that Brazil, Chile, India, and South Korea could soon impose sanctions. As more countries exercise their authority to retaliate and as payments under this program continue to grow, innocent U.S. exporters—the ones I have listed and others—and, more importantly, their employees, will continue to be hurt more and more as time goes on. That is not right. This situation needs to end.

The Government Accountability Office report points out some other ridiculous aspects of this program, such as the complete lack of accountability. Recipients of funds under the program submit claims based upon qualifying expenditures, but there is no way to tell whether those claims are even justified. In fact, the evidence suggests they may not be justified.

In 2004, company claims were about $1.3 trillion. Mr. President, I said that right: Companies were making claims for $1.3 trillion. The gross domestic product of the United States in 2004 was $11.75 trillion. So if the 770 recipients of funds under the Continued Dumping and Subsidy Offset Act, referred to as the Byrd amendment, are to be believed, they spent about 11 percent of the U.S. gross domestic product last year on qualifying expenditures.

I understand that in the year 2005—the year now ending—claims are about $3.2 trillion. That is equivalent to one-quarter of the GDP of the entire United States of America.

I think those figures show the magnitude of the incentive for fraud under this program. The proponents of this program ought to be embarrassed. This program is bad economic policy, bad trade policy, and bad Government to use the power of Government to end up giving a few companies in this country the benefit of the Federal Government's power to tax.

It should be repealed, as the House has done. I hope that coming out of conference we can have this provision in there. I hope we will not instruct conferees to disagree with the House. In the process of doing this, we are going to put $3.2 trillion into the Federal Treasury instead of having it go as corporate welfare to a handful of companies.

If we cannot repeal such a blatant example of Government pork to save money during a time of skyrocketing budget deficits, then why are we here as representatives of the people at all? Are we here to protect the pockets of a select few, or do we want to do, and will do, what is in the best interests of our Nation?

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

A NEW AMERICAN RENAISSANCE

Mr. BAUCUS. Toward the end of the 14th century, Emperor Manuel II Palaeologus ruled a waning Byzantine Empire. Looking across the Bosporus, he saw a growing threat from the Moslem Ottoman Turks. In 1390, he sent an embassy up the Adriatic Sea to Venice to build alliances. And to head the mission, he named the 35-year-old Manuel Chrysoloras.

Although his embassy to Venice did not prosper, Chrysoloras' reputation did. And in 1396, the chancellor of the University of Florence invited him there to teach Greek. The chancellor wrote: ''[W]e firmly believe that both Greeks and Latins have always taken learning to a higher level by extending it to each other's literature.'' Chrysoloras accepted.

But no one in Italy had studied Greek for 700 years. Chrysoloras began. He taught Greek in Florence, Bologna, Venice, and Rome. He translated Homer and Plato. He wrote the first basic Greek grammar in Western Europe.

As the early renaissance poet Dante Alighieri wrote in The Divine Comedy, ''A great flame follows a little spark.'' The flame of learning spread through the rest of Europe, reconnecting the West with classical antiquity, experimentalism, and the desire to live well.

Chrysoloras and scholars like him helped to begin the scientific revolution and artistic transformation that would become known as the Italian Renaissance. Europe emerged from the backwater. Commerce and exploration burst forth. The Modern Age began.

Renaissance historian Matteo Palmieri exhorted a fellow Italian of the mid 15th century to ''[t]hank God that it has been permitted to him to be born in this new age, so full of hope and promise, which already rejoices in a greater array of nobly-gifted souls than the world has seen in the thousand years that have preceded it,''

With the Renaissance, Western Europe began its domination of the world economy. The West has held this power so long that it is easy—especially for us here in the West—to take it for granted. But it need not have been so.

In the century leading up to the year 1000, Moorish Spain could claim a far more advanced civilization than that of Christian Italy. Cordoba's streets were paved and lit. Cordoba had 300 public baths and 70 libraries. Cordoba's great central library alone held 400,000 books—more than all of France. The Arab postal service delivered regular mail as far as India. Arab civilization was internally creative. And Arab thinkers of the time were open to Persian and Indian science, as well.

In the 12th century, an English scholar named Adelard of Bath traveled through the Islamic lands of Spain, North Africa, and Asia Minor. Adelard reported: ''The further south you go, the more they know. They know how to think.''

And Adelard carried back from the south a way of thinking. He said: ''Although man is not armed by nature, nor is naturally swiftest in flight, yet he has something better by far—reason.''

The advanced Moorish state suffered civil conflict and fell to the less-developed Christian states of Europe. Finally, on January 2, 1492, the leader of the last Muslim stronghold in Granada surrendered to armies of a resurgent, newly-united Christian Spain. The remaining Spanish Muslims were forced to leave Spain or convert to Christianity.

At the end of the first millennium, Arab Spain had the most advanced science and economy of its day. But in the centuries that followed, it fell to a newly-emergent Western Europe.

At the end of the first millennium, Western Europe slumbered in its Dark Ages. But in the next centuries, it emerged into the Renaissance.

We here today inherit the legacy of the Italian Renaissance. We have absorbed the learning of the Arab Caliphates. And we inhabit the land made known to Europeans by another voyage of 1492.

At the end of the second millennium, America has the most advanced science and economy of our day. But we cannot take that leadership for granted.

In the centuries ahead, if America wishes to remain the most advanced economy of our day, we will need to create a new American renaissance.

We need this new American renaissance, because leadership does not come from continuing to do what we do already. Smart people in China and India and around the globe are quickly learning how to do what we do now. And people in China and India and around the globe will be able to do it more cheaply.

Instead, leadership comes from constant innovation. Leadership comes from rapidly adjusting what we do to what the market demands. And leadership comes from serving the customer. Fortunately, these are characteristics at which Americans excel.

This is my eighth Senate floor statement this year on competitiveness. I began in June with a general statement on competitiveness and America's place in the world. In June, I also spoke of education and competitiveness. In July, I spoke of trade and competitiveness and health care and competitiveness. In September, I spoke of savings and competitiveness. In October, I spoke of energy and competitiveness. In November, I spoke of immigration and competitiveness. And today, I conclude this series of addresses with this discussion of the need for the new American renaissance.

My message is this: To foster this continuing American renaissance, American government cannot stand idly by. Remaining economically competitive will require action. Let me summarize my six-step agenda for action. This is what we need to do:

First, we must improve education. The Italian Renaissance relied on the learning of the Greeks that Manuel Chrysoloras helped to spread. The new American renaissance will rely on our having the best educated workforce of the centuries to come.

We need to ensure that children come to school ready to learn. We need to ensure that children have modern and well-equipped schools. And we need to ensure that children have small classes.

We should raise salaries for teachers in poor schools by 50 percent. We should raise the salaries of top-performing teachers and teachers in math, science, and languages by another 50 percent.

We can ensure quality afterschool programs. We can lengthen the school year.

We must support community colleges and link them more strongly to workforce opportunities. We must expand Pell Grants. We must improve, consolidate, and expand education tax incentives. We must expand and extend the deduction for tuition expenses. We must increase scholarships and loan forgiveness for science and engineering students. We must expand the Hope and Lifetime Learning credits.

We need to make it possible for nontraditional students to obtain an education. We need to retrain workers whose jobs are lost to trade and help them reenter the workforce.

We should make it easier, consistent with the requirements of national security, for foreign students to study in America.

We should make visa renewals during multiyear studies routine. And we should change visa renewal requirements policies that are now contingent on students' return to their home countries.

Second, we must foster research. For it was discovery that helped bring about the renaissance.

We need to reward innovation and risk-taking. We need to fully fund research support organizations like the National Science Foundation, the National Institutes of Health, and the Office of Science at the Department of Energy. We need to simplify and make permanent the R&D tax credit.

We should encourage talented foreign students to study, research, and innovate at American universities and research institutions. And we should simplify the permanent residence process for exceptional foreign students with advanced science degrees from American universities.

Third, we have to advance international trade. Insularity characterized the Dark Ages. The Renaissance spread from an international spark. And the ensuing blaze of international commerce brought on the Modern Age.

We must open new markets for American exports worldwide. We must improve enforcement of existing trade agreements. We must do more to defend American intellectual property rights. And we must prompt China to further loosen its currency.

We should look more to Asia for bilateral agreements. We should advance regional trade agreements in Asia. We should seek out further sectoral agreements such as the WTO's Information Technology Agreement. And we should launch an initiative in the advanced medical equipment sector.

We need to expand trade adjustment assistance to service workers. And we need to expand wage insurance.

We can make it easier for major American companies to employ and train their overseas employees. And we can facilitate international participation in meetings and conferences and travel to trade shows.

Fourth, we must address the burden that high health care costs place on American business. And we must help provide health insurance to those who do not have it.

We can provide health insurance tax credits to small employers. We can fund employer-based group-purchasing pools. We can increase funding for high-risk pools. We can expand Medicaid and the State Children's Health Insurance Program. We can permit a Medicare buy-in for the near-elderly.

We need to facilitate the use of health information technology. We need to use health IT to link medication administration to a patient's clinical information. We need to foster standards for the interoperability of health IT systems. We need to improve healthcare providers' ability to exchange clinical data. And we need to provide loans and grants to encourage the use of health IT. The Senate has passed legislation this session to further many of these health IT goals. The House must do it, too, and move quickly to provide higher Medicare reimbursements and work to improve quality of care, known as ''pay-for-performance.''

We should provide higher Medicare reimbursements to providers working to improve the quality of delivered care. And we should coordinate senior care to ensure adequate preventive care and chronic condition management. This year's Senate-passed spending reconciliation bill took the first steps toward pay-for-performance. Although there is much in that bill that gives me pause, we should enact those pay-for-performance changes.

Fifth, we must increase national savings to finance the investment and innovation of the next renaissance.

We need to plug the biggest leak in our national savings pool: the federal budget deficit. We need to truthfully

report current and future Federal Government spending needs. We need to restore pay-as-you-go rules for both entitlement spending and tax cuts.

We should reduce the annual tax gap. We should eliminate wasteful and unnecessary spending. We should eliminate wasteful and unfair tax breaks, such as abusive tax shelters and corporate tax loopholes. And we should slow the growth in healthcare costs.

We can increase private savings. We can improve financial education. We can encourage automatic enrollment of eligible workers in retirement savings plans. We can bring payroll-deduction retirement savings to private sector workers lacking 401(k)s or similar plans. We can make incentives for saving more progressive. And we can extend the Savers' Credit and expand it to Americans with no income tax liability.

Sixth, for a modern renaissance, we must address the need for sustainable and environmentally compatible sources of energy.

We can launch a new ''Manhattan Project'' to develop clean alternative energies. We can foster the use of hydrogen and fuel cells. We can foster wind energy. We can make a clear commitment to the development of biomass and ethanol-based fuels.

We should encourage energy R&D through research grants to industry and educational institutions and tax incentives for R&D. We should offer prizes to spur innovation.

We need an investment tax credit for coal gasification technology. We need a tax credit for companies that generate fuel using an updated version of the F–T process. And we need a Federal loan guarantee so that companies can finance these capital investments. This year's energy and highway bills addressed some of these needs.

Taken together, these policies form a bold agenda to advance American competitiveness. They can help maintain American economic leadership in the world. And they can help to preserve high-wage American jobs here at home.

Beginning next month, I will introduce a comprehensive 2006 legislative package to strengthen America's competitiveness in a changing world. This package will encompass several bills that cover the many aspects of competitiveness. I invite my colleagues to join me in this effort.

The early Renaissance poet, Dante Alighieri, embodied the spirit of his times when he wrote in The Divine Comedy that people ''were not born to live like brutes, but to follow virtue and knowledge.''

And from that grounding of virtue and knowledge flowed naturally Dante's description: ''And thence we came forth, to see again the stars.''

Let us follow virtue and knowledge and foster a new American renaissance. Let us strengthen America's competitiveness in a changing world. And let America again go forth, toward the stars.

I yield the floor, and 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. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ALLEN). Without objection, it is so ordered.

The Senator from North Dakota is recognized.

BAHRAIN FREE TRADE AGREEMENT

Mr. DORGAN. Mr. President, my understanding is that the Senate is taking up the free-trade agreement with Bahrain. Of all the priorities that exist in our country dealing with the subject of trade, somewhere close to last would be a trade agreement with Bahrain. Nothing against the country of Bahrain. I am sure it is a wonderful place. I have not actually visited there. But I believe the total trade between our country and Bahrain is somewhere in the neighborhood of $700 million, less than $1 billion on both sides of the ledger.

There are all kinds of trade problems our trade officials ought to be working on. But a free-trade agreement with Bahrain would not rank right near the top. Let me tell you what would rank near the top.

We are deep in debt with respect to international trade. This country is in desperate trouble with respect to trade. We are now experiencing a trade deficit of over $700 billion a year. That means every single day, 7 days a week, we buy more from abroad than we sell in exports, $2 billion a day every day 7 days a week. How long can a country sustain that?

We have lost 3 million jobs in this country in the past 4 years—3 million jobs—going to China, to Vietnam, Bangladesh, Indonesia, and more.

So what is all of this about? It is about a new strategy, a strategy developed in the past two to three decades, but accelerated now more recently. It is a strategy that says we are a global economy, and because it is a global economy, enterprises, corporations, and others should take a look around this world and find out where these 1 to 1.5 billion people are who will work for pennies an hour, employ them, shut down your U.S. manufacturing plant, hire the employees in China or Bangladesh, for example, and it will all work out because they will work for 30 cents an hour, and they will build bicycles and wagons and produce textiles and other things. And then you can ship it to a big box retailer in this country, and someone can walk through the front door of that big box retailer and buy a cheap product.

I noticed last year at Christmastime there was a woman from Texas who decided she was going to buy her children some presents, and she wanted to make a point of buying American made products. So she started shopping, and she discovered she could not purchase one present for her children that was made in the United States.

What does it mean? It means our country is changing and our country is, in my judgment, being hollowed out. Jobs are being lost, the middle class is shrinking because we have been told now American workers must compete with others around the world who are willing to work for 30, 40, 50 cents an hour, work without health insurance, without a retirement, and work under the threat, in many cases, if they would like to organize as workers, of being sent to prison.

I can actually give names of people now sitting in prison in China whose transgression was deciding to try to organize workers because the conditions in those plants were awful. So there are people who tried to organize workers, were arrested, and now are sitting in prison. Those are the conditions under which we are now trading.

One-third of our trade deficit, incidentally, is with the country of China. Last month, we sold China $3 billion worth of American goods—$3 billion. And we purchased from China $23 billion in goods.

China has almost 1.4 billion people, and we are told this is going to be a huge market for American production. The creation of a middle class in China is going to be terrific for our country because we will be able to produce and sell into the Chinese marketplace.

It is not working out that way, of course. What is happening is China sells us $23 billion worth of goods produced in China, and we sell them only $3 billion worth of goods produced in America, $20 billion-a-month trade deficit with China. On an annual rate, that is a $240 billion deficit with China in a year. That is unbelievable. And this Congress is perfectly content to dose through it all; in fact, probably a very satisfactory sleep for most because they still are willing to stand on street corners and chant about this so-called free trade that is not free at all.

Some will say, and I think perhaps most who have studied economics will say, that this is unsustainable. This country is headed toward some white-water rapids with these kinds of trade deficits. We are not only losing American jobs because American workers are being told they cost too much money, and we are going to produce elsewhere, but we are also up to our neck in debt.

Incidentally, the trade deficits are financed by selling part of our country.

Every single day we sell another $2 billion worth of our country to foreigners. That is the way the trade debt is financed.

In most recent months, one of General Motors' top executives called in about 300 of the top executives of the companies they buy parts from and said this to them: You are the companies from which we buy automobile parts. We want you to begin producing those parts in China. You need to move those parts to China. Get your production done in China. We are about driving down the costs.

Then we see Delphi, which was formerly part of General Motors and then spun off as the largest automotive parts producer, going through bankruptcy, and Delphi says to the public: The problem is we have people making $20 to $30 an hour. That is up to $40,000, $50,000, $60,000 a year. What we want to do is get to a point where we have people making $8 to $10 an hour. In fact, what we want to do is move most of our production offshore to China and elsewhere so we can pay 30 cents an hour. And then the jobs that are retained, we want to pay $8 to $10 an hour.

I ask this question of, yes, General Motors, IBM, and all of these companies engaged in this activity, and virtually all of them are: Who will be your future customers if your job is to lay off American workers so you can produce elsewhere where it is cheap in order to sell back into this established marketplace? Who is going to buy your laptop computers and your automobiles?

If we were going to do something representing a priority today for me on trade, I would deal with China first. But there are all kinds of bilateral trade problems with a number of major trading partners. Let me give you some examples.

I have mentioned many times that in the past year we will have shipped in well over 600,000 automobiles from Korea into this country. In return, we were able to send about 3,900 American vehicles to be sold in Korea. Sound fair? Sound reasonable? Sound like a thoughtful deal for America? The answer is clearly no.

What this means is shifting American jobs elsewhere, produce the cars in Korea, ship them to the United States, and if you start selling any U.S. vehicles in Korea, shut it down. That is what has happened. Incidentally, the Dodge Dakota pickup truck became a little bit popular for a couple of months in Korea. They saw that and shut it down just like that. They do not want American vehicles sold in Korea. They just want to sell their cars here.

China has 20 million cars on the road. It is estimated that by the year 2020 they will have 120 million cars on the road. They are gong to add 100 million cars because they want to start driving in China, even in the rural areas of China. General Motors says a Chinese company has stolen the production blueprints for one of its small cars. They have actually filed a legal action against the Chinese company for stealing what they call the production blueprints for a vehicle.

So a company in China called Chery, which is only one letter away from Chevy, is going to be producing a car called the QQ. The QQ is a car that will be produced in China with what General Motors alleges are the production blueprints that were stolen from General Motors.

Recent Wall Street Journal reports say that the Chinese are gearing up for a very substantial automobile industry, and they want to export around the world.

I ask unanimous consent for an additional 5 minutes.

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

Mr. DORGAN. They want to export those vehicles around the world so very soon. Unless something changes, China will be exporting automobiles as Korea is doing. Does anyone think China wants to take American vehicles into China? No, no. What they want to do is accept the American marketplace as a sponge for all that they produce.

I have spoken at great length on the Senate floor about the people who have lost their jobs in this country when their plants closed down. I talked about Pennsylvania House Furniture. In fact, I talked to the Governor of Pennsylvania about this. Pennsylvania House Furniture, the description of that for almost a century was using the finest Pennsylvania wood and producing high-end furniture, and when people bought Pennsylvania House furniture, they knew they were getting a real piece of furniture.

Well, La-Z-Boy bought that furniture company. After a couple of years, La-Z-Boy decided, we want to produce that furniture in China. The Governor of Pennsylvania and others tried to put together a financing package to keep the jobs in Pennsylvania, to do everything to see if they can keep in this country the Pennsylvania House Furniture Company that had been around a century.

The answer was no. La-Z-Boy said: Those jobs are going to China. Now what they do is ship the wood from Pennsylvania to China and pay the Chinese workers pennies on the hour to put the wood together in furniture and then send the furniture back to our country to be sold. Yes, it is Pennsylvania House furniture but not made in Pennsylvania. So those workers lost their jobs. Is it because they were not good workers? No, they were craftsmen. In fact, the very last piece of furniture they made in Pennsylvania they turned upside down and those craftsmen who made that furniture all signed their name on it, the last piece of furniture that company made in America by American workers. La-Z-Boy, which owned Pennsylvania House Furniture, decided, as so many others have, that those jobs had to go to China because they can pay pennies on the hour, they can work kids if you want to, they can dump the pollution into the sky and into the water, and they will not have anybody worrying about whether they are going to form a union because it will not be allowed. That is not fair trade. That is not something we should continue to allow in this country, stand by and thumb the suspenders and whistle a little bit while Americans lose those jobs and those jobs go to China and then come back to a big-box retailer to be sold at discount prices. Who ultimately is going to buy those products?

My point is this does not work. Instead of dealing with a range of issues, yes, with China, Korea, Canada, Mexico, Europe, with whom we have very large trade deficits and growing trade deficits, I might add, instead of dealing with that, talking about it, responding to that, trying to deal with this country's challenges in trade, we are on the Senate floor talking about the free trade agreement with Bahrain.

Where is the energy to do something real? Once again, it is a small moment to do a free trade agreement with Bahrain. It is a very small country in the middle of the Middle East. Our total trade with them, on both sides, is $700 million a year. We cannot get trade officials in this country, this administration or this Congress, to look truth right in the eye on these kinds of problems, the huge deficits, year after year, that are shipping jobs overseas. There is another corollary to this as well. The same companies that decide that they should not hire Americans, they should shut down the American plant and, by the way, do so with an encouragement by this Congress because this Congress gives them a tax break—and we voted I think four times on my amendment to shut down the tax break that subsidizes jobs going overseas, but, no, this Congress still wants to provide a tax subsidy to those companies that shut down their American plant and move jobs overseas. But this new environment in which companies do not say the Pledge of Allegiance any more but they are an international corporation, they want to produce where they can produce for pennies, they want to sell into this marketplace where they can get high-end consumers to buy it, and then at the same time, by the way, they want to run the income, if they can, through a mailbox in the Bahamas or the Caymans.

I want to mention that there is one building that is a five-story building in the Cayman Islands located on Church Street. I have brought a photo of it to

the Senate floor previously, and I should do that again at some point. That building is the official residence and address for 12,748 corporations.

Now, one might ask, how is it 12,748 corporations can share a residence or an address in a 5-story white building in the Cayman Islands? Simple. It is nothing more than an address.

What is the purpose of having an address in a 5-story white building in the Cayman Islands? So that one does not have to pay taxes to this country. Money can be moved through a tax haven and avoid paying U.S. taxes. So one is a U.S. company, they are chartered probably in Delaware, have all the advantages of being an American, but now the new economics tell them they should produce in China, sell in this marketplace and set up an address in a 5-story white building mailbox in the Cayman Islands, so that they can have all the opportunities that come with being an American, except the responsibilities to hire American workers or to pay American taxes. That is what is happening.

People say, well, that is just an anticorporate rant. It is not. I think there are some wonderful corporations in this country, some terrific corporations with inventive people, creative people, who have advanced this country, have produced wonderful, breathtaking products, but I think there is a culture in this country, with respect to trade and corporate responsibility, that has gone off the track. In this Congress, we cannot get anybody to talk about trade, except perhaps to come and stand around to talk about the Bahrain trade agreement on a Tuesday. Would it not be wonderful if we were talking about this full-blown crisis of $2 billion a day to date, $2 billion that we purchase from abroad more than we sell to abroad, and therefore today someone off the shores of this country owns $2 billion worth of this country. We are selling this country piece by piece.

A budget deficit in this country is financed in the traditional way, but a trade deficit is financed in a very different way. When we purchase those foreign goods, the trade deficit puts American currency in the hands of foreigners. They then use that currency to purchase real estate, stocks, bonds, to purchase part of this country. Every single day we are selling part of this country with an incompetent trade strategy, a jingoistic trade strategy that chants about free trade that has long ago been discredited. We ought to be describing circumstances of requiring fair trade. As a country, we ought be a leader in deciding, yes, let us expand trade in open markets, but it must be fair, and if it is not fair then this country is obligated to take the lead to insist on and demand fairness.

Our job ought to finally be to pull others up, not to push us down. What has happened more recently is we are pushing American workers down, pushing incomes down, the standard of living down in this country and seeing jobs exported, opportunity exported, and exporting part of our future. That is not satisfactory to me. I regret we are here talking about this free trade agreement when in fact we should be talking about the center, the bull's-eye of the target dealing with trade that is causing this hemorrhage of red ink and the loss of American jobs day after day after day.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. DAYTON. Mr. President, I ask unanimous consent I may speak for up to 10 minutes.

The PRESIDING OFFICER. The Senator has that privilege.

The Senator from Minnesota is recognized.

TRIBUTE TO LATE SENATOR EUGENE JOSEPH McCARTHY

Mr. DAYTON. Mr. President, I rise today to pay tribute to a great Minnesotan and great American, former Senator Eugene McCarthy, who passed away last Saturday at the age of 89. Senator McCarthy served two terms in this body, from 1958 to 1970, after serving five terms in the House of Representatives. In addition to his very distinguished legislative career, he is perhaps best remembered for his historic Presidential campaign in 1968, in which he deposed an incumbent President.

Eugene Joseph McCarthy was born on March 29, 1916, in Watkins, MN. He graduated from St. John's University in Collegeville, MN, in 1935, and then earned a master's degree in economics and sociology at the University of Minnesota.

After college, he spent 9 months as a novice in a Benedictine seminary. The world pulled him away, however, and he played semiprofessional baseball, taught high school social science, was a professor at his alma mater, St. John's, and then chaired the sociology department at St. Thomas University in St. Paul, MN.

During World War II he worked in a military intelligence division of the War Department. He married a fellow teacher, Abigail Quigley, with whom he had three daughters and a son. Abigail McCarthy passed away in 2001.

In 1948 Gene McCarthy was elected to the House of Representatives from Minnesota's Fourth Congressional District. While in the House, Congressman McCarthy founded McCarthy's Mavericks, which was the forerunner of the Democratic study group that would, in succeeding decades, be influential in developing many important legislative initiatives.

In 1952, he was the first Member of Congress to challenge Senator Joseph McCarthy in a nationally televised debate on foreign policy. That political courage presaged his decision 15 years later to challenge an incumbent President. In 1958, Congressman McCarthy defeated an incumbent Senator to become Senator McCarthy. He was reelected to the Senate in 1964 with over 60 percent of the vote. Then, in November of 1967, he announced his candidacy for President, challenging the incumbent President of his own party, Lyndon Johnson. In his announcement speech he said:

> I am hopeful that this challenge may alleviate this sense of political helplessness and restore to many people a belief in the process of American politics and of American government.

His candidacy ignited a new generation of political activists, many of them young college students who shaved, showered, and went ''Clean for Gene.'' They swarmed into New Hampshire for the first political contest of 1968. There they helped Senator McCarthy transform the political landscape by holding President Johnson to 49 percent of the vote in the Democratic primary, with 42 percent voting for Senator McCarthy. Seldom has a second-place finish been considered such a victory. Two weeks later, President Johnson withdrew his candidacy for reelection. Shortly thereafter, fellow Senator Robert Kennedy and fellow Minnesotan Vice President Hubert Humphrey entered the Presidential contest, two actions that Gene McCarthy would never forget or forgive.

The Democratic contest became divisive in subsequent primaries, then catastrophic with the assassination of Robert Kennedy, then destructive at the tumultuous national convention in Chicago that nominated Hubert Humphrey, not Gene McCarthy. The nominee and the party did not recover from that disastrous convention and Richard Nixon was elected President in November. The Vietnam war continued for 7 more years.

Gene McCarthy retired from the Senate in 1970 and never again held public office. Some of his later remarks, reflecting his disenchantment and his defiance, along with his acerbic wit, dismayed some Democrats and disillusioned former supporters. Gene McCarthy, however, was always his own man. He once said his definition of patriotism was ''to serve one's country not in submission, but to serve it in truth.''

He used his pen and his tongue to speak his own truth, regardless of the personal or political consequences. In that respect, he was a true patriot.

After he was decried by Johnson's supporters as a mere ''footnote in history,'' he retorted, ''I think we can say with Churchill, 'but what a footnote.'''

You are much more than a footnote, Senator McCarthy. You were a U.S. Senator. You made history and you changed history. You were true to

yourself, to your ideals and to your convictions. You were a poet, a philosopher, and a patriot, a great Minnesotan and a great American. May you rest in peace.

Mr. President, I yield the floor.

Mr. HARKIN. Will the Senator yield for a second before he does yield the floor?

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. I thank the Chair. I commend my colleague from Minnesota for taking the time to speak about an old friend, a remarkable politician, a remarkable Senator, Gene McCarthy.

In my younger days in Iowa, when they still had a bounty on Democrats in my State and Republicans ran everything, we always had the Democrats from Minnesota come down—McCarthy and Mondale and Humphrey, people such as that. But Gene McCarthy was a very rare, a unique individual. I was listening in the cloakroom to what the Senator from Minnesota was saying about Gene McCarthy. He had a way about him that was like Mark Twain. He had a great sense of humor. He could, like Mark Twain, say very succinctly what it might take others a paragraph to say. That was one of the qualities I always envied about McCarthy. I always thought, Gosh, why can't I say it like that? He had a great way with words.

Like Mark Twain, Gene McCarthy had the ability, with very few words, to puncture the inflated egos of puffed-up politicians. If you were on the other end of it, you didn't feel good about it. He had a way of doing it without being mean, but when you heard him—and he never attacked anyone but he did it in terms of what they stood for, what they were saying—you heard it and you realized McCarthy was right. He had a refreshing and disarming way about him in his approach to politics. He made his point and he made it well.

I do not know if my friend from Minnesota repeated the quote that was attributed to him in the newspaper that I read the other day, which I thought was McCarthy at his best. He said one time that being a politician is sometimes like being a football coach. You have to be smart enough to know how to play the game but dumb enough to think it's important.

Those of us who think all the things we do here are so grandiose should realize we pass on and others take our place. A lot of the things we do here, we may think are important and they are not that important.

So that was Gene McCarthy. He would say things that made you smile, made you think about things.

I say to my friend from Minnesota, I got out of the Navy in November of 1967 and I returned home to Iowa in 1968. At that point I was not active in politics. But like so many of my colleagues and friends in the Navy, I lost a lot of my friends in Vietnam. Slowly but surely over the 5 years that I was on active duty, I became convinced that the war in Vietnam should not go on, that it was wrong, that we ought to get out of there.

But, of course, I was in the Navy at the time. I couldn't say anything about it. I was a Navy person. So I thought, well, now that I am out maybe I can do something. I was looking for someone to give me advice. I was looking for someone out there who would stand up and take the lead on this—Gene McCarthy. Gene McCarthy was the first politician I ever met who wasn't afraid to say the ''emperor has no clothes.'' And once he did that, people realized, you are right; that this war in Vietnam was nonsensical, that we ought to bring an end to it. He encouraged a lot of young people. And I can still remember, and I will bet the Senator from Minnesota has the same memory. I had one of those daisies on the trunk of my car, a blue and white daisy with ''McCarthy'' on it. That was in 1968.

I think he brought a lot of young people in and gave a lot of young people encouragement that they could change the system and that they could make a difference.

Through his later years I became a friend of Gene McCarthy. In fact, when I ran for President in 1991, he was running again. So we found ourselves running against each other.

As we were both fading and Bill Clinton was winning everything, he drew me aside one time and said: Do you ever wonder why we are still here and what we are doing?

I said: Yes; I do wonder that sometimes.

He said: Well, we are here because the liberal position needs to be enunciated and fought for regardless of who the nominee is.

I am paraphrasing, but that is the way I remember him saying that.

I just wanted to take the time to commiserate with my good friend, Senator DAYTON, about a wonderful human being, a truly remarkable U.S. Senator, one of the most intelligent individuals to ever grace the floor of the U.S. Senate, and to remember his legacy, the legacy of having the courage of your convictions, of standing up for what you think is right, and once in a while don't take ourselves too seriously.

That was the Gene McCarthy I knew and loved. We will remember him always.

I thank my colleague from Minnesota for taking the time today to remember our good friend and departed colleague.

Mr. DAYTON. I think Senator McCarthy would be very impressed with the extemporaneous eloquence of the Senator from Iowa and very appreciative of his kind words. Of course, Iowa has the first Presidential contest. Back in those days, I would have seen a lot more of Senator McCarthy.

Mr. HARKIN. He would have taken me to task for talking so long. He would have said: You could have said that in 2 minutes.

Mr. DAYTON. I thank my friend.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, so ordered. The Senator from Iowa is recognized.

RECONCILIATION

Mr. HARKIN. Mr. President, I know that a motion to appoint conferees has not happened yet on the reconciliation bill, but I understand that the majority leader will sometime today be making that motion. It is a debatable motion, and obviously an amendable motion. I think there are maybe four or five different motions to instruct our conferees regarding the reconciliation bill.

I want to take the time now to talk about it, even though I have an amendment, but it is not timely to send the amendment to the desk. But I do want to talk about what that amendment will do and why I am going to be offering it.

Basically, it has to do with funding cuts for food assistance programs.

It has been a challenging year for all of us, especially here in the Senate. There have been many things upon which this Chamber disagreed. We have had some spirited debates and disagreements. The budget debate and ensuing reconciliation bill has been one of the most challenging of these debates.

But there are also times when agreement rather than discord characterize our proceedings.

While I disagreed with the underlying reconciliation bill passed by the Senate, I was pleased and proud of one of the sources of bipartisan agreement that we had both in committee and on the floor. It was the decision by the Senate not to cut food assistance programs for working Americans, for low-income working Americans.

The Committee on Agriculture, Nutrition, and Forestry considered such cuts. In fact, the President's budget included a proposal to cut the Food Stamp Program by nearly $600 million. But after careful examination of the Food Stamp Program, after deliberation in the committee, both Republicans and Democrats decided against any cuts to the Food Stamp Program.

I commend today, as I did at that time, our chairman, Senator CHAMBLISS, for listening carefully to committee members' concerns by looking

at this and for his conscientious decision not to include any such cuts in the committee-passed measure.

I commend as well many members of both parties who have objected to cutting food assistance programs through the reconciliation process.

There are many reasons food stamp cuts should not be enacted.

First, the Food Stamp Program is the first line of defense in the United States against hunger and food insecurity, providing food assistance to nearly 25 million Americans. It is also one of our largest child nutrition programs. Eighty percent of food stamp benefits—over $23 billion in 2005—go to families with children.

Another reason cutting food assistance is not appropriate is because the need is growing and not diminishing.

Just recently, a U.S. Agriculture Department study found that 38.2 million people lived in households that were food insecure in 2004, and that the number increased by nearly 2 million between 2003 and 2004.

Since 1999, the number of individuals classified by USDA as food insecure rose by 7 million people. These are significant numbers.

That any American should live in the shadow of hunger at the dawn of the 21st century is shocking and embarrassing. That the number has increased dramatically in the past 5 years is unacceptable.

We have also been reminded of another reason we shouldn't have food stamp cuts. We have been reminded by the numerous hurricanes and disasters this fall of the tremendous role that the Food Stamp Program plays in times of emergency. The Food Stamp Program rapidly provided emergency food assistance to approximately 2.2 million individuals affected by Hurricanes Katrina, Rita, and Wilma, allowing victims to obtain food assistance within days.

Finally, the Senate Agriculture Committee chose not to cut the Food Stamp Program because there is not much to cut. It operates efficiently and effectively.

For 5 years in a row, the error rate in the Food Stamp Program has declined to consecutive all-time lows.

Frankly, if there were fraud, waste, and abuse to go after, I would be the first in line to do so.

I say that because I have been on this Agriculture Committee in both the House and the Senate—this marks my 30th year. We have gone through a lot in the Food Stamp Program in that time. We have cut and trimmed. We have gone from food stamps to an electronic benefits card to cut down on fraud, waste, and abuse. It has worked well.

We have a program that by any measurement operates efficiently.

The farm bill we passed in 2002 included a major reform to the quality control system. Just last year, Congress made improvements to Federal child nutrition programs. Again, because of this bipartisan approach, which I believe kind of goes back to the Dole-McGovern years when they forged an alliance to ensure we had a bipartisan agreement on the Food Stamp Program, we have a sound, efficiently, effectively run program. There just is not any—I would not say there isn't any, but to go after what little abuse there may be would cost more than what is happening. We have tightened down on this program over the last 30 years. There is not much fraud, waste, and abuse to go after, so if Congress wants to make any cuts in the Food Stamp Program, they have to go after benefits.

I am pleased to say that was not an option either in the Senate Agriculture Committee or that the Senate wanted to consider.

However, not so across the Capitol. The House of Representatives passed a reconciliation bill that makes significant cuts to the Food Stamp Program of approximately $700 million. According to CBO, the Food Stamp Program cuts contained in the House reconciliation bill would eliminate food stamp benefits for at least 250,000 individuals. These are mainly working families with children and legal immigrants.

Right now in the Food Stamp Program, if you are a legal immigrant—forget about illegal immigrants; illegal immigrants have no access to the Food Stamp Program. I hear that all the time, but they have no access to it and they cannot get an electronic benefit card. But a legal immigrant must be here 5 years before that person can qualify for food stamps. That is the law right now. Now, they still have to meet standards. In other words, they still have to meet the standards of anyone else to be eligible, such as income standards, asset standards, and work requirements. They still have to meet these standards. Even if they meet these standards, they still have to wait 5 years.

The House extended it to 7 years. These are legal immigrants. These are people we want here. What does the sign on the Statue of Liberty say? Give me your tired, your poor. A lot of these people are tired, they are poor, but they are here to build a better life. They are working, they are legal, and their kids are in school here. Yet we want to make it even tougher.

The second thing they did is they changed the system whereby States have said, Okay, if you qualify for Temporary Assistance for Needy Families, then you automatically qualify for food stamps. It makes sense. In the 1990s we made a change to allow the States to align their programs. If you qualified for Temporary Assistance for Needy Families, then you used to have to go to another office to qualify for food stamps. It was twice the paperwork, twice the administrative burdens. We said, Why go through all of that? So we made a change that streamlined the program.

The House takes that out. The House bill takes a step backward from welfare reform. We put this in there for welfare reform back in the 1990s; they take a step backward. We tried to change it so we would move low-income families from welfare to work.

One of the provisions was to provide allow TANF recipients to automatically qualify for food stamps. The House now takes that away. It makes no sense. In fact, it will increase the burden on States. They will have to spend more money, and we will probably have to take people that now qualify off the food stamp rolls. These are low-income people who work and make money who now qualify because they qualify for Temporary Assistance for Needy Families. Yet these are the very people for whom we want to build a bridge. We want to get them off welfare and get them to work. A lot of times, part of that bridge is food stamps and making sure families have enough food to eat.

So all of the cuts the House made retreat from the bipartisan agreements Congress made in recent years to streamline and make the Food Stamp Program more effective and to make welfare reform work.

When the majority leader makes his motion to instruct conferees, I will be back in the Senate to offer a motion to instruct conferees on the reconciliation conference committee to reject cuts to Federal food assistance programs. I might add that we should have a lot of bipartisan support. Senator SMITH of Oregon and I are joining together to offer this amendment to instruct.

There was also a letter written by a number of Republican Senators recently asking that we not make cuts in the Food Stamp Program. I hope we can have a strong vote on this. We should have a recorded vote. I will ask for a recorded vote to send a strong signal to the House of Representatives that the Senate will not accept their food stamp cuts. By voting for this motion to instruct, the Senate can show that it stands side by side with working families, that we do not want to retreat from welfare reform. We do not want to retreat from the changes we have made to make this program meaningful and effective.

I will offer that motion at some point, I hope today—whenever the majority leader makes a motion to instruct the conferees.

LIHEAP

There are a couple of other items on which there will be motions made. There will be a motion offered by Senators COLLINS and REED, again, to instruct conferees to add $2.92 billion in

funding for the Low-Income Home Energy Assistance Program. That is the amount required to bring LIHEAP up to its authorized level.

The House reconciliation bill provides an additional $1 billion for LIHEAP. Unfortunately, because of the way the program works, my home state of Iowa would not receive additional funding under the House bill. My State of Iowa gets pretty darn cold, I can tell you. Last weekend I was out there, and it was 6 above zero.

In contrast, the level of funding provided in the Reed-Collins amendment provides an additional $24 million for LIHEAP in Iowa, money that I can say is desperately needed.

Last weekend when I was out there, I met with some families who have applied and have been qualified for LIHEAP. There was one woman with two children who lives in a rented house. She gets no child support from her husband. She works full time every day. The kids go to school. She has a low-income job. She qualified for LIHEAP at $319.

I mentioned that later on to someone, that I met this person who qualified for $319 LIHEAP. This individual said to me: Well, that is pretty good; that will take care of her heating bills for the month. But it is $319 for the year. A year. For Iowa, that means you have to buy heat in October, November, December, January, February, March, April—6, 7 months. That is $319 to help pay heating for 7 months. This individual thought that was for 1 month. I said: No, no, that is $319 for the year. And the price of natural gas—we heat with natural gas in Iowa—has gone up 40 percent in the last year. This program is desperately needed.

According to the Hawkeye Area Community Assistance Program in southeast Iowa, LIHEAP funds are likely to run out in mid-January, one of the coldest months of the year. Last week, I held a discussion in Spencer, IA, to hear firsthand from some citizens. Again, I want to tell you, these people are not just concerned about the high cost of home heating; they are in panic.

Now, because of a State law, they are not going to have utilities cut off. But in order to qualify and pay their bills, they may have to cut other necessities, such as medical care, prescription drugs, clothes, other things.

One of the women I spoke with is on disability. She is on an ''even pay'' program. This is where you pay the same amount every month so you do not get hit with a big bill in the wintertime. Last year, with LIHEAP assistance, she paid 9 percent of her income on heat—9 percent for heat. This year she figures it will be about 13 percent. Her ''even pay'' monthly bill—get this—last year was $39 a month. This year it is $68 a month, a 75-percent increase. This is a person with a disability, living alone, trying to heat her house.

For another woman, her even-pay bill was $72 a month last year. This year it is $84 a month. The testimony I listened to from these women is backed up by hard data. According to a statewide Iowa survey, more than 20 percent of households receiving LIHEAP report going without needed medical care or prescription drugs—1 out of 5. More than 10 percent reported going without food in order to pay their heating bill. And I can tell you the numbers are going to skyrocket this winter.

Last winter, about 86,000 Iowa households received an average of $317 in LIHEAP assistance. Keep in mind that is for the year. Most years, everyone who applies gets some level of assistance. But this year we are not so certain of that.

Community services agencies are being deluged with calls from panicked senior citizens and others who simply do not know how they are going to stay warm. Many have had their utilities cut off and they cannot make the past-due payments to get them turned back on. Others are being threatened with cutoffs just as we head into winter.

Of course, the catch-22 situation most people do not understand is that you cannot qualify for LIHEAP if your gas or electricity has been cut off. Let's say you did not make your payments this summer, so they did not connect you back up. You cannot qualify for LIHEAP now.

The other thing is a lot of low-income families who live in a small town or rural area, such as I do, heat their home using propane. I have a propane tank outside my house. That is how we heat our houses in small towns. Well, when they deliver propane, you pay for the whole thing at one time. That is unlike natural gas, for which once you have it coming in, they cannot cut you off. If you cannot pay your propane bill, you do not get it delivered. That hurts poor people in small towns such as mine. That is another thing we have to remember as to people who live in small towns and communities who heat their homes with propane.

We can do better. We need to boost the LIHEAP funding. I hope the motion that will be offered by Senator COLLINS and Senator REED to instruct the conferees to add $2.92 billion in funding for LIHEAP will again be supported by an overwhelming majority of the Senate.

Mr. President, there is one last one. A motion will be offered by Senator KOHL to instruct conferees to reject cuts in the Child Support Enforcement Program. Again, in the Senate last month when we debated the reconciliation bill, I offered a sense-of-the-Senate amendment opposing the House's drastic plan to gut the successful child support program—a $4.9 billion cut. The Senate accepted it on a voice vote, which around here is tantamount to unanimously accepting something.

It is not right, it is not ethical, it is not moral to cut a program that gave crucial funds to over 17 million children last year. But the bill approved by the House would slash funding for child support enforcement efforts by 40 percent over the next 10 years.

Again, CBO estimates that as a result of these cuts, more than $24 billion in delinquent payments will go uncollected in the next 10 years. This is money that goes directly to feed and clothe children. The biggest negative impacts will be felt by children living in poverty and children in low-income households. In my home State of Iowa, it is estimated that collections will drop by more than a third in the first year.

Now, keep in mind, this is not Government money going out for child support. This is the Government money we send out to States to help them collect child support from deadbeat dads. I think that is something we all support. Yet if you take away the funding that helps them go out and collect it, CBO estimates $24 billion will go uncollected in the next 10 years.

For families in poverty who receive child support, those payments account for an average of 30 percent of their income.

Why is the House doing this? Why would the House want to pull the rug out from underneath our efforts to collect child support payments—child support payments that benefit the most vulnerable, disadvantaged, neglected children in our society? Well, they are doing it in order to make room for yet another $60 billion in tax cuts—tax cuts that overwhelmingly benefit our wealthiest citizens.

Child support payments helped lift more than 1 million Americans out of poverty in 2002. As a result of what the House did, many of these people—and these are mostly children—will go back into poverty. This is cruel. It is counterproductive. Talk about penny wise and pound foolish. Because you take this away, these families will fall back into poverty. They then will end up on food stamps, Medicaid, TANF, Temporary Assistance for Needy Families, other forms of public assistance—unless you cut those, too. And guess what. The House bill cuts food stamps, cuts Medicaid, disconnects the food stamps from the TANF program. Think about what the House is doing here.

According to the Office of Management and Budget, for every $1 we spend on child support, $4.38 is recovered for families in child support payments. Not a bad deal. The President even praised this program.

Reforms have made the program effective. Since 1996, there has been an 82-percent increase in collections. With the House cut, deadbeat parents get off, kids suffer, and the goal of self-sufficiency becomes less attainable for more custodial parents trying to stay off of welfare.

Cutting this program is outrageous. I urge my colleagues again to send a

loud and clear message to the House and the American people that the Senate will not accept these cuts in the Child Support Enforcement Program.

Again, I wanted to talk about those three. Now I will offer one motion with Senator SMITH. Senator KOHL is going to offer another. Senator REED of Rhode Island and Senator COLLINS will be offering another.

Last evening, we met, conferees met on the Labor, Health and Human Services, Education appropriations bill. As you know, the Senate passed their version. The conference was abysmal in that the House insisted on all their provisions. It went back to the House. The House defeated it. So we went back to conference again last night.

I pointed out that there are three avenues of cuts that are going to hurt low-income families right before Christmas, at least Christmas to those of us who are of the Christian faith. Think about what is happening right before Christmas.

We are going to cut programs for some of the most vulnerable of our citizens in the Labor-HHS appropriations bill. We are cutting Head Start. We are cutting assistance programs in health. We are cutting programs such as LIHEAP that give people a little hope that they will have enough money to pay their fuel bills. We have all these cuts coming in the Labor-HHS bill.

But that is not the end of it. We now have this reconciliation bill that is going to cut the very things I talked about—the child support enforcement program, Medicaid, food stamp cuts. So we are going to whack the poor right before Christmas with the Labor-HHS-Education appropriations bill. We give them another backhand in the reconciliation bill, if we take what the House has. And then there is one more coming. It is my understanding that the DOD appropriations bill will have a 1-percent across-the-board cut in these discretionary programs, another cut to the most vulnerable of our citizens.

So right before Christmas, we say to the poor in this country, to the low-income families working and struggling to pay their heating bills, keep their families together, trying to make it through the winter: Hang your stockings. And guess what this Congress is going to put in them. Three lumps of coal.

That is what we are doing to the poor. I can't believe we are doing this right before Christmas. Yet right before Christmas, we are going to try to enact a tax cut of which over 50 percent goes to people making over $1 million. If my figures are right, I think less than 7 percent of the money in the tax cuts goes to people making less than $50,000 a year. Ninety percent goes to people making over $100,000 a year. The most vulnerable people work for the minimum wage, people who are making 8 bucks an hour. Guess what that is a year? That is 16,000 bucks a year. Try feeding two or three kids on that.

I don't understand how we can do this at this time of year. I don't understand how we can do it at any time of year. But you would think now our consciences would bother us in making these kinds of cuts. It is almost as if this Congress is trying to rewrite Charles Dickens' ''Christmas Carol.'' Remember Scrooge in the ''Christmas Carol'' has a change of heart at the end and sees clearly what the spirit of Christmas is all about. It is as if this Congress is rewriting Charles Dickens' tale and Scrooge does not have a change of heart right before Christmas. It is as if this Congress, if we proceed down this path—and it looks as though that is where we are headed—truly will be the Scrooge who is stealing the food from young kids, taking away hope that low-income families have, destroying the hope a lot of low-income families have. All for more tax cuts for some of the most privileged people.

We all have friends, a lot of friends who make a lot of money. I don't hear them clamoring for these tax cuts. In fact, what I hear them saying is: Why are you doing this? Why don't you take care of the business of the country? Why don't you do something about education and health care and getting people out of poverty and getting people jobs and getting people work? That would be a better use than giving the rich a few more dollars with which to buy another diamond or a wristwatch that costs $25,000. I saw a wristwatch advertised in the paper for $25,000. Why would anyone buy a wristwatch for $25,000. All it does is tell the time.

I have a watch. It might have cost me about 75 bucks. I have had it for 10 years. I had it repaired once.

I don't mind if people who have a lot of money want to spend it that way. But why are we cutting the taxes for these people and then, to make it up, cutting food stamps? It would be one thing if you could say with a straight face: We have to do it to cut the deficit. But guess what. Under this reconciliation bill the deficit goes up, not down. So with the tax cut we get a bigger deficit. And then we are still cutting food stamps, Medicaid, LIHEAP, and a number of other programs that are out there that help low-income people.

I hope at this time of year especially we will think long and hard about what we are doing around here and that we will come to our senses. The Senate has acted well. We acted in a good, bipartisan fashion to do these things. I hope tomorrow when we vote on the various motions to instruct, we will have that same bipartisan approach as we had before. Hopefully, there will be a new spirit across the Capitol in that House Members will agree to go along with the Senate provisions and not cut food stamps and LIHEAP and the child support enforcement program, among a number of others.

We await the majority leader making his motion. Until that point, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COBURN. 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 Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, I come to the floor to advise the American public. We just heard a very eloquent talk by the Senator from Iowa on the motion he plans to offer to instruct conferees on food stamps, but I think it is very important that the American people recognize that 1 out of every 19 people in this country who receive food stamps receive them illegally. In other words, they are not eligible.

In this motion to instruct, it states in No. 5:

> The Food Stamp Program operates efficiently and effectively with its error rate at an all-time low.

It is at an all-time low. It is 6.64 percent. In other words, 1 out of 14 who are getting food stamps have an error associated with what they are receiving, or 1 out of 15 or 16. But in terms of overpayments, 5.5 percent of the money spent, $1.6 billion, is spent on food stamps to people who don't qualify.

An easy way for us to control food stamps is to make the error rate less—in other words, to do a better job—instead of to gloss over and say we don't have a problem here and it is running efficiently and effectively. Anybody else in their own personal budget, if they were paying out 5.5 percent more than what they should be, would be quick to change that.

The Federal financial management oversight subcommittee which I chair had a hearing this year. It is true, they have reduced the error rate some. But a 6.9-percent overall error rate is unacceptable, and a 5.5-percent overpayment rate is highly unacceptable. In a time of tremendous budget deficits, in a time of war, and a time of natural disasters that have hit us greater than we have ever seen, accepting 5.5 percent and saying we can't do better is unacceptable. It is unacceptable by everybody who lives by a budget out there who is an American citizen. For us to have a motion to instruct to say that is good, that is effective, that is efficient, it is not the truth.

We need to be cognizant of the fact that we have a long way to go to help those people who need us with food but at the same time to not help those people who are cheating the system, who

are squandering money that would otherwise go to people who have needs when those people who don't have needs are stealing from the system. I think it is important for the record to reflect that.

Mr. ROCKEFELLER. Mr. President, this budget is about choices. We in Congress can choose to protect Medicaid, the Federal safety net for over 50 million Americans, by supporting the Baucus motion to instruct.

Or we can turn our backs on the millions of working families who would otherwise be uninsured without the Federal guarantee of Medicaid benefits by giving States the green light to charge more in monthly premiums than are charged in monthly premiums under Medicare; by allowing Medicaid cost-sharing that can grow six times faster than wages; by permitting States to provide fewer Medicaid benefits to recipients in rural areas than those offered to recipients in urban areas; and by asking hospitals, pharmacists, and other health care providers to continue to participate in the Medicaid program even if they cannot cover their costs.

If the Senate recedes to the House on Medicaid, then we will begin to undo one of the most important social programs of our time. And people and health care providers in our respective States will suffer greatly. In West Virginia, nearly 20 percent of our State's population—over 350,000 people—depend on Medicaid for access to health care.

Not only is it unfair to consider such draconian changes to the Medicaid Program in the context of meeting an arbitrary budget number, it is also unwarranted.

Some of my colleagues have argued that Congress must reduce spending in Medicaid in order to decrease the Federal deficit. I would remind my colleagues that this budget does not decrease the Federal deficit. Instead, this budget could increase the Federal deficit by $10 to $20 billion over the next 5 years. And that is not even considering the cost of adding more tax cuts.

Even more important is the fact that there are other options on the table besides Medicaid that provide more than enough savings to meet the $10 billion budget target set by Congress. Reducing Medicare overpayments to HMOs saves nearly $12 billion over 5 years alone.

America has a moral obligation to take care of its most vulnerable citizens. Programs that help low-income working families improve their lot in life should be the last resort when it comes to balancing the budget.

Not supporting this motion to instruct fails our Nation's pregnant women, children, the elderly, and the disabled.

I urge my colleagues to support this motion to instruct. The quality of life of 50 million Americans depends, on it.

HONORING OUR ARMED FORCES

CORPORAL JONATHAN F. BLAIR

Mr. BAYH. Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave young man from Fort Wayne. Jonathan Blair, 21 years old, died on November 19 in Bayji, Iraq when a roadside bomb exploded near his vehicle during a combat operation. With his entire life before him, Jonathan risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Remembered for his thoughtfulness and patriotism, Jonathan joined the Army shortly after graduating from Elmhurst High School in 2002. The attacks of September 11 inspired him to consider military service, but Jonathan also saw the military as a gateway to further knowledge and a potential ticket to a higher education. One of his high school teachers fondly recounted to the Fort Wayne Journal Gazette that Jonathan was a patriotic and ''cerebral'' student who would contemplate fully any answer in class. Another teacher remembered, ''Jonathan challenged you as a teacher to make him better as a student; he was just a really interesting kid.''

Jonathan was killed while serving his country in Operation Iraqi Freedom. He was a member of the 1st Battalion, 187th Infantry Regiment, 3rd Brigade Combat Team of the 101st Airborne Division based at Fort Campbell, KY.

Today, I join Jonathan's family and friends in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Jonathan, a memory that will burn brightly during these continuing days of conflict and grief.

Jonathan was known for his dedication to his family and his love of country. Today and always, Jonathan will be remembered by family members, friends, and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Jonathan's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: ''We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.'' This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Jonathan's actions will live on far longer that any record of these words.

It is my sad duty to enter the name of Jonathan Blair in the official record of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy, and peace. When I think about this just cause in which we are engaged and the unfortunate pain that comes with the loss of our heroes, I hope that families like Jonathan's can find comfort in the words of the prophet Isaiah, who said, ''He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.''

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Jonathan.

REMEMBERING ARMY SERGEANT FIRST CLASS MICHAEL C. PARROTT

Mr. SALAZAR. Mr. President, I rise to reflect for a moment on the service and life of SFC Michael Parrott of Tinmath, CO. Sergeant First Class Parrott was tragically killed last month while serving this Nation in Balad, Iraq. Today would have been Sergeant First Class Parrott's 50th birthday.

Mike Parrott was a native of Canton, NC, where he graduated from Pisgah High School in 1974 and went on to earn a degree from the University of North Carolina at Asheville. His 6-foot-tall frame made him hard to miss in a crowd, but it was his easy smile and brown eyes that first drew the attention of his wife, Meg, when she was a student at UNC-Asheville almost two decades ago. Mike Parrott was honest, opinionated, and unafraid to speak his mind. His wife, Meg, knew how unique Mike was when she discovered that he kept Voltaire in his bathroom. They celebrated their 19th wedding anniversary last month.

Mike Parrott was an avid fan of the outdoors and could often be found biking, camping and hiking, activities he and Meg often enjoyed together. Mike rode his bike to and from work, and made it a point to run every day. In fact, this past year, on the day of the Leadville Marathon, Sergeant First Class Parrott laced up his running shoes and ran 26.2 miles in the blazing Iraqi heat.

Sergeant First Class Parrott was a true American patriot. Sergeant First Class Parrott served in this Nation's armed forces for more than 15 years in active and reserve duties. Three years ago, he signed up for the National Guard, looking to reach his 20 years of service. He was a member of the 115th Field Artillery Brigade in Cheyenne and was on loan to the 28th Infantry of the Pennsylvania Army National Guard at the time of his death. He had already completed a year's tour in Kuwait with his Wyoming unit but signed up as a loaner to return to Iraq.

Sergeant First Class Parrott was an inspiring leader for the men who served under him, some less than half his age.

They looked up to his leadership and calm, affectionately calling him ''The Old Man.'' Sergeant First Class Parrott believed that he had a mission to help younger soldiers. He looked forward to being a mentor.

Sergeant First Class Parrott and his wife both disagreed with U.S. policy in Iraq, but he did not shrink from his duties. Instead, he rose honorably to serve his Nation in the time it called for his aid.

Mr. President, what becomes clear upon reflection is that SFC Mike Parrot loved this Nation. He loved its spirit of dissent and discussion. He loved its wide open spaces and natural wonders. He loved it for providing him the opportunity to be with his wife and family, his friends of so many years that gave him so much. He was the embodiment of Voltaire's remark: ''I may disagree with what you have to say, but I shall defend, to the death, your right to say it.''

To the family of SFC Mike Parrott, including his wife Meg Corwin and his mother Suzanne Parrott, know that the thoughts and prayers of an entire Nation are with you today. We are grateful for Mike's courageous service to the people of America and Iraq. The values he lived by will remain far beyond our time on this Earth, a humble legacy that will live on in every life he touched.

A FALLEN HERO: ARMY SERGEANT LUIS R. REYES

Mr. President, I also wish to reflect on a life of promise taken too soon from us—Army Sergeant Luis Reyes of my home State of Colorado.

Sergeant Luis Reyes was 26 years old, a member of the 947th Engineer Company of the Colorado National Guard based out of Durango. He was killed in Kuwait while on his way to Iraq.

A native of Denver, Luis was a husband of 6 years to his wife, Christina, and a father of two: Sienna and Nikko. Luis was devoted to his family and community, a man known for helping his friends and neighbors with repair jobs and who loved to work on his truck.

After graduating Montbello High School in Denver in 1997, Luis enlisted with the Army and married Christina after finishing basic training. He had just re-enlisted for another 3-year term with the Army and in one of his last phone calls home marveled to his wife about his service in the Middle East, telling her it was a ''whole other world.''

When Sergeant Reyes was killed, his unit was on its way to help Iraq with the complicated task of rebuilding its infrastructure and roads. It was an important mission, which will allow the far-flung villages of Iraq to connect once more with each other and foster the blessings of liberty.

A friend of Sergeant Reyes remembered him as a man who would go ''above and beyond'' the call of duty. With his service to this Nation, Luis Reyes did just that. He could have stayed with his young family in the safe confines of Aurora. But he had a passion for serving this Nation and accepted great risk on behalf of all of us.

Isaiah 25:8 teaches us, ''The Lord will swallow up death in victory; and the Lord will wipe away tears from off all faces.'' To Sergeant Reyes's wife, Christina, and his two young children, his mother Tomasa and his brother Roger, the thoughts and prayers of an entire Nation go with you during this difficult time. Luis served this Nation with honor and distinction and has left all of us forever in his debt. For that, we all offer our humble thanks.

TRIBUTE TO SPECIALIST GREGORY L. TULL

Mr. GRASSLEY. Mr. President, I rise today to honor one of our country's bravest, SPC Gregory L. Tull of Pocohontas, IA. Specialist Tull sadly died November 25, 2005, after an improvised explosive device detonated near his Humvee in Al Anbar province in Iraq. Specialist Tull served with the Iowa Army National Guard's 1st Battalion, 194th Field Artillery based in Storm Lake, IA. He was only 20 years old.

I ask that all Americans join me in remembering and honoring Specialist Tull. He was an upstanding and courageous soldier who fell far before his time. Our country has survived these many years due to the brave men and women who have served in our Armed Forces, and it greatly saddens me to announce that another young man has made the ultimate sacrifice for our country and for the freedom of Iraq.

LTC Gregory Hapgood of the Iowa Army National Guard remembered that Specialist Tull was ''a good guy that didn't shrink from responsibility,'' and was someone who ''wanted in on the action.'' During this crucial time in America's history, we should all remember Greg Tull's courage and dedication to his country.

We should also stand with Specialist Tull's parents, Eileen and Gary, and his brother, Bryan, and all his family in their time of grief. Our thoughts and prayers also go out to Gregory's friends, classmates, and all others who were lucky enough to know him. Greg Tull did not die in vain, but rather gave his life defending America and promoting freedom around the world. He will be sorely missed but also fondly remembered.

WORLD AIDS DAY

Mr. WYDEN. Mr. President, December 1, was World AIDS Day, and I wanted to take this time to both acknowledge the good work that is done around world to prevent and treat this disease and to acknowledge the need is still great around the world and in our own country to fund prevention, treatment, and support.

AIDS kills 3 million people each year, and 13,500 people are newly infected each day. AIDS has already left 15 million orphans in its wake. The theme of World AIDS Day 2005 was ''Keeping the Promise.'' To date, the United States has led the world in contributions to the Global Fund, providing one-third of all contributions. However, the statistics tell us that while we have come far, we still have far to go in preventing this tragic disease, including here at home.

We have experienced many medical miracles in the form of drugs that help people diagnosed with HIV/AIDS live healthier longer. Yet, we seem to be able to fund less and less of the services that help individuals stay healthy and maintain the structure of their lives.

I was recently visited by constituents who were either HIV positive or had full-blown AIDS. They told many moving stories about how their lives had been made better by programs that help them get health services, pay for their drugs, rent and provide other support services. Many of these programs are through the Ryan White Act.

The unmet need grows daily. For example, in Portland, the Russell Street Dental Clinic provides about $60,000 worth of services to HIV patients each month compared with about $15,000 a month 3 years ago. In 2003, a study was released that documented the service gaps in Oregon. The list of services for which there is not enough funding to meet the need is long and includes dental care, help with legal affairs, counseling, housing and help in paying rent or utilities, and transportation.

Despite an increased number of people living with HIV/AIDS, Ryan White funding has decreased. Many of the programs my constituents tell me help them are through Title I of the Ryan White Act. This title provides the vital core services of Medical care, mental health and substance abuse treatment, dental care, and case management.

The Oregon AIDS Drug Assistance Program has had to change eligibility and take other steps to limit enrollment because of budget constraints. This program helps individuals with their drug costs. I view it as a wise investment because it helps people stay healthier, working, and productive.

What I have heard from my constituents is sheer frustration that the programs they know work are yet again on the chopping block. I share their frustration. An investment in health care, whether abroad or in our own country, an investment in a community and in making that community healthier. I hope Congress keeps this in mind as we face difficult decisions about funding in the future.

I ask unanimous consent that my remarks be printed in the RECORD.

HUMANITARIAN ASSISTANCE FOR PAKISTAN

Mr. JOHNSON. Mr. President, this past year, the world has witnessed multiple natural disasters including the tsunami in South Asia and Hurricane Katrina in the gulf coast. Most recently, the devastating earthquake that struck northern Pakistan in early October has been equally catastrophic. More than 73,000 people were killed in the immediate aftermath, while tens of thousands more were wounded. Just as troubling, millions more have been left homeless having lost their life's possessions in this tragic event.

As Pakistan approaches the bitter winter months, many are still without adequate shelter. The United Nations estimates that at least 350,000 will remain in the mountainous regions of Pakistan through the winter and will require sufficient food and materials to winterize their tents in order to survive. Exacerbating the situation is the recent cancellation of helicopter sorties that deliver humanitarian relief due to deteriorating weather conditions. In addition, UNICEF is conducting a massive immunization campaign to vaccinate individuals from the measles following an outbreak at a camp outside of Muzaffarabad in early December. For all these reasons, it imperative that countries honor their commitments to this ravaged country to ensure humanitarian relief is provided to the victims of this tragedy.

To date, the international community and private industries have pledged aid for relief an reconstruction, and the United States has led the effort. After recognizing that our original pledge of $50 million would be inadequate to assist the victims, the United States substantially increased the amount of aid to Pakistan by pledging a total of $510 million.

In addition, the United States has provided rescue teams and aircraft to assist in locating victims in remote areas. The U.S. military has helped deliver humanitarian supplies, as well as evacuating casualties from the region. Currently a Mobile Army Surgical Hospital, MASH, unit has been established in the most devastated parts of the country to perform urgent surgery and attend to less critical patients.

While I applaud these efforts, we should remember that Pakistan has been a critical ally in the war on terror. Unfortunately, our image in the Muslim world has been distorted though propaganda and misperceptions of America's intent in the Middle East. Humanitarian aid can assist in dispelling these myths and will clearly demonstrate that the American people are deeply compassionate toward all those in need.

With the upcoming winter months, it will be vital that the international community continue to honor the commitments it has made to Pakistan. I believe that the United States should lead these efforts. We have a moral obligation to reach out and assist those who are so desperately in need, and I look forward to working with my colleagues to ensure the victims of this earthquake receive adequate humanitarian assistance.

ALLOWING A CONTINUING FRIENDSHIP

Mr. ALLARD. Mr. President, I rise today to discuss the future of Air Force TSgt. Jamie Dana and her working military dog Rex.

When our Nation's leaders called thousands of men and women in uniform to liberate Iraq from its most brutal dictator, Technical Sergeant Dana was among those brave citizens for whom the duty to her country comes before all other luxuries. Technical Sergeant Dana joined the Air Force in 1998 and volunteered to serve in Iraq. Her assignment included supporting Army personnel by clearing vehicles at checkpoints and searching buildings for booby traps and explosives. Jamie was never alone while performing her duties in Iraq. She was accompanied by a working military dog, Rex, a 5-year-old German shepherd. The duo had trained together in the military fo 3 years and deployed as a team first to Pakistan and then Iraq.

Last June, after completing another mission, Technical Sergeant Dana and Rex were traveling in an armored humvee when a roadside bomb exploded under her seat. She suffered severe wounds resulting in massive internal bleeding that required 19 blood transfusions. ''The helicopter ride was the scariest 45 minutes of my life,'' remembers Major Paul Morton, a member of the medical trauma team who helped save Jamie's life.

Even when facing death, Technical Sergeant Dana never stopped thinking about her friend and comrade Rex. While recuperating from the injuries she suffered in Iraq, Rex has always been in Jamie's prayers. Although her future in the Armed Forces remains uncertain to this day, Dana never questions her decision to go to war. As she stated in a recent interview, ''I had begged for it. I wanted to deploy. You want to feel like you're a part of it.''

After her military duty is over, Technical Sergeant Dana plans to become a different kind of vet—a veterinarian, a profession that I admire. Dana asked the Air Force for permission to adopt her beloved friend, and I commend the leadership of the Air Force and Senator WARNER for their efforts to find a legislative solution to Jamie's request. I fully support the inclusion of this solution in the Defense authorization conference report. The work of our Nation's military and political leaders demonstrates their willingness to express our humble gratitude to those who proudly wear our Nation's uniform and endanger their lives to protect the freedom that we often take for granted. Jamie's story traveled thousands of miles and warmed the hearts of her fellow Americans, as well as political and military leaders.

A simple act of Congress will allow Technical Sergeant Dana be reunited with Rex. Both Jamie and Rex gave their best in the fight to protect the ideals of liberty and courageously participated in the spread of democracy across the globe. The least this country can do to honor their service is to allow this friendship to continue.

STOLEN VALOR ACT

Mr. BURNS. Mr. President, today, I join my colleagues, Senators CONRAD, VITTER, SALAZAR, NELSON, JOHNSON, CHAMBLISS, THUNE, HAGEL, ISAKSON, LAUTENBERG, DOLE, and STEVENS, in cosponsoring S. 1998, the Stolen Valor Act of 2005.

During this Christmas season, our forces are deployed around the world, and many serve in hostile locations. Our service men and women continue to make great sacrifices abroad to ensure our safety here at home. It is our duty to recognize and honor that sacrifice and heroism. Unfortunately, some civilians have created elaborate lies to claim some of this honor as their own.

I am disturbed by stories of these despicable frauds who have tried to falsify heroic military records. These people wear medals that they did not earn, and claim honors which they do not deserve. This type of lie strikes at the very heart of the honor of our military and our Nation.

We must act now to protect the reputation of our military heroes with the full force of law. Those who seek to steal recognition that they have not earned must be held accountable and brought to justice. The Stolen Valor Act of 2005 does just that by enhancing penalties for making false claims in regard to personal medals awarded for combat action and valor, such as the Purple Heart, Distinguished Service Cross, Navy Cross, Air Force Cross, Silver Star, or Congressional Medal of Honor. This law will allow law enforcement officials to prosecute individuals who falsely claim to be recipients of these awards, and perpetrators may receive a sentence of up to 1 year as a result.

As a veteran, I will always seek to protect the honored place of our military heroes. I cherish the sacrifices of all veterans, and I will continue to do everything in my power to support and protect their interests. I look forward to working with my Senate colleagues to pass this important piece of legislation.

REPUBLICAN JEWISH COALITION AD SUPPORTING WAR ON TERROR

Mr. COLEMAN. Mr. President, Freedom is Worth Fighting For. That is the headline of a full page advertisement today in The New York Times. I was proud to add my name to this strong statement in support of our troops and our President in fighting the war on terror. The ad is sponsored by the Republican Jewish Coalition, a grassroots organization based in Washington, DC, with five full-time offices, 41 chapters, and over 20,000 members across our Nation.

The ad takes strong exception to a resolution approved last month by about 2,000 members of the Union for Reform Judaism—URJ—at a convention in Houston. The URJ resolution said, ''American Jews, and all Americans, are profoundly critical of this war and they want this administration to tell us how and when it will bring our troops home,'' and called the Iraq war ''unjust.'' The resolution reversed a 2002 URJ endorsement of the war and, according to news accounts, was adopted with very limited debate and only one person speaking against it.

As the Republican Jewish Coalition ad states, the URJ statement that American Jews oppose President Bush on Iraq is misleading and wrong. The URJ does not speak for me. Nor does it speak for all reform Jews or for the American Jewish community.

The Republican Jewish Coalition ad carries the signatures of 180 leaders and prominent figures in the Jewish community. In addition to my name, among those signing the newspaper ad are my colleague in the other body Representative ERIC CANTOR of Virginia, Hawaii Governor Linda Lingle, and two former chairmen of the Conference of Presidents of Major American Jewish Organizations, James Tisch and Kenneth Bialkin. Other signers include rabbis and cantors; as well as State and local elected officials.

The Republican Jewish Coalition ad contains several other important messages. It notes that we support the President and the war on terror. We stand behind our troops and their mission of creating a safe, democratic Iraq. This mission is vital, says the ad, not only for the continuing fight against terrorism and the stability of the Middle East, but also for making the world a safer place for our children. I believe this message of support is particularly important as the Iraqi people prepare to vote for a permanent government later this week.

We can never surrender to terrorism. Those who attacked us on September 11, 2001, will not hesitate to do so again if given the opportunity. We dare not encourage them by weakness and vacillation in our unrelenting war on terror.

I commend the Republican Jewish Coalition for its leadership on this vital issue. I am proud to stand with them in defense of freedom.

ADDITIONAL STATEMENTS

CALIFORNIA HIGHWAY PATROL OFFICER DAVID MARIN ROMERO: IN MEMORIAM

• Mrs. BOXER. Mr. President, Today I rise to honor and share with my colleagues the memory of a remarkable man, Officer David Marin Romero of the California Highway Patrol. Officer David Marin Romero spent 23 years with the California Highway Patrol, providing the citizens of California with safety and service. On September 23, 2005, while on motor patrol in the city of Industry, Officer Romero was struck and killed by a driver suspected to be under the influence of a controlled substance.

The California Highway Patrol was Officer Romero's passion. He began his career with the California Highway Patrol at the Riverside Station near his home, and a year later he transferred to the Sante Fe Springs Station, near his childhood community. Romero served the remainder of his career in Santa Fe Springs, giving back to his community. He loved riding his motorcycle and combined this with his passion for law enforcement to become a very successful motorcycle officer. Officer Romero's colleagues shall always remember his infectious grin, practical jokes, and commitment to his job.

Officer Romero was a devoted family man. He is survived by his wife Sandra and children, Austin, Windsor, David, Victor, and Vanessa. When he was not on duty, Officer Romero enjoyed spending time with his family, riding dirt bikes, and coaching his children's sports teams. Officer David Marin Romero served the State of California honorably and conscientiously, and fulfilled his oath as an officer of the law. Officer Romero gave his life while assisting those in peril or distress. His character, integrity, loyalty, and dedication to law enforcement are greatly appreciated and will never be forgotten.

Officer David Marin Romero sacrificed his life doing what he loved to do—providing protection for the community in which he was raised. We shall always be grateful for Officer Romero's heroic service and the sacrifices he made while protecting the community he loved.•

IN HONOR OF THE MEMORY OF NICK BRONZAN

• Mrs. BOXER. Mr. President, I rise to honor the memory of the late Nick Bronzan, a tireless champion for young people and seniors in central California. Mr. Bronzan, a long-time Fresno resident, passed away in the peaceful company of his family and loved ones on December 4, 2005. He was 90 years old.

Nick Bronzan, the son of Yugoslavian immigrants, was a true son of California's Central Valley. He was born in Stockton and spent his formative years in Manteca. A gifted athlete, Nick excelled as a football player at Fresno State College. Admired by his coaches and teammates for his great leadership qualities, Nick served as the captain of the 1939 championship team.

Upon graduation, Nick taught mathematics and coached a number of sports at Kerman High School for 5 years. Nick and his wife Peggy were beloved for all they did in both school and community activities. He would further his passion for helping young people by working for the YMCA in Fresno, Tulare, and Culver City. In 1961, Nick became the general secretary of the Fresno YMCA, and 7 years later, he was appointed as the executive director of the Central Valley YMCA. Throughout his professional career, Nick demonstrated an unyielding commitment to positively impact the lives of young people.

In his retirement, Nick generously lent his leadership and passion for community service to a number of very worthy and empowering causes. As director of the Fresno Foster Grandparents Program, he spearheaded a volunteer program for seniors to work with children lacking parents and families. Nick also began a house-sharing organization to increase and enhance older companionship. A powerful and determined advocate for the senior community, Nick successfully convinced businesses to hire senior watchmen to work late shifts. In 1984, he was appointed by then-California Assembly Speaker Willie L. Brown, Jr., to the California Commission on Aging and Long-Term Care. Whereas some see their golden years as a time to fade into the background in public life, Nick embraced it as an opportunity to continue to lead, to motivate others, and to make good things happen.

Nick Bronzan devoted 70 of his 90 years to community service. Nick selflessly gave his boundless energy, genuine compassion, and precious humanity to uplifting and empowering those who are most often neglected in our society: the young and the old. Nick has left behind a legacy of service and the admiration of those whose lives he touched over the years. He will be dearly missed.

Nick is survived by his wife Peggy; two daughters, Mary Bronzan and Ann McDonald; son, Bruce; five grandchildren and seven great-grandchildren. On December 11, more than 200 members of his family and friends gathered in Fresno to honor a rich life, well lived.•

TRIBUTE TO LINWOOD CARTER

• Mr. LUGAR. Mr. President, I rise today to pay tribute to and recognize the contributions of an individual who has dedicated three decades of his life to serving the U.S. Congress.

Linwood B. Carter II began his career with the Congressional Research Service in 1975 and will be embarking on a well-earned retirement shortly after the New Year. As an information research specialist in U.S. military and international security affairs, Linwood has responded to literally thousands of congressional research requests over the years with a level of professionalism and skill I have seldom encountered. In carrying out our responsibilities as legislators, we in the Senate and our colleagues in the House confront a constant need for accurate and timely information; often it has been through the efforts of Linwood Carter that those responsibilities have been met. His mastery of the Library of Congress's resources and the informational nooks and crannies in the world of international security affairs has been unsurpassed.

Linwood's dedication to serving the needs of Congress is unparalleled. His quiet professional demeanor will be sorely missed by Members, the Congressional Research Service, and by the Library of Congress. I would like to extend our thanks to him for his efforts on our behalf for the last three decades and to wish him the best in the years to come.●

COMMENDING THE INDIANA WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAM

● Mr. LUGAR. Mr. President, I rise today to commend the certification of the Indiana Civil Support Team and the support it will provide the people of Indiana in the event of an attack utilizing a weapon of mass destruction. During this holiday season, many prefer not to think of the horrors associated with nuclear, chemical and biological weapons, but the 22 members of the 53rd WMD–CST don't have that luxury. It is their job to help protect Hoosiers should a WMD attack occur in Indiana.

On November 28, 2005, the Pentagon announced that the Indiana Civil Support Team was fully ready to assist civil authorities in responding to a domestic weapon of mass destruction incident. Stationed in Indianapolis, the team possesses the requisite skills, training and equipment to make a difference in assisting first responders and local officials in the critical moments immediately following a nuclear, radiological, chemical or biological event. The CST is able to deploy rapidly, assist local first responders in determining the nature of the attack, provide medical and technical advice, and pave the way for the identification and arrival of follow-on State and Federal military response assets.

In March 2004, I was pleased to join with Governor Kernan and Senator BAYH to announce the creation of the WMD–CST in Indiana. The team is made up of highly skilled, full-time members of the Indiana National Guard and Reserve who have completed 20 months of intense training. The team is equipped with sophisticated detection, analytical, monitoring, communications and protective equipment and is under the command and control of Governor Mitch Daniels. This signifies another important step to ensuring that our country, the State of Indiana, and our local communities are prepared should we face terrorists armed with a nuclear, chemical or biological weapon.

Last week's announcement occurred with little fanfare and negligible public interest. This is unfortunate because the threat posed by the proliferation of weapons of mass destruction is the No. 1 national security threat facing our country.

Chemical weapons were introduced on the battlefields of World War I. Nuclear weapons ended World War II. Biological weapons were components of Cold War arsenals. The 20th century witnessed the brutal use of these powerful weapons by superpowers and nation-states. Technological advancements and the proliferation of weapons, materials and know-how have made weapons of mass destruction accessible to a growing number of national and non-state entities.

Despite the threat of nuclear annihilation throughout the standoff between the United States and the Soviet Union, it was unfathomable that a religious sect could acquire the means to attack a major metropolitan subway system with biological weapons. Yet the Aum Shinrikyo dispersed anthrax in a Tokyo train station in March 1995. Who would have expected rebels from a remote region of the Caucasus to threaten the detonation of a radiological weapon in a Moscow park? Chechens did that in November 1995. Even more difficult to believe would have been the notion that the leader of a deadly terrorist organization would announce that it was the organization's mission to acquire a weapon of mass destruction and use it against the United States. Osama bin Laden did that in December 1998.

The use of a weapon of mass destruction in the United States could cripple our economy, lead to the fall of our Government, and threaten large segments of our population with disease and death. During the Cold War, the Soviet Union had the resources and incentives to carefully guard and maintain these weapons and the scientific knowledge that produced them. But the political collapse of the Moscow government was accompanied by a broader economic collapse throughout the vast nation. Not only did Russia and the other successor states have few resources for maintaining the Soviet-era arsenal, they could not even afford to adequately pay members of the military and scientific community who had responsibility for safeguarding the weapons and related technology. The United States faced the grim possibility that weapons previously held in impenetrable Soviet facilities and technology previously restricted to the minds and computers of elite Soviet scientists could be stolen or sold to the highest bidder.

As a country, we must acknowledge that the weapons that haunted the Cold War are now available to irrational and undeterrable foes. While the threat of nuclear attack from the Soviet Union was awesome, it was certain, in that we knew who and where our enemy was and had the ability to hold them at equal peril. The post–Cold War security environment is anything but certain. Battles are no longer determined by armored divisions taking and holding large swaths of territory, nor is strategic competition marked by the building of the biggest bomb or the longest range missiles. A small group of fanatics with the right contacts and resources can obtain and utilize a weapon of mass destruction that could destroy or make unlivable large portions of Washington, DC, New York, or Chicago. Similarly, toxins introduced into our food supply and distribution systems could spread disease and panic.

There is no silver bullet to these threats. U.S. security will be secured by small numbers of American Government officials and contractors working with former enemies to eliminate the weapons that could threaten the future of our country. It will also depend on American allies working closely and effectively in detecting and interdicting these weapons and local police officers, medical personnel, and guardsmen preparing to respond to a WMD event.

Since the end of the Cold War, I have worked with colleagues here in Congress and the executive branch to defend the American people from these threats. I have often described the best strategy to deal with the WMD threat as ''defense in depth,'' layers of defensive efforts designed to stop a nuclear, chemical and biological weapon from reaching our shores.

The first line of defense is prevention and entails activities at the source to stop weapons, materials and know-how from leaving their current locations. The second is detection and interdiction and involves efforts to stem the flow of illicit trade in these weapons and materials at foreign and domestic borders. The third line of defense is crisis and consequence management and requires domestic preparedness should such threats turn into hostile acts. Individually, each of these lines of defense is insufficient; together, they help to form the policy fabric of an integrated defense-in-depth.

In 1991, I joined with Senator Sam Nunn and co-authored the Nunn-Lugar, Cooperative Threat Reduction Program. The program's goal is to address

the threat posed by nuclear, chemical, and biological weapons at their source. Over the program's first decade and a half it has focused on the threats emanating from the former Soviet Union. When the USSR crumbled, it had the largest nuclear, chemical, and biological arsenals in the world. The next day, four new independent countries emerged from the ashes with nuclear weapons. The totalitarian command and control system that secured the chemical and biological weapons arsenals and infrastructure disappeared. Divisions of ballistic missiles, wings of long-range bombers, and fleets of strategic missile submarines were left with a bankrupt, dysfunctional master and numerous individuals and organizations seeking to steal them.

The Nunn-Lugar Program has made excellent progress in eliminating these threats. Ukraine, Belarus, and Kazakhstan emerged as the third, fourth and eighth largest nuclear powers in the world. Today all three are nuclear weapons free. More than 6,760 nuclear warheads, each capable of destroying an American city, have been deactivated. Nearly 2,000 intercontinental ballistic missiles fired from land-based silos, missile submarines, and bombers have been eliminated. Two-thirds of the Soviet Union's strategic bomber force and over half of its strategic submarine force have been destroyed.

The Soviet Union also left behind enormous quantities of chemical and biological weapons materials. Russia declared a chemical weapons stockpile of 40,000 metric tons stored under questionable. A public accounting of the Soviet biological weapons programs has never been made, but it is believed to be the largest and most advanced in the world. Tens of thousands of scientists, engineers, and technicians had assisted in the development of the Soviet Union's weapons of mass destruction. With the economies of Russia and other republics in bad shape, many of these experts faced unemployment, and concerns existed that they might have an incentive to sell their skills to other countries and terrorist organizations. In each of these cases, Nunn-Lugar has responded with innovative dismantlement strategy for the chemical weapons stocks, elimination of biological weapons production capacity and security upgrades for pathogen collections, and partnering with the private sector to find long-term, peaceful employment for former weapons experts.

Nunn-Lugar has also taken on formerly top-secret missions to remove dangerous weapons and materials before they could fall into the wrong hands. In November 1994, the United States launched Project Sapphire to remove 600 kilograms of highly enriched uranium from Kazakhstan and ship it to Oak Ridge, TN. More recently, Operation Auburn Endeavor was carried out in Georgia to remove HEU and transport it to Scotland. In Moldova, the United States removed fourteen MIG–29s capable of launching nuclear weapons because of efforts by a number of rogue states to acquire them.

Despite the progress we made in the former Soviet Union, the skills and capabilities of the Nunn-Lugar Program were confined to that geographical region. In 2004, Congress changed that by approving the Nunn-Lugar Expansion Act which authorized the use of up to $50 million in Nunn-Lugar funds for activities outside the former Soviet Union. This authority will be used for the first time in Albania to destroy nearly 16 tons of chemical weapons and consideration is being given for the program to work in Libya and countries in Southeast Asia.

Earlier this year, I joined with Senator BARACK OBAMA to introduce legislation focused on improving the capabilities of other nations to detect and interdict weapons and materials of mass destruction and bolstering, expanding, and improving the second line of defense. The United States military and intelligence services cannot be everywhere. We need the cooperation and vigilance of like-minded nations if we are to successfully detect and interdict WMD threats before they can be used against their targets. The United States has constructed the Proliferation Security Initiative, which enlisted the participation of other nations in the interdiction of WMD, but it lacks a coordinated effort to improve the capabilities of our foreign partners so that they can play a larger and more effective role.

The Lugar-Obama bill earmarks 25 percent of the Nonproliferation, Antiterrorism, Demining, and Related Programs account to address the shortcomings in the State Department's response. If currently law, this would have amounted to $110 million this year. Our bill goes one step further by calling on the State Department to also commit 25 percent of annual foreign military financing amounts to nations for the purchase of equipment to improve their ability to detect and interdict WMD. This would represent a potent but flexible tool that could help build a network of WMD detection and interdiction capabilities world wide and contribute to U.S. national security.

Senator OBAMA and I recently wrote in the Washington Post that the United States cannot stop the proliferation of weapons of mass destruction alone. We need the vigilance of like-minded nations, but many of our potential partners lack the capability to detect hidden weapons and interdict shipments. We believe our legislation will address this gap.

If weapons or materials of mass destruction elude U.S. programmatic efforts at the source, at international borders, and our own borders, the next line of defense must take the form of help to local ''first responders''—the firemen, police, emergency management teams, and medical personnel who will be on the front lines.

In 1996, I joined my colleagues Sam Nunn and PETE DOMENICI in offering the Nunn-Lugar-Domenici ''Defense Against Weapons of Mass Destruction'' legislation. For the first time, it directed the professionals from the Department of Defense, Department of Energy, Federal Bureau of Investigation, Department of Health and Human Services, the Federal Emergency Management Agency, and the Environmental Protection Agency to join into a partnership with local emergency professionals in cities across the country, including Indianapolis and Fort Wayne.

The Pentagon developed plans to supply training and equipment to 120 cities across the country. In February 1998, the Nunn-Lugar-Domenici Domestic Preparedness Program visited Indianapolis and Marion County. Six hundred fifty first responders received training to respond to nuclear, chemical and biological incidents. In the years that followed, thousands of additional professionals received instruction through the program's train-the-trainer program. In 2000, Fort Wayne and Allen County received similar training under the Nunn-Lugar-Domenici Program.

The training proved its worth when Indianapolis was confronted with the threat of weapons of mass destruction. Planned Parenthood clinics in Indianapolis and New Albany and at St. Matthews Catholic Church and elsewhere received anthrax threats. We were relieved that the threats were determined to be false but proud to see the professional manner in which the city's first responders reacted to the threat and treated the potential victims.

Over the last 15 years, I have worked closely with both Bush administrations and President Clinton to safeguard the American people from the threats associated with weapons of mass destruction. We still have much work to do, but the certification of the Indiana WMD–CST makes the people of Indiana safer. I am thankful that in the event of a WMD incident, the people of Indiana will not be alone. Local first responders and the WMD–CST will be there to provide assistance and expertise.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages

from the President of the United States submitting sundry nominations and withdrawals which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 4096. An act to amend the Internal Revenue Code of 1986 to extend to 2006 the alternative minimum tax relief available in 2005 and to index such relief for inflation.

H.R. 4388. An act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

H.R. 4440. An act to amend the Internal Revenue Code of 1986 to provide tax benefits for the Gulf Opportunity Zone and certain areas affected by Hurricanes Rita and Wilma, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–4769. A communication from the Special Assistant to the President and Director, Office of Administration, Executive Office of the President, transmitting, pursuant to law, the personnel report for personnel employed in the White House Office the Executive Residence at the White House, the Office of the Vice President, the Office of Policy Development (Domestic Policy Staff), and the Office of Administration; to the Committee on the Budget.

EC–4770. A communication from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Extraordinary Contractual Actions'' (DFARS Case 2003–D048) received on November 28, 2005; to the Committee on Armed Services.

EC–4771. A communication from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Subcontracting Policies and Procedures'' (DFARS Case 2003–D025) received on November 28, 2005; to the Committee on Armed Services.

EC–4772. A communication from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Update of Clauses for Telecommunications Services'' (DFARS Case 2003–D053) received on November 28, 2005; to the Committee on Armed Services.

EC–4773. A communication from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Acquisition of Telecommunications Services'' (DFARS Case 2003–D055) received on November 28, 2005; to the Committee on Armed Services.

EC–4774. A communication from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Contract Administration'' (DFARS Case 2003–D023) received on November 28, 2005; to the Committee on Armed Services.

EC–4775. A communication from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Information Technology Equipment—Screening of Government Inventory'' (DFARS Case 2003–D054) received on November 28, 2005; to the Committee on Armed Services.

EC–4776. A communication from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Contract Modifications'' (DFARS Case 2003–D024) received on November 28, 2005; to the Committee on Armed Services.

EC–4777. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a nomination for the position of General Counsel, received on November 28, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–4778. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of the designation of an acting officer for the position of Assistant Secretary, received on November 28, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–4779. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary, received on November 28, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–4780. A communication from the Deputy Executive Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Parts 4022 and 4044) received on November 28, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–4781. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Devices; General and Plastic Surgery Devices; Classification of the Low Energy Ultrasound Wound Cleaner'' (Docket No. 2005P–0366) received on November 28, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–4782. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Federal Enforcement in Group and Individual Health Insurance Markets'' (RIN0938–AN35) received on November 28, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–4783. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Hospice Care Amendments'' (RIN0938–AJ36) received on November 28, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–4784. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Electronic Submission of Medicare Claims'' (RIN0938–AM22) received on November 28, 2005; to the Committee on Finance.

EC–4785. A communication from the Chairman, International Trade Commission, transmitting, pursuant to law, the Buy American Act Report covering fiscal year 2004; to the Committee on Finance.

EC–4786. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—December 2005'' (Rev. Rul. 2005–77) received on November 28, 2005; to the Committee on Finance.

EC–4787. A communication from the Unit Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revenue Procedure: Reduction of Penalty for Understating Tax by Adequate Disclosure of an Item on Return'' (Rev. Proc. 2005–75) received on November 28, 2005; to the Committee on Finance.

EC–4788. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Market Segment Specialization Paper: Audit Technique Guide—Retail Industry'' received on November 28, 2005; to the Committee on Finance.

EC–4789. A communication from the Regulatory Officer, Directives and Regulations Branch, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Travel Management; Designated Routes and Areas for Motor Vehicle Use; Final'' (RIN0596–AC11) received on November 28, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4790. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Tralkoxydim; Pesticide Tolerance'' (FRL7722–6) received on November 28, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4791. A communication from the Secretary of the Interior, transmitting, pursuant to law, a report regarding the future of Rocky Flats National Wildlife Refuge; to the Committee on Energy and Natural Resources.

EC–4792. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled ''Report to Congress on Energy Savings Performance Contracts''; to the Committee on Energy and Natural Resources.

EC–4793. A communication from the Director, Office of Management, Department of Energy, transmitting, pursuant to law, the Buy American Act Report for fiscal year 2004; to the Committee on Energy and Natural Resources.

EC–4794. A communication from the Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled ''Annual Energy Review 2004''; to the Committee on Energy and Natural Resources.

EC–4795. A communication from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting pursuant to law, the report of a rule entitled ''Application Procedures, Execution

and Filing of Forms: Correction of State Office Address for Filings and Recordings, Proper Offices for Recording of Mining Claims'' (RIN1004–AD77) received on November 28, 2005; to the Committee on Energy and Natural Resources.

EC–4796. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law the report of a rule entitled ''North Dakota Regulatory Program'' (ND–048–FOR) received on November 28, 2005; to the Committee on Energy and Natural Resources.

EC–4797. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law the report of a rule entitled ''Illinois Regulatory Program'' (IL–103–FOR) received on November 28, 2005; to the Committee on Energy and Natural Resources.

EC–4798. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law the report of a rule entitled ''Alaska Regulatory Program'' (AK–006–FOR) received on November 28, 2005; to the Committee on Energy and Natural Resources.

EC–4799. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Cuban Emigration Policies''; to the Committee on Foreign Relations.

EC–4800. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under contract in the amount of $50,000,000 or more to Taiwan and Israel; to the Committee on Foreign Relations.

EC–4801. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under contract in the amount of $100,000,000 or more to France, Austria, Germany, Italy, Spain, and the United Kingdom; to the Committee on Foreign Relations.

EC–4802. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 05–277–05–290); to the Committee on Foreign Relations.

DISCHARGED NOMINATIONS

The Senate Committee on Commerce, Science, and Transportation was discharged from further consideration of the following nominations and the nominations were placed on the Executive Calendar:

Michael Joseph Copps, of Virginia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2005.

Deborah Taylor Tate, of Tennessee, to be a Member of the Federal Communications Commission for the remainder of the term expiring June 30, 2007.

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 as indicated:

By Mr. NELSON of Florida:

S. 2084. A bill to direct the Consumer Product Safety Commission to issue regulations concerning the safety and labeling of portable generators; to the Committee on Commerce, Science, and Transportation.

By Mr. BAUCUS:

S. 2085. A bill to provide a supplemental payment to assist agricultural producers in mitigating increasing input costs, including energy and fertilizer costs; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LAUTENBERG (for himself and Mr. SMITH):

S. 2086. A bill to amend the Internal Revenue Code of 1986 to modify the definition of compensation for purposes of determining the limits on contributions to individual retirement accounts and annuities, and for other purposes; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 2087. A bill to amend the Immigration and Nationality Act to provide for the employment of foreign agricultural workers, and for other purposes; to the Committee on the Judiciary.

By Mr. ALLARD (for himself and Mr. ENZI):

S. 2088. A bill to assist low-income families, displaced from their residences in the States of Alabama, Louisiana, and Mississippi as a result of Hurricane Katrina, by establishing within the Department of Housing and Urban Development a homesteading initiative that offers displaced low-income families the opportunity to purchase a home owned by the Federal Government and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. AKAKA (for himself and Mr. INOUYE):

S. 2089. A bill to designate the facility of the United States Postal Service located at 1271 North King Street in Honolulu, Oahu, Hawaii, as the ''Hiram L. Fong Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEVIN:

S. 2090. A bill for the relief of Ibrahim Parlak; to the Committee on the Judiciary.

By Mr. JOHNSON:

S. 2091. A bill to amend title 38, United States Code, to provide for certain servicemembers to become eligible for educational assistance under the Montgomery GI Bill; to the Committee on Veterans' Affairs.

By Mr. BAUCUS:

S. 2092. A bill to amend the Internal Revenue Code of 1986 to authorize review by the Joint Committee on Tax of Federal income tax returns of United States Supreme Court nominees, and for other purposes; to the Committee on Finance.

By Mr. MCCAIN (for himself and Mr. DORGAN):

S. 2093. A bill to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to provide funds for training in tribal leadership, management, and policy, and for other purposes; considered and passed.

By Mr. MCCAIN (for himself and Mr. DORGAN):

S. 2094. A bill to reauthorize certain provisions relating to Indian tribal justice systems; considered and passed.

By Mr. BIDEN:

S. 2095. A bill to ensure payment of United States assessments for United Nations peacekeeping operations in 2005 and 2006; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 521

At the request of Mrs. HUTCHISON, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 521, a bill to amend the Public Health Service Act to direct the Secretary of Health and Human Services to establish, promote, and support a comprehensive prevention, research, and medical management referral program for hepatitis C virus infection.

S. 707

At the request of Mr. ALEXANDER, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Indiana (Mr. BAYH), the Senator from South Dakota (Mr. JOHNSON) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 707, a bill to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

S. 716

At the request of Mr. AKAKA, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 716, a bill to amend title 38, United States Code, to enhance services provided by vet centers, to clarify and improve the provision of bereavement counseling by the Department of Veterans Affairs, and for other purposes.

S. 737

At the request of Mr. CRAIG, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 737, a bill to amend the USA PATRIOT ACT to place reasonable limitations on the use of surveillance and the issuance of search warrants, and for other purposes.

S. 908

At the request of Mr. MCCONNELL, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 908, a bill to allow Congress, State legislatures, and regulatory agencies to determine appropriate laws, rules, and regulations to address the problems of weight gain, obesity, and health conditions associated with weight gain or obesity.

S. 1100

At the request of Mr. BUNNING, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1100, a bill to amend the Internal Revenue Code of 1986 to provide capital gains treatment for certain self-created musical works.

S. 1120

At the request of Mr. DURBIN, the names of the Senator from Maryland (Mr. SARBANES) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 1120, a bill to reduce

hunger in the United States by half by 2010, and for other purposes.

S. 1313

At the request of Mr. CORNYN, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1313, a bill to protect homes, small businesses, and other private property rights, by limiting the power of eminent domain.

S. 1508

At the request of Mr. FEINGOLD, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1508, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 1538

At the request of Mr. ROCKEFELLER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1538, a bill to amend the Internal Revenue Code of 1986 to expand the incentives for the construction and renovation of public schools.

S. 1687

At the request of Ms. MIKULSKI, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1687, a bill to amend the Public Health Service Act to provide waivers relating to grants for preventive health measures with respect to breast and cervical cancers.

S. 1733

At the request of Mr. THUNE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1733, a bill to establish pilot projects under the medicare program to provide incentives for home health agencies to utilize home monitoring and communications technologies.

S. 1791

At the request of Mr. SMITH, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 1791, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for qualified timber gains.

S. 1801

At the request of Mr. HAGEL, his name was added as a cosponsor of S. 1801, a bill to amend the McKinney-Vento Homeless Assistance Act to reauthorize the Act, and for other purposes.

S. 1841

At the request of Mr. NELSON of Florida, the names of the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Washington (Ms. CANTWELL), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Maryland (Ms. MIKULSKI) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 1841, a bill to amend title XVIII of the Social Security Act to provide extended and additional protection to Medicare beneficiaries who enroll for the Medicare prescription drug benefit during 2006.

S. 1881

At the request of Mrs. FEINSTEIN, the names of the Senator from Minnesota (Mr. COLEMAN) and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 1881, a bill to require the Secretary of the Treasury to mint coins in commemoration of the Old Mint at San Francisco otherwise known as the ''Granite Lady'', and for other purposes.

S. 1952

At the request of Mr. COLEMAN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1952, a bill to provide grants for rural health information technology development activities.

S. 1991

At the request of Mr. BURR, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 1991, a bill to amend title 38, United States Code, to establish a financial assistance program to facilitate the provision of supportive services for very low-income veteran families in permanent housing, and for other purposes.

S. 2075

At the request of Mr. DURBIN, the names of the Senator from Maine (Ms. COLLINS), the Senator from Arkansas (Mr. PRYOR), the Senator from Nevada (Mr. REID), the Senator from Rhode Island (Mr. CHAFEE) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 2075, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 2076

At the request of Mr. HATCH, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2076, a bill to amend title 5, United States Code, to provide to assistant United States attorneys the same retirement benefits as are afforded to Federal law enforcement officers.

S. 2082

At the request of Mr. SUNUNU, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 2082, a bill to amend the USA PATRIOT ACT to extend the sunset of certain provisions of that Act and the lone wolf provision of the Intelligence Reform and Terrorism Prevention Act of 2004 to March 31, 2006.

At the request of Mr. LEAHY, the names of the Senator from California (Mrs. BOXER), the Senator from Illinois (Mr. OBAMA), the Senator from Massachusetts (Mr. KERRY) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 2082, supra.

S.J. RES. 22

At the request of Mr. DURBIN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S.J. Res. 22, a joint resolution proclaiming Casimir Pulaski to be an honorary citizen of the United States posthumously.

S. CON. RES. 64

At the request of Mr. CRAIG, his name was added as a cosponsor of S. Con. Res. 64, a concurrent resolution expressing the sense of the Congress regarding oversight of the Internet Corporation for Assigned Names and Numbers.

S. RES. 180

At the request of Mr. SCHUMER, the names of the Senator from Nevada (Mr. REID) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors of S. Res. 180, a resolution supporting the goals and ideals of a National Epidermolysis Bullosa Awareness Week to raise public awareness and understanding of the disease and to foster understanding of the impact of the disease on patients and their families.

S. RES. 320

At the request of Mr. ENSIGN, the names of the Senator from California (Mrs. BOXER), the Senator from California (Mrs. FEINSTEIN) and the Senator from New Hampshire (Mr. SUNUNU) were added as cosponsors of S. Res. 320, a resolution calling the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. NELSON of Florida:

S. 2084. A bill to direct the Consumer Product Safety Commission to issue regulations concerning the safety and labeling of portable generators; to the Committee on Commerce, Science, and Transportation.

Mr. NELSON of Florida. Mr. President, over the last several years, hundreds of Americans have died from the poisonous carbon monoxide emitted from portable gas generators. Congress needs to step in and act quickly to stop these needless deaths. That is why today I am introducing the Portable Generator Safety Act.

As most of us know, portable generators are frequently used to provide electricity during temporary power outages. These generators use fuel-burning engines that give off poisonous carbon monoxide gas in their exhaust.

Every hurricane season, news stories come from Florida and elsewhere about people injured or killed by poisoning caused by portable gas generators. From 1998 to 2003, the most recent year of official statistics, at least 228 carbon monoxide poisoning deaths were reported to the U.S. Consumer Product Safety Commission. At least one person was killed and seven were hospitalized near Miami, FL, this fall after being overcome by carbon monoxide fumes. And over the last two hurricane seasons in Florida, at least twelve people died from poisoning caused by poorly ventilated portable generators. These people died because portable generators are not manufactured to automatically cut off when high carbon monoxide rates are reached and because many manufacturers fail to place adequate warning labels on generators.

Here is what is especially troubling about these senseless deaths: The Consumer Product Safety Commission has known for years that people were dying from carbon monoxide poisoning at an increasingly alarming rate. In study after study, the Commission has recognized the high death rate from portable generators, and Commission staff has found that portable generator warning labels are often inconsistent, vague, and incomplete. Yet the Commission has continued to let the generator industry police itself—without any mandatory Federal safety standards.

Enough is enough. Industry self-regulation—which works in some settings—clearly is not working here. Congress must now step in and do its part to eliminate these tragic and avoidable deaths.

My bill—the Portable Generator Safety Act—takes some simple, commonsense steps. The bill requires the Consumer Product Safety Commission to pass tough Federal regulations within 180 days of the passage of the bill. The new regulations would have three components.

First, every portable generator must have a sensor that automatically shuts off the generator before lethal levels of carbon monoxide are reached. Other products, such as portable heaters, already contain these types of sensors, which save lives.

Second, every portable generator must have clearly written warning labels on the packaging and on the generator itself. These labels must include a pictogram that visually depicts the safety hazard from carbon monoxide. What I am talking about here is labels that are easy to read and can quickly be understood by people who are desperate for power in emergency circumstances.

Third, every instruction manual that accompanies a portable generator must clearly explain the safety hazards associated with operating the generator.

How many more innocent people must needlessly die before we require the Consumer Product Safety Commission and the portable generator industry to take some sensible, pro-consumer steps? It is my goal that after the next hurricane season, we will not be back here asking these same questions.

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. 2084

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 ''Portable Generator Safety Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Portable generators are frequently used to provide electricity during temporary power outages. These generators use fuel-burning engines that emit carbon monoxide gas in their exhaust.

(2) In the last several years, hundreds of people nationwide have been seriously injured or killed due to exposure to carbon monoxide poisoning from portable generators. From 1990 through 2003, 228 carbon monoxide poisoning deaths were reported to the Consumer Product Safety Commission.

(3) Virtually all of the serious injuries and deaths due to carbon monoxide from portable generators were preventable. In many instances, consumers simply were unaware of the hazards posed by carbon monoxide.

(4) Since at least 1997, a priority of the Consumer Product Safety Commission has been to reduce injuries and deaths resulting from carbon monoxide poisoning. Although the Commission has attempted to work with industry to devise voluntary standards for portable generators, and despite Commission staff statements that voluntary standards were ineffective, the Commission has not promulgated mandatory rules governing safety standards and labeling requirements.

(5) The issuance of mandatory safety standards and labeling requirements to warn consumers of the dangers associated with portable generator carbon monoxide would reduce the risk of injury or death.

SEC. 3. SAFETY STANDARD.

Not later than 180 days after the enactment of this Act, the Consumer Product Safety Commission shall promulgate regulations, pursuant to section 7 of the Consumer Product Safety Act (15 U.S.C. 2056), requiring, at a minimum, that every portable generator sold to the public for purposes other than resale shall be equipped with an interlock safety device that detects the level of carbon monoxide in the areas surrounding such portable generator and automatically turns off power to the portable generator before the level of carbon monoxide is capable of causing serious bodily injury or death to people.

SEC. 4. LABELING AND INSTRUCTION REQUIREMENTS.

Not later than 180 days after the enactment of this Act, the Consumer Product Safety Commission shall promulgate regulations, pursuant to section 7 of the Consumer Product Safety Act (15 U.S.C. 2056), requiring, at a minimum, the following:

(1) WARNING LABELS.—Each portable generator sold to the public for purposes other than resale shall have a large, prominently displayed warning label on the exterior packaging, if any, of the portable generator and permanently affixed on the portable generator regarding the carbon monoxide hazard posed by incorrect use of the portable generator. The warning label shall include the word ''DANGER'' printed in a large font, and shall include the following information, at a minimum, presented in a clear manner:

(A) Indoor use of a portable generator can kill quickly.

(B) Portable generators should be used outdoors only and away from garages and open windows.

(C) Portable generators produce carbon monoxide, a poisonous gas that people cannot see or smell.

(2) PICTOGRAM.—Each portable generator sold to the public for purposes other than resale shall have a large pictogram, affixed to the portable generator, which clearly states ''POISONOUS GAS'' and visually depicts the harmful effects of breathing carbon monoxide.

(3) INSTRUCTION MANUAL.—The instruction manual, if any, that accompanies any portable generator sold to the public for purposes other than resale shall include detailed, clear, and conspicuous statements that include the following elements:

(A) A warning that portable generators emit carbon monoxide, a poisonous gas that can kill people.

(B) A warning that people cannot smell, see, or taste carbon monoxide.

(C) An instruction to operate portable generators only outdoors and away from windows, garages, and air intakes.

(D) An instruction to never operate portable generators inside homes, garages, sheds, or other semi-enclosed spaces, even if a person runs a fan or opens doors and windows.

(E) A warning that if a person begins to feel sick, dizzy, or weak while using a portable generator, that person should shut off the portable generator, get to fresh air immediately, and consult a doctor.

By Mr. LAUTENBERG (for himself and Mr. SMITH):

S. 2086. A bill to amend the Internal Revenue code of 1986 to modify the definition of compensation for purposes of determining the limits on contributions to individual retirement accounts and annuities, and for other purposes; to the Committee on Finance.

Mr. LAUTENBERG. Mr. President, today I am joined by Senator SMITH in introducing the IRA Equity Act of 2005, which would allow the disabled and those who temporarily leave the workforce to continue to save for their retirement.

We should be encouraging responsible behavior. When those whose income is slashed because they become disabled—or because they take time off to care for a child, volunteer for a good cause, or go to school—want to continue to save for retirement, that is commendable, it is responsible, and we ought to do everything we can to make it easier.

Yet today, people who are injured and have their income replaced by workers' compensation or Social Security disability suddenly are no longer able to contribute to their IRAs. That's

because under current law, income contributed to IRAs must be ''compensation,'' or earned through work. Under the current rules, disability income doesn't qualify.

We know that those who become disabled will still need to support themselves in their old age; we know that they may even need to spend more because of their disability; and we know that because of their disability, they have less earning power and that makes it harder to save. So why in the world would we further penalize them for being disabled by taking away one of the most effective savings tools they have? It just doesn't make any sense.

My legislation would fix this problem by allowing wage replacement income, including Social Security disability and workers' compensation, to be contributed to IRAs. Additionally, my legislation would permit those who take up to two years away from the workforce to contribute earnings from prior years to their IRAs so that they can continue to save. Federal law should not force people to break good savings habits.

In the name of fairness and retirement security, I urge my colleagues to support this common-sense legislation.

By Mr. CHAMBLISS:

S. 2087. A bill to amend the Immigration and Nationality Act to provide for the employment of foreign agricultural workers, and for other purposes; to the Committee on the Judiciary.

Mr. CHAMBLISS. Mr. President, I rise to introduce the Agricultural Employment and Workforce Protection Act. My home State of Georgia is one of the most diversified agricultural producing States east of the Mississippi. The livelihood of many of my constituents and many Americans across the country depends on the quality of the crop, the bounty of the harvest, and the health of the livestock.

In drafting this legislation I am introducing today, I was guided by four principles:

1. Prevention—if we do not stem the tide of illegal immigrants coming into our country then there is no point in Congress attempting to have a positive impact on our immigration policy. Strict enforcement of our immigration laws is essential and we should demand no less.

2. Protection—the United States has always been a welcoming country to immigrants, and many non-immigrants are admitted for temporary periods to perform necessary jobs—particularly in the field of agriculture—that employers cannot fill. However, any temporary worker program must provide adequate protections for American jobs. Employers should not view alien workers as a way to get cheaper labor—it is not fair to Americans willing to work hard and looking for a well-paying job and it is not fair to the aliens who are exploited by working for sub-standard wages.

3. Accountability—if Congress, through reform legislation, provides employers with an avenue to obtain legal temporary workers, there should be no tolerance for employers who hire illegal aliens. We all know that many illegal immigrants come to the United States seeking employment. Employers who flaunt the rule of law by hiring illegally are hampering our efforts to secure the border by providing incentives for people to illegally come to the United States, and they must be held accountable.

4. Compassion—We are a Nation of immigrants and immigrants have made many wonderful contributions to our country—not the least of which is helping ensure there is a stable supply of food in the grocery stores for all Americans. We need to ensure that those workers who come to the United States on a temporary basis to perform agricultural work are not exploited and are treated with fairness and respect. The best way to show compassion for illegal immigrants is to stop illegal immigration.

I know the Senate is planning to take up debate on comprehensive immigration reform early next year, and I think it is important that we engage in this discussion. The purpose of my legislation is to ensure that reform for the agricultural community is included in whatever reforms Congress considers. The agricultural sector of our economy has been historically plagued by illegal immigration. We already have an avenue for agricultural employers to obtain legal temporary workers—the H–2A program. However, many agricultural employers do not use the program because its bureaucracy is difficult to navigate, it is costly, and it is litigious. In addition, it excludes certain occupations from agriculture. My legislation provides needed reforms to the H–2A program, provides for the creation of a temporary blue card program, establishes an H–2AA worker program for cross-border commuter workers, and, above all, provides for increased border security.

First, it mandates that the Department of Homeland Security establish and present to Congress a comprehensive plan for increased border security and stricter enforcement of our Nation's immigration laws, including detailed strategies, timelines, and estimated costs. Until such time the Secretary presents and Congress approves the plan, some interim measures would apply.

Second, the legislation streamlines and modernizes the H–2A program. H–2A is not a new guestworker program. It has been around for many years, but underutilized because of its high costs, red tape, and risks of drawn out litigation. To increase the use of the program, the bill expands the definition of ''agriculture'' to include industries that have been excluded from use of the program previously—industries such as poultry, seafood, and meat processors, landscapers, and reforestation contractors. The bill also bases the definition ''temporary'' on the duration a worker is allowed to be in the United States rather than tying it to seasonality. Some agricultural occupations, like poultry producers and dairy producers, do not follow seasons but require workers year round. If these employers in occupations previously excluded from the H–2A program were offered a viable alternative to an illegal workforce, I have no doubt they would seize it.

Third, my legislation creates a cross-border commuter worker program, called the H–2AA program. This program is modeled after the H–2A program, but recognizes that many farms located close to the Canadian and Mexican borders seek to employ workers who prefer to live in their home countries and simply come to the U.S. each day. The H–2AA program exempts farmers who employ these H–2AA workers from the housing and transportation requirements of the H–2A program, and requires those who use it to enter and exit the United States each day. It allows these agricultural operations to attract workers who live close to the borders but do not desire to move to the United States.

Finally, my legislation establishes a blue card program. This is a temporary program that provides for the transition of employees who are currently here in an undocumented status filling needed jobs. To qualify for a blue card, aliens must have worked at least 1600 hours in agriculture in 2005, have never been convicted or a felony or a misdemeanor in the United States, and must have a petition filed on their behalf by their employer. Only after a background check is conducted by the Department of Homeland Security would these blue card workers be allowed to work in the United States for a period of 24 months before they must return to their home country. The blue card allows employers who are currently utilizing an illegal workforce to transition their workforce into a legal one by having their employees leave the country and return on the legal H–2A temporary worker program without experiencing a complete work stoppage. There is no amnesty with the blue card program—all workers must return to their home country.

The underlying premise of any guestworker program and explicitly provided for in my proposed legislation is that United States employers should not be allowed to utilize a guestworker program unless and until they have actively recruited American workers and are unable to find enough to fill needed jobs. We don't want to stifle American

businesses but more importantly we don't want to disadvantage American workers.

I hope my colleagues will join me in supporting practical needed reforms for the agricultural community and I look forward to the time early next year in which this vital issue will be debated here in the United States Senate.

By Mr. ALLARD (for himself and Mr. ENZI):

S. 2088. A bill to assist low-income families, displaced from their residences in the States of Alabama, Louisiana, and Mississippi as a result of Hurricane Katrina, by establishing within the Department of Housing and Urban Development a homesteading initiative that offers displaced low-income families the opportunity to purchase a home owned by the Federal Government, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. ALLARD. Mr. President, I rise to introduce the Hurricane Katrina Recovery Homesteading Act of 2005. Modeled on the United States' 19th century homesteading initiatives and similar urban programs in the 1970s, this legislation will help us begin to rebuild the Gulf Coast areas destroyed by the hurricane and flooding, providing a fresh start for families victimized by this tragedy.

The new urban homesteading proposal will serve several purposes. First, it is an initial step towards rebuilding and revitalizing the hurricane ravaged Gulf Coast. While we have spent recent months appropriately focusing on rescue and clean up, we must now examine the long term need to rebuild and revitalize.

Second, the new urban homestead initiative will be one way to begin to address the housing needs of those displaced by Hurricane Katrina. But I want to make it clear that this program is not being introduced as the sole answer to all of the housing problems faced by hurricane victims. Getting all of those individuals back on their feet will require multiple efforts on a significant scale. This is one component of a comprehensive response to the housing needs of the Gulf Coast region. I believe the initiative is a very good start.

Third, the Hurricane Katrina Recovery Homesteading Act is a productive way of dealing with government owned properties. Through the Federal Housing Administration (FHA), Veterans' Administration (VA), and other programs, the Federal Government holds title to thousands of properties in the Gulf Coast region. Vacant government owned properties have the potential to be a blight on their neighborhoods, diminishing property values and acting as a magnet for crime and vandalism. Following Hurricane Katrina, vacant properties can also present health and safety dangers. Unless the properties are rebuilt and have families living in them, they will likely be a significant drag on the efforts to rebuild the region. The homesteading initiative will address the health and safety concerns and further the revitalization effort while putting the property to productive use.

I would like to briefly describe how the initiative will work. I am pleased that it is based on a Federal-local partnership, as well as a partnership between government, non-profits, and the private-sector. HUD will identify potential government owned property for transfer without cost to units of local government. The local government would establish an equitable procedure for selecting low income families affected by the hurricane for participation. HUD and the local government would work with partners, such as Habitat for Humanity, mortgage lenders, and others, to help the new urban homesteaders find resources to construct their new homes.

Participating families must agree to occupy the property for five years as their principal residence, to bring the property up to health and safety codes within one year, and to build a house to applicable code standards within three years. They must also agree to periodic compliance inspections. In exchange, the family would receive title to the property.

I would like to thank President Bush, Department of Housing and Urban Development Secretary Alphonso Jackson, and House sponsor Representative JINDAL for working with me on this effort. I look forward to continuing to work with them, long with the rest of my colleagues, to enact the Hurricane Katrina Recovery Homesteading Act of 2005.

By Mr. BAUCUS:

S. 2092. A bill to amend the Internal Revenue Code of 1986 to authorize review by the Joint Committee on Tax of Federal income tax returns of United States Supreme Court nominees, and for other purposes; to the Committee on Finance.

Mr. BAUCUS. The Greek philosopher Plato warned, ''where there is an income tax, the just man will pay more, and the unjust man will pay less on the same amount of income.'' This phrase is telling.

The way people fill out their tax returns is an important window into their private ethical conduct. And it is a good barometer of their integrity, character, and suitability for office. Paying one's fair share of the tax burden is one of an American's most important patriotic duties. Americans from all walks of life pay their taxes out of obligation and fidelity to their country. Isn't it fair to know whether individuals who have been nominated for lifetime positions to the highest court in the land have faithfully paid their taxes?

The legislation that I introduce today, The Supreme Court Tax Accountability Act of 2005, would require that nominees to the Supreme Court—including Judge Samuel Alito—provide 3 years of tax returns for an independent review to ensure compliance with the law. Specifically, the legislation would require the nonpartisan Joint Committee on Taxation to review a Supreme Court nominee's returns and report on the nominee's tax compliance to the Judiciary and Finance Committees. The bill does not extend the power to inspect tax returns to any persons who do not currently have such authority. And the bill ensures that private taxpayer information is not shared unscrupulously. Certainly, these returns would not be released to the public.

This approach has precedent. Thirty years ago, Supreme Court Justice William O. Douglas retired from the bench. Within days, President Ford nominated John Paul Stevens for the vacancy. The President hoped that the nomination of a moderate who had been given the American Bar Association's highest rating would help restore confidence in government in the wake of the Watergate scandals. As the confirmation hearings drew near, six members of the Senate Judiciary Committee wrote Chairman Eastland requesting ''the most thorough practicable investigation of the nominee.'' The Senators' letter requested full disclosure of Stevens' personal health and finances, including a complete and thorough review of his Federal and state tax returns. Stevens promptly complied.

When the full Senate took up the nomination, Chairman Eastland urged the confirmation of Stevens saying, ''his personal integrity, as reflected in his financial statements and income tax returns, is of the highest order.'' The Senate confirmed Stevens by a vote of 98 to 0 and he took the oath of office 2 days later at the age of 55.

Washington is now under a similar ethical cloud. But the White House has resisted my efforts to have the Joint Committee on Taxation review the tax returns of Chief Justice John Roberts, Ms. Harriet Miers, and Judge Samuel Alito. The administration's decision to put its Supreme Court nominees' tax returns off limits is consistent with its penchant for secrecy.

Its refusal to heed this most basic document request, however, is a barrier to the rigorous due diligence process required for prospective Government officials that come before the Senate Committee on Finance. All nominees, from Cabinet secretaries to Tax Court judges, have their tax returns scrutinized. On more than one occasion, the Finance Committee has admonished the administration for failing to do a

better job of determining a candidate's compliance with the tax laws. In some cases, tax issues have contributed to the withdrawal of nominees who were before the Senate.

Despite these warnings and withdrawals, the administration still doesn't do a particularly good job of catching nominees' tax problems. Therefore, it is vital to the constitutional process of advice and consent for the Senate to have the information necessary to ensure fitness to serve. The Senate must not rely on the executive branch to provide oversight.

Finally, I am introducing this bill today to apply to all nominees—those nominated by Democratic Presidents and Republican Presidents. Careful oversight of nominees to the highest Court in the land should not be a partisan issue. It was Ronald Reagan who famously said, ''trust, but verify.'' This bill aims to embody President Reagan's maxim. Trust in government is an issue that Republicans, Democrats, and Independents value.

The noted Supreme Court justice Louis Brandeis said that ''secrecy necessarily breeds suspicion.'' The American people have a right to know that public officials—particularly those appointed for life—have faithfully and fully paid their taxes. Blocking Congressional access to Supreme Court nominees' returns creates questions that can breed public distrust in government. Providing access to those returns can help to provide the transparency and trust Americans deserve in the Supreme Court nomination process. I look forward to working with my colleagues to get this bill enacted.

By Mr. BIDEN:

S. 2095. A bill to ensure payment of United States assessments for United Nations peacekeeping operations in 2005 and 2006; to the Committee on Foreign Relations.

Mr. BIDEN. Mr. President, today I introduce legislation to ensure that the United States does create new arrears at the United Nations. At a time when our Government is seeking important reforms at the United Nations, it would be a mistake for us to fall short on our dues at the U.N. But unless Congress acts promptly, that is what we are about to do.

Here's why.

In 1994, Congress passed a law limiting U.S. payments for U.N. peacekeeping at 25 percent after 1995. At the time, the United States was assessed by the U.N. at a rate of about 31 percent for peacekeeping. Thus, the United States incurred arrears because of the 25 percent limitation—that is, the gap between the 25 percent and 31 percent.

In 1999, Congress approved the Helms-Biden law. It authorized the repayment of U.S. arrears to the U.N. conditioned on certain reforms in the U.N. system. One of those reforms was a negotiated reduction in the United Nations of the U.S. peacekeeping rate down to 25 percent. Through negotiations in 2000, U.S. Ambassador Holbrooke succeeded in reducing the U.S. assessments for peacekeeping to just over 27 percent.

In 2001, Congress amended the Helms-Biden law to allow the arrears payments to be provided to the U.N. at the higher rate—27 percent—that Ambassador Holbrooke negotiated. But the original 1994 law limiting our payments to 25 percent was never repealed.

In the past few years, Congress has amended the 1994 law on a temporary basis by raising the 25 percent limitation to conform it to the rate negotiated by Ambassador Holbrooke. That temporary change in law lasted through fiscal year 2005. But it has now expired.

Therefore, the law today is this: the United States may not pay more than 25 percent for peacekeeping—even though the United Nations assesses the United States at the rate of roughly 27 percent. In the coming weeks, we are scheduled to pay a bill of about $344 million that has come due since October 1. Under U.S. law, we will only be able to pay about $319 million, leaving a shortfall of about $25 million. At a time when our diplomats are in the final stages of negotiating important reforms in the U.N. system, it would be a mistake unilaterally to withhold payments to the U.N. Rather than encourage reform, it may cause an adverse reaction by other nation and undermine our reform agenda.

Earlier this year, the Bush administration recognized this coming train wreck. On March 1, the Department of State transmitted to Congress its official request for the Foreign Relations Authorization Act for fiscal year 2006 and 2007. Section 401 of that legislation would amend current law and raise the limitation on U.S. payments to 27.1 percent through calendar year 2007. The summary of the request said as follows: ''Without further relief, the U.N. peacekeeping cap would revert to 25% and the United States would go into arrears. The proposed section would . . . enable the United States to pay U.N. assessments at the rate assessed by the U.N. up to a rate of 27.1% . . . [t]his would allow the United States to pay its peacekeeping assessment in full, including funding for a new peace support operation in Sudan . . .''

Since then, however, the administration has done little to secure enactment of this provision. On December 1, 2005, the Secretary of State requested by letter to the chairman of the Committee on Appropriations several ''critical legislative proposals that are of a time sensitive nature and warrant enactment prior to the Congress' adjournment in mid-October.'' The request contains four provisions but does not include the provision required to assure full payment of U.N. peacekeeping assessments.

Mr. President, I realize that the Congress has a lot on its agenda in the final days of the first session. But we have a responsibility to ensure payment of our obligations to the United Nations—and to ensure that we do not undermine the negotiations on U.N. reform now underway.

AUTHORITIES FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on December 13, 2005, at 10:15 a.m., in executive session, to consider the nomination of J. Dorrance Smith to be Assistant Secretary of Defense for Public Affairs.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, December 13, 2005, at 10:30 a.m., on the nominations of Deborah Taylor Tate and Michael Joseph Copps to be Federal Communications Commissioners.

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

PRIVILEGE OF THE FLOOR

Mr. GRASSLEY. Mr. President, I have a unanimous consent request, which I would like to make for Senator BAUCUS, that the following fellows and interns be granted floor privileges during the duration of the debate on this measure, Jonathan Coleman, Andreas Datsopoulos, and Holly Luck.

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

UNANIMOUS-CONSENT AGREEMENT—S. 1932

Mr. FRIST. Mr. President, I ask unanimous consent that on Wednesday, following morning business, the Chair lay before the Senate a message from the House to accompany S. 1932, the deficit reduction bill. I further ask consent that the Senate disagree to the amendment of the House, request a conference with the House, and that the Chair be authorized to appoint conferees on the part of the Senate with the ratio of 11 to 9; provided further that before the Chair appoints conferees, the following motions to instruct be the only motions in order and that they be considered under the following limitations: Kennedy, higher education, 60 minutes equally divided;

Baucus, Medicaid, 5 minutes equally divided; DeWine, trade, 60 minutes equally divided; Kohl, child support enforcement, 60 minutes equally divided; Carper, TANF, 5 minutes equally divided; Harkin, food stamps, 5 minutes equally divided; and Reed, LIHEAP, 60 minutes equally divided.

I further ask consent that no amendments be in order to the motions and the only debate in order under the statute other than debate on the motions be 30 minutes equally divided for general debate, divided between the chairman and ranking member; further, that all motions be debated on Tuesday and Wednesday and that the vote occur in relation to the motions in the stacked sequence at a time determined by the majority leader after consultation with the Democratic leader; finally, that any votes which do not occur prior to 1 p.m. on Wednesday be stacked to occur beginning at 3:30 on Thursday, December 15.

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

UNITED STATES-BAHRAIN FREE TRADE AGREEMENT IMPLEMENTATION ACT

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4340, the Bahrain Free Trade Agreement. I ask unanimous consent that all time be yielded back.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4340) to implement the United States-Bahrain Free Trade Agreement.

There being no objection, the Senate proceed to consider the bill.

Mr. FRIST. Mr. President, the Bahrain free-trade agreement is a very important agreement that reflects in this post-9/11 environment the recommendation that had been made in terms of facilitating trade to nations such as Bahrain. I am delighted we were able to both debate it earlier today and ultimately pass this important free-trade agreement.

Mr. REID. Mr. President, I reluctantly oppose the legislation implementing the U.S.-Bahrain Free Trade Agreement. I have nothing against expanded trade with Bahrain, and I know that there is plenty in this FTA that is appealing to the U.S. business community. However, this agreement is another example of the misplaced priorities in the Bush administration's flawed trade policy, which can best be described as a policy of ''fiddling while Rome is burning.''

If you were to ask Americans to list their top trade priorities, I think they would suggest the following: dealing with the enormous trade deficit, on pace to exceed $700 billion this year; addressing the rise of China; meeting the challenges of outsourcing and globalization; enforcing our existing agreements and rules for fair trade; and perhaps global negotiations in the World Trade Organization. A trade agreement with Bahrain would be nowhere near the top of the list; it probably would not even be on the list at all.

Yet, here we are, with the Bahrain FTA as the big trade item to close out the year. The U.S. has a trade deficit with China that is on pace to exceed $200 billion this year—more than a quarter of the entire U.S. trade deficit. Last year, China passed the U.S. as the largest exporter of high-tech information technology and communications products. There is no doubt that the rise of China presents an extraordinary challenge to the United States. Yet, the Bush administration has essentially no policy dealing with China's currency manipulation and the accompanying U.S. indebtedness to the government of China, rampant piracy of U.S. intellectual property, WTO violations, forced technology transfer requirements, and industrial policy in areas critical to the U.S. like semiconductors and automobiles.

Instead, we have the Bahrain FTA, which involves .03 percent of total U.S. trade.

The Bush administration has proposed no policies in the face of outsourcing and the revolution of globalization to ensure that America keeps good-paying jobs and remains the most competitive economy in the world. They basically say, ''Don't Worry, Be Happy.''

Instead, the U.S. uses the scarce resources of the U.S. Trade Representative to negotiate an FTA with Bahrain, which has an economy one-tenth-of-one percent the size of the U.S. economy.

When it comes to enforcing our current agreements, the Bush administration has been asleep at the wheel. While the Clinton administration brought on average 11 WTO cases per year to knock down foreign barriers to U.S. exports, the Bush administration has filed fewer than three cases per year.

Instead, they have focused their energies on negotiating an FTA which is so small that the independent ITC has stated, ''the effect of the FTA on total U.S. exports is likely to be minimal.''

Meanwhile, the WTO negotiations have delayed and floundered. Ironic may not be the right word, but it is a fitting testament to this administration's skewed priorities that Senators are stuck in Washington debating the Bahrain FTA this week, and so were not able to travel to Hong Kong to provide oversight on the WTO negotiations—which could have an impact thousands of times larger than a trade agreement with Bahrain.

Looking at the merits of the Bahrain FTA in isolation, let me note that I applaud the Government of Bahrain. It has been a good U.S. ally and is an important moderate Arab and Islamic country. I wish the people of Bahrain well and hope that the U.S. and Bahrain will continue to enjoy good relations, including trading relations. I also note that there are many good provisions in this agreement to ensure protection for U.S. intellectual property rights, to prevent expropriations of U.S. investments, to reduce barriers to U.S. exports, and to expand the access of U.S. service providers to Bahrain's market.

It is regrettable, though, that the Bush administration followed its flawed model in this FTA. In short, the interests of the business community are taken care of, but the interests of the average American are not. I certainly understand that many of the businesses that care about these FTAs make important contributions to the U.S. economy and are a critical source of employment, exports, and innovation. I value those contributions and think for the most part the chapters and provisions of the FTA important to the U.S. business community make sense. What I do have a problem with, however, is the fact that our trade agreements provide short shrift to areas of interest to human beings, including workers' rights and environmental protection.

When it comes to transparency in government regulation, telecommunications regulation, financial services regulation, other services regulation, and e-commerce, we include provisions that force our trading partners to change their laws. When it comes to protection for intellectual property rights, our trade agreements have provisions that force our trading partners to adopt some of the highest levels of IP protection in the world. In each case, if a country violates the rules in the FTA, it is subject to trade sanctions.

Yet, when it comes to respect for the most basic, internationally-recognized worker rights and respect for the environment, our trade agreements say, ''You don't need to change your laws, just enforce whatever you have.'' If our trading partners violate even this weak rule, then they pay a fine; and the fine gets turned around and given right back to them. Somehow, trade sanctions imposed to vindicate the interests of business are just ''tough enforcement,'' but trade sanctions for worker rights or the environment are ''protectionism.''

Worse, our FTAs would allow a country to weaken its laws related to workers' rights and the environment, and the United States would have absolutely no effective recourse. If Bahrain turns around and allows child labor, or turns around and prohibits its guest workers in export industries from joining unions, then the best the U.S. can

do is seek consultations with Bahrain. This is a step back from what the Clinton administration negotiated, which would have allowed the U.S. to pursue full dispute settlement on all of the labor provisions in the FTA. It is also a step back from existing U.S. trade preferences programs, which allow the U.S. to impose sanctions on countries that are not adequately protecting basic workers rights.

What is it about worker rights and environmental protection that warrants this disparate treatment? The same people who argue that these provisions do not belong in trade agreements bemoan U.S. labor standards and environmental rules, arguing that they hurt U.S. competitiveness and add to our trade deficit. It is absurd and dishonest to say on the one hand that these rules affect competition, and then on the other that they do not belong in an agreement that is designed to set the terms of competition.

I want to take a moment to acknowledge the good work done by Democrats in the other chamber, who pushed and pushed and got Bahrain to agree to make important reforms to its labor laws to bring them into conformity with internationally-recognized standards. And, to its credit, USTR agreed to monitor Bahrain's implementation and enforcement of these changes as part of the FTA. I applaud the efforts of these congressmen. Their hard work on this and other FTAs should shame anyone who has tried to discredit their cause by calling it protectionist or xenophobic. I regret that I will not be joining them in support of this agreement, however. The bottom line is that this agreement does not contain binding, enforceable rules that treat respect for workers' rights and the environment on the same footing as respect for corporate interests, so I will oppose it.

Separately, I want to address Bahrain's boycott against Israel. For decades now, the United States has had a policy to oppose the Arab League boycott against Israel. There is an entire office in the Department of Commerce tasked with implementing this antiboycott policy. Congress has also directed USTR to ''vigorously oppose'' WTO admission for countries that engage in the boycott. In my view, it is an implicit corollary of this latter rule that the U.S. should not enter into bilateral trade agreements with countries that participate in the boycott.

Bahrain continues to participate in the boycott, however. To its credit, Bahrain has terminated participation in the secondary and tertiary aspects of the boycott. And, Bahrain has stated in a letter to USTR that ''the Kingdom of Bahrain recognizes the need to dismantle the primary boycott of Israel and is beginning efforts to achieve that goal.'' That said, it is worth noting that even the primary boycott can hurt U.S. producers. The primary boycott prohibits imports with Israeli content. So, U.S. companies that use Israeli inputs could be barred from exporting a mostly U.S.-made product to Bahrain.

USTR and supporters of this agreement argue that the quoted statement constitutes a binding commitment by Bahrain to eliminate the primary boycott. I hope they are correct, but I am not so sure. First, the lower house of Bahrain's parliament—the only democratically elected body in Bahrain's national government—recently voted resoundingly to keep the boycott in place. Second, it is not as clear as I would like that the statement at issue has the character of a legal obligation rather than a statement of unilateral intent. While I hope that Bahrain has officially committed itself to eliminating the primary boycott against Israel once and for all, there is certainly no way for the U.S. to bring an enforcement action against Bahrain if it fails to do so.

I think the antiboycott policy we have had in place for decades now is the correct one. We should not be entering into trade agreements—whether bilaterally or through the WTO—with countries that enforce the boycott against Israel—primary, secondary or tertiary. It is disturbing to me that the Bush administration has been quietly moving away from this policy—here in the FTA today, as well as in its support for Saudi Arabia's WTO accession this week.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill (H.R. 4340) was ordered to a third reading, was read the third time, and passed.

Mr. FRIST. I ask unanimous consent that the motion to reconsider be laid upon the table, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EXECUTIVE CALENDAR

NOMINATIONS DISCHARGED

Mr. FRIST. As in executive session, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of the following nominations and that they be placed on the calendar: Michael Copps, PN 1051; Deborah Tate, PN 1052.

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

AMENDING THE MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL AND NATIVE AMERICAN PUBLIC POLICY ACT OF 1992

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2093, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2093) to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to provide funds for training in tribal leadership, management, and policy, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCAIN. Mr. President, today I have introduced the Native Nations Leadership, Management, and Policy Act of 2005, originally introduced as a component of the Native American Omnibus Act of 2005. I am pleased to be joined by the vice chairman of the Senate Indian Affairs Committee, BYRON DORGAN, on this bill.

The Native Nations Leadership, Management, and Policy Act authorizes funding for leadership training, strategic and organizational development, and research and policy analysis to assist American Indian nations to achieve effective self-governance and sustainable economic development. This provision renews authorized funding for the Native Nations Institute programs for a period of 10 years, beginning in fiscal year 2007. Dedicated funding for NNI is necessary to ensure the continuation of these important programs without further draining funds from the Udall Foundation's other educational activities.

Mr. President, I look forward to working with my respective colleagues on both sides of the aisle to enact this legislation.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 2093) was read the third time and passed, as follows:

S. 2093

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

SECTION 1. NATIVE NATIONS LEADERSHIP, MANAGEMENT, AND POLICY.

(a) FINDINGS.—Congress finds that—

(1) the policy of the United States favors self-determination for Indian tribes;

(2) consistent with the policy described in paragraph (1), Indian tribes are increasingly taking control of the affairs of the tribes in order to realize in practice most of the status afforded the tribes in treaties, court decisions, and legislation;

(3) as a result of the increasing control of the tribes, tribes require enhanced leadership preparation and greater access to information relating to research and analysis of successful models for tribal government and business operations, similar to the information regularly available to Federal, State, and local government agencies;

(4) enabling Indian tribes to develop strong leadership and governing policy is consistent with Federal policy supporting tribal self-determination and increases the likelihood that tribal governments will achieve political and economic self-determination; and

(5) during the last 5 years, the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation, in cooperation with the Native Nations Institute at the University of Arizona, pursuant to section 6(7) of the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5604(7)), has provided to Indian tribes the leadership and management training, policy analysis, and research of the quality and type required to assist Indian tribes to achieve self-determination.

(b) DEFINITIONS.—Section 4 of the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5602) is amended—

(1) by redesignating paragraphs (6) through (9) as paragraphs (7) through (10), respectively; and

(2) by inserting after paragraph (5) the following:

''(6) the terms 'Indian tribe' and 'tribe' have the meaning given the term 'Indian tribe' in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b);''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 13 of the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5609) is amended by striking subsection (c) and inserting the following:

''(c) TRAINING IN TRIBAL LEADERSHIP, MANAGEMENT, AND POLICY.—

''(1) IN GENERAL.—There is authorized to be appropriated to carry out section 6(7)—

''(A) $2,500,000 for the period of fiscal years 2007 and 2008;

''(B) $4,000,000 for the period of fiscal years 2009 and 2010; and

''(C) $13,500,000 for the period of fiscal years 2011 through 2016.

''(2) LIMITATIONS.—An appropriation made pursuant to this subsection shall not be subject to section 7(c).''.

REAUTHORIZING CERTAIN PROVISIONS RELATING TO INDIAN TRIBAL JUSTICE SYSTEMS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2094, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2094) to reauthorize certain provisions relating to Indian tribal justice systems.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCAIN. Mr. President, today I have introduced the Indian Tribal Justice Systems Act of 2005, originally introduced as a component of the Native American Omnibus Act of 2005. I am pleased to be joined by the vice chairman of the Senate Indian Affairs Committee, BYRON DORGAN, on this bill.

The Indian tribal justice systems amendments extends the authorization for the Indian Tribal Justice Technical and Legal Assistance Act through fiscal year 2010, and extends the Indian Tribal Justice Act for 3 more years.

Mr. President, I look forward to working with my respective colleagues on both sides of the aisle to enact this legislation.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 2094) was read the third time and passed, as follows:

S. 2094

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

SECTION 1. INDIAN TRIBAL JUSTICE.

(a) INDIAN TRIBAL JUSTICE TECHNICAL AND LEGAL ASSISTANCE.—The Indian Tribal Justice Technical and Legal Assistance Act of 2000 is amended—

(1) in section 106 (25 U.S.C. 3666), by striking ''for fiscal years 2000 through 2004'' and inserting ''for fiscal years 2004 through 2010''; and

(2) in section 201(d) (25 U.S.C. 3681(d)), by striking ''for fiscal years 2000 through 2004'' and inserting ''for fiscal years 2004 through 2010''.

(b) INDIAN TRIBAL JUSTICE SYSTEMS.—Section 201 of the Indian Tribal Justice Act (25 U.S.C. 3621) is amended by striking ''2007'' each place it appears and inserting ''2010''.

NATIONAL TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK

Mr. FRIST. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to S. Res. 275.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 275) designating the week of February 6, 2006 as ''National Teen Dating Violence Awareness and Prevention Week.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 275) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 275

Whereas 1 in 3 female high school students reports being physically abused or sexually abused by a dating partner;

Whereas over 40 percent of male and female high school students surveyed had been victims of dating violence at least once;

Whereas violent relationships in adolescence can have serious ramifications for victims, who are at higher risk for substance abuse, eating disorders, risky sexual behavior, suicide, and adult re-victimization;

Whereas the severity of violence among intimate partners has been shown to increase if the pattern was established in adolescence;

Whereas 81 percent of parents surveyed either believed dating violence is not a problem or admitted they did not know it is a problem; and

Whereas the establishment of a ''National Teen Dating Violence Awareness and Prevention Week'' will benefit schools, communities, and families regardless of socio-economic status, race, or gender: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of February 6, 2006 as ''National Teen Dating Violence Awareness and Prevention Week''; and

(2) calls on the people of the United States, especially high schools, law enforcement, local, and State officials, and interested groups to observe the week with appropriate activities that promote awareness and prevention of the crime of teen dating violence in our communities.

MEASURES PLACED ON THE CALENDAR—H.R. 4096, H.R. 4388, AND H.R. 4440

Mr. FRIST. Mr. President, I understand there are three bills at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bills for the second time.

The legislative clerk read as follows:

A bill (H.R. 4096) to amend the Internal Revenue Code of 1986 to extend to 2006 the alternative minimum tax relief available in 2005 and to index such relief for inflation.

A bill (H.R. 4388) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

A bill (H.R. 4440) to amend the Internal Revenue Code of 1986 to provide tax benefits for the Gulf Opportunity Zone and certain areas affected by Hurricanes Rita and Wilma, and for other purposes.

Mr. FRIST. In order to place the bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

The PRESIDING OFFICER. Objection is heard. The bills will be placed on the calendar.

ORDERS FOR WEDNESDAY, DECEMBER 14, 2005

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:45 a.m. on Wednesday, December 14. I further ask 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 then proceed to a period of morning business for up to 30 minutes, with the first 15 minutes under the control of the majority leader or his designee and the final 15 minutes under the control of the Democratic leader or his designee; further,

that the Senate then proceed to the consideration of motions to instruct conferees with respect to the deficit reduction bill as under the previous order.

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

PROGRAM

Mr. FRIST. Mr. President, under the time agreement that we just entered into this evening, we have a number of motions to instruct conferees with respect to the deficit reduction bill that we will debate and vote on over the next 2 days. We will vote on three of those motions—the Baucus motion on Medicaid, the Carper TANF motion, and the Harkin food stamp motion—during tomorrow's session. These votes will start somewhere between 11:45 and noon. We will finish the remaining motions to instruct on Thursday.

Over the course of this week, we will be very busy, as I pointed out earlier this morning. We will begin voting around midday tomorrow, and in all likelihood we will be voting Thursday afternoon as well. We will be stacking votes Thursday afternoon. We will be voting on Friday and may well go into this weekend if we are unable to finish our business by late Friday. That means possibly Saturday and then maybe into next week. We have a whole slew of bills that we need to address, that we have been doing and will be doing over the next several days.

Tomorrow I will have more to say about the schedule.

IRAQ ELECTIONS

Mr. FRIST. Mr. President, elections are currently underway in Iraq. It is very exciting. The election formally in Iraq itself will be Thursday, although in the United States those Iraqi citizens are voting. They are actually voting in Tennessee at one of those distant, remote locations, remote from Iraq.

That is a powerful statement to the progress made in Iraq over the last 2½ years, that this is the third election in the last year. At the first election in January, about 8.5 million turned out; at the next election in mid-October, over 10 million people turned out; at the third election, we will have to wait and see, but it looks as though there will be record numbers of individuals voting in Iraq.

Two-and-a-half years ago, we had a country that had no representative government whatsoever and had a tyrant, Saddam Hussein, oppressing the people there. This morning, several of us had the opportunity to talk, by teleconferencing, with our Ambassador in Iraq, as well as General Casey. They did review with us a number of the real advances that have been made. When you look at issues such as Iraqis who are currently participating, they cited several statistics. In August 2004, there were five Iraqi army battalions actually in the fight. There are currently 97 Iraqi battalions in the fight. In July 2004, there were no ready operational divisional headquarters. Today there are at least 7 operational divisional headquarters and 31 operational brigade headquarters.

There has been huge progress over the last year, year and a half. In November 2004, there were about 110,000 fully trained and equipped Iraqi security forces. Today there are almost double that, a year later, 214,000 trained and equipped security forces.

Does all of this make a difference? One of the fascinating statistics cited and brought to my attention was compared to last year, or at some point last year, how many tips were being provided by the Iraqi people. In many ways it reflects the confidence the Iraqi people have in law enforcement and security. In March, there were just under 500 tips to the Iraqi Armed Forces. In September 2005, there were 4,700 tips by Iraqi citizens to Iraqi and coalition forces. Therefore, information is flowing much more freely, which reflects, I believe, the confidence the Iraqis have in their security forces. One tip resulted in the disruption of an IED factory and the capture of 4,000 pounds of explosives and about a dozen 500-pound bombs. That shows the importance of the improved security by the Iraqi people and what it allows to flow, in terms of information.

Mr. President, 75,000 Iraqi policemen are patrolling Iraqi cities, and another 5,700 are in training. I think we are seeing real progress there. There is much progress to make, but the progress being made currently, as we speak, and will be made over the next several days is truly exciting in terms of an operational, permanent government being formed. Lastly, as I mentioned earlier, it won't be until actually April that the new government is in place. The elections are occurring now. Certification takes place in December, and the final is in early January. From that point, the government takes root. So the government itself won't be formed until April of next year.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. FRIST. 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 6:21 p.m., adjourned until Wednesday, December 14, 2005, at 9:45 a.m.

NOMINATIONS

Executive nominations received by the Senate December 13, 2005:

DEPARTMENT OF DEFENSE

MICHAEL L. DOMINGUEZ, OF VIRGINIA, TO BE DEPUTY UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS, VICE CHARLES S. ABELL, RESIGNED.

DEPARTMENT OF ENERGY

RAYMOND L. ORBACH, OF CALIFORNIA, TO BE UNDER SECRETARY FOR SCIENCE, DEPARTMENT OF ENERGY. (NEW POSITION)

DEPARTMENT OF STATE

GARY A. GRAPPO, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SULTANATE OF OMAN.

BRADFORD R. HIGGINS, OF CONNECTICUT, TO BE AN ASSISTANT SECRETARY OF STATE (RESOURCE MANAGEMENT), VICE CHRISTOPHER BANCROFT BURNHAM.

BRADFORD R. HIGGINS, OF CONNECTICUT, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF STATE, VICE CHRISTOPHER BANCROFT BURNHAM, RESIGNED.

DEPARTMENT OF EDUCATION

MICHELL C. CLARK, OF VIRGINIA, TO BE ASSISTANT SECRETARY FOR MANAGEMENT, DEPARTMENT OF EDUCATION, VICE WILLIAM LEIDINGER.

INSTITUTE OF MUSEUM SERVICES

ANNE-IMELDA RADICE, OF VERMONT, TO BE DIRECTOR OF THE INSTITUTE OF MUSEUM SERVICES, VICE ROBERT S. MARTIN.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RONALD F. SAMS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIGADIER GENERAL DAVID L. FROSTMAN, 0000
BRIGADIER GENERAL JAMES W. GRAVES, 0000
BRIGADIER GENERAL LINDA S. HEMMINGER, 0000
BRIGADIER GENERAL JOHN M. HOWLETT, 0000
BRIGADIER GENERAL HAROLD L. MITCHELL, 0000
BRIGADIER GENERAL HANFERD J. MOEN, JR., 0000
BRIGADIER GENERAL WILLIAM M. RAJCZAK, 0000
BRIGADIER GENERAL DAVID N. SENTY, 0000
BRIGADIER GENERAL ERIKA C. STEUTERMAN, 0000

To be brigadier general

COLONEL JOHN M. ALLEN, 0000
COLONEL ROBERT E. BAILEY, JR., 0000
COLONEL ERIC W. CRABTREE, 0000
COLONEL DEAN J. DESPINOY, 0000
COLONEL WALLACE W. FARRIS, JR., 0000
COLONEL JOHN C. FOBIAN, 0000
COLONEL THOMAS W. HARTMANN, 0000
COLONEL JAMES R. HOGUE, 0000
COLONEL MARK A. KYLE, 0000
COLONEL CAROL A. LEE, 0000
COLONEL JON R. SHASTEEN, 0000
COLONEL ROBERT O. TARTER, 0000
COLONEL HOWARD N. THOMPSON, 0000
COLONEL CHRISTINE M. TURNER, 0000
COLONEL PAUL M. VAN SICKLE, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL MICHAEL D. BARBERO, 0000
BRIGADIER GENERAL SALVATORE F. CAMBRIA, 0000
BRIGADIER GENERAL JOHN M. CUSTER III, 0000
BRIGADIER GENERAL RICHARD P. FORMICA, 0000
BRIGADIER GENERAL DAVID P. FRIDOVICH, 0000
BRIGADIER GENERAL KATHLEEN M. GAINEY, 0000
BRIGADIER GENERAL WILLIAM T. GRISOLI, 0000
BRIGADIER GENERAL CARTER F. HAM, 0000
BRIGADIER GENERAL JEFFERY W. HAMMOND, 0000
BRIGADIER GENERAL FRANK G. HELMICK, 0000
BRIGADIER GENERAL PAUL S. IZZO, 0000
BRIGADIER GENERAL FRANCIS H. KEARNEY III, 0000
BRIGADIER GENERAL STEPHEN R. LAYFIELD, 0000
BRIGADIER GENERAL ROBERT P. LENNOX, 0000
BRIGADIER GENERAL WILLIAM H. MCCOY, JR., 0000
BRIGADIER GENERAL TIMOTHY P. MCHALE, 0000
BRIGADIER GENERAL JOHN W. MORGAN, 0000
BRIGADIER GENERAL MICHAEL L. OATES, 0000
BRIGADIER GENERAL ROBERT M. RADIN, 0000
BRIGADIER GENERAL CURTIS M. SCAPARROTTI, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10 U.S.C., SECTION 12203:

To be major general

BRIG. GEN. JAMES L. WILLIAMS, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DEIBY ACEVEDO, 0000
DARLENE H. ADAMS, 0000
TRAVIS L. ADCOCK, 0000
TOMMY H. S. AFLAGUE, 0000
MARK T. AHLES, 0000
ERIC D. AHLNESS, 0000
STEVEN W. AINSWORTH, 0000
JAMES G. ALLISON, 0000
HECTOR F. ALVARADO, 0000
DONALD G. AMBURN, 0000
DANIEL R. AMMERMAN, 0000
HAROLD G. ANDERSON, 0000
SCOTT V. ANDERSON, 0000
ADOLFO AQUINO, 0000
TERAN L. ARMSTRONG, 0000
MARK C. ARNOLD, 0000
TODD W. ARNOLD, 0000
MATTHEW J. ARTERO, 0000
JOSE R. ATENCIO III, 0000
DENISE A. ATKINS, 0000
JULIE M. AUGERI, 0000
CARL C. AUGUSTUS, 0000
JOHN J. AULBACH II, 0000
CHRISTOPHER C. BACHMAN, 0000
HENDERSON BAKER II, 0000
CLAIRE E. BANDY, 0000
JOSEPH A. BANICH, 0000
CRAIG A. BARGFREDE, 0000
LELAND E. BARKER, 0000
STEPHANIE A. BARNA, 0000
RICHARD C. BARR, JR., 0000
LINDA A. BEARD, 0000
RICHARD A. BEDARD, 0000
VAEVA R. BEEBEMOCILAC, 0000
MATTHEW P. BEEVERS, 0000
DAVID R. BELCHER, 0000
WALTER BENARD, 0000
JAMES G. BERENZ, 0000
THOMAS S. BERG, 0000
ERIC BERMUDEZ, 0000
DAVID M. BESSHO, 0000
SAMUEL R. BETHEL, 0000
FAREED M. BETROS, 0000
NIKOLA T. BILANDZICH, 0000
JOHN E. BILBURY III, 0000
MARTIN B. BISCHOFF, 0000
IVAN N. BLACK, 0000
DARYL W. BLOHM, 0000
CORRINA M. BOGGESS, 0000
GARY D. BOMSKE, 0000
JEFFERY O. BONNER, 0000
STEPHEN T. BOONE, 0000
RALPH J. BORKOWSKI, 0000
PETER A. BOSSE, 0000
JANSON D. BOYLES, 0000
MARK D. BRACKNEY, 0000
KENNETH C. BRADDOCK, 0000
R. CHRISTION BREWER, 0000
FREDERICK J. BRITTON, 0000
JEFFERY R. BROUGHTON, 0000
TIMOTHY L. BROWN, 0000
JANICE E. BRUNO, 0000
TODD E. BURCH, 0000
THRESA BURNES, 0000
MARIANNE O. BURTNETT, 0000
JEFFERSON S. BURTON, 0000
JOHN A. BYRD, 0000
SHANNON P. CALAHAN, 0000
MICHAEL F. CALCATERRA, 0000
SHERRI P. CALHOUN, 0000
GLENN S. CAMPBELL, 0000
STEVEN J. CAMPFIELD, 0000
ALVIN CANNON, 0000
ROBERT I. CANON, 0000
THOMAS V. CANTWELL, 0000
CHRISTOPHER F. CARNEY, 0000
GERALD N. CAROZZA, JR., 0000
DANIAL C. CASMIRO, 0000
GRAHAM A. CASTILLO, 0000
LARRY D. CERNY, 0000
MARY CHAN, 0000
JOHN G. CHAPMAN, 0000
DOUGLAS T. CHARNEY, 0000
AMOS M. CHASE, 0000
RONALD G. CHEW, 0000
LOUIS A. CHIARELLA, 0000
LAURA J. CHICHESTER, 0000
SHAH A. CHOUDHURY, 0000
MICHAEL CHYTERBOK, 0000
PAUL V. CIMINELLI, 0000
ARTHUR L. CLARK, 0000
RICHARD A. CLARK, JR., 0000
TIMOTHY J. CLARK, 0000
DIANNA L. CLEVEN, 0000
RICHARD D. COLE, 0000
TIMOTHY R. COLLINS, 0000
CLARENCE COMBS III, 0000
JOHN W. CONLEY, 0000
ROBERT CONLEY III, 0000
MICHAEL A. CONNELL, 0000
MICHAEL R. CONSIDINE, 0000
RANDALL J. CORDEIRO, 0000
PETER L. COREY, 0000
MARK W. CORSON, 0000
LISA COSTANZA, 0000
ANTHONY G. COTTLES, 0000
NORMAN L. COTTON, 0000
ALBERT L. COX, 0000
JOSEPH L. CRAMER, 0000
MATTHEW E. CROKE, 0000
MARY T. CROTEAU, 0000
THOMAS A. CROWDER, 0000
PETER C. CUSOLITO, 0000
ELIZABETH M. DAMONTE, 0000
ANTHONY B. DANIELL, 0000
JODY J. DANIELS, 0000
DARRYL W. DAUGHERTY, JR., 0000
GARY L. DAVID, 0000
JOSE R. DAVIS, 0000
RICHARD W. DEAN II, 0000
LORETTA A. DEANER, 0000
ARLAN M. DEBLIECK, 0000
ROBERT F. DEL CAMPO, 0000
LUIS A. DELGADO, 0000
DAVID J. DEMPS, 0000
WILLIAM A. DENT, 0000
JOHN T. DEWEY, 0000
CLAYTON DIEDRICHS, 0000
MARC V. DINGER, 0000
BARBARA J. DOUGLAS, 0000
CHRIS R. DOWNEY, 0000
LAWRENCE C. DOYLE, 0000
LAWRENCE E. DRAPER, 0000
STUART K. DRIESBACH, 0000
RANDY L. DUCOTE, 0000
RALPH W. DUDDING, 0000
MICHAEL K. DUNN, 0000
TIMOTHY G. DUNN, 0000
DANIEL A. DUPONT, 0000
RON D. DUPREE, 0000
LEE K. DURHAM, 0000
CINDY DWYER, 0000
ALBERT P. EDWARDS, 0000
JOHN C. EDWARDS, 0000
JAMES S. EICHER, 0000
JOHN J. ELAM, 0000
FREDERIC C. ELBERT, 0000
ISOLINA ESPOSITO, 0000
CRAIG A. ESSICK, 0000
HENRY R. EVANS, 0000
THOMAS P. EVANS, 0000
PAUL W. FARROW, 0000
JOHN W. FELLEISEN, 0000
FRANK S. FERACO, 0000
FERNANDO FERNANDEZ, 0000
JUAN FERNANDEZ, 0000
STEVEN FERRARI, 0000
ROBERT A. FINK, 0000
DAVID L. FRANCAVILLA, 0000
FLOYD V. FREEMAN III, 0000
JAMES R. FREES, 0000
JONATHAN H. FRY, 0000
TIMOTHY J. FUCIK, 0000
GEOFFREY M. GARRISON, 0000
MICHAEL J. GARSHAK, 0000
JAMES D. GATES, 0000
SCOTT F. GEDLING, 0000
CHRIS R. GENTRY, 0000
JAMES A. GEORGES, 0000
KEVIN S. GERDES, 0000
JOHN T. GERESKI, JR., 0000
PATRICK C. GIBSON, 0000
CHERYL A. GILLIGAN, 0000
ROBERT J. GINGRAS, 0000
JOSE M. GIROT, 0000
KYLE E. GOERKE, 0000
JOSEPH A. GOETZ, JR., 0000
DOUGLAS P. GORGONI, 0000
JAMES E. GOWEN, 0000
ANTHONY S. GRAY, 0000
SHEILA M. GREEN, 0000
RALPH H. GROOVER III, 0000
MELINDA C. GROW, 0000
EDWARD B. GUNDERSEN, 0000
ANGELITO L. GUTIERREZ, 0000
FERNANDO GUTIERREZ, 0000
BRUCE E. HACKETT, 0000
DEBORAH T. HAFFEY, 0000
NORMAN H. HAHN, JR., 0000
TIMOTHY A. HAIGHT, 0000
THOMAS C. HAMILTON, 0000
JOHN A. HAMMOND, 0000
ROBERT A. HAMMONS, 0000
SCOTT S. HARABURDA, 0000
KURT A. HARDIN, 0000
JOHN C. HARRIS, JR., 0000
THOMAS W. HARRIS, 0000
DANIEL E. HARTMAN, 0000
SCOTT B. HAYNES, 0000
KEVIN C. HEGARTY, 0000
FERNANDO L. HENDERSON, 0000
SAMUEL L. HENRY, 0000
JOSEPH P. HEUER III, 0000
WILLIAM E. HICKMAN, 0000
JAMES H. HIGGINBOTHAM, 0000
MICHAEL J. HIGGINS, 0000
JAY R. HILDEBRAND, 0000
DAVID M. HILDRETH, JR., 0000
RONALD L. HILL, 0000
THAD W. HILL, 0000
TIMOTHY E. HILL, 0000
TIMOTHY J. HILTY, 0000
DONNA E. HINTON, 0000
BARBARA J. HIRST, 0000
GEORGE S. HLUCK, 0000
MICHAEL J. HOLLAND, 0000
DAVID D. HOLLANDS, 0000
JAY J. HOOPER, 0000
DARLENE G. HOPKINS, 0000
JUANITA I. HOPKINS, 0000
HARDEN P. HOPPER III, 0000
TIMOTHY F. HORAN, 0000
RICHARD A. HOWLEY, 0000
MICHAEL G. HOXIE, 0000
MICHAEL J. HUDDLESTON, 0000
BERNARD J. HYLAND, 0000
JANICE G. IGOU, 0000
ARTHUR F. INGRAM III, 0000
CEDRIC R. JASMIN, 0000
BRUCE A. JENSEN, 0000
GARRETT P. JENSEN, 0000
ARTHUR S. JEPSKY, 0000
JEFFREY J. JEROME, 0000
JANICE M. JOHNSON, 0000
ROBERT C. JONES, 0000
STEPHEN E. JOYCE, 0000
KERRY C. KACHEJIAN, 0000
ROBERT A. KARMAZIN, 0000
ROBERT J. KAUFMAN, 0000
WILLIAM M. KEHRER, 0000
JOHN F. KELLY, 0000
GERALD W. KETCHUM, 0000
ERIC F. KETTENRING, 0000
GARY A. KHALIL, 0000
THEODORE C. KIENTZ, 0000
RICHARD A. KILBURN, 0000
CURTIS L. KING, 0000
MICHAEL R. KITTS, 0000
KEITH A. KLEMMER, 0000
MICHAELENE A. KLOSTER, 0000
EMMETT M. KLUMP, 0000
DENNIS L. KNAPPEN, 0000
LEE F. KNIGHT, 0000
GLENN A. KOLIN, 0000
MICHAEL J. KOMICHAK, 0000
RICHARD A. KOSKI, 0000
MICHAEL E. KOZLIK, 0000
JOSEPH M. KRAKOWIAK, 0000
JEFFREY P. KRAMER, 0000
RICHARD W. KUCKSDORF, 0000
DOUGLAS C. LADD, 0000
TIMOTHY L. LAKE, 0000
JEFF C. LAMB, 0000
CHRISTOPHER M. LAMOUREUX, 0000
LOUIS J. LANDRETH, 0000
JAMES B. LASCHE, 0000
GARY B. LEAMON, 0000
STUART L. LEEDS, 0000
KIM R. LEFTWICH, 0000
KRISTOPHER A. LEMASTER, 0000
JAMES C. LETTKO, 0000
JAMES C. LEWIS, 0000
KENNETH R. LEWIS, 0000
LYNN F. LODWICK, 0000
PHILIP J. LOGAN, 0000
NEAL G. LOIDOLT, 0000
JANET W. LONG, 0000
HECTOR LOPEZ, 0000
KERMIT F. LOWERY, 0000
CHERYL A. LUDWA, 0000
STEPHEN G. LUKOSKIE, 0000
MICHAEL R. LYNCH, 0000
THOMAS J. LYNCH, 0000
DAVID W. MADDEN, 0000
GREGORY S. MAIDA, 0000
ANTHONY G. MAJOR, 0000
KEVIN G. MANGAN, 0000
MICHAEL A. MANN, 0000
WINSTON E. MANN, 0000
BRIAN D. MARKWELL, 0000
KEITH H. MARTIN, 0000
TED S. MARTINELL, 0000
DAVID MARTINEZ, 0000
ROBERT L. MASSIE, 0000
DONLL A. MCBRIDE, 0000
FRANCIS D. MCCABE, JR., 0000
GEORGE R. MCCAHAN III, 0000
DAVID W. MCDONALD, 0000
RICHARD D. MCINTYRE, 0000
MARK T. MCQUEEN, 0000
LAWRENCE W. MEDER, 0000
RICARDO A. MENENDEZ, 0000
PAUL A. MERRITT, 0000
DAWN L. MICHAUD, 0000
DWIGHT V. MICKELSON, 0000
DEREK N. MILLER, 0000
TIM MILLER, JR., 0000
JAMES P. MONAGLE, 0000
GLEN E. MOORE, 0000
JOHN P. MOORE, 0000
ROBERT A. MOORE, 0000
JAMES A. MORALES, 0000
JAMES P. MORAN, 0000
JOHN P. MORAN, 0000
JOSEPH F. MORAVEC IV, 0000
EDWARD R. MORGAN, 0000
JAMES J. MOUNTAIN, 0000
MICHAEL S. MOUSSEAU, 0000
JAMES G. MURPHY, 0000
SANDRA D. MURRAY, 0000
THOMAS T. MURRAY, 0000
VALERIE J. MYLES, 0000
PAUL P. NAIDOO, 0000
ALAN B. NEIDERMEYER, 0000
MARK E. NEUSE, 0000
JOHN C. NEWCOMER, 0000
KENNETH G. NIELSEN, 0000
BARBARA A. NUISMER, 0000
DAVID M. OAKS, 0000

BRIAN E. OCONNOR, 0000
JANE K. OCONNOR, 0000
CRAIG D. ODEKIRK, 0000
PAUL V. OETTINGER, 0000
PATRICIA L. OKEEFE, 0000
JARED W. OLSEN, 0000
GARY D. OLSON, 0000
ROBERT A. OLSON, 0000
JAMES G. ONEIL, 0000
CLINTON R. ONEILL III, 0000
MARVIN A. OWINGS, JR., 0000
CHARLES W. PALMER, 0000
MARC S. PAQUIN, 0000
MATTHEW W. PARSONS, 0000
EDWIN D. PAYNE, 0000
SAM M. PEARSON, JR., 0000
RAPHAEL G. PEART, 0000
HARRY E. PECOTTE, 0000
DAVID A. PEEK, 0000
MILTON PEREZ, 0000
JAMES E. PERRY, JR., 0000
THOMAS E. PERRY, 0000
CARL E. PFEIFFER, 0000
JEFFREY W. PFLUG, 0000
ALAN M. PHANEUF, 0000
RICHARD L. PHILLIPS, 0000
ROBERT A. PIAZZA, 0000
PATTON K. PICKENS, 0000
FRANCISCO A. PIETRI, 0000
LILLIAN C. PITTS, 0000
JOHN C. PLUMLEY, 0000
THOMAS B. PLUNKETT, 0000
WESTLEY J. POLENDER, 0000
ALLEN R. PONSINI, 0000
JAMES H. POWELL, 0000
KENNETH W. POWELL, 0000
MONTY C. POWERS, JR., 0000
JOSEPH A. PRICE, 0000
WOODROW S. RADCLIFFE, 0000
SYLVIA M. RAFELS, 0000
MATTHEW A. RANEY, 0000
KENNETH W. RATHJE, JR., 0000
GEORGE F. REASOR, JR., 0000
BRAD D. REID, 0000
PATRICK A. REILY, 0000
DONALD A. RENNER II, 0000
JAMES R. RICE, 0000
BART A. RIGG, 0000
BIENVENIDO RIVERA, 0000
RICHARD T. ROBERTS, 0000
KEVIN P. ROBINSON, 0000
PAUL E. ROEGE, 0000
GORDON A. ROGNRUD, 0000
WILFREDO ROSARIO, 0000
ROBERT W. ROSHELL, 0000
JAMES W. ROSS, JR., 0000
JEANNE M. ROWAN, 0000
DAVID W. ROWLAND, 0000
ARLEN R. ROYALTY, 0000
GLORIA A. RUDOLPH, 0000
JAMES W. RUNYON, 0000
DAVID P. RURUP, 0000
JAMES A. RUTH, 0000
SEAN RYAN, 0000
DANIEL T. SAILER, 0000
REBECCA C. SAMSON, 0000
CRAIG R. SANDERS, 0000
DAVID W. SANDERS, 0000
STEPHEN W. SANDERS, 0000
ANDREW P. SCHAFER, JR., 0000
LORIN E. SCHELL, 0000
CLAUDE I. SCHMID, 0000
GARY T. SCHMITT, 0000
MARK B. SCHMITZ, 0000
MARK K. SCHMITZ, 0000
WILLIAM J. SCHOCK, 0000
THOMAS G. SCHOLTES, 0000
LAWRENCE M. SCHORR, 0000
EMMETT C. SCHUSTER, 0000
MICHAEL D. SCHWARTZ, 0000
GLENN G. SCHWEITZER, 0000
ARTHUR L. SCOTT, 0000
STEVEN T. SCOTT, 0000
SHAUN A. SCULLY, 0000
LEVONDA J. SELPH, 0000
DENNIS R. SEWELL, 0000
DAVID R. SHAW, 0000
STEVE SHELTON, 0000
DAVID P. SHERIDAN, 0000
JONATHAN L. SHIELDS, 0000
SCOTT E. SHORT, 0000
JOSEPH L. SIEBER, 0000
JULES D. SILBERBERG, 0000
SCOTT C. SIMMONS, 0000
EDDIE L. SINGLETON, 0000
GEOFFREY SLACK, 0000
LAWRENCE J. SLAVICEK, 0000
PATRICK J. SLOWEY, 0000
DAVID O. SMITH, 0000
DONALD E. SMITH II, 0000
HOPPER T. SMITH, 0000
JAMES T. SMITH, JR., 0000
PAUL G. SMITH, 0000
RICHARD S. SMITH, 0000
WILLIAM L. SMITH, 0000
LEWIS R. SNYDER, 0000
WILLIAM M. SNYDER, 0000
ALAN K. SOLDAN, 0000
DIRK D. SPANTON, 0000
RICHARD E. SPEIRS, 0000
STEPHEN E. SPELMAN, 0000
DAVID W. SPENCE, 0000
ROBERT D. SPESSERT, 0000
WENDY C. SPRIGGS, 0000
GLEN C. STAGNITTA, 0000
ROY Q. STATON, 0000
JAMES E. STEVENS, JR., 0000
FRANK A. STEWART, 0000
JOHN STEWART, JR., 0000
ALAN L. STOLTE, 0000
MICHAEL A. STONE, 0000
ANTHONY W. STRATTON, 0000
JOHN D. STRICKLAND III, 0000
SEAN P. SULLIVAN, 0000
TIMOTHY J. SULLIVAN, 0000
TIMOTHY J. SWANN, 0000
LEE E. TAFANELLI, 0000
VICTOR A. TALL, 0000
ROBERT E. TEBERG, 0000
STEPHEN F. TELLATIN, 0000
DOUGLAS J. TELLESON, 0000
PATRICK J. TENNIS, 0000
JACQUES D. THIBODEAUX, 0000
ARTURO T. THIELESARDINA, 0000
SCOTT L. THOELE, 0000
CHARLES M. THOMAS, 0000
LORETTA S. THOMAS, 0000
JAMES W. THOMPSON, 0000
BOBBY C. THORNTON, 0000
JOHN W. TILFORD, 0000
JAMES M. TOBIN, 0000
JOHN C. TOBIN, 0000
NEIL H. TOLLEY, 0000
MITCHELL E. TORYANSKI, 0000
STANLEY E. TOY, 0000
JAMES E. TRAFTON, 0000
LARRY D. TURNER, 0000
RONDAL L. TURNER, 0000
MICHAEL D. VANCE, 0000
STEVEN VANDERHOOF, 0000
KIRK E. VANPELT, 0000
RANDALL K. VANROOSENDAAL, 0000
MICHAEL A. VASILE, 0000
JOHN L. VAVRIN, 0000
ROBERT R. VESSELIZA, JR., 0000
KARL A. VOIGT, 0000
RICK B. WAHLEN, 0000
JOHN W. WALERSKI, 0000
JOHN E. WALSH, 0000
KENNETH F. WALTER, 0000
ROBERT P. WALTERS, 0000
TIMOTHY L. WALTERS, 0000
ROBERT R. WALTON, JR., 0000
MARK R. WARNECKE, 0000
NELSON B. WARTHAN, 0000
JAMES Z. WARTSKI, 0000
BARRY J. WASHINGTON, 0000
PAULINE E. WASHINGTON, 0000
TIMOTHY A. WATERS, 0000
DIANNE B. WATKINS, 0000
WALTER T. WEAVER, 0000
RICHARD D. WELCH, 0000
RUBEL D. WEST, 0000
DANA A. WHALEY, 0000
JAMES K. WHITE, JR., 0000
JOHN D. WHITE, 0000
MICHAEL T. WHITE, 0000
SCOTT J. WHITTEMORE, 0000
ANTHONY A. WICKHAM, 0000
BERND WILLAND, 0000
GREGORY K. WILLIAMS, 0000
JAMES T. WILLIAMS, 0000
JESSE J. WILLIAMS, 0000
JAMES M. WILLIAMSON, 0000
LARIE J. WILSON, 0000
ROBERT E. WINDHAM, JR., 0000
LISA M. WINDSOR, 0000
TEY C. WISEMAN, 0000
FREDERICK F. WOERNER, 0000
JOAL E. WOLF, 0000
JEROLD A. WOOD, 0000
PATTI D. WOODS, 0000
BART L. WOODWORTH, 0000
KAREN L. WRIGHT, 0000
KENNETH L. WRIGHT, 0000
DALLAS F. WURST III, 0000
WILLIAM A. ZAMMIT, 0000
MICHAEL R. ZERBONIA, 0000
DAVID R. ZYSK, 0000

THE FOLLOWING NAMED OFFICERS IN THE GRADES INDICATED IN THE REGULAR ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

HOLTORF R. ALONSO, 0000
JAMES A. BAILIE, 0000
KELLY N. CAMPBELL, 0000
BRYAN A. GROVES, 0000
MICHAEL D. HILLIARD, 0000
LADONNA M. HOLT, 0000
JEFFREY J. HUNT, 0000
TINA S. KRACKE, 0000
GEORGE A. LUMPKINS, 0000
ALBERT J. MCCARN, 0000
GEORGE F. MINDE, 0000
CAROL S. MOSSBAILEY, 0000
LARRY D. NAYLOR, 0000
FELIX ORTIZ, 0000
ROGER A. PRETSCH, 0000
RONALD A. RYNNE, 0000
EUGENE SAIN, 0000
GLENN G. SCHWEITZER, 0000
STEVEN A. STEBBINS, 0000
JOHN S. WEAVER, 0000
JOEL D. WEEKS, 0000
FREDERICK P. WELLMAN, 0000
MICHAEL L. WHETSTONE, 0000
DARRYL K. WOOLFOLK, 0000

To be major

CHRISTOPHER W. ABBOTT, 0000
ANTHONY L. ADAMS, 0000
JAMES H. ADAMS, 0000
LAWRENCE AGUILLARD, 0000
JAMES M. AHEARN, 0000
DAVID K. ALMQUIST, 0000
ROGER S. ALVAREZ, 0000
JEFFREY S. AMOS, 0000
BRENDEN C. ANDERSON, 0000
JOSEPH L. ANDERSON, 0000
MIGUEL A. APONTERODRIGUEZ, 0000
BRENDAN JOSEPH ARCURI, 0000
KRISTINE M. ARMSTRONG, 0000
ERIC S. ATHERTON, 0000
ANTONIO D. AUSTIN, 0000
MICHAEL A. BACHAND, 0000
BRIAN K. BAKER, 0000
JAY F. BALL, 0000
ROBERT S. BALLAGH, 0000
CHARLES H. BARBER, 0000
CHRISTOPHER M. BARNWELL, 0000
KYLE W. BAYLESS, 0000
BRADLEY E. BECHEN, 0000
BRIAN T. BECKNO, 0000
JOHN C. BELANGER, 0000
GARY M. BELCHER, 0000
PHILLIP D. BENEFIELD, 0000
ROBERT J. BERG, 0000
CEASAR P. BERGONIA, 0000
BARRETT M. BERNARD, 0000
DAVID D. BIGGINS, 0000
JONATHAN A. BLAKE, 0000
MEGAN A. BOGLEY, 0000
RONALD A. BONOMO, 0000
DON E. BOTTORFF, 0000
JEFFERY G. BOUMA, 0000
JENNIFER I. BOWER, 0000
ERIC L. BRADLEY, 0000
TANYA J. BRADSHER, 0000
CHARLES E. BRANSON, 0000
JASON T. BRIDGES, 0000
KAREN L. BRIGGMAN, 0000
BRIAN D. BRITTAIN, 0000
HARRY D. BROOKS, 0000
NICHOEL E. BROOKS, 0000
DARRYL B. BROWN, 0000
EDWARD F. BUCK, 0000
ROBERT A. BURGE, 0000
THOMAS E. BURKE, 0000
MATTHEW L. BURR, 0000
LINNIE W. CAIN, 0000
ROBERT A. CAIN, 0000
EARL D. CALEB, 0000
LUKE T. CALHOUN, 0000
CHAD A. CALVARESI, 0000
ROMAN J. CANTU, 0000
DOUGLAS J. CARBONE, 0000
THOMAS E. CARLSON, 0000
OWEN B. CASTLEMAIN, 0000
JOHN R. CAUDILL, 0000
STEVEN CELESTE, 0000
MICHAEL A. CHARLEBOIS, 0000
DARREN L. CHARTIER, 0000
TORRANCE D. CHISM, 0000
JOSEPH J. CIESLO, 0000
JORGE L. CINTRONOLIVIERI, 0000
JOSEPH D. CLARK, 0000
MICHAEL J. CLARKE, 0000
CLYDE S. COCHRANE, 0000
CHRISTOPHER H. COLAVITA, 0000
MALCOLM C. COLE, 0000
RAHHSHAHUN COLLEY, 0000
SCOT A. COLVER, 0000
JAMES M. COOK, 0000
ROBERT H. COOPER, 0000
MICHAEL R. CORBISIERO, 0000
SEAN M. COREY, 0000
DOUGLAS J. COTE, 0000
WILLIAM D. COTTY, 0000
KEVIN E. COUNTS, 0000
MARVA D. COURTNEY, 0000
ERICK C. CREWS, 0000
SIDNEY W. CREWS, 0000
MARY K. CRUSAN, 0000
MANUEL CRUZ, 0000
RICHARD E. CURETON, 0000
CHRISTOPHER S. CUTLER, 0000
WESLEY G. DABNEY, 0000
DEXTER C. DANIEL, 0000
DAVID J. DANIELS, 0000
DANIEL L. DAVIS, 0000
MICHAEL E. DAWSON, 0000
JEFFREY A. DECARLO, 0000
BRIAN N. DELAPLANE, 0000
ERIC M. DERYNIOSKI, 0000
DWAYNE A. DICKENS, 0000
MARCUS K. DICKINSON, 0000
BRADLEY S. DOMBY, 0000
THOMAS A. DORSEY, 0000
JOHN F. DOWNEY, 0000
JOSEPH W. EDSTROM, 0000
JOHN E. ELRICH, 0000
RYAN W. EMERSON, 0000
ROBERT E. ERIKSEN, 0000
BRIAN B. ETTRICH, 0000

BRAD J. EUNGARD, 0000
CHARLES A. FALLANG, 0000
JAMES A. FAULKNOR, 0000
RYAN J. FAYRWEATHER, 0000
JOHN A. FEJERANG, 0000
KEITH X. FENNELL, 0000
GEORGE G. FERIDO, 0000
JOHN M. FERRELL, 0000
ALFREDO E. FERRER, 0000
BARBARA R. FICK, 0000
KEVIN FIELD, 0000
GARY D. FITTS, 0000
WILLIAM G. FITZHUGH, 0000
AARON P. FITZSIMMONS, 0000
CHRIS A. FLAND, 0000
ERIC C. FLESCH, 0000
TOY G. FLORES, 0000
THOMAS M. FLOYD, 0000
ROLAND C. FORD, 0000
JONATHAN A. FOSKEY, 0000
MATTHEW J. FOX, 0000
BARRY J. FRANKS, 0000
PHILLIP A. FRERES, 0000
RICHARD C. FULGIUM, 0000
BLAISE L. GALLAHUE, 0000
JOSE L. GALVAN, 0000
JESUS GARCIA, 0000
JOSE A. GARCIAESMURRIA, 0000
HILTON B. GARDNER, 0000
TIMOTHY M. GARTEN, 0000
STEVEN M. GEORGE, 0000
JOSEPH B. GILION, 0000
STEPHEN M. GOLDMAN, 0000
ROBERTO GONZALEZPENA, 0000
KENNETH S. GOODPASTER, 0000
SARAH M. GOODSON, 0000
GIUSTI GOVEO, 0000
KATHERINE J. GRAEF, 0000
SCOTT D. GRANT, 0000
MAUREEN J. GREEN, 0000
GEOFFREY D. GREENE, 0000
CHRISTOPHER P. GRELL, 0000
JEFFREY C. GROSKOPF, 0000
JOSEPH W. GROSS, 0000
CRAIG S. GUTH, 0000
PETER J. HABIC, 0000
WALTER O. HADLEY, 0000
DEAN B. HAGADORN, 0000
MICHAEL A. HALES, 0000
RONALD HALEY, 0000
LAMONT J. HALL, 0000
RICHARD A. HALL, 0000
JASON M. HANCOCK, 0000
JERRY L. HARDING, 0000
AARON HARDY, 0000
GORDON D. HARRINGTON, 0000
SAMUEL HARVILL, 0000
KRISTEN A. HASSE, 0000
GARY M. HAUSMAN, 0000
GEORGE J. HAWVER, 0000
KENNETH G. HAYNES, 0000
TAMARA L. HEDBERG, 0000
AARON D. HEIMKE, 0000
ERIK L. HEINZ, 0000
PAUL A. HENLEY, 0000
BARTHOLOME J. HENNESSEY, 0000
LAWRENCE W. HENRY, 0000
PAUL A. HENRY, 0000
RENE G. HERNANDEZ, 0000
RUFINO HERRERA, 0000
PAUL E. HESLIN, 0000
ERIC L. HESTER, 0000
JEFFREY D. HICKS, 0000
JAMES HILLIAN, 0000
DANIEL R. HOCHSTATTER, 0000
EVERETT D. HOCKENBERRY, 0000
CHRISTOPHER W. HOFFMAN, 0000
JASON L. HOGE, 0000
GREGORY A. HOLIFIELD, 0000
LOREN A. HOLLINGER, 0000
KEVIN M. HOLTON, 0000
STEVEN T. HOPINGARDNER, 0000
STEVEN G. HOPPER, 0000
STEVEN T. HOWELL, 0000
EDWARD J. HUNTER, 0000
TERRY C. HYMAN, 0000
TIMOTHY M. IRISH, 0000
ALEXANDER ISAAC, 0000
JOSEPH G. IZAGUIRRE, 0000
SHANNON C. JACKSON, 0000
WILLIAM K. JAKOLA, 0000
JOHN A. JAMES, 0000
EDWIN B. JANKOWSKI, 0000
DEAN E. JANOSIK, 0000
THOMAS G. JAUQUET, 0000
DEVERICK M. JENKINS, 0000
DARREN K. JENNINGS, 0000
WYLIE A. JENSEN, 0000
THOMAS D. JESSEE, 0000
ANNETTE JOHNSON, 0000
BRION L. JOHNSON, 0000
ROBERT D. JOHNSON, 0000
RONNY A. JOHNSON, 0000
STEVEN M. JOHNSON, 0000
STEVEN R. JOHNSON, 0000
TERRANCE L. JOHNSON, 0000
THOMAS JOHNSON, 0000
WILLIAM N. JOHNSON, 0000
DESMOND C. JONES, 0000
BRENT M. JORGENSEN, 0000
ANDREW D. KAMINSKY, 0000
CLINT E. KARAMATH, 0000
STEPHEN L. KAVANAUGH, 0000
SEAN A. KEENAN, 0000
JIM R. KEENE, 0000
MICHAEL B. KELLEY, 0000
KEVIN KELLY, 0000
JEFFREY S. KEMP, 0000
IAN P. KENNEDY, 0000
WILLIAM KEPLEY, 0000
ROBERT F. KIERMAYR, 0000
DON KING, 0000
GARY W. KING, 0000
DANIEL K. KIRK, 0000
KENNETH KLOCK, 0000
KENNETH W. KNOWLES, 0000
PETER J. KOCH, 0000
KARLIS A. KRIEVINS, 0000
GARY C. KUCZYNSKI, 0000
CARL A. LAMAR, 0000
DAVID J. LAMBRECHT, 0000
JAY C. LAND, 0000
ANDREW M. LAWFIELD, 0000
STEPHEN W. LEDBETTER, 0000
ANGELA LEE, 0000
CEDRIC D. LEE, 0000
BRADEN G. LEMASTER, 0000
KEEGAN S. LEONARD, 0000
HERBERT E. LEPLATT, 0000
KENNETH W. LETCHER, 0000
PETER S. LEVOLA, 0000
ALAN T. LINDLEY, 0000
WALTER LLAMAS, 0000
JAMES L. LOCK, 0000
ARTHUR J. LONTOC, 0000
JOHN D. LOONEY, 0000
RALPH A. LOUNSBROUGH, 0000
KIRK A. LUEDEKE, 0000
ROBERT LUTZ, 0000
FREDDIE A. MACK, 0000
MATTHEW D. MACNEILLY, 7199
STEVEN MADDRY, 0000
MARIANNE MADRID, 0000
TOBIAS M. MAGAN, 0000
JOEL S. MAGSIG, 0000
LUCIO MALDONADO, 0000
DANIEL M. MALONEY, 0000
ROBERT P. MANN, 0000
GREGORY A. MANNS, 0000
VINCENT G. MARTINELLI, 0000
LILLIAM MARTINEZ, 0000
FRANK W. MAUDIE, 0000
JAMES A. MAXWELL, 0000
ROBERT J. MCARDLE, 6398
KEVIN J. MCAULIFFE, 5735
EDWARD W. MCCARTHY, 2090
MICHAEL MCCURRY, 8227
JESSE MCFARLAND, 4382
MITCHELL J. MCKINNEY, 8751
GLENN MCNORIAL, 7457
JOSEPH W. MEANS, 0000
RICHARD L. MENHART, 0000
BRIAN M. MICHELSON, 0000
CHRISTOPHER W. MILLER, 0000
JAMES MILLER, 0000
RUSSELL S. MILLER, 0000
WILLIAM M. MIZELL, 0000
DAVID R. MIZELLE, 0000
DOUGLAS A. MOHLER, 0000
KAREN J. MONROE, 0000
THEO K. MOORE, 0000
VIRGINIA A. MOORE, 0000
SAMUEL W. MORGAN, 0000
SEAN P. MORIARTY, 0000
JAMES C. MOSES, 0000
JOSEPH M. MOUER, 0000
JAMES D. MULLINAX, 0000
ROBERT D. MURPHY, 0000
MICHELLE M. MURRAY, 0000
JAMES M. MYERS, 0000
RICKEY MYSKEY, 0000
JOSE NAPUTI, 0000
JEFFREY S. NELSON, 0000
KEITH L. NELSON, 0000
THOMAS M. NELSON, 0000
DANTE S. NETHERY, 0000
MARK T. NEUMANN, 0000
THONG H. NGUYEN, 0000
JEFFREY S. NIEMI, 0000
MICHAEL J. NIXON, 0000
SCOTT P. NOLAN, 0000
RYAN P. OCONNOR, 0000
HENRY OFECIAR, 0000
ROSS M. OHARAHULETT, 0000
MARGARET OHMS, 0000
CHARLES R. OQUINN, 0000
JOSEPH PALASTRA, 0000
JOHNATHAN T. PARCHEM, 0000
CARL L. PARSONS, 0000
KEVIN M. PAYNE, 0000
AUSTIN PEARSON, 0000
GARY PEARSON, 0000
GERRY A. PEPPMULLER, 0000
GARTH N. PEREZ, 0000
THOMAS C. PETTY, 0000
CHRISTOPHER J. PFLANZ, 0000
JIMMY M. PHILLIPS, 0000
SEAN M. PICCIANO, 0000
MICHAEL D. PIERCE, 0000
ALFONSO T. PLUMMER, 0000
DAWSON A. PLUMMER, 0000
JOHN P. POPPIE, 0000
PAUL POWELL, 0000
SHANE P. POWELL, 0000
BRIAN W. PREISS, 0000
KEITH T. PRITCHARD, 0000
ERIC S. PULS, 0000
JOHN QUINENE, 0000
ANTHONY U. QUINN, 0000
MICHAEL A. QUITANIA, 0000
KENNETH A. RAIFORD, 0000
CHARLES R. RAMBO, 0000
RICHARD RAMSEY, 0000
RICHARD A. RASSBACH, 0000
KEITH R. RAUTTER, 0000
CRAIG M. RAVENELL, 0000
ANDREW M. REARDON, 0000
DON REDD, 0000
ERIC M. REMOY, 0000
ERIK J. REYNOLDS, 0000
MICHAEL E. REZABEK, 0000
WILLIAM E. RIEPER, 0000
SCOTT W. RILEY, 0000
ROBERT A. RISDON, 0000
MICHAEL A. RITCHART, 0000
CARLOS A. RIVERA, 0000
JOSEPH F. ROACH, 0000
ANDREW P. ROBERTS, 0000
CURTIS V. ROBERTS, 0000
ZANDRA D. ROBINSON, 0000
CHRISTOPHER RODRIGUEZ, 0000
EARL ROE, 0000
PATRICK A. ROSE, 0000
ELBERT G. ROSS, 0000
CHARLES X. ROTE, 0000
ROBERT D. ROUSE, 0000
JAN L. RUESCHHOFF, 0000
SCOTT M. RUSH, 0000
MICHAEL J. RUTHERFORD, 0000
BRYAN W. RYDER, 0000
RAMIRO R. SALAZAR, 0000
STEVEN M. SALLOT, 0000
STEVEN R. SAMUELSON, 0000
FLORENTINO SANTANA, 0000
RICHARD D. SAVAGEAU, 0000
BRIAN R. SCHAAP, 0000
WILLIAM R. SCHAFFER, 0000
JEFFREY M. SCHROEDER, 0000
SHAWN C. SCHULDT, 0000
BRADLEY C. SCHUTZ, 0000
CARMELIA J. SCOTTSKILLERN, 0000
JERRY SCRIVEN, 0000
JEFFREY A. SHANER, 0000
JAMES SHARP, 0000
EULYS SHELL, 0000
AARON R. SHIELDS, 0000
SCOTT A. SHORE, 0000
THOMAS A. SHULTZ, 0000
DERRICK J. SINGLETON, 0000
JONATHAN B. SLATER, 0000
MORGAN SMILEY, 0000
ERIC T. SMITH, 0000
FELTON SMITH, 0000
GREGORY S. SMITH, 0000
MICHAEL J. SMITH, 0000
PATRICK M. SMITH, 0000
ROBERT SMITH, 0000
SAMUEL D. SMITH, 0000
MICHAEL J. SNIPES, 0000
ROBERT SNYDER, 0000
JOHN P. SPANOGLE, 0000
ANTHONY D. SPAULDING, 0000
BERNHARD SPOERRI, 0000
MARK L. STEBBINS, 0000
JENNIFER M. STEPHENS, 0000
LLOYD C. STERLING, 0000
MICHAEL D. STERRETT, 0000
ROGERS STINSON, 0000
TAMMY L. STOCKING, 0000
STEVEN D. STOWELL, 0000
DONALD P. SUTTON, 0000
JOHN F. TAFT, 0000
ALBERT J. TAPP, 0000
CALVIN C. THOMAS, 0000
CHRISTOPHER M. THOMPSON, 0000
JOHN THROCKMORTON, 0000
BOGDAN T. TOCARCIUC, 0000
VICTOR E. TODD, 0000
AADAM B. TRASK, 0000
PATRICK W. TRIPLETT, 0000
DAVID S. TROUTMAN, 0000
ANDRE V. TUCKER, 0000
BRETT M. TURNER, 0000
GREGORY S. TURNER, 0000
KEVIN C. TYLER, 0000
OSCAR R. TYLER, 0000
PAUL B. TYRRELL, 0000
JAMES T. VALENTINE, 0000
ROBERT H. VALIEANT, 0000
VICTOR C. VASQUEZ, 0000
GERARD A. VAVRINA, 0000
SCOTT D. VERVISCH, 0000
DERIK F. VONRECUM, 0000
DOUGLAS J. WADDINGHAM, 0000
CRAIG S. WAGONER, 0000
MARION WALKER, 0000
RHETT D. WALKER, 0000
CHAD E. WARD, 0000
FORTE D. WARD, 0000
JOEL E. WARHURST, 0000
KENNETH D. WATSON, 0000
TY S. WEAVER, 0000
SAMUEL J. WELCH, 0000
ROBERT B. WENGER, 0000
GUY E. WETZEL, 0000
RICHARD WHITTINGSLOW, 0000

BRIAN L. WILLIAMS, 0000
JASON D. WILLIAMS, 0000
EDWARD B. WILTCHER, 0000
RITA J. WINBORNE, 0000
TROY S. WISDOM, 0000
EVAN H. WOLLEN, 0000
BREN K. WORKMAN, 0000
JASON M. WRIGHT, 0000
STEVEN YAMASHITA, 0000
WILLIAM R. YOUNG, 0000
JOHN J. ZEIGLER, 0000
PAUL B. ZEPERNICK, 0000
RICHARD M. ZYGADLO, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

THOMAS E. AYRES, 0000
GREGORY T. BALDWIN, 0000
TRACY A. BARNES, 0000
BRIAN H. BRADY, 0000
FRED K. FORD, 0000
MICHAEL J. HARGIS, 0000
JAMES W. HERRING, JR., 0000
RANDY T. KIRKVOLD, 0000
TARA A. OSBORN, 0000
JODY M. PRESCOTT, 0000
MICHAEL E. SAINSBURY, 0000
MARK W. SEITSINGER, 0000
KATHERINE SPAULDINGPERKUCHIN, 0000
PAMELA M. STAHL, 0000
KENNETH J. TOZZI, 0000
STEVEN E. WALBURN, 0000
PETER C. ZOLPER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

ROBERTO C. ANDUJAR, 0000
DAVID A. BARLOW, 0000
KENNETH C. BARTLETT, 0000
DEAN F. BLAND, 0000
STEVEN A. BOYLAN, 0000
THOMAS W. COLLINS, 0000
DERIK W. CROTTS, 0000
STEVEN P. DAMON, 0000
MARK G. EDGREN, 0000
PATRICK F. FRAKES, 0000
FREDERICK A. HENRY, 0000
JOHN J. HICKEY, JR., 0000
ROBERT W. HOELSCHER II, 0000
JEFFREY S. JOHNSON, 0000
PATRICK M. MANNERS, 0000
MARK A. MCMANIGAL, 0000
JAMES L. MERCHANT III, 0000
JOHN P. MILLAR, 0000
MICHAEL J. NEGARD, 0000
GERALD J. OHARA, 0000
CARL D. PORTER, 0000
MICHAEL H. POSTMA, 0000
PATRICIA A. QUINN, 0000
THOMAS W. QUINTERO, 0000
HAROLD W. REEVES, JR., 0000
ROBERT S. REILLY, 0000
THOMAS C. RIDDLE, 0000
ANDREW B. SEWARD, 0000
ROBERT M. SHEPPARD, 0000
WILLIAM J. STERNHAGEN, 0000
ANDREW W. STEWART, 0000
STEPHEN M. WOOLWINE, 0000
KENNETH A. YOUNG, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

CRAIG J. AGENA, 0000
RICHARD C. AKRIDGE, 0000
DANIEL A. ALABRE, 0000
JOHN P. ANDERSON, 0000
GREGORY V. BARRACK, 0000
CHRISTOPHER R. BENYA, 0000
BOBBY F. BLACKWELL, 0000
JAIME L. BONANO, 0000
JON W. CAMPBELL, 0000
PHILIP J. CAREY, 0000
MARK A. CONLEY, 0000
WILLIAM N. COSBY, 0000
VENTURA A. CUELLO, 0000
RALPH C. DELUCA, 0000
DANNY S. DENNEY, 0000
KEITH R. EDWARDS, 0000
DANIEL J. GETTINGS, 0000
JOSEPH A. GREBE, 0000
RUSSELL L. GRIMLEY, 0000
THOMAS K. HAASE, 0000
KIRK J. HASCHAK, 0000
JOHN P. HESS, 0000
GLENN R. HUBER, JR., 0000
KENNEDY E. JENKINS, 0000
STEVEN W. KIHARA, 0000
DION J. KING, 0000
ANDRE C. KIRNES, 0000
LANE J. LANCE, 0000
PAUL R. LEPINE, 0000
THOMAS C. LOPER II, 0000
DANIEL J. MCCORMICK, 0000
KIP A. MCCORMICK, 0000
DAVID T. MCNEVIN, 0000
LAWRENCE W. MCRAE, JR., 0000
BRYAN J. MCVEIGH, 0000
SCOTT G. MESSINGER, 0000
STEVEN J. MINEAR, 0000
DAVID M. MOORE, 0000
VINCENT J. MOYNIHAN, 0000
FREDDY W. MULLINS, 0000
PEDRO A. ORONA, 0000
PAUL A. OSTROWSKI, 0000
JOHN R. OXFORD, JR., 0000
YEONG T. PAK, 0000
JACK A. PELLICCI, JR., 0000
MICHAEL R. PERRY, 0000
PHUONG T. PIERSON, 0000
ANTHONY W. POTTS, 0000
DAVID J. RICE, 0000
KEITH W. ROBINSON, 0000
HUMBERTO RODRIGUEZ, 0000
HECTOR A. SALINAS, 0000
MATTHEW C. SCHAFER, 0000
KARL R. SEABAUGH, 0000
CHRISTOPHER A. SHALOSKY, 0000
MICHAEL S. SKARDON, 0000
BOBBY L. SMITH, 0000
PERRY R. SMITH, 0000
RONALD A. STEPHENS, 0000
GREGORY E. STEWART, 0000
JEFFREY A. STIMSON, 0000
VINCENT M. TOBIN, 0000
DAVID L. TRELEAVEN, 0000
CHARLES W. VANBEBBER, 0000
KIRK F. VOLLMECKE, 0000
ERIC J. VONTERSCH, 0000
FRANK P. WAGDALT, 0000
BRIAN C. WINTERS, 0000
JOHN S. WRIGHT, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

DANIEL G. AARON, 0000
JOSEPH F. ADAMS, 0000
JOSEPH C. AMMON, 0000
AMANDA L. ANDERSON, 0000
ANTHONY P. ARCURI II, 0000
DUANE E. BRUCKER, 0000
GWYNNE T. BURKE, 0000
GREGORY L. CANTWELL, 0000
CARLEN J. CHESTANG, JR., 0000
VERNON T. DAVIS, 0000
ROBERT L. DEYESO, JR., 0000
JAMES F. DICKENS, 0000
JUDE C. FERNAN, 0000
ANDREW G. GLEN, 0000
MICHAEL B. GLENN, 0000
JOSH H. GOEWEY, 0000
STEVEN R. GRIMES, 0000
THEA HARVELL III, 0000
DOUGLAS A. HERSH, 0000
ROBERT L. HESSE, 0000
DAVID E. HILL, JR., 0000
JOEL R. HILLISON, 0000
HERSHEL L. HOLIDAY, 0000
PAMELA J. HOYT, 0000
ROBERT S. HUME, 0000
LAUREL J. HUMMEL, 0000
CARL M. JOHNSON, 0000
WILLIAM E. JOHNSON, JR., 0000
KATHLEEN L. KNAPP, 0000
RICHARD A. LACQUEMENT, 0000
GARRETT R. LAMBERT, 0000
ROBERT F. LARSEN, JR., 0000
JON M. LOCKEY, 0000
JASON C. LYNCH, 0000
JOHN M. MATTOX, 0000
THOMAS D. MAYFIELD III, 0000
TAMER R. MCGUIRE, 0000
DEAN W. MENGEL, 0000
KARL F. MEYER, 0000
KENT M. MILLER, 0000
RONALD C. MIXAN, 0000
PHILLIP T. NETHERY, 0000
DAVID R. NORTON, 0000
ROBERT A. POWELL, 0000
SCOTT A. PRINTZ, 0000
MILTON L. SAWYERS, 0000
JOHN C. SEES, JR., 0000
JAMES T. SEIDULE, 0000
THOMAS P. SLAFKOSKY, 0000
CHERYL L. SMART, 0000
JOHN J. SMITH, 0000
DAVID A. WALLACE, 0000
MICHAEL S. WEAVER, 0000
CHRISTOPHER F. WHITE, 0000
RICHARD E. WIERSEMA, 0000
MARILYN D. WILLS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be colonel

WILLIAM G. ADAMSON, 0000
ROBERT B. AKAM, 0000
GEORGE G. AKIN, 0000
MICHAEL A. ALBANEZE, 0000
ERIC S. ALBERT, 0000
DAVID R. ALEXANDER, 0000
KEITH A. ANDERSON, 0000
BRENDA A. ANDREWS, 0000
HODGES ANTHONY, JR., 0000
JUAN L. ARCOCHA, 0000
CHRISTOPHER S. ARGO, 0000
SPENCER Q. ARTMAN, 0000
DAVID A. ATCHER, 0000
DAVID D. BAKER, 0000
MICHAEL J. BARBEE, 0000
RANDALL T. BARNES, 0000
WILLIAM M. BARNETT IV, 0000
RICHARD E. BARROWMAN, 0000
BRADLEY A. BECKER, 0000
JOHN A. BECKER, 0000
RICHARD M. BECKINGER, 0000
KEVIN R. BEERMAN, 0000
GERALD E. BELLIVEAU, JR., 0000
CHRISTOPHER F. BENTLEY, 0000
DOUGLAS L. BENTLEY, JR., 0000
BRYAN W. BEQUETTE, 0000
MEAREN C. BETHEA, 0000
RANDOLPH R. BINFORD, 0000
KEVIN R. BISHOP, 0000
DAVID L. BLAIN, 0000
RANDALL W. BLAND, 0000
MICHELE P. BOLINGER, 0000
CURTIS D. BOYD, 0000
STUART W. BRADIN, 0000
JOSEPH A. BRENDLER, 0000
WILLIAM D. BRINKLEY, 0000
MATTHEW W. BROADDUS, 0000
EDWARD J. BROCK, 0000
DEBORAH P. BROUGHTON, 0000
DAVID A. BROWN, 0000
OTIS L. BROWN II, 0000
STANLEY M. BROWN, 0000
STEPHEN E. BRUCH, 0000
JAMES E. BRUNDAGE, 0000
JOSEPH P. BUCHE, 0000
LAURIE G. BUCKHOUT, 0000
STEVEN L. BULLIMORE, 0000
ROBERT A. BURNS, 0000
WILLIAM C. BURRELL, 0000
BRIAN A. BUTLER, 0000
SEAN M. CALLAHAN, 0000
JAMES M. CAMPBELL, JR., 0000
ROBERT K. CARL, 0000
RICHARD A. CARLSON, 0000
SCOTT M. CARLSON, 0000
MARTIN T. CARPENTER, 0000
DANIEL L. CASSIDY, JR., 0000
JOHN G. CASTLES II, 0000
ROBERT J. CEJKA, 0000
THOMAS C. CHAPMAN, 0000
J. KEVIN CHESNEY, 0000
JAMES H. CHEVALLIER, 0000
JONATHON L. CHRISTENSEN, 0000
STEPHEN M. CHRISTIAN, 0000
KEVIN A. CHRISTIE, 0000
NORBERTO R. CINTRON, 0000
TROY A. CLAY, 0000
SAMUEL CLEAR, 0000
CLAYTON W. COBB, 0000
ANTONIO S. COLEMAN, 0000
JOHN E. COLLIE, 0000
PEGGY C. COMBS, 0000
CHRISTOPHER E. CONNER, 0000
JUDSON A. COOK, 0000
LORELEI E. COPLEN, 0000
MARK A. COSTELLO, 0000
JOHN A. COX, 0000
MICHAEL P. CRALL, 0000
BRUCE T. CRAWFORD, 0000
ANTHONY CRUZ, 0000
FRANKIE CRUZ, 0000
JOHN P. CURRAN, 0000
BEVAN R. DALEY, 0000
EDWARD M. DALY, 0000
RICHARD S. DAUM, JR., 0000
SUSAN A. DAVIDSON, 0000
ALEXANDER D. DAVIS, JR., 0000
MARCUS F. DEOLIVEIRA, 0000
JOHN K. DEWEY, 0000
MARK A. DEWHURST, 0000
JAMES H. DICKINSON, 0000
LILLIAN A. DIXON, 0000
WILLIAM H. DODGE, 0000
TERRANCE J. DOLAN, 0000
DAVID W. DORNBLASER, 0000
ROBERT L. DOUTHIT, 0000
JEFFREY M. DOUVILLE, 0000
JOHN F. DOWD, JR., 0000
DAVID R. DRAEGER, 0000
DAVID D. DWORAK, 0000
GREGORY J. DYEKMAN, 0000
ROBERT C. EFFINGER III, 0000
RICHARD A. EVANS, 0000
SAMUEL S. EVANS, 0000
THOMAS H. EVANS, 0000
KARI L. EVERETT, 0000
BENJAMIN A. EVERSON, 0000
KURT W. FEDORS, 0000
KEVIN M. FELIX, 0000
JOHN FENZEL III, 0000
JOSEPH M. FISCHETTI, 0000
ANDRE Q. FLETCHER, 0000
SCOTT N. FLETCHER, 0000
FRANKLIN D. FORD, JR., 0000
BRUCE C. FOREMAN, 0000

MARK R. FORMAN, 0000
DARRELL D. FOUNTAIN, 0000
CYNTHIA L. FOX, 0000
MICHELLE M. FRALEY, 0000
ROBERT E. FREEHILL, 0000
BYRON A. FREEMAN, 0000
RONALD A. FROST, 0000
ANTHONY C. FUNKHOUSER, 0000
PAUL W. GAASBECK, 0000
DOUGLAS M. GABRAM, 0000
PETER A. GALLAGHER, 0000
WILLIAM E. GARNER, 0000
MARK L. GARRELL, 0000
JOHN F. GARRITY, 0000
PATRICK M. GAWKINS, 0000
DAVID T. GERARD, 0000
JOSEPH I. GILL III, 0000
WESLEY G. GILLMAN, 0000
PAUL E. GIOVINO, 0000
HARRY C. GLENN III, 0000
DALE E. GOBLE, 0000
GLENN H. GOLDMAN, 0000
KERRY M. GRANFIELD, 0000
JAMES W. GRAY, 0000
GLENN K. GROTHE, 0000
BRYAN A. * GROVES, 0000
EDUARDO GUTIERREZ, 0000
DAVID B. HAIGHT, 0000
JOHN F. HALEY, 0000
DAVID W. HALL, 0000
JEFFREY M. HALL, 0000
SHARON R. HAMILTON, 0000
LEE E. HANSEN, 0000
JOHN W. HARNEY, 0000
CHERYL A. HARRIS, 0000
JEFFERY T. HARRIS, 0000
CLAY B. HATCHER, 0000
JEFFREY B. HELMICK, 0000
BARRY R. HENSLEY, 0000
MARVIN C. HIGDON, 0000
TERENCE J. HILDNER, 0000
JEFFREY G. HILL, 0000
WILLIAM V. HILL III, 0000
LAWRENCE B. HOLMES, 0000
COLIN L. HOOD, 0000
STEPHEN G. HOOD, 0000
DAVID S. HUBNER, 0000
PAUL C. HURLEY, JR., 0000
CRAIG B. HYMES, 0000
DONALD E. JACKSON, JR., 0000
LARRY A. JACKSON, 0000
JOSEPH B. JELLISON, 0000
DARRELL L. JENKINS, 0000
VALERIE T. JIRCITANOTORRES, 0000
NORBERT B. JOCZ, 0000
CRAIG L. JOHNSON, 0000
DARFUS L. JOHNSON, 0000
ERIC S. JOHNSON, 0000
JAMES M. JOHNSON, 0000
JOHN P. JOHNSON, 0000
WILLIAM H. JOHNSON, 0000
DAVID T. JONES, 0000
ROBERT E. JONES, JR., 0000
TIMOTHY A. JONES, 0000
BYRON G. JORNS, 0000
PHILIP E. KAISER, 0000
GREGORY C. KANE, 0000
THOMAS J. KEEGAN, 0000
JOHN D. KEENAN, 0000
SHERRY B. KELLER, 0000
JEFFREY P. KELLEY, 0000
JEFFREY A. KELLY, 0000
THOMAS E. KELLY, 0000
JOHN S. KEM, 0000
EDWARD J. KERTIS, JR., 0000
DANIEL R. KESTLE, 0000
CHARLES W. KIBBEN, 0000
GENE R. KING, 0000
KENNETH E. KING, 0000
RICHARD T. KNAPP, 0000
DOUGLAS J. KNIGHT, 0000
MICHAEL G. KOBA, 0000
JOHN KULIFAY, 0000
JEFFREY J. KULP, 0000
RAYMOND P. LACEY, 0000
DAVID A. LAMBERT, 0000
TOMMY L. LANCASTER, 0000
RAYMOND R. LANGLAIS, JR., 0000
KERRY R. LARRABEE, 0000
DICK A. LARRY, 0000
TRACY L. LEAR, 0000
MELVIN R. LEARY, 0000
SHARON L. LEARY, 0000
GLORIA A. LEE, 0000
JEFFREY P. LEE, 0000
PAUL L. LEGERE, 0000
CHARLES S. LEITH, 0000
CLARK W. LEMASTERS, JR., 0000
THERESA S. LEVER, 0000
BRETT G. LEWIS, 0000
RONALD F. LEWIS, 0000
JEFFREY C. LIEB, 0000
MARK R. LINDON, 0000
VERNON L. LISTER, 0000
ROBERT P. LOTT, JR., 0000
JAMES P. LUDOWESE, 0000
MICHAEL D. LUNDY, 0000
THOMAS H. MAGNESS, 0000
MICHAEL T. MAHONEY, 0000
JOHN E. MALAPIT, 0000
JAY S. MALLERY, 0000
MARVIN S. MALONE, 0000
MICHAEL S. MALONEY, 0000
EDWARD P. MANNING, 0000
ERNEST P. MARCONE, 0000
MATTHEW T. MARGOTTA, 0000
JOSEPH M. MARTIN, 0000
EDWARD D. MASON, 0000
CURTIS A. MATHIS, 0000
TODD B. MCCAFFREY, 0000
RAY W. MCCARVER, JR., 0000
DAVID R. MCCLEAN, 0000
JAMES L. MCGINNIS, JR., 0000
EDWARD J. MCHALE, 0000
BRIAN J. MCKIERNAN, 0000
MICHAEL H. MCMURPHY, 0000
JIMMY L. MEACHAM, 0000
STEVEN G. MEDDAUGH, 0000
FABIAN E. MENDOZA, JR., 0000
JERRY C. MEYER, 0000
CHRISTOPHER L. MILLER, 0000
DAVID M. MILLER, 0000
JAMES L. MILLER, 0000
JOHN W. MILLER III, 0000
WILLIAM K. MILLER, 0000
WILLIAM B. MIRACLE, 0000
DANIEL G. MITCHELL, 0000
MYLES M. MIYAMASU, 0000
MARK G. MOFFATT, 0000
WILLIAM H. MONTGOMERY III, 0000
DAVID R. MOORE, 0000
TERRY V. MORGAN, 0000
JOHN B. MORRISON, JR., 0000
MITCHELL T. MORROW, 0000
SEAN P. MULHOLLAND, 0000
MARY B. MYERS, 0000
ERIC W. NANTZ, 0000
LEWIS C. NAUMCHIK, 0000
CLARENCE NEASON, JR., 0000
BRADFORD K. NELSON, 0000
BRADLEY K. NELSON, 0000
BRYAN T. NEWKIRK, 0000
CLAYTON T. NEWTON, 0000
ALAN W. NEYLAND, 0000
MOLLY A. ODONNELL, 0000
JOHN E. ONEIL, 0000
TIMOTHY S. OROURKE, 0000
AUGUSTUS L. OWENS II, 0000
JOHN T. OWENS III, 0000
JOSEPH V. PACILEO, 0000
DAVID B. PARKER, 0000
STEVEN W. PATE, 0000
RANDOLPH L. PATTERSON, 0000
CHRISTOPHER W. PEASE, 0000
GARY D. PEASE, 0000
DAVID M. PENDERGAST, 0000
ERIK C. PETERSON, 0000
WALTER E. PIATT, 0000
SANDY W. POGUE, 0000
STUART R. POLLOCK, 0000
FRANKLIN A. POUST, JR., 0000
MICHAEL C. PRESNELL, 0000
DAVID C. PRESS, 0000
VINCENT L. PRICE, 0000
TIMOTHY R. PRIOR, 0000
ESMERALDA G. PROCTOR, 0000
BRIAN D. PROSSER, 0000
CHERI A. PROVANCHA, 0000
RONALD J. PULIGNANI, JR., 0000
ROBERT B. QUACKENBUSH, 0000
WILLIAM S. RABENA, 0000
ANITA M. RAINES, 0000
JOSE M. RAMOS, 0000
WESLEY L. REHORN, 0000
JOHN M. REICH, 0000
ALLISON R. REINWALD, 0000
BRIAN R. REINWALD, 0000
ANTHONY D. REYES, 0000
MATTHEW A. RICHARDS, 0000
LAURA J. RICHARDSON, 0000
KAROL L. RIPLEY, 0000
TERRILL S. ROBINSON, 0000
DAVID P. RODGERS, 0000
DARSIE D. ROGERS, JR., 0000
CHARLES V. ROGERSON, 0000
RONALD J. ROSE, JR., 0000
DREXEL K. ROSS, 0000
HOWARD M. RUDAT, 0000
STEPHEN E. RYAN, 0000
TIMOTHY M. RYAN, 0000
WILLIAM R. SALTER, 0000
JOHN L. SALVETTI, 0000
MICHAEL P. SAULNIER, 0000
WILLIAM S. SCHAFF, 0000
EMMETT M. SCHAILL, 0000
BLAIR A. SCHANTZ, 0000
PARKER B. SCHENECKER, 0000
STEVEN M. SCHENK, 0000
GREGORY B. SCHULTZ, 0000
JOHN C. SCHULZ, 0000
ERIC C. SCHWARTZ, 0000
PAUL T. SEITZ, 0000
RONALD E. SELDON, 0000
TERRY L. SELLERS, 0000
MICHAEL SENTERS, 0000
STEVEN A. SHAPIRO, 0000
STEVEN R. SHAPPELL, 0000
CHANDLER C. SHERRELL, 0000
JEFFREY A. SINCLAIR, 0000
MICHAEL J. SIPPEL, 0000
TIMOTHY S. SLEMP, 0000
STEVEN A. SLIWA, 0000
JONATHAN J. SMIDT, 0000
ERIC E. SMITH, 0000
PEYTON E. SMITH, 0000
STEPHEN C. SMITH, 0000
STEPHEN V. SMITH, 0000
THOMAS P. SMITH, 0000
EUGENIA H. SNEAD, 0000
RICHARD L. SOBRATO, JR., 0000
GEORGE R. SORENSEN, 0000
NILS C. SORENSON, 0000
JOSEPH A. SOUTHCOTT, 0000
ROBERT J. SOVA, 0000
JOHN M. SPISZER, 0000
LUCIE M. STAGG, 0000
WILLIAM R. STANLEY, 0000
RICHARD A. STARKEY, 0000
LEE G. STEWART, 0000
JAMES L. STOCKMOE, 0000
MELISSA A. STURGEON, 0000
PHILIP L. SWINFORD, 0000
JEFF B. SWISHER, 0000
RODNEY W. SYMONS II, 0000
MARISA A. TANNER, 0000
THOMAS H. TATUM, JR., 0000
ROBERT J. TAYLOR, JR., 0000
DENNIS D. TEWKSBURY, 0000
SCOTT D. THOMAS, 0000
DENNIS M. THOMPSON, 0000
PATRICK E. TIERNEY, 0000
DANE S. TKACS, 0000
BILLY G. TOLLISON, 0000
HARRY D. TUNNELL IV, 0000
CLARENCE D. TURNER, 0000
JEFFREY A. TURNER, 0000
RANDALL E. TWITCHELL, 0000
ROBERT J. ULSES, 0000
MARTIN I. URQUHART, 0000
BRUCE E. VARGO, 0000
JOHN D. VERNON, 0000
BRIAN VINES, 0000
VANCE P. VISSER, 0000
GARY J. VOLESKY, 0000
STEPHEN E. WALKER, 0000
PATRICK J. WALSH, 0000
SHAWN P. WALSH, 0000
ROBERT P. WALTERS, JR., 0000
ROBERT A. WARBURG, 0000
THOMAS D. WEBB, 0000
MICHAEL C. WEHR, 0000
BRETT D. WEIGLE, 0000
ROBERT W. WERTHMAN, 0000
CARY S. WESTIN, 0000
DAVID C. WESTON, 0000
STEVEN D. WESTPHAL, 0000
SAMUEL R. WHITE, JR., 0000
ANTHONY R. WILLIAMS, 0000
BENNIE WILLIAMS, JR., 0000
CHARLES E. WILLIAMS, 0000
DANIEL E. WILLIAMS, 0000
DAVID M. WILLIAMS, 0000
DWAYNE T. WILLIAMS, 0000
JOHN D. WILLIAMS, 0000
MICHAEL S. WILLIAMS, 0000
TIMOTHY R. WILLIAMS, 0000
GREGORY R. WILSON, 0000
ROGER A. WILSON, JR., 0000
DAVID A. WISECARVER, 0000
SHARON L. WISNIEWSKI, 0000
FREDERICK S. WOLF III, 0000
SCOTT G. WUESTNER, 0000
JEFFREY K. YOUNG, 0000
BARBARA L. ZACHARCZYK, 0000
ROBERT G. ZEBROWSKI, 0000
DARREN B. ZIMMER, 0000
AARON M. ZOOK, JR., 0000
AIDIS L. ZUNDE, 0000
X6878
X1665
X1119
X4096
X2175
X2451

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

TONY C. BAKER, 0000
TOMMY L. BEALS, 0000
CHRISTOPHER G. BOHNER, 0000
KEVIN M. BONSER, 0000
RANDY E. BROWN, 0000
ELAINE A. BRYE, 0000
JAMIE F. BURTS, 0000
BRYCE D. BUTLER, 0000
MICHAEL R. CHAPARRO, 0000
MOTALE E. EFIMBA, 0000
STEVEN T. FILES, 0000
HANS A. FOSSER, 0000
MATTHEW T. FRENIERE, 0000
JOHN T. FRYE, 0000
CHRISTOPHER C. GAVINO, 0000
SEAN T. GRUNWELL, 0000
MATTHEW T. HARDING, 0000
CRAIG W. HEMPECK, 0000
CALVIN G. HENDRIX, 0000
DAVID G. HOFFMAN, 0000
MICHAEL P. HOLLENBACH, 0000
KITJA HORPAYAK, 0000
WILLIAM J. JOHANSSON, 0000
JAMES R. JONES, 0000

JAMES J. JUSTER, 0000
NEIL B. LAPOINTE, 0000
KEVIN W. MACY, 0000
ANTHONY J. MATA, 0000
JOSEPH S. MATISON, 0000
MICHAEL C. MOSBRUGER, 0000
FRANK E. OKATA, 0000
WILLIAM L. PARTINGTON, 0000
EUGENE R. ROBERTS, 0000
SEAN RONGERS, 0000
ERIC M. SAMUELSON, 0000
IAN J. SCHILLINGER, 0000
LEON B. SCORATOW, 0000
MICHAEL S. SHAW II, 0000
PAUL B. SPRACKLEN, 0000
MICHAEL STEPHENS, 0000
RICKY M. URSERY, 0000
JAMES J. VOPELLUS, 0000

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION WITHIN AND INTO THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED: CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER:

LISA CHILES, OF CALIFORNIA
GEORGE DEIKUN, OF CALIFORNIA
MARK STUART WARD, OF VIRGINIA

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR:

JONATHAN S. ADDLETON, OF FLORIDA
HENRY LEE BARRETT, OF MARYLAND
CAROL R. BECKER, OF MARYLAND
JAMES A. BEVER, OF VIRGINIA
JON H. BRESLAR, OF VIRGINIA
JOSEPH FARINELLA, OF NEW YORK
WILLIAM M. FREJ, OF CALIFORNIA
RICHARD J. GOUGHNOUR, OF FLORIDA
WILLIAM HAMMINK, OF FLORIDA
JAY L. KNOTT, OF OREGON
HENDERSON M. PATRICK, OF FLORIDA
DENNY F. ROBERTSON, OF FLORIDA
KEITH E. SIMMONS, OF CALIFORNIA
MONICA STEIN-OLSON, OF WASHINGTON
PAMELA A. WHITE, OF VIRGINIA
MICHAEL J. YATES, OF VIRGINIA

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR:

TODD HANSON AMANI, OF WASHINGTON
CHERYL L. ANDERSON, OF VIRGINIA
JEFFREY N. BAKKEN, OF MINNESOTA
VICTOR K. BARBIERO, OF VIRGINIA
TIMOTHY THOMAS BEANS, OF VIRGINIA
JEFFERY D. BELL, OF VIRGINIA
LARRY HALL BRADY, OF WYOMING
SUSAN K. BREMS, OF THE DISTRICT OF COLUMBIA
CONSTANCE A. CARRINO, OF THE DISTRICT OF COLUMBIA
REBECCA W. COHN, OF MARYLAND
TULLY R. CORNICK, OF MARYLAND
ALAN L. DAVIS, OF FLORIDA
PAUL FRANCIS DAVIS, OF NEW HAMPSHIRE
CHARLES V. DRILLING, OF NEW YORK
MARGOT BIEGELSON ELLIS, OF NEW YORK
ALONZO L. FULGHAM, OF VIRGINIA
JOHN GROARKE, OF THE DISTRICT OF COLUMBIA
DENISE A. HERBOL, OF PENNSYLVANIA
ELIZABETH ANN HOGAN, OF VIRGINIA
EDWARD T. LANDAU, OF VIRGINIA
NANCY J. LAWTON, OF MISSOURI
AMANDA K. LEVENSON, OF ALASKA
JON DANIEL LINDBORG, OF INDIANA
CECILY L. MANGO, OF MARYLAND
WILLIAM B. MARTIN, OF VIRGINIA
JOHN A. MAY, OF TEXAS
KERMIT CRAIG MOH, OF VIRGINIA
DAVID J. NOBLE, OF MARYLAND
BETH S. PAIGE, OF TEXAS
BARRY K. PRIMM, OF MISSOURI
JOSEPH S. RYAN, JR., OF CALIFORNIA
MIKE E. SARHAN, OF WASHINGTON
JOAN MARGARET SILVER, OF CALIFORNIA
DONNA R. STAUFFER, OF CONNECTICUT
THOMAS MICHAEL STEPHENS, OF VIRGINIA
DAWN ALLISON THOMAS, OF NEW YORK
MICHAEL F. WALSH, OF VIRGINIA

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASS STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS THREE, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

ANNE ELIZABETH LINNEE, OF MINNESOTA
RAYMOND H. MURPHY II, OF TENNESSEE

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS FOUR, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

ANITA STROHSCHEIN CHILDS, OF FLORIDA
JOHN PAUL MOPPERT, OF FLORIDA

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND/OR SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, AS INDICATED:

CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF COMMERCE

IRA BELKIN, OF NEW YORK
FRANCIS M. PETERS, OF TEXAS
ALIZA TOTAYO, OF MARYLAND

DEPARTMENT OF STATE

MICHAEL JOSEPH ABEL, OF WASHINGTON
ALEXANDER T. ALLEN, OF VIRGINIA
MICHAEL A. ALLSHOUSE, OF VIRGINIA
CHRISTOPHER J. ANDERSON, OF THE DISTRICT OF COLUMBIA
JUAN L. ARELLANO, OF WASHINGTON
STEPHANIE CHRISTINE ARNOLD, OF ILLINOIS
OLGA ELENA BASHBUSH, OF VIRGINIA
MARK BEANE, OF VIRGINIA
STEWART WILLIAM BEITZ, OF SOUTH CAROLINA
CHRISTOPHER A. BERGAUST, OF IDAHO
MELISSA ANN BERMUDEZ, OF CALIFORNIA
MONICA S. BLAND, OF NEBRASKA
ERIC BOWEN, OF VIRGINIA
DANA CHRISTENE COLE BROWN, OF OKLAHOMA
TRAVIS M. BROWN, OF VIRGINIA
JOSEPH T. BURKE, OF CALIFORNIA
ELLEN CALLAHAN, OF NEVADA
GREGORY J. CAMPBELL, OF NEW YORK
KATHERINE J. CHISHOLM, OF VIRGINIA
TODD V. CHRISTIANSEN, OF NEW YORK
ANDREW B. CLARK, OF VIRGINIA
WILLIAM JUSTIN ALBERT CLAYTON, OF THE DISTRICT OF COLUMBIA
MARISA N. COHRS, OF WASHINGTON
KATHERINE C. CONOVER, OF MARYLAND
BARBARA HERMINIA CORDERO, OF FLORIDA
ANDREI M. COTTON, OF ARIZONA
KYLE A. CROSBY, OF VIRGINIA
MARK A. CUNNINGHAM, OF THE DISTRICT OF COLUMBIA
TAMMY A. DAVIS, OF KANSAS
THOMAS P. DELANEY, OF MARYLAND
LAURENT M. DE WINTER, OF THE DISTRICT OF COLUMBIA
NINA DIAZ, OF CALIFORNIA
NGA BICH DO, OF CALIFORNIA
KATHRYN T. DORMINEY, OF FLORIDA
ROBERT F. DOYLE III, OF ILLINOIS
JEFFRY W. DUFFY, OF THE DISTRICT OF COLUMBIA
CHRISTOPHER R. DUNN, OF TEXAS
GOTTLIEB J. DUWAN, OF VIRGINIA
PETER J. DYCAICO, OF CALIFORNIA
CHRISTOPHER B. EAVES, OF VIRGINIA
MARK D. ESTES, OF GEORGIA
DAVID K. FAGLEY, OF VIRGINIA
HEATHER JUNE FARRAR, OF MARYLAND
JONATHAN FISCHER, OF WASHINGTON
MATTHEW GARDNER FULLER, OF TEXAS
WILLIAM JEFFERS FURNISH, JR., OF LOUISIANA
KANISHKA GANGOPADHYAY, OF THE DISTRICT OF COLUMBIA
VIRGINIA R. GILES, OF VIRGINIA
IXTACCIHUATL GONZALEZ, OF MASSACHUSETTS
ANDREA GOROG, OF WASHINGTON
JEFF GRINGER, OF WASHINGTON
JANELLE R. GUEST, OF MICHIGAN
KAPIL GUPTA, OF THE DISTRICT OF COLUMBIA
PRASENJIT GUPTA, OF IOWA
MATTHEW M. HABINOWSKI III, OF MASSACHUSETTS
ERIN P. HAMRICK, OF GEORGIA
CAROL M. HANLON, OF GEORGIA
SEAN R. HANTAK, OF ILLINOIS
NATHAN NOZOMI HARA, OF OHIO
STANLY HAYES, OF MARYLAND
H. ALEXANDER HENEGAR III, OF GEORGIA
DENIS HIGGINBOTHAM, OF THE DISTRICT OF COLUMBIA
MARILYN J. HOLLERAN, OF CONNECTICUT
DANIEL CHARLES HOLTROP, OF MARYLAND
JESSE B. HUGHES, OF VIRGINIA
ROBERT GEORGE HUNTER, OF VIRGINIA
STEPHEN F. IBELLI, OF NEW YORK
CHRISTOPHER GEORGE ISTRATI, OF PENNSYLVANIA
CHRISTINE PEYTON JACKSON, OF NEW YORK
JENAE DENISE JOHNSON, OF WASHINGTON
JAMES STEPHEN JONES, OF VIRGINIA
GREGORY B. KELLER, OF NEBRASKA
ABDUL-RAHMAN KENYATTA, OF VIRGINIA
EUGENE HYUN KIM, OF THE DISTRICT OF COLUMBIA
MICHELE ANN KIMPEL GUZMAN, OF CALIFORNIA
CHRISTOPHER D. KJELLAND, OF TEXAS
SUZANNE KNIGHT, OF VIRGINIA
MARK R. LANNING, OF WASHINGTON
TIMOTHY LAYMAN, OF MARYLAND
CARRIE K. LEE, OF CALIFORNIA
SONIA MERCEDES LEGER, OF VIRGINIA
LENA LEVITT, OF CALIFORNIA
THERESA LINDO SPAZIAN, OF FLORIDA
CHRISTIE CARMELLE LOPEZ, OF CALIFORNIA
NATHAN L. MACKLIN, OF WYOMING
KANIKA MAK, OF FLORIDA
AARON I. MARTZ, OF TEXAS
MARK C. MATTHEWS, OF MINNESOTA
GENE P. MCCUSKER, OF VIRGINIA
MAUREEN BRIGID MCGOVERN, OF FLORIDA
MATTHEW CARR MCHORRIS, OF VIRGINIA
LUIS F. MENDEZ, OF NEW JERSEY
JOHANNA R. MEREJO, OF NEW JERSEY
MARK LESLIE MOLNAR, OF VIRGINIA
BENJAMIN ABRAHAM MONTANEZ, OF TEXAS
CYNTHIA A. MORGAN, OF MARYLAND
DAVID VAUGHAN MUEHLKE, OF NEW HAMPSHIRE
DAVID R. MYERS, OF THE DISTRICT OF COLUMBIA
GREGG DICKSON MYRUP, OF TENNESSEE
NHAN T. NGUYEN, OF WASHINGTON
CHRISTOPHER MARKLEY NYCE, OF CALIFORNIA
DENNIS H. O'HEARN, OF VIRGINIA
ADAM C. OLSEN, OF VIRGINIA
TULA CRUZ ORUM, OF CALIFORNIA
JENNIFER A. PARKER, OF VIRGINIA
SAMUEL R. PEALE, OF VIRGINIA
YAROSLAVA Y. PETROVA, OF CALIFORNIA
BENJAMIN LOYD PIERCE, OF UTAH
SUSAN MARIE PLOTT, OF TEXAS
IRFAN QAIYUMI, OF VIRGINIA
LORENZO REED, OF MARYLAND
CHARLES K. REGAN, OF NEW HAMPSHIRE
AMANDA J. REI-PERRINE, OF WASHINGTON
VICTORIA CHARLOTTE REPPERT, OF MASSACHUSETTS
DONALD H RIGGS, OF VIRGINIA
KEVIN CONLEY RUFFNER, OF VIRGINIA
CARRIE A. SCHLAUCH, PH.D., OF OHIO
MEGAN LEIGH SELMON, OF OKLAHOMA
CHIRAG P. SHAH, OF VIRGINIA
CHRISTOPHER M. SHAHIDI, OF THE DISTRICT OF COLUMBIA
STEEN W SIMONSEN, OF VIRGINIA
RACHEL M. SMITH, OF NEW YORK
BREEANN MARIE SONGER, OF NEW YORK
ASHLEY B. STEWART, OF THE DISTRICT OF COLUMBIA
SHERRY R. STUP, OF VIRGINIA
RAY RICHARD SUDWEEKS, OF VIRGINIA
SEAN T. SULLIVAN, OF MARYLAND
NATHAN TIDWELL, OF TENNESSEE
ANDRES VALDES, OF FLORIDA
KIMBERLY C. VALDES-DAPENA, OF OHIO
WENDY M. VARNER, OF VIRGINIA
KEVIN VIRGIL, OF VIRGINIA
ANTHONY JOSEPH VITALE, OF WEST VIRGINIA
JONATHAN T. WARD, OF WASHINGTON
HEATHER ANN WATSON-AYALA, OF NEVADA
JEFFREY MICHAEL WEINSHENKER, OF THE DISTRICT OF COLUMBIA
MICHAEL JOHN WHIPPLE, OF TEXAS
LYNN CHRISTINE WHITEHEART, OF VIRGINIA
DAVID WHITTED, OF GEORGIA
CARTER W. WILBUR, OF THE VIRGIN ISLANDS
BRYAN J. WILLATS, OF VIRGINIA
KATHLEEN ANNE YU, OF MARYLAND

WITHDRAWALS

Executive Message transmitted by the President to the Senate on December 13, 2005 withdrawing from further Senate consideration the following nominations:

EDWARD L. FLIPPEN, OF VIRGINIA, TO BE INSPECTOR GENERAL, CORPORATION FOR NATIONAL AND COMMUNITY SERVICES, WHICH WAS SENT TO THE SENATE ON JANUARY 24, 2005.

ELLEN G. ENGLEMAN CONNERS, OF INDIANA, TO BE CHAIRMAN OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM OF TWO YEARS, WHICH WAS SENT TO THE SENATE ON APRIL 4, 2005.

JOHN M. MOLINO, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF VETERANS AFFAIRS (POLICY AND PLANNING), WHICH WAS SENT TO THE SENATE ON SEPTEMBER 6, 2005.

HOUSE OF REPRESENTATIVES—Tuesday, December 13, 2005

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
December 13, 2005.

I hereby appoint the Honorable STEVAN PEARCE 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 Oregon (Mr. DEFAZIO) for 5 minutes.

IRAQ

Mr. DEFAZIO. Well, with great fanfare last week and very belatedly, the President unveiled a document called A Plan For Victory in Iraq, and he said that this was a declassified version of the longstanding military strategy in Iraq.

Now, help to review that strategy: The initial strategy based on unrealistic assumptions by Mr. Wolfowitz, Mr. Rumsfeld, and others was that our troops would be welcomed as liberators, we would be drawn down to 40,000 troops within a few months, and that the Iraqis would be able to pay for their rebuilding themselves. Of course, all these things were horribly, horribly wrong. A number of us have called to remove Mr. Rumsfeld for more than a couple of years now, but he is still there. So we would assume that the President condones the incredible mistakes that he has made which have caused many, many American lives.

Now, with his support slumping into the 30s on his execution of the war in Iraq, the President has decided to shift gears. Now, that would be good if this was really a declassified version of a credible military plan for victory and return of our troops home from Iraq. Unfortunately, the White House and its folks do not quite understand high technology and the Internet, and by clicking on this, you could find out who really wrote it. It was not written by a military strategist, it was not written at the Pentagon; it was written by a political science professor named Peter D. Feaver from Duke University, and his specialty is polling and public opinion on military conflicts. He has a theory that Vietnam could have continued if only the American people had been given a vision that we were headed toward victory, and he is now testing that theory by writing this document which the President presented as an actual declassified version of a military document. It is not. It is a political construct based on a theory of a political science professor from Duke University who the President has named to the National Security Council. So the dissembling continues here for the American people.

We want a real plan on how we are going to bring our troops home from Iraq. We do not want any more dissembling, we do not want any more Pollyannas. The President seems in his recent speeches to be admitting to the numerous mistakes that were made, but if we look at this document and the way it has been presented, they just made another grievous mistake for the American people. In fact, the general in charge in Iraq, Lieutenant General Martin Dempsey, top military official in charge of training Iraqi troops, he surprised some reporters by saying that the first time he saw our strategy for victory in Iraq was the day it was released to the press. So this administration is still failing to create a clear vision.

I and others have proposed that the President should negotiate with the newly elected Iraqi government after the elections on a withdrawal, or enhance their credibility, their legitimacy. I think it would also begin to remove a crutch which they are using, which is the U.S. forces in Iraq. They are not settling their differences legitimately between the Sunnis, the Shiites, and the Kurds, and of course many predicted that before the war, but the administration also glossed over that. And they will not as long as the U.S. is there, and the Sunnis in particular resent the U.S. presence. So if we negotiated that sort of an agreement with them and had a timeline to draw down and remove our troops and stand up the Iraqis, I believe that then the insurgency would abate, as do many others, including others in the military who have said that in fact it is our forces that are the kindling for many, other than the foreign fighters who are there, and then soon the Iraqis would turn on the foreign fighters and hopefully then reclaim their own country. So I am very saddened to learn that this is yet one more deception by this administration in this sorry chapter in American history.

CHINA—PIRACY OF U.S. PRODUCTS

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

Mr. STEARNS. Mr. Speaker, counterfeiting is a growing international concern that requires international cooperation to defeat. It threatens our national security interests in areas of health, economics, and of course homeland defense. The Food and Drug Administration estimates that counterfeit drugs account for 10 percent of all drugs that are sold in the United States. An estimated 14 percent of these drugs that are sold through the mail are counterfeit, they are mishandled, or expired. Pfizer Pharmaceutical recalled 16.5 million Lipitor pills nationwide as a result of an FDA investigation that uncovered evidence that these pills were counterfeit.

Counterfeit technologies have caused immense harm as well. For example, in California a 13-year-old boy sustained severe injuries from a counterfeit battery that exploded in his cell phone. The phone exploded with such force that fragments of the phone lodged into the ceiling of his family's home.

Exploding batteries, doctored medications, foods, dangerous cosmetics and skin products, fake shampoos and soaps, doctored teas, substandard auto and airplane components, the list of counterfeit goods grows daily. Even fake and dangerous baby foods have been reported. In China, for example, infants suffered severe malnourishment and a dozen died after being fed fake infant formula that contained few nutrients.

The hazards of counterfeit products have also affected our transportation. In 2003, the Motor and Equipment Manufacturers Association cited safety violations due to counterfeit auto parts: Brake linings made of compressed

grass, sawdust, or cardboard; transmission fluid made of cheap oil that is dyed, and oil filters that use rags for the filter element. Additionally, the FAA estimates that 2 percent of the 26 million airline parts installed each year are counterfeit, equaling approximately 520,000 parts. While still the safest form of travel, a Business Week investigation found that bogus airplane parts played a major role in at least 166 U.S. based accidents and mishaps during a recent 20-year period.

According to the U.S. Chamber of Commerce, approximately 5 to 7 percent of world trade is in counterfeit goods. The FBI estimates that intellectual property theft costs the United States companies between $200 and $250 billion a year in revenue. According to the U.S. Customs and Border Protection, counterfeit merchandise is directly responsible for the loss of more than 750,000 American jobs, in addition to tens of thousands more lost of privacy of software programs, movies, and music. The auto industry could hire 200,000 additional workers if sale of counterfeit auto parts was eliminated.

In some cases, the counterfeiters are not only breaking the law, they are supporting terrorists. According to Interpol, seized al Qaeda training manuals recommend selling fake goods to finance illegal activities. One example is the confiscation of $1.2 million of counterfeit German brake pads and shock absorbers in Lebanon in October 2003. The profits from the products were earmarked for supporters of Hezbollah. Another poignant example is the 1993 World Trade Center bombing, which was financed partially through the sale of fake Nike t-shirts from a store on Broadway.

We are currently involved in trade with a country that refuses to enforce these laws. Mr. Speaker, I am referring to China, which has ignored its own anti-piracy laws on American movies, music, computer software, and other products. In 2003, China accounted for 66 percent or $62.4 million of all counterfeit goods seized by the U.S. Customs Service at ports of entry into the United States. In 2004, U.S. industries lost between $2.5 and $3.5 billion due to privacy alone. Some reports estimate virtually 90 percent of products in some industries sold in China are pirated from the United States.

In June, Under Secretary John Dudas testified in a hearing I held in the House Commerce, Trade and Consumer Protection subcommittee, ''This administration has been pressing China to impose prison sentences and/or stiffer fines on violators, provide little or no deterrence.'' Chinese government efforts since have yielded no results.

U.S. Trade Representative Bob Portman recently announced the U.S. would be requesting from China an explanation of the steps it has taken to curb privacy of U.S. products. In the announcement he said, ''Piracy and counterfeiting remain rampant in China despite years of engagement on this issue.''

In conclusion, requiring accounting ability is an essential first step to stopping Chinese abuse of U.S. intellectual property rights. I support this request, and I hope the President's trip to Asia this week will further convince Chinese officials of the need for enforcing intellectual property rights laws.

GLOBAL WARMING

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

Mr. UDALL of New Mexico. The World Meets to Solve Global Warming. U.S. on Sidelines. U.S. Won't Join in Binding Climate Talks.

These are news flashes from the Montreal Conference this weekend on global warming. Countries from around the world met in Montreal to address the issue of global warming. Where was the United States and the Bush administration? On the sidelines, out of commission, not willing to forward a plan or proposal on the far-reaching challenge of our time.

The Bush administration has its head in the sand. For most of its time in office, this administration has refused to recognize there is even a problem. Recently they acknowledged that man's burning of fossil fuels is warming the Earth but refused to take concrete action. When President Clinton was invited to speak to the conference, the U.S. team threatened to boycott.

President Bush, wake up. The countries of the world are leaving you behind. President Bush, our country needs a leader who will protect our children's future.

Since 1990, we have seen the 10 warmest years in history. Before our eyes, ice caps are melting, glaciers are shrinking, oceans are warming, and sea levels are rising. Scientists tell us we can expect more extreme storms, higher intensity hurricanes, more severe droughts, and other dramatic climate changes. We must act now to protect our children. We must act now to leave our children a better world.

Carbon dioxide emissions must be brought under control. We know how to do this. We have specific ways to act now. We have the technology. One hundred fifty-seven countries are already imposing mandatory limits on CO_2 while the Bush administration stonewalls any mandatory scheme. We can take steps now to reduce greenhouse gas emissions but we must do so in a way that would minimize the impact to our economy. We must implement an economy-wide, upstream, all greenhouse gas cap-and-trade emissions reduction program that provides some flexibility and a measure of certainty to those industries and businesses affected.

The National Commission on Energy Policy, a bipartisan group of top experts, recommends such an approach. One of the key components of their proposal is the concept of a safety valve for the cap-and-trade program. The safety valve essentially puts a price on carbon but provides for an unlimited number of allowances to be sold by the government. Since no one would pay more than what the government charges for allowances, this mechanism effectively controls the price of allowances. When set at the right price, the safety valve would start the country down the path of slowing the growth of greenhouse gas emissions without causing serious economic disruption.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair must remind all Members to address their remarks in debate to the Chair and not to the President.

RECESS

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

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

□ 1400

AFTER RECESS

The recess having expired, the House was called to order at 2 p.m.

PRAYER

The Reverend Dr. Barry C. Black, Chaplain, United States Senate, offered the following prayer:

God of mercies, whose unfailing love and faithfulness cover our sins, make us today instruments of Your grace. Give us the wisdom to think before speaking and to say the right thing at the right time. May our actions so please You that even our enemies will live at peace with us. Guide our lawmakers in their challenging work. Remind them that many counselors bring success. Help them also to remember that they can make plans, but You determine their steps. Teach us all that it is better to be patient than powerful, and it is better to have self-control than to conquer a city. Guide us by Your light that we may reach the light that never fades. We pray this in Your holy name. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. 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 bills of the following titles in which the concurrence of the House is requested:

S. 1231. An act to amend the Indian Self-Determination and Education Assistance Act to modify provisions relating to the National Fund for Excellence in American Indian Education.

S. 1295. An act to amend the Indian Gaming Regulatory Act to provide for accountability and funding of the National Indian Gaming Commission.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1281) ''An Act to authorize appropriations for the National Aeronautics and Space Administration for science, aeronautics, exploration, exploration capabilities, and the Inspector General, and for other purposes, for fiscal years 2006, 2007, 2008, 2009, and 2010,'' agrees to a conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STEVENS, Mr. LOTT, Mrs. HUTCHISON, Mr. INOUYE and Mr. NELSON (FL), to be the conferees on the part of the Senate.

The message also announced that pursuant to Public Law 108–199, title VI, section 637, the Chair, on behalf of the Majority Leader, appoints the following individual to serve as a member of the Helping to Enhance the Livelihood of People (HELP) Around the Globe Commission:

Jerome F. Climer of Virginia.

THE KING OF TYRANNY

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

Mr. POE. Mr. Speaker, on this day 2 years ago, United States soldiers found the king of tyranny, Saddam Hussein, hiding in a hole like a rat near Tikrit, Iraq. His trial recently started, and it is more public than some American trials because it is carried on international television. He pontificates about how he is unjustly treated. He tries to portray himself as an honorable person. This is the same dreadful demon dictator that tortured and murdered his own citizens and caused years of chaos and calamity in his own country.

Witnesses in the trial have described rapes, beatings, and electric shock torture carried out by his relentless regime. But the news stories focus on his outrageous court behavior instead of his years of vicious violence and mayhem. The people of the world deserve a record of his atrocities, not the senseless stories of his bad courtroom attitude, his disruptions, and his disrespectful and disgraceful demeanor. The caged rodent known as Saddam Hussein can protest all he wants, but even the likes of him now receives a fair trial. Justice will soon be served, and he will be punished like the rat that he is. We call this justice system democracy.

That's just the way it is.

NO OUTSOURCING OF TORTURE

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

Mr. MARKEY. Mr. Speaker, we must prevent Vice President CHENEY and CIA Director Goss from carving out a special exemption for the CIA to the McCain amendment barring torture, a Bush-Cheney-Goss EZ pass around the law. But we should also realize that even if we ban torture by U.S. Government agencies, the CIA is likely to increase the illegal practice of extraordinary rendition, where they seize or kidnap suspects and send them to countries like Syria or Uzbekistan which are likely to subject the prisoners to torture.

The Secretary of State just flew around Europe trying to explain why the United States is continuing to snatch citizens off the streets of Italy and Germany and fly them on CIA planes to secret prisons where they may be tortured. Earlier this year, I attached an amendment to the defense authorization bill to stop this practice. If we want to shut down the fast lane for torturers, we need to adopt both the McCain amendment on torture and the Markey amendment barring the outsourcing of torture to countries that do torture around the world in the name of the United States of America and the CIA.

2–YEAR ANNIVERSARY OF THE MEDICARE MODERNIZATION ACT

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

Mr. BURGESS. Mr. Speaker, another 2-year anniversary that we observed this week is the passage and signing of the Medicare Modernization Act. A part of that act which really has not received the notice that it deserves is the part that expanded health savings accounts to more Americans. A lot of the restrictions were removed, and these changes allowed more people to be covered by health savings accounts that resulted in more coverage, coverage for people, and more choices for those people with insurance products. Mr. Speaker, I know this, because I had this before coming to Congress, and at that time there were only two companies that offered MSA-type coverage in my State. Now, the field has grown so that many companies offer coverage, and the prices for health savings accounts have dramatically reduced in my area.

Today, Chief Deputy Whip Cantor is going to be introducing a bill that is going to remove some more restrictions that will allow for the adaptability for what are called flexible spending accounts and health reimbursement accounts so they can more seamlessly interact. This is good legislation, and I urge my colleagues to look into it.

PATRIOT ACT TOO RESTRICTIVE

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

Mr. DAVIS of Illinois. Later on this week, we are going to be considering the conference report on the PATRIOT Act. While I recognize that there has been some movement relative to some of the provisions that I found to be too onerous, I am afraid that it has not been changed enough to my liking, and so I simply serve notice that I think it is still too restrictive, it is still too oppressive, it does not speak to the kind of patriotism that I believe in; therefore, I shall be voting against it.

THANKS TO THE TROOPS

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

Mr. PRICE of Georgia. Mr. Speaker, as we prepare for the Christmas holiday, it is important that we remember those who will not be home for Christmas, our men and women in the armed services. Next week is Thank the Troops Week. While we celebrate the holiday, our troops all over the world defend our freedom.

Since 9/11, much support and concern has been shown, with yellow ribbons and clothing drives and helping families and sending care packages. Just recently, I posted a thank you letter to our troops on my Web site and shared it on TownHall.com.

A creative program that caught my eye is based in my own district in Georgia. It is called Armor 4 Troops

Foundation, which is doing great things for our soldiers. Founded in December 2004 by marine officers, it provides state-of-the-art antiballistic glasses and other critical equipment directly to our troops in the field, and it also provides financial assistance to families of our soldiers who have been admitted to Walter Reed or Bethesda Naval Hospital.

Mr. Speaker, I am proud to represent a district that will not forget those who serve, and we are all blessed to live in a Nation of heroes like the men and women in our military who fight every single day.

WE MUST DO MORE

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

Mr. PENCE. Mr. Speaker, back in Indiana, when a tree falls on your house, first you tend to the wounded, then you start the clean-up, then you sit down and figure out how to pay for it.

Well, the Congress of the United States in the wake of the worst national catastrophe in our Nation's history responded to the need of the wounded and the clean-up, appropriating more than $60 billion in 6 days. But this week, in conjunction with the Senate, this Congress will come together to figure out how we are going to pay for it.

After passing the Deficit Reduction Act, which found more than $50 billion in savings in entitlement spending over the next 5 years, Congress this week will come together on that measure as well as, it is our fondest hope, an across-the-board cut in this year's Federal budget. It is absolutely imperative that this Congress demonstrate the ability to make tough choices even during tough times to put our fiscal house in order.

President John F. Kennedy said it best when he said, To lead is to choose. In this week perhaps at some late hour into the weekend or early next week, we will see who is willing to come to the floor and make the hard choices to put our fiscal house in order. We must do more, Mr. Speaker, but we dare not do less.

BREAK THE MEDICARE BARRIERS

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

Mrs. JOHNSON of Connecticut. Mr. Speaker, would you work for an employer who told you he was going to cut your pay next year 4½ percent? Would you work for an employer who told you he was going to cut your pay every year for the next 6 years 4½ percent? Would you work for an employer who told you he was going to cut your pay every year for the next 6 years 4½ percent and your costs were going up 21 percent? Of course you would not.

Our seniors are already finding it hard to find a doctor who will take a new Medicare patient. What a hollow promise Medicare is if you cannot choose your own doctor. Only you, Mr. President, can require bureaucratic minds to take the actions necessary, fair and appropriate to break through the barriers to a destructive, unworkable, and outdated law. Only you, Mr. President, can give the order for administrative actions to allow budget-neutral repeal of the old SGR law and adoption of a modern pay-for-performance bill so you can fulfill the progressive vision that you have had that we all share of a Medicare program that can control costs by improving the quality of health care delivered to our seniors. I call on you to act, Mr. President.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PETRI). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or 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.

SUPPORTING THE GOALS AND IDEALS OF KOREAN AMERICAN DAY

Mr. CANNON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 487) supporting the goals and ideals of Korean American Day.

The Clerk read as follows:

H. RES. 487

Whereas the influence of Korean Americans may be observed in all facets of American life, including entrepreneurship, the arts, and education;

Whereas on January 13, 1903, 102 pioneer Korean immigrants arrived in the United States initiating the first chapter of Korean immigration to America;

Whereas the centennial year of 2003 marked an important milestone in the history of Korean immigration;

Whereas Korean Americans, like other groups of immigrants that came to the United States before them, have settled and thrived in the United States through strong family ties, community support, and hard work;

Whereas Korean Americans have made significant contributions to the economic vitality of the United States and the global marketplace;

Whereas Korean Americans have invigorated businesses, churches, and academic communities in the United States;

Whereas Korean Americans have made enormous contributions to the military strength of the United States;

Whereas today, at least 4,000 Korean Americans serve in the Armed Forces of the United States, with approximately 25 percent of them currently serving in Iraq; and

Whereas the Centennial Committees of Korean Immigration and Korean Americans have designated January 13 of each year as ''Korean American Day'' to commemorate the first step of the long and prosperous journey of Korean Americans in the United States: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of a Korean American Day;

(2) urges all Americans to observe Korean American Day so as to have a greater appreciation of the invaluable contributions Korean Americans have made to United States; and

(3) honors and recognizes the 103rd anniversary of the arrival of the first Korean immigrants to the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CANNON) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CANNON. 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. 487.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 487, which supports the goals and ideals of a Korean American Day and recognizes the 103rd anniversary of the arrival of the first Korean immigrants to the United States.

Korean Americans have played an important part in American society since January 13, 1903, when over 100 pioneer Korean immigrants arrived in America.

□ 1415

I am proud to say this last century is chock-full of significant, creative Korean-American accomplishments from Jam Kim, the first Korean-American to serve in the United States House of Representatives, to Eugene Chung, first Korean-American to be selected in the first round of the NFL draft. To commemorate this remarkable period, the Centennial Committees of Korean Immigration and Korean-Americans designated January 13 of each year as Korean-American Day.

The Korean-American community has created a successful community at large and has established a deep sense of culture and heritage for the upcoming generations. It has become a centralizing force that promotes progress and unity of Korean-Americans, as well as preserves their close historical ties with Korean-American ancestors.

Korean-Americans have played an integral part in helping the United States grow our principles of strong family ties, support for our community as well as aspiring for success. With their contributions to the economic vitality of the U.S. global marketplace, they have also rejuvenated businesses, churches and academic communities in the United States.

The Korean-American population has made enormous contributions to all facets of American life, including to the United States military. At least 4,000 Korean-Americans serve in the U.S. Armed Forces with approximately 25 percent serving in Iraq currently. In addition, Korean-Americans score among the top tier in academic tests and scholastic accomplishments.

In closing, Mr. Speaker, I am hopeful that H. Res. 487 will serve to bring the well-deserved recognition to a community that has given so much in leadership and heritage to our Nation.

I would like to thank Chairman TOM DAVIS for introducing this important resolution and urge my colleagues to join me in its adoption.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, Korea and the United States entered into their first treaty, the Treaty of Friendship and Commerce, in 1882. The signing of the treaty ushered in a sustained period of cooperation between the two Nations. Not long after the treaty was signed, Korean citizens began immigrating to the United States and, since that time, have made rich contributions to the ethnic and cultural fabric of America.

Korean emigration to the United States can be divided into three major waves. The first, from 1903 to 1905, consisted of about 7,500 Koreans, mostly men, who left their homes to work on Hawaii's sugar plantations as contract laborers. The second, beginning in 1950, consisted of women who married American soldiers and children adopted into American families. The third wave began in 1967 with the occupational and family reunification preferences of the 1965 Immigration Act. These waves of immigration followed growing U.S. involvement in Korea during the 20th century.

Immigrants from Korea thrived in the United States despite social, economic and language barriers. Korean-Americans have made contributions in the fields of finance, technology, law, medicine, the military, as well as in other areas. Four thousand Korean-Americans serve proudly in the United States Armed Forces, many of them in Iraq.

The United States has remained firmly committed to its allies in Korea, as shown not only by military support during the Korean conflict, but through the support of the Korean community in the United States. In June 2002, the United States Senate passed a historic resolution that recognized the 100th anniversary of Korean immigration to the United States.

I urge all of my colleagues to join me in the commemoration of Korean-American Day. This resolution celebrates the success of the Korean-American community, the contributions Korean immigrants have made and the contributions they continue to make to America.

Mr. Speaker, I do not believe that I have any additional requests for time, and I yield back the balance of my time.

Mr. CANNON. Mr. Speaker, I yield as much time as he may consume to my distinguished colleague and friend from the Commonwealth of Virginia (Mr. TOM DAVIS).

Mr. TOM DAVIS of Virginia. Mr. Speaker, it is with extreme pleasure today that I rise in support of H. Res. 487. This resolution supports the goals and ideals of Korean-American Day and honors the many important contributions Korean-Americans have made to the United States.

January 13, 1903, marked the arrival of the first 102 Korean immigrants to America. For more than 100 years, Korean-Americans, like the immigrants from other Nations who came to the United States before them, have established roots and thrived in the United States through strong family ties, community support and hard work. The influence of Korean-Americans has been observed in all facets of American life, including, but not limited to, entrepreneurship, the arts and education.

Since my first term in Congress, I have had the pleasure of working hand-in-hand with a large Korean-American community in Northern Virginia. Through this warm and prosperous relationship, I have only become more impressed with a people whose heritage displays such a strong sense of determination, discipline and compassion. I am very proud of how rapidly the Korean-American community has spread its roots in Northern Virginia and am extremely appreciative of their numerous contributions to our community.

From Annandale to Fairfax to Prince William County, Korean-American-owned shops and businesses dominate the retail landscape. Their children are succeeding in our schools and going on to start their own businesses and bring up their families, making our community better and more prosperous by far.

I traveled and led a congressional delegation to the Republic of Korea in August of 2004 to discuss the prosperous relationship between our two countries. The Republic of Korea is an important ally and trading partner of the United States, and this is why many Korean immigrants have chosen to make the U.S. their home. It is the United States' seventh largest trading partner and is the third largest source of foreign students studying in the United States.

In addition, the U.S. embassy in Seoul is the busiest American consular post in the world. I have been working diligently with the Department of State and the Department of Homeland Security to help create a roadmap which will eventually admit Korea into the Visa Waiver Program.

In closing, I want to remind my colleagues that it is all too easy to overlook the invaluable contributions that Korean-Americans have made, not just in Northern Virginia but to our Nation as a whole. This bill provides well-deserved recognition to the Korean-American community for the indelible mark they have made upon the diversity and prominence of our great Nation.

I also want to thank the distinguished representative from Utah for handling this bill on the floor, thanks to the gentleman from New York (Mr. RANGEL), the gentleman from California (Mr. ROYCE), who has been a leader in these efforts, and the gentleman from Massachusetts (Mr. CAPUANO) for their work as original sponsors on this resolution, and I urge all of my colleagues to support it.

Mr. CANNON. Mr. Speaker, I yield as much time as he may consume to the gentleman from California (Mr. ROYCE), my friend and colleague.

Mr. ROYCE. Mr. Speaker, I thank the gentleman from Utah for the time, and I rise also in support of this resolution supporting the goals and supporting the ideals of Korean-American Day, and as mentioned by Chairman DAVIS, I am an original cosponsor of the bill.

The Republic of Korea has been an ally and a friend of the United States now for many decades, and over this time, South Korea has emerged as a major economic partner for the United States. Korea is the U.S.'s seventh largest trading partner. That is ahead of Western European countries such as France and Italy, and frankly, it is our sixth largest export market. The U.S. is Korea's largest export market, its second largest source of imports and the largest supplier of foreign direct investment into South Korea.

South Korea is also a very key ally of the United States, and as chairman of the U.S.-Republic of Korea Interparliamentary Exchange, I can report that many in this body recognize the importance of this resolution. I frequently travel to South Korea on the mission of building this relationship. It is vital that the two countries work closely together to address the difficult security challenges in northeast Asia.

There are now more than 1 million Korean-Americans living in the United States. A large body of Korean-Americans are in southern California. From the first 100 who immigrated to the

United States in the early 20th century, Koreans have become an integral part of our country. Today, one out of every eight Korean-Americans is an entrepreneur, owning his or her own business.

In my own district, I am continually impressed with the Korean community and their commitment in upholding their own rich heritage and their commitment to education. The United States, and California in particular, have been enriched and defined by the contributions of Korean-Americans in a wide variety of fields.

Korean-Americans have invigorated businesses and civic institutions, certainly academic communities and science across the country. Korean-owned businesses employ more than a third of the million men and women, generating sales and receipts of around $50 billion a year.

This legislation gives Congress the chance to recognize the importance Korean-Americans play in our community by establishing Korean-American Day.

Mr. CANNON. Mr. Speaker, I am pleased to yield so much time as he may consume, given the constraint that we may have, to the gentleman from the Commonwealth of Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I thank my good friend from Utah for yielding me the time, and I will not take much of it, but I would like to underscore what has already been said.

We have a very close, almost unique relationship with the people of Korea. Thousands of our young men and women died to enable the South Koreans to live in democracy. They have taken advantage of that opportunity and have been a model for the rest of the world in terms of free enterprise and an active democratic system. Hopefully, the people of North Korea will one day understand that South Korea's gone in the right direction, and North Korea's gone in the wrong direction.

In addition to that strong relationship, Korean-Americans have contributed to this country in a way that is paralleled by very few other nationalities. They have contributed in ways to our economy and our society that are incalculable and that are worthy of great appreciation. Their work ethic, their strong values have done so much for the business community and, really, for the stability of our society.

Mr. Speaker, I would like to suggest that one way that we might substantively express our appreciation for what Korean-Americans have done for this country's economy and society is to pass the Visa Waiver bill. I am a sponsor of this, and what it would do is to grant the same kind of opportunities for Koreans to come from South Korea and to visit their relatives as are granted to 27 other countries, including all of our European allies and many of our Asian allies; Bosnia and Japan, for example. Yet today, there are thousands of South Korean families waiting in line, trying to get a visa to visit their own families here in the United States of America. They are not able to because they are not afforded the same visa waiver that our other allies are. In fact, they are really the only strong ally that is not granted that privilege. I think we should grant that privilege, and I think that would be a further expression of the very strong and genuine sentiments that are expressed in this resolution.

I obviously strongly support this resolution, and I appreciate the opportunity to say so on the floor. Mr. Speaker, I thank my friends, the gentleman from Utah, and the gentleman from Illinois for offering it and certainly my good friend and colleague from Virginia (Mr. TOM DAVIS).

Mr. CANNON. Mr. Speaker, I would like to again thank both the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Illinois (Mr. DAVIS) for their work on this bill and bringing it forward, and I want to urge all Members to support the adoption of H. Res. 487.

Mr. CASE. Mr. Speaker, aloha and annyong ha shimnikka!

I rise today in strong support of H. Res. 487, which supports the goals and ideals of Korean American Day and, in doing so, recognizes the rich history of Korean immigration to our country dating back well over a century now and the broad and deep contributions of Korean Americans to all facets of our diverse American life.

The history of our country's Korean American community is commonly traced to January 13, 1903, when the *SS Gaelic* arrived in Honolulu Harbor carrying our first immigrants from Korea. The 56 men, 21 women, and 25 children who stepped onto my Hawaii's shores that day marked the beginning of the remarkable Korean cultural thread that has woven itself so deeply and uniquely into our American tapestry.

Today, 1.2 million Americans of Korean ancestry live throughout our Nation, with 41,000 in Hawaii alone. Korean American contributions in our Hawaii, built on the foundation of dedication and sacrifice by their predecessors, have been notable in a plethora of fields, ranging from government, law, finance, technology, medicine, and business, to arts, sports, education, and military service.

As just some examples, Chief Justice Ronald Moon of the Hawaii Supreme Court is the first Korean American in our country to serve on a state supreme court. Others are recipients of the Hawaii Korean American Foundation's 2005 Light of the Orient Award: Hawaii County Mayor Harry Kim, Honolulu City Councilwoman Ann Kobayashi, community advocates Agnes Rho Chun, Reverend Tongjin Samuel Lee, Frank Min, Evelyn Choi Shon, and Duk Hee Lee Murabayashi. And, of course, our most well-known American of Korean ancestry is professional golfer Michelle Wie.

But what proud father would not take the opportunity as well to highlight his own two favorite Korean Americans: James Kahele Case and David Espenett Case. My sons carry a quarter Korean ethnicity gifted them by their grandmother, Grace Moon, who emigrated to Hawaii from Korea shortly after the Korean War, and so join this great community in the responsibility of bringing forward this great heritage, American style, into the coming generations.

In closing, I thank Congressmen TOM DAVIS, CHARLES RANGEL, MICHAEL CAPUANO, and ED ROYCE, the chief sponsors of this measure, for providing us all with this opportunity to recognize the many contributions of Korean Americans, past, present and future. Kamsamnida to them, and to all Korean Americans, wherever you might be.

Ms. BORDALLO. Mr. Speaker, I rise today in support of House Resolution 487, which recognizes the goals and ideals of a Korean American Day and which honors the contributions that Korean Americans have made in the United States.

On January 13, 1903, 102 Korean immigrants arrived in the United States. They arrived on the SS *Gaelic* in Honolulu in the U.S. Territory of Hawaii where they established residence and labored on Hawaiian sugar plantations. These immigrants pioneered the migration of Koreans to America. Today this movement continues and remains strong. The island of Guam is home to many Korean immigrants and Korean Americans alike.

In the 1960s, President John F. Kennedy lifted the United States security clearance requirement for travel to and from Guam. This was an important-step with respect to the future growth and development of Guam's economy and trade with Asian nations. The removal of the security clearance requirement was followed by an influx of new immigrants to Guam, the westernmost territory of the United States. Koreans began to establish communities on Guam as early as in the 1970s, and in 1980s many new Korean families arrived on island to establish a beginning in America. Many Korean immigrants opened new businesses and several have risen to assume important leadership roles in advocating for the small business community.

The contributions of Korean Americans are not only found in Guam, but in every community across the United States. Korean Americans are key contributors in the economic, medical, academic and religious fields. Notably, at least 4,000 Korean Americans are currently serving in the U.S. Armed Forces, with 25 percent serving in Iraq. Whether they are serving as leaders in their communities or fighting alongside their fellow Americans in defense of our country, Korean Americans have demonstrated their significant presence in and contributions to the United States.

I wish to express my heartfelt support in recognizing the 103rd anniversary of the arrival of the first Korean immigrants to the United States. On this occasion, I also take the opportunity to recognize the growth and contributions of the Korean Association of Guam. The Korean Association of Guam was established to advance the professional and civic interests of Korean Americans in Guam. Today, the Association serves as an important welcoming support group for new immigrants from Korea. Through the continued efforts and

contributions of Korean Americans, our nation's ties with Korea will be strengthened in the years to come. I urge passage of House Resolution 487 in honor of the story and contributions of Korean Americans.

Mr. GARRETT of New Jersey. Mr. Speaker, I rise today to express my support for H. Res. 487, supporting the goals and ideals for Korean American Day.

On January 13th, we will celebrate the 103rd Anniversary of Korean American Day. It was on that day, 103 years ago, that a boat carrying 102 Korean immigrants arrived in Hawaii. According to the 2000 census, there are now more than 1 million Korean Americans. Over that time, Korean Americans have made an untold number of contributions to American society.

Whether in education, science, business, or the arts, Korean Americans have played and continue to play a vital role in shaping communities throughout New Jersey and the entire country.

For instance, there are over 4,000 Korean Americans currently serving in our Armed Forces and a large number of them are deployed overseas keeping our nation safe from terrorism. Furthermore, Korean Americans own more than 135,500 businesses across the U.S., employing nearly 334,000 individuals and generating gross receipts and sales of $46 billion.

Many of today's Korean Americans came to this nation in the 1950s fleeing the war and poverty that followed the invasion of South Korea by North Korea. Today, that region continues to face threats to its overall security. I promise to continue to work with my colleagues and Korean officials to find a long term solution to the nuclear crisis on the Korean peninsula. Ensuring safety in the region and seeking a diplomatic resolution to the conflict are two of my top priorities.

Korean American Day is an excellent opportunity for Americans to remember the many contributions that Korean Americans have made to our society and I urge all of my colleagues to support H. Res. 487, supporting the goals and ideals of Korean American Day.

Mr. HONDA. Mr. Speaker, I rise today in support of H. Res. 487, which supports the goals and ideals of Korean American Day.

I would like to recognize my colleagues Representatives DAVIS, RANGEL, CAPUANO and ROYCE for their leadership on this bill.

As Chair of the Congressional Asian Pacific American Caucus (CAPAC), I am proud to stand here to honor the accomplishments and contributions of the Korean American community.

On January 13, 1903, the first wave of Korean immigrants arrived in Hawaii. Like all immigrants, they arrived in this country with hope that they would find opportunities and a better life for themselves and their children. After World War II and the Korean War, two separate streams of Korean immigration took place. The first included those searching for political and educational freedom from the war. The larger stream occurred after the 1965 Immigration Act, which abolished the ''national origins'' quota system and allowed for family reunification provisions. After being hardened through years of war in Korea, these immigrants felt determined to build better lives and thrive in the United States.

For Korean immigrants, the American dream of building a better future for their families is alive and well. Korean Americans make this dream a reality through a focus on entrepreneurship. Korean American entrepreneurs have successfully developed businesses in all parts of our cities and suburbs.

The path to the American dream has not been easy for Korean Americans. The community has faced language and cultural barriers, discrimination and racism. Despite these obstacles, the Korean American community—like so many other immigrants who arrive in this country—are helping to make and keep America strong.

The Korean American community has made lasting contributions to our society through a variety of professions including business, education, and the military. They have made significant contributions in medicine and the sciences such as the South Korean researcher Hwang Woo-Suk, a national hero in Korea for back-to-back world firsts in embryonic stem cell (ESC) research. Additionally, the Korean American community provides a bridge for the U.S. in building a stronger relationship with Korea. As a nation, we are benefiting from the knowledge and talent from their contributions.

Today, there are over 2 million Korean Americans living in the United States and Korean immigration remains an important part of our nation's history. The contributions through their culture, talents and knowledge continue to add to the diversity of this great nation.

Mr. Speaker, I urge my colleagues to join me in supporting this important piece of legislation.

Mr. CARDIN. Mr. Speaker, I rise in support and as a cosponsor of H. Res. 487, supporting the goals and ideals of Korean American Day. This resolution marks the upcoming 103rd anniversary, on January 13, 2006, of the day that the first Korean immigrants arrived in the United States.

Today we acknowledge and celebrate the economic, academic and cultural contributions made by the immigrant Korean community to the United States. Korean Americans have made a significant and positive impact in this country, in the proud tradition of immigrants that for generations have traveled to come to the United States.

I am pleased to work with various Korean American groups in my State of Maryland that have helped new immigrants gain access to social services, health care, and continuing education programs that allow them to prosper in America. I am also pleased that many groups are working to assist qualified legal permanent residents to become U.S. citizens and to participate in local, State, and national elections.

I call on my colleagues to recognize the contributions made by Korean Americans and to support this resolution.

Mrs. MALONEY. Mr. Speaker, I rise today in support of H. Res. 487, supporting the goals and ideals of Korean-American Day. This important resolution also recognizes the 103rd anniversary of the arrival of the first Korean immigrants to the United States.

In January 1903 the first Korean immigrants came to the United States. Since then, Korean-Americans have raised families, participated in their communities, and contributed to the economy.

I am proud to represent the thousands of Korean-Americans living in my congressional district. These hard-working individuals have started numerous businesses which help to strengthen the economy of New York City.

Our nation's diversity is one of its greatest strengths, and I am pleased that this resolution honors the achievements of this vibrant community.

Ms. PELOSI. Mr. Speaker, it is with pride that I rise to join my colleagues in recognizing the 103rd anniversary of Korean American immigration to the United States, and honoring the contributions of the Korean American community to our country.

On January 13, 1903, the S.S. *Gaelic* docked in Hawaii, carrying with it the first wave of immigrants from Korea, and ushering in a new chapter in our nation's heritage. These pioneering individuals—56 men, 21 women, and 25 children—would blaze a trail for more than two million Korean American immigrants and their descendents who live throughout our nation today.

Following World War II and the Korean War, a second wave of thousands of Korean immigrants came to the United States. Like all immigrants, they sacrificed everything they knew to answer the calls of freedom and new opportunity, with the hopes of building brighter futures for themselves in America.

Over the course of one hundred years of immigration, Korean Americans have worked hard to achieve the American dream through their resolve, determination, and an abiding belief in the greatness of this country that we love. While well known and celebrated for its entrepreneurial spirit, the contributions made by the Korean American community to our society extends to all areas of the American fabric and have profoundly enriched our national heritage. Korean Americans have broken down language and social barriers, and fought back against the obstacles of racism and discrimination to succeed in and contribute to all aspects of American life—all.

As Representative of California's 8th Congressional District, it is my privilege to represent a diverse Asian American and Pacific Islander community, including a vibrant and active Korean American community.

In marking the 100 year anniversary of Korean American immigration, the Centennial Committee on Korean Immigration designated January 13 of each year as Korean American Day. By honoring this day, we celebrate the extraordinary contributions of this unique community to our country, and rededicate ourselves to making the American dream a reality for all.

This legislation has my strong support, and I urge my colleagues to join me in honoring this vibrant community.

Ms. SCHAKOWSKY. Mr. Speaker, I rise in support of H. Res. 487, which would establish January 13 of each year as Korean American Day to celebrate the anniversary of the arrival of the first Korean-American immigrants to the United States (January 13, 1903). The Korean American community has added so much to the vibrant culture of Chicago and our country. Illinois has the 4th largest Korean population in the United States, and Chicago alone has close to 12,000 Korean residents.

Korean-Americans have taken root and thrived in the United States through strong family ties and community support. Through hard work, Koreans have invigorated businesses, churches, and academic communities in the United States.

My constituents like Mr. Jin Lee, have made tremendous contributions to my city of Chicago. At the age of fourteen, Mr. Lee arrived in this country and has since been actively serving the Korean-American community. He co-founded the Keumsil Cultural Society, which promotes Korean American culture. He was Executive Director of the Chicago Korean American Chamber of Commerce, a member of the Village of Skokie's Immigrant Advisory Task Force and a committee member of the Skokie Festival of Cultures. He works hard on behalf of the community and has been recognized and honored by the Korean Ministry of Foreign Affairs and Trade, the Republic of Korea and Mayor Richard M. Daley's office. He also served as goodwill ambassador for "Visit Korea 2001" and served as Vice President of the Korean American Association of Chicago. He recognizes the importance of promoting cultural diversity and supporting the immigrant community.

As a first generation American and as a Congresswoman who is honored to represent one of the most richly diverse districts in the country, I have a deep appreciation for the invaluable contributions Korean-Americans have made to the United States. Korean-Americans, like Mr. Lee, contribute so much to and are an inspiration to others seeking to share in the American dream. This resolution provides much needed and deserved recognition to the Korean-American community for the invaluable mark they have had on the diversity and prominence of our great nation.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Utah (Mr. CANNON) that the House suspend the rules and agree to the resolution, H. Res. 487.

The question was taken.

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

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

The yeas and nays were ordered.

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

MONT AND MARK STEPHENSEN VETERANS MEMORIAL POST OFFICE BUILDING

Mr. CANNON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4295) to designate the facility of the United States Postal Service located at 12760 South Park Avenue in Riverton, Utah, as the "Mont and Mark Stephensen Veterans Memorial Post Office Building".

The Clerk read as follows:

H.R. 4295

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

SECTION 1. MONT AND MARK STEPHENSEN VETERANS MEMORIAL POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 12760 South Park Avenue in Riverton, Utah, shall be known and designated as the "Mont and Mark Stephensen Veterans Memorial Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Mont and Mark Stephensen Veterans Memorial Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CANNON) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CANNON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

□ 1430

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

Mr. Speaker, I introduced H.R. 4295 to honor two individuals for their patriotic service and ultimate sacrifice for their country. All members of the Utah congressional delegation have cosponsored this legislation to pay homage to these brave and capable soldiers.

Mont and Mark Stevenson were brothers who shared many things. Both were born in Riverton, Utah; both attended Brigham Young University; and most importantly, both answered their country's call to war.

Mont joined the Army Air Corps and served during World War II, while Mark joined the Air Force and served during Vietnam. Mont achieved the rank of captain, while his brother achieved the rank of lieutenant colonel.

Sadly, both of these brave men were killed serving their country. In a bombing mission over Germany on December 23, 1944, Mont's plane was shot down, and he was reported as being killed in action. He was initially buried in Luxemburg, but was moved and buried in Riverton with full honors after the war's end.

During Vietnam, Mark was shot down on his 94th combat mission, a recon flight over Hanoi. He went down with the plane and was reported missing in action or killed in action on April 29, 1967. Mark was declared dead by the government in 1978, and in 1988 his remains were discovered. Mark was also buried in Riverton with full military honors.

This legislation is not the first honor that these heroes have received. In 1982, Hill Air Force Base renamed their base theater in honor of these two men. Passage of this legislation will allow two brothers that lost their lives while defending our great Nation to receive the honor of having their names placed on their hometown's post office building.

I want to thank Chairman DAVIS for his support and work on this legislation.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as a member of the House Government Reform Committee, I am pleased to join my colleague in consideration of H.R. 4295, legislation naming a postal facility in Riverton, Utah, after Mont and Mark Stevenson. This measure, which was introduced by Representative CHRIS CANNON of Utah on November 10, 2005, and unanimously reported by our committee on November 16, 2005, enjoys the support and close sponsorship of the entire Utah delegation.

Mont Stevenson, a native of Riverton, Utah, joined the United States Army Air Corps, where he served as a flight commander in the 559th Bombardment Squadron. Sadly, while on a bombing mission over Germany, Captain Stevenson's plane was shot down, and he was reported as being killed in action. Later, his remains were found and brought to the United States, where he was buried in Riverton with full military honors.

Mont's brother, Mark Stevenson, also served in the military. He joined the U.S. Air Force and served in Vietnam. While on his 94th combat mission, Lieutenant Colonel Stevenson was shot down, captured as a prisoner of war and reported MIA/KIA, or missing in action, killed in action. On April 29, 1967, he was declared dead; and in 1988, 21 years later, his remains were found, and he too was buried in Riverton with full military honors.

Mr. Speaker, it is indeed a great honor to recognize the enormous sacrifice of the Stevenson family. Two brothers, one who served in World War II, the other in the Vietnam war, both died while defending our Nation. These soldiers are more than deserving of a memorial in their hometown of Riverton, Utah.

I commend my colleague for seeking to honor the service of Captain Mont F. Stevenson and Lieutenant Colonel Mark Lane Stevenson, two heroic men who gave their lives for this country; and I urge swift passage of this bill.

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

Mr. CANNON. Mr. Speaker, I urge all Members to support the passage of H.R. 4295.

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 Utah (Mr. CANNON) that the House suspend the rules and pass the bill, H.R. 4295.

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.

MARYLAND STATE DELEGATE LENA K. LEE POST OFFICE BUILDING

Mr. CANNON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4107) to designate the facility of the United States Postal Service located at 1826 Pennsylvania Avenue in Baltimore, Maryland, as the ''Maryland State Delegate Lena K. Lee Post Office Building''.

The Clerk read as follows:

H.R. 4107

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

SECTION 1. MARYLAND STATE DELEGATE LENA K. LEE POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1826 Pennsylvania Avenue in Baltimore, Maryland, shall be known and designated as the ''Maryland State Delegate Lena K. Lee Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Maryland State Delegate Lena K. Lee Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CANNON) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CANNON. 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 Utah?

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 4107, legislation authored by the distinguished gentleman from Maryland (Mr. CUMMINGS). The bill would designate this post office in Baltimore, Maryland, as the Lena K. Lee Post Office Building. All Members of the Maryland delegation have cosponsored this legislation.

A woman with undying ambition and an unstoppable desire to help others, the Honorable Lena K. Lee, was often referred to as a master teacher, union leader, lawyer, and legislator. Her leadership example through the years has provided countless opportunities for young and determined African Americans in Maryland.

Delegate Lee received her bachelor's degree from Morgan State University in 1939 and her master's from New York University in 1947. Before her days in politics, Delegate Lee was a teacher and eventually a principal in the Baltimore City public school system. In 1952, she became the third woman to receive her law degree from the University of Maryland School of Law.

In 1967, she began a 16-year term as the first African American female lawyer to serve in the House of Delegates. During her tenure, she fought to eradicate social inequality and advocated tirelessly for women's rights. In addition, Delegate Lee was instrumental in helping Morgan State College achieve university status and in saving the Orchard Street Church, a site of the Underground Railroad, from destruction. She has also served as an advocate for the health of Maryland prisoners as well as a supporter in the reconstruction of the new Provident Hospital.

She served as a member of numerous organizations, such as the NAACP, the Urban League, the League of Women Voters. Most notably, she was the first African American woman to serve as the vice-chair of the Baltimore City delegation to the general assembly, and one of the founders of the Women Legislators of Maryland and the Maryland Legislative Black Caucus.

She has been the recipient of numerous awards, honors, and citations, including the Presidential Citation from the National Association for Equal Opportunity in Higher Education and membership into the Maryland Women's Hall of Fame.

I encourage all Members to come together to pass H.R. 4107 to honor Delegate Lena K. Lee for her constant perseverance and courage in her quest for equality.

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

Mr. DAVIS of Illinois. Mr. Speaker, it is now my pleasure to yield such time as he may consume to the gentleman from Maryland (Mr. CUMMINGS), the sponsor of this legislation.

Mr. CUMMINGS. Mr. Speaker, I want to thank the gentleman for yielding me this time, and I want to thank our chairman and the ranking member of the full committee. I certainly want to thank the chairman of the subcommittee and Mr. DAVIS, our ranking member, and the gentleman from Utah.

I rise today, Mr. Speaker, to urge my colleagues to support H.R. 4107, legislation I introduced to honor a great woman, Lena K. Lee. H.R. 4107 would designate the facility of the United States Postal Service located at Druid Station in Baltimore, Maryland, the Maryland State Delegate Lena K. Lee Post Office Building. It is very interesting to note, Mr. Speaker, that this post office is actually located within about three blocks from where Delegate Lena K. Lee lives.

As an individual whose intellect, generous spirit, and rare devotion aided her in making momentous contributions to the great State of Maryland, the Honorable Lena K. Lee is worthy of this exceptional distinction. Born a coal miner's daughter, Delegate Lee rose to prominence as a master legislator, teacher, union leader, and a lawyer by blazing a trail of distinguished public service.

She received her B.S. degree from Morgan State College in 1939, and her master's degree from New York University in 1947. Before entering the political arena, Delegate Lee served as a teacher, and a very good one at that, and a elementary school principal in the Baltimore City public school system. In 1952, she became the third woman to receive her law degree from the University of Maryland Law School.

In 1967, Delegate Lee went on to serve her community on a much larger scale when she began a 15-year term as the first African American female lawyer in the House of Delegates. During her tenure, she dedicated her energy and talents towards eradicating social inequalities and advocating for women's rights.

Mr. Speaker, Delegate Lee, like the great Rosa Parks, was an individual who demonstrated the power of one. She was a champion of justice and a dynamic legislator who used her skills to selflessly better the world around her. Among her many accomplishments, she succeeded in assisting Morgan State College achieve university status and in saving the Orchard Street Church, a site of the Underground Railroad, from destruction. It is also interesting to note that that same building now is used to house the Baltimore branch of the Urban League. She also successfully fought for the construction of a new Provident Hospital, now called Liberty Medical Center, and the creation of no-fault divorce in the State of Maryland.

As one of the founders of the Women Legislators of Maryland and the Maryland Legislative Black Caucus, Delegate Lee further displayed her resolve to lead and not follow.

Because of her tireless efforts, she has been the recipient of numerous honors, including the Presidential Citation from the National Association For Equal Opportunity in Higher Education, as well as membership in the Maryland Women's Hall of Fame, a very, very high honor.

Though Delegate Lee is now in the winter years of her life at age 99, her

legacy will live on in the lives of those she has touched. She cleared the path to opportunities previously inaccessible to many bright and talented African Americans.

On a more personal note, in the summer of 1982, I received a call from this woman, known only to me by her reputation. Delegate Lee said something that would change the course of my life. She said, ''I'm going to retire from the House of Delegates. I'm looking for someone to take my place. I'm looking for a female lawyer, so that we will still have one in the House.'' And then she went on to say that I have decided to choose you. She said, ''I know you're a lawyer and I know you're not a female, but'' in her words, ''you will do.''

In the days that followed, although she was not feeling very well physically, Delegate Lee walked door to door with me, introducing me to voters and helping to raise campaign funds. The first 1982 campaign for the Maryland House of Delegates was not an easy one, and I often expressed my doubts to Delegate Lee. The question is not whether opportunities will come in life, she often said. The question is whether you are prepared to take advantage of them; and I think that you are prepared.

While her eloquent words resonated in my heart, the way she lived her life was her most compelling lesson. In no uncertain terms, Delegate Lena K. Lee was my first and my very best teacher in public life, and for that I will go to my grave being grateful.

Mr. Speaker, the postal facility named in honor of this distinguished lady will serve to signify to the citizens of Maryland and of this great country and generations yet unborn that the leadership and noteworthy achievements of even one committed citizen can enrich and empower our communities and indeed our Nation. I urge my colleagues to join me in offering their support to this important legislation.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

I am indeed delighted that Delegate Lee was willing to accept our esteemed colleague, even though he was not a woman. And I think that she has been vindicated.

As a member of the House Government Reform Committee, I am pleased to join my colleague in consideration of H.R. 4107, legislation naming a postal facility in Baltimore, Maryland, after Lena K. Lee.

□ 1445

This measure, which was introduced by my good friend and colleague Representative Elijah Cummings on October 20, 2005, and unanimously reported by our committee on November 16, 2005, enjoys the support and cosponsorship of the entire Maryland delegation.

Prior to entering State politics, Lena Lee was a teacher and elementary school principal in the Baltimore City public school system. In 1967, she began a 16-year term as the first African-American female lawyer to serve in the House of delegates. During her term in the House of Delegates, Delegate Lee worked hard on eradicating social inequities and stood strong in support of women's rights. Delegate Lee also assisted Morgan State College achieve university status and saved the Orchard Street Church, an underground railroad site, from destruction. She advocated for the health of Maryland prisoners and aided in the reconstruction of the New Provident Hospital.

Delegate Lee's incredible leadership in improving the lives of Baltimore citizens and preserving cultural and educational landmarks made her the recipient of numerous awards, honors and citations, including the Presidential citation from the National Association For Equal Opportunity in Higher Education and the membership in the Maryland Women's Hall of Fame.

Mr. Speaker, I commend Representative CUMMINGS for seeking to honor this very accomplished citizen. Naming the Druid Station in Baltimore is a fine way to recognize the legacy of the Honorable Lena K. Lee, and I urge swift passage of this bill.

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

Mr. CANNON. Mr. Speaker, I urge all Members to support passage of H.R. 4107, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Utah (Mr. CANNON) that the House suspend the rules and pass the bill, H.R. 4107.

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.

RECOGNIZING CENTENNIAL OF SUSTAINED IMMIGRATION FROM PHILIPPINES TO UNITED STATES AND ACKNOWLEDGING CONTRIBUTIONS OF FILIPINO-AMERICAN COMMUNITY

Mr. CANNON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 218) recognizing the centennial of sustained immigration from the Philippines to the United States and acknowledging the contributions of our Filipino-American community to our country over the last century.

The Clerk read as follows:

H. CON. RES. 218

Whereas the peoples of the Philippine archipelago have a long and proud history, and today, as the Republic of the Philippines, embrace democracy, occupy a central strategic position in Asia and the Pacific, and nurture a rich and diverse cultural heritage;

Whereas the United States and the Philippines have enjoyed a long and productive relationship, including the period of United States governance between 1898 and 1946, and the period post-independence starting in 1946, during which the Philippines has taken its place among the community of nations and has been one of our country's most loyal and reliable allies internationally;

Whereas the bonds between our two countries have been strengthened through sustained immigration from the Philippines to the United States;

Whereas the 2000 census counted almost 2.4 million Americans of Filipino ancestry living in all parts of our country, including the top two States: California, with almost 1.1 million Filipino Americans, and Hawaii, with some 275,000;

Whereas the contributions of Filipino Americans to the United States include achievement in all segments of our society, including, to name a few, labor, business, politics, medicine, media and the arts;

Whereas Filipino Americans have especially served with distinction in the Armed Forces of the United States throughout the history of our long relationship, from World Wars I and II through the Korean War, the Vietnam War, the Gulf War, and today in Afghanistan and Iraq;

Whereas within the United States, Filipino Americans retained many of their country's proud cultural traditions and contribute immeasurably to the diverse tapestry of today's American experience;

Whereas Filipino Americans have also maintained close ties to their friends and relatives in the Philippines and in doing so play an indispensable role in maintaining the strength and vitality of the U.S.-Philippines relationship;

Whereas both the Filipino experience in the United States and the resultant ties between our two great countries began in earnest in 1906, when 15 Filipino contract laborers arrived in the then-Territory of Hawaii to work on the islands' sugar plantations, the beginnings of an emigration from the Philippines to Hawaii which, during the subsequent century, has sometimes exceeded 60,000 a year, making Filipinos the largest immigrant group from the Asia-Pacific region;

Whereas 1906 also saw the first class of two hundred ''pensionados'' arrive from the Philippines to obtain United States educations with the intent of returning, although many later became United States citizens and helped form the foundation of today's Filipino-American community;

Whereas the story of America's Filipino-American community is little known and rarely told, yet is the quintessential immigrant story of early struggle, pain, sacrifice, and broken dreams, leading eventually to success in overcoming ethnic, social, economic, political, and legal barriers to win a well-deserved place in American society;

Whereas our Filipino-American community will recognize a century of achievement in the United States in 2006 through a series of nationwide celebrations and memorials honoring the centennial of sustained immigration from the Philippines; and

Whereas this centennial is for all Americans of whatever ethnic origin to celebrate

both with and in order to understand and appreciate our Filipino-American community, but also as a remembrance of the struggles and triumphs of all of our predecessors and in honor of our common national experience: Now, therefore, be it

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

(1) recognizes the centennial of sustained immigration from the Philippines to the United States;

(2) acknowledges the achievements and contributions of Filipino Americans over the past century; and

(3) requests that the President issue a proclamation calling on the people of the United States to observe this milestone with appropriate celebratory and educational programs, ceremonies and other activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CANNON) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

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

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

There was no objection.

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

I rise in support of House Concurrent Resolution 218 introduced by the gentleman from Hawaii (Mr. CASE). This resolution would recognize the centennial of sustained immigration from the Philippines to the United States and acknowledge the contributions of our Filipino-American community to our country over the last century.

According to the 2000 census, there are 2.4 million Filipino-Americans currently residing in the United States. Two of the most concentrated States being California with 1.1 million Filipino-Americans and the State of Hawaii with over 250,000. The United States and the Philippines have built a lasting relationship starting with the period of United States governance between 1898 and 1946. After its independence in 1946, the Philippines have proven to be one of this country's most local international allies.

The contributions to the United States of Filipino-Americans are seen in all facets of our society. They have served in the armed forces, in World War I, World War II, the Korean War, the Vietnam War, the Gulf War, and the current fight against terrorism in both Iraq and Afghanistan. Their rich culture and ideals have also surfaced in our society by their contributions to the arts, politics, medicine and many other areas.

In December 2005, the Filipino Centennial Celebration Commission in Hawaii will begin a year-long observance of the 100th anniversary of the first Filipino arrivals in the State. The first 15 Filipino immigrants arrived in Honolulu on December 6, 1906, and presently, the Filipino and part-Filipino component of the State population is now roughly 23 percent.

More and more, Filipinos and Americans of Filipino ancestry are assuming positions of power and responsibility in the State and in the private sector. Filipinos have made their mark on United States soil since they started arriving 100 years ago, and the momentum continues to make that mark even greater and will continue to do so in the years to come.

I urge all Members to join me in recognizing the numerous contributions that the Filipino-American population has made in the United States and celebrate the centennial of sustained immigration from the Philippines to the United States.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield such time as he may consume to the gentleman from Hawaii (Mr. CASE), the sponsor of this legislation.

Mr. CASE. Mr. Speaker, colleagues and fellow Americans, aloha and mabuhay.

I rise today to provide richly deserved recognition in the Halls of our Nation's Congress for a great people and culture whose century-old journey on our shores has personified the very essence of our American experience. I speak in strong support of H. Con. Res. 218 which I introduced with the cosponsorship of many like-minded colleagues to recognize the centennial of sustained immigration from the Philippines to our country and to acknowledge the incredible contributions of Filipino-Americans to our country over the last century. And I do so with great pride and deep humility as the representative of the congressional district with the most Filipino-Americans and the State with the largest percentage of Filipino-Americans nationally and with sincere gratitude to my cosponsors, to Government Reform Chair DAVIS and Ranking Member WAXMAN, to the gentlemen from Utah and Illinois, and to our collective leadership for bringing this measure to this floor expeditiously.

Mr. Speaker, those whose heritage lies in the great archipelago of the Philippines have journeyed to our country and lived among us for centuries. But the modern day Filipino-American immigrant experience which has given rise to our current day Filipino-American community traces its roots to December 1906 when 15 Filipino contract laborers, or sakadas, arrived from Luzon aboard the ship *Doric* and began work in the sugar cane fields of Keaau on the Island of Hawaii.

In the same year, the first class of pensionados arrived from the Philippines to gain an education with the intent of returning home, although many stayed on.

These early sakada and pensionado roots sparked a sustained emigration from the Philippines to the United States which, over the last century, has numbered upwards of 60,000 a year, marking Filipinos as our second largest immigrant group from the Asia-Pacific region. Many continued to emigrate to Hawaii to work in the sugar fields. The Hawaii Sugar Planters Association records reflect over 125,000 immigrants from the Philippines up to the year 1946 alone, and they form the base of today's 275,000 Filipino-Americans living in Hawaii, well over 20 percent of our total population. As previously noted, it is not just my State which has benefited from the growth and maturity of our Filipino-American community, which now numbers 2.4 million nationwide, including 1.1 million in California alone.

But it is in Hawaii where the full extent of the trials and tribulations and accomplishments and successes of Filipino-Americans has played out over the past century. Early generations worked long and back-breaking hours to bring the means to bring their families to Hawaii. And then those generations fought for basic rights and benefits on the plantations of Hawaii. And then they began to move beyond the plantations into other aspects of Hawaii society and to take advantage of the equalizing opportunity of education. And then those generations who benefited from the foundation of their forefathers built a broader base in the political, economic and social fabric of Hawaii until, a century later, the successes, both individually and collectively, are everywhere.

Just some of the past few decades in Hawaii alone: Benjamin Cayetano, Governor; Benjamin Menor, Mario Ramil, and Simeon Acoba, justices of the Hawaii Supreme Court; Daniel Kihano and Robert Bunda, speaker of the Hawaii State House and Senate, respectively; Angela Baraquio, Miss America; Antonio Taguba, general, United States Army; Eduardo Malapit and Lorraine Rodero-Inouye, mayors; Emme Tomimbang, TV news anchor; Benny Agbayani, professional baseball player.

These are just some of the more recognizable names, for Hawaii's Filipino-Americans are succeeding like their mainland counterparts throughout the full range of our society, from our military where Filipino-Americans have demonstrated decades of bravery and loyalty to our country and have one of the highest enlistment rates, to the professions, entertainment, business and well beyond.

Last weekend, Hawaii's Filipino-American community and its many admirers and friends kicked off a year-long celebration of its centennial under

the leadership of the Filipino Centennial Celebration Commission, Elias Beniga, chair. This weekend, we will dedicate a marker to the original sakadas at Keaau, where it all began. And nationally, our Smithsonian is undertaking a yearly celebration as well, titled the Filipino American Story, a Century of Challenge and Change, with commemorative events, exhibits and educational opportunities here in Washington, D.C., and at other sites nationally.

Mr. Speaker, I am sure that neither the original sakadas nor many who followed them here could have envisioned what the last century reaped for them and theirs, nor that we would all stand here today and over the next year to commemorate an incredible century, nor that we would collectively look forward with such eager anticipation to the story our Filipino-American community will write over the next century. Yet that is exactly what we are doing and should do for this is the story not just of Filipino-Americans, but the story of our America. Mahalo, dios ti agnina, and salamat po.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, 2006 marks the centennial anniversary of sustained immigration from the Philippines which demonstrates a warm friendship between the two nations on opposite ends of the world. The Philippines and the United States have enjoyed a long history of friendship and cooperation, including nearly a half century of American control of the archipelago which came to a close in 1947.

Now independent, the Philippines remain one of our strongest allies in the Asian-Pacific region. In 1906, a handful of sugar cane workers immigrated from the Philippines to the then U.S. territory of Hawaii. Later that year, the first group of pensionados arrived to earn degrees from American institutions. Some pensionados returned home to the Philippines to apply their knowledge, but many remained in the United States. Combined with the influx of sugar cane workers, these Filipino immigrants established a vibrant Filipino-American community.

A century of sustained immigration has persisted since 1906, and in some years, more than 60,000 Filipinos have immigrated to the United States. Hawaii and California house the majority of the nearly 2.5 million Filipinos who live in the United States, although strong communities thrive in other parts of our Nation, such as New York, New Jersey and Chicago.

Filipino-Americans now represent the largest immigrant community from the Asia-Pacific region who live in the United States. Filipino-Americans have made major contributions to the arts, labor, business, politics, medicine, media and other areas.

In addition, Filipino-Americans have served with honor in the United States Armed Forces in every war since World War I. They are a valued part of American society.

So I ask my colleagues to join me in recognition of the centennial anniversary of sustained immigration of Filipinos to the United States. Let us also recognize the vibrant history of the Filipino-American community in the United States. Their sustained immigration truly marks a century of achievement, and I commend the gentleman from Hawaii (Mr. CASE) for seeking to recognize the contributions of this great part of our population.

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

Mr. LANTOS. Mr. Speaker, I rise today in strong support and as a cosponsor of House Concurrent Resolution 218, a resolution that recognizes the centennial of sustained immigration from the Philippines to the United States and acknowledges the contributions of our Filipino-American community to our country over the last century. The mark that the Filipino-American community has made on my district is immeasurable. It is a privilege to live with and to serve such a culturally rich and vibrant community.

As the premier gateway from Asia, the Bay Area has been the starting point for many Filipino immigrants in America. I am truly proud that many Filipino-Americans decided to make the Bay Area their permanent home. I represent one of the largest populations of Filipino-Americans in the United States, and I would like to recognize two of the many shining lights from our community.

Mr. Speaker, my dear friend Alice Bulos has worked tirelessly in the community at large and with the Filipino-American community in particular. After immigrating to the United States in the late 1970's, Alice became an outspoken leader among Filipino-Americans. She tirelessly worked to urge Filipino-Americans to become politically active. With her husband, she founded the Filipino American Grassroots Movement, a voter registration drive that sought to involve Filipinos in the political process.

Alice became one of the most visible members of the community when she was appointed by President Clinton to serve on the Federal Council on Aging in 1993. In 1998, she was again called upon to serve on the Commission on the Status of Women by the San Mateo County board of Supervisors. Earlier this year, the board appointed her to another term.

I am proud to count Alice as a friend, and her work has made the Peninsula a better place and strengthened the Filipino-American community throughout the United States.

Alex Esclamado left his homeland to pursue a better life and has been inspirational in my district and across America with his newspaper, the Philippine News. Mr. Esclamado began publishing the paper out of his garage, and from the beginning has worked to publish original content with staff-written reports. His operation has grown by leaps and bounds. He no longer drives across the country handing out his newspaper; the Philippine News is now available for delivery in 47 states and is distributed through retailers in many of the largest cities in the nation. I am proud to say that the newspaper calls my district home.

Mr. Speaker, these are but two of the many extraordinary individuals in the Filipino-American community. The vibrancy of my district can be directly attributed to our diversity, and I am proud to celebrate 100 years of sustained immigration that has so influenced the Bay Area and all of the United States. I urge all of my colleagues to join me in stridently supporting this legislation.

Ms. BORDALLO. Mr. Speaker, I rise today in support of House Concurrent Resolution 218, which recognizes the centennial of sustained immigration from the Philippines to the United States and acknowledges the contributions of our Filipino-American community to our country over the last century. What started out as a few hundred migrant farm workers in California and Hawaii has grown into the second largest Asia Pacific American ethnic group in the United States today, and a cornerstone of the foundation of our nation.

Since they first set foot in the United States in 1587, Filipinos have made extraordinary contributions to our nation's economy, history, politics, and culture. Larry Itliong and the often overlooked Filipino farm workers worked hand-in-hand with Cesar Chavez to form the United Farm Workers. Together, they were responsible for the movement that improved working conditions for farm workers in California, and indeed throughout our nation. Former Los Angeles Rams Quarterback, Roman Gabriel, actor Rob Schneider, and Allan Pineda Lindo, better known as Apl of the Black Eyed Peas, are just some of the Filipino-Americans who continue to raise the profile of Filipino-Americans in the fields of athletics, arts and entertainment. On my home island of Guam, Filipino-Americans are important leaders in our business community, several have served in our local legislature, and countless others have served in the U.S. Armed Forces.

Today, the contributions of the Filipino-American community remain strong throughout the United States, and are particularly evident in the Pacific Islands that are a part of the American family. Filipino-Americans have made the most out of the last 100 years since their ancestors arrived in Hawaii. They have moved up from the sugarcane plantations to assume prominent positions in public office. They have, at various times, served as Members of the Hawaii House of Representatives, State Senators, Cabinet Members, an even Governors.

However, perhaps the most significant Filipino-Americans are the working professionals who continue to provide for their families while

lending their strength to the community at large. They are teachers and farmers, lawyers and medical professionals whose work ethic and determination truly embody the spirit of the American dream.

At a time when we are proud to stand up and say that we are American, we must not overlook the individual pieces upon which our nation stands. The contributions of the Filipino-American community to our country are significant, and it is right that we salute all that they have done for our nation.

On this occasion, let us recognize the historical significance of sustained immigration from the Philippines to the United States. On Guam, I want to say ''Maraming Salmat Po'' to our Filipino-American community. Today, the Filipino Community of Guam (FCG) is an organization comprised of over 70 individual community groups through which several thousand Filipino-Americans contribute to our island. I join my colleagues in recognizing and honoring their accomplishments, and those of their Kababayan throughout the United States.

Mr. GARRETT of New Jersey. Mr. Speaker, I rise today to express my support for H. Con. Res. 218, recognizing the centennial of sustained immigration from the Philippines to the United States and acknowledging the contributions of our Filipino-American community to our country over the last century.

The United States and the Philippines have a relationship full of tradition and history and both countries have a shared commitment to global peace, security, and prosperity. Currently, there are over 2 million Filipino-Americans, the second largest Asian-American community in the U.S. These Filipino-Americans have made significant contributions in many areas including education, religion, business, labor, and the arts.

Dating back to World War II, when the United States and the Philippines fought side by side against Japan in the Pacific, Filipino-Americans have served with dignity and bravery in the United States Armed Forces. Today, many Filipino-American soldiers are fighting overseas in Afghanistan and Iraq.

The Philippines is working closely with the United States to win the global war on terror. Ongoing Philippines initiatives to improve and expand international counterterrorism cooperation encourage even better levels of communication between our two countries.

I will continue to work with leaders in the Filipino-American community to ensure that relations between the United States and the Philippines continue to grow and prosper in the 21st Century. I urge all of my colleagues to support H. Con. Res. 218.

Mr. HONDA. Mr. Speaker, I rise today in support of H. Con. Res. 218, a resolution recognizing the centennial of sustained immigration from the Philippines to the United States and acknowledging the contributions of our Filipino-American community to our country over the last century.

Filipinos, as part of the Spanish galleons, first reached America as early as 1587, landing in Morro Bay, California. In 1763, the first permanent Filipino settlement was established in Southern Louisiana near Barataria Bay.

A mass emigration of Filipinos to the United States began in 1906. Some Filipinos known as pensionados or government scholars came for the purpose of furthering their education and training in the United States, but most were poor Filipinos who came to work for Hawaii sugarcane and pineapple plantations, California and Washington asparagus farms, Washington lumber and Alaska salmon canneries.

Today there are over 2,300,000 Filipino Americans living in the United States. They and their forebears have made countless economic, cultural, social and other notable contributions to our nation.

They, for example, played pivotal roles as labor leaders organizing unions and strategic strikes to improve working and living conditions in the 1920's. Filipinos have influenced the corporate landscape as CEOs and computer software engineers. Filipinos have won Olympic gold medals as members of U.S. Olympic teams and served as Miss America. Furthermore, Filipinos have made strides politically, helping to increase the diversity of America's leadership. Benjamin J. Cayetano, in 1994, became the first Filipino American and only the second Asian Pacific Islander American elected Governor of a state of the Union.

In addition to these contributions, we should also recognize Filipinos who answered President Franklin D. Roosevelt's call to arms in World War II. At the war's outbreak, Filipino Americans were barred from joining the armed forces. But in 1942, President Franklin D. Roosevelt issued a military order calling all organized military forces of the government of the Philippines into the service of the armed forces of the United States. Filipinos responded, serving under direction of the United States' Military and fighting side by side with the Americans in Europe and Asia. Other Filipinos contributed as civilians involved in the mobilization efforts during the war. At the end of the war, Filipinos had earned the acceptance and admiration of the American public.

The Filipino veterans fought with gallantry under the most difficult conditions during the war and played a heroic role in defending freedom under the American Flag. However, the Recession Act of 1946 diverted Filipino soldiers of the veteran status and, consequently, the veterans' benefits. The Immigration Act of 1990 gave 150,000 Filipino veterans of World War II the opportunity to migrate to the United States and a chance to fulfill an American Dream as promised by President Roosevelt. Although this is a step in the right direction, granting equitable benefits for Filipinos that fought with America in World War II would be an excellent way to recognize contributions Filipino-Americans have made to our country, since we all benefit from the freedom won in that war.

Mr. Speaker, I urge my colleagues to join me in supporting this important piece of legislation.

Mr. FARR. I rise in strong support of H. Con. Res. 218 that commemorates the substantial achievements of Filipino-Americans to our nation's history. My district, comprised of Santa Cruz, Monterey and San Benito counties in California, owes a particularly large debt to the Filipino-American community.

Starting in the late 1890's, Chinese, Japanese and Filipino farm laborers were the engine for the development and growth of the Salinas Valley agricultural industry. Farm labor work on strawberry and peach farms was often back-breaking; laborers rose at dawn and worked until dusk, and were generally paid very poorly.

Additionally, Filipino immigrants were often treated horribly and harshly discriminated against. Filipino farm workers formed the first organized group in the early history of the United Farm Workers Union. Despite these deplorable working conditions and societal obstacles, over the last hundred years, Filipino-Americans on the Central Coast of California have enriched the quality of life for all Californians and for our nation as a whole. For example, the Filipino Community Club of the Monterey Peninsula is an energetic non-profit community based centers in my district and serves as a cultural and civic hub for Filipinos living on the Central Coast.

I am proud to represent a large and vibrant Filipino population and commend their centennial of accomplishments to the United States. Mabuhay!

Ms. SCHAKOWSKY. Mr. Speaker, I rise in support of H. Con. Res. 218, a resolution to recognize 2006 as the centennial of sustained immigration from the Philippines to the United States and to celebrate the achievements and contributions of Filipino Americans over the past century.

Immigration from the Philippines to the United States began in 1906 when the first significant numbers of Filipino immigrants arrived in Hawaii to work on the island's sugar plantations. Today, a century later, the Filipino-American community's numbers increase by nearly 60,000 new immigrants per year, making Filipinos the largest immigrant group from the Asia-Pacific region.

The Filipino-American community has added so much to the vibrant culture of Chicago and our country. The 9th Congressional District boasts about 17,000 Filipino residents, which makes it home to the 36th largest number of Filipino-Americans among Congressional districts.

I am particularly proud of the achievements by my constituents like Ms. Aurora Abella-Austriaco, a lawyer, who immigrated here from the Philippines. She was just appointed a member of the Committee on Character and Fitness, First District, by the State of Illinois Supreme Court on October 26, 2005. In addition to being partner of a Chicago law firm, she served as a member of the Filipino American Voters League from 1996–98. She is the current Chair of the Cook County States Attorney's Asian Advisory Council and member of the Attorney General's Asian Advisory Council and Clerk of the Circuit Court's Asian Advisory Council. She is the past Treasurer of the League of Women Voters of Chicago and past Chair of the Chicago Bar Association. She also is Vice President of the Asian American Institute's 2005 Board of Directors.

The history of America's Filipino-American community is the quintessential American immigrant story of early struggle, pain and sacrifice, leading to success in overcoming ethnic, social, economic, political, and legal barriers to win a well-deserved place in our national fabric. Filipino-Americans, like Ms. Abella-Austriaco, have made incredible contributions in all parts of our society, including business,

labor, politics, medicine, media and the arts. Filipino-Americans have served and are serving with special distinction in our Armed Forces, from World Wars I and II through the Korean War, the Vietnam War, the Gulf War, and today in Afghanistan and Iraq.

The Smithsonian Institution will be conducting the Filipino-American Centennial Commemoration 2006 with five public programs and at least six more in cities including the city of Chicago, which I represent. The programs will range from scholarly discussions and film showings to cultural performances providing historical overviews of Filipino-Americans in the United States.

This centennial celebration will provide every American an opportunity to celebrate a century of Filipino immigration to the United States.

□ 1500

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Utah (Mr. CANNON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 218.

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

A motion to reconsider was laid on the table.

CONGRATULATING THE LOS ANGELES GALAXY ON THEIR VICTORY IN THE 2005 MAJOR LEAGUE SOCCER CHAMPIONSHIP

Mr. CANNON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 574) congratulating the Los Angeles Galaxy on their victory in the 2005 Major League Soccer championship.

The Clerk read as follows:

H. RES. 574

Whereas on November 13, 2005, the Los Angeles Galaxy won the 2005 Major League Soccer (MLS) championship by defeating the New England Revolution 1–0 in MLS Cup 2005, in Frisco, Texas;

Whereas the Galaxy's victory in MLS Cup 2005 was the team's second MLS championship in the last four years, the first also won over the New England Revolution in a 1–0 victory in MLS Cup 2002;

Whereas the victory in the MLS Cup gave the Galaxy their second major championship of 2005, the first won by defeating FC Dallas in the Lamar Hunt U.S. Open Cup championship game in September;

Whereas the owner of the Los Angeles Galaxy, Anschutz Entertainment Group, has made the Galaxy the model MLS club through sound management and by instilling a team-first philosophy;

Whereas Galaxy's success is a result of contributions by the entire team, including players Chris Albright, Benjamin Benditson, Pablo Chinchilla, Mubarike Chisoni, Steve Cronin, Ednaldo da Conceicao, Landon Donovan, Todd Dunivant, Michael Enfield, Josh Gardner, Herculez Gomez, Guillermo Gonzalez, Alan Gordon, Ned Grabavoy, Kevin Hartman, Ugo Ihemelu, David Johnson, Cobi Jones, Quavas Kirk, Tyrone Marshall, Paulo Nagamura, Joseph Ngwenya, Michael Nsien, Guillermo Ramirez, Troy Roberts, Marcelo Saragosa, Josh Saunders, Michael Umana, and Peter Vagenas;

Whereas head coach Steve Sampson, and assistant coaches Afshin Ghotbi, Billy McNicol, and Ignacio Hernandez, Head Athletic Trainer Ivan Pierra, Team Administrator Anthony Garcia, and Equipment Manager Raul Vargas led the Galaxy to their second MLS championship by stressing teamwork and determination;

Whereas the Galaxy went undefeated during the 2005 MLS playoffs, advancing to the MLS Cup by defeating the top-seeded San Jose Earthquakes and the Colorado Rapids in the Western Conference playoffs and scoring seven goals and allowing just one over the span of four games, which included three shutouts;

Whereas the Galaxy's ability to win this season despite several player absences due to call-ups by the United States men's national team is a testament to the skill of the coaching staff and the desire of the team to play with pride for the city of Los Angeles;

Whereas midfielder Guillermo Ramirez, who scored the game-winning goal of MLS Cup 2005 in overtime, was selected as the game's Most Valuable Player, joining fellow Guatemalan and 2002 MLS Cup MVP Carlos Ruiz as the only Galaxy players ever to win this prestigious award;

Whereas the Galaxy have the most devoted and spirited fans who contributed to eight sold out home games and brought the average home game attendance to 24,000 people this season;

Whereas the Galaxy continue to captivate a growing and diverse audience from across Southern California; and

Whereas all of Southern California is proud of the accomplishments of the Los Angeles Galaxy team, the entire Galaxy organization, and the dedicated and faithful Galaxy fans throughout the 2005 MLS season: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the Los Angeles Galaxy on their victory in the 2005 Major League Soccer championship; and

(2) recognizes the dedication and teamwork of all the players, coaches, and staff of the Galaxy, all of whom were instrumental in helping the Galaxy win their second MLS Cup championship.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CANNON) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

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

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

There was no objection.

Mr. CANNON. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, I rise with some jealousy in support of House Resolution 574, introduced by the distinguished gentleman from California (Mr. BECERRA). This resolution would congratulate the Los Angeles Galaxy on their victory in the 2005 Major League Soccer championship. It is my hope that the Salt Lake Real may someday emulate the Galaxy.

The second MLS title for the club, the 1–0 win over the New England Revolution in extra time, marked the dominance of one of the most experienced and talented teams in Major League Soccer. Although a veteran squad, the beginning of the season was plagued with inconsistent play in which the team fought to recover. The ups and downs of the season, however, did not stop the Galaxy from concentrating on reaching the title contest.

After a loss in the regular season finale, the Galaxy made one of the most impressive runs in playoff history. They knocked off the number one seed in the West in the first round and then took the road to beat Colorado. Finally, when reaching the championship, they took out the number one seeded team in the East with a thrilling goal from Guillermo Ramirez in the first overtime period. Now qualified for two international tournaments next season, the Galaxy has a chance to repeat as MLS champions, as well as a chance to give their fans and supporters an even more exciting and satisfying season.

I urge all Members to join me in congratulating the Los Angeles Galaxy in their successful and momentous season by adopting House Resolution 574.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on November 13, 2005, the Los Angeles Galaxy of Major League Soccer became only the third team in Major League Soccer history to win the MLS cup more than once. The storied history of the Galaxy has included an impressive five appearances in the MLS cup, championship and two victories. The Galaxy is one of the premier teams in Major League Soccer and has made the playoffs in all nine seasons of MLS history.

The Galaxy is beloved by their fans and boasts one of the strongest fan bases in the league. Over 88,000 fans jammed the stadium and hills around the stadium to watch their team in an exhibition match with Mexican League team Chivas USA in what is being dubbed as the Super Classico. The Galaxy not only came away victorious but showed the crowd that professional soccer has come into its own in the United States.

The Galaxy overcame significant odds to win this title. They lost players to injury and to the U.S. national team, but the team persevered. The Galaxy recorded an amazing three

shut-out victories on the way to their second MLS cup, and they outscored their opponents in the playoffs by a margin of seven goals to just one. This was truly a dominating performance by the Galaxy. They represented the City of Los Angeles and their fans with honor, and so I encourage this body to recognize their accomplishments by supporting this resolution.

Mr. Speaker, I do not believe that I am going to have any other requests for time, and I yield back the balance of my time.

Mr. CANNON. Mr. Speaker, I want to thank the gentleman from California (Mr. BECERRA) for having introduced this bill, and I urge Members to support adoption of House Resolution 574.

Mr. BECERRA. Mr. Speaker, I rise today to congratulate the players, coaches, staff, and owners of the Los Angeles Galaxy for winning the 2005 Major League Soccer (MLS) Cup Championship and to pay tribute to this historic feat.

On November 13, 2005 in Frisco, Texas, the Galaxy became the 10th MLS Champion by defeating the New England Revolution by a score of 1–0 in extra time. This is the Galaxy's second MLS championship and represents only the third time in league history that a team has won the "domestic double"—the Lamar Hunt U.S. Open Cup and the MLS Cup Championship in the same year.

The team was challenged throughout the entire season both from sustaining several injuries and also player absences due to call-ups by the United States Men's National Team The Galaxy's ability to overcome these adversities is a testament to the skill of the coaching staff and the talent of players who never once compromised team cohesiveness for individual glory.

Mr. Speaker, I would like to take a moment to recognize the individual players for their role in developing this championship team. This year's superb squad was led by team captain Peter Vagenas and a terrific line up that included Chris Albright, Benjamin Benditson, Pablo Chinchilla, Mubarike Chisoni, Steve Cronin, Ednaldo da Conceicao, Landon Donovan, Todd Dunivant, Michael Enfield, Josh Gardner, Herculez Gomez, Guillermo Gonzalez, Alan Gordon, Ned Grabavoy, Kevin Hartman, Ugo Ihemelu, David Johnson, Cobi Jones, Quavas Kirk, Tyrone Marshall, Paulo Nagamura, Joseph Ngwenya, Michael Nsien, Troy Roberts, Marcelo Saragosa, Josh Saunders, Michael Umana, and the 2005 MLS Cup's Most Valuable Player, midfielder Guillermo "Pando" Ramirez.

The coaching crew was also instrumental in cultivating this triumphant team. The fantastic staff was led by head coach Steve Sampson; assistant coaches Afshin Ghotbi, Billy McNicol, and Ignacio Hernandez; Head Athletic Trainer Ivan Pierra; Team Administrator Anthony Garcia; and Equipment Manager Raul Vargas.

Mr. Speaker, my hometown of Los Angeles has the best fans any team can ask for. They are more than just spectators, they are the 12th player on the field—building momentum and inspiring their team to fight on to victory. These devoted and spirited fans contributed to eight sold out home games and brought the average home game attendance to 24,000 people this season.

The Los Angeles Galaxy deserves as many accolades for their heroic work off the field as they do for their gallant efforts on the field. During the past several years, the Galaxy Foundation has hosted the Foundation's Feast, which provides Thanksgiving dinner for 200 needy children and families. The Foundation also hosts a special holiday shopping spree for children selected by several local Salvation Army chapters.

Mr. Speaker, I would like to thank Chairman TOM DAVIS, Ranking Member HENRY WAXMAN, Congressman CHRIS CANNON, and Congressman DANNY DAVIS for their help in bringing H. Res. 574 to the floor today.

The Los Angeles Galaxy is a truly remarkable team whose high standards of excellence, professionalism, demonstrated courage, sacrifice, and teamwork should be commended. Their passion continues to captivate a growing and diverse fan base from all across Southern California.

Mr. Speaker and fellow colleagues, please join me and all soccer fans from across the country and the around world in congratulating the 2005 Major League Soccer Cup Champions Los Angeles Galaxy.

Mr. CANNON. 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 Utah (Mr. CANNON) that the House suspend the rules and agree to the House resolution, H. Res. 574.

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

A motion to reconsider was laid on the table.

FURTHER CONFERENCE REPORT ON H.R. 3010, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Mr. REGULA submitted the following further conference report and statement on the bill (H.R. 3010) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2006, and for other purposes:

CONFERENCE REPORT (H. REPT. 109–337)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3010) "making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes", having met, after further full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes, namely:

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(INCLUDING RESCISSIONS)

For necessary expenses of the Workforce Investment Act of 1998, the Denali Commission Act of 1998, and the Women in Apprenticeship and Non-Traditional Occupations Act of 1992, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Workforce Investment Act of 1998; $2,652,411,000 plus reimbursements, of which $1,688,411,000 is available for obligation for the period July 1, 2006 through June 30, 2007; except that amounts determined by the Secretary of Labor to be necessary pursuant to sections 173(a)(4)(A) and 174(c) of the Workforce Investment Act of 1998 shall be available from October 1, 2005 until expended; and of which $950,000,000 is available for obligation for the period April 1, 2006 through June 30, 2007, to carry out chapter 4 of the Workforce Investment Act of 1998; and of which $8,000,000 is available for the period July 1, 2006 through June 30, 2009 for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers: Provided, That notwithstanding any other provision of law, of the funds provided herein under section 137(c) of the Workforce Investment Act of 1998, $282,800,000 shall be for activities described in section 132(a)(2)(A) of such Act and $1,193,264,000 shall be for activities described in section 132(a)(2)(B) of such Act: Provided further, That $125,000,000 shall be available for Community-Based Job Training Grants, which shall be from funds reserved under section 132(a)(2)(A) of the Workforce Investment Act of 1998 and shall be used to carry out such grants under section 171(d) of such Act, except that the 10 percent limitation otherwise applicable to the amount of funds that may be used to carry out section 171(d) shall not be applicable to funds used for Community-Based Job Training grants: Provided further, That funds provided to carry out section 132(a)(2)(A) of the Workforce Investment Act of 1998 may be used to provide assistance to a State for State-wide or local use in order to address cases where there have been worker dislocations across multiple sectors or across multiple local areas and such workers remain dislocated; coordinate the State workforce development plan with emerging economic development needs; and train such eligible dislocated workers: Provided further, That $7,936,000 shall be for carrying out section 172 of the Workforce Investment Act of 1998: Provided further, That $982,000 shall be for carrying out Public Law 102–530: Provided further, That, notwithstanding any other provision of law or related regulation, $80,557,000 shall be for carrying out section 167 of the Workforce Investment Act of 1998, including $75,053,000 for formula grants, $5,000,000 for migrant and seasonal housing (of which not less than 70 percent shall be for permanent housing), and $504,000 for other discretionary purposes, and that the Department shall take no action limiting the number or proportion of eligible participants receiving related assistance services or discouraging grantees from providing such services: Provided further, That notwithstanding the transfer limitation under section 133(b)(4) of such Act, up to 30 percent of such funds may be transferred by a local board if approved by the Governor: Provided further, That funds provided to carry out

section 171(d) of the Workforce Investment Act of 1998 may be used for demonstration projects that provide assistance to new entrants in the workforce and incumbent workers: Provided further, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers.

For necessary expenses of the Workforce Investment Act of 1998, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Act; $2,463,000,000 plus reimbursements, of which $2,363,000,000 is available for obligation for the period October 1, 2006 through June 30, 2007, and of which $100,000,000 is available for the period October 1, 2006 through June 30, 2009, for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers.

Of the funds provided under this heading in Public Law 108–7 to carry out section 173(a)(4)(A) of the Workforce Investment Act of 1998, $20,000,000 are rescinded.

Of the funds provided under this heading in Public Law 107–117, $5,000,000 are rescinded.

Of the funds provided under this heading in division F of Public Law 108–447 for Community-Based Job Training Grants, $125,000,000 is rescinded.

The Secretary of Labor shall take no action to amend, through regulatory or administration action, the definition established in 20 CFR 667.220 for functions and activities under title I of the Workforce Investment Act of 1998, or to modify, through regulatory or administrative action, the procedure for redesignation of local areas as specified in subtitle B of title I of that Act (including applying the standards specified in section 116(a)(3)(B) of that Act, but notwithstanding the time limits specified in section 116(a)(3)(B) of that Act), until such time as legislation reauthorizing the Act is enacted. Nothing in the preceding sentence shall permit or require the Secretary of Labor to withdraw approval for such redesignation from a State that received the approval not later than October 12, 2005, or to revise action taken or modify the redesignation procedure being used by the Secretary in order to complete such redesignation for a State that initiated the process of such redesignation by submitting any request for such redesignation not later than October 26, 2005.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out title V of the Older Americans Act of 1965, as amended, $436,678,000.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of trade adjustment benefit payments and allowances under part I and section 246; and for training, allowances for job search and relocation, and related State administrative expenses under part II of chapter 2, title II of the Trade Act of 1974 (including the benefits and services described under sections 123(c)(2) and 151(b) and (c) of the Trade Adjustment Assistance Reform Act of 2002, Public Law 107–210), $966,400,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15 of the current year.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, $125,312,000, together with not to exceed $3,266,766,000 (including not to exceed $1,228,000 which may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980), which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund including the cost of administering section 51 of the Internal Revenue Code of 1986, as amended, section 7(d) of the Wagner-Peyser Act, as amended, the Trade Act of 1974, as amended, the Immigration Act of 1990, and the Immigration and Nationality Act, as amended, and of which the sums available in the allocation for activities authorized by title III of the Social Security Act, as amended (42 U.S.C. 502–504), and the sums available in the allocation for necessary administrative expenses for carrying out 5 U.S.C. 8501–8523, shall be available for obligation by the States through December 31, 2006, except that funds used for automation acquisitions shall be available for obligation by the States through September 30, 2008; of which $125,312,000, together with not to exceed $700,000,000 of the amount which may be expended from said trust fund, shall be available for obligation for the period July 1, 2006 through June 30, 2007, to fund activities under the Act of June 6, 1933, as amended, including the cost of penalty mail authorized under 39 U.S.C. 3202(a)(1)(E) made available to States in lieu of allotments for such purpose: Provided, That to the extent that the Average Weekly Insured Unemployment (AWIU) for fiscal year 2006 is projected by the Department of Labor to exceed 2,800,000, an additional $28,600,000 shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) from the Employment Security Administration Account of the Unemployment Trust Fund: Provided further, That funds appropriated in this Act which are used to establish a national one-stop career center system, or which are used to support the national activities of the Federal-State unemployment insurance or immigration programs, may be obligated in contracts, grants or agreements with non-State entities: Provided further, That funds appropriated in this Act for activities authorized under the Wagner-Peyser Act, as amended, and title III of the Social Security Act, may be used by the States to fund integrated Employment Service and Unemployment Insurance automation efforts, notwithstanding cost allocation principles prescribed under Office of Management and Budget Circular A–87.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1954, as amended; and for nonrepayable advances to the Unemployment Trust Fund as authorized by section 8509 of title 5, United States Code, and to the ''Federal unemployment benefits and allowances'' account, to remain available until September 30, 2007, $465,000,000.

In addition, for making repayable advances to the Black Lung Disability Trust Fund in the current fiscal year after September 15, 2006, for costs incurred by the Black Lung Disability Trust Fund in the current fiscal year, such sums as may be necessary.

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, $117,123,000, together with not to exceed $82,877,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

WORKERS COMPENSATION PROGRAMS

(RESCISSION)

Of funds provided under this heading in the Emergency Supplemental Appropriations Act, 2002 (Public Law 107–117, division B), $120,000,000 are rescinded.

EMPLOYEE BENEFITS SECURITY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employee Benefits Security Administration, $134,900,000.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation is authorized to make such expenditures, including financial assistance authorized by section 104 of Public Law 96–364, within limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program, including associated administrative expenses, through September 30, 2006 for such Corporation: Provided, That none of the funds available to the Corporation for fiscal year 2006 shall be available for obligations for administrative expenses in excess of $296,978,000: Provided further, That obligations in excess of such amount may be incurred after approval by the Office of Management and Budget and the Committees on Appropriations of the House and Senate.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employment Standards Administration, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $413,168,000, together with $2,048,000 which may be expended from the Special Fund in accordance with sections 39(c), 44(d) and 44(j) of the Longshore and Harbor Workers' Compensation Act: Provided, That the Secretary of Labor is authorized to establish and, in accordance with 31 U.S.C. 3302, collect and deposit in the Treasury fees for processing applications and issuing certificates under sections 11(d) and 14 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 211(d) and 214) and for processing applications and issuing registrations under title I of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801 et seq.).

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by title 5, chapter 81 of the United States Code; continuation of benefits as provided for under the heading ''Civilian War Benefits'' in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, as amended, $237,000,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: Provided, That amounts appropriated may be used under section 8104 of title 5, United States Code, by the Secretary of Labor to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a reemployed, disabled beneficiary: Provided further, That balances of reimbursements unobligated on September 30, 2005, shall remain available until expended for the payment of compensation, benefits, and expenses: Provided further, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under section 8147(c) of title 5, United States

Code, to pay an amount for its fair share of the cost of administration, such sums as the Secretary determines to be the cost of administration for employees of such fair share entities through September 30, 2006: Provided further, That of those funds transferred to this account from the fair share entities to pay the cost of administration of the Federal Employees' Compensation Act, $53,695,000 shall be made available to the Secretary as follows:

(1) for enhancement and maintenance of automated data processing systems and telecommunications systems, $13,305,000;

(2) for automated workload processing operations, including document imaging, centralized mail intake and medical bill processing, $27,148,000;

(3) for periodic roll management and medical review, $13,242,000; and

(4) the remaining funds shall be paid into the Treasury as miscellaneous receipts:

Provided further, That the Secretary may require that any person filing a notice of injury or a claim for benefits under chapter 81 of title 5, United States Code, or 33 U.S.C. 901 et seq., provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, as amended by Public Law 107–275, (the ''Act''), $232,250,000, to remain available until expended.

For making after July 31 of the current fiscal year, benefit payments to individuals under title IV of the Act, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV for the first quarter of fiscal year 2007, $74,000,000, to remain available until expended.

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Act, $96,081,000, to remain available until expended: Provided, That the Secretary of Labor is authorized to transfer to any executive agency with authority under the Energy Employees Occupational Illness Compensation Act, including within the Department of Labor, such sums as may be necessary in fiscal year 2006 to carry out those authorities: Provided further, That the Secretary may require that any person filing a claim for benefits under the Act provide as part of such claim, such identifying information (including Social Security account number) as may be prescribed: Provided further, That not later than 30 days after enactment, in addition to other sums transferred by the Secretary of Labor to the National Institute for Occupational Safety and Health (''NIOSH'') for the administration of the Energy Employees Occupational Illness Compensation Program (''EEOICPA''), the Secretary of Labor shall transfer $4,500,000 to NIOSH from the funds appropriated to the Energy Employees Occupational Illness Compensation Fund (42 U.S.C. 7384e), for use by or in support of the Advisory Board on Radiation and Worker Health (''the Board'') to carry out its statutory responsibilities under EEOICPA (42 U.S.C. 7384n–q), including obtaining audits, technical assistance and other support from the Board's audit contractor with regard to radiation dose estimation and reconstruction efforts, site profiles, procedures, and review of Special Exposure Cohort petitions and evaluation reports.

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

In fiscal year 2006 and thereafter, such sums as may be necessary from the Black Lung Disability Trust Fund, to remain available until expended, for payment of all benefits authorized by section 9501(d)(1), (2), (4), and (7) of the Internal Revenue Code of 1954, as amended; and interest on advances, as authorized by section 9501(c)(2) of that Act. In addition, the following amounts shall be available from the Fund for fiscal year 2006 for expenses of operation and administration of the Black Lung Benefits program, as authorized by section 9501(d)(5): $33,050,000 for transfer to the Employment Standards Administration ''Salaries and Expenses''; $24,239,000 for transfer to Departmental Management, ''Salaries and Expenses''; $344,000 for transfer to Departmental Management, ''Office of Inspector General''; and $356,000 for payments into miscellaneous receipts for the expenses of the Department of the Treasury.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $477,199,000, including not to exceed $92,013,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (the ''Act''), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to $750,000 per fiscal year of training institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education grants: Provided, That, notwithstanding 31 U.S.C. 3302, the Secretary of Labor is authorized, during the fiscal year ending September 30, 2006, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: Provided further, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: Provided further, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Act with respect to any employer of 10 or fewer employees who is included within a category having a Days Away, Restricted, or Transferred (DART) occupational injury and illness rate, at the most precise industrial classification code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of that Act (29 U.S.C. 673), except—

(1) to provide, as authorized by such Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by such Act with respect to imminent dangers;

(4) to take any action authorized by such Act with respect to health hazards;

(5) to take any action authorized by such Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by such Act; and

(6) to take any action authorized by such Act with respect to complaints of discrimination against employees for exercising rights under such Act:

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: Provided further, That not less than $3,200,000 shall be used to extend funding for the Institutional Competency Building training grants which commenced in September 2000, for program activities for the period of September 30, 2006, to September 30, 2007, provided that a grantee has demonstrated satisfactory performance: Provided further, That none of the funds appropriated under this paragraph shall be obligated or expended to administer or enforce the provisions of 29 CFR 1910.134(f)(2) (General Industry Respiratory Protection Standard) to the extent that such provisions require the annual fit testing (after the initial fit testing) of respirators for occupational exposure to tuberculosis.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, $280,490,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles, including up to $2,000,000 for mine rescue and recovery activities; in addition, not to exceed $750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities, notwithstanding 31 U.S.C. 3302; and, in addition, the Mine Safety and Health Administration may retain up to $1,000,000 from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities; the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; the Secretary is authorized to recognize the Joseph A. Holmes Safety Association as a principal safety association and, notwithstanding any other provision of law, may provide funds and, with or without reimbursement, personnel, including service of Mine Safety and Health Administration officials as officers in local chapters or in the national organization; and any funds available to the department may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, $464,678,000, together with not to exceed $77,845,000, which may be expended from the Employment Security Administration Account in

the Unemployment Trust Fund, of which $5,000,000 may be used to fund the mass layoff statistics program under section 15 of the Wagner-Peyser Act (29 U.S.C. 49l–2): Provided, That the Current Employment Survey shall maintain the content of the survey issued prior to June 2005 with respect to the collection of data for the women worker series.

OFFICE OF DISABILITY EMPLOYMENT POLICY

SALARIES AND EXPENSES

For necessary expenses for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants furthering the objective of eliminating barriers to the training and employment of people with disabilities, $27,934,000.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including the hire of three sedans, and including the management or operation, through contracts, grants or other arrangements of Departmental activities conducted by or through the Bureau of International Labor Affairs, including bilateral and multilateral technical assistance and other international labor activities, $300,275,000, of which $6,944,000, to remain available until September 30, 2007, is for Frances Perkins Building Security Enhancements, and $29,760,000 is for the acquisition of Departmental information technology, architecture, infrastructure, equipment, software and related needs, which will be allocated by the Department's Chief Information Officer in accordance with the Department's capital investment management process to assure a sound investment strategy; together with not to exceed $311,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

VETERANS EMPLOYMENT AND TRAINING

Not to exceed $194,834,000 may be derived from the Employment Security Administration Account in the Unemployment Trust Fund to carry out the provisions of 38 U.S.C. 4100–4113, 4211–4215, and 4321–4327, and Public Law 103–353, and which shall be available for obligation by the States through December 31, 2006, of which $1,984,000 is for the National Veterans' Employment and Training Services Institute. To carry out the Homeless Veterans Reintegration Programs (38 U.S.C. 2021) and the Veterans Workforce Investment Programs (29 U.S.C. 2913), $29,500,000, of which $7,500,000 shall be available for obligation for the period July 1, 2006 through June 30, 2007.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $66,211,000, together with not to exceed $5,608,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

WORKING CAPITAL FUND

For the acquisition of a new core accounting system for the Department of Labor, including hardware and software infrastructure and the costs associated with implementation thereof, $6,230,000.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in this title for the Job Corps shall be used to pay the salary of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level I.

SEC. 102. Not later than 90 days after the date of enactment of this Act, the Secretary of Labor shall permanently establish and maintain an Office of Job Corps within the Office of the Secretary, in the Department of Labor, to carry out the functions (including duties, responsibilities, and procedures) of subtitle C of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2881 et seq.). The Secretary shall appoint a senior member of the civil service to head that Office of Job Corps and carry out subtitle C. The Secretary shall transfer funds appropriated for the program carried out under that subtitle C, including the administration of such program, to the head of that Office of Job Corps. The head of that Office of Job Corps shall have contracting authority and shall receive support as necessary from the Assistant Secretary for Administration and Management with respect to contracting functions and the Assistant Secretary for Policy with respect to research and evaluation functions.

(TRANSFER OF FUNDS)

SEC. 103. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between a program, project, or activity, but no such program, project, or activity shall be increased by more than 3 percent by any such transfer: Provided, That a program, project, or activity may be increased by up to an additional 2 percent subject to approval by the House and Senate Committees on Appropriations: Provided further, That the transfer authority granted by this section shall be available only to meet emergency needs and shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: Provided further, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

SEC. 104. In accordance with Executive Order No. 13126, none of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended for the procurement of goods mined, produced, manufactured, or harvested or services rendered, whole or in part, by forced or indentured child labor in industries and host countries already identified by the United States Department of Labor prior to enactment of this Act.

SEC. 105. There is authorized to be appropriated such sums as may be necessary to the Denali Commission through the Department of Labor to conduct job training of the local workforce where Denali Commission projects will be constructed.

SEC. 106. For purposes of chapter 8 of division B of the Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002 (Public Law 107–117), payments made by the New York Workers' Compensation Board to the New York Crime Victims Board and the New York State Insurance Fund before the date of the enactment of this Act shall be deemed to have been made for workers compensation programs.

SEC. 107. The Department of Labor shall submit its fiscal year 2007 congressional budget justifications to the Committees on Appropriations of the House of Representatives and the Senate in the format and level of detail used by the Department of Education in its fiscal year 2006 congressional budget justifications.

SEC. 108. The Secretary shall prepare and submit not later than July 1, 2006 to the Committees on Appropriations of the Senate and of the House an operating plan that outlines the planned allocation by major project and activity of fiscal year 2006 funds made available for section 171 of the Workforce Investment Act.

This title may be cited as the ''Department of Labor Appropriations Act, 2006''.

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For carrying out titles II, III, IV, VII, VIII, X, XII, XIX, and XXVI of the Public Health Service Act, section 427(a) of the Federal Coal Mine Health and Safety Act, title V and sections 1128E, and 711, and 1820 of the Social Security Act, the Health Care Quality Improvement Act of 1986, as amended, the Native Hawaiian Health Care Act of 1988, as amended, the Cardiac Arrest Survival Act of 2000, section 712 of the American Jobs Creation Act of 2004, and for expenses necessary to support activities related to countering potential biological, disease, nuclear, radiological and chemical threats to civilian populations, $6,629,661,000 of which $64,180,000 from general revenues, notwithstanding section 1820(j) of the Social Security Act, shall be available for carrying out the Medicare rural hospital flexibility grants program under section 1820 of such Act (of which $25,000,000 is for a Delta health initiative Rural Health, Education, and Workforce Infrastructure Demonstration Program which shall solicit and fund proposals from local governments, hospitals, universities, and rural public health-related entities and organizations for research development, educational programs, job training, and construction of public health-related facilities): Provided, That of the funds made available under this heading, $222,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center: Provided further, That in addition to fees authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for the full disclosure of information under the Act sufficient to recover the full costs of operating the National Practitioner Data Bank, and shall remain available until expended to carry out that Act: Provided further, That fees collected for the full disclosure of information under the ''Health Care Fraud and Abuse Data Collection Program'', authorized by section 1128E(d)(2) of the Social Security Act, shall be sufficient to recover the full costs of operating the program, and shall remain available until expended to carry out that Act: Provided further, That no more than $40,000 is available until expended for carrying out the provisions of 42 U.S.C. 233(o) including associated administrative expenses: Provided further, That no more than $45,000,000 is available until expended for carrying out the provisions of Public Law 104–73 and for expenses incurred by the Department of Health and Human Services pertaining to administrative claims made under such law: Provided further, That $4,000,000 is available until expended for the National Cord Blood Stem Cell Bank Program as described in House Report 108–401: Provided further, That of the funds made available under this heading, $285,963,000 shall be for the program under title X of the Public Health Service Act to provide for voluntary family planning projects: Provided further, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office: Provided further, That $797,521,000 shall be for State AIDS Drug Assistance Programs authorized by section 2616 of the Public Health Service Act: Provided further, That in addition to amounts provided herein, $25,000,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out Parts A, B, C, and D of title XXVI of

the Public Health Service Act to fund section 2691 Special Projects of National Significance: Provided further, That, notwithstanding section 502(a)(1) of the Social Security Act, not to exceed $117,108,000 is available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act: Provided further, That of the funds provided, $39,680,000 shall be provided to the Denali Commission as a direct lump payment pursuant to Public Law 106–113.

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM ACCOUNT

Such sums as may be necessary to carry out the purpose of the program, as authorized by title VII of the Public Health Service Act, as amended. For administrative expenses to carry out the guaranteed loan program, including section 709 of the Public Health Service Act, $2,916,000.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund, such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to remain available until expended: Provided, That for necessary administrative expenses, not to exceed $3,600,000 shall be available from the Trust Fund to the Secretary of Health and Human Services.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

To carry out titles II, III, VII, XI, XV, XVII, XIX, XXI, and XXVI of the Public Health Service Act, sections 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal Mine Safety and Health Act of 1977, sections 20, 21, and 22 of the Occupational Safety and Health Act of 1970, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, and for expenses necessary to support activities related to countering potential biological, disease, nuclear, radiological, and chemical threats to civilian populations; including purchase and insurance of official motor vehicles in foreign countries; and purchase, hire, maintenance, and operation of aircraft, $5,884,934,000, of which $160,000,000 shall remain available until expended for equipment, construction and renovation of facilities; of which $30,000,000 of the amounts available for immunization activities shall remain available until expended; of which $530,000,000 shall remain available until expended for the Strategic National Stockpile; and of which $123,883,000 for international HIV/AIDS shall remain available until September 30, 2007. In addition, such sums as may be derived from authorized user fees, which shall be credited to this account: Provided, That in addition to amounts provided herein, the following amounts shall be available from amounts available under section 241 of the Public Health Service Act: (1) $12,794,000 to carry out the National Immunization Surveys; (2) $109,021,000 to carry out the National Center for Health Statistics surveys; (3) $24,751,000 to carry out information systems standards development and architecture and applications-based research used at local public health levels; (4) $463,000 for Health Marketing evaluations; (5) $31,000,000 to carry out Public Health Research; and (6) $87,071,000 to carry out research activities within the National Occupational Research Agenda: Provided further, That none of the funds made available for injury prevention and control at the Centers for Disease Control and Prevention may be used, in whole or in part, to advocate or promote gun control: Provided further, That up to $31,800,000 shall be made available until expended for Individual Learning Accounts for full-time equivalent employees of the Centers for Disease Control and Prevention: Provided further, That the Director may redirect the total amount made available under authority of Public Law 101–502, section 3, dated November 3, 1990, to activities the Director may so designate: Provided further, That the Congress is to be notified promptly of any such transfer: Provided further, That not to exceed $12,500,000 may be available for making grants under section 1509 of the Public Health Service Act to not more than 15 States, tribes, or tribal organizations: Provided further, That notwithstanding any other provision of law, a single contract or related contracts for development and construction of facilities may be employed which collectively include the full scope of the project: Provided further, That the solicitation and contract shall contain the clause ''availability of funds'' found at 48 CFR 52.232–18: Provided further, That of the funds appropriated, $10,000 is for official reception and representation expenses when specifically approved by the Director of the Centers for Disease Control and Prevention: Provided further, That employees of the Centers for Disease Control and Prevention or the Public Health Service, both civilian and Commissioned Officers, detailed to States, municipalities, or other organizations under authority of section 214 of the Public Health Service Act, shall be treated as non-Federal employees for reporting purposes only and shall not be included within any personnel ceiling applicable to the Agency, Service, or the Department of Health and Human Services during the period of detail or assignment.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cancer, $4,841,774,000, of which up to $8,000,000 may be used for facilities repairs and improvements at the NCI-Frederick Federally Funded Research and Development Center in Frederick, Maryland.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, $2,951,270,000.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental disease, $393,269,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to diabetes and digestive and kidney disease, $1,722,146,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological disorders and stroke, $1,550,260,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

(INCLUDING TRANSFER OF FUNDS)

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, $4,459,395,000: Provided, That $100,000,000 may be made available to International Assistance Programs ''Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis'', to remain available until expended: Provided further, That up to $30,000,000 shall be for extramural facilities construction grants to enhance the Nation's capability to do research on biological and other agents.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to general medical sciences, $1,955,170,000.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the Public Health Service Act with respect to child health and human development, $1,277,544,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to eye diseases and visual disorders, $673,491,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out sections 301 and 311 and title IV of the Public Health Service Act with respect to environmental health sciences, $647,608,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, $1,057,203,000.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to arthritis and musculoskeletal and skin diseases, $513,063,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the Public Health Service Act with respect to deafness and other communication disorders, $397,432,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to nursing research, $138,729,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the Public Health Service Act with respect to alcohol abuse and alcoholism, $440,333,000.

NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the Public Health Service Act with respect to drug abuse, $1,010,130,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the Public Health Service Act with respect to mental health, $1,417,692,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to human genome research, $490,959,000.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

For carrying out section 301 and title IV of the Public Health Service Act with respect to biomedical imaging and bioengineering research, $299,808,000.

NATIONAL CENTER FOR RESEARCH RESOURCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to research resources and general research support grants, $1,110,203,000: Provided, That none of these funds shall be used to pay recipients of the general research support grants program any amount for indirect expenses in connection with such grants.

NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to complementary and alternative medicine, $122,692,000.

NATIONAL CENTER ON MINORITY HEALTH AND HEALTH DISPARITIES

For carrying out section 301 and title IV of the Public Health Service Act with respect to minority health and health disparities research, $197,379,000.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities at the John E. Fogarty International Center, $67,048,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to health information communications, $318,091,000, of which $4,000,000 shall be available until expended for improvement of information systems: Provided, That in fiscal year 2006, the Library may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health: Provided further, That in addition to amounts provided herein, $8,200,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out National Information Center on Health Services Research and Health Care Technology and related health services.

OFFICE OF THE DIRECTOR

(INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, National Institutes of Health, $482,895,000, of which up to $10,000,000 shall be used to carry out section 217 of this Act: Provided, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: Provided further, That the Director may direct up to 1 percent of the total amount made available in this or any other Act to all National Institutes of Health appropriations to activities the Director may so designate: Provided further, That no such appropriation shall be decreased by more than 1 percent by any such transfers and that the Congress is promptly notified of the transfer: Provided further, That the National Institutes of Health is authorized to collect third party payments for the cost of clinical services that are incurred in National Institutes of Health research facilities and that such payments shall be credited to the National Institutes of Health Management Fund: Provided further, That all funds credited to the National Institutes of Health Management Fund shall remain available for one fiscal year after the fiscal year in which they are deposited: Provided further, That up to $500,000 shall be available to carry out section 499 of the Public Health Service Act: Provided further, That in addition to the transfer authority provided above, a uniform percentage of the amounts appropriated in this Act to each Institute and Center may be transferred and utilized for the National Institutes of Health Roadmap for Medical Research: Provided further, That the amount utilized under the preceding proviso shall not exceed $250,000,000 without prior notification to the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That amounts transferred and utilized under the preceding two provisos shall be in addition to amounts made available for the Roadmap for Medical Research from the Director's Discretionary Fund and to any amounts allocated to activities related to the Roadmap through the normal research priority-setting process of individual Institutes and Centers: Provided further, That of the funds provided $10,000 shall be for official reception and representation expenses when specifically approved by the Director of NIH: Provided further, That the Office of AIDS Research within the Office of the Director, NIH may spend up to $4,000,000 to make grants for construction or renovation of facilities as provided for in section 2354(a)(5)(B) of the Public Health Service Act: Provided further, That of the funds provided $97,000,000 shall be for expenses necessary to support activities related to countering potential nuclear, radiological and chemical threats to civilian populations.

BUILDINGS AND FACILITIES

For the study of, construction of, renovation of, and acquisition of equipment for, facilities of or used by the National Institutes of Health, including the acquisition of real property, $81,900,000, to remain available until expended.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

For carrying out titles V and XIX of the Public Health Service Act (''PHS Act'') with respect to substance abuse and mental health services, the Protection and Advocacy for Individuals with Mental Illness Act, and section 301 of the PHS Act with respect to program management, $3,237,813,000: Provided, That notwithstanding section 520A(f)(2) of the PHS Act, no funds appropriated for carrying out section 520A are available for carrying out section 1971 of the PHS Act: Provided further, That in addition to amounts provided herein, the following amounts shall be available under section 241 of the PHS Act: (1) $79,200,000 to carry out subpart II of part B of title XIX of the PHS Act to fund section 1935(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1935(b) activities shall not exceed 5 percent of the amounts appropriated for subpart II of part B of title XIX; (2) $21,803,000 to carry out subpart I of part B of title XIX of the PHS Act to fund section 1920(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1920(b) activities shall not exceed 5 percent of the amounts appropriated for subpart I of part B of title XIX; (3) $16,000,000 to carry out national surveys on drug abuse; and (4) $4,300,000 to evaluate substance abuse treatment programs.

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

For carrying out titles III and IX of the Public Health Service Act, and part A of title XI of the Social Security Act, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data shall be credited to this appropriation and shall remain available until expended: Provided, That the amount made available pursuant to section 927(c) of the Public Health Service Act shall not exceed $318,695,000: Provided further, That not more than $50,000,000 of these funds shall be for the development of scientific evidence that supports the implementation and evaluation of health care information technology systems.

CENTERS FOR MEDICARE AND MEDICAID SERVICES

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, $156,954,419,000, to remain available until expended.

For making, after May 31, 2006, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 2006 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the first quarter of fiscal year 2007, $62,783,825,000, to remain available until expended.

Payment under title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under section 1844, 1860D–16, and 1860D–31 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d) of Public Law 97–248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, $177,742,200,000.

In addition, for making matching payments under section 1844, and benefit payments under 1860D–16 and 1860D–31, of the Social Security Act, not anticipated in budget estimates, such sums as may be necessary.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the Public Health Service Act, and the Clinical Laboratory Improvement Amendments of 1988, not to exceed $3,170,927,000, to be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the Public Health Service Act and section 1857(e)(2) of the Social Security Act, and such sums as may be collected from authorized user fees and the sale of data, which shall remain available until expended: Provided, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the Public Health Service Act shall be credited to and available for carrying out the purposes of this appropriation: Provided further, That $24,205,000, to remain available until September 30, 2007, is for contract costs for the Centers for Medicare and Medicaid Services Systems Revitalization Plan: Provided further, That $79,934,000, to remain available until September 30, 2007, is for contract costs for the Healthcare Integrated General Ledger Accounting System: Provided further, That funds appropriated under this heading are available for the Healthy Start, Grow Smart program under which the Centers for Medicare and Medicaid Services may, directly or through grants, contracts, or cooperative agreements, produce and distribute informational materials including, but not limited to, pamphlets and brochures on infant and toddler health care to expectant parents enrolled in the Medicaid program and to parents and guardians enrolled in such program with infants and children: Provided further, That the Secretary of Health and Human Services is directed to collect fees in fiscal year 2006 from Medicare Advantage organizations pursuant to section 1857(e)(2) of the Social Security Act and from eligible organizations with risk-sharing contracts under section 1876 of that Act pursuant to section 1876(k)(4)(D) of that Act: Provided further, That to the extent Medicare claims volume is projected by the Centers for Medicare and Medicaid Services (CMS) to exceed 200,000,000 Part A claims and/or 1,022,100,000 Part B claims, an additional $32,500,000 shall be available for obligation for every 50,000,000 increase in Medicare claims volume (including a pro rata amount for any increment less than 50,000,000) from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN GUARANTEE FUND

For carrying out subsections (d) and (e) of section 1308 of the Public Health Service Act, any amounts received by the Secretary in connection with loans and loan guarantees under title XIII of the Public Health Service Act, to be available without fiscal year limitation for the

payment of outstanding obligations. During fiscal year 2006, no commitments for direct loans or loan guarantees shall be made.

ADMINISTRATION FOR CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

For making payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), $2,121,643,000, to remain available until expended; and for such purposes for the first quarter of fiscal year 2007, $1,200,000,000, to remain available until expended.

For making payments to each State for carrying out the program of Aid to Families with Dependent Children under title IV–A of the Social Security Act before the effective date of the program of Temporary Assistance for Needy Families (TANF) with respect to such State, such sums as may be necessary: Provided, That the sum of the amounts available to a State with respect to expenditures under such title IV–A in fiscal year 1997 under this appropriation and under such title IV–A as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 shall not exceed the limitations under section 116(b) of such Act.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

LOW-INCOME HOME ENERGY ASSISTANCE

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, $2,000,000,000.

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, $183,000,000, to remain available until September 30, 2006: Provided, That these funds are for the unanticipated home energy assistance needs of one or more States, as authorized by section 2604(e) of such Act, and notwithstanding the designation requirement of section 2602(e) of such Act.

REFUGEE AND ENTRANT ASSISTANCE

For necessary expenses for refugee and entrant assistance activities and for costs associated with the care and placement of unaccompanied alien children authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 (Public Law 96–422), for carrying out section 462 of the Homeland Security Act of 2002 (Public Law 107–296), and for carrying out the Torture Victims Relief Act of 2003 (Public Law 108–179), $575,579,000, of which up to $9,915,000 shall be available to carry out the Trafficking Victims Protection Act of 2003 (Public Law 108–193): Provided, That funds appropriated under this heading pursuant to section 414(a) of the Immigration and Nationality Act and section 462 of the Homeland Security Act of 2002 for fiscal year 2006 shall be available for the costs of assistance provided and other activities to remain available through September 30, 2008.

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out sections 658A through 658R of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act of 1990), $2,082,910,000 shall be used to supplement, not supplant State general revenue funds for child care assistance for low-income families: Provided, That $18,967,040 shall be available for child care resource and referral and school-aged child care activities, of which $992,000 shall be for the Child Care Aware toll-free hotline: Provided further, That, in addition to the amounts required to be reserved by the States under section 658G, $270,490,624 shall be reserved by the States for activities authorized under section 658G, of which $99,200,000 shall be for activities that improve the quality of infant and toddler care: Provided further, That $9,920,000 shall be for use by the Secretary for child care research, demonstration, and evaluation activities.

SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, $1,700,000,000: Provided, That notwithstanding subparagraph (B) of section 404(d)(2) of such Act, the applicable percent specified under such subparagraph for a State to carry out State programs pursuant to title XX of such Act shall be 10 percent.

CHILDREN AND FAMILIES SERVICES PROGRAMS

(INCLUDING RESCISSION OF FUNDS)

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, sections 310 and 316 of the Family Violence Prevention and Services Act, as amended, the Native American Programs Act of 1974, title II of Public Law 95–266 (adoption opportunities), the Adoption and Safe Families Act of 1997 (Public Law 105–89), sections 1201 and 1211 of the Children's Health Act of 2000, the Abandoned Infants Assistance Act of 1988, sections 261 and 291 of the Help America Vote Act of 2002, part B(1) of title IV and sections 413, 429A, 1110, and 1115 of the Social Security Act, and sections 40155, 40211, and 40241 of Public Law 103–322; for making payments under the Community Services Block Grant Act, sections 439(h), 473A, and 477(i) of the Social Security Act, and title IV of Public Law 105–285, and for necessary administrative expenses to carry out said Acts and titles I, IV, V, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act of 1981, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, sections 40155, 40211, and 40241 of Public Law 103–322, and section 126 and titles IV and V of Public Law 100–485, $8,922,213,000, of which $18,000,000, to remain available until September 30, 2007, shall be for grants to States for adoption incentive payments, as authorized by section 473A of title IV of the Social Security Act (42 U.S.C. 670–679) and may be made for adoptions completed before September 30, 2006: Provided, That $6,843,114,000 shall be for making payments under the Head Start Act, of which $1,388,800,000 shall become available October 1, 2006, and remain available through September 30, 2007: Provided further, That $701,590,000 shall be for making payments under the Community Services Block Grant Act: Provided further, That not less than $7,367,000 shall be for section 680(3)(B) of the Community Services Block Grant Act: Provided further, That in addition to amounts provided herein, $6,000,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out the provisions of section 1110 of the Social Security Act: Provided further, That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes: Provided further, That the Secretary shall establish procedures regarding the disposition of intangible property which permits grant funds, or intangible assets acquired with funds authorized under section 680 of the Community Services Block Grant Act, as amended, to become the sole property of such grantees after a period of not more than 12 years after the end of the grant for purposes and uses consistent with the original grant: Provided further, That funds appropriated for section 680(a)(2) of the Community Services Block Grant Act, as amended, shall be available for financing construction and rehabilitation and loans or investments in private business enterprises owned by community development corporations: Provided further, That $65,000,000 is for a compassion capital fund to provide grants to charitable organizations to emulate model social service programs and to encourage research on the best practices of social service organizations: Provided further, That $15,879,000 shall be for activities authorized by the Help America Vote Act of 2002, of which $11,000,000 shall be for payments to States to promote access for voters with disabilities, and of which $4,879,000 shall be for payments to States for protection and advocacy systems for voters with disabilities: Provided further, That $110,000,000 shall be for making competitive grants to provide abstinence education (as defined by section 510(b)(2) of the Social Security Act) to adolescents, and for Federal costs of administering the grant: Provided further, That grants under the immediately preceding proviso shall be made only to public and private entities which agree that, with respect to an adolescent to whom the entities provide abstinence education under such grant, the entities will not provide to that adolescent any other education regarding sexual conduct, except that, in the case of an entity expressly required by law to provide health information or services the adolescent shall not be precluded from seeking health information or services from the entity in a different setting than the setting in which abstinence education was provided: Provided further, That within amounts provided herein for abstinence education for adolescents, up to $10,000,000 may be available for a national abstinence education campaign: Provided further, That in addition to amounts provided herein for abstinence education for adolescents, $4,500,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out evaluations (including longitudinal evaluations) of adolescent pregnancy prevention approaches: Provided further, That $2,000,000 shall be for improving the Public Assistance Reporting Information System, including grants to States to support data collection for a study of the system's effectiveness.

Of the funds provided under this heading in Public Law 108–447 to carry out section 473A of title IV of the Social Security Act (42 U.S.C. 670–679), $22,500,000 are rescinded.

PROMOTING SAFE AND STABLE FAMILIES

For carrying out section 436 of the Social Security Act, $305,000,000 and for section 437, $90,000,000.

PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For making payments to States or other non-Federal entities under title IV–E of the Social Security Act, $4,852,800,000.

For making payments to States or other non-Federal entities under title IV–E of the Act, for the first quarter of fiscal year 2007, $1,730,000,000.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under section 474 of title IV–E, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965, as amended, and section 398 of the Public Health

Service Act, $1,376,624,000, of which $5,500,000 shall be available for activities regarding medication management, screening, and education to prevent incorrect medication and adverse drug reactions.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six sedans, and for carrying out titles III, XVII, XX, and XXI of the Public Health Service Act, the United States-Mexico Border Health Commission Act, and research studies under section 1110 of the Social Security Act, $352,703,000, together with $5,851,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund, and $39,552,000 from the amounts available under section 241 of the Public Health Service Act to carry out national health or human services research and evaluation activities: Provided, That of the funds made available under this heading for carrying out title XX of the Public Health Service Act, $13,120,000 shall be for activities specified under section 2003(b)(2), all of which shall be for prevention service demonstration grants under section 510(b)(2) of title V of the Social Security Act, as amended, without application of the limitation of section 2010(c) of said title XX: Provided further, That of this amount, $52,415,000 shall be for minority AIDS prevention and treatment activities; and $5,952,000 shall be to assist Afghanistan in the development of maternal and child health clinics, consistent with section 103(a)(4)(H) of the Afghanistan Freedom Support Act of 2002: Provided further, That specific information requests from the chairmen and ranking members of the Subcommittees on Labor, Health and Human Services, and Education, and Related Agencies, on scientific research or any other matter, shall be transmitted to the Committees on Appropriations in a prompt professional manner and within the time frame specified in the request: Provided further, That scientific information requested by the Committees on Appropriations and prepared by government researchers and scientists shall be transmitted to the Committees on Appropriations, uncensored and without delay.

OFFICE OF MEDICARE HEARINGS AND APPEALS

For expenses necessary for administrative law judges responsible for hearing cases under title XVIII of the Social Security Act (and related provisions of title XI of such Act), $60,000,000, to be transferred in appropriate part from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY

For expenses necessary for the Office of the National Coordinator for Health Information Technology, including grants, contracts and cooperative agreements for the development and advancement of an interoperable national health information technology infrastructure, $42,800,000: Provided, That in addition to amounts provided herein, $18,900,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out health information technology network development.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, including the hire of passenger motor vehicles for investigations, in carrying out the provisions of the Inspector General Act of 1978, as amended, $39,813,000: Provided, That of such amount, necessary sums are available for providing protective services to the Secretary and investigating non-payment of child support cases for which non-payment is a Federal offense under 18 U.S.C. 228.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, $31,682,000, together with not to exceed $3,314,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan, for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C. chapter 55), such amounts as may be required during the current fiscal year.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For expenses necessary to support activities related to countering potential biological, disease, nuclear, radiological and chemical threats to civilian populations, and to ensure a year-round influenza vaccine production capacity, the development and implementation of rapidly expandable influenza vaccine production technologies, and if determined necessary by the Secretary, the purchase of influenza vaccine, $63,589,000.

GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed $50,000 for official reception and representation expenses when specifically approved by the Secretary.

SEC. 202. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated in this Act may be used to implement section 399F(b) of the Public Health Service Act or section 1503 of the National Institutes of Health Revitalization Act of 1993, Public Law 103–43.

SEC. 204. None of the funds appropriated in this Act for the National Institutes of Health, the Agency for Healthcare Research and Quality, and the Substance Abuse and Mental Health Services Administration shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level I.

SEC. 205. None of the funds appropriated in this title for Head Start shall be used to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

SEC. 206. None of the funds appropriated in this Act may be expended pursuant to section 241 of the Public Health Service Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in the Department of Health and Human Services, prior to the Secretary's preparation and submission of a report to the Committee on Appropriations of the Senate and of the House detailing the planned uses of such funds.

SEC. 207. Notwithstanding section 241(a) of the Public Health Service Act, such portion as the Secretary shall determine, but not more than 2.4 percent, of any amounts appropriated for programs authorized under said Act shall be made available for the evaluation (directly, or by grants or contracts) of the implementation and effectiveness of such programs.

(TRANSFER OF FUNDS)

SEC. 208. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the current fiscal year for the Department of Health and Human Services in this Act may be transferred between a program, project, or activity, but no such program, project, or activity shall be increased by more than 3 percent by any such transfer: Provided, That a program, project, or activity may be increased by up to an additional 2 percent subject to approval by the House and Senate Committees on Appropriations: Provided further, That the transfer authority granted by this section shall be available only to meet emergency needs and shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: Provided further, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

(TRANSFER OF FUNDS)

SEC. 209. The Director of the National Institutes of Health, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes and centers from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: Provided, That the Congress is promptly notified of the transfer.

(TRANSFER OF FUNDS)

SEC. 210. Of the amounts made available in this Act for the National Institutes of Health, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of the National Institutes of Health and the Director of the Office of AIDS Research, shall be made available to the ''Office of AIDS Research'' account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the Public Health Service Act.

SEC. 211. None of the funds appropriated in this Act may be made available to any entity under title X of the Public Health Service Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

SEC. 212. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Medicare Advantage program if the Secretary denies participation in such program to an otherwise eligible entity (including a Provider Sponsored Organization) because the entity informs the Secretary that it will not provide, pay for, provide coverage of, or provide referrals for abortions: Provided, That the Secretary shall make appropriate prospective adjustments to the capitation payment to such an entity (based on an actuarially sound estimate of the expected costs of providing the service to such entity's enrollees): Provided further, That nothing in this section shall be construed to change the Medicare program's coverage for such services and a Medicare Advantage organization described in this section shall be responsible for informing enrollees where to obtain information about all Medicare covered services.

SEC. 213. Notwithstanding any other provision of law, no provider of services under title X of the Public Health Service Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

SEC. 214. (a) Except as provided by subsection (e) none of the funds appropriated by this Act may be used to withhold substance abuse funding from a State pursuant to section 1926 of the

Public Health Service Act (42 U.S.C. 300x–26) if such State certifies to the Secretary of Health and Human Services by May 1, 2006, that the State will commit additional State funds, in accordance with subsection (b), to ensure compliance with State laws prohibiting the sale of tobacco products to individuals under 18 years of age.

(b) The amount of funds to be committed by a State under subsection (a) shall be equal to 1 percent of such State's substance abuse block grant allocation for each percentage point by which the State misses the retailer compliance rate goal established by the Secretary of Health and Human Services under section 1926 of such Act.

(c) The State is to maintain State expenditures in fiscal year 2006 for tobacco prevention programs and for compliance activities at a level that is not less than the level of such expenditures maintained by the State for fiscal year 2005, and adding to that level the additional funds for tobacco compliance activities required under subsection (a). The State is to submit a report to the Secretary on all fiscal year 2005 State expenditures and all fiscal year 2006 obligations for tobacco prevention and compliance activities by program activity by July 31, 2006.

(d) The Secretary shall exercise discretion in enforcing the timing of the State obligation of the additional funds required by the certification described in subsection (a) as late as July 31, 2006.

(e) None of the funds appropriated by this Act may be used to withhold substance abuse funding pursuant to section 1926 from a territory that receives less than $1,000,000.

SEC. 215. In order for the Centers for Disease Control and Prevention to carry out international health activities, including HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2006, the Secretary of Health and Human Services—

(1) may exercise authority equivalent to that available to the Secretary of State in section 2(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2669(c)). The Secretary of Health and Human Services shall consult with the Secretary of State and relevant Chief of Mission to ensure that the authority provided in this section is exercised in a manner consistent with section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) and other applicable statutes administered by the Department of State, and

(2) is authorized to provide such funds by advance or reimbursement to the Secretary of State as may be necessary to pay the costs of acquisition, lease, alteration, renovation, and management of facilities outside of the United States for the use of the Department of Health and Human Services. The Department of State shall cooperate fully with the Secretary of Health and Human Services to ensure that the Department of Health and Human Services has secure, safe, functional facilities that comply with applicable regulation governing location, setback, and other facilities requirements and serve the purposes established by this Act. The Secretary of Health and Human Services is authorized, in consultation with the Secretary of State, through grant or cooperative agreement, to make available to public or nonprofit private institutions or agencies in participating foreign countries, funds to acquire, lease, alter, or renovate facilities in those countries as necessary to conduct programs of assistance for international health activities, including activities relating to HIV/AIDS and other infectious diseases, chronic and environmental diseases, and other health activities abroad.

SEC. 216. The Division of Federal Occupational Health hereafter may utilize personal services contracting to employ professional management/administrative and occupational health professionals.

SEC. 217. (a) AUTHORITY.—Notwithstanding any other provision of law, the Director of the National Institutes of Health may use funds available under section 402(i) of the Public Health Service Act (42 U.S.C. 282(i)) to enter into transactions (other than contracts, cooperative agreements, or grants) to carry out research in support of the NIH Roadmap for Medical Research.

(b) PEER REVIEW.—In entering into transactions under subsection (a), the Director of the National Institutes of Health may utilize such peer review procedures (including consultation with appropriate scientific experts) as the Director determines to be appropriate to obtain assessments of scientific and technical merit. Such procedures shall apply to such transactions in lieu of the peer review and advisory council review procedures that would otherwise be required under sections 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492, and 494 of the Public Health Service Act (42 U.S.C. 241, 284(b)(1)(B), 284(b)(2), 284a(a)(3)(A), 289a, and 289c).

SEC. 218. Funds which are available for Individual Learning Accounts for employees of the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry may be transferred to ''Disease Control, Research, and Training,'' to be available only for Individual Learning Accounts: Provided, That such funds may be used for any individual full-time equivalent employee while such employee is employed either by CDC or ATSDR.

SEC. 219. Notwithstanding any other provisions of law, funds made available in this Act may be used to continue operating the Council on Graduate Medical Education established by section 301 of Public Law 102–408.

(RESCISSION OF FUNDS)

SEC. 220. The unobligated balance in the amount of $10,000,000 appropriated by Public Law 108–11 under the heading ''Public Health and Social Services Emergency Fund'' are rescinded.

SEC. 221. (a) The Headquarters and Emergency Operations Center Building (Building 21) at the Centers for Disease Control and Prevention is hereby renamed as the Arlen Specter Headquarters and Emergency Operations Center.

(b) The Global Communications Center Building (Building 19) at the Centers for Disease Control and Prevention is hereby renamed as the Thomas R. Harkin Global Communications Center.

SEC. 222. None of the funds made available under this Act may be used to implement or enforce the interim final rule published in the Federal Register by the Centers for Medicare & Medicaid Services on August 26, 2005 (70 Fed. Reg. 50940) prior to April 1, 2006.

SEC. 223. (a) For fiscal year 2006 and subject to subsection (b), the Secretary of Health and Human Services may waive the requirements of regulations promulgated under the Head Start Act (42 U.S.C. 9831 et seq.), for one or more vehicles used by a Head Start agency or an Early Head Start entity (or the designee of either) in transporting children enrolled in a Head Start program or an Early Head Start program if—

(1) such requirements pertain to child restraint systems or vehicle monitors;

(2) the agency or entity demonstrates that compliance with such requirements will result in a significant disruption to the Head Start program or the Early Head Start program; and

(3) waiving such requirements is in the best interest of the children involved.

(b) The Secretary of Health and Human Services may not issue any waiver under subsection (a) after September 30, 2006, or the date of the enactment of a statute that authorizes appropriations for fiscal year 2006 to carry out the Head Start Act, whichever date is earlier.

SEC. 224. Section 1310.12(a) of title 45 of the Code of Federal Regulations (October 1, 2004) shall not be effective until June 30, 2006 or 60 days after the date of the enactment of a statute that authorizes appropriations for fiscal year 2006 to carry out the Head Start Act, whichever date is earlier.

(RESCISSION)

SEC. 225. The unobligated balance of the Health Professions Student Loan program authorized in Subpart II, Federally-Supported Student Loan Funds, of title VII of the Public Health Services Act is rescinded.

(RESCISSION)

SEC. 226. The unobligated balance of the Nursing Student Loan program authorized by section 835 of the Public Health Services Act is rescinded.

SEC. 227. In addition to any other amounts available for such travel, and notwithstanding any other provision of law, amounts available from this or any other appropriation for the purchase, hire, maintenance, or operation of aircraft by the Centers for Disease Control and Prevention shall be available for travel by the Secretary of Health and Human Services, the Director of the Centers for Disease Control and Prevention, and employees of the Department of Health and Human Services accompanying the Secretary or the Director during such travel.

This title may be cited as the ''Department of Health and Human Services Appropriations Act, 2006''.

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965 (''ESEA'') and section 418A of the Higher Education Act of 1965, $14,627,435,000, of which $7,073,126,000 shall become available on July 1, 2006, and shall remain available through September 30, 2007, and of which $7,383,301,000 shall become available on October 1, 2006, and shall remain available through September 30, 2007 for academic year 2006–2007: Provided, That $6,934,854,000 shall be for basic grants under section 1124: Provided further, That up to $3,472,000 of these funds shall be available to the Secretary of Education on October 1, 2005, to obtain annually updated educational-agency-level census poverty data from the Bureau of the Census: Provided further, That $1,365,031,000 shall be for concentration grants under section 1124A: Provided further, That $2,269,843,000 shall be for targeted grants under section 1125: Provided further, That $2,269,843,000 shall be for education finance incentive grants under section 1125A: Provided further, That $9,424,000 shall be to carry out part E of title I: Provided further, That $8,000,000 shall be available for section 1608 of the ESEA, of which $1,465,000 shall be available for a continuation award for the comprehensive school reform clearinghouse previously funded under the heading ''Innovation and Improvement'' in title III of division F of Public Law 108–447.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the Elementary and Secondary Education Act of 1965, $1,240,862,000, of which $1,102,896,000 shall be for basic support payments under section 8003(b), $49,966,000 shall be for payments for children with disabilities under section 8003(d), $18,000,000 shall be for construction under section 8007(a), $65,000,000 shall be for Federal property payments under section 8002, and $5,000,000, to remain available until expended, shall be for facilities maintenance under section 8008: Provided, That for purposes of computing the amount of a payment for an

eligible local educational agency under section 8003(a) of the Elementary and Secondary Education Act (20 U.S.C. 7703(a)) for school year 2005–2006, children enrolled in a school of such agency that would otherwise be eligible for payment under section 8003(a)(1)(B) of such Act, but due to the deployment of both parents or legal guardians, or a parent or legal guardian having sole custody of such children, or due to the death of a military parent or legal guardian while on active duty (so long as such children reside on Federal property as described in section 8003(a)(1)(B)), are no longer eligible under such section, shall be considered as eligible students under such section, provided such students remain in average daily attendance at a school in the same local educational agency they attended prior to their change in eligibility status.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by title II, part B of title IV, part A and subparts 6 and 9 of part D of title V, parts A and B of title VI, and parts B and C of title VII of the Elementary and Secondary Education Act of 1965 (''ESEA''); the McKinney-Vento Homeless Assistance Act; section 203 of the Educational Technical Assistance Act of 2002; the Compact of Free Association Amendments Act of 2003; and the Civil Rights Act of 1964, $5,308,564,000, of which $3,676,482,000 shall become available on July 1, 2006, and remain available through September 30, 2007, and of which $1,435,000,000 shall become available on October 1, 2006, and shall remain available through September 30, 2007, for academic year 2006–2007: Provided, That funds made available to carry out part B of title VII of the ESEA may be used for construction, renovation and modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school, run by the Department of Education of the State of Hawaii, that serves a predominantly Native Hawaiian student body: Provided further, That from the funds referred to in the preceding proviso, not less than $1,250,000 shall be for a grant to the Department of Education of the State of Hawaii for the activities described in such proviso, and $1,250,000 shall be for a grant to the University of Hawaii School of Law for a Center of Excellence in Native Hawaiian law: Provided further, That funds made available to carry out part C of title VII of the ESEA may be used for constructions: Provided further, That up to 100 percent of the funds available to a State educational agency under part D of title II of the ESEA may be used for subgrants described in section 2412(a)(2)(B) of such Act: Provided further, That $411,680,000 shall be for State assessments and related activities authorized under sections 6111 and 6112 of the ESEA: Provided further, That $56,825,000 shall be available to carry out section 203 of the Educational Technical Assistance Act of 2002: Provided further, That $31,693,000 shall be available to carry out part D of title V of the ESEA: Provided further, That no funds appropriated under this heading may be used to carry out section 5494 under the ESEA: Provided further, That $12,132,000 shall be available to carry out the Supplemental Education Grants program for the Federated States of Micronesia, and $6,051,000 shall be available to carry out the Supplemental Education Grants program for the Republic of the Marshall Islands: Provided further, That up to 5 percent of these amounts may be reserved by the Federated States of Micronesia and the Republic of the Marshall Islands to administer the Supplemental Education Grants programs and to obtain technical assistance, oversight and consultancy services in the administration of these grants and to reimburse the United States Departments of Labor, Health and Human Services, and Education for such services.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title VII, part A of the Elementary and Secondary Education Act of 1965, $119,889,000.

INNOVATION AND IMPROVEMENT

For carrying out activities authorized by parts G and H of title I, subpart 5 of part A and parts C and D of title II, parts B, C, and D of title V, and section 1504 of the Elementary and Secondary Education Act of 1965 (''ESEA''), $945,947,000, of which $95,000,000 shall become available on July 1, 2006 and remain available until September 30, 2007: Provided, That $16,864,000 shall be available to carry out section 2151(c) of the ESEA, of which not less than $9,920,000 shall be provided to the National Board for Professional Teaching Standards, and not less than $6,944,000 shall be provided to the American Board for the Certification of Teacher Excellence: Provided further, That from funds for subpart 4, part C of title II, up to 3 percent shall be available to the Secretary for technical assistance and dissemination of information: Provided further, That $36,981,000 shall be for subpart 2 of part B of title V: Provided further, That $260,111,000 shall be available to carry out part D of title V of the ESEA, of which $100,000,000 of the funds for subpart 1 shall be for competitive grants to local educational agencies, including charter schools that are local educational agencies, or States, or partnerships of (1) a local educational agency, a State, or both and (2) at least one non-profit organization to develop and implement performance-based teacher and principal compensation systems in high-need schools: Provided further, That such performance-based compensation systems must consider gains in student academic achievement as well as classroom evaluations conducted multiple times during each school year among other factors and provide educators with incentives to take on additional responsibilities and leadership roles: Provided further, That five percent of such funds for competitive grants shall become available on October 1, 2005 for technical assistance, training, peer review of applications, program outreach and evaluation activities and that 95 percent shall become available on July 1, 2006 and remain available through September 30, 2007 for competitive grants.

SAFE SCHOOLS AND CITIZENSHIP EDUCATION

For carrying out activities authorized by subpart 3 of part C of title II, part A of title IV, and subparts 2, 3 and 10 of part D of title V of the Elementary and Secondary Education Act of 1965 (''ESEA''), $736,886,000, of which $350,000,000 shall become available on July 1, 2006 and remain available through September 30, 2007: Provided, That of the amount available for subpart 2 of part A of title IV of the ESEA, $850,000 shall be used to continue the National Recognition Awards program under the same guidelines outlined by section 120(f) of Public Law 105–244: Provided further, That $350,000,000 shall be available for subpart 1 of part A of title IV and $224,580,000 shall be available for subpart 2 of part A of title IV, of which not less than $1,449,000, to remain available until expended, shall be for the Project School Emergency Response to Violence program to provide education-related services to local educational agencies in which the learning environment has been disrupted due to a violent or traumatic crisis: Provided further, That $132,901,000 shall be available to carry out part D of title V of the ESEA: Provided further, That of the funds available to carry out subpart 3 of part C of title II, up to $12,194,000 may be used to carry out section 2345 and $3,025,000 shall be used by the Center for Civic Education to implement a comprehensive program to improve public knowledge, understanding, and support of the Congress and the State legislatures.

ENGLISH LANGUAGE ACQUISITION

For carrying out part A of title III of the ESEA, $675,765,000, which shall become available on July 1, 2006, and shall remain available through September 30, 2007, except that 6.5 percent of such amount shall be available on October 1, 2005 and shall remain available through September 30, 2007, to carry out activities under section 3111(c)(1)(C).

SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act, $11,770,607,000, of which $6,141,604,000 shall become available on July 1, 2006, and shall remain available through September 30, 2007, and of which $5,424,200,000 shall become available on October 1, 2006, and shall remain available through September 30, 2007, for academic year 2006–2007: Provided, That $12,000,000 shall be for Recording for the Blind and Dyslexic, Inc., to support the development, production, and circulation of recorded educational materials: Provided further, That $1,500,000 shall be for the recipient of funds provided by Public Law 105–78 under section 687(b)(2)(G) of the Act (as in effect prior to the enactment of the Individuals with Disabilities Education Improvement Act of 2004) to provide information on diagnosis, intervention, and teaching strategies for children with disabilities: Provided further, That the amount for section 611(b)(2) of the Act shall be equal to the amount available for that activity during fiscal year 2005, increased by the amount of inflation as specified in section 619(d)(2)(B) of the Act.

REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Assistive Technology Act of 1998 (''the AT Act''), and the Helen Keller National Center Act, $3,129,638,000, of which $1,000,000 shall be awarded to the American Academy of Orthotists and Prosthetists for activities that further the purposes of the grant received by the Academy for the period beginning October 1, 2003, including activities to meet the demand for orthotic and prosthetic provider services and improve patient care: Provided, That $30,760,000 shall be used for carrying out the AT Act, including $4,385,000 for State grants for protection and advocacy under section 5 of the AT Act and $3,760,000 shall be for alternative financing programs under section 4(b)(2)(D) of the AT Act: Provided further, That the Federal share of grants for alternative financing programs shall not exceed 75 percent, and the requirements in section 301(c)(2) and section 302 of the AT Act (as in effect on the day before the date of enactment of the Assistive Technology Act of 2004) shall not apply to such grants.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101 et seq.), $17,750,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $56,708,000, of which $800,000 shall be for construction and shall remain available until expended: Provided, That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the

Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $108,079,000: Provided, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207.

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Vocational and Technical Education Act of 1998, the Adult Education and Family Literacy Act, title VIII–D of the Higher Education Amendments of 1998, and subpart 4 of part D of title V of the Elementary and Secondary Education Act of 1965 (''ESEA''), $2,012,282,000, of which $1,216,558,000 shall become available on July 1, 2006 and shall remain available through September 30, 2007 and of which $791,000,000 shall become available on October 1, 2006 and shall remain available through September 30, 2007: Provided, That of the amount provided for Adult Education State Grants, $68,582,000 shall be made available for integrated English literacy and civics education services to immigrants and other limited English proficient populations: Provided further, That of the amount reserved for integrated English literacy and civics education, notwithstanding section 211 of the Adult Education and Family Literacy Act, 65 percent shall be allocated to States based on a State's absolute need as determined by calculating each State's share of a 10-year average of the Immigration and Naturalization Service data for immigrants admitted for legal permanent residence for the 10 most recent years, and 35 percent allocated to States that experienced growth as measured by the average of the 3 most recent years for which Immigration and Naturalization Service data for immigrants admitted for legal permanent residence are available, except that no State shall be allocated an amount less than $60,000: Provided further, That of the amounts made available for the Adult Education and Family Literacy Act, $9,096,000 shall be for national leadership activities under section 243 and $6,638,000 shall be for the National Institute for Literacy under section 242: Provided further, That $94,476,000 shall be available to support the activities authorized under subpart 4 of part D of title V of the Elementary and Secondary Education Act of 1965, of which up to 5 percent shall become available October 1, 2005 and shall remain available through September 30, 2007, for evaluation, technical assistance, school networks, peer review of applications, and program outreach activities, and of which not less than 95 percent shall become available on July 1, 2006, and remain available through September 30, 2007, for grants to local educational agencies: Provided further, That funds made available to local educational agencies under this subpart shall be used only for activities related to establishing smaller learning communities within large high schools or small high schools that provide alternatives for students enrolled in large high schools: Provided further, That $23,000,000 shall be for Youth Offender Grants.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 3, and 4 of part A, part C and part E of title IV of the Higher Education Act of 1965, as amended, $15,077,752,000, which shall remain available through September 30, 2007.

The maximum Pell Grant for which a student shall be eligible during award year 2006–2007 shall be $4,050.

STUDENT AID ADMINISTRATION

For Federal administrative expenses (in addition to funds made available under section 458), to carry out part D of title I, and subparts 1, 3, and 4 of part A, and parts B, C, D and E of title IV of the Higher Education Act of 1965, as amended, $120,000,000.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles II, III, IV, V, VI, and VII of the Higher Education Act of 1965 (''HEA''), as amended, section 1543 of the Higher Education Amendments of 1992, the Mutual Educational and Cultural Exchange Act of 1961, title VIII of the Higher Education Amendments of 1998, and section 117 of the Carl D. Perkins Vocational and Technical Education Act, $1,970,760,000: Provided, That $9,797,000, to remain available through September 30, 2007, shall be available to fund fellowships for academic year 2007–2008 under part A, subpart 1 of title VII of said Act, under the terms and conditions of part A, subpart 1: Provided further, That notwithstanding any other provision of law or any regulation, the Secretary of Education shall not require the use of a restricted indirect cost rate for grants issued pursuant to section 117 of the Carl D. Perkins Vocational and Technical Education Act of 1998: Provided further, That $980,000 is for data collection and evaluation activities for programs under the HEA, including such activities needed to comply with the Government Performance and Results Act of 1993: Provided further, That notwithstanding any other provision of law, funds made available in this Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 may be used to support visits and study in foreign countries by individuals who are participating in advanced foreign language training and international studies in areas that are vital to United States national security and who plan to apply their language skills and knowledge of these countries in the fields of government, the professions, or international development: Provided further, That of the funds referred to in the preceding proviso up to 1 percent may be used for program evaluation, national outreach, and information dissemination activities: Provided further, That the funds provided for title II of the HEA shall be allocated notwithstanding section 210 of such Act.

HOWARD UNIVERSITY

For partial support of Howard University (20 U.S.C. 121 et seq.), $239,790,000, of which not less than $3,562,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act (Public Law 98–480) and shall remain available until expended.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For Federal administrative expenses to carry out activities related to existing facility loans pursuant to section 121 of the Higher Education Act of 1965, as amended $573,000.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM ACCOUNT

The aggregate principal amount of outstanding bonds insured pursuant to section 344 of title III, part D of the Higher Education Act of 1965, shall not exceed $357,000,000, and the cost, as defined in section 502 of the Congressional Budget Act of 1974, of such bonds shall not exceed zero.

For administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to title III, part D of the Higher Education Act of 1965, as amended, $210,000.

INSTITUTE OF EDUCATION SCIENCES

For carrying out activities authorized by the Education Sciences Reform Act of 2002, as amended, the National Assessment of Educational Progress Authorization Act, section 208 of the Educational Technical Assistance Act of 2002, and section 664 of the Individuals with Disabilities Education Act, $522,695,000, of which $271,560,000 shall be available until September 30, 2007: Provided, That of the amount provided to carry out title I, parts B and D of Public Law 107–279, not less than $25,257,000 shall be for the national research and development centers authorized under section 133(c).

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, $415,303,000.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, $91,526,000.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General, as authorized by section 212 of the Department of Education Organization Act, $49,000,000.

GENERAL PROVISIONS

SEC. 301. No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. No funds appropriated in this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

(TRANSFER OF FUNDS)

SEC. 304. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the Department of Education in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

SEC. 305. For an additional amount to carry out subpart 1 of part A of title IV of the Higher Education Act of 1965 for the purpose of eliminating the estimated accumulated shortfall of budget authority for such subpart, $4,300,000,000, pursuant to section 303 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 306. Subpart 12 of part D of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7265 et seq.) is amended—

(1) in section 5522(b), (20 U.S.C. 7265a(b)), by adding at the end the following:

''(4) To authorize and develop cultural and educational programs relating to any Federally recognized Indian tribe in Mississippi.'';

(2) in section 5523 (20 U.S.C. 7265b)—

(A) in subsection (a)—

(i) by redesignating paragraphs (6) through (8) as paragraphs (7) through (9), respectively; and

(ii) by inserting after paragraph (5) the following:

''(6) The Mississippi Band of Choctaw Indians in Choctaw, Mississippi.''; and

(B) in subsection (b), by adding at the end the following:

''(7) Cultural and educational programs relating to any Federally recognized Indian tribe in Mississippi.''; and

(3) in section 5525(1) (20 U.S.C. 7265d(1))—

(A) in subparagraph (a), by striking ''and'' after the semicolon;

(B) in subparagraph (B), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(C) the Mississippi Band of Choctaw Indians in Choctaw, Mississippi.''.

This title may be cited as the ''Department of Education Appropriations Act, 2006''.

TITLE IV—RELATED AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For expenses necessary of the Committee for Purchase From People Who Are Blind or Severely Disabled established by Public Law 92–28, $4,669,000.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

For expenses necessary for the Corporation for National and Community Service to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, $316,212,000: Provided, That none of the funds made available to the Corporation for National and Community Service in this Act for activities authorized by section 122 of part C of title I and part E of title II of the Domestic Volunteer Service Act of 1973 shall be used to provide stipends or other monetary incentives to volunteers or volunteer leaders whose incomes exceed 125 percent of the national poverty level.

NATIONAL AND COMMUNITY SERVICE PROGRAMS, OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Corporation for National and Community Service (the ''Corporation'') in carrying out programs, activities, and initiatives under the National and Community Service Act of 1990 (the ''Act'') (42 U.S.C. 12501 et seq.), $520,087,000, to remain available until September 30, 2007: Provided, That not more than $267,500,000 of the amount provided under this heading shall be available for grants under the National Service Trust Program authorized under subtitle C of title I of the Act (42 U.S.C. 12571 et seq.) (relating to activities of the AmeriCorps program), including grants to organizations operating projects under the AmeriCorps Education Awards Program (without regard to the requirements of sections 121(d) and (e), section 131(e), section 132, and sections 140(a), (d), and (e) of the Act: Provided further, That not less than $140,000,000 of the amount provided under this heading, to remain available without fiscal year limitation, shall be transferred to the National Service Trust for educational awards authorized under subtitle D of title I of the Act (42 U.S.C. 12601), of which up to $4,000,000 shall be available to support national service scholarships for high school students performing community service, and of which $7,000,000 shall be held in reserve as defined in Public Law 108–45: Provided further, That in addition to amounts otherwise provided to the National Service Trust under the second proviso, the Corporation may transfer funds from the amount provided under the first proviso, to the National Service Trust authorized under subtitle D of title I of the Act (42 U.S.C. 12601) upon determination that such transfer is necessary to support the activities of national service participants and after notice is transmitted to Congress: Provided further, That of the amount provided under this heading for grants under the National Service Trust program authorized under subtitle C of title I of the Act, not more than $55,000,000 may be used to administer, reimburse, or support any national service program authorized under section 121(d)(2) of such Act (42 U.S.C. 12581(d)(2)): Provided further, That not more than $16,445,000 shall be available for quality and innovation activities authorized under subtitle H of title I of the Act (42 U.S.C. 12853 et seq.): Provided further, That notwithstanding subtitle H of title I of the Act (42 U.S.C. 12853), none of the funds provided under the previous proviso shall be used to support salaries and related expenses (including travel) attributable to Corporation employees: Provided further, That to the maximum extent feasible, funds appropriated under subtitle C of title I of the Act shall be provided in a manner that is consistent with the recommendations of peer review panels in order to ensure that priority is given to programs that demonstrate quality, innovation, replicability, and sustainability: Provided further, That $27,000,000 of the funds made available under this heading shall be available for the Civilian Community Corps authorized under subtitle E of title I of the Act (42 U.S.C. 12611 et seq.): Provided further, That $37,500,000 shall be available for school-based and community-based service-learning programs authorized under subtitle B of title I of the Act (42 U.S.C. 12521 et seq.): Provided further, That $4,000,000 shall be available for audits and other evaluations authorized under section 179 of the Act (42 U.S.C. 12639): Provided further, That $10,000,000 of the funds made available under this heading shall be made available for the Points of Light Foundation for activities authorized under title III of the Act (42 U.S.C. 12661 et seq.), of which not more than $2,500,000 may be used to support an endowment fund, the corpus of which shall remain intact and the interest income from which shall be used to support activities described in title III of the Act, provided that the Foundation may invest the corpus and income in federally insured bank savings accounts or comparable interest bearing accounts, certificates of deposit, money market funds, mutual funds, obligations of the United States, and other market instruments and securities but not in real estate investments: Provided further, That no funds shall be available for national service programs run by Federal agencies authorized under section 121(b) of such Act (42 U.S.C. 12571(b)): Provided further, That $5,000,000 of the funds made available under this heading shall be made available to America's Promise—The Alliance for Youth, Inc.: Provided further, That to the maximum extent practicable, the Corporation shall increase significantly the level of matching funds and in-kind contributions provided by the private sector, and shall reduce the total Federal costs per participant in all programs: Provided further, That notwithstanding section 501(a)(4) of the Act, of the funds provided under this heading, not more than $12,642,000 shall be made available to provide assistance to state commissions on national and community service under section 126(a) of the Act: Provided further, That the Corporation may use up to 1 percent of program grant funds made available under this heading to defray its costs of conducting grant application reviews, including the use of outside peer reviewers.

SALARIES AND EXPENSES

For necessary expenses of administration as provided under section 501(a)(4) of the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) and under section 504(a) of the Domestic Volunteer Service Act of 1973, including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, the employment of experts and consultants authorized under 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $66,750,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $6,000,000, to remain available until September 30, 2007.

ADMINISTRATIVE PROVISIONS

Notwithstanding any other provision of law, the term ''qualified student loan'' with respect to national service education awards shall mean any loan determined by an institution of higher education to be necessary to cover a student's cost of attendance at such institution and made, insured, or guaranteed directly to a student by a State agency, in addition to other meanings under section 148(b)(7) of the National and Community Service Act.

Notwithstanding any other provision of law, funds made available under section 129(d)(5)(B) of the National and Community Service Act to assist entities in placing applicants who are individuals with disabilities may be provided to any entity that receives a grant under section 121 of the Act.

The Inspector General of the Corporation for National and Community Service shall conduct random audits of the grantees that administer activities under the AmeriCorps programs and shall levy sanctions in accordance with standard Inspector General audit resolution procedures which include, but are not limited to, debarment of any grantee (or successor in interest or any entity with substantially the same person or persons in control) that has been determined to have committed any substantial violations of the requirements of the AmeriCorps programs, including any grantee that has been determined to have violated the prohibition of using Federal funds to lobby the Congress: Provided, That the Inspector General shall obtain reimbursements in the amount of any misused funds from any grantee that has been determined to have committed any substantial violations of the requirements of the AmeriCorps programs.

For fiscal year 2006, the Corporation shall make any significant changes to program requirements or policy only through public notice and comment rulemaking. For fiscal year 2006, during any grant selection process, no officer or employee of the Corporation shall knowingly disclose any covered grant selection information regarding such selection, directly or indirectly, to any person other than an officer or employee of the Corporation that is authorized by the Corporation to receive such information.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2008, $400,000,000: Provided, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: Provided further, That none of the funds contained in this paragraph shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: Provided further,

That for fiscal year 2006, in addition to the amounts provided above, $30,000,000 shall be for costs related to digital program production, development, and distribution, associated with the transition of public broadcasting to digital broadcasting, to be awarded as determined by the Corporation in consultation with public radio and television licensees or permittees, or their designated representatives: Provided further, That for fiscal year 2006, in addition to the amounts provided above, $35,000,000 shall be for the costs associated with replacement and upgrade of the public television interconnection system: Provided further, That none of the funds made available to the Corporation for Public Broadcasting by this Act, Public Law 108–199 or Public Law 108–7, shall be used to support the Television Future Fund or any similar purpose.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor Management Relations Act, 1947 (29 U.S.C. 171–180, 182–183), including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a); and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, Public Law 95–454 (5 U.S.C. ch. 71), $43,031,000, including $400,000, to remain available through September 30, 2007, for activities authorized by the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a): Provided, That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: Provided further, That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: Provided further, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission (30 U.S.C. 801 et seq.), $7,809,000.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND ADMINISTRATION

For carrying out the Museum and Library Services Act of 1996, $249,640,000, to remain available until expended.

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, $10,168,000, to be transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

SALARIES AND EXPENSES

For necessary expenses for the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91–345, as amended), $993,000.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, as amended, $3,144,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141–167), and other laws, $252,268,000: Provided, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3(f) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 percent of the water stored or supplied thereby is used for farming purposes.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, as amended (45 U.S.C. 151–188), including emergency boards appointed by the President, $11,628,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission (29 U.S.C. 661), $10,510,000.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, $97,000,000, which shall include amounts becoming available in fiscal year 2006 pursuant to section 224(c)(1)(B) of Public Law 98–76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds $97,000,000: Provided, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, $150,000, to remain available through September 30, 2007, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98–76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, $102,543,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, as amended, not more than $7,196,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account: Provided, That none of the funds made available in any other paragraph of this Act may be transferred to the Office; used to carry out any such transfer; used to provide any office space, equipment, office supplies, communications facilities or services, maintenance services, or administrative services for the Office; used to pay any salary, benefit, or award for any personnel of the Office; used to pay any other operating expense of the Office; or used to reimburse the Office for any service provided, or expense incurred, by the Office.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance trust funds, as provided under sections 201(m), 228(g), and 1131(b)(2) of the Social Security Act, $20,470,000.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92–603, section 212 of Public Law 93–66, as amended, and section 405 of Public Law 95–216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, $29,369,174,000, to remain available until expended: Provided, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making benefit payments under title XVI of the Social Security Act for the first quarter of fiscal year 2007, $11,110,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed $15,000 for official reception and representation expenses, not more than $9,079,400,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: Provided, That not less than $2,000,000 shall be for the Social Security Advisory Board: Provided further, That unobligated balances of funds provided under this paragraph at the end of fiscal year 2006 not needed for fiscal year 2006 shall remain available until expended to invest in the Social Security Administration information technology and telecommunications hardware and software infrastructure, including related equipment and non-payroll administrative expenses associated solely with this information technology and telecommunications infrastructure: Provided further, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to section 7131 of title 5, United States Code, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

In addition, $119,000,000 to be derived from administration fees in excess of $5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93–66, which shall remain available until expended. To the extent that the amounts collected pursuant to such section 1616(d) or 212(b)(3) in fiscal year 2006 exceed $119,000,000, the amounts shall be available in fiscal year 2007 only to the extent provided in advance in appropriations Acts.

In addition, up to $1,000,000 to be derived from fees collected pursuant to section 303(c) of the Social Security Protection Act (Public Law 108–203), which shall remain available until expended.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $26,000,000, together with not to exceed $66,400,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

In addition, an amount not to exceed 3 percent of the total provided in this appropriation may be transferred from the ''Limitation on Administrative Expenses'', Social Security Administration, to be merged with this account, to be available for the time and purposes for which this account is available: Provided, That notice of such transfers shall be transmitted promptly to the Committees on Appropriations of the House and Senate.

TITLE V—GENERAL PROVISIONS

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: Provided, That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. (a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or video presentation designed to support or defeat legislation pending before the Congress or any State legislature, except in presentation to the Congress or any State legislature itself.

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

SEC. 504. The Secretaries of Labor and Education are authorized to make available not to exceed $28,000 and $20,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed $5,000 from the funds available for ''Salaries and expenses, Federal Mediation and Conciliation Service''; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed $5,000 from funds available for ''Salaries and expenses, National Mediation Board''.

SEC. 505. Notwithstanding any other provision of this Act, no funds appropriated in this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

SEC. 506. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state—

(1) the percentage of the total costs of the program or project which will be financed with Federal money;

(2) the dollar amount of Federal funds for the project or program; and

(3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

SEC. 507. (a) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for any abortion.

(b) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term ''health benefits coverage'' means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 508. (a) The limitations established in the preceding section shall not apply to an abortion—

(1) if the pregnancy is the result of an act of rape or incest; or

(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).

(d)(1) None of the funds made available in this Act may be made available to a Federal agency or program, or to a State or local government, if such agency, program, or government subjects any institutional or individual health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

(2) In this subsection, the term ''health care entity'' includes an individual physician or other health care professional, a hospital, a provider-sponsored organization, a health maintenance organization, a health insurance plan, or any other kind of health care facility, organization, or plan.

SEC. 509. (a) None of the funds made available in this Act may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.204(b) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

(b) For purposes of this section, the term ''human embryo or embryos'' includes any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

SEC. 510. (a) None of the funds made available in this Act may be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established by section 202 of the Controlled Substances Act (21 U.S.C. 812).

(b) The limitation in subsection (a) shall not apply when there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

SEC. 511. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act (42 U.S.C. 1320d–2(b)) providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual's capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

SEC. 512. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity if—

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in section 4212(d) of title 38, United States Code, regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

SEC. 513. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 514. None of the funds made available by this Act to carry out the Library Services and Technology Act may be made available to any library covered by paragraph (1) of section 224(f) of such Act (20 U.S.C. 9134(f)), as amended by the Children's Internet Protections Act, unless such library has made the certifications required by paragraph (4) of such section.

SEC. 515. None of the funds made available by this Act to carry out part D of title II of the Elementary and Secondary Education Act of 1965 may be made available to any elementary or secondary school covered by paragraph (1) of section 2441(a) of such Act (20 U.S.C. 6777(a)), as amended by the Children's Internet Protections Act and the No Child Left Behind Act, unless the local educational agency with responsibility for such covered school has made the certifications required by paragraph (2) of such section.

SEC. 516. None of the funds appropriated in this Act may be used to enter into an arrangement under section 7(b)(4) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(4)) with a nongovernmental financial institution to serve as disbursing agent for benefits payable under the Railroad Retirement Act of 1974.

SEC. 517. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2006, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes or renames offices;

(6) reorganizes programs or activities; or

(7) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2006, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects (including construction projects), or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress;

unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier.

SEC. 518. (a) Section 316 of the Immigration and Nationality Act (8 U.S.C. 1427), is amended by adding at the end the following:

''(g)(1) The continuous residency requirement under subsection (a) may be reduced to 3 years for an applicant for naturalization if—

''(A) the applicant is the beneficiary of an approved petition for classification under section 204(a)(1)(E);

''(B) the applicant has been approved for adjustment of status under section 245(a); and

''(C) such reduction is necessary for the applicant to represent the United States at an international event.

''(2) The Secretary of Homeland Security shall adjudicate an application for naturalization under this section not later than 30 days after the submission of such application if the applicant—

''(A) requests such expedited adjudication in order to represent the United States at an international event; and

''(B) demonstrates that such expedited adjudication is related to such representation.

''(3) An applicant is ineligible for expedited adjudication under paragraph (2) if the Secretary of Homeland Security determines that such expedited adjudication poses a risk to national security. Such a determination by the Secretary shall not be subject to review.

''(4)(A) In addition to any other fee authorized by law, the Secretary of Homeland Security shall charge and collect a $1,000 premium processing fee from each applicant described in this subsection to offset the additional costs incurred to expedite the processing of applications under this subsection.

''(B) The fee collected under subparagraph (A) shall be deposited as offsetting collections in the Immigration Examinations Fee Account.''.

(b) The amendment made by subsection (a) is repealed on January 1, 2006.

SEC. 519. (a) None of the funds made available in this Act may be used to request that a candidate for appointment to a Federal scientific advisory committee disclose the political affiliation or voting history of the candidate or the position that the candidate holds with respect to political issues not directly related to and necessary for the work of the committee involved.

(b) None of the funds made available in this Act may be used to disseminate scientific information that is deliberately false or misleading.

SEC. 520. The $3,170,927,000 made available under this Act under the heading Program Management under the heading Centers for Medicare and Medicaid Services shall be reduced by $60,000,000: Provided, That none of the reduction shall be taken from research, demonstration, and evaluation activities or from State survey and certification activities: Provided further, That notwithstanding the amounts specified under such heading for the Centers for Medicare and Medicaid Services System Revitalization Plan and for contract costs for the Healthcare Integrated General Ledger Accounting System, such amounts may be reduced by the Secretary.

This Act may be cited as the ''Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2006''.

And the Senate agree to the same.

RALPH REGULA,
ERNEST ISTOOK, Jr.,
ROGER F. WICKER,
ANNE M. NORTHUP,
KAY GRANGER,
JOHN E. PETERSON,
DON SHERWOOD,
DAVE WELDON,
JAMES T. WALSH,
JERRY LEWIS,
Managers on the Part of the House.

ARLEN SPECTER,
THAD COCHRAN,
JUDD GREGG,
LARRY E. CRAIG,
KAY BAILEY HUTCHISON,
TED STEVENS,
MIKE DEWINE,
RICHARD C. SHELBY,
PETE V. DOMENICI,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3010) making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes, submit the following joint statement of the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

In implementing this agreement, the Departments and agencies should be guided by the language and instructions set forth in House Report 109–143 and Senate Report 109–103 accompanying the bill, H.R. 3010.

In the cases where the language and instructions in either report specifically address the allocation of funds, each has been reviewed by the conferees and those that are jointly concurred in have been endorsed in this joint statement.

In the cases in which the House or the Senate reports request or direct the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations.

The conferees note that section 517 sets forth the reprogramming requirements and limitations for the Departments and agencies funded through this Act, including the requirement to make a written request to the chairmen of the Committees 15 days prior to reprogramming, or to the announcement of intent to reprogram, funds in excess of 10 percent, or $500,000, whichever is less, between programs, projects and activities.

Finally, the conferees request that statements on the effect of this appropriation Act on the Departments and agencies funded in this Act be submitted to the Committees within 45 days of enactment of this Act. The conferees expect that these statements will provide sufficient detail to show the allocation of funds among programs, projects and activities, particularly in accounts where the final appropriation is different than that of the budget request. Furthermore, the conferees request the statements to also include the effect of the appropriation on any new activities or major initiatives discussed in the budget justifications accompanying the fiscal year 2006 budget.

The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2006, put in place by this bill, incorporates the following agreements of the managers:

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(INCLUDING RESCISSIONS)

The conference agreement includes $5,115,411,000 for training and employment services, instead of $5,121,792,000 as proposed by the House and $5,250,806,000 as proposed by the Senate. Of the amount appropriated, $2,463,000,000 is an advance appropriation for fiscal year 2007, as proposed by the House and the Senate.

The conference agreement includes bill language as proposed by the Senate requiring that the Secretary of Labor take no action to amend the definition established in 20 CFR 667.220 for functions and activities under title I of the Workforce Investment Act of 1998, or to modify the procedure for designation of local areas as specified in that Act until such time as legislation reauthorizing the Act is enacted. The House bill contained a similar provision.

For Adult Employment and Training Activities, the conference agreement includes $865,736,000 as proposed by the House, instead of $893,618,000 as proposed by the Senate.

For Youth Training, the conference agreement includes $950,000,000 as proposed by the House instead of $986,288,000 as proposed by the Senate.

The conference agreement includes $1,476,064,000 for the Dislocated Worker program, as proposed by the Senate, instead of $1,405,264,000 as proposed by the House. The conferees override the formula that provides that 80 percent of the funds provided will be used for State formula grants and 20 percent in a National Reserve Account. For program year 2006 the conferees provide $1,193,264,000 for the State formula grants and $282,800,000 for the National Reserve Account.

The conferees direct that the Department submit a quarterly report beginning in January, 2006 to the House and Senate Appropriations Committees on the status of H–1B and National Emergency Grant awards. This quarterly report shall be submitted to the House and Senate Committees on Appropriations no later than 15 days after the end of each quarter and shall summarize the following information: total available funds for the current program year, funding requests made, funding comments made, and amounts actually awarded for the quarter and for the current program year, total outstanding funding commitments from all program years, and total unpaid funding commitments from all program years. The report

shall also include a list of each award (both new awards and modifications to existing awards) made during the quarter, including the grantee, funding commitment, amount released, and unpaid commitment for each award, and the number of workers to be trained.

The conferees direct that the Department submit a quarterly report beginning in January 2006 to the House and Senate Appropriations Committees on the status of awards made under the High-Growth Job Training Initiative. This quarterly report shall be submitted to the House and Senate Committees on Appropriations no later than 15 days after the end of each quarter and shall summarize by funding source (dislocated worker demonstration funds, community college initiative, H–1B fees, pilots and demonstrations, etc.) the total amount allocated to the High-Growth Job Training Initiative for the quarter and the program year. This report shall also include a list of all awards made during the quarter and for each award shall include the grantee, the amount of the award, the funding source of the award, whether the award was made competitively or by sole source and, if sole source, the justification, the purpose of the award, the number of workers to be trained, and other expected outcomes.

The conference agreement includes bill language as proposed by the Senate giving the Secretary of Labor authority to use dislocated worker national reserve funds to provide assistance to a State for statewide or local use in order to address cases where there have been worker dislocations across multiple sectors or across multiple local areas. The House bill contained no similar provision. The conferees urge the Secretary, when determining competitive awards under this authority, to give favorable consideration to the applications of assistance to States that have sustained worker dislocation in such a manner and can demonstrate the capacity to respond effectively in a coordinated fashion across multiple sectors or local areas.

The conference agreement includes $1,573,000,000 for Job Corps, instead of $1,542,019,000 as proposed by the House and $1,582,000,000 as proposed by the Senate. Within the total, $1,465,000,000 is provided for continuing operations of the program and $108,000,000 is for renovation and construction of Job Corps centers. The conference agreement includes $8,000,000 for second year funding of Job Corps expansion. This is in addition to $10,000,000 previously appropriated. In the selection process to award these and the previously appropriated funds for incremental expansion of Job Corps, the Department is directed to follow guidance provided in Senate Report 109–103 and in the report accompanying Public Law 108–199 regarding the priority for States that currently do not have a center and for a new site that can be quickly launched as a satellite (residential or non-residential) of a Job Corps center that is serving an entire State or region, and then later be converted to a stand-alone facility.

The conferees strongly urge the Director of Job Corps to extend the work of the Appalachian Council for career transition support services, and implement through the NJCA Foundation for Youth Opportunities, foundation initiated and nationally coordinated programs and services that raise public awareness and support for at-risk youth. The conferees expect the Director of Job Corps to implement these awards by no later than January 31, 2006, or as soon thereafter that the new independent Office of Job Corps is established.

For Migrant and Seasonal Farmworkers, the conference agreement includes a total of $80,557,000 as proposed by the Senate, instead of $75,795,000 as proposed by the House. Within the total, $75,053,000 is for State service area grants, including $3,840,000 to fund grantees in States impacted by formula reductions below the amount they were allotted in program year 2004. The conference also includes $5,000,000 for housing grants. The agreement also includes bill language not contained in House or Senate bills which prohibits the Department from restricting the provision of ''related assistance'' services by grantees. Such services are often critical to the stabilization and availability of the farm labor workforce.

The conference agreement provides $2,000,000 for other National Activities as proposed by the House, instead of $3,458,000 as proposed by the Senate. Of this amount, $982,000 is for carrying out Public Law 102–530, the Women in Apprenticeship and Non-Traditional Occupations Act of 1992, and $504,000 is to be used for training, technical assistance and related activities, including migrant rest center activities, authorized under section 167 of the Workforce Investment Act of 1998.

For Pilots, Demonstrations and Research, the conference agreement includes $30,000,000, instead of $74,000,000 as proposed by the House and $90,367,000 as proposed by the Senate.

The conferees encourage the Department of Labor to establish a pilot grant program under 171(b) of the Workforce Investment Act of 1998 to award competitive placement and retention grants to qualified nonprofit organizations that offer low income individuals' intensive assessment, education and training, placement, and retention services, including job coaching. The employment should provide the low income individuals with an annual salary at least twice the poverty line applicable to the individual. After placement, such organizations shall be eligible for retention grants once low income individuals remain with the same employer for a period of one year, taking into account the benefits received by the federal government and the community from the individuals' employment.

The conference agreement includes $49,600,000 for Responsible Reintegration of Youthful Offenders, instead of $50,000,000 as proposed by the Senate. The House did not recommend funds for this activity.

The conference agreement includes $125,000,000 to carry out the Community College/Community-Based Job Training Grant initiative. The conference agreement includes bill language as proposed by the Senate which provides that this amount is to be allocated from National Emergency Grant funds available under section 132(a)(2)(A) of the Workforce Investment Act of 1998, overriding the limitation otherwise imposed under section 171(d). The House bill contained no similar provision. The conferees expect the Secretary to initially use resources from the National Emergency Grants account for these awards that are designated for non-emergencies under sections 171(d) and 170(b) of the Workforce Investment Act of 1998. Community-Based Job Training Grant awards will also be subject to the limitations of sections 171(c)(4)(A) through 171(c)(4)(C) of the Workforce Investment Act of 1998 to ensure that these grants are awarded competitively. The conferees direct that future solicitations for grant applications for the Community-Based Job Training initiative include One Stop Career Centers as eligible applicants. The conference agreement rescinds $125,000,000 in funds provided in fiscal year 2005 for this program, as proposed by the House; the Senate bill contained no similar provision.

For the Denali Commission, the conference agreement provides $6,944,000 as proposed by the Senate for job training services. The House recommendation did not include funds for this activity.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

The conference agreement includes $3,392,078,000 for State Unemployment Insurance and Employment Service Operations, instead of $3,470,366,000 as proposed by the House and $3,361,779,000 as proposed by the Senate. For unemployment insurance services, the bill provides $2,533,000,000 instead of $2,632,915,000 as proposed by the House and $2,485,000,000 as proposed by the Senate. The conference agreement includes $2,523,000,000 for UI State Operations instead of $2,622,499,000 as proposed by the House and $2,475,000,000 as proposed by the Senate. The agreement includes a contingency reserve amount should the unemployment workload exceed an average weekly insured claims volume of 2,800,000 instead of 2,984,000 as proposed by the House. The conference agreement does not include language, similar in both House and Senate bills, providing $40,000,000 for new unemployment insurance administrative activities.

For the Employment Service grants to States, the agreement includes $723,114,000 instead of $696,000,000 as proposed by the House and $746,302,000 as proposed by the Senate. This includes $23,114,000 in general funds as proposed by the Senate instead of $23,300,000 as proposed by the House and $700,000,000 from the ''Employment Security Administration'' account of the unemployment trust fund instead of $672,700,000 as proposed by the House and $723,188,000 as proposed by the Senate. The conference agreement does not include funding to continue Reemployment Services Grants.

The conference agreement includes $17,856,000 for the work opportunity tax credit program as proposed by the Senate. The House report contained no similar provision.

PROGRAM ADMINISTRATION

The conference agreement includes $200,000,000 for Program Administration as proposed by the Senate, instead of $206,111,000 as proposed by the House. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conference agreement deletes language proposed by the House specifying that not to exceed $3,000,000 shall be available for contracts that are not competitively bid. The Senate bill contained no similar provision.

EMPLOYEE BENEFITS SECURITY ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $134,900,000 as proposed by the Senate, instead of $137,000,000 as proposed by the House. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $415,216,000 for the Employment Standards Administration, salaries and expenses, instead of $416,332,000 as proposed by the House

and $412,616,000 as proposed by the Senate. Within the amount for Program Direction and Support the conference agreement includes $2,000,000 as proposed by the Senate to make available personnel and other resources to facilitate the expeditious startup of a system to resolve the claims of injury caused by asbestos exposure. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conference agreement deletes language proposed by the Senate authorizing the Secretary of Labor to accept, retain, and spend all sums of money ordered to be paid in accordance with the Consent Judgment in the case with the Northern Mariana Islands. This provision, carried in the bill in prior years, is no longer necessary. The House bill contained no similar provision.

The conferees note that the Employment Standards Administration's most recent regulatory plan indicates that the Employment Standards Administration plans to issue in December 2005 a notice of proposed rulemaking on the Family and Medical Leave Act (FMLA). The conferees urge that the Employment Standards Administration consider providing ample time (more than the 60 days indicated in the regulatory plan) for careful consideration of any proposed changes to the FMLA regulations.

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

Within the total transferred to this account from fair share entities to pay the cost of administration of the Federal Employees' Compensation Act, the conference agreement provides that $27,148,000 shall be made available for automated workload processing operations, including document imaging, centralized mail intake and medical bill processing, as proposed by the Senate, instead of $18,454,000 as proposed by the House.

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

OCCUPATIONAL ILLNESS COMPENSATION FUND

(INCLUDING TRANSFER OF FUNDS)

Within the total, the conference agreement includes a proviso transferring $4,500,000 to the National Institute for Occupational Safety and Health for use by the Advisory Board on Radiation and Worker Health, as proposed by the Senate. The House bill contained no similar provision.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $477,199,000 for the Occupational Safety and Health Administration as proposed by the House instead of $477,491,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conference agreement includes a limitation regarding OSHA's enforcement of the Respiratory Standard as it applies to tuberculosis, as proposed by the House. The Senate bill contained no similar provision.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes a provision that authorizes the Secretary to recognize the Joseph A. Holmes Safety Association as a principal safety association and to provide funds and personnel to the organization, as proposed by the House. The Senate bill contained no similar provision.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

The conference agreement includes a provision maintaining the women worker series from the Current Employment Survey as proposed by the Senate. The House bill contained no similar provision.

OFFICE OF DISABILITY EMPLOYMENT POLICY

SALARIES AND EXPENSES

The conference agreement includes $27,934,000 for the Office of Disability Employment Policy as proposed by the House, instead of $47,164,000 as proposed by the Senate.

Within the total, the conferees have included $5,000,000 for a national initiative focusing on self-employment as an option for persons with disabilities, to be allocated according to the conditions in Senate Report 109–103. In addition, the conferees concur with the Senate in directing that the existing, structured ''Public Service Internship Program for Students with Disabilities'' be continued through fiscal year 2006 at no less than current appropriations levels. The House recommendation contained no similar provisions.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The conference agreement includes $300,586,000 for Departmental Management, salaries and expenses, instead of $239,783,000 as proposed by the House and $320,561,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conference agreement includes $73,248,000 for the Bureau of International Labor Affairs (ILAB), instead of $12,419,000 as proposed by the House and $93,248,000 as proposed by the Senate. Of this amount, the conferees' recommendation includes $38,000,000 for the U.S. contribution to the ILO's International Program for the Elimination of Child Labor [IPEC] and $23,000,000 for bilateral assistance to improve access to basic education in international areas with a high rate of abusive and exploitative child labor. The conferees concur with the Senate directive that $4,500,000 of the basic education funds be distributed in a 3-year grant to a human rights center at a major university with expertise in African studies, child labor and business ethics to provide critical oversight of both the public and private investment. The conferees expect that any grant or contract to provide this oversight will include annual reporting requirements to both the Congress and the Department by the end of each federal fiscal year. That report should cite progress made on key points of the protocol including: development of a child labor monitoring system by industry, the elimination of the worst forms of child labor in the supply chain, and the development of an industry-wide, public, transparent certification system covering at least 50 percent of the growing area in the Ivory Coast and Ghana.

For other ILAB programs, including 125 FTE for Federal Administration, the conferees have included $12,248,000. Within this amount, the conferees have included sufficient funding for the compilation of the statutorily required report tracking the progress of countries that are designated as beneficiaries under the U.S. Generalized System of Preferences [GSP] or former GSP recipients who achieved a free trade agreement over the preceding two years. The conferees concur with a Senate mandate that the 2006 report shall be transmitted to the Congress no later than September 1, 2006.

The conference agreement does not include provisos in the Senate bill intended to ensure that decisions on appeals of Longshore and Harbor Worker's Compensation Act claims are reached in a timely manner. The House bill did not include similar provisions. Carried in previous years, the provisos are no longer considered necessary to avoid delays.

The conferees do not retain language in the House report regarding employee benefit products covered by the Employee Retirement Income Security Act.

VETERANS EMPLOYMENT AND TRAINING

The conference agreement includes $224,334,000 for Veterans Employment and Training as proposed by the Senate, instead of $229,334,000 as proposed by the House. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conferees are pleased by the number of programs being undertaken by a variety of federal agencies, including the Centers for Medicare and Medicaid Services and the Internal Revenue Service, to employ persons with disabilities in telework occupations. With a significant number of veterans coming home with physical impairments, the conferees urge the department to pursue interagency efforts to help disabled veterans achieve employment in the federal government through telework and other innovative programs.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $71,819,000 for the Office of Inspector General, instead of $70,819,000 as proposed by the House and $72,819,000 as proposed by the Senate.

GENERAL PROVISIONS

JOB CORPS

The conference agreement includes language that prohibits the use of funds for the Job Corps to pay the salary of any individual, either as direct costs or any pro-ration as an indirect cost, at a rate in excess of Executive Level I, instead of Executive Level II as proposed by the House. The Senate bill did not contain a similar provision.

The conference agreement includes language not contained in House or Senate bills directing the Secretary to establish and maintain an Office of Job Corps within the Office of the Secretary of Labor. The Secretary is directed to transfer current Job Corps functions and staff from the Employment and Training Administration to the Job Corps office established in the Office of the Secretary. To ensure continuity, the Secretary is further directed to staff the new agency with the staff in place as of October 1, 2005 and at a level of FTE approved as of October 31, 2005.

ONE PERCENT TRANSFER AUTHORITY

The conference agreement includes a provision as proposed by the Senate limiting the authority to transfer or reprogram funds between a program, project or activity and requiring a 15 day notification of any reprogramming request or announcement of such transfer or reprogramming request. The House bill contained a similar provision.

DENALI COMMISSION

The conference agreement includes a provision as proposed by the Senate that authorizes to be appropriated such sums as may be necessary to the Denali Commission to conduct job training where Denali Commission projects will be constructed. The House bill contained no similar provision.

CONGRESSIONAL JUSTIFICATIONS

The conference agreement includes bill language proposed by the Senate requiring the Department of Labor to submit its fiscal

year 2007 congressional budget justifications in the format and level of detail used by the Department of Education in its fiscal year 2006 congressional budget justifications. The House bill contained no similar provision.

NEW YORK RESCISSION

The conference agreement does not include language as proposed by the Senate making $125,000,000 available to the New York State Uninsured Employers Fund and to the Centers for Disease Control and Prevention for purposes related to the September 11, 2001 terrorist attacks. The House bill contained no similar provision.

OPERATING PLAN

The conferees note that the Department failed to submit a fiscal year 2005 operating plan for pilots, demonstrations and research activities as requested last year in House Report 108–792. This plan is nearly six months late. Accordingly, the conferees have included bill language directing the Department to provide not later than July 1, 2006 an operating plan that outlines the planned allocation by major project and activity of fiscal year 2006 funds for pilot, demonstration, multi-service, research and multi-state projects. The conferees direct that the Department submit a quarterly report beginning in January 2006 to the House and Senate Appropriations Committees on the status of awards made for pilot, demonstration, multi-service, research, and multi-state projects under section 171 of the Workforce Investment Act. This quarterly report shall be submitted to the House and Senate Committees on Appropriations no later than 45 days after the end of each quarter and shall include the following information: a list of all awards made during the quarter and for each award shall include the grantee or contractor, the amount of the award, the funding source for the award, whether the award was made competitively or by sole source and, if sole source, the justification, the purpose of the award, and expected outcomes.

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

The conference agreement includes $6,654,661,000 for health resources and services, of which $6,629,661,000 is provided as budget authority and $25,000,000 is made available from the Public Health Service policy evaluation set-aside, instead of $6,468,437,000 as proposed by the House and $7,396,534,000 as proposed by the Senate. Funds for the individual HRSA programs are displayed in the table at the end of the statement of the managers. Funding levels that were in disagreement but not displayed on the table are discussed in this statement.

The conference agreement includes a technical bill language change to eliminate an unnecessary citation of the Poison Control Center Act which was included in both bills.

The conference agreement includes a citation for section 712 of the American Jobs Creation Act of 2004 for authority for the sickle cell demonstration program. The House bill did not include a similar citation.

The conference agreement does not include bill language proposed by the Senate providing $393,051,000 for construction and renovation of health care and other facilities and other health-related activities. The House bill included no similar language.

The conference agreement includes bill language identifying $64,180,000 for the rural hospital flexibility grants program, as provided by the Senate. The House bill provided $39,180,000. Within the total provided, the conferees have included bill language similar to that contained in the Senate bill creating the authority and identifying $25,000,000 for a Delta health initiative rural health, education, and workforce infrastructure program. The House bill had no similar provision. The conferees urge HRSA to implement this program by a competitive grant to a non-Federal, not-for-profit alliance of no less than four academic institutions who have a history of collaboration, along with their State Medical Association and State Hospital Association, for the purpose of addressing longstanding, unmet health needs in the Mississippi Delta, including health education, access and research, and job training. Alliance partners should include an academic health center, at least two regional universities, a school of nursing, and a relationship with a strong economic development entity. The alliance should have experience working with Federally qualified health centers and local health departments. The alliance should have experience in diabetes education and management, promoting healthy communities, health education and wellness.

The conferees have not included either bill language proposed by the Senate identifying $20,000,000 for base grant adjustments for existing community health centers or a similar directive included in the House report.

The conference agreement includes bill language identifying $40,000 for malpractice insurance for volunteer physicians who practice at free clinics, including administrative expenses, instead of $99,000 as proposed by the Senate. The House did not provide funding for this program. The conferees understand that claims against the Federal malpractice insurance are not likely to appear until at least fiscal year 2007, but want to signal the intent to continue the program.

The conference agreement does not include bill language identifying funding for community health centers in high-need counties. The Senate bill identified $13,000,000 for this purpose; the House bill identified $26,000,000.

The conferees direct that the increase in funding provided for community health centers be allocated for the center applications that have already been approved and announced in April 2005. The House and Senate reports had similar references to pre-approved awards.

The conference agreement includes bill language contained in the Senate bill permitting funding appropriated for the community health centers Federal malpractice claims program to be used for administrative expenses. The House bill included no similar provision.

The conference agreement includes bill language providing $4,000,000 to remain available until expended for the National Cord Blood Stem Cell Bank Program. The Senate bill provided $9,859,000. The House did not provide funding for this program.

The conference agreement includes bill language designating $117,108,000 out of the funds provided for the maternal and child health block grant to be for special projects of regional and national significance (SPRANS). The Senate bill provided $121,396,250 for this purpose; the House provided $116,124,000. It is intended that $3,880,000 of the SPRANS amount will be used to continue the sickle cell newborn screening program and its locally based outreach and counseling efforts. The House and Senate both proposed $4,000,000 for this program. In addition, $4,850,000 of the SPRANS amount will be used to continue the oral health demonstration programs and activities in the States. The House and Senate both proposed $5,000,000 for this program. The conference agreement also includes within the SPRANS set-aside $1,552,000 to continue mental health programs and activities in the States, $2,910,000 to continue the epilepsy demonstration, and $1,940,000 to continue newborn and child screening for heritable disorders. The conferees provide $1,000,000 for a fetal alcohol syndrome demonstration program as described in the Senate report. The House and Senate had both proposed $3,000,000 for the epilepsy demonstration. The House had proposed $3,000,000 for the heritable disorders screening program; the Senate had proposed $2,000,000. The Senate proposed $3,000,000 for the mental health programs, while the House had not proposed funding for this program. The Senate proposed $1,000,000 for the fetal alcohol syndrome demonstration, while the House had not proposed funding for this program.

The conference agreement includes bill language as proposed by the Senate providing $39,680,000 to the Denali Commission as a direct lump payment pursuant to P.L. 106–113. The House did not include funding for the Commission. The conferees concur with the Senate report language regarding the allocation of Denali funds to a mix of facilities.

The conference agreement provides $14,100,000 for Native Hawaiian health care activities within the consolidated health centers program as proposed by the Senate. The House did not identify specific funding for Native Hawaiian activities.

The conference agreement provides $4,000,000 for allied health training programs, of which $2,000,000 is allocated to the chiropractic-medical school demonstration grant and $2,000,000 is designated for the graduate psychology training program. The Senate provided $11,753,000 for allied health programs. The House did not provide funding.

The conferees concur in the Senate report language identifying $3,000,000 within traumatic brain injury funding for protection and advocacy services. The House report did not have similar language.

The conferees concur with the Senate report language regarding the recompetition of Healthy Start programs.

Within funds provided to the Office of the Advancement of Telehealth, $3,000,000 has been included to carry out programs and activities under the Health Care Safety Net Amendments of 2002 (Public Law 107–251). Of that amount, the conferees intend that $1,500,000 be used to fund telehealth resource centers that provide assistance with respect to technical, legal, regulatory service delivery or other related barriers to the development of telehealth technologies. The conferees intend that HRSA place a high priority on the needs of rural States with populations of less than 1,500,000 individuals in the award and geographical placement of the telehealth resource grants. The conferees intend that $750,000 will be used for network grants and demonstration or pilot projects for telehomecare and that $750,000 will be used for grants to carry out the licensure provisions in Section 102 of Public Law 107–251.

The conferees agree that family planning funds should be distributed to regional offices in the same manner and time frame as in fiscal year 2005. In addition, conferees intend that the same percentage of appropriated family planning funds be used for clinical services as in fiscal year 2005.

Within the funds provided for bioterrorism grants to States, the conference agreement includes $475,000,000 for State grants, $21,000,000 for education incentives for medical school curriculum, and $4,000,000 to continue the credentialing emergency system for advance registration of volunteer health professionals. The conferees do not provide funding for a medical surge capacity demonstration as requested by the Administration. The House provided $464,479,000 for State grants; $8,000,000 for credentialing; $27,521,000 for training; and no funding for a surge capacity demonstration. The Senate provided $458,000,000 for State grants, indicating that credentialing, deployable mass casualty units and increases to the medical reserve corps could be supported within that total; $27,500,000 for training; and $25,000,000 for a national surge capacity demonstration.

The conference agreement includes $145,992,000 for program management instead of $143,992,000 as provided by the Senate and $143,072,000 as provided by the House. The conference agreement includes $2,000,000 within this activity for dental workforce programs authorized in section 340G of the Public Health Service Act. The Senate provided $5,000,000 for this activity; the House did not propose funding for the program.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

The conference agreement provides $3,600,000 for administration for the Trust Fund as proposed by the Senate instead of $3,500,000 as proposed by the House.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

The conference agreement includes $5,884,934,000 for disease control, research, and training at the Centers for Disease Control and Prevention (CDC), instead of $5,945,991,000 as proposed by the House and $6,064,115,000 as proposed by the Senate. In addition, $265,100,000 is made available under section 241 of the Public Health Service Act. The House bill proposed that $159,595,000 and the Senate bill proposed that $265,100,000 be derived from section 241 authority.

The conference agreement includes bill language earmarking $160,000,000 for equipment, construction, and renovation of facilities, including the new data center and recovery site to ensure availability of critical systems and data supporting CDC's homeland security and public health emergency responsibilities, instead of $30,000,000 as proposed by the House and $225,000,000 as proposed by the Senate. Within this total, $136,000,000 is for continuation of CDC's program to upgrade and replace facilities in Atlanta and $24,000,000 is to continue construction and purchase equipment for the replacement of CDC's infectious disease laboratory in Fort Collins, Colorado.

The conference agreement includes bill language providing that within the amount available, $530,000,000 shall remain available until expended for the Strategic National Stockpile, the same as proposed by the House. The Senate bill included $542,000,000 for this purpose.

The conference agreement includes bill language to earmark $123,883,000 for international HIV/AIDS, the same as proposed by both the House and the Senate.

The conference agreement includes bill language as proposed by the Senate, and similar to language proposed by the House, designating that the following amounts shall be available under section 241 (Public Health Service Act evaluation set-aside) for the specified activities:

$12,794,000—National Immunization Surveys;

$109,021,000—National Center for Health Statistics Surveys;

$24,751,000—Information systems standards development and architecture and applications-based research used at local public health levels;

$463,000—Health Marketing evaluations;

$31,000,000—Public Health Research; and

$87,071,000—Research Tools and Approaches within the National Occupational Research Agenda.

The conference agreement includes bill language providing that up to $31,800,000 is available until expended for individual learning accounts, as proposed by the Senate. The House bill had included $30,000,000 for the same purpose.

The conference agreement includes bill language carried in prior years to allow the CDC to enter into a single contract or related contracts for the full scope of development and construction of facilities as proposed by both the House and the Senate. The agreement does not include language proposed by the Senate to allow funds appropriated to the CDC to be used to enter into a long-term ground lease for construction on non-Federal land. The conferees understand that this language is no longer necessary for the completion of the laboratory in the Fort Collins, Colorado area.

Given the full-scope contract authority, the conferees understand that sufficient funds are available from within amounts provided for buildings and facilities for unabated progress on the B&F Master Plan and to support the new data center recovery site, including the center's operations and maintenance services.

The conference agreement includes bill language providing that employees of the CDC or the Public Health Service, detailed to States, municipalities, or other organizations under authority of section 214 of the Public Health Service Act shall be treated as non-Federal employees for reporting purposes only and shall not be included within any personnel ceiling applicable to the Agency. The House bill included similar language but limited to employees detailed for purposes related to homeland security.

INFECTIOUS DISEASES

The conference agreement includes $1,697,397,000 for Infectious Diseases, instead of $1,704,529,000 as proposed by the House and $1,696,567,000 as proposed by the Senate. In addition, $12,794,000 is available to carry out National Immunization Surveys to be derived from section 241 evaluation set-aside funds.

The conferees note that unless otherwise specified, the sub-budget activity amounts provided are at the levels recommended in the budget request.

INFECTIOUS DISEASE CONTROL

Within the total for Infectious Diseases, the conference agreement includes $229,059,000 for infectious disease control activities instead of $229,471,000 as proposed by the House and $229,010,000 as proposed by the Senate.

Within the total, $102,650,000 is for areas of highest scientific and programmatic priority for preparing and responding to present and emerging infectious disease threats.

Within the total provided, $5,500,000 is to expand and improve surveillance, research, and prevention activities on prion disease, including the work of the National Prion Disease Pathology Surveillance Center.

HIV/AIDS, STD AND TB PREVENTION

Within the total for Infectious Diseases the conference agreement includes $956,138,000 for HIV/AIDS, STD and TB prevention, the same as proposed by the House and $713,000 below the amount proposed by the Senate.

Included is $657,694,000 for domestic HIV/AIDS activities; $159,633,000 for STD activities; and $138,811,000 for TB activities.

Within the total for HIV/AIDS, the conferees intend that the activities that are targeted to address the growing HIV/AIDS epidemic and its disparate impact on communities of color, including African Americans, Latinos, Native Americans, Asian Americans, Native Hawaiians, and Pacific Islanders be supported at not less than the fiscal year 2005 level, as proposed by the House. The conferees intend that CDC follow the report accompanying the Labor, HHS and Education and Related Agencies Appropriations Act, 2002 regarding the disbursement of these funds, including continuing support for the Directly Funded Minority Community-Based Organization Program.

IMMUNIZATION

Within the total for Infectious Diseases, the conference agreement includes a discretionary program level of $524,994,000 for immunization, instead of $526,500,000 as proposed by the House and $523,500,000 as proposed by the Senate. Of the amount provided, $12,794,000 is for national immunization surveys to be derived from section 241 evaluation set-aside funds, the same as proposed by both the House and Senate.

The conferees note, that subsequent to House action, $5,214,000 was reallocated to Global Immunization activities within Global Health to more accurately reflect immunization program levels prior to CDC's recent reorganization.

In addition, the Vaccines for Children (VFC) program funded through the Medicaid program includes $1,502,333,000 in vaccine purchases and distribution support for fiscal year 2006, yielding a total domestic immunization program level of $2,027,327,000.

Included in the amount provided is $461,478,000 for immunization assistance to states and localities under the section 317 immunization program, $4,960,000 for vaccine tracking, and $58,556,000 for prevention activities. The conferees intend that the $1,494,000 provided above the request for prevention activities support expanded vaccine safety research as outlined in the House Report.

HEALTH PROMOTION

The conference agreement includes $971,157,000 for Health Promotion, instead of $983,647,000 as proposed by the House and $974,080,000 as proposed by the Senate.

The conferees note that unless otherwise specified, the sub-budget activity amounts provided for Health Promotion are at the levels recommended in the budget request.

The conference agreement does not include $2,421,000 for a new program to award grants to organizations in the area of chronic disease prevention and birth defects and developmental disabilities as proposed by the Senate.

CHRONIC DISEASE PREVENTION, HEALTH PROMOTION, AND GENOMICS

Within the amount for Health Promotion, the conference agreement includes $845,135,000 for chronic disease prevention and health promotion instead of $856,468,000 as proposed by the House and $845,845,000 as proposed by the Senate.

The conference agreement includes the following amounts:

Budget activity	($ in thousands)
Heart Disease and Stroke	44,918

Budget activity	($ in thousands)
Diabetes	63,757
Cancer Prevention and Control	311,023
Arthritis and Other Chronic Diseases	22,693
Tobacco	105,858
Nutrition, Physical Activity, and Obesity	41,939
Health Promotion	27,721
School Health	56,760
Safe Motherhood/Infant Health	44,740
Oral Health	11,800
Prevention Centers	30,000
Steps to a Healthier U.S.	44,300
Racial and Ethnic Approach to Community Health (REACH)	34,605
Genomics	5,022

Within the amount provided for Cancer Prevention and Control the conference agreement includes $17,113,000 for comprehensive cancer activities, including $100,000 for a national education campaign concerning gynecologic cancer. The conferees urge that the CDC coordinate this effort both with the Office of Women's Health, within the Office of the Secretary, and qualified non-profit private sector organizations.

The conferees also reiterate their support for the CDC's partnership with the Lance Armstrong Foundation and have provided sufficient funds to continue support of the National Cancer Survivorship Resource Center at not less than the fiscal year 2005 level.

Within the amount provided for Arthritis and Other Chronic Diseases, $7,762,000 is available for epilepsy activities.

The conferees concur that the increase provided for tobacco activities is for an enhanced counter-marketing program to reduce underage tobacco use, as proposed by the Senate. The conferees expect that this effort will be carried out by a private sector organization that will match federal dollars at least equally and has demonstrated effectiveness in this area.

The conferees understand that the Centers for Disease Control and Prevention (CDC) is now the lead federal agency for the National 5 A Day Program and that funding will be transferred for fiscal year 2006 from the previous lead federal agency, the National Cancer Institute, to CDC.

The conferees urge CDC to set up a 5 A Day Program with a distinct program identity within its Division of Nutrition and Physical Activity, and that this program receive the necessary resources, both fiscal and designated full time equivalents (FTEs), to ensure that the CDC provides national leadership, strong technical assistance and training to State 5 A Day programs, effective communications, and other activities to encourage Americans to eat more fruits and vegetables and move closer to meeting the recommendations of the 2005 Dietary Guidelines for Americans.

The conferees encourage CDC to collaborate with the West Virginia Department of Health and Human Resources to develop a model obesity prevention program that could be replicated nationwide.

The conferees provide the following amounts from within funds provided for Community Health Promotion:

Budget activity	($ in thousands)
Mind-Body Institute	1,800
Glaucoma	3,500
Visual Screening Education	2,500
Alzheimer's Disease	1,650
Inflammatory Bowel Disease	700
Interstitial Cystitis	690
Pioneering Healthier Communities (YMCA)	1,450
Kidney Disease	1,800

The conferees concur with language in the Senate report providing that $50,000 from within Oral Health be used to develop an instructional video for school age children on the harmful effects of excessive consumption of soft drinks.

Within the funds for Genomics, $2,546,000 is provided to support and expand activities related to Primary Immune Deficiency Syndrome implemented in the same manner as in fiscal year 2005 and as outlined in the Senate report.

BIRTH DEFECTS

Within the amount available for Health Promotion, the conference agreement includes $126,022,000 for birth defects, developmental disabilities, disability and health instead of $127,179,000 as proposed by the House and $125,815,000 as proposed by the Senate.

Within the total, the following amounts are provided for the specified activities:

Budget activity	($ in thousands)
Folic Acid	2,300
Tourette Syndrome	1,800
Early Hearing Detection and Intervention	6,600
Muscular Dystrophy	6,500
Special Olympics Healthy Athletes	5,700
Paralysis Resource Center (Christopher Reeve)	6,000
Spina Bifida	5,100
Autism	15,300

The conferees strongly support the activities of both the National Folic Acid Education and Prevention Program and National Spina Bifida Program and believe the activities are complementary. The National Folic Acid Education Program's goal is primary prevention through the promotion of the consumption of folic acid to prevent Spina Bifida and other neural tube defects. The National Spina Bifida Program works to improve the quality of life for individuals affected by Spina Bifida and reduce and prevent the occurrence of, and suffering from this birth defect. The conferees have provided $7,400,000 for these activities. In order to achieve budget transparency, prevent any overlap of effort, ensure the continued proper balance between primary prevention and quality of life activities, and to maximize the effectiveness of these funds, the conferees request that CDC develop a comprehensive strategic plan whose goal is to establish a unified program to be housed in the Human Development and Disability Division and to be prepared to report on the feasibility of such a unified program during fiscal year 2007 budget hearings.

Within the amount for activities related to Duchenne and Becker Muscular Dystrophy, $750,000 is to enhance the coordinated education and outreach initiative through the Parent Project Muscular Dystrophy. In addition, the conferees concur in the directive in the Senate report for CDC to develop and submit a strategic plan for the Duchenne and Becker Muscular Dystrophy program by May 1, 2006.

Within the amount for Autism activities, $14,750,000 is for surveillance and research and $550,000 is to continue and expand the national autism awareness campaign.

HEALTH INFORMATION AND SERVICE

The conference agreement includes $89,564,000 for Health Information and Service, the same as proposed by the Senate. The House had included $195,069,000. In addition, $134,235,000, to be derived from section 241 evaluation set-aside funds, is included to carry out National Center for Health Statistics surveys, Public Health Informatics evaluations, and health marketing evaluations.

ENVIRONMENTAL HEALTH AND INJURY PREVENTION

The conference agreement includes $287,733,000 for Environmental Health and Injury Prevention activities, instead of $285,721,000 as proposed by the House and $288,982,000 as proposed by the Senate.

The conferees note that unless otherwise specified, the sub-budget activity amounts provided for Environment Health and Injury Prevention are at the levels recommended in the budget request.

ENVIRONMENTAL HEALTH

Within the funds available for Environmental Health and Injury Prevention, the conference agreement includes $147,293,000 for environmental health instead of $147,483,000 as proposed by the House and $147,417,000 as proposed by the Senate.

Within the total, $900,000 is provided to begin a nationwide Amyotrophic Lateral Sclerosis (ALS) registry as recommended in the Senate report.

The conferees also urge the CDC to maintain support for the Environmental and Health Outcome Tracking Network and the Landmine Survivor Network at not less than the fiscal year 2005 level.

INJURY PREVENTION AND CONTROL

Within the funds provided for Environmental Health and Injury Prevention, the conference agreement includes $140,440,000 for injury control, instead of $138,237,000 as proposed by the House and $141,565,000 as proposed by the Senate.

Within the total for injury prevention and control, $105,083,000 is for intentional injury prevention activities, including $24,379,000 for Youth Violence Prevention as outlined in the Senate report (of which $12,028,000 is for youth violence base funding), and not less than the fiscal year 2005 level is for the National Violent Death Reporting System.

In addition, $35,357,000 of the amounts for injury prevention and control is for unintentional injury. The conferees are agreed that sufficient funds are provided to support the existing Injury Control Research Centers at not less than the fiscal year 2005 level.

OCCUPATIONAL SAFETY AND HEALTH

The conference agreement provides a total program level of $256,971,000 for occupational safety and health, instead of $251,241,000 as proposed by the House and $257,121,000 as proposed by the Senate. Within that amount, $87,071,000 is available to carry out research tools and approaches activities within the National Occupational Research Agenda (NORA) to be derived from section 241 evaluation set-aside funds.

The conference agreement includes sufficient funds to maintain staffing levels at the Morgantown facility as proposed by the Senate.

Within the amount provided, $1,000,000 is for the establishment of a National Mesothelioma Registry and Tissue Bank as described in the Senate report. The conferees strongly encourage NIOSH to work closely with the mesothelioma research and patient community in developing the registry and tissue bank to maximize the effectiveness of data collection and allow researchers real time access to clinical data associated with tissue specimens from the registry.

Organizations eligible to implement the registry and tissue bank should have a demonstrated history of collaborative mesothelioma research and experience working with, and access to, the patient population. Eligible applicants should share the goal of developing a cost-effective infrastructure and have a data-sharing plan that will ensure the registry and tissue bank will be used to expand scientific discovery and effective treatments to benefit the mesothelioma research and patient community.

The agreement also includes $150,000 above the budget request to expand support for the

existing NIOSH Education and Research Centers.

In addition, the conferees have included sufficient funds for implementation of the Miners' Choice Health Screening Program at two or more sites in fiscal year 2006. This program was initiated in the Department of Labor to encourage all miners to obtain free and confidential chest x-rays to obtain more data on the prevalence of Coal Workers' Pneumonconiosis in support of development of new respirable coal dust rules.

GLOBAL HEALTH

The conference agreement provides $313,340,000 for Global Health activities, instead of $309,076,000 as proposed by the House and $313,227,000 as proposed by the Senate.

Within the total:

$123,883,000 is for Global HIV/AIDS;

$144,455,000 is for Global Immunization, including $101,254,000 for Polio Eradication and $43,201,000 for other global immunization activities;

$9,113,000 is for Global Malaria; and

$33,503,000 is for Global Disease Detection.

The conferees note, that subsequent to House action, $5,214,000 was reallocated from the domestic immunization program to Global Immunization activities. This reallocation more accurately reflects immunization program levels prior to CDC's recent reorganization.

PUBLIC HEALTH RESEARCH

The conference agreement includes $31,000,000, to be derived from section 241 evaluation set-aside funds, for Public Health Research.

PUBLIC HEALTH IMPROVEMENT AND LEADERSHIP

The conference agreement includes $206,535,000 for Public Health Improvement and Leadership instead of $258,541,000 as proposed by the House and $344,055,000 as proposed by the Senate.

Within the total, $7,930,000 is included for a Director's Discretionary Fund to support activities deemed by the Director as having high scientific and programmatic priority and to respond to emergency public health requirements. The conferees concur with language in the Senate report regarding the Director's authority to reallocate management savings to the Director's Discretionary Fund upon notification of the Committees on Appropriations in the House and Senate.

PREVENTIVE HEALTH SERVICES BLOCK GRANT

The conference agreement includes $100,000,000 for the Preventive Health Services Block Grant, the same as proposed by the Senate and the House.

TERRORISM AND PUBLIC HEALTH PREPAREDNESS

The conference agreement includes $1,593,189,000 for activities related to terrorism and public health preparedness, instead of $1,616,723,000 as proposed by the House and $1,566,471,000 as proposed by the Senate.

Within the total, $831,994,000 is for Upgrading State and Local Capacity; $137,972,000 is for Upgrading CDC Capacity; $14,000,000 is for Anthrax Studies; $79,223,000 is for the Biosurveillance Initiative; and $530,000,000 is for the Strategic National Stockpile.

Of the funds available for Upgrading State and Local Capacity, the conference agreement includes: $768,695,000 for bioterrorism cooperative agreements; $31,000,000 for Centers for Public Health Preparedness; and $5,400,000 for Advanced Practice Centers.

BUSINESS SERVICES SUPPORT

The conference agreement includes $296,119,000 for Business Services Support, as proposed by the Senate. The House had provided $298,515,000 for this purpose.

The conferees concur with language in the Senate report regarding the Director's authority to reallocate savings that result from efficiencies gained in business services support to the Director's Discretionary Fund upon notification of the Committees on Appropriations in the House and Senate.

The conferees also request that CDC continue to include at least the level of detail provided in past years in the Justification of Estimates for the Appropriations Committees, including the functional tables for each budget activity, the mechanism table by activity, and the crosswalks of funding between programs and CDC organizations.

The conferees also request that the CDC prepare and submit a report to the House and Senate Committees on Appropriations detailing intramural and extramural funding splits by sub-budget activity by no later than March 1, 2006. The report should include actual splits for fiscal years 2004 and 2005, as well as estimates for fiscal years 2006 and 2007.

The conferees continue to support partnerships between CDC and the minority health professions community.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

The conference agreement includes $4,841,774,000 for the National Cancer Institute as proposed by the House instead of $4,960,828,000 as proposed by the Senate.

The conferees urge the NCI to respond to the Bladder and Kidney Research Progress Review Group report and encourage appropriate funding for bladder and kidney cancer research.

NATIONAL HEART, LUNG AND BLOOD INSTITUTE

The conference agreement includes $2,951,270,000 for the National Heart, Lung and Blood Institute as proposed by the House instead of $3,023,381,000 as proposed by the Senate.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

The conference agreement includes $393,269,000 for the National Institute of Dental and Craniofacial Research as proposed by the House instead of $405,269,000 as proposed by the Senate.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

The conference agreement includes $1,722,146,000 for the National Institute of Diabetes and Digestive and Kidney Diseases as proposed by the House instead of $1,767,919,000 as proposed by the Senate. An amount of $150,000,000 is also available to the Institute through a permanent appropriation for juvenile diabetes.

The conferees urge NIDDK to continue to support and develop the ''Urologic Diseases in America'' report and to include urological complications as well as diabetes and obesity research initiatives. The conferees further encourage the Institute to continue the Urinary Incontinence Treatment Network and to convene an external strategic planning group to develop future urology clinical trials. The conferees also encourage the Institute to convene a Strategic Planning Group to make recommendations on basic and clinical research in men's health, including the development of biomarkers to distinguish benign prostatic hyperplasia from prostate cancer.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

The conference agreement includes $1,550,260,000 for the National Institute of Neurological Disorders and Stroke as proposed by the House instead of $1,591,924,000 as proposed by the Senate.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $4,459,395,000 for the National Institute of Allergy and Infectious Diseases instead of $4,359,395,000 as proposed by the House and $4,547,136,000 as proposed by the Senate.

The conference agreement includes bill language permitting the transfer of $100,000,000 to International Assistance Programs, Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis as proposed by the Senate. The House bill did not permit a transfer.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

The conference agreement includes $1,955,170,000 for the National Institute of General Medical Sciences as proposed by the House instead of $2,002,622,000 as proposed by the Senate.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

The conference agreement includes $1,277,544,000 for the National Institute of Child Health and Human Development as proposed by the House instead of $1,310,989,000 as proposed by the Senate.

NATIONAL EYE INSTITUTE

The conference agreement includes $673,491,000 for the National Eye Institute as proposed by the House instead of $693,559,000 as proposed by the Senate.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

The conference agreement includes $647,608,000 for the National Institute of Environmental Health Sciences as proposed by the House instead of $667,372,000 as proposed by the Senate.

The conferees urge NIEHS to work with CDC and expert independent researchers on research that could identify or rule out any association between thimerosal exposure in pediatric vaccines and increased rates of autism. The conferees believe that the Vaccine Safety Datalink (VSD), a CDC-constructed database that follows 7 million immunized children from 1990 to present, could be helpful in the research, especially regarding pre-2001 VSD data and post-2000 VSD data, since thimerosal was removed from most childhood vaccines in 2001. The conferees urge NIEHS and CDC to organize a workshop by May 2006 to explore the research possibilities and scientific feasibility of such a study and report back to the House and Senate Appropriations Committees soon after.

NATIONAL INSTITUTE ON AGING

The conference agreement includes $1,057,203,000 for the National Institute on Aging as proposed by the House instead of $1,090,600,000 as proposed by the Senate.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

The conference agreement includes $513,063,000 for the National Institute of Arthritis and Musculoskeletal and Skin Diseases as proposed by the House instead of $525,758,000 as proposed by the Senate.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

The conference agreement includes $397,432,000 for the National Institute on Deafness and Other Communication Disorders as proposed by the House instead of $409,432,000 as proposed by the Senate.

NATIONAL INSTITUTE OF NURSING RESEARCH

The conference agreement includes $138,729,000 for the National Institute of Nursing Research as proposed by the House instead of $142,549,000 as proposed by the Senate.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

The conference agreement includes $440,333,000 for the National Institute on Alcohol Abuse and Alcoholism as proposed by the House instead of $452,271,000 as proposed by the Senate.

NATIONAL INSTITUTE ON DRUG ABUSE

The conference agreement includes $1,010,130,000 for the National Institute on Drug Abuse as proposed by the House instead of $1,035,167,000 as proposed by the Senate.

The conferees encourage NIDA to move expeditiously on a cooperative research and development agreement (CRADA) regarding the use of vigabatrin for the treatment of cocaine and methamphetamine addiction.

NATIONAL INSTITUTE OF MENTAL HEALTH

The conference agreement includes $1,417,692,000 for the National Institute of Mental Health as proposed by the House instead of $1,460,393,000 as proposed by the Senate.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

The conference agreement includes $490,959,000 for the National Human Genome Research Institute as proposed by the House instead of $502,804,000 as proposed by the Senate.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

The conference agreement includes $299,808,000 for the National Institute of Biomedical Imaging and Bioengineering as proposed by the House instead of $309,091,000 as proposed by the Senate.

NATIONAL CENTER FOR RESEARCH RESOURCES

The conference agreement includes $1,110,203,000 for the National Center for Research Resources instead of $1,100,203,000 as proposed by the House and $1,188,079,000 as proposed by the Senate.

The conference agreement does not include bill language to earmark extramural facilities construction grants, as proposed by the House. The Senate bill proposed $30,000,000 for this purpose.

The conference agreement provides $326,000,000 from NCRR and Roadmap funds for general clinical research centers and the clinical and translational science awards (CTSA) combined. The Senate provided $327,000,000 for the combined awards; the House did not include similar language. As indicated in the Senate report, the total number of awards for the combined programs should remain at 79 in fiscal year 2006. When making the CTSA awards, consideration must be given to the units and functions currently carried out through the MO1 mechanism.

The conference agreement provides $222,208,000 for the Institutional Development Award (IdeA) program, as proposed by the House. The Senate had included $230,000,000 for this program.

NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE

The conference agreement includes $122,692,000 for the National Center for Complementary and Alternative Medicine as proposed by the House instead of $126,978,000 as proposed by the Senate.

NATIONAL CENTER ON MINORITY HEALTH AND HEALTH DISPARITIES

The conference agreement includes $197,379,000 for the National Center on Minority Health and Health Disparities as proposed by the House instead of $203,367,000 as proposed by the Senate.

JOHN E. FOGARTY INTERNATIONAL CENTER

The conference agreement includes $67,048,000 for the John E. Fogarty International Center as proposed by the House instead of $68,745,000 as proposed by the Senate.

NATIONAL LIBRARY OF MEDICINE

The conference agreement provides $318,091,000 for the National Library of Medicine as proposed by the House instead of $327,222,000 as proposed by the Senate. In addition, $8,200,000 is provided from section 241 authority as proposed by both the House and Senate.

OFFICE OF THE DIRECTOR

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $482,895,000 for the Office of the Director instead of $482,216,000 as proposed by the House and $487,434,000 as proposed by the Senate.

The conference agreement includes bill language permitting the Office of AIDS Research (OAR) to use its funding to make grants for construction or renovation of facilities, as provided for in section 2354(a)(5)(B) of the Public Health Service Act. This language was not included in either the House or Senate bill. The conferees support the efforts of OAR to expand a breeding colony that will serve as a new national resource to breed non-human primates for AIDS research. The conferees understand that this breeding colony is designed to represent a collaboration of several National Primate Research Centers (NPRCs). These resources will further the progress in identifying approaches to halt the transmission of HIV, slow disease progression, and treat those who are HIV-infected both in the United States and globally.

The conference agreement includes bill language identifying $97,000,000 for biodefense countermeasures that was not included in either the House or Senate bill. The House and Senate both included report language identifying $97,021,000 for this purpose.

The conferees believe, that to the extent resources allow, NIH should follow its cost management plan principles, which will help NIH continue to maintain the purchasing power of the research in which it invests. The Senate indicated that sufficient funds were included to fully pay committed levels on existing grants and to provide a 3.2 percent increase in the average cost of new grants. The House did not include a similar provision.

The conferees encourage NCI, NIDDK and NIBIB to conduct a multi-institute study focusing on: developing information on the history of polyps, including size and other histopathologic characteristics, which may serve as indicators of future colorectal cancer; the extent to which polyps can be monitored including colonoscopic and colonography or other screening techniques; and the optimal time in the course of polyp development when removal becomes essential to minimize the onset of colorectal cancer.

The conferees are disappointed that the director of NIH has not yet responded to the recommendations of the ACD working group on research opportunities in the basic behavioral sciences. The conferees urge the director of NIH, in consultation with senior IC leadership and the OBSSR, to develop a structural framework for managing support of NIH basic behavioral science research. This framework should include a division of portfolio and funding responsibility among the affected ICs, and should encourage cofunded trans-Institute research initiatives. The conferees request a report to the House and Senate Appropriations Committees describing the new framework and its relationship to the Office of Portfolio Analysis and Strategic Initiatives by May 1, 2006.

BUILDINGS AND FACILITIES

The conference agreement includes $81,900,000 for buildings and facilities as proposed by the House instead of $113,626,000 as proposed by the Senate.

The conference agreement does not include bill language granting full scope authority for the contracting of construction of the first and second phases of the John E. Porter Neurosciences Building as proposed by the Senate. The House bill contained no similar provision.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

The conference agreement includes $3,359,116,000 for substance abuse and mental health services, of which $3,237,813,000 is provided through budget authority and $121,303,000 is provided through the evaluation set-aside. The House bill proposed $3,352,047,000 for SAMHSA, of which $121,303,000 was from the evaluation set-aside and the Senate bill proposed $3,398,086,000, of which $123,303,000 was from the evaluation set-aside. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

Within the total provided, the conference agreement includes funding at no less than the fiscal year 2005 level, as proposed by the House, for activities throughout SAMHSA that are targeted to address the growing HIV/AIDS epidemic and its disparate impact on communities of color, including African Americans, Latinos, Native Americans, Asian Americans, Native Hawaiians, and Pacific Islanders. The Senate did not include similar language.

Within the total provided, the conference agreement also includes funding at no less than the fiscal year 2005 level for activities throughout SAMHSA addressing the needs of the homeless as proposed by the Senate. The House did not include similar language. Specifically, the conference agreement has provided funding at last year's level for programs directed at chronic homelessness and for programs directed at providing mental health and substance abuse treatment services to homeless individuals.

Center for Mental Health Services

The conference agreement includes $265,922,000 for programs of regional and national significance instead of $253,257,000 as proposed by the House and $287,297,000 as proposed by the Senate.

Within the total provided, the conference agreement provides no less than last year's level of funding, $94,240,000, for programs for prevention of youth violence, including the Safe Schools/Healthy Students interdepartmental program, as proposed by the Senate. The House included $84,000,000 for these programs. The conferees expect the Substance Abuse and Mental Health Services Administration to collaborate with the Departments of Education and Justice to continue a coordinated approach.

For programs addressing youth suicide prevention, the conference agreement includes $23,000,000 for State and campus-based programs as proposed by the Senate rather than $8,444,000 as proposed by the House, and

$4,000,000 for the National Suicide Prevention Resource Center rather than $2,976,000 as proposed by the House and $3,976,000 as proposed by the Senate. In addition, no less than the amount provided in fiscal year 2005 should be allocated for the Suicide Prevention Hotline program and mental health screening demonstrations, as proposed by the Senate. The House report did not contain similar language.

The conference agreement includes $29,760,000 for the National Child Traumatic Stress Initiative as proposed by the House. The Senate did not include similar language.

The conference agreement provides $26,000,000 for the State incentive grants for transformation as proposed by both the House and Senate. These competitive grants will support the development of comprehensive State mental health plans and improve the mental health services infrastructure.

The conference agreement provides no less than the level allocated in fiscal year 2005 for grants for jail diversion programs as proposed by the House. The Senate did not include similar language.

The conference agreement provides the current level of funding for the consumer and consumer-supporter national technical assistance centers as proposed by the Senate. The conferees direct the Center for Mental Health Services to support multi-year grants to fund five such national technical assistance centers. The House did not include similar language.

The conferees request the Substance Abuse and Mental Health Services Administration to provide a report by May 1, 2006 on efforts to strengthen parenting and enhance child resilience in the face of adversity, as described in the Senate report. The House did not include similar language.

The conference agreement provides the same level of funding as was provided in fiscal year 2005 for the elderly treatment and outreach program as proposed by both the House and Senate.

The conference agreement includes $432,756,000 for the mental health block grant, which includes $21,803,000 from the evaluation set-aside, the same levels as proposed by both the House and the Senate. Included in the agreement is bill language transferring the State Infrastructure Planning Grants activity from the mental health programs of regional and national significance to the mental health block grant set-aside, as proposed by the House. The Senate proposed to continue to fund this activity through the programs of regional and national significance.

Center for Substance Abuse Treatment

The conference agreement includes $402,935,000 for programs of regional and national significance, which includes $4,300,000 from the evaluation set-aside, instead of $409,431,000 as proposed by the House and $412,091,000 as proposed by the Senate. Both the House and Senate bills included the evaluation set-aside at $4,300,000.

Within funds provided, $99,200,000 is for the Access to Recovery program as proposed by the House rather than $100,000,000 as proposed by the Senate. The conferees expect that addictive disorder clinical treatment providers participating in the Access to Recovery program meet the certification, accreditation, and/or licensing standards recognized in their respective States as proposed by the House. The Senate included similar language, but added the phrase, ''and their respective staff.''

The conference agreement provides $10,500,000 for treatment programs for pregnant, postpartum and residential women and their children rather than $11,000,000 as proposed by the Senate. Within these funds, no less than last year's level shall be used for the residential treatment program for pregnant and postpartum women in fiscal year 2006 authorized under section 508 of the Public Health Service Act. The House did not include similar language.

The conference agreement includes $8,166,000 to maintain the funding at the fiscal year 2005 level for the Addiction Technology Transfer Centers as proposed by both the House and Senate.

The conferees understand that the National Institute for Alcohol Abuse and Alcoholism recently published an updated 2005 edition of its clinician's guide for treating patients who have alcohol abuse problems, titled ''Helping Patients Who Drink Too Much.'' The guide includes new information on expanded options for treating alcohol dependent patients, including a section on approved medications. The conferees urge the Center for Substance Abuse Treatment, in conjunction with its Science to Services agenda, to launch a counselor education initiative to inform physicians and program staff in the substance abuse community about the guide's treatment recommendations for alcohol dependence, including pharmacotherapy options.

As part of the $4,300,000 set-aside to evaluate substance abuse treatment programs, the conferees encourage the Substance Abuse and Mental Health Services Administration to determine the most effective way to maximize the number of qualified doctors who utilize buprenorphine in the office-based treatment of their opiate-addicted patients, as authorized by the Drug Addiction Treatment Act of 2000.

Center for Substance Abuse Prevention

The conference agreement includes $194,850,000 for programs of regional and national significance instead of $194,950,000 as proposed by the House and $202,289,000 as proposed by the Senate.

Within the funds provided, the conference agreement includes $4,000,000, as proposed by the Senate, for the Center for Substance Abuse Prevention (CSAP) to continue to fund grants aimed at expanding the capacity of health care and community organizations to address methamphetamine abuse. The House did not include similar language.

The conference agreement provides $850,000 for the third year of funding for the Advertising Council's parent-oriented media campaign to combat underage drinking as proposed by the Senate. The House proposed to fund the third year of this campaign through the Office of the Secretary.

The conferees expect the Substance Abuse and Mental Health Services Administration (SAMHSA) to ensure that grantees within the strategic prevention framework State incentive grant program do not fund duplicative sub-State anti-drug coalition infrastructures, but utilize those already functioning and funded by programs such as the Drug Free Communities program.

The conferees are concerned that consolidating the successful efforts that were pioneered by CSAP across all three of the Centers at SAMHSA will result in a dilution of the funding and emphasis on substance abuse prevention. The conferees expect SAMHSA to maintain substance abuse prevention as its highest priority for emphasis in both the National Registry of Effective Programs and Practices (NREPP) and the SAMHSA Health Information Network (SHIN). The conferees expect SAMHSA to report in its fiscal year 2007 congressional justification on how substance abuse prevention is being maintained as the highest priority for emphasis in both NREPP and SHIN.

Program Management

The conference agreement includes $92,817,000 for program management, of which $16,000,000 is provided through the evaluation set-aside. The House bill proposed $91,817,000 with a $16,000,000 evaluation set-aside and the Senate bill proposed $93,817,000 with an $18,000,000 evaluation set-aside.

The conference agreement includes $1,000,000 to expand on the collaborative effort by the Substance Abuse and Mental Health Services Administration and the Centers for Disease Control and Prevention to establish a population-based source of data on the mental and behavioral health needs in this country, rather than $2,000,000 as proposed by the Senate. The House did not provide funding for this activity.

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

The conference agreement includes $318,695,000 as proposed by the House instead of $323,695,000 as proposed by the Senate. The agreement makes these funds available through the policy evaluation set-aside as proposed by the Senate. The House had provided budget authority.

The conference agreement includes bill language proposed by the Senate limiting the funds to be spent on health care information technology to no more than $50,000,000. The House bill did not contain similar language. The conferees note that AHRQ has planned activities relating to patient safety, such as clinical terminology and messaging standards that have a large health information technology component. The conferees do not intend these activities as counting toward the $50,000,000 for the Health Care Information Technology program.

The conferees provide $15,000,000 within the total provided for AHRQ for clinical effectiveness research as proposed by the House. The Senate included $20,000,000 for this purpose. This type of research can help improve the quality, effectiveness and efficiency of health care, thereby reducing costs while still improving quality of care. The conferees urge AHRQ to ensure broad access to its findings in this research. In addition, the conferees encourage AHRQ to continue conducting high quality, comprehensive research studies in this area, building upon the priority list of conditions it identified in fiscal year 2005 and conducting research in additional areas such as organization, delivery and management of health care items and services.

The conferees are pleased with AHRQ's efforts to include bedside medication bar-coding as a component of its health information technology grants, particularly for those grants in rural areas. The conferees understand that almost ten percent of the funding for health information technology grants is allocated to rural projects with a bar-coding component. The conferees encourage AHRQ to increase its awards in this area since bar-coding has been shown to have a substantial effect on preventable errors in adverse drug events.

CENTERS FOR MEDICARE AND MEDICAID SERVICES

PAYMENTS TO THE HEALTH CARE TRUST FUNDS

The conference agreement provides $177,742,200,000 for the payment to the Health Care Trust Funds as proposed by the House

rather than $177,822,200,000 as proposed by the Senate.

PROGRAM MANAGEMENT

The conference agreement includes $3,170,927,000 for program management instead of $3,180,284,000 as proposed by the House and $3,181,418,000 as proposed by the Senate. An additional appropriation of $720,000,000 has been provided for the Medicare Integrity Program through the Health Insurance Portability and Accountability Act of 1996. The conferees include a general provision (section 520) that reduces these funds by $60,000,000. CMS has the discretion to choose how to allocate this reduction except that research, demonstration and evaluation and State survey and certification may not be reduced. As a result, some of the funding levels identified in the Program Management conference report language may be changed.

The conferees encourage CMS to consider using $3,000,000 of the funds provided through the Medicare Integrity Program to study and demonstrate the use of data fusion technology that enables accurate linkages between data records across large, disparate databases in near-real time using public records, commercial data and complete CMS data sets to help prevent, and determine instances of, fraud, waste and abuse.

The conference agreement includes $58,000,000 for research, demonstration, and evaluation instead of $65,000,000 as proposed by the House and $83,494,000 as proposed by the Senate. Within the total provided, the conference agreement provides $25,000,000 for Real Choice Systems Change Grants to States. The Senate provided $40,000,000 for these grants. The House did not provide funding for them.

The conferees are pleased with the demonstration project at participating sites licensed by the Program for Reversing Heart Disease and encourage its continuation. The conferees further urge CMS to continue the demonstration project being conducted at the Mind Body Institute of Boston, Massachusetts.

The conferees are very pleased with the ongoing efforts of CMS to address the seriously adverse health status of Native Hawaiians and American Samoans residing in the geographical area of the Waimanalo Health Center. The conferees urge CMS to consider waivers for rural or isolated area demonstration projects when calculating such requirements as population density in the State of Hawaii and are particularly pleased with the University of Hawaii's efforts to provide necessary health care in rural Hilo.

The conferees encourage CMS to conduct a national, three-year demonstration project to identify effective Medication Therapy Management Program (MTMP) models for Medicare Part D enrollees. The demonstration project should emphasize evidence-based prescribing, prospective medication management, technological innovation and outcomes reporting and should be capable of implementation on a large scale.

The conference agreement includes $2,172,987,000 for Medicare operations as proposed by the House instead of $2,184,984,000 as proposed by the Senate.

The conference agreement includes bill language proposed by the Senate making up to an additional $32,500,000 available to CMS for Medicare claims processing if the volume of claims exceeds particular thresholds. The House bill did not contain similar language.

The conference agreement does not include bill language proposed by the Senate directing the Secretary to send a notice to Medicare beneficiaries by January 1, 2006, notifying them of an error in the annual notice that had previously been mailed to them. The House bill did not contain similar language. The conferees are very concerned about the incorrect information on the new Medicare prescription drug plan that was inadvertently sent to beneficiaries. The conferees request that by no later than March 1, 2006, CMS report to the House and Senate Appropriations Committees a comprehensive summary of the actions taken to correct errors in the ''Medicare & You 2006'' handbook that was mailed to beneficiaries in October 2005. The conferees further direct that any notices to beneficiaries regarding the handbook error clearly state that the guidebook's tables on the levels of premium assistance were in error and that beneficiaries have until May 15, 2006 to enroll in a plan.

The conference agreement does not include general provision language proposed by the House that would prohibit funds being used to place social security numbers on ID cards issued to Medicare beneficiaries. The agreement also does not include general provision language proposed by the Senate that directs the Secretary to issue a report by June 30, 2006 describing plans to change the numerical identifier used for Medicare beneficiaries. The conferees consider this issue to be one of the utmost urgency and expect the Secretary to accelerate ongoing plans to convert the beneficiary identifiers.

The conference agreement provides $655,000,000 for Federal administration instead of $657,357,000 as proposed by the House and $628,000,000 as proposed by the Senate.

The conferees urge CMS to carefully review its decision to cut Medicare funding for second-year, specialized pharmacy residency programs, which provide specialized training to medication use experts in areas like geriatrics, oncology, and critical care. CMS should take into account new data submitted by national pharmacist associations and provide a full report to the House and Senate Committees within three months describing the agency's rationale for any decision that results in these programs remaining unfunded.

The conferees are concerned about the recent data published by CMS showing that less than one-third of Medicare beneficiaries eligible for diabetes self-management training (DSMT) are receiving the care and instruction they need. The conferees urge CMS to consider removing barriers for certified diabetes educators to providing DSMT to Medicare beneficiaries, including but not limited to the addition of Medicare coverage for the provision of such services, and to identify strategies for evaluating the effectiveness of diabetes education in improving the self-care of people with diabetes and in reducing risk factors for diabetes.

The conferees are concerned with the unprecedented increase in autism diagnoses over the past two decades and its effect on the Medicaid program. As more young children reach adolescence and adulthood, the need for home-based as well as out-of-home, residential services will increase. The conferees encourage CMS to facilitate the expansion and availability of respite care to families with autism. The conferees also encourage CMS to work with States to design geographically-based demonstrations allowing for greater concentration of resources for home-based assistance and respite care.

The conferees request from CMS a determination as to the current legal authority to permit direct access to licensed audiologists under similar terms and conditions used by the Department of Veterans Affairs and the Office of Personnel Management. A report shall be submitted to the House and Senate Appropriations Committees by April 2006.

HEALTH CARE FRAUD AND ABUSE CONTROL

The conference agreement does not include funding for this new account as proposed by the House. The Senate had provided $80,000,000 for this activity.

ADMINISTRATION FOR CHILDREN AND FAMILIES

LOW-INCOME HOME ENERGY ASSISTANCE

The conference agreement provides $2,183,000,000 for low-income home energy assistance as proposed by the Senate instead of $2,006,799,000 as proposed by the House. Of the amount provided $2,000,000,000 is provided for formula grants to States. The House bill proposed the full amount for State formula grants and the Senate bill proposed $1,883,000,000. Within the funds available, $27,500,000 is included for the leveraging incentive fund as proposed by the Senate. The House did not include funding for the leveraging incentive fund. As proposed by the House, the conference agreement does not include funding within State formula grants for a feasibility study. The Senate proposed $500,000 for this activity.

The conference agreement includes $183,000,000 for the contingency fund to be available through September 30, 2006. The Senate bill proposed $300,000,000 for the emergency fund and designated those funds as an emergency. The House did not propose funding for either the contingency or emergency fund. Together with the $20,350,000 still available in the emergency fund appropriated in fiscal year 2005, the total amount available in fiscal year 2006 to respond to heating and cooling emergencies is $203,350,000.

The conferees expect the appropriation provided for the contingency fund to be released, in full, prior to September 30, 2006. Given the forecasts of the costs associated with home heating this winter, the conferees anticipate that States will experience energy emergency conditions that will require additional Federal support that is available through the contingency fund.

REFUGEE AND ENTRANT ASSISTANCE

The conference agreement includes $575,579,000 for the refugee and entrant assistance programs rather than $560,919,000 as proposed by the House and $571,140,000 as proposed by the Senate. The conference agreement does not include funds for any of these activities through emergency funding. The Senate bill provided $19,100,000 within the total as emergency funding; the House bill did not include emergency funding for these activities. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conference agreement includes $268,229,000 for the transitional and medical services program. The House included $264,129,000 for this program. The Senate provided $264,129,000 through regular appropriations and $4,100,000 as an emergency for this program. The conference agreement does not include emergency funding for this program. It is the intention of the conferees that the level provided would allow for assistance to eligible individuals during their first eight months in the United States.

The conference agreement provides $155,560,000 for social services, rather than $160,000,000 as proposed in the House and $151,121,000 as proposed by the Senate. Within the funds provided, the conference agreement includes $19,000,000 as outlined in the House report. The Senate did not include similar language. The conferees intend that

funds provided above the request for social services shall be used for refugee school impact grants and for additional assistance in resettling and meeting the needs of the Hmong refugees expected to arrive during 2006 and 2007 or for other urgent needs.

The conference agreement provides $78,083,000 for the unaccompanied minors program. The House bill proposed $63,083,000 for this program. The Senate provided $63,083,000 through regular appropriations and $15,000,000 as an emergency for this program. The conference agreement does not include emergency funding for this program. The conferees direct the Secretary of Health and Human Services to issue a report by no later than one year after the date of enactment of this Act on progress made by the Office of Refugee Resettlement and programs funded under this Act to shift children to more child-centered, age-appropriate, small group, home-like environments for unaccompanied children in its custody.

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

The conference agreement includes $2,082,910,000 for the child care and development block grant, the same level as both the House and Senate bills. The conference agreement includes several specified funding recommendations within the total at levels proposed by the House rather than at the funding levels proposed by the Senate.

CHILDREN AND FAMILIES SERVICES PROGRAMS

(INCLUDING RESCISSION OF FUNDS)

The conference agreement includes $8,932,713,000 for children and families services programs, of which $10,500,000 is provided through the evaluation set-aside. The House bill proposed $8,701,207,000 for these programs with $12,500,000 from the evaluation set-aside and the Senate proposed $9,036,453,000 with $10,500,000 from the evaluation set-aside. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

Head Start

The conference agreement includes $6,843,114,000 for Head Start rather than $6,899,000,000 as proposed by the House and $6,863,114,000 as proposed by the Senate. The agreement includes $1,388,800,000 in advance funding, the same level as proposed by the Senate. The House bill proposed $1,400,000,000 for advance funding.

To enable the establishment of a panel of independent experts under the National Academy of Sciences to review and provide guidance on appropriate outcomes and assessments for young children, the conferees provide $1,000,000, within the total for Head Start, for the National Academy of Sciences.

The conference agreement includes, as a general provision, a limitation against the use of funds for Head Start to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II, as proposed by the House. The Senate did not include a similar provision.

The conference agreement includes two general provisions relating to waiving requirements of regulations promulgated under the Head Start Act for transporting children enrolled in either Head Start or Early Head Start. The Senate bill included one general provision regarding this issue, but used different language than is included in the conference agreement. The House included report language pertaining to transportation waivers for this program.

Consolidated runaway and homeless youth program

The conference agreement includes $88,724,000 for the consolidated runaway and homeless youth program, the same level as proposed by the Senate, rather than $88,728,000 as proposed by the House.

Child abuse discretionary activities

The conference agreement includes $26,040,000 for child abuse discretionary programs instead of $31,645,000 as proposed by the House and $31,640,000 as proposed by the Senate.

Adoption incentive

The conference agreement includes $18,000,000 for the adoption incentive program rather than $31,846,000 as proposed by the House and $22,846,000 as proposed by the Senate. Actual bonus payments to States for fiscal year 2005 were less than amounts previously estimated, therefore, of the funds provided in fiscal year 2005 and made available through fiscal year 2006, the conference agreement rescinds $22,500,000. Neither the House nor the Senate proposed rescinding funds from this program.

Compassion capital fund

The conference agreement includes $65,000,000 for the compassion capital fund rather than $75,000,000 as proposed by the House and $95,000,000 as proposed by the Senate. Prior to advertising the availability of funds for any grant for the youth gang prevention initiative, the conferees request that the Department of Health and Human Services brief the House and Senate Committees on Appropriations regarding the planned use of these funds.

Social services and income maintenance research

The conference agreement includes $11,927,000 for social services and income maintenance research, of which $6,000,000 is provided through the evaluation set-aside. The House proposed $10,621,000 for this program, of which $8,000,000 was funded through the evaluation set-aside and the Senate proposed $32,012,000, of which $6,000,000 was from the evaluation set-aside.

The conferees note that efforts undertaken through the State information technology consortium have led to greatly improved systems communications and compliance in both the TANF and child support enforcement (CSE) programs. For TANF, the conferees have provided $2,000,000 to permit States to utilize uniquely designed web-based technology to improve benefit delivery and fulfill new Federal reporting requirements. For CSE, the conferees have provided $3,000,000 to continue the consortium's efforts to improve data exchange between CSE and the courts in ways that will significantly reduce the time lag between court orders and enforcement/collections activities.

Developmental disabilities

Within developmental disabilities programs, the conference agreement includes $39,109,000 for protection and advocacy services as proposed by the Senate instead of $38,109,000 as proposed by the House.

The conference agreement also includes $15,879,000 for voting access for individuals with disabilities rather than $14,879,000 as proposed by the House and $30,000,000 as proposed by the Senate. Within the funds provided, $11,000,000 is for payments to States to promote access for voters with disabilities and $4,879,000 is for State protection and advocacy systems.

As proposed by both the House and Senate, the conference agreement provides $11,529,000 for the developmental disabilities projects of national significance. Within this amount, $4,000,000 is to expand activities of the Family Support Program, as proposed by the Senate. The House did not include similar language.

Community services

The conference agreement includes $636,793,000 for the community services block grant (CSBG) as proposed by the Senate rather than $320,000,000 as proposed by the House. The conferees concur with language included in the Senate report that the Office of Community Services (OCS) release funding to States in the timeliest manner and that States make funds available promptly to local eligible entities. In addition, the conferees expect OCS to inform State CSBG grantees of any policy changes affecting carryover funds within a reasonable time after the beginning of the Federal fiscal year. The House did not include similar language.

As proposed by both the House and Senate, the conference agreement includes $32,731,000 for community economic development. The conferees concur with language included in the Senate report that appropriated funds be allocated, to the maximum extent possible, in the form of grants to qualified community development corporations in order to maximize the leveraging power of the Federal investment and the number and the amount of set-asides should be reduced to the most minimal levels. The House did not include similar language.

The conference agreement includes $7,367,000 for rural community facilities instead of $7,242,000 as proposed by the House and $7,492,000 as proposed by the Senate. The conferees intend that the increase provided for the Rural Community Facilities program be used to provide additional funding to the six regional RCAPs.

The conference agreement does not include funding for the National Youth Sports program as proposed by the House. The Senate proposed $10,000,000 for this program.

The conference agreement does not include funding for community food and nutrition as proposed by the House. The Senate proposed $7,180,000 for this program.

Independent living training vouchers

The conference agreement includes $46,623,000 for independent living training vouchers as proposed by the Senate instead of $50,000,000 as proposed by the House.

Community-based abstinence education

The conference agreement includes $114,500,000 for community-based abstinence education as proposed by the House rather than $105,500,000 as proposed by the Senate. The conference agreement includes $4,500,000 in program evaluation funds for the abstinence education program and $110,000,000 in budget authority. The conferees concur with language included in the House report regarding technical assistance and capacity-building support to grantees. The Senate report did not include similar language.

Within the total for community-based abstinence education, up to $10,000,000 may be used to carry out a national abstinence education campaign as proposed by both the House and the Senate. The conferees concur with language included in the Senate report that the Administration for Children and Families use available funds to continue support for an independent group to conduct a thorough and rigorous evaluation of this campaign. The House did not include similar language.

Program direction

The conference agreement includes $185,217,000 for program direction as proposed

by the House instead of $186,000,000 as proposed by the Senate.

PROMOTING SAFE AND STABLE FAMILIES

The conference agreement includes $90,000,000 for the discretionary grant program of promoting safe and stable families as proposed by the Senate rather than $99,000,000 as proposed by the House.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

The conference agreement includes $1,376,624,000 for aging services programs instead of $1,376,217,000 as proposed by the House and $1,391,699,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conference agreement includes $20,360,000 for activities for the protection of vulnerable older Americans as proposed by the Senate instead of $19,360,000 as proposed by the House. Within the funds provided $15,162,000 is for the ombudsman services program as proposed by the Senate.

Included in the conference agreement is $157,744,000 for the family caregivers program rather than $155,744,000 as proposed by the House and $160,744,000 as proposed by the Senate.

The conference agreement includes $722,292,000 for nutrition programs rather than $725,885,000 as proposed by the House and $718,697,000 as proposed by the Senate. Within the total, $389,211,000 is provided for congregate meals rather than $391,147,000 as proposed by the House and $387,274,000 as proposed by the Senate; $183,742,000 is provided for home delivered meals rather than $184,656,000 as proposed by the House and $182,827,000 as proposed by the Senate; and, $149,339,000 is provided for the nutrition services incentives program rather than $150,082,000 as proposed by the House and $148,596,000 as proposed by the Senate.

The conference agreement includes $24,843,000 for program innovations instead of $23,843,000 as proposed by the House and $40,513,000 as proposed by the Senate. The conferees continue to support funding at no less than last year's level for national programs scheduled to be refunded in fiscal year 2006 as proposed by the Senate that address a variety of issues, including elder abuse, Native American issues and legal services. The House report did not include similar language.

Within the funding provided, the conference agreement includes $3,000,000, as proposed by the House, for social research into Alzheimer's disease care options, best practices and other Alzheimer's research priorities that include research into cause, cure and care, as well as respite care, assisted living, the impact of intervention by social service agencies on victims, and related needs. The agreement recommends this research utilize and give discretion to area agencies on aging and their non-profit divisions in municipalities with aged populations (over the age of 60) of over 1,000,000, with preference given to the largest population. The conferees also recommend that unique partnerships to affect this research be considered for the selected area agency on aging. The Senate did not include funding for this activity.

Given the enormous demands on Alzheimer's family caregivers, the conferees have included $1,000,000, as proposed by the Senate, to support an Alzheimer's family contact center for round-the-clock help to Alzheimer's families in crisis. The House did not include funding for this activity.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

The conference agreement includes $352,703,000 for general departmental management instead of $338,695,000 as proposed by the House and $363,614,000 as proposed by the Senate, along with $5,851,000 from Medicare trust funds, which was provided by both the House and Senate. In addition, $39,552,000 in program evaluation funding is provided, which was proposed by both the House and Senate.

The conference agreement includes bill language proposed by the Senate directing that specific information requests from the chairmen and ranking members of the Subcommittees on Labor, Health and Human Services, and Education, and Related Agencies, on scientific research or any other matter, be transmitted to the Committees on Appropriations in a prompt professional manner and within the time frame specified in the request. The bill language further directs that scientific information requested by the Committees on Appropriations and prepared by government researchers and scientists be transmitted to the Committees on Appropriations, uncensored and without delay. The House did not include such a provision.

The conference report does not include a general provision proposed by the Senate related to compliance with section 2 of the Improper Payments Information Act of 2002 (IPIA) for the Temporary Assistance for Needy Families Program, the Foster Care and Adoption Assistance program, the Medicaid program, the State Children's Health Insurance Program, and the Child Care and Development Block Grant program. The House bill did not contain similar language. The conferees request that not later than sixty days after the date of enactment of the Act the Secretary of Health and Human Services provides a report on this topic to the Appropriations Committees. In addition to the actions that have been taken to date, this report should include HHS's plans and the specific steps that are necessary to achieve compliance with section 2 in these programs.

The conference agreement includes $2,500,000 to support the last year of the Citizens' Health Care Working Group established in the Medicare Modernization Act. The Senate proposed $3,000,000 for this activity; the House report did not contain a similar provision.

The conference agreement includes $500,000 with which the Secretary is directed to conduct a study to determine the best way to promote the use of advance directives among competent adults as a means of specifying their wishes about end of life care. The Senate report had a similar provision. The House report did not request such a study.

The conferees intend that, of the funding provided to the Office of Minority Health, no less than the fiscal year 2005 funding level be allocated to a culturally competent and linguistically appropriate public health response to the HIV/AIDS epidemic. The House report had a similar provision; the Senate report did not have such a provision.

The conference report does not include funding within the Office of the Secretary for the third year of the Ad Council's underage drinking media campaign as proposed by the House. The conferees have instead provided funding for this effort within the Substance Abuse and Mental Health Services Administration as proposed by the Senate.

The conferees are concerned about the diminished partnership between OMH and the nation's historically black medical schools. Despite repeated urging by the Committees, OMH has not maintained and cultivated cooperative agreements and other mechanisms of support with Meharry Medical College, Morehouse School of Medicine, and Charles R. Drew University of Medicine and Science. The conferees encourage OMH to: (1) re-establish its unique cooperative agreement with Meharry Medical College, (2) develop a formal partnership with the Morehouse School of Medicine and its National Center for Primary Care, and (3) coordinate a Public Health Service-wide response to the challenges facing the Charles R. Drew University of Medicine and Science, including expanded opportunities for biomedical research and support for residency training faculty.

The conferees recognize that gynecological cancers are treatable if diagnosed at an early stage, and are concerned about the low level of awareness among women concerning the early warning signs of gynecologic cancers. The conferees recognize that there are many activities undertaken by the Secretary to raise awareness about gynecologic cancers, but are concerned that a lack of coordination of these activities among the agencies may limit the effectiveness and outreach of these programs. The conferees encourage the Secretary to examine these programs, and coordinate their activities through the Office of Women's Health. The Secretary is also encouraged to consider developing a national education campaign.

OFFICE OF MEDICARE HEARINGS AND APPEALS

The conference agreement includes $60,000,000 for this activity as proposed by the House instead of $75,000,000 as proposed by the Senate.

OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY

The conference agreement includes $61,700,000 for this activity, of which $42,800,000 is provided in budget authority and $18,900,000 is made available through the Public Health Service program evaluation set-aside. The House had provided a combined total of $75,000,000 for this activity; the Senate provided a combined total of $45,150,000.

The conference agreement does not include general provision language proposed by the Senate or similar language proposed by the House prohibiting the use of funds provided in the Act to implement any strategic plan that does not require a patient whose information is maintained by the Department to be given notice if it is lost, stolen or used for another purpose. The conferees underscore the importance of consumer confidence in the privacy and security of their personal health information as a fundamental principle in all actions taken to carry out the HHS Health Information Technology (HIT) strategic plan. The conferees understand that HHS has funded a ''Privacy and Security Solutions for Interoperable Health Information Exchange'' contract to study and address variations in State law and business practices related to privacy and security that may pose challenges to interoperable health information exchange. Funds are included for the Office of the National Coordinator for Health Information Technology to continue its work to evaluate and initiate solutions, including those that will maintain the security and privacy protections for personal health information, as part of the Department's activities in carrying out its HIT strategic plan. The conferees request a report within 90 days describing how HHS plans to address privacy issues in the information technology program.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $39,813,000 for the Office of Inspector General (OIG) as proposed by both the House and the Senate. The conferees expect that the OIG will utilize funds provided in section 121 of H.J. Res. 68 to provide continued oversight of Medicare Modernization Act implementation and the Medicare program.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

The conference agreement includes $63,589,000 for the Public Health and Social Services Emergency Fund (PHSSEF) to enhance Federal, State, and local preparedness to counter potential biological, disease, chemical, and radiological threats to civilian populations, instead of $183,589,000 as proposed by the House. The Senate had provided $8,158,589,000, with $8,095,000,000 designated as an emergency requirement pursuant to the concurrent resolution on the budget for fiscal year 2006.

The conference agreement does not include the $120,000,000 proposed by the House for activities to ensure year-round production capacity of influenza vaccine. The Senate had incorporated this funding within the $8,095,000,000 designated as emergency spending.

GENERAL PROVISIONS

HEAD START COMPENSATION

The conference agreement includes a general provision that prohibits the use of funds for Head Start to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II, as proposed by the House. The Senate bill did not contain a similar provision.

EVALUATION TAP AUTHORITY

The conference agreement includes a provision to allow for a 2.4 percent evaluation tap pursuant to section 241 of the Public Health Service Act. This tap is to be applied to programs authorized under the Public Health Service Act. The House bill contained a provision to allow for a 1.3 percent evaluation tap and the Senate bill allowed for a 2.5 percent evaluation tap.

ONE PERCENT TRANSFER AUTHORITY

The conference agreement includes language proposed by the Senate providing the Secretary of HHS with the authority to transfer up to 1 percent of discretionary funds between a program, project, or activity, but no such program, project or activity shall be increased by more than 3 percent by any such transfer. Additionally, a program, project or activity may be increased up to an additional 2 percent subject to written approval of the House and Senate Appropriations Committees. The House bill included a similar provision, but allowed the authority to transfer between appropriations.

HIV RESEARCH FUNDS TRANSFER

The conference agreement includes a general provision as proposed by the House allowing the Director of the National Institutes of Health, jointly with the Director of the Office of AIDS Research, to transfer up to 3 percent of funding identified by these two directors as funding pertaining to HIV research among institutes and centers. The Senate included similar language.

COUNCIL ON GRADUATE MEDICAL EDUCATION

The conference agreement includes a general provision proposed by the Senate allowing for the continued operation of the Council on Graduate Medical Education. The House bill contained no similar provision.

SMALLPOX VACCINE INJURY COMPENSATION RESCISSION

The conference agreement includes a general provision rescinding $10,000,000 from the smallpox vaccine injury compensation fund as proposed by the Senate. The House bill contained no similar provision.

NAMING OF CDC BUILDINGS

The conference agreement includes a general provision proposed by the Senate naming two Centers for Disease Control and Prevention buildings. The House did not include a similar provision.

POWER WHEELCHAIR REGULATIONS

The conference agreement modifies a general provision proposed by the Senate prohibiting funds to be used to implement or enforce Medicare regulations on power mobility devices prior to April 1, 2006. The conference agreement includes limitation language prohibiting the implementation of a regulation until April 1, 2006 and deletes the portions of the Senate provision that reduced payments for power mobility devices and established deadlines for future rulemaking. The House bill contained no similar provision. The conferees concur in the intent of the Senate language that a proposed rule be published by January 1, 2006, followed by a 45-day period to comment on the proposed rule, and that by not later than February 14, 2006, a final rule be published, followed by a 45-day transition period for implementation.

HEAD START TRANSPORTATION WAIVER

The conference agreement modifies general provision language proposed by the Senate pertaining to waivers for the transportation of children enrolled in either Head Start or Early Head Start. The House included report language dealing with this issue.

HEAD START TRANSPORTATION REGULATION

The conference agreement includes a general provision that the regulation pertaining to Head Start transportation shall not be effective until June 30, 2006, or 60 days after the date of enactment of a statute that authorizes appropriations for fiscal year 2006 to carry out the Head Start Act, whichever date is earlier. This clarifying provision was not included in either the House or Senate bills.

HEALTH PROFESSIONS STUDENT LOAN RESCISSIONS

The conference agreement includes two general provisions rescinding unobligated balances of the Health Professions Student Loan Program and the Nursing Student Loan Program. The House and Senate included similar provisions for the Health Professions Student Loan Program.

DEPARTMENT OF HEALTH AND HUMAN SERVICES TRAVEL

The conference agreement includes a new provision granting authority to the Secretary to use, at his discretion, charter aircraft under contract with the Centers for Disease Control and Prevention (CDC). The Secretary has significant operational responsibilities in times of emergencies and in the days following such emergencies. The Department is the primary agency for directing public health and medical services in response to significant events. Due to the unpredictable nature of such events, the conferees believe the Secretary must be in a posture to respond and communicate as an event is unfolding. Yet, existing travel limitations on the Secretary make this extremely difficult. The availability of CDC's charter aircraft will allow the Secretary to immediately return to Washington or rapidly move to another location as the situation dictates, at the same time being able to securely communicate with and direct the Department.

The conference agreement also extends this authority to the Director of the Centers for Disease Control and Prevention. The conferees understand that, due to existing restrictions, the Director on a number of occasions has not been able to accompany employees of the Agency responding to public health emergencies.

The conferees expect the Secretary and the Director of CDC to exercise this authority in an economical and judicious manner. The conferees request that the Secretary report to the Committees on Appropriations of the House and Senate regarding the use of this authority in the annual justification of estimates for the Appropriations Committees and at the end of the third quarter of each fiscal year.

STATE PHARMACEUTICAL ASSISTANCE PROGRAMS

The conference agreement does not include a general provision proposed by the Senate to extend the availability of fiscal year 2005 funding appropriated for State Pharmaceutical Assistance Programs in the Medicare Modernization Act through fiscal year 2006. The House bill did not include a similar provision.

USE OF SOCIAL SECURITY NUMBERS ON MEDICARE ID CARDS

The conference agreement deletes without prejudice general provisions proposed by both the House and Senate relating to the use of Social Security numbers on Medicare ID cards. Language is included within the Centers for Medicare and Medicaid Services section of the statement of the managers.

RAPID ORAL HIV TESTS

The conference agreement does not include a general provision proposed by the Senate directing the Secretary of HHS to use funds appropriated in Title II of this Act to purchase not less than one million rapid oral HIV tests. The House did not include a similar provision.

TELEHEALTH APPROPRIATION

The conference agreement deletes without prejudice a general provision proposed by the Senate relating to increased funding for telehealth programs. Funding for telehealth programs is included within HRSA. The House did not include a similar provision.

DENTAL WORKFORCE PROGRAM

The conference agreement does not include a general provision proposed by the Senate earmarking, within funds appropriated to HRSA, grants for programs to address dental workforce needs. Funding for this program is included within HRSA program management. The House did not include a similar provision.

MEDICALLY ACCURATE INFORMATION IN ABSTINENCE PROGRAMS

The conference agreement does not include a general provision proposed by the Senate that none of the funds made available in the Act may be used to provide abstinence education that includes information that is medically inaccurate, which is defined by information that is unsupported or contradicted by peer-reviewed research by leading medical, psychological, psychiatric, and public health publications, organizations, and agencies. The House did not include a similar provision.

LOW-VISION REHABILITATION SERVICES DEMONSTRATION

The conference agreement deletes without prejudice a general provision proposed by the

Senate appropriating funding for a low-vision rehabilitation services demonstration. The House bill contained no similar provision. The Secretary of HHS is strongly urged to implement the Low-Vision Rehabilitation Services Demonstration Project, which was originally requested in the fiscal year 2004 appropriations conference report. The demonstration is to examine the impact of standardized national coverage for vision rehabilitation services provided in the home by vision rehabilitation professionals under the Medicare program. The conferees expect the Secretary of HHS and CMS to take the necessary steps to finalize the design and structure of the demonstration project no later than January 1, 2006. The conferees intend the Secretary to expend from available funds appropriated to him, including transfers authorized under existing authorities from the Federal Supplementary Insurance Trust Fund, an amount not to exceed $2,000,000 in fiscal year 2006. The conferees expect the Secretary to take steps to update the design and expand the size of the Low-Vision Rehabilitation Services Demonstration Project in fiscal year 2007.

DSH MEDICAID PAYMENTS TO THE STATE OF VIRGINIA

The conference agreement deletes without prejudice a general provision proposed by the Senate containing a sense of the Senate resolution expressing awareness of the issue of defining ''hospital costs'' incurred by the State of Virginia for purposes of Medicaid reimbursement and urging CMS to work with the State to resolve the pending issue. The House did not include a similar provision.

DEFIBRILLATION DEVICES

The conference agreement deletes without prejudice a general provision proposed by the Senate appropriating funds for the Automatic Defibrillation in Adam's Memory Act. Funding for this program is included within HRSA. The House did not include a similar provision.

OFFICE OF MINORITY HEALTH

The conference agreement does not include a general provision proposed by the Senate shifting funding to the Office of Minority Health from the Program Management account within CMS. Funding for the Office of Minority Health and CMS Program Management are included within those specific accounts. The House did not include a similar provision.

MOSQUITO ABATEMENT

The conference agreement does not include a general provision proposed by the Senate earmarking funds within CDC for mosquito abatement for safety and health. The House did not include a similar provision.

COMMUNITY HEALTH CENTERS

The conference agreement does not include a general provision proposed by the Senate increasing funding for the Community Health Centers program. Funding for the Community Health Centers program is included within HRSA. The House did not include a similar provision.

HEALTH INFORMATION SECURITY

The conference agreement deletes without prejudice a general provision proposed by the Senate prohibiting the use of funds provided in the Act to implement any strategic plan that does not require a patient whose information is maintained by the Department to be given notice if it is lost, stolen or used for another purpose. The House bill contained a similar provision. Language is included within the Office of the National Coordinator for Health Information Technology section of the statement of the managers.

LIMITATION ON TRAVEL AND CONFERENCES

The conference agreement does not include a general provision proposed by the Senate reducing the appropriations for travel, conference programs and related expenses for the Department of Health and Human Services. The House did not include a similar provision.

HELP AMERICA VOTE ACT

The conference agreement does not include a general provision proposed by the Senate providing additional funding for the Help America Vote Act. Funding for programs authorized by the Help America Vote Act and administered by HHS are included within the Children and Families Services section of the Administration for Children and Families. The House did not include a similar provision.

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

The conference agreement includes $14,627,435,000 for the Education for the Disadvantaged account instead of $14,728,735,000 as proposed by the House and $14,532,785,000 as proposed by the Senate. The agreement provides $7,244,134,000 in fiscal year 2006 and $7,383,301,000 in fiscal year 2007 funding for this account.

The conference agreement includes $100,000,000 for the Even Start program instead of $200,000,000 as proposed by the House. The Senate bill did not include funding for this program.

The conferees intend for funds available under the Reading First program to be used for reading programs with the strongest possible scientific evidence of effectiveness. The conferees strongly urge the Department to provide clear guidance to its technical assistance centers and the States to: fully consider scientific evidence of effectiveness in rating programs for use under Reading First; contemplate expanded lists of allowable programs that include innovative programs with scientific evidence of effectiveness; when awarding new grants, consider giving preference to those schools that select programs with strong, scientific evidence of effectiveness; and ensure that comprehensive reading programs that have scientific evidence of effectiveness will be implemented in full, as they have been researched, without modification to conform to other models of instruction. The conferees also are concerned that certain practices under the Reading First program may unduly interfere with local control of curriculum. The conferees note that Reading First materials decisions are to be made at the school level, subject to the approval of the State.

The conference agreement includes $30,000,000 for the Striving Readers program as proposed by the House instead of $35,000,000 as proposed by the Senate.

The conference agreement also includes $390,428,000 for the State Agency Migrant Education program as proposed by the House instead of $395,228,000 as proposed by the Senate.

The conference agreement includes $50,300,000 for the Neglected and Delinquent program instead of $49,600,000 as proposed by the House and $51,000,000 as proposed by the Senate.

The conference agreement includes $8,000,000 for Comprehensive School Reform quality initiatives. The House bill provided $10,000,000 for the Comprehensive School Reform Demonstration program and the Senate bill did not include any funding related to Comprehensive School Reform. The conferees concur that comprehensive school reform (CSR) models provide an exemplary approach to raising academic achievement, particularly for schools that do not make adequate yearly progress under the No Child Left Behind Act. The conferees believe that States should utilize their four percent school improvement set-aside funds to support implementation of comprehensive school reform models with demonstrated success. The conferees strongly urge States to examine methods for distributing school improvement funds that will result in awards of sufficient size and scope to support the initial costs of comprehensive school reforms and to limit funding to programs that include each of the reform components described in section 1606(a) of the No Child Left Behind Act of 2001 and have the capacity to improve the academic achievement of all students in core academic subjects within participating schools. Further, the conferees intend that the Secretary shall notify States that schools currently receiving CSR subgrants shall receive priority for targeted grants and/or technical assistance under section 1003(a) of ESEA.

The conference agreement also includes $18,737,000 for the Migrant Education High School Equivalency program as proposed by the House instead of $21,587,000 as proposed by the Senate.

IMPACT AID

The conference agreement includes bill language not included in either the House or Senate bill that restricts the release of impact aid construction funds to a formula distribution.

SCHOOL IMPROVEMENT PROGRAMS

The conference agreement includes $5,308,564,000 for the School Improvement Programs account instead of $5,393,765,000 as proposed by the House and $5,457,953,000 as proposed by the Senate. The agreement provides $3,873,564,000 in fiscal year 2006 and $1,435,000,000 in fiscal year 2007 funding for this account.

The conference agreement includes $184,000,000 for the Mathematics and Science Partnerships (MSP) program instead of $190,000,000 as proposed by the House and $178,560,000 as proposed by the Senate. The conferees urge the Secretary to encourage MSP grantees to incorporate advanced placement (AP) or pre-advanced placement (PRE-AP) staff development training into their math and science partnership projects to help teachers meet the highly qualified criteria under the No Child Left Behind Act. The AP and PRE-AP professional development initiatives support teachers' content and pedagogical knowledge development so that all students, regardless of whether or not they take AP, will receive rigorous, challenging math and science instruction. The AP math and science initiative has the primary objective of increasing the number of AP opportunities, AP participation rates, and postsecondary acceptance and success rates for disadvantaged students.

The conference agreement includes $100,000,000 for State Grants for Innovative Education as proposed by the Senate instead of $198,400,000 as proposed by the House. The agreement also includes $275,000,000 for Educational Technology State Grants instead of $300,000,000 as proposed by the House and $425,000,000 as proposed by the Senate. The conference agreement includes bill language, not included in either House or Senate bill, which allows up to 100 percent of funds available under the Educational Technology

State Grants program to be allocated by States through competitive subgrants. The conferees encourage the Secretary to notify States of their intent that funds continue to be provided to small, rural school districts.

The conferees are concerned that many schools are unable to properly assess the performance of students with disabilities and students with limited English proficiency. Therefore, the conferees urge the Department to continue to place a high priority on grant applications for funds available from the enhanced assessments instruments program that aim to improve the quality of state assessments for these two groups of students and to ensure the most accurate means of measuring their performance on these assessments.

The conference agreement includes $9,693,000 for the Javits Gifted and Talented program instead of $11,022,000 as proposed by the Senate. The House did not propose funding for this program.

The agreement also includes $22,000,000 for the Foreign Language Assistance program instead of $25,000,000 as proposed by the Senate. The House did not propose funding for this program. The conferees concur with all of the language contained in the Senate report related to the use of these funds and administration of this program. The conference agreement includes language in the Senate bill that prohibits funds from being used for the Foreign Language Incentive Fund program. The House bill did not include a similar provision.

The conference agreement includes $34,250,000 for the Education of Native Hawaiians program instead of $24,770,000 as proposed by the House and $34,500,000 as proposed by the Senate. The agreement includes bill language that allows funds under this program to be used for construction, renovation and modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school run by the Department of Education of the State of Hawaii that serves a predominantly Native Hawaiian student body as proposed by the Senate. The House bill did not include a similar provision.

The conference agreement also includes bill language, as proposed by the Senate, which provides not less than $1,250,000 to the Hawaii Department of Education for school construction/renovation activities, and $1,250,000 for the University of Hawaii's Center of Excellence in Native Hawaiian Law. The House bill did not include a similar provision.

The conference agreement includes $34,250,000 for the Alaska Native Educational Equity program instead of $31,224,000 as proposed by the House and $34,500,000 as proposed by the Senate. The conference agreement includes bill language which allows funds available through this program to be used for construction, as proposed by the Senate. The House bill did not include a similar provision. The conferees direct the Department to use at least a portion of these funds to address the construction needs of rural schools.

The conferees are aware that the Department recently awarded a grant for a California Comprehensive Center, which will provide technical assistance to state and local educational agencies in California. This new Center will have to establish and develop a strong relationship to serve schools in Southern California, which has a majority of California's students and schools identified as in need of improvement as well as the highest number of English Language Learners and schools targeted for restructuring. The conferees encourage the Department of Education to ensure that this Center adequately addresses the needs of Southern California's local school districts.

INNOVATION AND IMPROVEMENT

The conference agreement includes $945,947,000 for programs in the Innovation and Improvement account, instead of $708,522,000 as proposed by the House and $1,038,785,000 as proposed by the Senate.

The conference agreement includes $21,750,000 for the National Writing Project program instead of $20,336,000 as proposed by the House and $23,000,000 as proposed by the Senate.

The conference agreement includes $121,000,000 for the Teaching of Traditional American History program as proposed by the Senate. The House bill proposed $50,000,000 for this program. The conferees direct the Department to continue its current policy of awarding 3-year grants. The conference agreement also includes bill language proposed by the Senate that allows not more than 3 percent of the funds available for this program to be used for technical assistance. The House bill did not include a similar provision.

The conference agreement includes $14,880,000 for the School Leadership program as proposed by the House instead of $15,000,000 as proposed by the Senate.

The conference agreement includes $16,864,000 for the Advanced Credentialing program as proposed by the House instead of $10,000,000 as proposed by the Senate. The conference agreement includes bill language that provides $9,920,000 of these funds to the National Board for Professional Teaching Standards and $6,944,000 to the American Board for the Certification of Teacher Excellence. The Senate bill included language that provided $10,000,000 to the National Board for Professional Teaching Standards and the House bill did not include a similar provision.

The conference agreement includes $36,981,000 for the Credit Enhancement for Charter Schools program as proposed by the House. The Senate did not propose funding for this program.

Fund for the Improvement of Education (FIE)

The conference agreement includes $160,111,000 for the Fund for the Improvement of Education instead of $27,000,000 as proposed by the House and $387,424,000 as proposed by the Senate. The amount included in bill language for the Fund for the Improvement of Education provides an additional $100,000,000 for the Teacher Incentive Fund, which is described later in this section.

The conference agreement includes funding for the following activities authorized under section 5411 of the Elementary and Secondary Education Act:

National Institute of Building Sciences for the National Clearinghouse for Educational Facilities	$694,000
Presidential and Congressional American History and Civics Academies	2,000,000
Evaluation and data quality initiative	2,000,000
Reach out and Read, peer review, teacher quality and other activities	9,092,000

The conference agreement includes $2,000,000 to carry out the American History and Civics Education Act of 2004, instead of $10,000,000 as proposed by the Senate. The House bill did not include funding for this program. The conferees concur in the language contained in the Senate Report regarding the use of funds for this activity. The conferees intend $1,265,000 will be used for Presidential Academies for Teaching of American History and Civics and the remaining funds will support the establishment of Congressional Academies for Students of American History and Civics.

The conferees direct the Department to implement the Act consistent with their intent, as reflected above, and request an implementation plan to be submitted to the House and Senate Committees on Appropriations within 30 days of enactment of the Department of Education Appropriations Act, 2006.

Within the total amount provided for FIE, the conference agreement also includes funding for separately authorized programs in the following amounts:

Reading is Fundamental	$25,296,000
Star Schools	15,000,000
Ready to Teach	11,000,000
Education through Cultural and Historical Organizations	9,000,000
Arts in Education	35,633,000
Parental Information and Resource Centers	40,000,000
Excellence in Economic Education	1,488,000
Women's Educational Equity	2,956,000
Foundations for Learning Grants	992,000
Mental Health Integration Grants	4,960,000

For Arts in Education, the conferees intend that within this total, $7,440,000 is for Very Special Arts and $6,369,000 is for the John F. Kennedy Center for the Performing Arts. In addition, $7,936,000 is for model professional development programs for music, drama, dance and visual arts educators and $496,000 is for evaluation activities, as outlined by the Senate. The remaining $13,392,000 is available to continue model arts programs.

While the conferees applaud the Department's efforts to help students learn foreign languages, they remain concerned that the Department, using data provided by the e-Language Learning System (eLLS), is developing web-based learning products that could be used in direct competition with the private sector. The conferees understand that, based on the President's budget request, the Department had no plans to continue this project in fiscal year 2006 using Star School funds. However, the conference agreement includes funds for the Star Schools program, which has been the primary source of funds for this activity. Therefore, the conferees direct the Department not to fund any grant that will compete directly with the private sector and further direct the Secretary to notify the House and Senate Appropriations Committees 15 days prior to any Department expenditures related to the eLLS project.

The conference agreement includes $100,000,000 for a pilot program to develop and implement innovative ways to provide financial incentives for teachers and principals who raise student achievement and close the achievement gap in some of our Nation's highest-need schools, as proposed in the House bill. The Senate bill did not propose funding for this program.

The conferees intend that the Secretary use not less than 95 percent of these funds to award competitive grants to local educational agencies (LEAs), including charter

schools that are LEAs, States, or partnerships of (1) a local educational agency, a State, or both and (2) at least one non-profit organization to design and implement fair, differentiated compensation systems for public school teachers and principals based primarily on measures of gains in student academic achievement, in addition to other factors, for teachers and principals in high-need schools. The conferees intend high-need schools to have the same meaning as the term is defined in section 2312 of the Elementary and Secondary Education Act. The conferees further intend that each applicant demonstrate a significant investment in, and ensure the sustainability of, its project by committing to pay for an increasing share of the total cost of the project, for each year of the grant, with State, local, or other non-Federal funds.

The conference agreement includes bill language, modified from the House bill, which requires the Secretary to use funds for performance-based compensation systems that: consider gains in student academic achievement as well as classroom evaluations conducted multiple times during each school year and provide educators with incentives to take on additional responsibilities and leadership roles. In addition, the conferees urge the Secretary to give priority to applications that demonstrate the majority support of educators for such compensation systems.

The conference agreement also includes bill language, not included in either House or Senate bill, which allows not more than $5,000,000 to be used to provide schools with assistance in implementing this program. The conferees intend that the Secretary use these funds for one or more grants to an organization or organizations with expertise in providing research-based expert advice to support schools initiating and implementing differentiated compensation systems, training school personnel, disseminating information on effective teacher compensation systems, and providing program outreach through a clearinghouse of best practices. The conferees also urge the Secretary to design an appropriate, long-term and rigorous evaluation, using randomized controlled trials to the extent practicable, of this program which will be used to inform Congress on the results achieved under this program.

Other programs

The conference agreement includes $24,500,000 for the Ready to Learn program instead of $25,000,000 as proposed by the Senate. The House bill did not include funding for this program. The conferees note that the original intent for the Ready to Learn program consisted of two distinct but coordinated elements: development of national educational programming that supports emergent literacy and other school readiness skills and community-based local outreach. The purpose of local outreach has been to extend the educational impact of the programming as well as to provide practical training for parents and educators on how to promote early learning and literacy and make responsible choices about television viewing. Given the demonstrated track record of the outreach component of the Ready to Learn program, the conferees believe that broad-based outreach, which capitalizes on the strength and reach of public television stations and includes local adult training workshops, should continue to be a central feature of this program. Therefore, the conference agreement includes an increase of $1,188,000 over last year for additional support of the outreach project funded during the fiscal year 2005 competition.

The conference agreement includes $4,900,000 for the Dropout Prevention program as proposed by the Senate. The House did not propose funding for this program.

The conference agreement includes $32,500,000 for Advanced Placement programs instead of $30,000,000 as proposed by the House and $40,000,000 as proposed by the Senate.

The conference agreement does not include language proposed in the House bill related to the evaluation of the D.C. School Choice Incentive Act of 2003. The Senate bill did not include a similar provision.

SAFE SCHOOLS AND CITIZENSHIP EDUCATION

The conference agreement includes $736,886,000 for programs in the Safe Schools and Citizenship Education account instead of $763,870,000 as proposed by the House and $697,300,000 as proposed by the Senate.

The conference agreement includes $350,000,000 for Safe and Drug-Free Schools State Grants instead of $400,000,000 as proposed by the House and $300,000,000 as proposed by the Senate.

The conferees are concerned that the Department of Education has neglected to report specific data to Congress as required under Section 4122(c) of Title IV, Part A of the No Child Left Behind Act. This data is required to be included in the State report under Section 4116 of the Safe and Drug-Free Schools and Communities program. The report specifically requires all States to collect and report to the Secretary, in a form specified by the Secretary, the following data: incidence and prevalence, age of onset, perception of health risk and perception of social disapproval of drug use and violence by youth in schools and communities. The conferees expect the Department to develop a plan for how it will collect the specified data from the States and report it to Congress in a timely manner. The plan should be submitted to the House and Senate authorizing, appropriations and oversight committees within 60 days of enactment of this bill.

The conference agreement includes $142,537,000 for National Programs instead of $152,537,000 as proposed by the House and $150,000,000 as proposed by the Senate. The conference agreement includes funding for the following activities:

School Safety Initiatives	$27,000,000
Planning/Needs Assessment/Data for State Grants	8,257,000
Safe Schools/Healthy Students	80,000,000
Drug Testing Initiative	9,180,000
Postsecondary Ed Drug and Violence Prevention (including $850,000 for the recognition program)	7,500,000
Violence prevention impact evaluation	1,551,000
National Institute of Building Sciences for the National Clearinghouse for Educational Facilities	300,000
Project SERV	1,449,000
Other activities	7,300,000

The conferees direct the Department to implement the Act consistent with their intent, as reflected in the table above, and request an implementation plan to be submitted to the House and Senate Committees on Appropriations within 30 days of enactment of the Department of Education Appropriations Act, 2006.

The conference agreement includes bill language requiring the Department to spend $850,000 for the National Recognition Awards program under the guidelines described in section 120(f) of Public Law 105–244 as proposed in the Senate bill. The House bill did not include a similar provision.

The conference agreement includes $32,736,000 for Grants to Reduce Alcohol Abuse instead of $33,500,000 as proposed by the Senate. The House did not propose funding for this activity.

The conference agreement includes $35,000,000 for the Elementary and Secondary School Counseling program instead of $34,720,000 as proposed by the House and $36,000,000 as proposed by the Senate.

The conference agreement includes $73,408,000 for the Physical Education program as proposed by the House instead of $74,000,000 as proposed by the Senate.

The conference agreement includes $29,405,000 for the Civic Education program to support both the We the People programs and the Cooperative Education Exchange as proposed by the House instead of $30,000,000 as proposed by the Senate. The conferees intend that $17,211,000 will be provided to the nonprofit Center for Civic Education to support We the People programs. Within the total for the We the People program, the conferees intend that $3,025,000 be reserved to continue the comprehensive program to improve public knowledge, understanding, and support of American democratic institutions, which is a cooperative project among the Center for Civic Education, the Center on Congress at Indiana University, and the Trust for Representative Democracy at the National Conference of State Legislatures, and that $1,513,000 be used for continuation of the school violence prevention demonstration program, including $500,000 for the Native American initiative.

The conference agreement also includes $12,194,000 for the Cooperative Education Exchange program. Within this amount, the conferees intend that $4,573,000 is for the Center for Civic Education and $4,573,000 is for the National Council on Economic Education, while the remaining $3,048,000 should be used to continue the existing grants funded under the authorizing statute for civics and government education, and for economic education.

ENGLISH LANGUAGE ACQUISITION

The conference agreement includes $675,765,000 for the English Language Acquisition account as proposed by the House instead of $683,415,000 as proposed by the Senate.

SPECIAL EDUCATION

The conference agreement includes $11,770,607,000 for the Special Education account instead of $11,813,783,000 as proposed by the House and $11,775,107,000 as proposed by the Senate. The agreement provides $6,346,407,000 in fiscal year 2006 and $5,424,200,000 in fiscal year 2007 funding for this account.

The conference agreement includes $10,689,746,000 for Grants to States Part B as proposed by the Senate instead of $10,739,746,000 as proposed by the House. The agreement also includes $440,808,000 for Grants for Infants and Families as proposed by the House instead of $444,308,000 as proposed by the Senate.

The conference agreement includes $49,397,000 for Technical Assistance and Dissemination as proposed by the House instead of $50,397,000 as proposed by the Senate.

The agreement also includes $38,816,000 for Technology and Media Services as proposed by the Senate instead of $31,992,000 as proposed by the House. Within this amount,

$1,500,000 is available for Public Telecommunications Information and Training Dissemination as proposed by the Senate. The House did not include funding for this activity. Also within this amount, the conference agreement includes $12,000,000 for Recording for the Blind and Dyslexic, Inc. as proposed by the Senate instead of $11,400,000 as proposed by the House.

REHABILITATION SERVICES AND DISABILITY RESEARCH

The conference agreement includes $3,129,638,000 for Rehabilitation Services and Disability Research instead of $3,128,638,000 as proposed by the House and $3,133,638,000 as proposed by the Senate.

The conference agreement includes $1,000,000 to continue an award to the American Academy of Orthotists and Prosthetists (AAOP) for activities that further the purposes of the grant received by the Academy for the period beginning October 1, 2003 as proposed by the Senate. The House bill did not include a similar provision.

The conference agreement includes $30,760,000 for assistive technology instead of $29,760,000 as proposed by the House and $34,760,000 as proposed by the Senate. Within this amount, the conferees intend that $21,552,000 shall be for the state grant program, $4,385,000 for grants for protection and advocacy, $1,063,000 for national activities and $3,760,000 for alternative financing programs.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

The conference agreement includes $17,750,000 for the American Printing House for the Blind instead of $17,000,000 as proposed by the House and $18,500,000 as proposed by the Senate.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

The conference agreement includes $56,708,000 for the National Technical Institute for the Deaf instead of $56,137,000 as proposed by the House and $57,279,000 as proposed by the Senate.

GALLAUDET UNIVERSITY

The conference agreement includes $108,079,000 for Gallaudet University instead of $107,657,000 as proposed by the House and $108,500,000 as proposed by the Senate.

VOCATIONAL AND ADULT EDUCATION

The conference agreement includes $2,012,282,000 for Vocational and Adult Education instead of $1,991,782,000 as proposed by the House and $1,927,016,000 as proposed by the Senate. The agreement provides $1,221,282,000 in fiscal year 2006 and $791,000,000 in fiscal year 2007 funding for this account.

The conference agreement includes $9,257,000 for Vocational Education National programs, as proposed by the Senate. The House included $11,757,000 for National programs.

The conference agreement includes $569,672,000 for Adult Education State Grants as proposed by the House, instead of $572,922,000 as proposed by the Senate.

The conference agreement includes $94,476,000 for the Smaller Learning Communities program as proposed by the House. The Senate bill did not include funding for this program. The conferees agree that these funds shall be used only for activities related to establishing smaller learning communities within large high schools or small high schools that provide alternatives for students enrolled in large high schools. The conferees again direct that the Department consult with the House and Senate Committees on Appropriations prior to the release of program guidance for the fiscal years 2005 and 2006 Smaller Learning Communities grant competitions. The conferees urge that a greater share of the 5 percent set-aside for national activities be used to support direct technical assistance to grantees through regional laboratories, university-based organizations, and other entities with expertise in high school reform, and request a report not later than January 1, 2006 on its planned use of this set-aside in fiscal year 2005. Further, the conferees strongly encourage the Department to enter into a jointly funded program with a private or public foundation with expertise in designing and implementing small schools in order to further leverage the Federal investment in smaller learning communities.

The conference agreement includes $23,000,000 for State Grants for Incarcerated Youth Offenders, instead of $24,000,000 as proposed by the Senate. The House did not include funding for this program. The conferees concur with the language included in the Senate Report regarding the administration of this program.

The conference agreement does not include funding for Community Technology Centers, as proposed by the House. The Senate included $4,960,000 for this activity.

STUDENT FINANCIAL ASSISTANCE

The conference agreement includes $15,077,752,000 for Student Financial Assistance instead of $15,283,752,000 as proposed by the House and $15,103,795,000 as proposed by the Senate.

The agreement provides a program level of $13,177,000,000 for Pell Grants as proposed by the Senate instead of $13,383,000,000 as proposed by the House. The agreement maintains the maximum Pell Grant at $4,050 as proposed by the Senate rather than $4,100 as proposed by the House. Additional funds are included in section 305 of this Act to completely pay down the shortfall that has been accumulating in the Pell Grant program over the last several fiscal years as proposed by both the House and Senate.

The conferees believe it is essential for Congress to have the most accurate and reliable information available to make decisions regarding the allocation of limited discretionary funding. Therefore, the conferees direct the Department of Education to provide to the House and Senate Committees on Appropriations, on a quarterly basis, updated estimates of the cost of the Pell Grant program, based on current law and the most current data related to valid applications, applicant type, and other information incorporated into the Department's Pell Grant forecasting model.

The conference agreement also includes $778,720,000 for the supplemental educational opportunity grant program as proposed by the House instead of $804,763,000 as proposed by the Senate.

The conference agreement provides $990,257,000 for Federal work-study programs as proposed by both the House and Senate. Within this total, the conference agreement includes $6,000,000, as proposed by the Senate, for the work colleges program. The House report did not include similar language.

STUDENT AID ADMINISTRATION

The conference agreement includes $120,000,000 for student aid administration as proposed by the Senate instead of $124,084,000 as proposed by the House.

HIGHER EDUCATION

The conference agreement includes $1,970,760,000 for Higher Education instead of $1,936,936,000 as proposed by the House and $2,112,958,000 as proposed by the Senate. The conference agreement does not include bill language as proposed by the Senate regarding the use of funds to develop a strategic plan for foreign student access to American colleges and universities. The House bill did not include similar language.

Aid for institutional development

The conference agreement includes $95,873,000 for Hispanic Serving Institutions as proposed by the House instead of $100,823,000 as proposed by the Senate. The conference agreement also includes $11,904,000 for Alaska and Native Hawaiian Institutions as proposed by the Senate instead of $6,500,000 as proposed by the House.

Fund for the improvement of postsecondary education

The conference agreement includes $22,211,000 for the Fund for the Improvement of Postsecondary Education instead of $49,211,000 as proposed by the House and $157,211,000 as proposed by the Senate.

Other programs

The conference agreement includes $836,543,000 for TRIO as proposed by the House instead of $841,543,000 as proposed by the Senate.

The conference agreement includes $306,488,000 for the GEAR UP program, the same level proposed by both the House and the Senate. The conferees intend that funds be awarded on an annual basis and that the Department consult with Congressional committees of jurisdiction prior to new grant competition announcements. The conference agreement provides a sixth and final year award to grantees first funded in 2001, while continuing all other funded projects. The conferees also intend that these funds are available to eligible 2000 grantees that opt to apply for new grant awards servicing a cohort no later than seventh grade, and are allowed to continue assisting students who have not yet completed the program through high school graduation.

The conference agreement includes sufficient funds for a GEAR UP competition in fiscal year 2006 for new partnership awards. The twin goals of GEAR UP are to ensure that low-income students are academically prepared for college and that they receive scholarships to enable them to actually attend college. Accordingly, the conferees encourage the Department to give consideration in the 2006 GEAR UP competition to partnerships that, in addition to providing early intervention services, guarantee college scholarships to GEAR UP students.

The conference agreement includes $41,000,000 for Byrd Honors Scholarships and $6,944,000 for demonstrations in disabilities as proposed by the Senate. The House did not propose funding for these activities.

The conference agreement includes $60,500,000 for the Teacher Quality Enhancement Grants program. The House and Senate proposed $58,000,000 for this program.

The conference agreement includes $2,000,000 for the Underground Railroad program instead of $2,204,000 as proposed by the Senate and $2,976,000 for Thurgood Marshall Scholarships instead of $3,500,000 as proposed by the Senate. The House did not propose funding these activities.

The conference agreement also includes $980,000 for Olympic Scholarships as proposed by the House. The Senate bill did not provide funding for this program.

HOWARD UNIVERSITY

The conference agreement includes $239,790,000 for Howard University instead of

$240,790,000 as proposed by the House and $238,789,000 as proposed by the Senate.

INSTITUTE OF EDUCATION SCIENCES

The conference agreement includes $522,695,000 for the Institute of Education Sciences (IES) instead of $522,696,000 as proposed by the House and $529,695,000 as proposed by the Senate.

The conferees concur with the language included in the House report that a key purpose of public education is being neglected: the civic mission of schools to educate our young people for democracy and to prepare them to be engaged citizens. The National Assessments of Educational Progress in civics and history are the best way we have to measure how well schools are doing in fulfilling this purpose. Therefore, the conferees request that the National Assessment Governing Board, in consultation with the Commissioner, National Center for Education Statistics, prepare a report on the feasibility of the National Assessment of Educational Progress conducting State level assessments in the subjects of U.S. history and civics at grades 8 and 12 and, if feasible, the earliest schedule under which such assessments could be administered. The Governing Board shall, within 180 days of enactment of this Act, submit the feasibility report to the House and Senate Appropriations Committees, the House Education and the Workforce Committee, the Senate Health, Education, Labor and Pensions Committee, and the Secretary of Education. The Senate report did not include similar language.

The conferees are very concerned with the funding levels directed to the Research and Development Centers. The current levels, which are $10,000,000 less than the amount outlined in the fiscal year 2005 and fiscal year 2006 budget justifications, are inadequate to create long-term comprehensive interdisciplinary programs. The conferees have therefore included bill language requiring IES to provide $25,257,000 for Research and Development Centers. The conferees direct that these funds be used to support not less than eight Research and Development Centers, as authorized by law.

The conferees expect, as stated in the fiscal year 2005 statement of the managers and the fiscal year 2006 budget justification, that funds in excess of those amounts needed to maintain or establish new centers, be used for supplemental awards to Research and Development Centers. The conferees further expect that funds be used to make adjustments to studies or services as needs arise. The conferees believe that current funding levels provide for inflexible, narrowly focused research rather than work that is of sufficient size and scope to be effective. The conferees also believe it is essential that centers not be restricted to particular research methodologies but instead use rigorous methods to address areas of high priority. The conferees request the IES to submit a report within 45 days of enactment of this Act on the steps it will take to comply with Congressional intent.

The conferees urge the Department's National Center for Education Statistics to use the Fast Response Survey System to collect data for the report of Arts Education in Public Elementary and Secondary Schools during the 2006–2007 school year. The conferees expect this survey and reporting to have the comprehensive quality of the 2002 report and include national samples of elementary and secondary school principals, as well as surveys of elementary and secondary classroom teachers and arts specialists.

DEPARTMENTAL MANAGEMENT

The conference agreement includes $415,303,000 for Departmental program administration instead of $410,612,000 as proposed by the House and $411,992,000 as proposed by the Senate. The agreement also includes $49,000,000 for the Office of the Inspector General as proposed by the House instead of $49,408,000 as proposed by the Senate.

The conferees concur with the views expressed in the House report with regard to the Communities Can program and its role in enhancing integrated and coordinated services for children with disabilities and their families. The conferees request that the plan of action for carrying forward this activity be provided to both the House and Senate Appropriations Committees. The Senate did not include similar language.

The conference agreement concurs with language contained in the Senate report regarding the proposed reorganization of the regional office structure within the Rehabilitation Services Administration. Therefore, the conferees request a report that describes the steps taken to reach out to stakeholder groups on this issue; a detailed plan for ensuring that policy guidance, technical assistance and program monitoring will be of higher quality and more timely than currently available; and the specific performance goals under the proposed reorganization for frequency of monitoring visits, and timeliness and relevancy of technical assistance, compared to the actual performance under the current administrative structure. The conferees expect to receive this report not later than 60 days after enactment of this Act, but encourage the Department to make it available as soon as possible. The House report expressed similar concerns, but used different language.

The conferees are concerned that the Department, in implementing Reading First and other programs authorized by the No Child Left Behind Act, which are required to implement activities that are backed by scientifically based research, may not be effectively helping States and local educational agencies implement program studies. The conferees therefore request the Secretary to submit a report to the House and Senate Committees on Appropriations within 30 days of the enactment of this Act, on the actions that program offices have taken or will take, effective this fiscal year, in the selection, oversight, and evaluation of grantees, to ensure that grantees effectively implement such research-based programs, including close replication of the specific elements of these programs.

TITLE III—GENERAL PROVISIONS

PELL GRANT SHORTFALL

The conference agreement includes a general provision as proposed by the Senate providing $4,300,000,000 for the purpose of eliminating the estimated accumulated shortfall of budget authority for the Pell Grant program. The House bill contained the same provision, but used slightly different language.

MISSISSIPPI BAND OF CHOCTAW INDIANS

The conference agreement includes a general provision similar to that proposed by the Senate to authorize educational and cultural programs relating to the Mississippi Band of Choctaw Indians. The House bill contained no similar provision.

IMPACT AID

The conference agreement does not include a general provision proposed by the Senate relating to applications filed by two school districts in Colorado and Arizona. The House bill contained no similar provision.

VIOLENCE PREVENTION

The conference agreement does not include a provision proposed by the Senate relating to a study to evaluate the effectiveness of violence prevention programs. The House did not include a similar provision.

ASSESSMENT OF EDUCATION PROGRESS TESTS IN U.S. HISTORY

The conference agreement does not include a general provision as proposed by the Senate providing additional funding for a national assessment of education progress tests in United States history. The House bill contained no similar provision.

DROPOUT PREVENTION PROGRAMS

The conference agreement does not include a general provision as proposed by the Senate providing additional funding for school dropout prevention programs. Funding for this program is included under the heading, ''Innovation and Improvement.'' The House bill contained no similar provision.

ADVANCED PLACEMENT PROGRAMS

The conference agreement does not include a general provision as proposed by the Senate providing additional funding for advanced placement programs. Funding for this program is included under the heading, ''Innovation and Improvement.'' The House bill contained no similar provision.

THURGOOD MARSHALL AND OFFICE OF SPECIAL EDUCATION PROGRAMS

The conference agreement does not include a general provision as proposed by the Senate providing additional funding for the Thurgood Marshall Legal Education Opportunity Program and the Office of Special Education Programs. Funding for these activities is included under the headings, ''Higher Education'' and ''Special Education'' respectively. The House bill contained no similar provision.

FEDERAL TRIO PROGRAMS

The conference agreement does not include a general provision as proposed by the Senate providing additional funding for Federal TRIO programs. Funding for this program is included under the heading, ''Higher Education.'' The House bill contained no similar provision.

EDUCATION PROGRAMS SERVING HISPANIC STUDENTS

The conference agreement does not include a general provision as proposed by the Senate providing additional funding for education programs to improve Hispanic educational opportunities. Funding for these programs is included elsewhere in Title III. The House bill contained no similar provision.

TITLE IV—RELATED AGENCIES

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

The conference agreement includes $909,049,000 for the Corporation for National and Community Service, the same as the House, instead of $935,205,000 as proposed by the Senate.

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

The conference agreement includes $316,212,000 for the Domestic Volunteer Service programs as proposed by the Senate instead of $357,962,000 as proposed by the House.

National Senior Volunteer Corps

The conference agreement includes $219,784,000 for fiscal year 2006 for the National Senior Volunteer Corps programs, as

proposed by the House and the Senate. The conferees concur with language in the Senate report that directs that the Corporation shall comply with the directive that use of PNS funding increases in the Foster Grandparents Program, Retired Senior Volunteer Program, Senior Companion Program, and Volunteers in Service to America shall not be restricted to any particular activity and further direct that the Corporation shall not stipulate a minimum or maximum for PNS grant augmentation.

Program administration

The conference agreement includes funds for the administration of the Domestic Volunteer Service of America program administration in the NCSA account as proposed by the Senate.

NATIONAL AND COMMUNITY SERVICE PROGRAMS, OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $520,087,000 for the programs authorized under the National Community Service Act of 1990, instead of $518,087,000 as proposed by the House and $546,243,000 as proposed by the Senate. The conference agreement includes $267,500,000 for AmeriCorps State and National operating grants, as proposed by the House instead of $280,000,000 as proposed by the Senate. The conference agreement includes $140,000,000 for the National Service Trust instead of $146,000,000 as proposed by the House and $149,000,000 as proposed by the Senate. The conference agreement includes $16,445,000 for subtitle H fund activities instead of $9,945,000 as proposed by the House and $15,945,000 as proposed by the Senate. The conference agreement includes $27,000,000 for AmeriCorps National Civilian Community Corps as proposed by the Senate instead of $25,500,000 as proposed by the House. The conference agreement includes $37,500,000 for Learn and Serve as proposed by the House instead of $42,656,000 as proposed by the Senate.

AmeriCorps Grants Program

The conferees concur with language proposed by the Senate to keep the Committees better informed of the recipients receiving AmeriCorps funding. The conferees direct the Corporation to publish in its fiscal year 2007 budget justifications a list of recipients that have received more than $500,000 from the Corporation, delineated by program, and the amount and source of both Federal and non-Federal funds that were received by each recipient.

Innovation, assistance and other activities

Within the $16,445,000 for innovation, demonstration, and assistance activities, the conference agreement includes $4,000,000 for Teach for America and $2,000,000 for Communities in Schools, Inc., as proposed by the Senate.

AmeriCorps National Civilian Community Corps

The conference agreement includes $27,000,000 for the NCCC and within this amount, $1,500,000, as proposed by the Senate, is to conduct an evaluation of current NCCC site placement and expansion of new sites in the Southern and Midwestern United States, in accordance with the report issued on March 1, 2005.

SALARIES AND EXPENSES

The conference agreement includes $66,750,000 for the Corporation's salaries and expenses, as proposed by the Senate. This includes $39,750,000 for administration of the DVSA programs. The House bill had provided salaries and expenses in two separate accounts, but for the same total amount. The conferees reiterate that Subtitle H funds for Innovation, Assistance and Other Activities shall not be used to pay Corporation staff.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $6,000,000 for the Office of Inspector General (OIG) as proposed by the House and Senate. The conferees concur with language proposed by the Senate directing the OIG to continue reviewing the Corporation's management of the National Service Trust fund. The conferees direct the OIG to review the monthly Trust reports and to notify the Committees on Appropriations on the accuracy of the reports.

CORPORATION FOR PUBLIC BROADCASTING

The conference agreement includes $30,000,000 for digital conversion, instead of $35,000,000 as proposed by the Senate. The House had proposed providing authority for CPB to utilize previously appropriated funds for this purpose.

The conference agreement also includes $35,000,000 for the replacement project of the satellite interconnection system, instead of $40,000,000 as proposed by the Senate. The House had proposed providing authority for CPB to utilize previously appropriated funds for this purpose.

The conferees request that the Corporation for Public Broadcasting (CPB) Inspector General submit a status report to the House and Senate Committees on Appropriations not later than June 1, 2006 on actions CPB management and its Board of Directors have taken in response to the Inspector General's November 15, 2005 report and any outstanding issues or recommendations in the report that may remain unaddressed.

FEDERAL MEDIATION AND CONCILIATION SERVICE

The conference agreement includes $43,031,000 for the Federal Mediation and Conciliation Service (FMCS) instead of $42,331,000 as proposed by the House and $43,439,000 as proposed by the Senate.

The conference agreement includes $400,000 for FMCS Labor-Management Grants Program instead of $500,000 as proposed by the Senate. The House bill did not include funding for this program. The 1978 Labor-Management Cooperation Act authorized the Agency to encourage and support joint labor-management committees. This program awards grants to encourage these committees to develop innovative joint approaches to workplace problems and solutions.

The conference agreement includes $300,000 for the FMCS program to prevent youth violence.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

The conference agreement provides $249,640,000 for the Institute of Museum and Library Services as proposed by the House instead of $290,129,000 as proposed by the Senate.

Within the total for the Institute, the conference agreement includes funding for the following activities in the following amounts.

(Dollars in thousands)

Program	*FY 2006*
Museums for America	$17,325
Museum Assessment	446
Museum Conservation Projects	2,800
Museum Conservation Assessment	815
Museum Natl. Leadership Proj.	8,000
Native American Museum Services	920
21st Century Museum Professionals	992
Museum Grants, African American History and Culture	850
Library Serv. State Grants	165,400
Native American Library Services	3,675
Library Natl. Leadership Grants	12,500
Laura Bush 21st Century Librarian Program	24,000
Administration	11,917

The conferees concur with language proposed by the House to rename the Librarians for the 21st Century Program in honor of the First Lady, the Laura Bush 21st Century Librarians Program.

NATIONAL COUNCIL ON DISABILITY

The conference agreement includes $3,144,000 for the National Council on Disability instead of $2,800,000 as proposed by the House and $3,344,000 as proposed by the Senate.

NATIONAL LABOR RELATIONS BOARD

The conferees concur with language in the Senate report regarding the NLRB's plan to restructure its regional offices and specifically oppose the elimination of Region 30.

RAILROAD RETIREMENT BOARD

LIMITATION ON ADMINISTRATION

The conferees are concerned about a proposal to consolidate the financial statements and audit of the National Railroad Retirement Investment Trust with the financial statements and audit of the Railroad Retirement Board in the context of the preparation of the Railroad Retirement Board's fiscal year 2006 Statement of Social Insurance. The conferees note that the Railroad Retirement and Survivors' Improvement Act of 2001 mandates that the Trust functions independently from the Railroad Retirement Board. Further, the Act specifically requires a separate audit of the Trust by a nongovernmental auditor, and requires that the results of this audit be included in the Trust's Annual Management Report to Congress. The conferees expect that the Trust be administered and audited solely in conformance with the Act of 2001.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

The conference agreement does not include language proposed by the Senate that allows the Office of the Inspector General to conduct audits, investigations, and reviews of the Medicare programs.

SOCIAL SECURITY ADMINISTRATION

SUPPLEMENTAL SECURITY INCOME PROGRAM

The conference agreement includes $29,369,174,000 for the Supplemental Security Income Program instead of $29,533,174,000 as proposed by the House and $29,510,574,000 as proposed by the Senate. The conference agreement also includes an advance appropriation of $11,110,000,000, as proposed by both the House and the Senate, for the first quarter of fiscal year 2007, to ensure uninterrupted benefit payments. Also within the total, $2,733,000,000 is included for the administrative costs of the program rather than $2,897,000,000 as proposed by the House and $2,874,400,000 as proposed by the Senate.

The conference agreement does not include a provision proposed by the Senate that changes the delivery date of benefit payments from fiscal year 2006 to 2007. The House did not include this provision.

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement includes $9,199,400,000 for the limitation on administrative expenses rather than $9,279,700,000 as

proposed by the House and $9,329,400,000 as proposed by the Senate.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $92,400,000 for the Office of Inspector General rather than $92,805,000 as proposed by the House and $93,000,000 as proposed by the Senate.

TITLE V—GENERAL PROVISIONS

USE OF APPROPRIATED FUNDS FOR PUBLICITY AND PROPAGANDA

The conference agreement includes a general provision as proposed by the Senate pertaining to the use of appropriated funds for publicity or propaganda purposes. The House bill included a similar provision, but expanded the scope to include private contractors.

STERILE NEEDLE PROGRAM

The conference agreement includes a general provision as proposed by the Senate pertaining to sterile needle programs. The Senate bill made a minor technical change to the language carried in prior years. The House bill included the same provision, but without the technical modification.

USE OF FEDERAL FUNDS FOR ABORTIONS

The conference agreement includes a general provision as proposed by the Senate pertaining to the use of federal funds in the Act for abortions. The Senate bill made a minor technical change to the language carried in prior years. The House bill included the same provision, but without the technical modification.

CONSCIENCE CLAUSE

The conference agreement includes a general provision as proposed by the House regarding discrimination against those health care providers or institutions who are opposed to abortion. The Senate bill proposed to modify this provision.

EMBRYO RESEARCH BAN

The conference report includes a technical correction to the longstanding bill language prohibiting funds to be used for research involving the creation or destruction of human embryos. The citation of the Code of Federal Regulations contained in both the House and Senate versions of the bill is corrected.

VETERANS' EMPLOYMENT REPORT

The conference agreement includes a general provision as proposed by the Senate pertaining to the availability of funds to enter into or renew any contract with an entity that is subject to submitting a report concerning the employment of certain veterans. The House bill did not include this provision.

LIMITATION ON LIBRARIES

The conference agreement includes a limitation, carried in prior years, on the ability of a library to access funding provided under this Act unless the library is in compliance with the Children's Internet Protections Act, as proposed by the House. The Senate bill did not include this provision.

LIMITATION ON SCHOOLS

The conference agreement includes a limitation, carried in prior years, on the ability of an elementary or secondary school to access technology funding provided under this Act unless the school is in compliance with the Children's Internet Protections Act, as proposed by the House. The Senate bill did not include this provision.

REPROGRAMMING OF FUNDS

The conference agreement includes a general provision as proposed by the House pertaining to the reprogramming of funds. The Senate bill included the same substantive provision, but with minor technical differences.

IMMIGRATION AND NATIONALITY ACT AMENDMENT

The conference agreement includes a general provision amending the Immigration and Nationality Act as proposed by the Senate. The House bill did not include this provision.

SCIENTIFIC ADVISORY COMMITTEE APPOINTMENTS

The conference agreement includes a general provision as proposed by the Senate pertaining to appointments to a scientific advisory committee, instead of a similar provision included in the House bill.

CMS GENERAL PROVISION

The conference agreement does not include the general provision proposed by the Senate prohibiting the use of funds for drugs approved to treat erectile dysfunction. The House bill included a similar provision, but with slightly different language. The conferees instead include a provision that was not contained in either the House or Senate bill which reduces CMS Program Management funding by $60,000,000. Funding for research, demonstration and evaluation and State survey and certification are not to be included in this reduction.

AVAILABILITY OF MMA FUNDS

The conference agreement does not include a general provision as proposed by the House extending the availability of funds provided by the Medicare Modernization Act from fiscal year 2005 to fiscal year 2006. The Senate bill did not include this provision.

LIMITATION OF FUNDS FOR SEXUAL OR ERECTILE DYSFUNCTION TREATMENT

The conference agreement does not include a general provision as proposed by the House pertaining to the payment for or the reimbursement of a drug for the treatment of sexual or erectile dysfunction funded in this Act for individuals who have been convicted for sexual abuse, sexual assault or any other sexual offense. The Senate bill did not include this provision.

CPB FUNDING AMENDMENT

The conference agreement does not include a general provision as proposed by the House reducing the amounts available to certain specified programs and activities in order to restore funding for the Corporation for Public Broadcasting. Funding for the programs included in this provision are specified under the relevant headings. The Senate bill did not include this provision.

EDUCATION OIG DETERMINATION

The conference agreement does not include a general provision as proposed by the House pertaining to a specific Department of Education Office of the Inspector General determination. The Senate bill did not include this provision.

PBGC LIMITATION

The conference agreement does not include a general provision proposed by the House pertaining to the Pension Benefit Guaranty Corporation and a specific settlement agreement. The Senate bill did not include this provision.

IMMIGRATION LIMITATION

The conference agreement does not include a general provision as proposed by the House prohibiting the use of funds by the Department of Education in contravention of section 505 of the Illegal Immigration Reform and Responsibility Act of 1996. The Senate bill did not include this provision.

NIMH GRANTS

The conference agreement does not include a general provision as proposed by the House regarding NIMH grants. The Senate bill did not include this provision.

MEXICAN TOTALIZATION

The conference agreement does not include a general provision proposed by the House pertaining to a totalization agreement with Mexico. The Senate bill did not include this provision.

HIGHER EDUCATION LIMITATION

The conference agreement does not include a general provision proposed by the House regarding student loans. The Senate bill did not include this provision.

LIMITATION, DIRECTIVE, OR EARMARKING

The conference agreement does not include a general provision proposed by the Senate regarding directives contained in either the House or Senate reports accompanying H.R. 3010. The House bill did not include this provision.

DIVERSITY VISA FAIRNESS ACT

The conference agreement does not include a general provision as proposed by the Senate that contains the Diversity Visa Fairness Act. The House bill did not include this provision.

PORT OF ENTRY DESIGNATION

The conference agreement does not include a general provision as proposed by the Senate designating the MidAmerica St. Louis Airport in Mascoutah, Illinois a port of entry. The House bill did not include this provision.

RISK ASSESSMENT ESTIMATE

The conference agreement does not include a general provision as proposed by the Senate pertaining to improper payments for a variety of programs administered by the Departments of Health and Human Services and Education. The House did not include this provision. Language regarding this issue is included in the statement of the managers for the Department of Health and Human Services.

INTERNAL REVENUE SERVICE OUTSOURCING

The conference agreement deletes without prejudice a general provision as proposed by the Senate expressing the sense of the Senate on the outsourcing of IRS duties and the effects on the employment of disabled veterans and other persons with severe disabilities. The House did not include this provision.

CONFERENCE AGREEMENT

The following table displays the amounts agreed to for each program, project or activity with appropriate comparisons:

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate		
TITLE I - DEPARTMENT OF LABOR										
EMPLOYMENT AND TRAINING ADMINISTRATION										
TRAINING AND EMPLOYMENT SERVICES										
Grants to States:										
Adult Training, current year	184,618	153,736	153,736	181,618	153,736	-30,882	---	-27,882	D	FF
Advance from prior year	(706,304)	(712,000)	(712,000)	(712,000)	(712,000)	(+5,696)	---	---	NA	
FY 2007	712,000	712,000	712,000	712,000	712,000	---	---	---	D	
Adult Training	896,618	865,736	865,736	893,618	865,736	-30,882	---	-27,882		
Youth Training	986,288	950,000	950,000	986,288	950,000	-36,288	---	-36,288	D	FF
Dislocated Worker Assistance, current year	345,264	226,867	345,264	345,264	345,264	---	---	---	D	FF
Advance from prior year	(841,216)	(848,000)	(848,000)	(848,000)	(848,000)	(+6,784)	---	---	NA	
FY 2007	848,000	848,000	848,000	848,000	848,000	---	---	---	D	
Dislocated Worker Assistance	1,193,264	1,074,867	1,193,264	1,193,264	1,193,264	---	---	---		
Federally Administered Programs:										
Dislocated Worker Assistance National Reserve:										
Current year	70,800	56,717	---	70,800	70,800	---	+70,800	---	D	FF
Advance from prior year	(210,304)	(212,000)	(212,000)	(212,000)	(212,000)	(+1,696)	---	---	NA	
FY 2007	212,000	212,000	212,000	212,000	212,000	---	---	---	D	
Dislocated Worker Assistance Nat'l Reserve	282,800	268,717	212,000	282,800	282,800	---	+70,800	---		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate		
Less funding reserved for Community College Initiative (NA)	(-125,000)	---	---	(-125,000)	(-125,000)	---	(-125,000)	---		
Dislocated Worker Assistance Nat'l Reserve	157,800	268,717	212,000	157,800	157,800	---	-54,200	---		
Total, Dislocated Worker Assistance	1,476,064	1,343,584	1,405,264	1,476,064	1,476,064	---	+70,800	---		
Native Americans	54,238	54,238	54,238	54,238	54,238	---	---	---	D	FF
Migrant and Seasonal Farmworkers	75,759	---	75,759	80,053	80,053	+4,294	+4,294	---	D	FF
Job Corps:										
Operations	844,670	851,019	851,019	881,000	874,000	+29,330	+22,981	-7,000	D	FF
Advance from prior year	(586,272)	(591,000)	(591,000)	(591,000)	(591,000)	(+4,728)	---	---	NA	
FY 2007	591,000	591,000	591,000	591,000	591,000	---	---	---	D	
Construction and Renovation	16,190	---	---	10,000	8,000	-8,190	+8,000	-2,000	D	FF
Advance from prior year	(99,200)	(100,000)	(100,000)	(100,000)	(100,000)	(+800)	---	---	NA	
FY 2007	100,000	75,000	100,000	100,000	100,000	---	---	---	D	
Subtotal, Job Corps	1,551,860	1,517,019	1,542,019	1,582,000	1,573,000	+21,140	+30,981	-9,000		
National Activities:										
Pilots, Demonstrations and Research	85,167	30,000	74,000	90,367	30,000	-55,167	-44,000	-60,367	D	FF
Responsible Reintegration of Youthful Offender	49,600	---	---	50,000	49,600	---	+49,600	-400	D	FF
Evaluation	7,936	7,936	7,936	7,936	7,936	---	---	---	D	FF
Prisoner Re-entry	19,840	35,000	19,840	19,840	19,840	---	---	---	D	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate		
Community College initiative	124,000	250,000	125,000	---	---	-124,000	-125,000	---	D	
Community College initiative (NA) 1/	(125,000)	---	---	(125,000)	(125,000)	---	(+125,000)	---	NA	
Subtotal, CC initiative, program level	249,000	250,000	125,000	125,000	125,000	-124,000	---	---		
Denali Commission	6,944	---	---	6,944	6,944	---	+6,944	---	D	
Other	3,458	2,000	2,000	3,458	2,000	-1,458	---	-1,458	D	FF
Subtotal, National activities	296,945	324,936	228,776	178,545	116,320	-180,625	-112,456	-62,225		
Subtotal, Federal activities	2,261,602	2,164,910	2,112,792	2,177,636	2,106,411	-155,191	-6,381	-71,225		
Current Year	(1,358,602)	(1,286,910)	(1,209,792)	(1,274,636)	(1,203,411)	(-155,191)	(-6,381)	(-71,225)		
FY 2007	(903,000)	(878,000)	(903,000)	(903,000)	(903,000)	---	---	---		
Total, Training and Employment Services	5,337,772	5,055,513	5,121,792	5,250,806	5,115,411	-222,361	-6,381	-135,395		
Current Year	(2,874,772)	(2,617,513)	(2,658,792)	(2,787,806)	(2,652,411)	(-222,361)	(-6,381)	(-135,395)		
FY 2007	(2,463,000)	(2,438,000)	(2,463,000)	(2,463,000)	(2,463,000)	---	---	---		
COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS	436,678	436,678	436,678	436,678	436,678	---	---	---	D	FF
FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES	1,057,300	966,400	966,400	966,400	966,400	-90,900	---	---	M	
STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS										
Unemployment Compensation:										
State Operations	2,663,040	2,622,499	2,622,499	2,475,000	2,523,000	-140,040	-99,499	+48,000	TF	
National Activities	10,416	10,416	10,416	10,000	10,000	-416	-416	---	TF	
Subtotal, Unemployment Compensation	2,673,456	2,632,915	2,632,915	2,485,000	2,533,000	-140,456	-99,915	+48,000		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Employment Service:									
Allotments to States:									
Federal Funds	23,114	23,300	23,300	23,114	23,114	---	-186	---	D
Trust Funds	757,478	672,700	672,700	723,188	700,000	-57,478	+27,300	-23,188	TF
Subtotal, allotments to States	780,592	696,000	696,000	746,302	723,114	-57,478	+27,114	-23,188	
ES National Activities	64,976	33,766	33,766	33,766	33,766	-31,210	---	---	TF
Subtotal, Employment Service	845,568	729,766	729,766	780,068	756,880	-88,688	+27,114	-23,188	
Federal Funds	23,114	23,300	23,300	23,114	23,114	---	-186	---	
Trust Funds	822,454	706,466	706,466	756,954	733,766	-88,688	+27,300	-23,188	
One-Stop Career Centers/Labor Market Information	97,974	87,974	87,974	77,000	82,487	-15,487	-5,487	+5,487	D
Work Incentives Grants	19,711	19,711	19,711	19,711	19,711	---	---	---	D FF
Total, State Unemployment & Employment Srvcs	3,636,709	3,470,366	3,470,366	3,361,779	3,392,078	-244,631	-78,288	+30,299	
Federal Funds	140,799	130,985	130,985	119,825	125,312	-15,487	-5,673	+5,487	
Trust Funds	(3,495,910)	(3,339,381)	(3,339,381)	(3,241,954)	(3,266,766)	(-229,144)	(-72,615)	(+24,812)	
ADVANCES TO THE UI AND OTHER TRUST FUNDS 2/	517,000	465,000	465,000	465,000	465,000	-52,000	---	---	M
NEW YORK STATE UNINSURED EMPLOYERS FUND	---	---	---	50,000	---	---	---	-50,000	
PROGRAM ADMINISTRATION									
Adult Employment and Training	38,874	44,631	44,631	43,631	43,631	+4,757	-1,000	---	D
Trust Funds	6,901	7,925	7,925	7,925	7,925	+1,024	---	---	TF

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Youth Employment and Training	39,627	38,805	38,805	38,805	38,805	-822	---	---	D
Employment Security	6,045	6,039	6,039	6,039	6,039	-6	---	---	D
Trust Funds	48,235	77,952	77,952	72,841	72,841	+24,606	-5,111	---	TF
Apprenticeship Services	21,136	21,655	21,655	21,655	21,655	+519	---	---	D
Executive Direction	6,845	6,993	6,993	6,993	6,993	+148	---	---	D
Trust Funds	2,065	2,111	2,111	2,111	2,111	+46	---	---	TF
Welfare to Work	373	---	---	---	---	-373	---	---	D
Total, Program Administration	170,101	206,111	206,111	200,000	200,000	+29,899	-6,111	---	
Federal Funds	112,900	118,123	118,123	117,123	117,123	+4,223	-1,000	---	
Trust Funds	57,201	87,988	87,988	82,877	82,877	+25,676	-5,111	---	
Total, Employment and Training Administration	11,155,560	10,600,068	10,666,347	10,730,663	10,575,567	-579,993	-90,780	-155,096	
Federal Funds	7,602,449	7,172,699	7,238,978	7,405,832	7,225,924	-376,525	-13,054	-179,908	
Current Year	(5,139,449)	(4,734,699)	(4,775,978)	(4,942,832)	(4,762,924)	(-376,525)	(-13,054)	(-179,908)	
FY 2007	(2,463,000)	(2,438,000)	(2,463,000)	(2,463,000)	(2,463,000)	---	---	---	
Trust Funds	3,553,111	3,427,369	3,427,369	3,324,831	3,349,643	-203,468	-77,726	+24,812	
EMPLOYEE BENEFITS SECURITY ADMINISTRATION									
SALARIES AND EXPENSES									
Enforcement and Participant Assistance	109,374	114,462	114,462	112,362	112,362	+2,988	-2,100	---	D
Policy and Compliance Assistance	17,357	17,458	17,458	17,458	17,458	+101	---	---	D
Executive Leadership, Program Oversight and Admin	4,482	5,080	5,080	5,080	5,080	+598	---	---	D
Total, EBSA	131,213	137,000	137,000	134,900	134,900	+3,687	-2,100	---	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
PENSION BENEFIT GUARANTY CORPORATION									
Pension insurance activities	(12,211)	(42,122)	(42,122)	(42,122)	(42,122)	(+29,911)	---	---	NA
Pension plan termination	(169,739)	(161,117)	(161,117)	(161,117)	(161,117)	(-8,622)	---	---	NA
Operational support	(84,380)	(93,739)	(93,739)	(93,739)	(93,739)	(+9,359)	---	---	NA
Total, PBGC (Program level)	(266,330)	(296,978)	(296,978)	(296,978)	(296,978)	(+30,648)	---	---	
EMPLOYMENT STANDARDS ADMINISTRATION									
SALARIES AND EXPENSES									
Enforcement of Wage and Hour Standards	164,493	167,359	167,359	167,359	167,359	+2,866	---	---	D
Office of Labor-Management Standards	41,681	48,799	48,799	43,599	46,199	+4,518	-2,600	+2,600	D
Federal Contractor EEO Standards Enforcement	80,059	82,106	82,106	82,106	82,106	+2,047	---	---	D
Federal Programs for Workers' Compensation	97,339	100,129	100,129	100,129	100,129	+2,790	---	---	D
Trust Funds	2,023	2,048	2,048	2,048	2,048	+25	---	---	TF
Program Direction and Support	15,252	15,891	15,891	17,375	17,375	+2,123	+1,484	---	D
Total, ESA salaries and expenses	400,847	416,332	416,332	412,616	415,216	+14,369	-1,116	+2,600	
Federal Funds	398,824	414,284	414,284	410,568	413,168	+14,344	-1,116	+2,600	
Trust Funds	2,023	2,048	2,048	2,048	2,048	+25	---	---	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
SPECIAL BENEFITS									
Federal employees compensation benefits	230,000	234,000	234,000	234,000	234,000	+4,000	---	---	M
Longshore and harbor workers' benefits	3,000	3,000	3,000	3,000	3,000	---	---	---	M
Total, Special Benefits	233,000	237,000	237,000	237,000	237,000	+4,000	---	---	
SPECIAL BENEFITS FOR DISABLED COAL MINERS									
Benefit payments	358,806	308,000	308,000	308,000	308,000	-50,806	---	---	M
Administration	5,191	5,250	5,250	5,250	5,250	+59	---	---	M
Subtotal, FY 2006 program level	363,997	313,250	313,250	313,250	313,250	-50,747	---	---	
Less funds advanced in prior year	-88,000	-81,000	-81,000	-81,000	-81,000	+7,000	---	---	M
Total, Current Year, FY 2006	275,997	232,250	232,250	232,250	232,250	-43,747	---	---	
New advances, 1st quarter FY 2007	81,000	74,000	74,000	74,000	74,000	-7,000	---	---	M
Total, Special Benefits for Disabled Coal Miners	356,997	306,250	306,250	306,250	306,250	-50,747	---	---	
ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND, Part B Administrative Expenses	40,321	96,081	96,081	96,081	96,081	+55,760	---	---	M
BLACK LUNG DISABILITY TRUST FUND									
Benefit payments and interest on advances	1,004,951	1,010,011	1,010,011	1,010,011	1,010,011	+5,060	---	---	M
Employment Standards Adm. S&E	32,615	33,050	33,050	33,050	33,050	+435	---	---	M

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Departmental Management S&E	23,705	24,239	24,239	24,239	24,239	+534	---	---	M
Departmental Management, Inspector General	342	344	344	344	344	+2	---	---	M
Subtotal, Black Lung Disability	1,061,613	1,067,644	1,067,644	1,067,644	1,067,644	+6,031	---	---	
Treasury Administrative Costs	356	356	356	356	356	---	---	---	M
Total, Black Lung Disability Trust Fund	1,061,969	1,068,000	1,068,000	1,068,000	1,068,000	+6,031	---	---	
Total, Employment Standards Administration	2,093,134	2,123,663	2,123,663	2,119,947	2,122,547	+29,413	-1,116	+2,600	
Federal Funds	2,091,111	2,121,615	2,121,615	2,117,899	2,120,499	+29,388	-1,116	+2,600	
Current year	(2,010,111)	(2,047,615)	(2,047,615)	(2,043,899)	(2,046,499)	(+36,388)	(-1,116)	(+2,600)	
FY 2007	(81,000)	(74,000)	(74,000)	(74,000)	(74,000)	(-7,000)	---	---	
Trust Funds	2,023	2,048	2,048	2,048	2,048	+25	---	---	
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION									
SALARIES AND EXPENSES									
Safety and Health Standards	16,003	16,628	16,628	16,628	16,628	+625	---	---	D
Federal Enforcement	169,652	174,318	174,318	174,318	174,318	+4,666	---	---	D
State Programs	91,013	92,013	92,013	92,013	92,013	+1,000	---	---	D
Technical Support	20,742	21,652	21,652	21,652	21,652	+910	---	---	D
Compliance Assistance:									
Federal Assistance	70,859	73,278	73,278	73,278	73,278	+2,419	---	---	D
State Consultation Grants	53,362	53,896	53,896	53,896	53,896	+534	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Training Grants	10,218	---	10,218	10,510	10,218	---	---	-292	D
Subtotal, Compliance Assistance	134,439	127,174	137,392	137,684	137,392	+2,953	---	-292	D
Safety and Health Statistics	22,203	24,498	24,498	24,498	24,498	+2,295	---	---	D
Executive Direction and Administration	10,106	10,698	10,698	10,698	10,698	+592	---	---	D
Total, OSHA	464,158	466,981	477,199	477,491	477,199	+13,041	---	-292	
MINE SAFETY AND HEALTH ADMINISTRATION									
SALARIES AND EXPENSES									
Coal Enforcement	115,251	118,335	118,335	118,335	118,335	+3,084	---	---	D
Metal/Non-Metal Enforcement	66,752	68,750	68,750	68,750	68,750	+1,998	---	---	D
Standards Development	2,334	2,506	2,506	2,506	2,506	+172	---	---	D
Assessments	5,238	5,445	5,445	5,445	5,445	+207	---	---	D
Educational Policy and Development	31,255	32,021	32,021	32,021	32,021	+766	---	---	D
Technical Support	25,111	25,736	25,736	25,736	25,736	+625	---	---	D
Program evaluation and information resources (PEIR)	17,525	15,671	15,671	15,671	15,671	-1,854	---	---	D
Program Administration	15,670	12,026	12,026	12,026	12,026	-3,644	---	---	D
Total, Mine Safety and Health Administration	279,136	280,490	280,490	280,490	280,490	+1,354	---	---	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
BUREAU OF LABOR STATISTICS									
SALARIES AND EXPENSES									
Employment and Unemployment Statistics	162,714	167,047	167,047	167,047	167,047	+4,333	---	---	D
Labor Market Information	77,845	77,845	77,845	77,845	77,845	---	---	---	TF
Prices and Cost of Living	169,370	174,779	174,779	174,779	174,779	+5,409	---	---	D
Compensation and Working Conditions	78,942	81,532	81,532	81,532	81,532	+2,590	---	---	D
Productivity and Technology	10,503	10,847	10,847	10,847	10,847	+344	---	---	D
Executive Direction and Staff Services	29,629	30,473	30,473	30,473	30,473	+844	---	---	D
Total, Bureau of Labor Statistics	529,003	542,523	542,523	542,523	542,523	+13,520	---	---	
Federal Funds	451,158	464,678	464,678	464,678	464,678	+13,520	---	---	
Trust Funds	77,845	77,845	77,845	77,845	77,845	---	---	---	
OFFICE OF DISABILITY EMPLOYMENT POLICY									D
Salaries and expenses	47,164	27,934	27,934	47,164	27,934	-19,230	---	-19,230	D
DEPARTMENTAL MANAGEMENT									
SALARIES AND EXPENSES									
Executive Direction	26,720	29,504	24,864	26,720	25,792	-928	+928	-928	D
Departmental IT Crosscut	29,760	29,760	29,760	29,760	29,760	---	---	---	D
Departmental Management Crosscut	4,960	1,700	1,700	1,700	1,700	-3,260	---	---	D
Legal Services	79,769	81,907	81,907	80,000	80,953	+1,184	-954	+953	D
Trust Funds	311	311	311	311	311	---	---	---	TF

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate		
International Labor Affairs	93,248	12,419	12,419	93,248	73,248	-20,000	+60,829	-20,000	D	
Administration and Management	32,414	33,197	33,197	33,197	33,197	+783	---	---	D	
Frances Perkins building security enhancements	6,944	6,944	6,944	6,944	8,944	---	---	---	D	
Adjudication	25,665	27,126	27,126	27,126	27,126	+1,461	---	---	D	
Women's Bureau	9,478	9,764	9,764	9,764	9,764	+286	---	---	D	
Civil Rights Activities	6,237	6,451	6,451	6,451	6,451	+214	---	---	D	
Chief Financial Officer	5,182	5,340	5,340	5,340	5,340	+158	---	---	D	
Total, Salaries and expenses	320,688	244,423	239,783	320,561	300,586	-20,102	+60,803	-19,975		
Federal Funds	320,377	244,112	239,472	320,250	300,275	-20,102	+60,803	-19,975		
Trust Funds	311	311	311	311	311	---	---	---		
VETERANS EMPLOYMENT AND TRAINING										
State administration, Grants	161,097	162,415	162,415	162,415	162,415	+1,318	---	---	TF	
Federal Administration	30,438	30,435	31,935	30,435	30,435	-3	-1,500	---	TF	
National Veterans Training Institute	1,984	1,984	2,484	1,984	1,984	---	-500	---	TF	
Homeless Veterans Program	20,832	22,000	25,000	22,000	22,000	+1,168	-3,000	---	D	
Veterans Workforce Investment Programs	8,482	7,500	7,500	7,500	7,500	-982	---	---	D	FF
Total, Veterans Employment and Training	222,833	224,334	229,334	224,334	224,334	+1,501	-5,000	---		
Federal Funds	29,314	29,500	32,500	29,500	29,500	+186	-3,000	---		
Trust Funds	193,519	194,834	196,834	194,834	194,834	+1,315	-2,000	---		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
OFFICE OF THE INSPECTOR GENERAL									
Program Activities	63,478	65,211	65,211	67,211	66,211	+2,733	+1,000	-1,000	D
Trust Funds	5,517	5,608	5,608	5,608	5,608	+91	---	---	TF
Total, Office of the Inspector General	68,995	70,819	70,819	72,819	71,819	+2,824	+1,000	-1,000	
Federal funds	63,478	65,211	65,211	67,211	66,211	+2,733	+1,000	-1,000	
Trust funds	5,517	5,608	5,608	5,608	5,608	+91	---	---	
Total, Departmental Management	612,516	539,576	539,936	617,714	596,739	-15,777	+56,803	-20,975	
Federal Funds	413,169	338,823	337,183	416,961	395,986	-17,183	+58,803	-20,975	
Trust Funds	199,347	200,753	202,753	200,753	200,753	+1,406	-2,000	---	
WORKING CAPITAL FUND									
Working capital fund	9,920	6,230	6,230	6,230	6,230	-3,690	---	---	D
Total, Title I, Department of Labor	15,321,804	14,724,465	14,801,322	14,957,122	14,764,129	-557,675	-37,193	-192,993	
Federal Funds	11,489,478	11,016,450	11,091,307	11,351,645	11,133,840	-355,638	+42,533	-217,805	
Current Year	(8,945,478)	(8,504,450)	(8,554,307)	(8,814,645)	(8,596,840)	(-348,638)	(+42,533)	(-217,805)	
FY 2007	(2,544,000)	(2,512,000)	(2,537,000)	(2,537,000)	(2,537,000)	(-7,000)	---	---	
Trust Funds	3,832,326	3,708,015	3,710,015	3,605,477	3,630,289	-202,037	-79,726	+24,812	

Title I Footnotes:
1/ Funding from the Dislocated Worker National Reserve
2/ Two year availability

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
TITLE II - DEPARTMENT OF HEALTH AND HUMAN SERVICES									
HEALTH RESOURCES AND SERVICES ADMINISTRATION									
HEALTH RESOURCES AND SERVICES									
BUREAU OF PRIMARY HEALTH CARE									
Community health centers	1,734,311	2,037,871	1,834,311	1,889,311	1,800,311	+66,000	-34,000	-89,000	D
Free Clinics Medical Malpractice	99	---	---	99	40	-59	+40	-59	D
Radiation Exposure Compensation Act	1,958	1,936	1,900	1,958	1,936	-22	+36	-22	D
Healthy Community Access Program	82,993	---	---	60,000	---	-82,993	---	-60,000	D
Hansen's Disease Services	17,251	16,066	16,066	17,066	16,066	-1,185	---	-1,000	D
Buildings and Facilities	247	222	222	222	222	-25	---	---	D
Payment to Hawaii, treatment of Hansen's	2,017	2,016	2,016	2,017	2,016	-1	---	-1	D
Black lung clinics	5,951	5,912	5,912	5,975	5,951	---	+39	-24	D
Subtotal, Bureau of Primary Health Care	1,844,827	2,064,023	1,860,427	1,976,648	1,826,542	-18,285	-33,885	-150,106	
BUREAU OF HEALTH PROFESSIONS									
National Health Service Corps:									
Field placements	45,068	40,705	40,705	40,705	40,705	-4,363	---	---	D
Recruitment	86,380	86,091	86,091	86,091	86,091	-289	---	---	D
Subtotal, National Health Service Corps	131,448	126,796	126,796	126,796	126,796	-4,652	---	---	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Health Professions									
Training for Diversity:									
Centers of excellence	33,609	---	12,000	33,609	12,000	-21,609	---	-21,609	D
Health careers opportunity program	35,647	---	---	35,647	4,000	-31,647	+4,000	-31,647	D
Faculty loan repayment	1,302	---	---	1,302	1,302	---	+1,302	---	D
Scholarships for disadvantaged students	47,128	9,831	35,128	47,128	47,128	---	+12,000	---	D
Subtotal, Training for Diversity	117,686	9,831	47,128	117,686	64,430	-53,256	+17,302	-53,256	
Training in Primary Care Medicine and Dentistry	88,816	---	---	90,000	41,264	-47,552	+41,264	-48,736	D
Interdisciplinary Community-Based Linkages:									
Area health education centers	28,971	---	---	28,971	28,971	---	+28,971	---	D
Health education and training centers	3,819	---	---	3,819	---	-3,819	---	-3,819	D
Allied health and other disciplines	11,753	---	---	11,753	4,000	-7,753	+4,000	-7,753	D
Geriatric programs	31,548	---	---	29,548	---	-31,548	---	-29,548	D
Quentin N. Burdick program for rural training	6,076	---	---	6,076	---	-6,076	---	-6,076	D
Subtotal, Interdisciplinary Comm. Linkages	82,167	---	---	80,167	32,971	-49,196	+32,971	-47,196	
Health Professions Workforce Info & Analysis	716	712	---	712	---	-716	---	-712	D
Public Health Workforce Development:									
Public health, preventive med. and dental programs	9,097	---	---	9,097	8,000	-1,097	+8,000	-1,097	D
Health administration programs	1,070	---	---	1,070	---	-1,070	---	-1,070	D
Subtotal, Public Health Workforce Development	10,167	---	---	10,167	8,000	-2,167	+8,000	-2,167	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Nursing Programs:									
Advanced Education Nursing	58,160	42,806	57,637	58,160	57,637	-523	---	-523	D
Nurse education, practice, and retention	36,468	46,325	36,468	40,468	37,668	+1,200	+1,200	-2,800	D
Nursing workforce diversity	16,270	21,244	16,270	17,270	16,270	---	---	-1,000	D
Loan repayment and scholarship program	31,482	31,369	31,369	31,482	31,369	-113	---	-113	D
Comprehensive geriatric education	3,450	3,426	3,426	3,450	3,426	-24	---	-24	D
Nursing faculty loan program	4,831	4,821	4,821	4,831	4,821	-10	---	-10	D
Subtotal, Nursing programs	150,661	149,991	149,991	155,661	151,191	+530	+1,200	-4,470	
Subtotal, Health Professions	450,213	160,534	197,119	454,393	297,856	-152,357	+100,737	-156,537	
Children's Hospitals Graduate Medical Education	300,730	200,000	300,000	300,000	300,000	-730	---	---	D
National Practitioner Data Bank	15,700	15,700	15,700	15,700	15,700	---	---	---	D
User Fees	-15,700	-15,700	-15,700	-15,700	-15,700	---	---	---	D
Health Care Integrity and Protection Data Bank	4,000	4,000	4,000	4,000	4,000	---	---	---	D
User Fees	-4,000	-4,000	-4,000	-4,000	-4,000	---	---	---	D
Subtotal, Bureau of Health Professions	882,391	487,330	623,915	881,189	724,652	-157,739	+100,737	-156,537	
MATERNAL AND CHILD HEALTH BUREAU									
Maternal and Child Health Block Grant	723,928	723,928	700,000	710,000	700,000	-23,928	---	-10,000	D
Sickle cell anemia demonstration program	198	---	---	500	2,200	+2,002	+2,200	+1,700	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Traumatic Brain Injury	9,297	---	9,000	9,297	9,000	-297	---	-297	D
Healthy Start	102,543	97,747	97,747	104,000	102,543	---	+4,796	-1,457	D
Universal Newborn Hearing	9,792	---	10,000	9,792	9,900	+108	-100	+108	D
Emergency medical services for children	19,830	---	19,000	20,000	20,000	+170	+1,000	---	D
Poison control	23,499	23,301	23,301	23,301	23,301	-198	---	---	D
Subtotal, Maternal and Child Health Bureau	889,087	844,976	859,048	876,890	866,944	-22,143	+7,896	-9,946	
HIV/AIDS BUREAU									
Ryan White AIDS Programs:									
Emergency Assistance	610,094	610,094	610,094	610,094	610,094	---	---	---	D
Comprehensive Care Programs	1,121,836	1,131,836	1,131,836	1,131,836	1,131,836	+10,000	---	---	D
AIDS Drug Assistance Program (ADAP) (NA)	(787,521)	(797,521)	(797,521)	(797,521)	(797,521)	(+10,000)	---	---	NA
Early Intervention Program	195,578	195,578	195,578	195,578	195,578	---	---	---	D
Pediatric HIV/AIDS	72,519	72,519	72,519	72,519	72,519	---	---	---	D
AIDS Dental Services	13,218	13,218	13,218	13,218	13,218	---	---	---	D
Education and Training Centers	35,051	35,051	35,051	35,051	35,051	---	---	---	D
Subtotal, Ryan White AIDS programs	2,048,296	2,058,296	2,058,296	2,058,296	2,058,296	+10,000	---	---	
Evaluation Tap Funding (NA)	(25,000)	(25,000)	(25,000)	(25,000)	(25,000)	---	---	---	NA
Subtotal, Ryan White AIDs program level	(2,073,296)	(2,083,296)	(2,083,296)	(2,083,296)	(2,083,296)	(+10,000)	---	---	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Telehealth	3,916	3,888	3,888	13,888	6,888	+2,972	+3,000	-7,000	D
Subtotal, HIV/AIDS Bureau	2,052,212	2,062,184	2,062,184	2,072,184	2,065,184	+12,972	+3,000	-7,000	
SPECIAL PROGRAMS BUREAU									
Organ Transplantation	24,413	23,282	23,282	24,413	23,282	-1,131	---	-1,131	D
Cord Blood Stem Cell Bank	9,859	---	---	9,859	4,000	-5,859	+4,000	-5,859	D
Bone Marrow Program	25,416	22,916	25,416	22,916	25,416	---	---	+2,500	D
Trauma Care	3,418	---	---	3,418	---	-3,418	---	-3,418	D
State Planning Grants for Health Care Access	10,910	---	---	---	---	-10,910	---	---	D
Subtotal, Special programs bureau	74,016	46,198	48,698	60,606	52,698	-21,318	+4,000	-7,908	
RURAL HEALTH PROGRAMS									
Rural outreach grants	39,278	10,767	10,767	39,278	39,278	---	+28,511	---	D
Rural Health Research	8,825	8,528	---	8,825	8,825	---	+8,825	---	D
Rural Hospital Flexibility Grants	39,180	---	39,180	64,180	64,180	+25,000	+25,000	---	D
Rural and community access to emergency devices	8,927	1,960	1,960	9,727	1,500	-7,427	-460	-8,227	D
Rural EMS	496	---	---	500	---	-496	---	-500	D
State Offices of Rural Health	8,321	8,223	8,223	8,321	8,223	-98	---	-98	D
Denali Commission	39,680	---	---	39,680	39,680	---	+39,680	---	D
Subtotal, Rural health programs	144,707	29,478	60,130	170,511	161,686	+16,979	+101,556	-8,825	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Family Planning	285,963	285,963	285,963	285,963	285,963	---	---	---	D
Health Care-related Facilities and activities	482,729	---	---	393,051	---	-482,729	---	-393,051	D
Bioterrorism hospital grants to States 1/	---	---	500,000	510,500	500,000	+500,000	---	-10,500	
Program Management	147,080	145,992	143,072	143,992	145,992	-1,088	+2,920	+2,000	D
Total, Health resources and services	6,803,012	5,966,144	6,443,437	7,371,534	6,629,661	-173,351	+186,224	-741,873	
Total, Health resources & services program level	(6,828,012)	(5,991,144)	(6,468,437)	(7,396,534)	(6,654,661)	(-173,351)	(+186,224)	(-741,873)	
Evaluation tap funding	(25,000)	(25,000)	(25,000)	(25,000)	(25,000)	---	---	---	
HEALTH EDUCATION ASSISTANCE LOANS (HEAL) PROGRAM:									
Liquidating account	(4,000)	(4,000)	(4,000)	(4,000)	(4,000)	---	---	---	NA
Program management	3,244	2,916	2,916	2,916	2,916	-328	---	---	D
Total, HEAL	3,244	2,916	2,916	2,916	2,916	-328	---	---	
VACCINE INJURY COMPENSATION PROGRAM TRUST FUND:									
Post-FY 1988 claims	66,000	70,884	70,884	70,884	70,884	+4,884	---	---	M
HRSA administration	3,151	2,832	3,500	3,600	3,600	+449	+100	---	D
Total, Vaccine Injury Compensation Trust Fund	69,151	73,716	74,384	74,484	74,484	+5,333	+100	---	
Total, Health Resources and Services Admin	6,875,407	6,042,776	6,520,737	7,448,934	6,707,061	-168,346	+186,324	-741,873	
Total, HRSA program level	(6,904,407)	(6,071,776)	(6,549,737)	(7,477,934)	(6,736,061)	(-168,346)	(+186,324)	(-741,873)	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
CENTERS FOR DISEASE CONTROL AND PREVENTION									
Infectious Diseases	1,667,095	1,696,964	1,704,529	1,696,567	1,697,397	+30,302	-7,132	+830	D
Evaluation Tap Funding	(12,794)	(12,794)	(12,794)	(12,794)	(12,794)	---	---	---	NA
Subtotal, Program level	(1,679,889)	(1,709,758)	(1,717,323)	(1,709,361)	(1,710,191)	(+30,302)	(-7,132)	(+830)	
Health Promotion	1,021,709	964,421	983,647	974,080	971,157	-50,552	-12,490	-2,923	D
Health Information and Service	94,438	89,564	195,069	89,564	89,564	-4,874	-105,505	---	D
Evaluation Tap Funding	(134,235)	(134,235)	(28,730)	(134,235)	(134,235)	---	(+105,505)	---	NA
Subtotal, Program level	(228,673)	(223,799)	(223,799)	(223,799)	(223,799)	(-4,874)	---	---	
Environmental health and injury	285,721	284,820	285,721	288,982	287,733	+2,012	+2,012	-1,249	D
Occupational safety and health 2/	198,970	198,859	164,170	170,050	169,900	-29,070	+5,730	-150	D
Evaluation Tap Funding	(87,071)	(87,071)	(87,071)	(87,071)	(87,071)	---	---	---	NA
Subtotal, Program level 2/	(286,041)	(285,930)	(251,241)	(257,121)	(256,971)	(-29,070)	(+5,730)	(-150)	
Global health	293,863	306,079	309,076	313,227	313,340	+19,477	+4,264	+113	D
Supplemental (P.L. 109-13) (emergency)	15,000	---	---	---	---	-15,000	---	---	
Subtotal, Global health	(308,863)	(306,079)	(309,076)	(313,227)	(313,340)	(+4,477)	(+4,264)	(+113)	
Terrorism preparedness and response 1/	---	---	1,616,723	1,566,471	1,593,189	+1,593,189	-23,534	+26,718	D
Public Health research:									D
Evaluation Tap Funding	(31,000)	(31,000)	(31,000)	(31,000)	(31,000)	---	---	---	NA

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Public health improvement and leadership	266,842	206,541	258,541	344,055	206,535	-60,307	-52,006	-137,520	D
Preventive health and health services block grant	118,526	---	100,000	100,000	100,000	-18,526	---	---	D
Buildings and Facilities	269,708	30,000	30,000	225,000	160,000	-109,708	+130,000	-65,000	D
Business services	278,838	263,715	298,515	296,119	296,119	+17,281	-2,396	---	D
Total, Centers for Disease Control	4,510,710	4,040,963	5,945,991	6,064,115	5,884,934	+1,374,224	-61,057	-179,181	
Emergency appropriations	15,000	---	---	---	---	-15,000	---	---	
Evaluation Tap Funding (NA)	(265,100)	(265,100)	(159,595)	(265,100)	(265,100)	---	(+105,505)	---	
Total, Centers for Disease Control program level	(4,775,810)	(4,306,063)	(6,105,586)	(6,329,215)	(6,150,034)	(+1,374,224)	(+44,448)	(-179,181)	
NATIONAL INSTITUTES OF HEALTH									
National Cancer Institute	4,825,259	4,841,774	4,841,774	4,960,828	4,841,774	+16,515	---	-119,054	D
National Heart, Lung, and Blood Institute	2,941,201	2,951,270	2,951,270	3,023,381	2,951,270	+10,069	---	-72,111	D
National Institute of Dental & Craniofacial Research	391,829	393,269	393,269	405,269	393,269	+1,440	---	-12,000	D
National Institute of Diabetes and Digestive and Kidney Diseases	1,713,584	1,722,146	1,722,146	1,767,919	1,722,146	+8,562	---	-45,773	D
Juvenile diabetes (mandatory)	(150,000)	(150,000)	(150,000)	(150,000)	(150,000)	---	---	---	NA
Subtotal, NIDDK	(1,863,584)	(1,872,146)	(1,872,146)	(1,917,919)	(1,872,146)	(+8,562)	---	(-45,773)	
National Institute of Neurological Disorders & Stroke	1,539,448	1,550,260	1,550,260	1,591,924	1,550,260	+10,812	---	-41,664	D
National Institute of Allergy and Infectious Diseases	4,303,640	4,359,395	4,359,395	4,447,136	4,359,395	+55,755	---	-87,741	D
Global HIV/AIDS Fund Transfer	99,200	100,000	---	100,000	100,000	+800	+100,000	---	D
Subtotal, NIAID	4,402,840	4,459,395	4,359,395	4,547,136	4,459,395	+56,555	+100,000	-87,741	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
National Institute of General Medical Sciences	1,944,067	1,955,170	1,955,170	2,002,622	1,955,170	+11,103	---	-47,452	D
National Institute of Child Health & Human Development	1,270,321	1,277,544	1,277,544	1,310,989	1,277,544	+7,223	---	-33,445	D
National Eye Institute	669,070	673,491	673,491	693,559	673,491	+4,421	---	-20,068	D
National Institute of Environmental Health Sciences	644,505	647,608	647,608	667,372	647,608	+3,103	---	-19,764	D
National Institute on Aging	1,051,990	1,057,203	1,057,203	1,090,600	1,057,203	+5,213	---	-33,397	D
National Institute of Arthritis and Musculoskeletal and Skin Diseases	511,157	513,063	513,063	525,758	513,063	+1,906	---	-12,695	D
National Institute on Deafness and Other Communication Disorders	394,259	397,432	397,432	409,432	397,432	+3,173	---	-12,000	D
National Institute of Nursing Research	138,072	138,729	138,729	142,549	138,729	+657	---	-3,820	D
National Institute on Alcohol Abuse and Alcoholism	438,277	440,333	440,333	452,271	440,333	+2,056	---	-11,938	D
National Institute on Drug Abuse	1,006,419	1,010,130	1,010,130	1,035,167	1,010,130	+3,711	---	-25,037	D
National Institute of Mental Health	1,411,933	1,417,692	1,417,692	1,460,393	1,417,692	+5,759	---	-42,701	D
National Human Genome Research Institute	488,608	490,959	490,959	502,804	490,959	+2,351	---	-11,845	D
National Institute of Biomedical Imaging and Bioengineering	298,209	299,808	299,808	309,091	299,808	+1,599	---	-9,283	D
National Center for Research Resources	1,115,090	1,100,203	1,100,203	1,188,079	1,110,203	-4,887	+10,000	-77,876	D
National Center for Complementary and Alternative Medicine	122,105	122,692	122,692	126,978	122,692	+587	---	-4,286	D
National Center on Minority Health and Health Disparities	196,159	197,379	197,379	203,367	197,379	+1,220	---	-5,988	D
John E. Fogarty International Center	66,632	67,048	67,048	68,745	67,048	+416	---	-1,697	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
National Library of Medicine	315,146	318,091	318,091	327,222	318,091	+2,945	---	-9,131	D
Evaluation Tap Funding	(8,200)	(8,200)	(8,200)	(8,200)	(8,200)	---	---	---	NA
Subtotal, NLM	323,346	326,291	326,291	335,422	326,291	+2,945	---	-9,131	
Office of the Director 1/	358,047	385,195	482,216	487,434	482,895	+124,848	+679	-4,539	D
Biodefense countermeasures 1/	---	---	(97,021)	(97,021)	(97,000)	(+97,000)	(-21)	(-21)	NA
Buildings and Facilities	110,288	81,900	81,900	113,626	81,900	-28,388	---	-31,726	D
Total, National Institutes of Health (NIH)	28,364,515	28,509,784	28,506,805	29,414,515	28,617,484	+252,969	+110,679	-797,031	
Global HIV/AIDS Fund Transfer	-99,200	-100,000	---	-100,000	-100,000	-800	-100,000	---	
Evaluation Tap Funding	(8,200)	(8,200)	(8,200)	(8,200)	(8,200)	---	---	---	
Total, NIH, Program Level	(28,273,515)	(28,417,984)	(28,515,005)	(29,322,715)	(28,525,684)	(+252,169)	(+10,679)	(-797,031)	
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA)									
Mental Health:									
Programs of Regional and National Significance	274,297	210,213	253,257	287,297	265,922	-8,375	+12,665	-21,375	D
Mental Health block grant	410,953	410,953	410,953	410,953	410,953	---	---	---	D
Evaluation Tap Funding	(21,803)	(21,803)	(21,803)	(21,803)	(21,803)	---	---	---	NA
Subtotal, Program level	(432,756)	(432,756)	(432,756)	(432,756)	(432,756)	---	---	---	
Children's Mental Health	105,112	105,129	105,129	105,129	105,129	+17	---	---	D
Grants to States for the Homeless (PATH)	54,809	54,809	54,809	54,809	54,809	---	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Protection and Advocacy	34,343	34,343	34,343	34,343	34,343	---	---	---	D
Subtotal, Mental Health	879,514	815,447	858,491	892,531	871,156	-8,358	+12,665	-21,375	
Subtotal, Program level	(901,317)	(837,250)	(880,294)	(914,334)	(892,959)	(-8,358)	(+12,665)	(-21,375)	
Substance Abuse Treatment:									
Programs of Regional and National Significance	418,066	442,752	405,131	407,791	398,635	-19,431	-6,496	-9,156	D
Evaluation Tap Funding	(4,300)	(4,300)	(4,300)	(4,300)	(4,300)	---	---	---	NA
Subtotal, Program level	(422,366)	(447,052)	(409,431)	(412,091)	(402,935)	(-19,431)	(-6,496)	(-9,156)	
Substance Abuse block grant	1,696,355	1,696,355	1,696,355	1,696,355	1,696,355	---	---	---	D
Evaluation Tap Funding	(79,200)	(79,200)	(79,200)	(79,200)	(79,200)	---	---	---	NA
Subtotal, Program level	(1,775,555)	(1,775,555)	(1,775,555)	(1,775,555)	(1,775,555)	---	---	---	
Subtotal, Substance Abuse Treatment	2,114,421	2,139,107	2,101,486	2,104,146	2,094,990	-19,431	-6,496	-9,156	
Subtotal, Program level	(2,197,921)	(2,222,607)	(2,184,986)	(2,187,646)	(2,178,490)	(-19,431)	(-6,496)	(-9,156)	
Substance Abuse Prevention:									
Programs of Regional and National Significance	198,725	184,349	194,950	202,289	194,850	-3,875	-100	-7,439	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Program Management	75,806	75,817	75,817	75,817	76,817	+1,011	+1,000	+1,000	D
Evaluation Tap funding (NA)	(18,000)	(16,000)	(18,000)	(18,000)	(16,000)	(-2,000)	---	(-2,000)	NA
Subtotal, Program level	93,806	91,817	91,817	93,817	92,817	-989	+1,000	-1,000	
Total, SAMHSA	3,268,466	3,214,720	3,230,744	3,274,783	3,237,813	-30,653	+7,069	-36,970	
Evaluation Tap funding	(123,303)	(121,303)	(121,303)	(123,303)	(121,303)	(-2,000)	---	(-2,000)	
Total, SAMHSA program level	(3,391,769)	(3,336,023)	(3,352,047)	(3,398,086)	(3,359,116)	(-32,653)	(+7,069)	(-38,970)	
AGENCY FOR HEALTHCARE RESEARCH AND QUALITY									
Research on Health Costs, Quality, and Outcomes:									
Federal Funds	---	---	318,695	---	---	---	-318,695	---	D
Evaluation Tap funding (NA)	(260,695)	(260,695)	---	(265,695)	(260,695)	---	(+260,695)	(-5,000)	NA
Clinical effectiveness research (NA)	(15,000)	(15,000)	---	(20,000)	(15,000)	---	(+15,000)	(-5,000)	NA
Reducing medical errors (NA)	(84,000)	(84,000)	---	(84,000)	(84,000)	---	(+84,000)	---	NA
Subtotal, Program level	(260,695)	(260,695)	(318,695)	(265,695)	(260,695)	---	(-58,000)	(-5,000)	
Health Insurance and Expenditure Surveys:									NA
Evaluation Tap funding (NA)	(55,300)	(55,300)	---	(55,300)	(55,300)	---	(+55,300)	---	NA
Program Support:									D
Evaluation Tap funding (NA)	(2,700)	(2,700)	---	(2,700)	(2,700)	---	(+2,700)	---	NA
Total, AHRQ	---	---	318,695	---	---	---	-318,695	---	
Evaluation Tap funding (NA)	(318,695)	(318,695)	---	(323,695)	(318,695)	---	(+318,695)	(-5,000)	
Total, AHRQ program level	(318,695)	(318,695)	(318,695)	(323,695)	(318,695)	---	---	(-5,000)	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Total, Public Health Service appropriation	43,019,098	41,808,243	44,522,972	46,202,347	44,447,292	+1,428,194	-75,680	-1,755,055	
Total, Public Health Service program level	(43,664,196)	(42,450,541)	(44,841,070)	(46,851,645)	(45,089,590)	(+1,425,394)	(+248,520)	(-1,762,055)	
CENTERS FOR MEDICARE AND MEDICAID SERVICES									
GRANTS TO STATES FOR MEDICAID									
Medicaid current law benefits	171,407,893	204,166,276	204,166,276	204,166,276	204,166,276	+32,758,383	---	---	M
State and local administration	9,318,602	9,803,100	9,803,100	9,803,100	9,803,100	+484,498	---	---	M
Vaccines for Children	1,468,799	1,502,333	1,502,333	1,502,333	1,502,333	+33,534	---	---	M
Subtotal, Medicaid program level	182,195,294	215,471,709	215,471,709	215,471,709	215,471,709	+33,276,415	---	---	
Less funds advanced in prior year	-58,416,275	-58,517,290	-58,517,290	-58,517,290	-58,517,290	-101,015	---	---	M
Total, Grants to States for medicaid	123,779,019	156,954,419	156,954,419	156,954,419	156,954,419	+33,175,400	---	---	
New advance, 1st quarter	58,517,290	62,783,825	62,783,825	62,783,825	62,783,825	+4,266,535	---	---	M
PAYMENTS TO HEALTH CARE TRUST FUNDS									
Supplemental medical insurance	114,002,000	128,015,000	128,015,000	128,015,000	128,015,000	+14,013,000	---	---	M
Hospital insurance for the uninsured	87,000	202,000	202,000	202,000	202,000	+115,000	---	---	M
Federal uninsured payment	199,000	206,000	206,000	206,000	206,000	+7,000	---	---	M
Program management	215,000	164,000	164,000	164,000	164,000	-51,000	---	---	M
General revenue for Part D benefit	---	53,596,000	53,596,000	53,596,000	53,596,000	+53,596,000	---	---	M
General revenue for Part D administration (CMS)	---	357,000	357,000	357,000	357,000	+357,000	---	---	M
General revenue for Part D administration (SSA)	---	320,000	320,000	320,000	320,000	+320,000	---	---	M

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
HCFAC reimbursement	---	80,000	---	80,000	---	---	---	-80,000	M
Prescription drug eligibility determinations	105,900	99,100	99,100	99,100	99,100	-6,800	---	---	M
Subtotal, Payments to Trust Funds, current law	114,608,900	183,039,100	182,959,100	183,039,100	182,959,100	+68,350,200	---	-80,000	
Less funds advanced in prior year	---	-5,216,900	-5,216,900	-5,216,900	-5,216,900	-5,216,900	---	---	
New Advance FY 2007	5,216,900	---	---	---	---	-5,216,900	---	---	M
Total, Payments to Trust Funds, current law	119,825,800	177,822,200	177,742,200	177,822,200	177,742,200	+57,916,400	---	-80,000	
PROGRAM MANAGEMENT									
Medicare reform funding 3/ 4/ 5/ (NA)	(250,000)	(250,000)	(250,000)	(250,000)	(250,000)	---	---	---	NA
Research, Demonstration, Evaluation	77,494	45,194	65,000	83,494	58,000	-19,494	-7,000	-25,494	TF
Medicare Operations	1,722,984	2,189,987	2,172,987	2,184,984	2,172,987	+450,003	---	-11,997	TF
H.R. 3103 funding (NA)	(720,000)	(720,000)	(720,000)	(720,000)	(720,000)	---	---	---	NA
Subtotal, Medicare Operations program level	(2,442,984)	(2,909,987)	(2,892,987)	(2,904,984)	(2,892,987)	(+450,003)	---	(-11,997)	
Revitalization plan	24,205	24,205	24,205	24,205	24,205	---	---	---	TF
State Survey and Certification	258,735	260,735	260,735	260,735	260,735	+2,000	---	---	TF
Federal Administration	581,493	657,357	657,357	628,000	655,000	+73,507	-2,357	+27,000	TF
Total, Program management, Limitation on new BA	2,664,911	3,177,478	3,180,284	3,181,418	3,170,927	+506,016	-9,357	-10,491	
Total, Program management, program level	(3,384,911)	(3,897,478)	(3,900,284)	(3,901,418)	(3,890,927)	(+506,016)	(-9,357)	(-10,491)	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Health Care Fraud and Abuse Control:									
Part D drug benefit/medicare advantage (MIP)	---	75,000	---	75,000	---	---	---	-75,000	TF
Medicaid and SCHIP financial management	---	5,000	---	5,000	---	---	---	-5,000	TF
Total, Health Care Fraud and Abuse Control	---	80,000	---	80,000	---	---	---	-80,000	
Total, Center for Medicare and Medicaid Services	304,787,020	400,817,922	400,660,728	400,821,862	400,651,371	+95,864,351	-9,357	-170,491	
Federal funds	302,122,109	397,560,444	397,480,444	397,560,444	397,480,444	+95,358,335	---	-80,000	
Current year	(238,387,919)	(334,776,619)	(334,696,619)	(334,776,619)	(334,696,619)	(+96,308,700)	---	(-80,000)	
New advance, FY 2007	(63,734,190)	(62,783,825)	(62,783,825)	(62,783,825)	(62,783,825)	(-950,365)	---	---	
Trust Funds	2,664,911	3,257,478	3,180,284	3,261,418	3,170,927	+506,016	-9,357	-90,491	
ADMINISTRATION FOR CHILDREN AND FAMILIES									
FAMILY SUPPORT PAYMENTS TO STATES									
Payments to territories	23,000	33,000	33,000	33,000	33,000	+10,000	---	---	M
Repatriation	1,000	1,000	1,000	1,000	1,000	---	---	---	M
Subtotal, Welfare payments	24,000	34,000	34,000	34,000	34,000	+10,000	---	---	
Child Support Enforcement:									
State and local administration	3,610,465	3,767,816	3,767,816	3,767,816	3,767,816	+157,351	---	---	M
Federal incentive payments	446,000	458,000	458,000	458,000	458,000	+12,000	---	---	M
Access and visitation	10,000	10,000	10,000	10,000	10,000	---	---	---	M
Subtotal, Child Support Enforcement	4,066,465	4,235,816	4,235,816	4,235,816	4,235,816	+169,351	---	---	
Total, Family support payments program level	4,090,465	4,269,816	4,269,816	4,269,816	4,269,816	+179,351	---	---	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs FY 2005 Comparable	Conference vs FY 2006 House	Conference vs FY 2006 Senate	
Less funds advanced in previous years	-1,200,000	-1,200,000	-1,200,000	-1,200,000	-1,200,000	---	---	---	M
Total, Family support payments, current year	2,890,465	3,069,816	3,069,816	3,069,816	3,069,816	+179,351	---	---	
New advance, 1st quarter, FY 2007	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	---	---	---	M
Total, Family support payments	4,090,465	4,269,816	4,269,816	4,269,816	4,269,816	+179,351	---	---	
LOW INCOME HOME ENERGY ASSISTANCE PROGRAM									
Formula grants	1,884,799	1,800,000	2,006,799	1,883,000	2,000,000	+115,201	-6,799	+117,000	D
Emergency allocation:									
Contingency fund	---	200,000	---	---	183,000	+183,000	+183,000	+183,000	D
Emergency allocation	297,600	---	---	300,000	---	-297,600	---	-300,000	D
Total, Low income home energy assistance	2,182,399	2,000,000	2,006,799	2,183,000	2,183,000	+601	+176,201	---	
REFUGEE AND ENTRANT ASSISTANCE									
Transitional and Medical Services	204,992	268,229	264,129	264,129	268,229	+63,237	+4,100	+4,100	D
Victims of Trafficking	9,915	9,915	9,915	9,915	9,915	---	---	---	D
Social Services	152,242	151,121	160,000	151,121	155,560	+3,318	-4,440	+4,439	D
Preventive Health	4,796	4,796	4,796	4,796	4,796	---	---	---	D
Targeted Assistance	49,081	49,081	49,081	49,081	49,081	---	---	---	D
Unaccompanied minors	53,771	78,083	63,083	63,083	78,083	+24,312	+15,000	+15,000	D
Victims of Torture	9,915	9,915	9,915	9,915	9,915	---	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Emergency refugee fund (emergency)	---	---	---	19,100	---	---	---	-19,100	
Total, Refugee and entrant assistance	484,712	571,140	560,919	571,140	575,579	+90,867	+14,660	+4,439	
CHILD CARE AND DEVELOPMENT BLOCK GRANT	2,082,921	2,082,910	2,082,910	2,082,910	2,082,910	-11	---	---	D
SOCIAL SERVICES BLOCK GRANT (TITLE XX)	1,700,000	1,700,000	1,700,000	1,700,000	1,700,000	---	---	---	M
CHILDREN AND FAMILIES SERVICES PROGRAMS									
Programs for Children, Youth and Families:									
Head Start, current funded	5,454,314	5,499,336	5,499,000	5,474,314	5,454,314	---	-44,686	-20,000	D
Advance from prior year	(1,388,800)	(1,400,000)	(1,400,000)	(1,400,000)	(1,400,000)	(+11,200)	---	---	NA
FY 2007	1,400,000	1,388,800	1,400,000	1,388,800	1,388,800	-11,200	-11,200	---	D
Subtotal, Head Start, program level	6,843,114	6,899,336	6,899,000	6,874,314	6,854,314	+11,200	-44,686	-20,000	
Consolidated Runaway, Homeless Youth Program	88,724	88,728	88,728	88,724	88,724	---	-4	---	D
Maternity Group Homes	---	10,000	---	---	---	---	---	---	D
Prevention grants to reduce abuse of runaway youth	15,178	15,179	15,179	15,179	15,179	+1	---	---	D
Child Abuse State Grants	27,280	27,280	27,280	27,280	27,280	---	---	---	D
Child Abuse Discretionary Activities	31,640	31,645	31,645	31,640	26,040	-5,600	-5,605	-5,600	D
Community based child abuse prevention	42,858	42,859	42,859	42,859	42,859	+1	---	---	D
Abandoned Infants Assistance	11,955	11,955	11,955	11,955	11,955	---	---	---	D
Child Welfare Services	289,650	289,650	289,650	289,650	289,650	---	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Child Welfare Training	7,409	7,409	7,409	7,409	7,409	---	---	---	D
Adoption Opportunities	27,116	27,119	27,119	27,119	27,119	+3	---	---	D
Adoption Incentive (no cap adjustment)	31,528	22,846	31,846	22,846	18,000	-13,528	-13,846	-4,846	D
Adoption Awareness	12,802	12,802	12,802	12,802	12,802	---	---	---	D
Compassion Capital Fund	54,549	100,000	75,000	95,000	65,000	+10,451	-10,000	-30,000	D
Social Services and Income Maintenance Research	26,012	---	2,621	26,012	5,927	-20,085	+3,306	-20,085	D
Evaluation tap funding	(6,000)	(6,000)	(8,000)	(6,000)	(6,000)	---	(-2,000)	---	NA
Subtotal, Program level	(32,012)	(6,000)	(10,621)	(32,012)	(11,927)	(-20,085)	(+1,306)	(-20,085)	
Developmental Disabilities Programs:									
State Councils	72,496	72,496	72,496	72,496	72,496	---	---	---	D
Protection and Advocacy	38,109	38,109	38,109	39,109	39,109	+1,000	+1,000	---	D
Voting access for individuals with disabilities	14,879	14,879	14,879	30,000	15,879	+1,000	+1,000	-14,121	D
Developmental Disabilities Projects of National Significance	11,542	11,529	11,529	11,529	11,529	-13	---	---	D D
University Centers for Excellence in Developmental Disabilities	31,549	31,548	33,548	33,548	33,548	+1,999	---	---	D D
Subtotal, Developmental disabilities programs	168,575	168,561	170,561	186,682	172,561	+3,986	+2,000	-14,121	
Native American Programs	44,786	44,780	44,780	44,780	44,780	-6	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Community Services:									
Grants to States for Community Services	636,793	---	320,000	636,793	636,793	---	+316,793	---	D
Community Initiative Program:									
Economic Development	32,731	---	32,731	32,731	32,731	---	---	---	D
Individual Development Account Initiative	24,704	24,699	24,699	24,699	24,699	-5	---	---	D
Rural Community Facilities	7,242	---	7,242	7,492	7,367	+125	+125	-125	D
Subtotal, Community Initiative Program	64,677	24,699	64,672	64,922	64,797	+120	+125	-125	
National Youth Sports	17,856	---	---	10,000	---	-17,856	---	-10,000	D
Community Food and Nutrition	7,180	---	---	7,180	---	-7,180	---	-7,180	D
Subtotal, Community Services	726,506	24,699	384,672	718,895	701,590	-24,916	+316,918	-17,305	
Domestic Violence Hotline	3,224	3,000	3,000	3,000	3,000	-224	---	---	D
Family Violence/Battered Women's Shelters	125,630	125,991	125,991	125,991	125,991	+361	---	---	D
Early Learning Fund	35,712	---	---	---	---	-35,712	---	---	D
Mentoring Children of Prisoners	49,598	49,993	49,993	49,993	49,993	+395	---	---	D
Independent Living Training Vouchers	46,623	59,999	50,000	46,623	46,623	---	-3,377	---	D
Abstinence Education	99,198	138,045	110,000	101,000	110,000	+10,802	---	+9,000	D
Evaluation Tap Funding	(4,500)	(4,500)	(4,500)	(4,500)	(4,500)	---	---	---	NA
Subtotal, Program level	(103,698)	(142,545)	(114,500)	(105,500)	(114,500)	(+10,802)	---	(+9,000)	
Faith-Based Center	1,375	1,400	1,400	1,400	1,400	+25	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Program Direction	185,210	185,217	185,217	186,000	185,217	+7	---	-783	D
Total, Children and Families Services Programs	9,007,452	8,377,293	8,688,707	9,025,953	8,922,213	-85,239	+233,506	-103,740	
Current Year	(7,607,452)	(6,988,493)	(7,288,707)	(7,637,153)	(7,533,413)	(-74,039)	(+244,706)	(-103,740)	
FY 2007	(1,400,000)	(1,388,800)	(1,400,000)	(1,388,800)	(1,388,800)	(-11,200)	(-11,200)	---	
Evaluation Tap funding	(10,500)	(10,500)	(12,500)	(10,500)	(10,500)	---	(-2,000)	---	
Total, Program level	9,017,952	8,387,793	8,701,207	9,036,453	8,932,713	-85,239	+231,506	-103,740	
PROMOTING SAFE AND STABLE FAMILIES	305,000	305,000	305,000	305,000	305,000	---	---	---	M
Discretionary Funds	98,586	105,000	99,000	90,000	90,000	-8,586	-9,000	---	D
PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION									
Foster Care	4,895,500	4,685,000	4,685,000	4,685,000	4,685,000	-210,500	---	---	M
Adoption Assistance	1,770,100	1,795,000	1,795,000	1,795,000	1,795,000	+24,900	---	---	M
Independent living	140,000	140,000	140,000	140,000	140,000	---	---	---	M
Total, Payments to States	6,805,600	6,620,000	6,620,000	6,620,000	6,620,000	-185,600	---	---	
Less Advances from Prior Year	-1,767,700	-1,767,200	-1,767,200	-1,767,200	-1,767,200	+500	---	---	M
Total, payments, current year	5,037,900	4,852,800	4,852,800	4,852,800	4,852,800	-185,100	---	---	
New Advance, 1st quarter	1,767,200	1,730,000	1,730,000	1,730,000	1,730,000	-37,200	---	---	M
Total, Administration for Children & Families	26,756,635	25,993,959	26,295,951	26,810,619	26,711,318	-45,317	+415,367	-99,301	
Current year	(22,389,435)	(21,675,159)	(21,965,951)	(22,491,819)	(22,392,518)	(+3,083)	(+426,567)	(-99,301)	
FY 2007	(4,367,200)	(4,318,800)	(4,330,000)	(4,318,800)	(4,318,800)	(-48,400)	(-11,200)	---	
Evaluation Tap funding	(10,500)	(10,500)	(12,500)	(10,500)	(10,500)	---	(-2,000)	---	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Total, Administration for Children & Families	26,767,135	26,004,459	26,308,451	26,821,119	26,721,818	-45,317	+413,367	-99,301	
ADMINISTRATION ON AGING									
Grants to States:									
Supportive Services and Centers	354,136	354,136	354,136	354,136	354,136	---	---	---	D
Preventive Health	21,616	21,616	21,616	21,616	21,616	---	---	---	D
Protection of Vulnerable Older Americans-Title VII	19,288	19,360	19,360	20,360	20,360	+1,072	+1,000	---	D
Family Caregivers	155,744	155,744	155,744	160,744	157,744	+2,000	+2,000	-3,000	D
Native American Caregivers Support	6,304	6,304	6,304	6,304	6,304	---	---	---	D
Subtotal, Caregivers	162,048	162,048	162,048	167,048	164,048	+2,000	+2,000	-3,000	
Nutrition:									
Congregate Meals	387,274	387,274	391,147	387,274	389,211	+1,937	-1,936	+1,937	D
Home Delivered Meals	182,827	182,826	184,656	182,827	183,742	+915	-914	+915	D
Nutrition Services Incentive Program	148,596	148,596	150,082	148,596	149,339	+743	-743	+743	D
Subtotal, Nutrition	718,697	718,696	725,885	718,697	722,292	+3,595	-3,593	+3,595	
Subtotal, Grants to States	1,275,785	1,275,856	1,283,045	1,281,857	1,282,452	+6,667	-593	+595	
Grants for Native Americans	26,398	26,398	26,398	26,398	26,398	---	---	---	D
Program Innovations	43,286	23,843	23,843	40,513	24,843	-18,443	+1,000	-15,670	D
Aging Network Support Activities	13,266	13,266	13,266	13,266	13,266	---	---	---	D
Alzheimer's Disease Demonstrations	11,786	11,786	11,786	11,786	11,786	---	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
White House Conference on Aging	4,520	---	---	---	---	-4,520	---	---	D
Program Administration	18,301	17,879	17,879	17,879	17,879	-422	---	---	D
Total, Administration on Aging	1,393,342	1,369,028	1,376,217	1,391,699	1,376,624	-16,718	+407	-15,075	
OFFICE OF THE SECRETARY									
GENERAL DEPARTMENTAL MANAGEMENT:									
Federal Funds	179,837	172,643	172,643	182,810	175,643	-4,194	+3,000	-7,167	D
Trust Funds	5,804	5,851	5,851	5,851	5,851	+47	---	---	TF
Subtotal	185,641	178,494	178,494	188,661	181,494	-4,147	+3,000	-7,167	
Adolescent Family Life (Title XX)	30,900	30,742	30,742	30,742	30,742	-158	---	---	D
Minority health	50,518	47,236	47,236	60,980	57,236	+6,718	+10,000	-3,744	D
Office of women's health	28,818	28,715	28,715	28,715	28,715	-103	---	---	D
Minority HIV/AIDS	52,415	52,415	52,415	52,415	52,415	---	---	---	D
Afghanistan	5,952	5,952	5,952	5,952	5,952	---	---	---	D
Embryo adoption awareness campaign	992	992	992	2,000	2,000	+1,008	+1,008	---	D
IT Security and Innovation Fund	14,695	14,630	---	---	---	-14,695	---	---	D
Evaluation tap funding (ASPE) (NA)	(39,552)	(39,552)	(39,552)	(39,552)	(39,552)	---	---	---	NA
Total, General Departmental Management	369,931	359,176	344,546	369,465	358,554	-11,377	+14,008	-10,911	
Federal Funds	364,127	353,325	338,695	363,614	352,703	-11,424	+14,008	-10,911	
Trust Funds	5,804	5,851	5,851	5,851	5,851	+47	---	---	
Evaluation tap funding	(39,552)	(39,552)	(39,552)	(39,552)	(39,552)	---	---	---	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
OFFICE OF MEDICARE HEARINGS AND APPEALS	57,536	80,000	60,000	75,000	60,000	+2,464	---	-15,000	TF
OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY 6/	4,318	75,000	46,100	32,800	42,800	+38,482	-3,300	+10,000	D
Evaluation tap funding	(16,943)	(2,750)	(28,900)	(12,350)	(18,900)	(+1,957)	(-10,000)	(+6,550)	NA
Total, Health Information Tech. program level	(21,261)	(77,750)	(75,000)	(45,150)	(61,700)	(+40,439)	(-13,300)	(+16,550)	
OFFICE OF THE INSPECTOR GENERAL:									
Federal Funds	39,930	39,813	39,813	39,813	39,813	-117	---	---	D
HIPAA funding (NA)	(160,000)	(160,000)	(160,000)	(160,000)	(160,000)	---	---	---	NA
Total, Inspector General program level	(199,930)	(199,813)	(199,813)	(199,813)	(199,813)	(-117)	---	---	
OFFICE FOR CIVIL RIGHTS:									
Federal Funds	31,726	31,682	31,682	31,682	31,682	-44	---	---	D
Trust Funds	3,287	3,314	3,314	3,314	3,314	+27	---	---	TF
Total, Office for Civil Rights	35,013	34,996	34,996	34,996	34,996	-17	---	---	
MEDICAL BENEFITS FOR COMMISSIONED OFFICERS									
Retirement payments	241,294	256,193	256,193	256,193	256,193	+14,899	---	---	M
Survivors benefits	14,750	15,600	15,600	15,600	15,600	+850	---	---	M
Dependents' medical care	74,592	56,759	56,759	56,759	56,759	-17,833	---	---	M
Total, Medical benefits for Commissioned Officers	330,636	328,552	328,552	328,552	328,552	-2,084	---	---	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
PUBLIC HEALTH AND SOCIAL SERVICE EMERGENCY FUND									
HRSA homeland security activities 1/	514,618	510,500	---	---	---	-514,618	---	---	D
CDC homeland security activities 1/	1,622,757	1,766,723	---	---	---	-1,622,757	---	---	D
NIH homeland security activities 1/	47,021	97,021	---	---	---	-47,021	---	---	D
Office of the Secretary homeland security activities	63,821	83,589	63,589	63,589	63,589	-232	---	---	D
Other PHSSEF homeland security activities	109,198	120,000	120,000	---	---	-109,198	-120,000	---	D
Supplemental (P.L. 108-234) (emergency)	50,000	---	---	---	---	-50,000	---	---	D
Pandemic Flu (emergency)	---	---	---	8,095,000	---	---	---	-8,095,000	D
Total, PHSSEF	2,407,415	2,577,833	183,589	8,158,589	63,589	-2,343,826	-120,000	-8,095,000	
Total, Office of the Secretary	3,244,779	3,495,370	1,037,596	9,039,215	928,304	-2,316,475	-109,292	-8,110,911	
Federal Funds	3,178,152	3,406,205	968,431	8,955,050	859,139	-2,319,013	-109,292	-8,095,911	
Trust Funds	66,627	89,165	69,165	84,165	69,165	+2,538	---	-15,000	
Total, Title II, Dept of Health & Human Services	379,200,874	473,484,522	473,893,464	484,265,742	474,114,909	+94,914,035	+221,445	-10,150,833	
Federal Funds	376,469,336	470,137,879	470,644,015	480,920,159	470,874,817	+94,405,481	+230,802	-10,045,342	
Current year	(308,367,946)	(403,035,254)	(403,530,190)	(413,817,534)	(403,772,192)	(+95,404,246)	(+242,002)	(-10,045,342)	
FY 2007	(68,101,390)	(67,102,625)	(67,113,825)	(67,102,625)	(67,102,625)	(-998,765)	(-11,200)	---	
Trust Funds	2,731,538	3,346,643	3,249,449	3,345,583	3,240,092	+508,554	-9,357	-105,491	

Title II Footnotes:
1/ Funds provided for biodefense activities are reflected within HRSA, CDC, and NIH respectively.
2/ Includes Mine Safety and Health.
3/ Funds provided in P.L. 108-173, the 2003 Medicare Prescription Drug, Improvement & Modernization Act
4/ $1 billion available for fiscal years 2004-2005
5/ $250 million available for fiscal years 2005-2008
6/ An additional $50 million for Health IT within AHRQ

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate		
TITLE III - DEPARTMENT OF EDUCATION										
EDUCATION FOR THE DISADVANTAGED										
Grants to Local Educational Agencies (LEAs)										
Basic Grants:										
Advance from prior year	(1,883,584)	(1,383,584)	(1,383,584)	(1,383,584)	(1,383,584)	(-500,000)	---	---	NA	
Forward funded	5,547,798	5,955,536	5,452,798	5,452,798	5,452,798	-95,000	---	---	D	FF
Current funded	3,472	3,472	3,472	3,472	3,472	---	---	---	D	
Subtotal, Basic grants current year approp.	5,551,270	5,959,008	5,456,270	5,456,270	5,456,270	-95,000	---	---		
Subtotal, Basic grants total funds available	(7,434,854)	(7,342,592)	(6,839,854)	(6,839,854)	(6,839,854)	(-595,000)	---	---		
Basic Grants FY 2007 Advance	1,383,584	975,846	1,478,584	1,478,584	1,478,584	+95,000	---	---	D	
Subtotal, Basic grants, program level	6,934,854	6,934,854	6,934,854	6,934,854	6,934,854	---	---	---		
Concentration Grants:										
Advance from prior year	(1,365,031)	(1,365,031)	(1,365,031)	(1,365,031)	(1,365,031)	---	---	---	NA	
FY 2007 Advance	1,365,031	1,365,031	1,365,031	1,365,031	1,365,031	---	---	---	D	
Subtotal, Concentration Grants program level	1,365,031	1,365,031	1,365,031	1,365,031	1,365,031	---	---	---		
Targeted Grants:										
Advance from prior year	(1,969,843)	(2,219,843)	(2,219,843)	(2,219,843)	(2,219,843)	(+250,000)	---	---	NA	
FY 2007 Advance	2,219,843	2,822,581	2,269,843	2,269,843	2,269,843	+50,000	---	---	D	
Subtotal, Targeted Grants program level	2,219,843	2,822,581	2,269,843	2,269,843	2,269,843	+50,000	---	---		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate		
Education Finance Incentive Grants:										
Advance from prior year	(1,969,843)	(2,219,843)	(2,219,843)	(2,219,843)	(2,219,843)	(+250,000)	---	---	NA	
FY 2007 Advance	2,219,843	2,219,843	2,269,843	2,269,843	2,269,843	+50,000	---	---	D	
Subtotal, Education Finance Incentive Grants	2,219,843	2,219,843	2,269,843	2,269,843	2,269,843	+50,000	---	---		
Subtotal, Grants to LEAs, program level	12,739,571	13,342,309	12,839,571	12,839,571	12,839,571	+100,000	---	---		
Even Start	225,095	---	200,000	---	100,000	-125,095	-100,000	+100,000	D	FF
Reading First:										
State Grants (forward funded)	846,600	1,041,600	1,041,600	1,041,600	1,041,600	+195,000	---	---	D	FF
Advance from prior year	(195,000)	(195,000)	(195,000)	(195,000)	(195,000)	---	---	---	NA	
FY 2007 Advance	195,000	---	---	---	---	-195,000	---	---	D	
Subtotal, Reading First State Grants	1,041,600	1,041,600	1,041,600	1,041,600	1,041,600	---	---	---		
Early Reading First	104,160	104,160	104,160	104,160	104,160	---	---	---	D	
Striving readers 1/	24,800	200,000	30,000	35,000	30,000	+5,200	---	-5,000	D	FF
Literacy through School Libraries	19,683	19,683	19,683	19,683	19,683	---	---	---	D	
High School Intervention	---	1,240,000	---	---	---	---	---	---	D	FF
State Agency Programs:										
Migrant	390,428	390,428	390,428	395,228	390,428	---	---	-4,800	D	FF
Neglected and Delinquent/High Risk Youth	49,600	49,600	49,600	51,000	50,300	+700	+700	-700	D	FF
Subtotal, State Agency programs	440,028	440,028	440,028	446,228	440,728	+700	+700	-5,500		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate		
Evaluation	9,424	9,424	9,424	9,424	9,424	---	---	---	D	
Comprehensive School Reform Demonstration	205,344	---	10,000	---	8,000	-197,344	-2,000	+8,000	D	FF
Migrant Education:										
High School Equivalency Program	18,737	18,737	18,737	21,587	18,737	---	---	-2,850	D	
College Assistance Migrant Program	15,532	15,532	15,532	15,532	15,532	---	---	---	D	
Subtotal, Migrant Education	34,269	34,269	34,269	37,119	34,269	---	---	-2,850		
Total, Education for the disadvantaged	14,843,974	16,431,473	14,728,735	14,532,785	14,627,435	-216,539	-101,300	+94,650		
Current Year	(7,460,673)	(9,048,172)	(7,345,434)	(7,149,484)	(7,244,134)	(-216,539)	(-101,300)	(+94,650)		
FY 2007	(7,383,301)	(7,383,301)	(7,383,301)	(7,383,301)	(7,383,301)	---	---	---		
Subtotal, forward funded 1/	(7,289,665)	(8,877,164)	(7,174,426)	(6,975,626)	(7,073,126)	(-216,539)	(-101,300)	(+97,500)		
IMPACT AID										
Basic Support Payments	1,075,018	1,075,018	1,102,896	1,102,896	1,102,896	+27,878	---	---	D	
Payments for Children with Disabilities	49,966	49,966	49,966	49,966	49,966	---	---	---	D	
Facilities Maintenance (Sec. 8008)	7,838	7,838	5,000	5,000	5,000	-2,838	---	---	D	
Construction (Sec. 8007)	48,545	45,544	18,000	18,000	18,000	-30,545	---	---	D	
Payments for Federal Property (Sec. 8002)	62,496	62,496	65,000	65,000	65,000	+2,504	---	---	D	
Total, Impact aid	1,243,863	1,240,862	1,240,862	1,240,862	1,240,862	-3,001	---	---		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate		
SCHOOL IMPROVEMENT PROGRAMS										
State Grants for Improving Teacher Quality	1,481,605	1,481,605	1,481,605	1,481,605	1,481,605	---	---	---	D	FF
Advance from prior year	(1,435,000)	(1,435,000)	(1,435,000)	(1,435,000)	(1,435,000)	---	---	---	NA	
FY 2007	1,435,000	1,435,000	1,435,000	1,435,000	1,435,000	---	---	---	D	
Subtotal, State Grants for Improving Teacher Quality, program level	(2,916,605)	(2,916,605)	(2,916,605)	(2,916,605)	(2,916,605)	---	---	---		
Early Childhood Educator Professional Development	14,695	14,696	14,696	14,696	14,696	+1	---	---	D	
Mathematics and Science Partnerships	178,560	269,000	190,000	178,560	184,000	+5,440	-6,000	+5,440	D	FF
State Grants for Innovative Education (Education Block Grant)	198,400	100,000	198,400	100,000	100,000	-98,400	-98,400	---	D	FF
Educational Technology State Grants	496,000	---	300,000	425,000	275,000	-221,000	-25,000	-150,000	D	FF
Supplemental Education Grants	18,183	18,183	18,183	18,183	18,183	---	---	---	D	
21st Century Community Learning Centers	991,077	991,077	991,077	991,077	991,077	---	---	---	D	FF
State Assessments/Enhanced Assessment Instruments	411,680	411,680	411,680	411,680	411,680	---	---	---	D	FF
High school assessments	---	250,000	---	---	---	---	---	---	D	FF
Javits gifted and talented education	11,022	---	---	11,022	9,693	-1,329	+9,693	-1,329	D	
Foreign language assistance	17,856	---	---	25,000	22,000	+4,144	+22,000	-3,000	D	
Education for Homeless Children and Youth	62,496	62,496	62,496	62,496	62,496	---	---	---	D	FF
Training and Advisory Services (Civil Rights)	7,185	7,185	7,185	7,185	7,185	---	---	---	D	
Education for Native Hawaiians	34,224	32,624	24,770	34,500	34,250	+26	+9,480	-250	D	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate		
Alaska Native Education Equity	34,224	31,224	31,224	34,500	34,250	+26	+3,026	-250	D	
Rural Education	170,624	170,624	170,624	170,624	170,624	---	---	---	D	FF
Comprehensive Centers	56,825	56,825	56,825	56,825	56,825	---	---	---	D	
Total, School improvement programs	5,619,656	5,332,219	5,393,765	5,457,953	5,308,564	-311,092	-85,201	-149,389		
Current Year	(4,184,656)	(3,897,219)	(3,958,765)	(4,022,953)	(3,873,564)	(-311,092)	(-85,201)	(-149,389)		
FY 2007	(1,435,000)	(1,435,000)	(1,435,000)	(1,435,000)	(1,435,000)	---	---	---		
Subtotal, forward funded	(3,990,442)	(3,736,482)	(3,805,882)	(3,821,042)	(3,676,482)	(-313,960)	(-129,400)	(-144,560)		
INDIAN EDUCATION										
Grants to Local Educational Agencies	95,166	96,294	96,294	96,294	96,294	+1,128	---	---	D	
Federal Programs:										
Special Programs for Indian Children	19,595	19,595	19,595	19,595	19,595	---	---	---	D	
National Activities	5,129	4,000	4,000	4,000	4,000	-1,129	---	---	D	
Subtotal, Federal Programs	24,724	23,595	23,595	23,595	23,595	-1,129	---	---		
Total, Indian Education	119,890	119,889	119,889	119,889	119,889	-1	---	---		
INNOVATION AND IMPROVEMENT										
Troops-to-Teachers	14,793	14,793	14,793	14,793	14,793	---	---	---	D	
Transition to Teaching	44,933	44,933	44,933	44,933	44,933	---	---	---	D	
National Writing Project	20,336	---	20,336	23,000	21,750	+1,414	+1,414	-1,250	D	
Teaching of Traditional American History	119,040	119,040	50,000	121,000	121,000	+1,960	+71,000	---	D	
School Leadership	14,880	---	14,880	15,000	14,880	---	---	-120	D	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate		
Advanced Credentialing	16,864	8,000	16,864	10,000	16,864	---	---	+6,864	D	
Charter Schools Grants	216,952	218,702	216,952	216,952	216,952	---	---	---	D	
Credit Enhancement for Charter School Facilities	36,981	36,981	36,981	---	36,981	---	---	+36,981	D	
Voluntary Public School Choice	26,543	26,543	26,543	26,543	26,543	---	---	---	D	
Magnet Schools Assistance	107,771	107,771	107,771	107,771	107,771	---	---	---	D	
Fund for the Improvement of Education (FIE)	414,079	156,296	27,000	387,424	160,111	-253,968	+133,111	-227,313	D	
Teacher Incentive Fund, Current funded	---	---	100,000	---	5,000	+5,000	-95,000	+5,000	D	
Teacher Incentive Fund, Forward funded	---	500,000	---	---	95,000	+95,000	+95,000	+95,000	D	FF
Ready-to-Learn television	23,312	23,312	---	25,000	24,500	+1,188	+24,500	-500	D	
Dropout Prevention Programs	4,930	---	---	4,900	4,900	-30	+4,900	---	D	
Close Up Fellowships	1,469	---	1,469	1,469	1,469	---	---	---	D	
Advanced Placement	29,760	51,500	30,000	40,000	32,500	+2,740	+2,500	-7,500	D	
Total, Innovation and Improvement	1,092,643	1,307,871	708,522	1,038,785	945,947	-146,696	+237,425	-92,838		
Subtotal, Forward funded	---	(500,000)	---	---	(95,000)	(+95,000)	(+95,000)	(+95,000)		
SAFE SCHOOLS AND CITIZENSHIP EDUCATION										
Safe and Drug Free Schools and Communities: State Grants, forward funded	437,381	---	400,000	300,000	350,000	-87,381	-50,000	+50,000	D	FF
National Programs	153,625	267,967	152,537	150,000	142,537	-11,088	-10,000	-7,463	D	
Alcohol Abuse Reduction	32,736	---	---	33,500	32,736	---	+32,736	-764	D	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate		
Mentoring Programs	48,219	49,307	49,307	49,307	49,307	+1,088	---	---	D	
Character education	24,493	24,493	24,493	24,493	24,493	---	---	---	D	
Elementary and Secondary School Counseling	34,720	---	34,720	36,000	35,000	+280	+280	-1,000	D	
Carol M. White Physical Education Program	73,408	55,000	73,408	74,000	73,408	---	---	-592	D	
Civic Education	29,405	---	29,405	30,000	29,405	---	---	-595	D	
Total, Safe Schools and Citizenship Education	833,987	396,767	763,870	697,300	736,886	-97,101	-26,984	+39,586		
Current Year	(833,987)	(396,767)	(763,870)	(697,300)	(736,886)	(-97,101)	(-26,984)	(+39,586)		
Subtotal, Forward funded	(437,381)	---	(400,000)	(300,000)	(350,000)	(-87,381)	(-50,000)	(+50,000)		
ENGLISH LANGUAGE ACQUISITION										
Current funded	84,816	---	---	43,925	43,925	-40,891	+43,925	---	D	
Forward funded	590,949	675,765	675,765	639,490	631,840	+40,891	-43,925	-7,650	D	FF
Total, English Language Acquisition	675,765	675,765	675,765	683,415	675,765	---	---	-7,650		
SPECIAL EDUCATION										
State Grants:										
Grants to States Part B current year	5,176,746	4,893,746	5,326,746	5,265,546	5,265,546	+88,800	-61,200	---	D	FF
Part B advance from prior year	(5,413,000)	(5,413,000)	(5,413,000)	(5,413,000)	(5,413,000)	---	---	---	NA	
Grants to States Part B (FY 2007)	5,413,000	6,204,000	5,413,000	5,424,200	5,424,200	+11,200	+11,200	---	D	
Subtotal, Grants to States, program level	10,589,746	11,097,746	10,739,746	10,689,746	10,689,746	+100,000	-50,000	---		

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate		
Preschool Grants	384,597	384,597	384,597	384,597	384,597	---	---	---	D	FF
Grants for Infants and Families	440,808	440,808	440,808	444,308	440,808	---	---	-3,500	D	FF
Subtotal, State grants, program level	11,415,151	11,923,151	11,565,151	11,518,651	11,515,151	+100,000	-50,000	-3,500		
IDEA National Activities (current funded):										
State Improvement	50,653	---	50,653	50,653	50,653	---	---	---	D	FF
Special Education-Voc Rehab transition initiative	---	5,000	---	---	---	---	---	---	D	
Technical Assistance and Dissemination	52,396	49,397	49,397	50,397	49,397	-2,999	---	-1,000	D	
Personnel Preparation	90,626	90,626	90,626	90,626	90,626	---	---	---	D	
Parent Information Centers	25,964	25,964	25,964	25,964	25,964	---	---	---	D	
Technology and Media Services	38,816	31,992	31,992	38,816	38,816	---	+6,824	---	D	
Subtotal, IDEA special programs	258,455	202,979	248,632	256,456	255,456	-2,999	+6,824	-1,000		
Total, Special education	11,673,606	12,126,130	11,813,783	11,775,107	11,770,607	+97,001	-43,176	-4,500		
Current Year	(6,260,606)	(5,922,130)	(6,400,783)	(6,350,907)	(6,346,407)	(+85,801)	(-54,376)	(-4,500)		
FY 2007	(5,413,000)	(6,204,000)	(5,413,000)	(5,424,200)	(5,424,200)	(+11,200)	(+11,200)	---		
Subtotal, Forward funded	(6,052,804)	(5,719,151)	(6,202,804)	(6,145,104)	(6,141,604)	(+88,800)	(-61,200)	(-3,500)		
REHABILITATION SERVICES AND DISABILITY RESEARCH										
Vocational Rehabilitation State Grants	2,635,845	2,720,192	2,720,192	2,720,192	2,720,192	+84,347	---	---	M	
Client Assistance State grants	11,901	11,901	11,901	11,901	11,901	---	---	---	D	
Training	38,826	38,826	38,826	38,826	38,826	---	---	---	D	
Demonstration and training programs	25,607	6,577	6,577	6,577	6,577	-19,030	---	---	D	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Migrant and seasonal farmworkers	2,302	---	2,302	2,302	2,302	---	---	---	D
Recreational programs	2,543	---	2,543	2,543	2,543	---	---	---	D
Protection and advocacy of individual rights (PAIR)	16,656	16,656	16,656	16,656	16,656	---	---	---	D
Projects with industry	21,625	---	19,735	19,735	19,735	-1,890	---	---	D
Supported employment State grants	37,379	---	30,000	30,000	30,000	-7,379	---	---	D
Independent living:									
State grants	22,816	22,816	22,816	22,816	22,816	---	---	---	D
Centers	75,392	75,392	75,392	75,392	75,392	---	---	---	D
Services for older blind individuals	33,227	33,227	33,227	33,227	33,227	---	---	---	D
Subtotal, Independent living	131,435	131,435	131,435	131,435	131,435	---	---	---	
Program Improvement	843	843	843	843	843	---	---	---	D
Evaluation	1,488	1,488	1,488	1,488	1,488	---	---	---	D
Helen Keller National Center for Deaf/Blind Youth and Adults	10,581	8,597	8,597	8,597	8,597	-1,984	---	---	D D
National Inst. Disability and Rehab. Research (NIDRR)	107,783	107,783	107,783	107,783	107,783	---	---	---	D
Assistive Technology	29,760	15,000	29,760	34,760	30,760	+1,000	+1,000	-4,000	D
Subtotal, discretionary programs	438,729	339,106	408,446	413,446	409,446	-29,283	+1,000	-4,000	
Total, Rehabilitation services	3,074,574	3,059,298	3,128,638	3,133,638	3,129,638	+55,064	+1,000	-4,000	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate		
SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES										
AMERICAN PRINTING HOUSE FOR THE BLIND	16,864	16,864	17,000	18,500	17,750	+886	+750	-750	D	
NATIONAL TECHNICAL INSTITUTE FOR THE DEAF (NTID):										
Operations	53,672	53,672	55,337	56,479	55,908	+2,236	+571	-571	D	
Construction	1,672	800	800	800	800	-872	---	---	D	
Total, NTID	55,344	54,472	56,137	57,279	56,708	+1,364	+571	-571		
GALLAUDET UNIVERSITY	104,557	104,557	107,657	108,500	108,079	+3,522	+422	-421	D	
Total, Special Institutions for Persons with Disabilities	176,765	175,893	180,794	184,279	182,537	+5,772	+1,743	-1,742		
VOCATIONAL AND ADULT EDUCATION										
Vocational Education:										
Basic State Grants/Secondary & Technical Education State Grants, current funded	403,331	---	403,331	403,331	403,331	---	---	---	D	FF
Advance from prior year	(791,000)	(791,000)	(791,000)	(791,000)	(791,000)	---	---	---	NA	
FY 2007	791,000	---	791,000	791,000	791,000	---	---	---	D	
Subtotal, Basic State Grants, program level	1,194,331	---	1,194,331	1,194,331	1,194,331	---	---	---		
Tech-Prep Education State Grants	105,812	---	105,812	105,812	105,812	---	---	---	D	FF
National Programs	11,757	---	11,757	9,257	9,257	-2,500	-2,500	---	D	FF
Tech-Prep Education Demonstration	4,899	---	---	---	---	-4,899	---	---	D	FF

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate		
Occupational and Employment Information Program...	9,307	---	---	---	---	-9,307	---	---	D	FF
Subtotal, Vocational Education.....	1,326,106	---	1,311,900	1,309,400	1,309,400	-16,706	-2,500	---		
Adult Education:										
State Grants/Adult basic and literacy education:										
State Grants, current funded.....	569,672	200,000	569,672	572,922	569,672	---	---	-3,250	D	FF
National Programs:										
National Leadership Activities.....	9,096	9,096	9,096	9,096	9,096	---	---	---	D	FF
National Institute for Literacy	6,638	6,638	6,638	6,638	6,638	---	---	---	D	FF
Subtotal, National programs.....	15,734	15,734	15,734	15,734	15,734	---	---	---		
Subtotal, Adult education.....	585,406	215,734	585,406	588,656	585,406	---	---	-3,250		
Smaller Learning Communities, current funded.....	4,724	---	4,724	---	4,724	---	---	+4,724	D	
Smaller Learning Communities, forward funded.....	89,752	---	89,752	---	89,752	---	---	+89,752	D	FF
State Grants for Incarcerated Youth Offenders 2/.....	26,784	---	---	24,000	23,000	-3,784	+23,000	-1,000	D	FF
Community Technology Centers.....	4,960	---	---	4,960	---	-4,960	---	-4,960	D	
Total, Vocational and adult education.....	2,037,732	215,734	1,991,782	1,927,016	2,012,282	-25,450	+20,500	+85,266		
Current Year.....	(1,246,732)	(215,734)	(1,200,782)	(1,136,016)	(1,221,282)	(-25,450)	(+20,500)	(+85,266)		
FY 2007.....	(791,000)	---	(791,000)	(791,000)	(791,000)	---	---	---		
Subtotal, forward funded.....	(1,237,048)	(215,734)	(1,196,058)	(1,131,056)	(1,216,558)	(-20,490)	(+20,500)	(+85,502)		
STUDENT FINANCIAL ASSISTANCE										
Pell Grants -- maximum grant (NA) 3/.....	(4,050)	(4,050)	(4,100)	(4,050)	(4,050)	---	(-50)	---	NA	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Pell Grants:									
Regular Program	12,364,997	13,199,000	13,383,000	13,177,000	13,177,000	+812,003	-206,000	---	D
Enhanced Pell grants for State scholars	---	33,000	---	---	---	---	---	---	D
Federal Supplemental Educational Opportunity Grants	778,720	778,720	778,720	804,763	778,720	---	---	-26,043	D
Federal Work Study	990,257	990,257	990,257	990,257	990,257	---	---	---	D
Federal Perkins Loans:									
Loan Cancellations	66,132	---	66,132	66,132	66,132	---	---	---	D
Presidential math and science scholars	---	50,000	---	---	---	---	---	---	D
LEAP program	65,643	---	65,643	65,643	65,643	---	---	---	D
Total, Student Financial Assistance	14,265,749	15,050,977	15,283,752	15,103,795	15,077,752	+812,003	-206,000	-26,043	
STUDENT AID ADMINISTRATION									
Administrative Costs	119,084	939,285	124,084	120,000	120,000	+916	-4,084	---	D
Fed Direct Student Loan Reclassification (Leg prop)	---	-625,000	---	---	---	---	---	---	D
LOANS FOR SHORT-TERM TRAINING	---	11,000	---	---	---	---	---	---	D
HIGHER EDUCATION									
Aid for Institutional Development:									
Strengthening Institutions	80,338	80,338	80,338	80,338	80,338	---	---	---	D
Hispanic Serving Institutions	95,106	95,873	95,873	100,823	95,873	+767	---	-4,950	D
Strengthening Historically Black Colleges (HBCUs)	238,576	240,500	240,500	240,500	240,500	+1,924	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Strengthening Historically Black Graduate Institutions	58,032	58,500	58,500	58,500	58,500	+468	---	---	D D
Strengthening Alaska Native and Native Hawaiian-Serving Institutions	11,904	6,500	6,500	11,904	11,904	---	+5,404	---	D D
Strengthening Tribal Colleges	23,808	23,808	23,808	23,808	23,808	---	---	---	D
Subtotal, Aid for Institutional development	507,764	505,519	505,519	515,873	510,923	+3,159	+5,404	-4,950	
International Education and Foreign Language:									
Domestic Programs	92,465	92,466	92,466	92,466	92,466	+1	---	---	D
Overseas Programs	12,737	12,737	12,737	12,737	12,737	---	---	---	D
Institute for International Public Policy	1,616	1,616	1,616	1,616	1,616	---	---	---	D
Subtotal, International Education & Foreign Lang	106,818	106,819	106,819	106,819	106,819	+1	---	---	
Fund for the Improvement of Postsec. Ed. (FIPSE)	162,108	22,211	49,211	157,211	22,211	-139,897	-27,000	-135,000	D
Minority Science and Engineering Improvement	8,818	8,818	8,818	8,818	8,818	---	---	---	D
Interest Subsidy Grants	1,488	---	---	---	---	-1,488	---	---	D
Tribally Controlled Postsec Voc/Tecn Institutions	7,440	7,440	7,440	7,440	7,440	---	---	---	D
Federal TRIO Programs	836,543	369,390	836,543	841,543	836,543	---	---	-5,000	D
GEAR UP	306,488	---	306,488	306,488	306,488	---	---	---	D
Byrd Honors Scholarships	40,672	---	---	41,000	41,000	+328	+41,000	---	D
Javits Fellowships	9,797	9,797	9,797	9,797	9,797	---	---	---	D
Graduate Assistance in Areas of National Need	30,371	30,371	30,371	30,371	30,371	---	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Teacher Quality Enhancement Grants	68,337	---	58,000	58,000	60,500	-7,837	+2,500	+2,500	D
Child Care Access Means Parents in School	15,970	15,970	15,970	15,970	15,970	---	---	---	D
Community college access	---	125,000	---	---	---	---	---	---	D
Demonstration in Disabilities / Higher Education	6,944	---	---	6,944	6,944	---	+6,944	---	D
Underground Railroad Program	2,204	---	---	2,204	2,000	-204	+2,000	-204	D
GPRA data/HEA program evaluation	980	980	980	980	980	---	---	---	D
B.J. Stupak Olympic Scholarships	980	---	980	---	980	---	---	+980	D
Thurgood Marshall legal education opportunity program	2,976	---	---	3,500	2,976	---	+2,976	-524	D
Total, Higher education	2,116,898	1,202,315	1,936,936	2,112,958	1,970,760	-145,938	+33,824	-142,198	
HOWARD UNIVERSITY									
Academic Program	205,507	205,506	207,507	205,430	206,469	+962	-1,038	+1,039	D
Endowment Program	3,524	3,524	3,524	3,600	3,562	+38	+38	-38	D
Howard University Hospital	29,759	29,759	29,759	29,759	29,759	---	---	---	D
Total, Howard University	238,790	238,789	240,790	238,789	239,790	+1,000	-1,000	+1,001	
COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS(CHAFL)	573	573	573	573	573	---	---	---	D
HBCU CAPITAL FINANCING PROGRAM -- Federal Adm	210	210	210	210	210	---	---	---	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
INSTITUTE OF EDUCATION SCIENCES									
Research, development and dissemination	164,194	164,194	164,194	164,194	164,194	---	---	---	D
Statistics	90,931	90,931	90,931	90,931	90,931	---	---	---	D
Regional Educational Laboratories	66,132	---	66,132	66,131	66,131	-1	-1	---	D
Research in special education	83,104	72,566	72,566	72,566	72,566	-10,538	---	---	D
Special education studies and evaluations	---	10,000	10,000	10,000	10,000	+10,000	---	---	
Statewide data systems	24,800	24,800	24,800	24,800	24,800	---	---	---	D
Assessment:									
National Assessment	88,985	111,485	88,985	95,985	88,985	---	---	-7,000	D
National Assessment Governing Board	5,088	5,088	5,088	5,088	5,088	---	---	---	D
Subtotal, Assessment	94,073	116,573	94,073	101,073	94,073	---	---	-7,000	
Total, IES	523,234	479,064	522,696	529,695	522,695	-539	-1	-7,000	
DEPARTMENTAL MANAGEMENT									
PROGRAM ADMINISTRATION	419,280	418,992	410,612	411,992	415,303	-3,977	+4,691	+3,311	D
OFFICE FOR CIVIL RIGHTS	89,375	91,526	91,526	91,526	91,526	+2,151	---	---	D
OFFICE OF THE INSPECTOR GENERAL	47,327	49,408	49,000	49,408	49,000	+1,673	---	-408	D
Total, Departmental management	555,982	559,926	551,138	552,926	555,829	-153	+4,691	+2,903	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
TITLE III GENERAL PROVISIONS									
Pell grant shortfall payoff 4/	---	---	4,300,000	4,300,000	4,300,000	+4,300,000	---	---	M
Total, Title III, Department of Education	59,212,775	58,939,040	63,706,584	63,749,975	63,538,021	+4,325,246	-168,563	-211,954	
Current Year	(44,190,474)	(43,916,739)	(48,684,283)	(48,716,474)	(48,504,520)	(+4,314,046)	(-179,763)	(-211,954)	
FY 2007	(15,022,301)	(15,022,301)	(15,022,301)	(15,033,501)	(15,033,501)	(+11,200)	(+11,200)	---	

1/ Funding for Striving readers is forward funded in the conference agreement only.
2/ Previously funded under Office of Safe and Drug Free Schools.
3/ An additional $100 was requested for the Pell maximum grant through HEA reauthorization proposal.
4/ Payoff of the Pell Grant shortfall requested as part of the President's HEA reauthorization proposal.

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
TITLE IV - RELATED AGENCIES									
COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED	4,669	4,669	4,669	4,669	4,669	---	---	---	D
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE									
DOMESTIC VOLUNTEER SERVICE PROGRAMS									
Volunteers in Service to America (VISTA)	94,240	96,428	96,428	96,428	96,428	+2,188	---	---	D
Volunteers in Homeland Security	4,960	---	---	---	---	-4,960	---	---	D
Teach for America	---	4,000	2,000	---	---	---	-2,000	---	D
National Senior Volunteer Corps:									
Foster Grandparents Program	111,424	112,058	112,058	112,058	112,058	+634	---	---	D
Senior Companion Program	45,905	47,438	47,438	47,438	47,438	+1,533	---	---	D
Retired Senior Volunteer Program	58,528	60,288	60,288	60,288	60,288	+1,760	---	---	D
Subtotal, Senior Volunteers	215,857	219,784	219,784	219,784	219,784	+3,927	---	---	
Program Administration	38,688	39,750	39,750	---	---	-38,688	-39,750	---	D
Total, Domestic Volunteer Service Programs	353,745	359,962	357,962	316,212	316,212	-37,533	-41,750	---	
National and Community Service Programs: 1/									
National service trust	142,848	146,000	146,000	149,000	140,000	-2,848	-6,000	-9,000	D
AmeriCorps grants	287,680	275,000	267,500	280,000	267,500	-20,180	---	-12,500	D
Innovation, assistance, and other activities	13,227	9,945	9,945	15,945	16,445	+3,218	+6,500	+500	D

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Evaluation	3,522	4,000	4,000	4,000	4,000	+478	---	---	D
National Civilian Community Corps	25,296	25,500	25,500	27,000	27,000	+1,704	+1,500	---	D
Learn and Serve America: K-12 and Higher Ed	42,656	40,000	37,500	42,656	37,500	-5,156	---	-5,156	D
State Commission Administrative Grants	11,904	12,642	12,642	12,642	12,642	+738	---	---	D
Points of Light Foundation	9,920	10,000	10,000	10,000	10,000	+80	---	---	D
America's Promise	4,464	5,000	5,000	5,000	5,000	+536	---	---	D
Subtotal, National & Community Service Programs	541,517	528,087	518,087	546,243	520,087	-21,430	+2,000	-26,156	
National and Community Service, Salaries & expenses 1/	25,792	27,000	27,000	66,750	66,750	+40,958	+39,750	---	
Office of Inspector General 1/	5,952	6,000	6,000	6,000	6,000	+48	---	---	
Total, Corp. for National and Community Service	927,006	921,049	909,049	935,205	909,049	-17,957	---	-26,156	
CORPORATION FOR PUBLIC BROADCASTING:									
FY 2008 (current) with FY 2007 comparable	400,000	---	400,000	400,000	400,000	---	---	---	D
FY 2007 advance with FY 2006 comparable (NA)	(400,000)	(400,000)	(400,000)	(400,000)	(400,000)	---	---	---	NA
FY 2006 advance with FY 2005 comparable (NA)	(386,880)	(400,000)	(400,000)	(400,000)	(400,000)	(+13,120)	---	---	NA
Rescission of FY 2006 funds (NA)	---	(-10,000)	---	---	---	---	---	---	NA
Subtotal, FY 2006 program level	386,880	390,000	400,000	400,000	400,000	+13,120	---	---	
Digitalization program, current funded 2/	39,387	---	---	35,000	30,000	-9,387	+30,000	-5,000	D
Previous appropriated funds (NA) 3/	---	(30,000)	(30,000)	---	---	---	(-30,000)	---	NA

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Interconnection, current funded 2/	39,680	---	---	40,000	35,000	-4,680	+35,000	-5,000	D
Previous appropriated funds (NA) 3/	(75,000)	(52,000)	(52,000)	---	---	(-75,000)	(-52,000)	---	NA
Subtotal, FY 2006 appropriation	79,067	---	---	75,000	65,000	-14,067	+65,000	-10,000	
FEDERAL MEDIATION AND CONCILIATION SERVICE	44,439	42,331	42,331	43,439	43,031	-1,408	+700	-408	D
FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION	7,809	7,809	7,809	7,809	7,809	---	---	---	D
INSTITUTE OF MUSEUM AND LIBRARY SERVICES	280,564	262,240	249,640	290,129	249,640	-30,924	---	-40,489	D
MEDICARE PAYMENT ADVISORY COMMISSION	9,899	10,168	10,168	10,168	10,168	+269	---	---	TF
NATIONAL COMMISSION ON LIBRARIES AND INFO SCIENCE	993	993	993	993	993	---	---	---	D
NATIONAL COUNCIL ON DISABILITY	3,344	2,800	2,800	3,344	3,144	-200	+344	-200	D
NATIONAL LABOR RELATIONS BOARD	249,860	252,268	252,268	252,268	252,268	+2,408	---	---	D
NATIONAL MEDIATION BOARD	11,628	11,628	11,628	11,628	11,628	---	---	---	D
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION	10,510	10,510	10,510	10,510	10,510	---	---	---	D
RAILROAD RETIREMENT BOARD									
Dual Benefits Payments Account	107,136	97,000	97,000	97,000	97,000	-10,136	---	---	D
Less Income Tax Receipts on Dual Benefits	-7,936	-7,000	-7,000	-7,000	-7,000	+936	---	---	D
Subtotal, Dual Benefits	99,200	90,000	90,000	90,000	90,000	-9,200	---	---	
Federal Payment to the RR Retirement Account	150	150	150	150	150	---	---	---	M

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
Limitation on Administration	102,543	102,543	102,543	102,543	102,543	---	---	---	TF
Inspector General	7,196	7,196	7,196	7,196	7,196	---	---	---	TF
SOCIAL SECURITY ADMINISTRATION									
Payments to Social Security Trust Funds	20,454	20,470	20,470	20,470	20,470	+16	---	---	M
SUPPLEMENTAL SECURITY INCOME									
Federal benefit payments	38,109,000	37,487,174	37,487,174	37,487,174	37,487,174	-621,826	---	---	M
Beneficiary services	45,929	52,000	52,000	52,000	52,000	+6,071	---	---	M
Research and demonstration	35,000	27,000	27,000	27,000	27,000	-8,000	---	---	M
Administration	2,986,900	2,897,000	2,897,000	2,710,400	2,733,000	-253,900	-164,000	+22,600	D
Subtotal, SSI program level	41,176,829	40,463,174	40,463,174	40,276,574	40,299,174	-877,655	-164,000	+22,600	
Less funds advanced in prior year	-12,590,000	-10,930,000	-10,930,000	-10,930,000	-10,930,000	+1,660,000	---	---	M
Subtotal, regular SSI current year	28,586,829	29,533,174	29,533,174	29,346,574	29,369,174	+782,345	-164,000	+22,600	
Total, SSI, current request	28,586,829	29,533,174	29,533,174	29,346,574	29,369,174	+782,345	-164,000	+22,600	
New advance, 1st quarter, FY 2007	10,930,000	11,110,000	11,110,000	11,110,000	11,110,000	+180,000	---	---	M
Total, SSI program	39,516,829	40,643,174	40,643,174	40,456,574	40,479,174	+962,345	-164,000	+22,600	

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate	
LIMITATION ON ADMINISTRATIVE EXPENSES									
OASDI Trust Funds	4,359,033	4,665,400	4,617,600	4,604,000	4,640,400	+281,367	+22,800	+36,400	TF
HI/SMI Trust Funds	1,256,968	1,704,000	1,643,100	1,704,000	1,704,000	+447,032	+60,900	---	TF
Social Security Advisory Board	2,000	2,000	2,000	2,000	2,000	---	---	---	TF
SSI	2,986,900	2,897,000	2,897,000	2,710,400	2,733,000	-253,900	-164,000	+22,600	TF
Subtotal, regular LAE	8,604,901	9,268,400	9,159,700	9,020,400	9,079,400	+474,499	-80,300	+59,000	
Additional CDR Funding	---	---	---	189,000	---	---	---	-189,000	TF
SSI User Fee activities	124,000	119,000	119,000	119,000	119,000	-5,000	---	---	D
SSPA User Fee Activities	1,000	1,000	1,000	1,000	1,000	---	---	---	D
Total, Limitation on Administrative Expenses	8,729,901	9,388,400	9,279,700	9,329,400	9,199,400	+469,499	-80,300	-130,000	
MEDICARE REFORM FUNDING									NA
Medicare reform funding 4/ 5/ 6/	(446,054)	---	---	---	---	(-446,054)	---	---	NA
OFFICE OF INSPECTOR GENERAL									
Federal Funds	25,542	26,000	26,000	26,000	26,000	+458	---	---	D
Trust Funds	64,836	67,000	66,805	67,000	66,400	+1,564	-405	-600	TF
Total, Office of Inspector General	90,378	93,000	92,805	93,000	92,400	+2,022	-405	-600	
Adjustment: Trust fund transfers from general revenues	-2,986,900	-2,897,000	-2,897,000	-2,710,400	-2,733,000	+253,900	+164,000	-22,600	TF

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate
Total, Social Security Administration	45,370,662	47,248,044	47,139,149	47,189,044	47,058,444	+1,687,782	-80,705	-130,600
Federal funds	39,687,825	40,809,644	40,809,644	40,623,044	40,645,644	+957,819	-164,000	+22,600
Current year	(28,757,825)	(29,699,644)	(29,699,644)	(29,513,044)	(29,535,644)	(+777,819)	(-164,000)	(+22,600)
New advances, 1st quarter	(10,930,000)	(11,110,000)	(11,110,000)	(11,110,000)	(11,110,000)	(+180,000)	---	---
Trust funds	5,682,837	6,438,400	6,329,505	6,566,000	6,412,800	+729,963	+83,295	-153,200
Total, Title IV, Related Agencies	47,609,539	48,974,398	49,240,903	49,434,095	49,226,242	+1,616,703	-14,661	-207,853
Federal Funds	41,807,064	42,416,091	42,791,491	42,748,188	42,693,535	+886,471	-97,956	-54,653
Current Year	(30,477,064)	(31,306,091)	(31,281,491)	(31,238,188)	(31,183,535)	(+706,471)	(-97,956)	(-54,653)
FY 2007 Advance	(10,930,000)	(11,110,000)	(11,110,000)	(11,110,000)	(11,110,000)	(+180,000)	---	---
FY 2008 Advance	(400,000)	---	(400,000)	(400,000)	(400,000)	---	---	---
Trust Funds	5,802,475	6,558,307	6,449,412	6,685,907	6,532,707	+730,232	+83,295	-153,200

Title IV Footnotes:
1/ FY 2006 House jurisdiction change--account moved from former VA-HUD Appropriations.
2/ Current funded
3/ Requested funds for these activities are from previously appropriated funds
4/ Funds provided in P.L. 108-173, the 2003 Medicare Prescription Drug, Improvement & Modernization Act
5/ Available in fiscal years 2004 and 2005
6/ Funds required to continue implementing this Act are provided under the regular LAE account

SUMMARY

Federal Funds	488,978,653	582,509,460	588,233,397	598,769,967	588,240,213	+99,261,560	+6,816	-10,529,754
Current year	(391,980,962)	(486,762,534)	(492,050,271)	(502,586,841)	(492,057,087)	(+100,076,125)	(+6,816)	(-10,529,754)
2007 advance	(96,597,691)	(95,746,926)	(95,783,126)	(95,783,126)	(95,783,126)	(-814,565)	---	---
2008 advance	(400,000)	---	(400,000)	(400,000)	(400,000)	---	---	---
Trust Funds	12,366,339	13,612,965	13,408,876	13,636,967	13,403,088	+1,036,749	-5,788	-233,879
Grand Total	501,344,992	596,122,425	601,642,273	612,406,934	601,643,301	+100,298,309	+1,028	-10,763,633

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate
RECAP								
Mandatory, total in bill	357,872,275	454,443,213	458,663,213	458,743,213	458,663,213	+100,790,938	---	-80,000
Less advances for subsequent years	-77,712,390	-76,897,825	-76,897,825	-76,897,825	-76,897,825	+814,565	---	---
Plus advances provided in prior years	74,061,975	77,712,390	77,712,390	77,712,390	77,712,390	+3,650,415	---	---
Total, mandatory, current year	354,221,860	455,257,778	459,477,778	459,557,778	459,477,778	+105,255,918	---	-80,000
Discretionary, total in bill	143,472,717	141,679,212	142,979,060	153,663,721	142,980,088	-492,629	+1,028	-10,683,633
Less advances for subsequent years	-19,285,301	-18,849,101	-19,285,301	-19,285,301	-19,285,301	---	---	---
Plus advances provided in prior years	19,241,277	19,285,301	19,285,301	19,285,301	19,285,301	+44,024	---	---
Subtotal, Discretionary, current year	143,428,693	142,115,412	142,979,060	153,663,721	142,980,088	-448,605	+1,028	-10,683,633
Scorekeeping adjustments:								
SSI User Fee Collection	-124,000	-119,000	-119,000	-119,000	-119,000	+5,000	---	---
SSI date shift	---	---	---	-3,360,000	---	---	---	+3,360,000
Vaccines for children legislative proposal	---	-100,000	---	---	---	---	---	---
Smallpox vaccine injury compensation (rescission)	-20,000	---	---	-10,000	-10,000	+10,000	-10,000	---
Medical facilities guarantee and loan fund (rescission)	-66,000	---	---	---	---	+66,000	---	---
Health professions student loan (rescission)	-19,000	-21,000	-15,912	-15,912	-26,500	-7,500	-10,588	-10,588
MMA Health Care infrastructure improvement program (P.L. 109-13) (rescission)	-58,000	---	---	---	---	+58,000	---	---
Adoption incentive (rescission)	---	---	---	---	-22,500	-22,500	-22,500	-22,500
Title V Chapter III (P.L. 109-13) (rescission)	-10,000	---	---	---	---	+10,000	---	---
H-1B (rescission)	-100,000	---	---	---	---	+100,000	---	---

LABOR-HEALTH and HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Comparable	FY 2006 Request	House	Senate	Conference	Conference vs. FY 2005 Comparable	Conference vs. FY 2006 House	Conference vs. FY 2006 Senate
Job Corps construction FY06 advance (rescission)..	---	-25,000	---	---	---	---	---	---
National Emergency Grant (healthcare premium) (rescission).....	---	-20,000	-20,000	-20,000	-20,000	-20,000	---	---
Workers compensation (NY 9-11) (rescission).....	---	-5,000	-5,000	-5,000	-5,000	-5,000	---	---
Workers compensation (9-11) (rescission).....	---	-120,000	-120,000	-120,000	-120,000	-120,000	---	---
Community College initiative (rescission).....	---	---	-125,000	---	-125,000	-125,000	---	-125,000
75 percent rule scoring.....	9,000	---	---	---	---	-9,000	---	---
Medicare eligible accruals (permanent,indefinite)	---	33,912	33,912	33,912	33,912	+33,912	---	---
ED drugs limitation.....	---	---	-95,000	-90,000	---	---	+95,000	+90,000
CPB (FY 2006 Rescission).....	---	-10,000	---	---	---	---	---	---
CMS administrative expenses reduction.....	---	---	---	---	-60,000	-60,000	-60,000	-60,000
Limitation rule for Power Mobility Devices.....	---	---	---	-1,000	8,000	+8,000	+8,000	+9,000
Limitation on HHS Consulting Services.....	---	---	---	-4,500	---	---	---	+4,500
Less emergency appropriations.....	-362,600	---	---	-8,414,100	---	+362,600	---	+8,414,100
Total, discretionary.....	142,678,093	141,729,324	142,513,060	141,538,121	142,514,000	-164,093	+940	+975,879
Adjustment to balance with 2005 enacted.....	-1,038	---	---	---	---	+1,038	---	---
Total, discretionary (FY 2005 enacted).....	142,677,055	141,729,324	142,513,060	141,538,121	142,514,000	-163,055	+940	+975,879
Grand total, current year (incl FY 2005 comparable)...	496,899,953	596,987,102	601,990,838	601,095,899	601,991,778	+105,091,825	+940	+895,879
Grand total, current year (incl FY 2005 enacted).....	496,898,915	596,987,102	601,990,838	601,095,899	601,991,778	+105,092,863	+940	+895,879

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2006 recommended by the Committee of Conference, with comparisons to the fiscal year 2005 amount, the 2006 budget estimates, and the House and Senate bills for 2006 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2005	$501,344,992
Budget estimates of new (obligational) authority, fiscal year 2006	596,122,425
House bill, fiscal year 2006	601,642,273
Senate bill, fiscal year 2006	612,406,934
Conference agreement, fiscal year 2006	601,643,301
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2005	+100,298,309
Budget estimates of new (obligational) authority, fiscal year 2006	+5,520,876
House bill, fiscal year 2006	+1,028
Senate bill, fiscal year 2006	−10,763,633

RALPH REGULA,
ERNEST ISTOOK, Jr.,
ROGER F. WICKER,
ANNE M. NORTHUP,
KAY GRANGER,
JOHN E. PETERSON,
DON SHERWOOD,
DAVE WELDON,
JAMES T. WALSH,
JERRY LEWIS,
Managers on the Part of the House.

ARLEN SPECTER,
THAD COCHRAN,
JUDD GREGG,
LARRY E. CRAIG,
KAY BAILEY HUTCHISON,
TED STEVENS,
MIKE DEWINE,
RICHARD C. SHELBY,
PETE V. DOMENICI,
Managers on the Part of the Senate.

SANTA MARGARITA RIVER, CALIFORNIA, CONSTRUCTION AUTHORIZATION

Mrs. DRAKE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 125) to authorize the Secretary of the Interior to construct facilities to provide water for irrigation, municipal, domestic, military and other uses from the Santa Margarita River, California, and for other purposes, as amended.

The Clerk read as follows:

H.R. 125

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

SECTION 1. DEFINITIONS.

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

(1) DISTRICT.—The term ''District'' means the Fallbrook Public Utility District, San Diego County, California.

(2) PROJECT.—The term ''Project'' means the impoundment, recharge, treatment, and other facilities the construction, operation, watershed management, and maintenance of which is authorized under section 2.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, unless otherwise stated.

SEC. 2. AUTHORIZATION FOR CONSTRUCTION OF SANTA MARGARITA RIVER PROJECT.

(a) AUTHORIZATION.—The Secretary, acting pursuant to the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388), and Acts amendatory thereof or supplementary thereto, as far as those laws are not inconsistent with the provisions of this Act, is authorized to construct, operate, and maintain the Project substantially in accordance with the final feasibility report and this Act.

(b) CONDITIONS.—The Secretary may construct the Project only after the Secretary determines that the following conditions have occurred:

(1) The District has entered into a contract under section 9(d) of the Reclamation Project Act of 1939 to repay to the United States appropriate portions, as determined by the Secretary, of the actual costs of constructing, operating, and maintaining the Project, together with interest as hereinafter provided.

(2) The officer or agency of the State of California authorized by law to grant permits for the appropriation of water has granted such permits to the Bureau of Reclamation for the benefit of the Department of the Navy and the District as permittees for rights to the use of water for storage and diversion as provided in this Act, including approval of all requisite changes in points of diversion and storage, and purposes and places of use.

(3) The District has agreed that it will not assert against the United States any prior appropriative right the District may have to water in excess of the quantity deliverable to it under this Act, and will share in the use of the waters impounded by the Project on the basis of equal priority and in accordance with the ratio prescribed in section 4(b). This agreement and waiver and the changes in points of diversion and storage under paragraph (2), shall become effective and binding only when the Project has been completed and put into operation.

(4) The Secretary has determined that the Project has economic, environmental, and engineering feasibility.

SEC. 3. COSTS.

The Department of the Navy shall not be responsible for any costs in connection with the Project, except upon completion and then shall be charged in reasonable proportion to its use of the Project under regulations agreed upon by the Secretary of the Navy and Secretary of the Interior.

SEC. 4. OPERATION; YIELD ALLOTMENT; DELIVERY.

(a) OPERATION.—The operation of the Project, subject to a memorandum of agreement between the Secretary, the Navy, and the District and under regulations satisfactory to the Secretary of the Navy with respect to the Navy's share of the project, may be by the Secretary, the District, or a third party consistent with section 6.

(b) YIELD ALLOTMENT.—Except as otherwise agreed between the parties, the Department of the Navy and the District shall participate in the Project yield on the basis of equal priority and in accordance with the following ratio:

(1) 60 percent of the Project's yield is allotted to the Secretary of the Navy.

(2) 40 percent of the Project's yield is allotted to the District.

(c) CONTRACTS FOR DELIVERY OF EXCESS WATER.—

(1) EXCESS WATER AVAILABLE TO OTHER PERSONS.—If the Secretary of the Navy certifies to the official agreed upon to administer the Project that the Department of the Navy does not have immediate need for any portion of the 60 percent of the Project's yield allotted to the Secretary of the Navy under subsection (b), the official may enter into temporary contracts for the sale and delivery of the excess water.

(2) FIRST RIGHT FOR EXCESS WATER.—The first right to excess water to be made available under paragraph (1) shall be given the District, if otherwise consistent with the laws of the State of California.

(3) CONDITION OF CONTRACTS.—Each contract entered into under paragraph (1) for the sale and delivery of excess water shall include a condition that the Secretary of the Navy has the right to demand that water, without charge and without obligation on the part of the United States, after 30 days notice.

(4) MODIFICATION OF RIGHTS AND OBLIGATIONS RELATED TO WATER YIELD.—The rights and obligations of the United States and the District regarding the ratio or amounts of Project yield delivered may be modified by an agreement between the parties.

(d) CONSIDERATION.—

(1) DEPOSIT OF FUNDS.—Moneys paid to the United States under a contract entered into under subsection (c) shall be deposited in the special account established for the Department of the Navy under paragraph (1) of section 2667(d) of title 10, United States Code, and shall be available for the purposes specified in subparagraph (C) of such paragraph. Subparagraph (D) of such paragraph shall not apply to moneys deposited in the special account pursuant to this subsection.

(2) IN-KIND CONSIDERATION.—In lieu of monetary consideration under paragraph (1), or in addition to such consideration, the Secretary of the Navy may accept in-kind consideration in a form and quantity that is acceptable to the Secretary of the Navy, including the following forms of in-kind consideration:

(A) Maintenance, protection, alteration, repair, improvement, or restoration (including environmental restoration) of property or facilities of the Department of the Navy.

(B) Construction of new facilities for the Department of the Navy.

(C) Provision of facilities for use by the Department of the Navy.

(D) Facilities operation support for the Department of the Navy.

(E) Provision of such other services as the Secretary of the Navy considers appropriate.

(3) RELATION TO OTHER LAWS.—Sections 2662 and 2802 of title 10, United States Code, shall not apply to any new facilities whose construction is accepted as in-kind consideration under this subsection.

(4) CONGRESSIONAL NOTIFICATION.—If the in-kind consideration proposed to be provided under a contract to be entered into under subsection (c) has a value in excess of $500,000, the contract may not be entered into until the earlier of the following:

(A) The end of the 30-day period beginning on the date on which a report describing the contract and the form and quantity of the in-kind consideration is submitted by the Secretary of the Navy to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

(B) The end of the 14-day period beginning on the date on which a copy of the report referred to in subparagraph (A) is provided in an electronic medium pursuant to section 480 of title 10, United States Code.

SEC. 5. REPAYMENT OBLIGATION OF THE DISTRICT.

(a) IN GENERAL.—The general repayment obligation of the District shall be determined by the Secretary of the Interior consistent with the Water Supply Act of 1958; provided, however, that for the purposes of calculating interest and determining the time when the District's repayment obligation to the United States commences, the pumping and treatment of groundwater from the Project shall be deemed equivalent to the first use of water from a water storage project. There shall be no repayment obligation under this section for water delivered to the District under a contract as provided in section 4(c).

(b) MODIFICATION OF RIGHTS AND OBLIGATION BY AGREEMENT.—The rights and obligations of the United States and the District regarding the repayment obligation of the District may be modified by an agreement between the parties.

SEC. 6. TRANSFER OF CARE, OPERATION, AND MAINTENANCE.

The Secretary may transfer to the District, or a mutually agreed upon third party, the care, operation, and maintenance of the Project under conditions satisfactory to the Secretary and the District, and with respect to the portion of the Project that is located within the boundaries of Camp Pendleton, satisfactory also to the Secretary of the Navy. If such a transfer takes place, the District shall be entitled to an equitable credit for the costs associated with the Secretary's proportionate share of the operation and maintenance of the Project. The amount of such costs shall be applied against the indebtedness of the District to the United States.

SEC. 7. SCOPE OF ACT.

For the purpose of this Act, the basis, measure, and limit of all rights of the United States pertaining to the use of water shall be the laws of the State of California. That nothing in this Act shall be construed—

(1) as a grant or a relinquishment by the United States of any rights to the use of water that it acquired according to the laws of the State of California, either as a result of its acquisition of the lands comprising Camp Joseph H. Pendleton and adjoining naval installations, and the rights to the use of water as a part of that acquisition, or through actual use or prescription or both since the date of that acquisition, if any;

(2) to create any legal obligation to store any water in the Project, to the use of which the United States has such rights;

(3) to constitute a recognition of, or an admission that, the District has any rights to the use of water in the Santa Margarita River, which rights, if any, exist only by virtue of the laws of the State of California; or

(4) to require the division under this Act of water to which the United States has such rights.

SEC. 8. LIMITATIONS ON OPERATION AND ADMINISTRATION.

Unless otherwise agreed by the Secretary of the Navy, the Project—

(1) shall be operated in a manner which allows the free passage of all of the water to the use of which the United States is entitled according to the laws of the State of California either as a result of its acquisition of the lands comprising Camp Joseph H. Pendleton and adjoining naval installations, and the rights to the use of water as a part of those acquisitions, or through actual use or prescription, or both, since the date of that acquisition, if any; and

(2) shall not be administered or operated in any way which will impair or deplete the quantities of water the use of which the United States would be entitled under the laws of the State of California had the Project not been built.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the following:

(1) $60,000,000 (the current estimated construction cost of the Project, plus or minus such amounts as may be indicated by the engineering cost indices for this type of construction); and

(2) such sums as may be required to operate and maintain the said project.

SEC. 10. REPORTS TO CONGRESS.

Not later than 1 year after the date of the enactment of this Act and periodically thereafter, the Secretary and the Secretary of the Navy shall each report to the Congress regarding if the conditions specified in section 2(b) have been met and if so, the details of how they were met.

SEC. 11. SUNSET.

The authority of the Secretary to complete construction of the Project shall terminate 10 years after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. DRAKE) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia.

GENERAL LEAVE

Mrs. DRAKE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

H.R. 125, introduced by the gentleman from California (Mr. ISSA), authorizes the construction of a ground water recharge and pumping project in the lower Santa Margarita River Basin in Southern California. If constructed, the project could provide much-needed water to the local water utility district and to Camp Pendleton Marine Corps base for its military training needs.

This project would augment the local water district's water supply, would relieve future additional demands for costly and limited imported water supplies, and would set aside and preserve valuable environmental habitat. This project is an excellent example of local and Federal agencies working together to secure safe and dependable water supplies for future generations.

This bill is good for water consumers and good for our marines. I urge my colleagues to support this important bill.

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

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume. H.R. 125 would authorize the Secretary of the Interior to participate in the design, planning, and construction of the Santa Margarita Conjunctive Use Water Project in San Diego County in California. The project would provide water for irrigation, municipal, domestic, military, and other uses.

Mr. Speaker, we have reviewed the legislation and have no objection. A similar bill passed in the House of Representatives in the 108th Congress.

Mr. ISSA. Mr. Speaker, I would like to thank House Resources committee Chairman POMBO and Ranking Member RAHALL for allowing this bill to come to the floor today. I would also like to thank the Resources committee staff for all of their hard work on this bill.

The Santa Margarita Conjunctive Use Project, authorized by this bill will provide safe, reliable, drought-and earthquake-proof water supply for more than 35,000 families. It will provide for enhanced recharge and recovery from the underground basin on Camp Pendleton to provide a constant water supply for both Camp Pendleton and the Fallbrook Public Utility District.

While this bill passed the House in the second session of the 108th Congress it ended up running out of time in the other body. I am hopeful that this time around we will see quick movement of this legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Virginia (Mrs. DRAKE) that the House suspend the rules and pass the bill, H.R. 125, 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.

REMOVING CERTAIN RESTRICTIONS REGARDING MAMMOTH COMMUNITY WATER DISTRICT, CALIFORNIA

Mrs. DRAKE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 853) to remove certain restrictions on the Mammoth Community Water District's ability to use certain property acquired by that District from the United States.

The Clerk read as follows:

H.R. 853

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

SECTION 1. REMOVAL OF CERTAIN RESTRICTIONS ON PROPERTY.

Notwithstanding Public Law 90–171 (16 U.S.C. 484a; 81 Stat. 531), the approximately 25 acres patented to the Mammoth County

Water District (now known as the ''Mammoth Community Water District'') by Patent No. 04–87–0038, on June 26, 1987, and recorded in Volume 482, at page 517, of the official records of the Recorder's Office, Mono County, California, may be used for purposes other than the purpose for which those lands were being used prior to the conveyance to the Mammoth County Water District and such lands may be transferred as authorized under State law.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. DRAKE) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia.

GENERAL LEAVE

Mrs. DRAKE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mrs. DRAKE. Mr. Speaker, I yield myself as much time as I may consume.

H.R. 853, introduced by our colleague from California (Mr. MCKEON), removes land use restrictions on property acquired from the Forest Service by the Mammoth Community Water District in Mono County, California.

In 1987, the U.S. Forest Service conveyed 25 acres to the water district under land use conditions at the time. Of these lands, 12 acres are now needed for different uses, including much-needed water utility operations. Implementation of this noncontroversial bill will ultimately benefit the local water consumer and will adhere to all Federal, State, and local environmental laws.

I urge my colleagues to support this commonsense legislation.

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

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

H.R. 853 simply removes outdated restrictions on lands owned by Mammoth County Water District in California. We have no objections to this noncontroversial bill.

Mr. MCKEON. Mr. Speaker, I rise today to speak on and offer my strong support for HR 953, legislation I introduced earlier this year to remove restrictions on 25 acres of land patented to the Mammoth County Water District.

Prior to 1987, the District occupied this land through a special use permit with the Forest Service. Of these 25 acres, 12 acres were used for the storage of materials, and prior to 1987, for oxidation ponds, which had become obsolete by that year.

After that time, Congress passed Public Law 97–465 that allowed these lands to be transferred directly to the District. While the law allowed for acquisition of these lands, it also directed that they could only be used for those purposes prior to the time of the conveyance.

Today, however, these 12 acres are no longer needed for the storage of materials and the community would like to utilize this land in a more economically viable manner.

This area is a popular ski destination for many tourists during the winter months and, every year, the town experiences more and more visitors. The town sits in the middle of the Forest Service land and contains limited private land for expanded commercial activities. As such, passage of this legislation would allow the town to accommodate for the growing economic needs of the region.

This legislation has the support of both the local community and the Forest Service and passed through the Committee on Resources without any objection.

I would like to express my deep appreciation to Chairman POMBO for bringing this legislation to the floor and ask my colleagues to support its passage here today.

Mrs. CHRISTENSEN. Mr. Speaker, I have no further speakers. I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Virginia (Mrs. DRAKE) that the House suspend the rules and pass the bill, H.R. 853.

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.

TRAIL RESPONSIBILITY AND ACCOUNTABILITY FOR THE IMPROVEMENT OF LANDS ACT

Mrs. DRAKE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 975) to provide consistent enforcement authority to the Bureau of Land Management, the National Park Service, the United States Fish and Wildlife Service, and the Forest Service to respond to violations of regulations regarding the management, use, and protection of public lands under the jurisdiction of these agencies, and for other purposes, as amended.

The Clerk read as follows:

H.R. 975

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 ''Trail Responsibility and Accountability for the Improvement of Lands Act'' or ''TRAIL Act''.

SEC. 2. CONSISTENT ENFORCEMENT AUTHORITY REGARDING NATIONAL PARK SYSTEM LANDS, NATIONAL FOREST SYSTEM LANDS, AND OTHER PUBLIC LANDS.

(a) LANDS UNDER JURISDICTION OF BUREAU OF LAND MANAGEMENT.—Section 303(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1733(a)) is amended—

(1) by inserting ''(1)'' after ''(a)'';

(2) by striking the second sentence; and

(3) by adding at the end the following new paragraphs:

''(2) Any person who knowingly violates or fails to comply with any of the provisions of this Act or any regulation issued under this Act shall be guilty of a Class A misdemeanor, subject to fine as provided in section 3571 of title 18, United States Code, or imprisonment as provided in section 3581 of that title, or both.

''(3) Any person who otherwise violates or fails to comply with any of the provisions of this Act or any regulation issued under this Act shall be guilty of a Class B misdemeanor, subject to fine or imprisonment, or both, as provided in such sections. A person who violates any such provision or regulation may also be adjudged to pay all costs of the proceedings.''.

(b) NATIONAL PARK SYSTEM LANDS.—

(1) ENFORCEMENT.—Section 3 of the National Park Service Organic Act (16 U.S.C. 3) is amended—

(A) by striking ''That the Secretary'' the first place it appears and inserting ''(a) REGULATIONS FOR USE AND MANAGEMENT OF NATIONAL PARK SYSTEM; ENFORCEMENT.—(1) The Secretary'';

(B) by striking ''Service,'' and all that follows through ''proceedings.'' and inserting ''Service.''; and

(C) by inserting after the first sentence the following new paragraphs:

''(2) Any person who knowingly violates or fails to comply with any rule or regulation issued under this section shall be guilty of a Class A misdemeanor, subject to fine as provided in section 3571 of title 18, United States Code, or imprisonment as provided in section 3581 of that title, or both.

''(3) Any person who otherwise violates or fails to comply with any rule or regulation issued under this section shall be guilty of a Class B misdemeanor, subject to fine or imprisonment, or both, as provided in such sections. A person who violates any such rule or regulation may also be adjudged to pay all costs of the proceedings.''.

(2) CONFORMING AMENDMENTS.—Such section is further amended—

(A) by striking ''He may also'' the first place it appears and inserting the following:

''(b) SPECIAL MANAGEMENT AUTHORITIES.—The Secretary of the Interior may'';

(B) by striking ''He may also'' the second place it appears and inserting ''The Secretary may''; and

(C) by striking ''No natural,'' and inserting the following:

''(c) LEASE AND PERMIT AUTHORITIES.—No natural''.

(c) NATIONAL WILDLIFE REFUGE SYSTEM LANDS.—Section 4(f) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(f)) is amended—

(1) in paragraph (1), by striking ''fined under title 18, United States Code, or imprisoned for not more than 1 year, or both.'' and inserting ''guilty of a Class A misdemeanor, subject to fine as provided in section 3571 of title 18, United States Code, or imprisonment as provided in section 3581 of that title, or both. A person who violates any such provision or regulation may also be adjudged to pay all costs of the proceedings.'';

(2) in paragraph (2), by striking ''fined under title 18, United States Code, or imprisoned not more than 180 days, or both.'' and inserting ''guilty of a Class B misdemeanor, subject to fine as provided in section 3571 of title 18, United States Code, or imprisonment as provided in section 3581 of that title,

or both. A person who violates any such provision or regulation may also be adjudged to pay all costs of the proceedings.''.

(d) NATIONAL FOREST SYSTEM LANDS.—The eleventh undesignated paragraph under the heading ''SURVEYING THE PUBLIC LANDS'' of the Act of June 4, 1897 (16 U.S.C. 551), is amended to read as follows:

''SEC. 551. PROTECTION OF NATIONAL FOREST SYSTEM LANDS; REGULATIONS.

''(a) REGULATIONS FOR USE AND PROTECTION OF NATIONAL FOREST SYSTEM.—The Secretary of Agriculture shall make provisions for the protection of the National Forest System (as defined in section 11 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609)) against destruction by fire and depredations. The Secretary may issue such regulations and establish such service as will insure the objects of the National Forest System, namely, to regulate their occupancy and use and to protect National Forest System lands from destruction.

''(b) VIOLATIONS; PENALTIES.—(1) Any person who knowingly violates any regulation issued under subsection (a) shall be guilty of a Class A misdemeanor and shall be subject to a fine as provided in section 3571 of title 18, United States Code, or imprisonment as provided in section 3581 of that title, or both.

''(2) Any person who otherwise violates any regulation issued under subsection (a) shall be guilty of a Class B misdemeanor and shall be subject to a fine as provided in section 3571 of title 18, United States Code, or imprisonment as provided in section 3581 of that title, or both.

''(3) A person who violates any regulation issued under subsection (a) may also be adjudged to pay all costs of the proceedings.

''(c) PROCEDURE.—Any person charged with the violation of a regulation issued under subsection (a) may be tried and sentenced by any United States magistrate judge specially designated for that purpose by the court by which the magistrate judge was appointed, in the same manner and subject to the same conditions as provided for in subsections (b) through (e) of section 3401 of title 18, United States Code.''.

SEC. 3. ESTABLISHMENT OF MINIMUM FINE FOR VIOLATION OF PUBLIC LAND FIRE REGULATIONS DURING FIRE BAN.

(a) LANDS UNDER JURISDICTION OF BUREAU OF LAND MANAGEMENT.—Section 303(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1733(a)), as amended by section 2(a), is further amended by adding at the end the following new paragraph:

''(4) In the case of a regulation issued under this section regarding the use of fire by individuals on the public lands, if the violation of the regulation was the result of reckless conduct, occurred in an area subject to a complete ban on open fires, and resulted in damage to public or private property, the fine may not be less than $500.''.

(b) NATIONAL PARK SYSTEM LANDS.—Subsection (a) of section 3 of the National Park Service Organic Act (16 U.S.C. 3), as designated and amended by section 2(b), is further amended by adding at the end the following new paragraph:

''(4) In the case of a rule or regulation issued under this subsection regarding the use of fire by individuals on such lands, if the violation of the rule or regulation was the result of reckless conduct, occurred in an area subject to a complete ban on open fires, and resulted in damage to public or private property, the fine may not be less than $500.''.

(c) NATIONAL FOREST SYSTEM LANDS.—Subsection (b) of section 551 of the Act of June 4, 1897 (16 U.S.C. 551), as designated and amended by section 2(d), which before such designation and amendment was the eleventh undesignated paragraph under the heading ''SURVEYING THE PUBLIC LANDS'' of such Act, is further amended by adding at the end the following new paragraph:

''(4) In the case of a regulation issued under subsection (a) regarding the use of fire by individuals on National Forest System lands, if the violation of the regulation was the result of reckless conduct, occurred in an area subject to a complete ban on open fires, and resulted in damage to public or private property, the fine may not be less than $500.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. DRAKE) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia.

GENERAL LEAVE

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

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

There was no objection.

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

H.R. 975, introduced by the gentleman from Colorado (Mr. TANCREDO), would provide consistent enforcement authority to the Bureau of Land Management, the National Park Service, the United States Fish and Wildlife Service and the Forest Service to respond to violation of regulations regarding the management, use, and protection of public lands under the jurisdiction of these agencies. Additionally, this measure includes two technical corrections to drafting errors.

I would like to recognize and thank Chairman GOODLATTE and the House Agriculture Committee for its cooperation on this bill. H.R. 975 shares bipartisan support, and I urge its adoption.

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

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

Mr. Speaker, H.R. 975 will lead to more uniform enforcement of the criminal laws on our public lands. Original cosponsors of this legislation include Representatives MARK UDALL and DIANA DEGETTE of Colorado and JIM MATHESON of Utah, all Members who understand the value of our public lands and take seriously our responsibility as stewards of those lands. They are to be commended for their efforts to bring this measure to the floor today.

Mr. Speaker, we support H.R. 975.

Mr. TANCREDO. Mr. Speaker, I thank the House leadership for scheduling action on this important legislation. It is designed to stiffen and standardize the penalties for folks who willfully damage or destroy our public lands. It also sets a tough minimum fine of $500 for individuals who violate fire regulations on public lands when a complete ban on open fires is in place.

I want to recognize and thank Chairman POMBO and Chairman GOODLATTE for their efforts on this bill. I'd also like to thank my colleague from Colorado, Mr. UDALL for his assistance.

In the last twenty years, Americans have found new ways to enjoy their public lands and waterways beyond just hiking, horseback riding, or powerboats. Today, mountain bikers, snowmobilers and others also use our public lands. Many of these vehicles represent the only access to the great outdoors available to a whole segment of our population—folks like senior citizens and the disabled who wouldn't otherwise be able to enjoy beautiful places like the Pike National Forest in my district.

The economic impact for Colorado of these kinds of recreational activities contributes more than $200 million to our economy, creating more than 3,000 jobs. With those economic benefits however, have come conflicts and irresponsible actors. This legislation is designed to help ensure that those irresponsible actors pay the price for their actions.

Recreation on our public lands and waterways will continue to grow—and it should. This bill will help equip our land managers with the means to appropriately and evenhandedly enforce land use regulations against those few bad apples who spoil the whole bunch. The TRAIL Act accomplishes this by creating consistent fines and penalties among all of our land use agencies. In doing so, the bill also increases fines and penalties substantially for people who knowingly engage in inappropriate behavior.

The second section of the bill addresses the growing problem of human caused wildfires on our public lands. Over the last ten years, human carelessness has been responsible for the ignition of over one million wildfires on our public lands. By comparison, lighting has caused only about one-tenth that many fires over the same time period.

The current penalties for violating fire regulations vary from agency to agency. In a practical sense, however, the fines are generally assessed at a far lower level. In fact, under current law, fines are set as low as $25—little more than the cost of a seatbelt ticket in most states. I believe, as I think most people do, that these weak penalties lack any real deterrent value for would-be violators. In fact, one district ranger in Colorado related a story to me about a would-be visitor to the Pike National Forest who called to inquire if he could pay the puny fine in advance.

He told me that even in the midst of a fire season like the 2002 season in Colorado—where some 800 human caused wildfires destroyed over a quarter of a million acres—that enforcing the fire ban was a continuing problem, in large part because the fine is so small.

Enhancing the penalties for those who choose to disregard the directives of our land managers is one way we can reduce both the number of human caused wildfires and the terrible destruction they leave in their wake by .

creating a deterrent. This bill would accomplish that by imposing a minimum fine of $500 for individuals who violate fire bans.

I hope the House will pass the bill, and ask for your support.

Mr. UDALL of Colorado. Mr. Speaker, I rise in support of this bill, and congratulate my Colorado colleague, Mr. TANCREDO, for his leadership in introducing it.

I joined as a cosponsor of this bill because I also want to improve the ability of the land-managing agencies to adequately enforce the rules that apply to uses of the federal lands.

That is why in the 108th Congress I introduced a related bill—the Responsible Off-road Vehicle Enforcement and Response Act, or "ROVER." That bill was narrow, dealing only with enforcement of the regulations for use of vehicles on National Forest lands and public lands managed by BLM. This bill goes much further. In addition to the forests and BLM lands, it also applies to lands managed by the National Park Service and the refuges managed by the Fish and Wildlife Service. And it addresses the enforcement of all regulations, not just those related to use of vehicles.

Last year, Mr. TANCREDO and I worked with Chairman POMBO, Ranking Member RAHALL, and other Members of the Resources Committee, to develop the broader measure.

That bill passed the House, but the Senate did not complete action on it. So, Representative TANCREDO and I joined in reintroducing it as H.R. 975, the bill now before the House.

I urge its approval, because legislation for better and more consistent enforcement of regulations is needed. However, we need to recognize that it is only one part of a bigger picture.

Even more than new legislation, it seems to me, the land-managing agencies need more resources—more money and more people—if we want them to do a better job.

That was why I introduced a related bill—H.R. 599—which the Resources Committee has also reported. It would allow the agencies to use money from fines to help pay for some of the restoration work caused by violations of regulations, as well as for offsetting the administrative costs involved in enforcement of those regulations.

This is something that I think should be addressed in the future, and I will seek to work with other Members to do that. Today, however, we can take an important step forward by passing this bill, and I urge the House to approve it.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Virginia (Mrs. DRAKE) that the House suspend the rules and pass the bill, H.R. 975, 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.

NORTHERN COLORADO WATER CONSERVANCY DISTRICT FACILITIES CONVEYANCE

Mrs. DRAKE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3443) to direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District, as amended.

The Clerk read as follows:

H.R. 3443

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

SECTION 1. DEFINITIONS.

In this Act:

(1) CONTRACT.—The term ''contract'' means—

(A) the contract between the United States and the Northern Colorado Water Conservancy District providing for the construction of the Colorado-Big Thompson Project, dated July 5, 1938; and

(B) any amendments and supplements to the contract described in subparagraph (A).

(2) DISTRICT.—The term ''District'' means the Northern Colorado Water Conservancy District.

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

(4) TRANSFERRED WATER DISTRIBUTION FACILITIES.—The term ''transferred water distribution facilities'' means the following facilities of the Colorado-Big Thompson Project located in the counties of Larimer, Boulder, and Weld, Colorado:

(A) The St. Vrain Supply Canal.

(B) The Boulder Creek Supply Canal that extends from the St. Vrain River to Boulder Creek, including that portion that extends from the St. Vrain River to Boulder Reservoir, which is also known as the ''Boulder Feeder Canal''.

(C) The South Platte Supply Canal.

SEC. 2. CONVEYANCE OF TRANSFERRED WATER DISTRIBUTION FACILITIES.

(a) IN GENERAL.—The Secretary shall, as soon as practicable after the date of the enactment of this Act and in accordance with all applicable law, convey to the District all right, title, and interest in and to the transferred water distribution facilities.

(b) CONSIDERATION.—

(1) DISTRICT.—

(A) FINDING.—Congress finds that the District has completed the obligation of the District to repay the capital costs of the Colorado-Big Thompson Project under the contract.

(B) NO CONSIDERATION REQUIRED.—The District shall not be required to provide additional consideration for the conveyance of the transferred water distribution facilities under subsection (a).

(2) ELECTRIC CUSTOMERS.—The Western Area Power Administration shall continue to include the unpaid portion of the transferred facilities in its annual power repayment studies for the Loveland Area Projects until such facilities are repaid in accordance with the laws and policies regarding repayment of investment in effect on the date of enactment of this Act.

(c) NO EFFECT ON OBLIGATIONS AND RIGHTS.—Except as expressly provided in this Act, nothing in this Act affects or modifies the obligations and rights of the District under the contract, including the obligation of the District to make payments required under the contract.

SEC. 3. LIABILITY.

Except as otherwise provided by law, effective on the date of conveyance of the transferred water distribution facilities under this Act, the United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence based on any prior ownership or operation by the United States of the transferred water distribution facilities.

SEC. 4. EFFECT.

Any actions or activities undertaken by the Secretary under this Act shall not affect, impact, or create any additional burdens or obligations on the New Consolidated Lower Boulder Reservoir and Ditch Company or the New Coal Ridge Ditch Company in the full exercise of their rights to water, water rights, or real property rights or in the full exercise of their rights to utilize facilities affected by this Act.

SEC. 5. REPORTS.

(a) IN GENERAL.—If the transferred water distribution facilities have not been conveyed by the Secretary to the District by the date that is 1 year after the date of enactment of this Act, not later than 30 days after that date, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report that describes—

(1) the reasons for the failure to convey the transferred water distribution facilities; and

(2) the schedule for completing the transfer as soon as practicable.

(b) ANNUAL REPORTS.—The Secretary shall continue to provide annual reports that provide the information described in subsection (a) until the date on which the transferred water distribution facilities are conveyed in accordance with this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. DRAKE) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia.

GENERAL LEAVE

Mrs. DRAKE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

H.R. 3443, introduced by the gentlewoman from Colorado (Mrs. MUSGRAVE), will transfer ownership of three Bureau of Reclamation water distribution facilities within the Big Thompson project in Colorado to the Northern Colorado Water Conservancy District.

□ 1515

This local water district has operated and maintained these canals since 1957 and has repaid all capital costs associated with the facilities. Transfer of these single-purpose projects creates a win-win situation by decreasing Federal liability, allowing more cost-effective and efficient management by the

water district and fostering local ownership. In light of these benefits, the Bureau of Reclamation should be more proactive in working with local water users to ensure that more transfers take place.

I commend Mrs. MUSGRAVE for introducing this legislation and urge support for this bipartisan noncontroversial bill.

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

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

Mr. Speaker, H.R. 3443 would authorize the title transfer of specific features of the Colorado-Big Thompson project from the United States to the Northern Colorado Water Conservancy District. This proposed title transfer will be similar to a bill that was enacted in the 106th Congress, transferring other Bureau of Reclamation facilities to this water district.

We have no objection to this legislation.

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

Mrs. DRAKE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Colorado (Mrs. MUSGRAVE).

Mrs. MUSGRAVE. Mr. Speaker, in July of this year, I introduced H.R. 3443, a bill authorizing the transfer of title of three Colorado-Big Thompson projects single-purpose water conveyance facilities from the United States to the Northern Colorado Water Conservancy District.

The Colorado-Big Thompson project is one of the largest and most complex natural resource developments undertaken by the Bureau of Reclamation. The transmountain water diversion system consists of over 100 integrated structures and provides multiple benefits to the people of my district. This project spreads over approximately 250 miles in the State of Colorado. It stores, regulates and diverts water from the Colorado River on the western slope of the Continental Divide to the eastern slope of the Rocky Mountains.

The project diverts approximately 260,000-acre feet of water annually from the Colorado River headwaters on the western slope to the Big Thompson River, a South Platte River tributary on the eastern slope, for distribution to farming and communities.

The water system is vital to the people of my district. It provides drinking, irrigation and recreational waters. Without this water system, many cities and towns in my district could not exist.

The water that the Colorado-Big Thompson project diverts from the western slope travels through a series of storage reservoirs, pumping plants, tunnels and hydroelectric generating plants until it enters one of the two eastern slope terminal storage reservoirs, Horsetooth and Carter Lake Reservoirs.

From these terminal storage reservoirs, the water is delivered to water users through distribution facilities. These distribution facilities consist of single-purpose water conveyance facilities located downstream from the two terminal storage facilities.

The Northern Colorado Water Conservation District has been responsible for these facilities since the project was operational in 1957. The District has proven to be a faithful steward of operation, maintenance and administration of the conveyance facilities. The three facilities that would be conveyed to the District by this legislation are the St. Vrain Supply Canal, the Boulder Creek Supply Canal and the South Platte Supply Canal.

This bill is very similar to legislation passed by my predecessor, Representative Bob Schaffer, in 2000, which transferred four single-purpose water conveyance facilities of the Colorado-Big Thompson Project located downstream of the Horsetooth Reservoir. This legislation would complete the transfer of all the single-purpose water conveyance facilities within the project. This transfer would allow the District to more cost-effectively manage the facility and reduce the burdensome bureaucracy of the Federal Government. The District has met its financial obligation of repayment of capital costs, and the title transfer is now appropriate. I believe that this transfer is in the best interest of the constituents of my district.

I would like to thank Chairman POMBO and his staff for moving this bill so quickly through the Resources Committee, with special thanks to Kiel Weaver for his assistance on this legislation.

Mr. Speaker, I urge the passage of this bill.

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

Mr. UDALL of Colorado. Mr. Speaker, I rise in support of this bill and commend my Colorado colleague, Mrs. MUSGRAVE, for its introduction.

The bill would direct the Interior Department to convey to the Northern Colorado Water Conservation District wants the title to some of the water-distribution facilities that are part of the Bureau of Reclamation's Colorado-Big Thompson project.

That project, authorized by Congress in 1937 to provide water for agricultural and other uses, consists of dams, dikes, reservoirs, powerplants, pumping plants, pipelines, tunnels, and substations spread over approximately 250 miles. The Northern Colorado Water Conservancy District, the project's local government sponsor, operates and maintains all of the water conveyance facilities.

H.R. 3443 directs the Secretary of the Interior to transfer 58 miles of the Project's water conveyance facilities (the St. Vrain Supply Canal, Boulder Creek Supply Canal, and South Platte Supply Canal) to the District. The transfer will allow the District to more cost-effectively manage the facilities, reduce paperwork requirements, provide for local ownership and reduce the federal government's liability. The District, which has operated and maintained these water conveyance facilities since 1957, has repaid the appropriate capital costs associated with the facilities. Despite this repayment, the title of the facilities remains in the Bureau of Reclamation. This bill directs the transfer of this title with no conditions. It is modeled on the successful transfer (Public Law 106–376) of other single purpose water conveyance facilities associated with the Colorado Big-Thompson Project.

None of the affected facilities are used to generate electricity. However, payments by electricity customers have been contributing to the repayment for the overall project, and the electricity customers still owe something under that repayment contract. To reflect that, the bill provides for transfer of funds from electricity-sale collections to complete repayment of the amount the electricity customers owe toward repayment of the facilities to be transferred.

The bill includes language to make clear that it will not lessen the existing responsibilities of the district or affect the rights of two ditch companies whose ditches have been part of the distribution system for water from the Colorado-Big Thompson project. And, to stimulate prompt implementation, the bill says that if the transfer isn't completed within a year Interior must send a written report to Congress explaining why it hadn't done so and to keep reporting annually until the transfer is complete.

I joined as a cosponsor of this legislation because I think it will be beneficial both for the Northern Colorado Water Conservation District and for the federal government. I urge its approval.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentlewoman from Virginia (Mrs. DRAKE) that the House suspend the rules and pass the bill, H.R. 3443, as amended.

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

A motion to reconsider was laid on the table.

AUTHORIZING SUITABILITY AND FEASIBILITY STUDY OF DESIGNATING THE ST. LOUIS SOLDIERS' MEMORIAL MILITARY MUSEUM AS A UNIT OF THE NATIONAL PARK SYSTEM

Mrs. DRAKE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 452) to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the Soldiers' Memorial Military Museum located in St. Louis, Missouri, as a unit of the National Park System.

The Clerk read as follows:

H.R. 452

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

SECTION 1. NATIONAL PARK SERVICE STUDY REGARDING THE SOLDIERS' MEMORIAL MILITARY MUSEUM.

(a) FINDINGS.—Congress finds as follows:

(1) The Soldiers' Memorial is a tribute to all veterans located in the greater St. Louis area, including Southern Illinois.

(2) The current annual budget for the memorial is $185,000 and is paid for exclusively by the City of St. Louis.

(3) In 1923, the City of St. Louis voted to spend $6,000,000 to purchase a memorial plaza and building dedicated to citizens of St. Louis who lost their lives in World War I.

(4) The purchase of the 7 block site exhausted the funds and no money remained to construct a monument.

(5) In 1933, Mayor Bernard F. Dickmann appealed to citizens and the city government to raise $1,000,000 to construct a memorial building and general improvement of the plaza area and the construction of Soldiers' Memorial began on October 21, 1935.

(6) On October 14, 1936, President Franklin D. Roosevelt officially dedicated the site.

(7) On Memorial Day in 1938, Mayor Dickmann opened the building to the public.

(b) STUDY.—The Secretary of the Interior shall carry out a study to determine the suitability and feasibility of designating the Soldiers' Memorial Military Museum, located at 1315 Chestnut, St. Louis, Missouri, as a unit of the National Park System.

(c) STUDY PROCESS AND COMPLETION.—Section 8(c) of Public Law 91–383 (16 U.S.C. 1a–5(c)) shall apply to the conduct and completion of the study required by this section.

(d) REPORT.—The Secretary shall submit a report describing the results the study required by this section to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. DRAKE) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia.

GENERAL LEAVE

Mrs. DRAKE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 452 would authorize the Secretary of the Interior to study the suitability and feasibility of designating a military memorial in St. Louis as a unit of the National Park System.

In 1923, the City of St. Louis voted to spend $6 million to purchase a memorial plaza and building dedicated to citizens of St. Louis who lost their lives in World War I. The purchase of the memorial site exhausted the funds. In 1933, the city government raised another $1 million to construct a memorial building on the site. On October 14, 1936, President Franklin D. Roosevelt officially dedicated the site, and the building was open to the public on Memorial Day, 1938.

Currently, the memorial is administered by the City of St. Louis with a budget of $192,000. Local officials have expressed that the memorial faces an uncertain future without Federal assistance and would like a Federal agency to administer the site. Again, this bill only proposes a study of this memorial and the possibility of its becoming a unit of the National Park System.

I urge adoption of the bill.

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

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

Mr. Speaker, the majority has already explained the purpose of H.R. 452, which was introduced by my friend and colleague from Missouri (Mr. CLAY). The gentleman from Missouri is to be commended for his efforts to preserve this memorial and museum, which was built to honor those who lost their lives in service to our country.

It is our expectation that the study authorized by H.R. 452 will help determine the most appropriate means to preserve and maintain the Soldiers' Memorial and thus help to continue to honor the sacrifice of those who have fought and died for our country.

Mr. Speaker, we support H.R. 452 and urge its adoption by the House today.

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

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

Mrs. CHRISTENSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri (Mr. CLAY), the sponsor of this legislation.

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

I want to take a moment to thank the Chairman POMBO and Chairman SAXTON and Ranking Members RAHALL and CHRISTENSEN for their willingness to support and their generous help of their staffers who have worked hard to bring the St. Louis Soldiers' Memorial Military Museum bill to the floor today.

H.R. 452, which I sponsored along with Representatives SKELTON and CARNAHAN, will authorize the Secretary of the Interior to conduct a study of the feasibility of including the Soldiers' Memorial Military Museum in St. Louis among the National Park Service's inventory of Federal monuments.

At a time when our soldiers are fighting in Iraq and Afghanistan, the American people feel a very special connection to our military forces, and the citizens of our Nation have a very real need to visit shrines that honor our Nation's veterans.

The St. Louis Soldiers' Memorial Military Museum is a treasured monument to our Nation's veterans. I believe this landmark is truly one of the most outstanding memorials ever built in tribute to those who have sacrificed their lives in service to our Nation.

The St. Louis Soldiers' Memorial was initiated by residents of St. Louis in the 1920s to honor the brave Americans who lost their lives in World War I. After several years of fundraising for land acquisition and construction, the monument was dedicated by President Franklin Delano Roosevelt on October 14, 1936, and officially opened to the public on Memorial Day, 1938.

The Soldiers' Memorial was a unique place in our Nation's history as it is the only structure in St. Louis that is known to have been dedicated by a sitting U.S. President. The Soldiers' Monument is a national treasure and an architectural masterpiece. Designed by one of the 20th Century's foremost art deco sculptors, Mr. Walker Hancock, its entrance is flanked by four limestone sculptures which symbolize the most important virtues in a soldier's life: courage, loyalty, sacrifice and vision, while its ceiling displays a mosaic tile in the shape of a large gold star that is dedicated to our Nation's Gold Star Mothers.

The Soldiers' Memorial is an important cultural resource and gathering place. It attracts nearly 48,000 visitors each year and provides the setting for more than 20 ceremonies annually, including changing of command and retirement ceremonies and many patriotic events hosted by veterans groups. It is the center of an annual Veterans Day Parade and Observance, which is the largest of its kind in the Midwest, drawing participants from several surrounding States and presenting more than 100 marching units.

In recent years, the memorial has received support and contributions from active military personnel and veterans to help the city of St. Louis maintain this cherished structure.

At this time in our history, we are engaged in a war against terrorism. The people of our Nation are mourning more than 2,000 American service men and women who have given their lives in the Iraq War. The American people are anxious to pay tribute to the Nation's veterans, and they should have national shrines to commemorate their friends and family members who have lost their lives for our Nation.

It is time for the Federal Government to consider acquiring the St. Louis Soldiers' Memorial Military Museum in its inventory of national monuments. I believe that a study of this monument would show that it is an historically important structure with a national significance.

H.R. 452 is strongly supported by veterans groups and other civic organizations. I hope the Members of this body will endorse this important effort to help create a Federal monument to honor our Nation's veterans. I urge my colleagues to support this legislation.

Mr. SKELTON. Mr. Speaker, let me take this means to share my support for H.R. 452, a bill introduced by my good friend and Missouri colleague, Congressman LACY CLAY. I was pleased to cosponsor this legislation, which would authorize the Secretary of the Interior to study the feasibility of including the St. Louis Soldiers' Memorial Military Museum as a part of the National Park System.

Through the years, the people of St. Louis and the surrounding area have visited the St. Louis Soldiers' Memorial to pay tribute to the selfless sacrifices of our men and women in uniform. Originally constructed to honor Americans who lost their lives during the first World War, the monument was dedicated by President Franklin Roosevelt in 1936 and opened to the public in 1938. Since that time, the memorial has held a unique place in the history of our state and our country.

As such, it seems fitting that Congress authorize the Interior Secretary to determine whether the St. Louis Soldiers' Memorial should be included in America's inventory of national monuments. I hope my colleagues agree and will support this sensible legislation offered by the gentleman from Missouri, Mr. CLAY.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Virginia (Mrs. DRAKE) that the House suspend the rules and pass the bill, H.R. 452.

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.

□ 1530

PRESIDENTIAL $1 COIN ACT OF 2005

Mr. OXLEY. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1047) to require the Secretary of the Treasury to mint coins in commemoration of each of the Nation's past Presidents and their spouses, respectively, to improve circulation of the $1 coin, to create a new bullion coin, and for other purposes.

The Clerk read as follows:

S. 1047

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 ''Presidential $1 Coin Act of 2005''.

TITLE I—PRESIDENTIAL $1 COINS

SEC. 101. FINDINGS.

Congress finds the following:

(1) There are sectors of the United States economy, including public transportation, parking meters, vending machines, and low-dollar value transactions, in which the use of a $1 coin is both useful and desirable for keeping costs and prices down.

(2) For a variety of reasons, the new $1 coin introduced in 2000 has not been widely sought-after by the public, leading to higher costs for merchants and thus higher prices for consumers.

(3) The success of the 50 States Commemorative Coin Program (31 U.S.C. 5112(l)) for circulating quarter dollars shows that a design on a United States circulating coin that is regularly changed in a manner similar to the systematic change in designs in such Program radically increases demand for the coin, rapidly pulling it through the economy.

(4) The 50 States Commemorative Coin Program also has been an educational tool, teaching both Americans and visitors something about each State for which a quarter has been issued.

(5) A national survey and study by the Government Accountability Office has indicated that many Americans who do not seek, or who reject, the new $1 coin for use in commerce would actively seek the coin if an attractive, educational rotating design were to be struck on the coin.

(6) The President is the leader of our tripartite government and the President's spouse has often set the social tone for the White House while spearheading and highlighting important issues for the country.

(7) Sacagawea, as currently represented on the new $1 coin, is an important symbol of American history.

(8) Many people cannot name all of the Presidents, and fewer can name the spouses, nor can many people accurately place each President in the proper time period of American history.

(9) First Spouses have not generally been recognized on American coinage.

(10) In order to revitalize the design of United States coinage and return circulating coinage to its position as not only a necessary means of exchange in commerce, but also as an object of aesthetic beauty in its own right, it is appropriate to move many of the mottos and emblems, the inscription of the year, and the so-called ''mint marks'' that currently appear on the 2 faces of each circulating coin to the edge of the coin, which would allow larger and more dramatic artwork on the coins reminiscent of the so-called ''Golden Age of Coinage'' in the United States, at the beginning of the Twentieth Century, initiated by President Theodore Roosevelt, with the assistance of noted sculptors and medallic artists James Earle Fraser and Augustus Saint-Gaudens.

(11) Placing inscriptions on the edge of coins, known as edge-incusing, is a hallmark of modern coinage and is common in large-volume production of coinage elsewhere in the world, such as the 2,700,000,000 2-Euro coins in circulation, but it has not been done on a large scale in United States coinage in recent years.

(12) Although the Congress has authorized the Secretary of the Treasury to issue gold coins with a purity of 99.99 percent, the Secretary has not done so.

(13) Bullion coins are a valuable tool for the investor and, in some cases, an important aspect of coin collecting.

SEC. 102. PRESIDENTIAL $1 COIN PROGRAM.

Section 5112 of title 31, United States Code, is amended by adding at the end the following:

''(n) REDESIGN AND ISSUANCE OF CIRCULATING $1 COINS HONORING EACH OF THE PRESIDENTS OF THE UNITED STATES.—

''(1) REDESIGN BEGINNING IN 2007.—

''(A) IN GENERAL.—Notwithstanding subsection (d) and in accordance with the provisions of this subsection, $1 coins issued during the period beginning January 1, 2007, and ending upon the termination of the program under paragraph (8), shall—

''(i) have designs on the obverse selected in accordance with paragraph (2)(B) which are emblematic of the Presidents of the United States; and

''(ii) have a design on the reverse selected in accordance with paragraph (2)(A).

''(B) CONTINUITY PROVISION.—Notwithstanding subparagraph (A), the Secretary shall continue to mint and issue $1 coins which bear any design in effect before the issuance of coins as required under this subsection (including the so-called 'Sacagawea-design' $1 coins).

''(2) DESIGN REQUIREMENTS.—The $1 coins issued in accordance with paragraph (1)(A) shall meet the following design requirements:

''(A) COIN REVERSE.—The design on the reverse shall bear—

''(i) a likeness of the Statue of Liberty extending to the rim of the coin and large enough to provide a dramatic representation of Liberty while not being large enough to create the impression of a '2-headed' coin;

''(ii) the inscription '$1' ; and

''(iii) the inscription 'United States of America'.

''(B) COIN OBVERSE.—The design on the obverse shall contain—

''(i) the name and likeness of a President of the United States; and

''(ii) basic information about the President, including—

''(I) the dates or years of the term of office of such President; and

''(II) a number indicating the order of the period of service in which the President served.

''(C) EDGE-INCUSED INSCRIPTIONS.—

''(i) IN GENERAL.—The inscription of the year of minting or issuance of the coin and the inscriptions 'E Pluribus Unum' and 'In God We Trust' shall be edge-incused into the coin.

''(ii) PRESERVATION OF DISTINCTIVE EDGE.—The edge-incusing of the inscriptions under clause (i) on coins issued under this subsection shall be done in a manner that preserves the distinctive edge of the coin so that the denomination of the coin is readily discernible, including by individuals who are blind or visually impaired.

''(D) INSCRIPTIONS OF 'LIBERTY'.—Notwithstanding the second sentence of subsection (d)(1), because the use of a design bearing the likeness of the Statue of Liberty on the reverse of the coins issued under this subsection adequately conveys the concept of Liberty, the inscription of 'Liberty' shall not appear on the coins.

''(E) LIMITATION IN SERIES TO DECEASED PRESIDENTS.—No coin issued under this subsection may bear the image of a living former or current President, or of any deceased former President during the 2-year period following the date of the death of that President.

''(3) ISSUANCE OF COINS COMMEMORATING PRESIDENTS.—

''(A) ORDER OF ISSUANCE.—The coins issued under this subsection commemorating Presidents of the United States shall be issued in the order of the period of service of each President, beginning with President George Washington.

''(B) TREATMENT OF PERIOD OF SERVICE.—

''(i) IN GENERAL.—Subject to clause (ii), only 1 coin design shall be issued for a period of service for any President, no matter how many consecutive terms of office the President served.

''(ii) NONCONSECUTIVE TERMS.—If a President has served during 2 or more nonconsecutive periods of service, a coin shall be issued under this subsection for each such nonconsecutive period of service.

''(4) ISSUANCE OF COINS COMMEMORATING 4 PRESIDENTS DURING EACH YEAR OF THE PERIOD.—

''(A) IN GENERAL.—The designs for the $1 coins issued during each year of the period referred to in paragraph (1) shall be emblematic of 4 Presidents until each President has been so honored, subject to paragraph (2)(E).

''(B) NUMBER OF 4 CIRCULATING COIN DESIGNS IN EACH YEAR.—The Secretary shall prescribe, on the basis of such factors as the Secretary determines to be appropriate, the number of $1 coins that shall be issued with each of the designs selected for each year of the period referred to in paragraph (1).

''(5) LEGAL TENDER.—The coins minted under this title shall be legal tender, as provided in section 5103.

''(6) TREATMENT AS NUMISMATIC ITEMS.—For purposes of section 5134 and 5136, all coins minted under this subsection shall be considered to be numismatic items.

''(7) ISSUANCE OF NUMISMATIC COINS.—The Secretary may mint and issue such number of $1 coins of each design selected under this subsection in uncirculated and proof qualities as the Secretary determines to be appropriate.

''(8) TERMINATION OF PROGRAM.—The issuance of coins under this subsection shall terminate when each President has been so honored, subject to paragraph (2)(E), and may not be resumed except by an Act of Congress.

''(9) REVERSION TO PRECEDING DESIGN.—Upon the termination of the issuance of coins under this subsection, the design of all $1 coins shall revert to the so-called 'Sacagawea-design' $1 coins.''.

SEC. 103. FIRST SPOUSE BULLION COIN PROGRAM.

Section 5112 of title 31, United States Code, as amended by section 102, is amended by adding at the end the following:

''(o) FIRST SPOUSE BULLION COIN PROGRAM.—

''(1) IN GENERAL.—During the same period described in subsection (n), the Secretary shall issue bullion coins under this subsection that are emblematic of the spouse of each such President.

''(2) SPECIFICATIONS.—The coins issued under this subsection shall—

''(A) have the same diameter as the $1 coins described in subsection (n);

''(B) weigh 0.5 ounce; and

''(C) contain 99.99 percent pure gold.

''(3) DESIGN REQUIREMENTS.—

''(A) COIN OBVERSE.—The design on the obverse of each coin issued under this subsection shall contain—

''(i) the name and likeness of a person who was a spouse of a President during the President's period of service;

''(ii) an inscription of the years during which such person was the spouse of a President during the President's period of service; and

''(iii) a number indicating the order of the period of service in which such President served.

''(B) COIN REVERSE.—The design on the reverse of each coin issued under this subsection shall bear—

''(i) images emblematic of the life and work of the First Spouse whose image is borne on the obverse; and

''(ii) the inscription 'United States of America'.

''(C) DESIGNATED DENOMINATION.—Each coin issued under this subsection shall bear, on the reverse, an inscription of the nominal denomination of the coin which shall be '$10'.

''(D) DESIGN IN CASE OF NO FIRST SPOUSE.—In the case of any President who served without a spouse—

''(i) the image on the obverse of the bullion coin corresponding to the $1 coin relating to such President shall be an image emblematic of the concept of 'Liberty'—

''(I) as represented on a United States coin issued during the period of service of such President; or

''(II) as represented, in the case of President Chester Alan Arthur, by a design incorporating the name and likeness of Alice Paul, a leading strategist in the suffrage movement, who was instrumental in gaining women the right to vote upon the adoption of the 19th amendment and thus the ability to participate in the election of future Presidents, and who was born on January 11, 1885, during the term of President Arthur; and

''(ii) the reverse of such bullion coin shall be of a design representative of themes of such President, except that in the case of the bullion coin referred to in clause (i)(II) the reverse of such coin shall be representative of the suffrage movement.

''(E) DESIGN AND COIN FOR EACH SPOUSE.—A separate coin shall be designed and issued under this section for each person who was the spouse of a President during any portion of a term of office of such President.

''(F) INSCRIPTIONS.—Each bullion coin issued under this subsection shall bear the inscription of the year of minting or issuance of the coin and such other inscriptions as the Secretary may determine to be appropriate.

''(4) SALE OF BULLION COINS.—Each bullion coin issued under this subsection shall be sold by the Secretary at a price that is equal to or greater than the sum of—

''(A) the face value of the coins; and

''(B) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

''(5) ISSUANCE OF COINS COMMEMORATING FIRST SPOUSES.—

''(A) IN GENERAL.—The bullion coins issued under this subsection with respect to any spouse of a President shall be issued on the same schedule as the $1 coin issued under subsection (n) with respect to each such President.

''(B) MAXIMUM NUMBER OF BULLION COINS FOR EACH DESIGN.—The Secretary shall—

''(i) prescribe, on the basis of such factors as the Secretary determines to be appropriate, the maximum number of bullion coins that shall be issued with each of the designs selected under this subsection; and

''(ii) announce, before the issuance of the bullion coins of each such design, the maximum number of bullion coins of that design that will be issued.

''(C) TERMINATION OF PROGRAM.—No bullion coin may be issued under this subsection after the termination, in accordance with subsection (n)(8), of the $1 coin program established under subsection (n).

''(6) QUALITY OF COINS.—The bullion coins minted under this Act shall be issued in both proof and uncirculated qualities.

''(7) SOURCE OF GOLD BULLION.—

''(A) IN GENERAL.—The Secretary shall acquire gold for the coins issued under this subsection by purchase of gold mined from natural deposits in the United States, or in a territory or possession of the United States, within 1 year after the month in which the ore from which it is derived was mined.

''(B) PRICE OF GOLD.—The Secretary shall pay not more than the average world price for the gold mined under subparagraph (A).

''(8) BRONZE MEDALS.—The Secretary may strike and sell bronze medals that bear the likeness of the bullion coins authorized under this subsection, at a price, size, and weight, and with such inscriptions, as the Secretary determines to be appropriate.

''(9) LEGAL TENDER.—The coins minted under this title shall be legal tender, as provided in section 5103.

''(10) TREATMENT AS NUMISMATIC ITEMS.—For purposes of section 5134 and 5136, all coins minted under this subsection shall be considered to be numismatic items.''.

SEC. 104. REMOVAL OF BARRIERS TO CIRCULATION.

Section 5112 of title 31, United States Code, as amended by sections 102 and 103, by adding at the end the following:

''(p) REMOVAL OF BARRIERS TO CIRCULATION OF $1 COIN.—

''(1) ACCEPTANCE BY AGENCIES AND INSTRUMENTALITIES.—Beginning January 1, 2006, all agencies and instrumentalities of the United States, the United States Postal Service, all nonappropriated fund instrumentalities established under title 10, United States Code, all transportation and transit systems and entities that receive operational subsidies or any disbursement of funds from the Federal Government, such as funds from the Federal Highway Trust Fund, including the Mass Transit Account, and all entities that operate any business, including vending machines, on any premises owned by the United States or under the control of any agency or instrumentality of the United States, including the legislative and judicial branches of the Federal Government, shall take such action as may be appropriate to ensure that by the end of the 1-year period beginning on such date—

''(A) any business operations conducted by any such agency, instrumentality, system, or entity that involve coins or currency will be fully capable of accepting and dispensing $1 coins in connection with such operations; and

''(B) prominently displays signs and notices denoting such capability on the premises where coins or currency are accepted or dispensed, including on each vending machine.

''(2) PUBLICITY.—The Director of the United States Mint, shall work closely with consumer groups, media outlets, and schools to ensure an adequate amount of news coverage, and other means of increasing public awareness, of the inauguration of the Presidential $1 Coin Program established in subsection (n) to ensure that consumers know of the availability of the coin.

''(3) COORDINATION.—The Board of Governors of the Federal Reserve System and the Secretary shall take steps to ensure that an adequate supply of $1 coins is available for commerce and collectors at such places and in such quantities as are appropriate by—

''(A) consulting, to accurately gauge demand for coins and to anticipate and eliminate obstacles to the easy and efficient distribution and circulation of $1 coins as well as all other circulating coins, from time to time but no less frequently than annually, with a coin users group, which may include—

''(i) representatives of merchants who would benefit from the increased usage of $1 coins;

''(ii) vending machine and other coin acceptor manufacturers;

''(iii) vending machine owners and operators;

''(iv) transit officials;

''(v) municipal parking officials;

''(vi) depository institutions;

''(vii) coin and currency handlers;

''(viii) armored-car operators;

''(ix) car wash operators; and

''(x) coin collectors and dealers;

''(B) submitting an annual report to the Congress containing—

''(i) an assessment of the remaining obstacles to the efficient and timely circulation of coins, particularly $1 coins;

''(ii) an assessment of the extent to which the goals of subparagraph (C) are being met; and

''(iii) such recommendations for legislative action the Board and the Secretary may determine to be appropriate;

''(C) consulting with industry representatives to encourage operators of vending machines and other automated coin-accepting devices in the United States to accept coins issued under the Presidential $1 Coin Program established under subsection (n) and any coins bearing any design in effect before the issuance of coins required under subsection (n) (including the so-called 'Sacagawea-design' $1 coins), and to include notices on the machines and devices of such acceptability;

''(D) ensuring that—

''(i) during an introductory period, all institutions that want unmixed supplies of each newly-issued design of $1 coins minted under subsections (n) and (o) are able to obtain such unmixed supplies; and

''(ii) circulating coins will be available for ordinary commerce in packaging of sizes and types appropriate for and useful to ordinary commerce, including rolled coins;

''(E) working closely with any agency, instrumentality, system, or entity referred to in paragraph (1) to facilitate compliance with the requirements of such paragraph; and

''(F) identifying, analyzing, and overcoming barriers to the robust circulation of $1 coins minted under subsections (n) and (o), including the use of demand prediction, improved methods of distribution and circulation, and improved public education and awareness campaigns.

''(4) BULLION DEALERS.—The Director of the United States Mint shall take all steps necessary to ensure that a maximum number of reputable, reliable, and responsible dealers are qualified to offer for sale all bullion coins struck and issued by the United States Mint.

''(5) REVIEW OF CO-CIRCULATION.—At such time as the Secretary determines to be appropriate, and after consultation with the Board of Governors of the Federal Reserve System, the Secretary shall notify the Congress of its assessment of issues related to the co-circulation of any circulating $1 coin bearing any design, other than the so-called 'Sacagawea-design' $1 coin, in effect before the issuance of coins required under subsection (n), including the effect of co-circulation on the acceptance and use of $1 coins, and make recommendations to the Congress for improving the circulation of $1 coins.''.

SEC. 105. SENSE OF THE CONGRESS.

It is the sense of the Congress that—

(1) the enactment of this Act will serve to increase the use of $1 coins generally, which will increase the circulation of the so-called ''Sacagawea-design'' $1 coins that have been and will continue to be minted and issued;

(2) the continued minting and issuance of the so-called ''Sacagawea-design'' $1 coins will serve as a lasting tribute to the role of women and Native Americans in the history of the United States;

(3) the full circulation potential and cost-savings benefit projections for the $1 coins are not likely to be achieved unless the coins are delivered in ways useful to ordinary commerce;

(4) the coins issued in connection with this title should not be introduced with an overly expensive taxpayer-funded public relations campaign;

(5) in order for the circulation of $1 coins to achieve maximum potential—

(A) the coins should be as attractive as possible; and

(B) the Director of the United States Mint should take all reasonable steps to ensure that all $1 coins minted and issued remain tarnish-free for as long as possible without incurring undue expense; and

(6) if the Secretary of the Treasury determines to include on any $1 coin minted under section 102 of this Act a mark denoting the United States Mint facility at which the coin was struck, such mark should be edge-incused.

TITLE II—BUFFALO GOLD BULLION COINS

SEC. 201. GOLD BULLION COINS.

Section 5112 of title 31, United States Code, is amended—

(1) in subsection (a), by adding at the end the following:

''(11) A $20 gold coin that is of an appropriate size and thickness, as determined by the Secretary, weighs 1 ounce, and contains 99.99 percent pure gold.''; and

(2) by adding at the end, the following:

''(q) GOLD BULLION COINS.—

''(1) IN GENERAL.—Not later than 6 months after the date of enactment of the Presidential $1 Coin Act of 2005, the Secretary shall commence striking and issuing for sale such number of $20 gold bullion coins as the Secretary may determine to be appropriate, not to exceed 500,000 in any year.

''(2) INITIAL DESIGN.—

''(A) IN GENERAL.—Except as provided under subparagraph (B), the obverse and reverse of the gold bullion coins struck under this subsection during the first year of issuance shall bear the original designs by James Earle Fraser, which appear on the 5-cent coin commonly referred to as the 'Buffalo nickel' or the '1913 Type 1'.

''(B) VARIATIONS.—The coins referred to in subparagraph (A) shall—

''(i) have inscriptions of the weight of the coin and the nominal denomination of the coin incused in that portion of the design on the reverse of the coin commonly known as the 'grassy mound'; and

''(ii) bear such other inscriptions as the Secretary determines to be appropriate.

''(3) SUBSEQUENT DESIGNS.—After the 1-year period described to in paragraph (2), the Secretary may—

''(A) after consulting with the Commission of Fine Arts, and subject to the review of the Citizens Coinage Advisory Committee, change the design on the obverse or reverse of gold bullion coins struck under this subsection; and

''(B) change the maximum number of coins issued in any year.

''(4) SOURCE OF GOLD BULLION.—

''(A) IN GENERAL.—The Secretary shall acquire gold for the coins issued under this subsection by purchase of gold mined from natural deposits in the United States, or in a territory or possession of the United States, within 1 year after the month in which the ore from which it is derived was mined.

''(B) PRICE OF GOLD.—The Secretary shall pay not more than the average world price for the gold mined under subparagraph (A).

''(5) SALE OF COINS.—Each gold bullion coin issued under this subsection shall be sold for an amount the Secretary determines to be appropriate, but not less than the sum of—

''(A) the face value of the coins; and

''(B) the cost of designing and issuing the coins, including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping.

''(6) LEGAL TENDER.—The coins minted under this title shall be legal tender, as provided in section 5103.

''(7) TREATMENT AS NUMISMATIC ITEMS.—For purposes of section 5134 and 5136, all coins minted under this subsection shall be considered to be numismatic items.''.

TITLE III—ABRAHAM LINCOLN BICENTENNIAL 1-CENT COIN REDESIGN

SEC. 301. FINDINGS.

Congress finds the following:

(1) Abraham Lincoln, the 16th President, was one of the Nation's greatest leaders, demonstrating true courage during the Civil War, one of the greatest crises in the Nation's history.

(2) Born of humble roots in Hardin County (present-day LaRue County), Kentucky, on February 12, 1809, Abraham Lincoln rose to the Presidency through a combination of honesty, integrity, intelligence, and commitment to the United States.

(3) With the belief that all men are created equal, Abraham Lincoln led the effort to free all slaves in the United States.

(4) Abraham Lincoln had a generous heart, with malice toward none, and with charity for all.

(5) Abraham Lincoln gave the ultimate sacrifice for the country he loved, dying from an assassin's bullet on April 15, 1865.

(6) All Americans could benefit from studying the life of Abraham Lincoln, for Lincoln's life is a model for accomplishing the ''American dream'' through honesty, integrity, loyalty, and a lifetime of education.

(7) The year 2009 will be the bicentennial anniversary of the birth of Abraham Lincoln.

(8) Abraham Lincoln was born in Kentucky, grew to adulthood in Indiana, achieved fame in Illinois, and led the nation in Washington, D.C.

(9) The so-called ''Lincoln cent'' was introduced in 1909 on the 100th anniversary of Lincoln's birth, making the obverse design the most enduring on the nation's coinage.

(10) President Theodore Roosevelt was so impressed by the talent of Victor David Brenner that the sculptor was chosen to design the likeness of President Lincoln for the coin, adapting a design from a plaque Brenner had prepared earlier.

(11) In the nearly 100 years of production of the ''Lincoln cent'', there have been only 2 designs on the reverse: the original, featuring 2 wheat-heads in memorial style enclosing mottoes, and the current representation of the Lincoln Memorial in Washington, D.C.

(12) On the occasion of the bicentennial of President Lincoln's birth and the 100th anniversary of the production of the Lincoln cent, it is entirely fitting to issue a series of 1-cent coins with designs on the reverse that are emblematic of the 4 major periods of President Lincoln's life.

SEC. 302. REDESIGN OF LINCOLN CENT FOR 2009.

(a) IN GENERAL.—During the year 2009, the Secretary of the Treasury shall issue 1-cent coins in accordance with the following design specifications:

(1) OBVERSE.—The obverse of the 1-cent coin shall continue to bear the Victor David Brenner likeness of President Abraham Lincoln.

(2) REVERSE.—The reverse of the coins shall bear 4 different designs each representing a different aspect of the life of Abraham Lincoln, such as—

(A) his birth and early childhood in Kentucky;

(B) his formative years in Indiana;

(C) his professional life in Illinois; and

(D) his presidency, in Washington, D.C.

(b) ISSUANCE OF REDESIGNED LINCOLN CENTS IN 2009.—

(1) ORDER.—The 1-cent coins to which this section applies shall be issued with 1 of the 4 designs referred to in subsection (a)(2) beginning at the start of each calendar quarter of 2009.

(2) NUMBER.—The Secretary shall prescribe, on the basis of such factors as the Secretary determines to be appropriate, the number of 1-cent coins that shall be issued with each of the designs selected for each calendar quarter of 2009.

(c) DESIGN SELECTION.—The designs for the coins specified in this section shall be chosen by the Secretary—

(1) after consultation with the Abraham Lincoln Bicentennial Commission and the Commission of Fine Arts; and

(2) after review by the Citizens Coinage Advisory Committee.

SEC. 303. REDESIGN OF REVERSE OF 1-CENT COINS AFTER 2009.

The design on the reverse of the 1-cent coins issued after December 31, 2009, shall bear an image emblematic of President Lincoln's preservation of the United States of America as a single and united country.

SEC. 304. NUMISMATIC PENNIES WITH THE SAME METALLIC CONTENT AS THE 1909 PENNY.

The Secretary of the Treasury shall issue 1-cent coins in 2009 with the exact metallic content as the 1-cent coin contained in 1909 in such number as the Secretary determines to be appropriate for numismatic purposes

SEC. 305. SENSE OF THE CONGRESS.

It is the sense of the Congress that the original Victor David Brenner design for the 1-cent coin was a dramatic departure from previous American coinage that should be reproduced, using the original form and relief of the likeness of Abraham Lincoln, on the 1-cent coins issued in 2009.

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

The Chair recognizes the gentleman from Ohio.

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

Mr. Speaker, I rise in strong support of S. 1047, the Presidential $1 Coin Act of 2005, and urge its immediate passage.

Mr. Speaker, it is rare in this Chamber when we can vote for legislation that is good for business, good for consumers, good for children, good for parents and good for taxpayers all at the same time. Usually we must make our best judgments on how to balance those often competing interests. At this time, however, there are a lot of winners and no losers.

The legislation we are considering, authored by the gentleman from Delaware, holds every chance of solving what has become a real problem in modern commerce, how to get a $1 coin circulating in the sections of the economy that would benefit from having one. We can all remember the old cartwheel silver dollars, or at least some of us can, that were great to have when we were kids, but which were too big and bulky to carry a pocketful, and we can all remember the Treasury's mistake in 1979 when it went to replace the bigger dollars with one that many people thought was indistinguishable from the quarter.

Mr. Speaker, we have all had the experience of trying to buy a fare card in the Metro system here in Washington and having the machine reject our worn dollar time after time or trying to buy something from a vending machine and having it jam with our paper money. That is an inconvenience to the consumer, but it is often a big loss to the operator of the vending machine, not just of that sale, but of all the others who cannot use the machine until it is repaired. Who actually pays for the losses in the end, of course, is the consumer.

Mr. Speaker, doubtless a fully circulating dollar coin will not be as useful or popular in a rural community without public transit as it is in an urban environment. But in cities, it will be a big hit, and in any event, it is the obligation of Congress to provide for the production of coins and currency that allows businesses to operate efficiently.

So the gentleman from Delaware (Mr. CASTLE), who is the author of the 50 State quarter program, a most successful program, and I applaud the gentleman for his leadership and vision. He has come up, again, with an ingenuous solution. Having seen the demand for quarters skyrocket as soon as those coins started changing their design every couple of months, he has designed a program that will do the same for the dollar coin, creating a gimmick, and I don't know whether I wanted to call it a gimmick, but that is what it says right here, that will draw the coins into circulation because of collector demand instead of trying to push the coins out into circulation as the Mint famously and unsuccessfully tried to do in 2000.

Other aspects of the bill, a gold First Spouse coin, a solid gold investor grade coin with a buffalo nickel design and a set of four new penny reverses in 2009 for the 200th anniversary of the birth of Abraham Lincoln, are also good ideas in that regard.

I would also like to make two points. One is that since this idea was that of the gentleman from Delaware, rightfully, the bill we pass ought to bear the number H.R. 902 that he introduced with the gentlewoman from New York and which passed the House 422–6. I chalk the fact that this bill bears a Senate number up to the procedural problem as the Senate rushed to pass the legislation before the Thanksgiving recess, but it is still unfortunate. Make no mistake about it, this legislation came about because of MIKE CASTLE and CAROLYN MALONEY, and I want to thank both of them for their efforts.

Much more serious is a provision in the Senate bill that was not in the House bill and which will, in my estimation, cause some problems as the Presidential dollar program goes forward, a requirement that a third of all the dollar coins issued during the life of the Presidential dollar program bear the Sakakawea design. Mr. CASTLE and Mrs. MALONEY struck a good commonsense agreement with Mr. POMEROY over the House version of this bill that would have continued minting Sakakawea design coins to meet demand throughout the life of the Presidential dollar and then return to full production of that design after the Presidential program is finished and the dollar coin establishes a useful and well-circulating medium of exchange.

Mr. Speaker, although not the fault of the design of Sakakawea herself, there will not be the same demand for the Sakakawea coins as for the Presidents, because there will be no real change in the design of the coin from year to year. The problem, of course, is that if the coins are struck but there is no demand, they will need to be stored somewhere at some cost to the government. I will introduce into the RECORD a letter to that effect from the Federal Reserve.

Mr. CASTLE and other supporters of this legislation have signaled their intent to revisit this provision in the upcoming session to try to find a way to stimulate demand for the Sakakawea design, and I pledge to work with them in that effort.

With those reservations, Mr. Speaker, this is fine legislation. It will benefit businesses, consumers, have great educational value and actually probably make the government a good deal of money as collectors take some of the dollars out of circulation. I urge its immediate passage.

BOARD OF GOVERNORS OF
THE FEDERAL RESERVE SYSTEM,
Washington, DC, December 5, 2005.

Hon. MICHAEL G. OXLEY,
Chairman, Committee on Financial Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to provide you with information and perspective on H.R. 902 and S. 1047, the House- and Senate-passed versions of the ''Presidential $1 Coin Act of 2005,'' particularly as these bills would affect the Federal Reserve Banks. These bills are intended, in part, to increase the circulation of $1 coins. Prior to House passage, I provided comments on H.R. 902 in a letter dated March 15, 2005, and my colleague, Federal Reserve Board Governor

Mark Olson, provided comments on a similar bill in an earlier letter dated August 31, 2004. Federal Reserve Board staff also briefed House and Senate staff on similar issues. I appreciate that the bills passed by the House and Senate address several of the comments that were raised in the previous letters and briefings; however, we continue to have concerns about several aspects of the proposed bills.

Both bills require the issuance of four new Presidential $1 coins each year. as well as the continued issuance of the Sacagawea $1 coin. Although both bills provide the Secretary of the Treasury with discretion to determine the appropriate number of Presidential $1 coins per design to issue each year, the Senate bill requires (and the House bill suggests) that the Secretary and the Board ensure that unmixed supplies of each newly-issued $1 coin be available to all institutions that want them during an introductory period. The experience of the Reserve Banks with regard to the state quarter and golden dollar programs has been that the commemorative coin designs increase Reserve Banks' inventories well beyond levels that they would otherwise hold and increase operating costs associated with coin inventory management. The public initially tends to demand a large number of coins for numismatic purposes, but eventually many of those coins are returned to the Reserve Banks. This results in the accumulation of excessive inventories. Assuming that the flow back of excess Presidential $1 coins to the Reserve Banks is consistent with that of earlier commemorative coin designs, we estimate the net present value of the cost associated with storing excess Presidential $1 coins to be approximately $45 million over the life of the program. As we have previously suggested, slowing the rate at which new coin designs are introduced would help reduce these costs.

The Senate-passed bill would exacerbate the Reserve Banks' inventory challenges, compared to the House-passed bill, by requiring the minting and issuance of Sacagawea $1 coins ''in quantities no less than 1/3 of the total $1 coins minted and issued'' under the Presidential $1 coin program. Establishing such a relative quota for Sacagawea coins, irrespective of the actual public demand for that specific coin design, would likely further increase the amount of excess coin held at the Reserve Banks. Federal Reserve Board staff estimates that the Sacagawea coin quota would further increase the cost associated with storing excess dollar coins by as much as one-third, or $15 million, to an estimated net present value of approximately $60 million over the life of the program. We would expect the Mint to continue to produce Sacagawea coins, and the Reserve Banks to put Sacagawea coins into circulation as needed, and we recommend that the final bill not include a specific requirement that a fixed fraction of new $1 coin production be dedicated to the Sacagawea design.

It has proven very difficult over time to stimulate public demand for the $1 coin. As you may know, the Government Accountability Office (GAO) has reported several times on a number of barriers to the effective circulation of $1 coins, including the U.S. public's continued preference for $1 notes. As a result, we urge that the final legislation be flexible enough to address the possibility of continued low public demand for the $1 coin and the potential implications of slow growth in usage for the costs incurred by the Mint and the Federal Reserve.

On another issue, the House-passed bill provides a sense of the Congress that at such time as the Secretary of Treasury determines to be appropriate, and after consultation with the Federal Reserve, the Secretary should declare the Susan B. Anthony $1 coin to be obsolete. Neither existing law nor the bill defines the word ''obsolete.'' We continue to be concerned that the public might interpret such language as withdrawing the legal tender status of the coin. Further, if ''obsolete'' means that Susan B. Anthony coins would remain legal tender but that the Treasury and Federal Reserve should remove the coins from circulation, this would likely impose significant operational costs that would also reduce the potential value to the government of the proposed $1 coin program. For example, currently available equipment does not enable the Federal Reserve to sort the different $1 coins according to their designs in order to remove some designs from circulation. Therefore. we continue to believe that it would be prudent not to include language in the bill suggesting that the Susan B. Anthony coin will be withdrawn from circulation or declared obsolete.

We hope these thoughts help clarify some of the remaining technical issues with the two bills. As the House and Senate work to resolve the differences between the bills, we ask that you take into consideration the concerns outlined in this letter.

Sincerely,

DONALD L. KOHN,
Member of the Board.

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

Mr. Speaker, I am delighted that the House is taking up this bill that Congressman CASTLE and I initiated, and I truly believe it is a win-win for taxpayers and the economy, the Presidential $1 Coin Bill.

As we recall, the House passed our version of this bill by an overwhelming bipartisan majority last April, and the Senate has now done the same with its version and sent it back here for final passage.

As our earlier vote reflects, this is an idea that we can all agree on. The Presidential dollar coin will begin in January of 2007 with the issuance of the George Washington dollar and continue at the rate of four Presidents a year until all Presidents who have completed their term of office have been honored, including President Bush and at least one successor.

The back of the coin has the Statue of Liberty, which is located in the harbor of the city I represent. It is recognized throughout the world as the image of the United States and the symbol of freedom and opportunity.

I am particularly pleased and thankful for discussions with Representative POMEROY from North Dakota, Indian tribal chiefs and women's groups, on the provisions of the bill relating to the Sakakawea dollar coin that have been clarified, really strengthened, to make sure that Sakakawea will continue to be honored on the dollar throughout the program and after the program is complete. This is also true in the Senate version which we are voting on today.

This initiative builds on the remarkable success also led by my dear friend and colleague Congressman CASTLE of our 50 State quarter bill. Like the State quarters, the Presidential dollar coin will revive interest in and encourage use of the dollar coin, educate the public about our Presidents and their first ladies and make money for the taxpayers. After 5 years at the halfway point, the 50 State quarter program had made $4 billion for the United States Treasury, primarily from collectors taking the coins out of circulation so that the Federal Reserve then buys more from the Mint.

Over 130 million Americans, including children, adults and collectors, are collecting the quarters. I know from firsthand experience. My daughter is one of these collectors, and she has collected every single quarter, has books on them; her friends collect them. Teachers have told me that they use the quarter in their classrooms for educational purposes, and I believe that the Presidential dollar bill will likewise be used as an educational tool for collectors and for school children. We have similar hopes for the effect of the individuals collecting the Presidential dollar coins for them to be useful in the classroom and helpful to the Treasury.

In addition, this bill will revive interest in and encourage use of the dollar coin. The GAO has estimated that general use of dollar coins could save the government as much as $50 million per year because they last longer than the dollar bill.

I have received correspondence from small businesses, who are delighted that the bill will boost usage of the dollar coin in everyday commerce. As dollar coins achieve greater use in meters, fare machines, coin operated laundromats or car washes, these businesses will benefit and consumers will get faster and more efficient service.

We have done a great deal of research to make sure that this coin is successful. In the course of developing this bill, Congressman CASTLE reached out to the National Federation for the Blind to ask for the perspective of persons with visual impairments whom we might expect to have the most concern over problems with usage of a dollar coin and specifically with distinguishing it from a quarter. The NFB responded that so long as the edge of the coin was distinctive, persons with visual impairments would not have a problem, and we have accommodated that need. The legislation also leaves a great deal of flexibility to the Mint to design the coins in such a way that they will be sufficiently distinctive, and we have made the Mint aware of this imperative.

I am also proud of the bill's provision for also honoring each first spouse. The bill provides for these to be issued both as gold bullion collectors items and also in a bronze version, making them more accessible to school children and the public.

This bill earns money for the government, benefits small businesses and consumers, educates all users of American currency about their Presidents and revitalizes interest in the dollar coin. I would call that a bill that clearly deserves our full support.

I would like to thank Congressman CASTLE for his initiative and steady work on this bill, a bill that should be supported easily by everyone. The fact is that it makes money for the Treasury, educates people and helps our economy, but we had many, many hurdles that we had to jump over, and his thoughtful and persistent work was absolutely critical for its success.

I also thank my good friend Representative POMEROY for helping to make this a bill that continues to honor Sakakawea, both during the time that it is being minted and afterwards; and also our ranking member, Mr. FRANK, for helping us to move this to the floor for a vote.

Of course, Congressman OXLEY, we will miss you and miss your leadership in this body.

I would also like to thank Joe Pinder and Emily Pfeiffer on the majority staff of the Financial Services Committee for their assistance throughout this process.

And I would finally like to thank Jaime Lizarraga of the minority Financial Services Committee and Eleni Constantine for their work on it.

Mr. Speaker, I urge all of my colleagues to support it. It is not often that we have an opportunity to vote on something that will educate adults and children about our history, put money into the Treasury, save taxpayers money, help small business, and it is just plain fun to collect. So I am thoroughly in support of it.

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

Mr. OXLEY. Mr. Speaker, I am pleased now to yield 5 minutes to the gentleman from Delaware (Mr. CASTLE), the First State, who has been a real leader in this effort and shown a great deal of foresight.

Mr. CASTLE. Mr. Speaker, I thank the chairman for yielding me time.

Mr. Speaker, I am delighted to be able to speak to this bill. Let me just start by thanking you, Mr. Chairman, for expediting this. Sometimes it is not that easy to move along even good legislation. I also wish to thank the ranking member, Mr. FRANK, who is on the floor, for his acceptance of this as well.

I cannot thank CAROLYN MALONEY enough for her exceptional work. You have to get a lot of signatures on these bills. You have to talk to a lot of people. We had a lot of negotiations with respect to some of the changes from Sakakawea to what we are trying to do, and I just cannot thank her enough for her constant support of it. I would bet we talked about this about 100 times in the course of the last couple years, if I had to guess.

I wish it were our bill and not the Senate version of our bill, though, but that is the way things go sometimes. We will still enjoy it.

I would also like to thank particularly Joe Pinder, who knows more about coins probably than anybody in the United States of America, as far as I can ascertain. He talked to me first about the other quarter bill, which I did not think was a particularly sound idea at the time. This was some 10 years ago now, I think. He talked to me about it again. Then he told me Delaware would be first because it was the first State to ratify the Constitution, and then he pointed out it would actually make some money for the Federal Government. By that time, I became convinced after several months of this, and we actually had to convince Secretary Rubin and Deputy Secretary Summers at that time. They thought the same thing I did; it was not a great idea. It turned out to be a very significant and good idea, as we all know now, for all the reasons that Mrs. MALONEY and the chairman spoke about, educating a lot of people, and it has been a wonderfully fun program.

What a lot of people do not realize is these programs make money. That particular program has made $5 billion, billion with a ''B'' for the Federal Government so far, on its way to probably $8 billion to $10 billion before it is all said and done. It is a complicated process called seniorage, but essentially, they make the coins for 4 or 5 cents, and they sell them for 25 cents, obviously, when the public buys them from the Federal Reserve. And that amount of money, if the coins are not reclaimed, which they are not in the collectors' case, is money that we can use instead of having to appropriate money.

It is also estimated, I should point out, that this particular program which has multiple higher numbers, although there will be fewer coins distributed, we hope will make in the range of $4 to $5 billion as well. So we are talking about something which has a lot of benefit.

I would also like to thank Emily Pfeiffer, who started on my staff and now works for the committee. The committee, which has all this money and can pay higher salaries, I guess is what it is all about, took her away, but she has done some wonderful work on this as well.

□ 1545

This bill is unique. It has on the side edge incusing, which means on the side of the coin you are going to have what we have above you, Mr. Speaker: In God We Trust and E Pluribus Unum will be on there. It will be gold in color, and it will represent the various Presidents who served our country. It is going to be tremendously educational. There will be a First Lady coin; there will be gold bullion editions of these particular coins for collectors. We think it actually may help bring the dollar coin back into commerce. I see the gentleman from North Dakota (Mr. POMEROY) on the floor, and a lot of our negotiations were with him and he was very concerned about the continuation of the recognition of Sakakawea. My hope is, frankly, this is going to add to that, because it is actually going to get the coins distributed when we revert to that program, and sometime later it will add to it as well.

I must say that I am concerned about what Senator DORGAN did put into the bill, because I prefer what we worked out in the House as a better solution to this, and that is an edition of the third of the coins now still to be Sakakawea, and I am afraid they are going to sit and collect dust and not be distributed.

At this point I would rather have done this differently. But we are working on that, and hopefully we will have a better solution to recognize the great American Indians and what they have done for us in this country before we are all said and done, even while this program is going on. I think there are perhaps better solutions than what the Senate actually did, but that is something we are not going to do unless we all agree. So I think we should pass this legislation, which is very good legislation; and if we can make it even better, we should come back and try to do that at some point in the future. We will continue to work on that.

These coins, the quarters I am referring to now, have been highly successful because of the children's involvement. It is my hope that the children are going to go into the store and ask for dollar coins in change. We think that is very significant in terms of what they might do and in terms of the circulation in the commerce. Four of these will be issued per year, that will be plenty, to make everybody start looking forward to them. Once they collected the one before, they will collect the other one. They will be coined at the Philadelphia and Denver Mints, so they will have the P and the D on them, and people might wish to collect both of them, as a matter of fact.

As a matter of fact, even the National Education Association has sent a letter in support of this bill. It is true, you do not find many bills here in which we actually make money which are educational, which are fun, which are well received by everybody; and that is essentially what this bill does. So I would just like to thank everybody who was involved and urge passage of the legislation hopefully unanimously in the House.

Mrs. MALONEY. Mr. Speaker, I yield as much time as he may consume to the gentleman from North Dakota (Mr. POMEROY), who was instrumental in the passage of this bill. We thank him for his leadership.

Mr. POMEROY. Mr. Speaker, I am delighted to be able to participate in this discussion. I want to thank the gentlewoman for yielding. I also thank the gentlewoman for struggling with the Hidatsa pronunciation of Sakakawea, when most across the Nation learned the Shoshone pronunciation Sacajawea. I think the sensitivity you showed to our feelings that it is the Hidatsa pronunciation that ought to be applicable is really representative of the kind of sensitivity you have shown to our concerns throughout this entire matter.

As far as that goes, I want to really commend my colleague from Delaware, MIKE CASTLE. I commend also the ranking member, BARNEY FRANK, for taking what was clearly set up to be a win-lose proposition, with the losers being those who really are proud of the Sakakawea coin, a coin representing the first Native American woman ever to grace a United States coin, a coin that we think also reflects honor and celebration of the bicentennial of the Lewis & Clark Expedition which opened up the north and west, and so we felt very strongly that the Mint had made the right decision moving the dollar coin forward with Sakakawea, and we were concerned about this coming to an end.

As we worked this through, this win-lose proposition became something that I now view much more favorably as a win-win proposition. I think the gentleman from Delaware has it right when he says that the introduction of the Presidents may spark a whole new interest in the dollar coin itself; and working together, we have been able to ensure that Sakakawea will continue to be on part of those coins.

As to in the end what is a right percentage or should there be a directed percentage, all I would say is we have worked in the end well on this matter, and I will pledge my commitment to continuing to work to make sure that this achieves the ends we all want: a dollar coin more popularly accepted; recognition of our Presidents; a popular collector's item for school children; and continued prominence of the Sakakawea coin in circulation in this country.

I think that in the end this has been for me a very satisfying legislative experience, and I commend the principals for making it so. Certainly, I think that you could have pursued this another way; and really, gosh, if we could do this more often around here on other issues, I think we would get a lot more done.

I also want to take the opportunity at the podium just to recognize Chairman OXLEY. As someone with a former background as an insurance commissioner, I have a deep interest in the matters of the Financial Services Committee, and the chairman's serving as the first chairman of this new committee with its broader reach of jurisdiction than the old banking committee, I think you have set a very high bar of leadership and integrity and fair-mindedness, and we have enjoyed your service in that regard. I look forward to working with you next year as you continue to serve out your chairmanship.

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

Mr. OXLEY. Mr. Speaker, I again want to reiterate my support and thanks to the leadership of the gentleman from North Dakota and thanks for his cooperation. The gentlewoman from New York's negotiating skills got the Statue of Liberty on the coin. That is pretty impressive. And the gentleman from the First State has been a real leader in this for a long time. In the great tradition of our committee, we look forward to strong bipartisan support.

Mrs. KELLY. Mr. Speaker, I rise today in support of S. 1047. I have the privilege of representing the West Point Mint, the home of our nation's bullion coin programs. Since 1986 the mint and its employees have produced the American Eagle series of silver, gold, and platinum bullion coins with unmatched skill and quality. Each of the tens of millions of American Eagle bullion coins that has been sold is an investment in America, a savings for taxpayers, and a vote of confidence in the workmanship of the West Point Mint.

S. 1047 builds on that legacy by authorizing two new bullion programs, an American Presidential Spouse 24 karat gold bullion coin and an American Buffalo $50 gold bullion coin. Passage of this bill into law will ensure that the West Point Mint remains at the center of American and global bullion coin production for years to come. I urge the members of the House to join me in passing this bill.

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

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the motion offered by the gentleman from Ohio (Mr. OXLEY) that the House suspend the rules and pass the Senate bill, S. 1047.

The question was taken.

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

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

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. OXLEY. 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 S. 1047.

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

There was no objection.

SMALL PUBLIC HOUSING AUTHORITY ACT

Mr. OXLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3422) to amend the United States Housing Act of 1937 to exempt small public housing agencies from the requirement of preparing an annual public housing agency plan, as amended.

The Clerk read as follows:

H.R. 3422

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 ''Small Public Housing Authority Act''.

SEC. 2. PUBLIC HOUSING AGENCY PLANS FOR CERTAIN SMALL PUBLIC HOUSING AGENCIES.

(a) IN GENERAL.—Section 5A(b) of the United States Housing Act of 1937 (42 U.S.C. 1437c–1(b)) is amended by adding at the end the following new paragraph:

''(3) EXEMPTION OF CERTAIN SMALL PHAS FROM FILING REQUIREMENT.—

''(A) IN GENERAL.—Notwithstanding paragraph (1) or any other provision of this Act—

''(i) the requirement under paragraph (1) shall not apply to any qualified small public housing agency; and

''(ii) except as provided in subsection (e)(4)(B), any reference in this section or any other provision of law to a 'public housing agency' shall not be considered to refer to any qualified small public housing agency, to the extent such reference applies to the requirement to submit an annual public housing agency plan under this subsection.

''(B) CIVIL RIGHTS CERTIFICATION.—Notwithstanding that qualified small public housing agencies are exempt pursuant to subparagraph (A) from the requirement under this section to prepare and submit an annual public housing plan, each qualified small public housing agency shall, on an annual basis, make the certification described in paragraph (15) of subsection (d) of this section, except that for purposes of such small public housing agencies, such paragraph shall be applied by substituting 'the public housing program of the agency' for 'the public housing agency plan'.

''(C) DEFINITION.—For purposes of this section, the term 'qualified small public housing agency' means a public housing agency that meets all of the following requirements:

''(i) The sum of (I) the number of public housing dwelling units administered by the agency, and (II) the number of vouchers under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) administered by the agency, is 250 or fewer.

''(ii) The agency is not designated pursuant to section 6(j)(2) as a troubled public housing agency.''.

(b) RESIDENT PARTICIPATION.—Section 5A of the United States Housing Act of 1937 (42 U.S.C. 1437c-1) is amended—

(1) in subsection (e), by inserting after paragraph (3) the following:

''(4) QUALIFIED SMALL PUBLIC HOUSING AGENCIES.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), nothing in this section

may be construed to exempt a qualified small public housing agency from the requirement under paragraph (1) to establish one or more resident advisory boards. Notwithstanding that qualified small public housing agencies are exempt pursuant to subsection (b)(3)(A) from the requirement under this section to prepare and submit an annual public housing plan, each qualified small public housing agency shall consult with, and consider the recommendations of the resident advisory boards for the agency, in any determinations and actions of the agency regarding establishing goals, objectives, and policies of the agency.

''(B) APPLICABILITY OF WAIVER AUTHORITY.—Paragraph (3) shall apply to qualified small public housing agencies, except that for purposes of such small public housing agencies, subparagraph (B) of such paragraph shall be applied by substituting 'the functions described in the second sentence of paragraph (4)(A)' for 'the functions described in paragraph (2)'.

''(f) PUBLIC HEARINGS.—''; and

(2) in subsection (f) (as so designated by the amendment made by paragraph (1) of this subsection), by adding at the end the following new paragraph:

''(5) QUALIFIED SMALL PUBLIC HOUSING AGENCIES.—

''(A) REQUIREMENT.—Notwithstanding that qualified small public housing agencies are exempt pursuant to subsection (b)(3)(A) from the requirement under this section to conduct a public hearing regarding the annual public housing plan of the agency, each qualified small public housing agency shall, not less than annually, conduct a public hearing to discuss the goals, objectives, and policies of the agency, and any changes to such goals, objectives, and policies, and to invite public comment regarding such issues.

''(B) AVAILABILITY OF INFORMATION AND NOTICE.—Not later than 45 days before the date of such a hearing, the qualified small public housing agency shall—

''(i) make all information relevant to the hearing and any determinations of the agency regarding the goals, objectives, and policies of the agency to be considered at the hearing available for inspection by the public at the principal office of the public housing agency during normal business hours; and

''(ii) publish a notice informing the public that (I) the information is available as required under clause (i), and (II) a public hearing under subparagraph (A) will be conducted.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. OXLEY) and the gentleman from Massachusetts (Mr. FRANK) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

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

Mr. Speaker, I rise in strong support of H.R. 3422, the Small Public Housing Authority Act, and wish to commend the gentleman from Texas (Mr. NEUGEBAUER) for his work on this important legislation.

The Small Public Housing Authority Act would amend the United States Housing Act of 1937 to exempt a small public housing agency from a requirement to prepare an annual public agency plan if the agency administers not more than a total of 250 dwelling units and section 8 vouchers and is not a troubled agency and provides assurances of resident participation.

Currently, public housing authorities are required to submit both a 5-year plan and an annual plan to HUD. The 5-year PHA plan addresses the agency's mission and their plan to achieve their mission. Specifically, the annual plan has typically required public housing authorities to include information on the housing needs of the families in the jurisdiction, strategies to meet these needs, statement of financial resources, and PHA policies governing eligibility, selection, and administrations.

Typically the average streamlined PHA plan is 47 pages with extensive attachments. For a small PHA with limited staff, compiling such a report is both time consuming and labor intensive. The regulatory relief provided in this legislation will give small public housing authorities more time to focus on the needs of their tenants. This exemption of smaller PHAs from filing plans will not affect the ability of tenant organizations to continue to have input with the managers of their developments. Language incorporated into the legislation ensures tenant participation and requires smaller PHAs to provide advanced planning required under the 5-year plans.

Similar legislation sponsored by our good friend, retired Representative Doug Bereuter, was considered by the Financial Services Committee on March 17, 2004, and passed the House under suspension of the rules on May 5, 2004, in the 108th Congress.

Mr. Speaker, H.R. 3422 deserves our support. I urge its adoption.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we agree that this is a useful piece of legislation. I am one who believes in appropriate regulation. And if you believe in appropriate regulation, you should be committed to doing away with inappropriate regulation. When you overregulate, when you put too much of a burden on people who should not have the burden, you undercut the case for those restrictions where they should apply. Clearly, when you talk about housing authorities, you are talking about entities that differ greatly; and this is one of those cases where to quote, I guess Marx I am afraid, ''Quantity can become quality.'' Differences in size can become so important that they become difference in kind.

When you talk of the New York Public Housing Authority or the Los Angeles Public Housing Authority and you are talking about some of the very small public housing authorities, you are talking about very different entities, and you ought not try to put them all under one. So we appreciate the initiative that came on the other side from those who wanted to make this more flexible.

We did have some concerns. By ''we'' I did mean myself and the gentlewoman from California (Ms. WATERS), who chairs the housing subcommittee, because we did not want to have tenants who, after all, are human beings in large authorities as well as small to be somehow inadvertently disadvantaged. So we appreciate the fact that the majority is willing to negotiate with us, and I always say that with trepidation lest my having acknowledged that we worked out something bipartisan in our committee and transformed something routine into an ideological war. But I would assure people that the negotiations here were of a fairly calm level.

What we did, essentially, was to maintain the statutory role for resident advisory boards. They are advisory, and obviously it is important to watch housing authorities that are small and talk to the people who live there.

Secondly, we left in a requirement that they have to have a public hearing at least once a year to talk about their objectives. I think these are beneficial. Finally, we wanted to make clear that they did have to self-certify that they were meeting the civil rights and fair housing laws.

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No one has to investigate them, but leaving that out, leaving that requirement itself out of the equation, the vast majority of housing authorities are well-intentioned, and you do not volunteer to be on a housing authority unless you really care about the people who are there. The people who run the small housing authorities are very often very civic-minded people, people who care about the poor. Very rarely are the people who run these authorities getting back any kind of compensation, enough to make up for the time. But we want to make sure that we did not send the wrong message.

So with those three fairly minor modifications that the majority accepted, this is a fairly useful bill, and we hope that it is passed.

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

Mr. OXLEY. Mr. Speaker, I am now pleased to yield such time as he may consume to the gentleman from Texas (Mr. NEUGEBAUER), the sponsor of the legislation.

Mr. NEUGEBAUER. Mr. Speaker, I thank Chairman OXLEY and Ranking Member FRANK.

Mr. Speaker, H.R. 3422 would exempt public housing authorities with 250 or fewer public housing units and section 8 vouchers combined from the requirement of submitting an annual plan to the Department of Housing and Urban Development.

In the 108th Congress, the House passed a similar legislation sponsored by former Congressman Doug Bereuter. The Senate, however, failed to take up this legislation.

I represent a rural West Texas district. Most of the public housing authorities in my district have fewer than 250 housing units and/or vouchers. Several have part-time directors or directors who split time between public housing authorities.

The annual plan process, mandated by Congress in 1998, requires a significant amount of time and resources for these public housing authorities. This mandate is especially burdensome on our PHAs, our small ones, because they have few staff resources to devote to the annual plans. While HUD has taken regulatory steps to reduce the reporting burden for small PHAs, the plans still require much unnecessary paperwork and additional time.

Reducing the unnecessary paperwork and reporting will help smaller PHAs better serve their communities and focus on their mission of providing affordable rural housing to rural residents in need.

H.R. 3422 only addresses annual plans. Small PHAs will still complete their HUD 5-year plan.

This legislation also requires PHAs to continue providing their residents with opportunity to help set goals and policies for the housing authority and to continue to certify their civil rights compliance with HUD.

However, I would note that the intent of this legislation is for HUD to keep the annual certification process as simple as possible and not create additional requirements and additional reports for PHAs.

This is a small bill, but it has a positive impact on PHAs in rural areas in my district, and I ask the House that this much-needed, commonsense regulatory relief for small public housing authorities be passed.

As the ranking member said, one of the things that makes sense is when government oversteps its bounds, it is appropriate for government to step back in and correct those. I think this is a much-needed correction so that we can let these small public housing authorities focus on the tenants and not on the paperwork.

I thank, again, the chairman and the ranking member.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself some additional time to simply say, I appreciate what the gentleman from Texas said in closing which is to focus on the tenants.

I think it is important that we continue to pay attention to housing authorities. Too often, people slip into the mistake of equating homeownership with homes. Homeownership is very important, yes, to the sense that people are economically and other ways able to own homes, that is a good thing. But a large number of low-income people, through a variety of reasons, economic and others, are not going to own homes, and we ought to be clear that it is the right of people to a home that we want to work for or at least the ability of people to have a decent home.

In many cases, that will be homeownership. But in some cases, it will not be, and we want to make it very clear, as far as the public sector is concerned, we ought to have the same obligation to help people make the most out of their home, whether they are tenants or owners. This is an example of how we do that.

So I thank the gentleman.

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

Mr. OXLEY. Mr. Speaker, I have no further requests for time. I just want to, again, congratulate the gentleman from Texas for his leadership and the cooperation on the other side.

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

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the motion offered by the gentleman from Ohio (Mr. OXLEY) that the House suspend the rules and pass the bill, H.R. 3422, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3422.

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

There was no objection.

BROWNFIELDS REDEVELOPMENT ENHANCEMENT ACT

Mr. OXLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 280) to facilitate the provision of assistance by the Department of Housing and Urban Development for the cleanup and economic redevelopment of brownfields, as amended.

The Clerk read as follows:

H.R. 280

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 ''Brownfields Redevelopment Enhancement Act''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) returning the Nation's brownfield sites to productive economic use could generate more than 550,000 additional jobs and up to $2,400,000,000 in new tax revenues for cities and towns;

(2) redevelopment of brownfield sites and reuse of infrastructure at such sites will protect natural resources and open spaces;

(3) lack of funding for redevelopment is a primary obstacle impeding the reuse of brownfield sites;

(4) the Department of Housing and Urban Development is the agency of the Federal Government that is principally responsible for supporting community development and encouraging productive land use in urban areas of the United States;

(5) grants under the Brownfields Economic Development Initiative of the Department of Housing and Urban Development provide local governments with a flexible source of funding to pursue brownfields redevelopment through land acquisition, site preparation, economic development, and other activities;

(6) to be eligible for such grant funds, a community must be willing to pledge community development block grant funds as partial collateral for a loan guarantee under section 108 of the Housing and Community Development Act of 1974, and this requirement is a barrier to many local communities that are unable or unwilling to pledge such block grant funds as collateral; and

(7) by de-linking grants for brownfields development from section 108 community development loan guarantees and the related pledge of community development block grant funds, more communities will have access to funding for redevelopment of brownfield sites.

(b) PURPOSE.—The purpose of this Act is to provide cities and towns with more flexibility for brownfields development, increased accessibility to brownfields redevelopment funds, and greater capacity to coordinate and collaborate with other government agencies—

(1) by providing additional incentives to invest in the development and redevelopment of brownfield sites; and

(2) by de-linking grants for brownfields development from community development loan guarantees and the related pledge of community development block grant funds.

SEC. 3. BROWNFIELDS DEVELOPMENT INITIATIVE.

Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) is amended by adding at the end the following new section:

"SEC. 123. BROWNFIELDS DEVELOPMENT INITIATIVE.

''(a) IN GENERAL.—The Secretary may make grants under this section, on a competitive basis as specified in section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545), only to eligible public entities (as such term is defined in section 108(o) of this title) and Indian tribes for carrying out projects and activities to assist the development and redevelopment of brownfield sites, which shall include mine-scarred lands.

''(b) USE OF GRANT AMOUNTS.—Amounts from grants under this section—

''(1) shall be used, as provided in subsection (a) of this section, only for activities specified in section 108(a);

''(2) shall be subject to the same requirements that, under section 101(c) and paragraphs (2) and (3) of section 104(b), apply to grants under section 106; and

''(3) shall not be provided or used in a manner that reduces the financial responsibility of any nongovernmental party that is responsible or potentially responsible for contamination on any real property and the provision of assistance pursuant to this section shall not in any way relieve any party of liability with respect to such contamination, including liability for removal and remediation costs.

''(c) AVAILABILITY OF ASSISTANCE.—The Secretary shall not require, for eligibility for a grant under this section, that such grant amounts be used only in connection or conjunction with projects and activities assisted with a loan guaranteed under section 108.

''(d) APPLICATIONS.—Applications for assistance under this section shall be in the form and in accordance with procedures as shall be established by the Secretary.

''(e) SELECTION CRITERIA AND LEVERAGING.—The Secretary shall establish criteria for awarding grants under this section, which may include the extent to which the applicant has obtained other Federal, State, local, or private funds for the projects and activities to be assisted with grant amounts and such other criteria as the Secretary considers appropriate. Such criteria shall include consideration of the appropriateness of the extent of financial leveraging involved in the projects and activities to be funded with the grant amounts.

''(f) DEFINITION OF BROWNFIELD SITE.—For purposes of this section, the term 'brownfield site' has the meaning given such term in section 101(39) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601(39)). Such term includes a site that meets the requirements under subparagraph (D) of such section for inclusion as a brownfield site for purposes of section 104(k) of such Act (42 U.S.C. 9604(k)).

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under this section such sums as may be necessary for each of fiscal years 2006, 2007, 2008, 2009, and 2010.''.

SEC. 4. CLARIFICATION OF BROWNFIELDS REDEVELOPMENT AS ELIGIBLE CDBG ACTIVITY.

(a) TECHNICAL CORRECTION.—Subsection (a) of section 105 of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)) is amended—

(1) by striking paragraph (24) and all that follows through the end of the subsection and inserting the new paragraph (24) inserted by section 2(3) of Public Law 108–146 (117 Stat. 1883);

(2) by adding at the end (after the paragraph added by paragraph (1) of this subsection) the new paragraph (20) added by section 907(b)(1)(C) of Public Law 101–625 (104 Stat. 4388) and redesignating such paragraph as paragraph (25); and

(3) by adding at the end (after the paragraphs added by paragraphs (1) and (2) of this subsection) the new paragraph (21) added by section 1012(f)(3)) of Public Law 102–550 (106 Stat. 3905) and redesignating such paragraph as paragraph (26).

(b) BROWNFIELDS REDEVELOPMENT ACTIVITIES.—Section 105(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)), as in effect pursuant to subsection (a) of this section, is amended—

(1) in paragraph (24) (as added by subsection (a)(1) of this section), by striking ''and'' at the end;

(2) in paragraph (25) (as added by subsection (a)(2) of this section), by striking the period at the end and inserting a semicolon;

(3) in paragraph (26) (as added by subsection (a)(3) of this section), by striking the period at the end and inserting ''; and''; and

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

''(27) economic development and redevelopment activities related to projects for brownfields sites (as such term is defined in section 123(f)), in conjunction with the appropriate environmental regulatory agencies, except that assistance pursuant to this paragraph shall not be provided in a manner that reduces the financial responsibility of any nongovernmental party that is responsible or potentially responsible for contamination on any real property and the provision of assistance pursuant to this paragraph shall not in any way relieve any party of liability with respect to such contamination, including liability for removal and remediation costs.''.

SEC. 5. TECHNICAL AMENDMENT TO ALLOW USE OF CDBG FUNDS TO ADMINISTER RENEWAL COMMUNITIES.

Section 105(a)(13) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(13)) is amended by inserting ''and renewal communities'' after ''enterprise zones''.

SEC. 6. APPLICABILITY.

The amendments made by this Act shall apply only with respect to amounts made available for fiscal year 2006 and fiscal years thereafter for use under the provisions of law amended by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. OXLEY) and the gentleman from Massachusetts (Mr. FRANK) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. OXLEY. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I am very pleased to see this bill on the floor today. The revitalization of brownfield sites has always interested me because Ohio has thousands of those underused or vacant properties. I was involved in writing the first brownfields legislation almost 10 years ago at a time when people were just starting to focus on what redevelopment could mean for jobs and cleaning up the environment.

Aside from the contamination at these sites, we found that there were legal and financial obstacles to redevelopment. After working on the issue for several years, Congress passed a major brownfields bill in 2001 that the gentleman from Ohio (Mr. GILLMOR) helped push across the goal line. That bill mainly dealt with EPA's programs.

The Financial Services Committee then started looking at making HUD's programs more effective, specifically the Brownfields Economic Development Initiative. At a hearing, we learned that many communities have been shut out of the BEDI, pronounced Betty, program because they cannot get a grant without going through the cumbersome process of applying for a section 108 loan. That is very hard on smaller communities. In fact, Mayor Lydia Reid from Mansfield in my congressional district testified that is an obstacle to getting redevelopment project off the ground and creating new jobs.

I applaud the gentleman from California (Mr. GARY G. MILLER) for introducing H.R. 280. It will bring needed flexibility to the program by delinking BEDI from the section 108 program. Communities will be able to apply for a grant if that is all they need to get a project going and bring in major private sector investment.

We can unlock a lot of jobs by getting a lot of these properties back to productive use. There are some 450,000 brownfield sites in every State in the Nation. By redeveloping these properties, we also reduce the stress being put on pristine green fields and farmland.

We have had good cooperation in our committees and with other committees in bringing this bill to the floor. A vote for H.R. 280 is a vote for jobs. I urge its passage today.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

I know that our colleague from California (Mr. GARY G. MILLER) was en route here, and that is appropriate because he has been a major proponent of this bill. He and I have worked together on it.

What we do here is to frankly allow cities, municipalities, to do more to clean up brownfield sites. Surprisingly, initially we ran into some jurisdictional objections, I think based on turf, I guess, in this case, almost literally on turf, from some people who were kind of proponents of the EPA's role there.

I should make it very clear, to the extent that the Environmental Protection Agency can clean up these sites, wonderful. Mayors are not asking for the right to take funds for which they have a large number of demand and divert them into projects that would be otherwise done by the EPA, but there are occasions where we know the EPA does not have the money it ought to have.

I regret the fact that Congress earlier, the majority then in control, decided to end the taxation that we levied on the oil companies to provide funds for EPA. EPA has not got enough money, and we do not give it enough in the appropriations process. So I regret that, and I want to do all that I can to include it, but I do not want to tell a city because we have not given enough money to the EPA that the city is precluded from going forward cleaning up their brownfields.

I also want to talk a little bit about the public sector/private sector issue here. We hear a lot about the value of the private sector, and it is often put in the context of the private sector

versus the public sector, with people being critical of the public sector. There are times when the public sector and elements of it do not do well. There are times when the private sector does not, but understand what we are talking about here.

Brownfields are overwhelmingly the product of private sector activity. Brownfields is a somewhat neutral term for ugly, messy stuff, pollutants, chemicals and other things that I guess turn the green grass brown, that turn the earth into an unpleasant situation.

The private sector companies that did that were not bad people. Most of them, a couple of bad people sneak in everywhere, but they really believed that it was their job to do it. They were producing various goods, and the processes used to produce various goods will sometimes produce pollutants.

What we have here with brownfields are situations overwhelmingly where a private sector entity made money by producing certain goods and then went out of business, moved away, moved overseas and left behind quite literally a physical problem in the city. What we are saying here is we are recognizing that the public sector has to step in and clean that up.

In some cases, under environmental law, we try to get private sector, responsible parties, to contribute, but sometimes, they are not around to do that. They have not got the money. They are just not there. Let us be clear. This is a recognition of the need for a well-funded public sector operation to literally clean up the messes left behind by the private sector. This is an example in my mind of how in a rational society seeking the right quality of life, public and private sectors each will have an important role, and they will be cooperative.

I regret that fact that because we had a rule about no new programs that the pilot projects that would have allowed the Secretary of HUD to make some grants to explicitly combine cleaning up the brownfields with subsequent economic development on that cleaned-up site, that that was stricken from the bill. I know the gentleman from California has said, and I appreciate this, that he and I will continue to push for that. I hope that next year we may get that authorized as a separate bill.

What we are doing here is to free up any restrictions on the community development block grant program. One problem in the past was that if cities wanted to use their CDBG funds, they had to do it through a program called section 108 which required them to kind of roll their CDBG funds for many years. This allows them more flexibility. It allows us if we can get some appropriations into this to give them some money so they can also get things cleaned up.

It is, as I said, arming the mayors and local officials with a new set of tools to take areas of their city that have been despoiled by past private sector practices and make them available for the kinds of uses that will help enhance the quality of life, the economic and other kinds of activities in the city.

I just want to pay tribute here to the mayor of the city of New Bedford, Fred Kalisz, a long-serving mayor in the largest city in my district, who is leaving office in a few weeks. It was his advocacy to a great extent that called this issue to my attention, and he will be leaving, but I am very pleased that, as he leaves, we will be passing, and I hope soon the President will sign into law a bill that responds to one of the needs that he identified

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

Mr. OXLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. GILLMOR), who I have had the pleasure to work with for many, many years, both in Ohio and here in the Congress. He has been a leader on the brownfields issue since we served together on the Energy and Commerce Committee, and we are pleased to have him participate not only on that committee but our committee as well.

Mr. GILLMOR. I want to thank the gentleman for yielding, and I rise in support of this bill.

Mr. Speaker, for the last 10 years, Federal involvement in brownfields cleanup and redevelopment has been increasing, particularly since our Nation's mayors know that brownfields redevelopment efforts are proven, results-driven programs that have changed the way contaminated property is managed. What once began as an administrative pilot program has now blossomed into a major Federal grant program.

Simply having a brownfield, though, is no guarantee that the land will be cleaned up and redeveloped. When I introduced the legislation in 2001 that has now become our country's primary brownfields law, a major component of that measure was ensuring that Federal grant money was available to seed the development of those run-down properties.

□ 1615

In fact, next to lingering liability concerns, the largest barriers that cities face when trying to acquire and redevelop contaminated brownfields sites was their lack of access to adequate and affordable capital to carry out critical brownfields activities.

This bill does not create a new program, but rather builds on an existing administrative program at HUD. H.R. 280 will increase access to brownfields redevelopment funds for America's more distressed and smaller communities through the Brownfields Economic Development Initiative; and, more importantly, it will couple this money with Federal expertise on community redevelopment projects.

Brownfields are both as a result of private and government activity, and in almost every case the activity which now needs to be cleaned up was legal when it was done. But it is important that we provide the resources so that we can redevelop these sites and bring back the jobs that once existed there.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 1 minute, and I appreciate the gentleman from Ohio making that point. Yes, a great many of these activities, probably most of them, were legal at the time. And I think that is an important point.

Society's mores change and customs change; and we are talking about, in many cases, businesses and, in some cases, government with waste disposal that were doing things entirely legal at the time, not fully cognizant of the consequences; and it sometimes falls to later generations literally to clean up.

These things were often things that were legal, not done by bad people, but people who were following the rules at the time; and I think it is fashionable to lament the deterioration of society all the time. This is an example, the whole brownfields approach of higher standards, of the decision of society today not only not to accept some of the things that used to happen but literally to clean them up.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Speaker, I thank the gentleman for yielding me this time and for his leadership on so many other issues. Bringing this to the floor took a great deal of work and conversations and negotiations and Mr. FRANK led that work in many ways.

I also want to really compliment the passion of GARY MILLER from California, who has introduced this legislation in a number of Congresses. Before coming to Congress, he worked in urban areas in redevelopment and knows the problem that brownfields can cause to localities in holding back economic development. He has been really devoted to passing it, and it has been my pleasure to work with him on this for three Congresses.

The primary purpose of this legislation is to increase the flexibility of the HUD Brownfields Economic Development Initiative, the BEDI program, and make the program available to more local governments.

This is a very important initiative, particularly for upstate New York, a former industrial area. Many manufacturing jobs have left and left behind contaminated brownfields. Our localities, our villages, towns and cities desperately need this money to clean up these brownfields and return these economic centers to economic growth.

The Financial Services Committee has reported this legislation out by an overwhelming bipartisan vote in the past two Congresses, reflecting the bipartisan consensus that brownfields clean-up benefits the economic development of our entire Nation. The legislation eliminates the requirement that communities applying for BEDI grants must pledge their Community Development Block Grant funding as security for the loan. This requirement puts local governments, particularly smaller local governments, between a rock and a hard place.

Since its inception, the larger brownfields program has proven to be an effective government response to a serious environmental problem, and it is important that we maximize its use. Brownfields spot our country from coast to coast, especially in areas with high or formerly high levels of industrial activity, especially urban areas. These brownfields locations have a potential for economic development, but they have been held back by the environmental problems created by former or current users.

New York City and State, and I am sure probably every State and city, is full of them. The EPA program has successfully used a variety of financial and technical assistance to restore these sites which would otherwise be doomed to further decay.

I am very pleased that we are moving this legislation forward today, but very disappointed that the BEDI program appears to be under attack from the administration. The budget the administration put forward this year would have discontinued the BEDI program at HUD and shifted its function to Commerce. Therefore, this bill is especially important this year to preserve the very survival of the brownfields initiative.

I truly do want to thank GARY MILLER for his consistent and persistent leadership in introducing this legislation year after year and Ranking Member FRANK for championing it, along with his staff; and of course Chairman MICHAEL OXLEY for his leadership on this and so many other issues.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 2 minutes.

The gentlewoman from New York reminded me that a lot of these things that are very broadly supported require money. And just as we have seen a cutting off of funding of the EPA, this administration, sadly, has been trying to cut back the funds for the brownfields program.

And indeed I have a rare opportunity in which I can congratulate the Appropriations Committee under the control of the majority because they had the good sense to reject a proposal by this administration to rescind this coming year's money for the brownfields program because they said they needed to deal with it to offset the problems in Katrina.

So this strong support for this brownfields program comes at a very good time, because it is a strong voice of support, I believe on a bipartisan basis, from the Appropriations Committee in repudiating that very ill-thought-out effort by the administration to rescind all of its money.

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

Mr. OXLEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from Pennsylvania (Ms. HART), a former member of the Financial Services Committee, who has come back home to participate in this debate on brownfields.

Ms. HART. Mr. Speaker, I especially thank the chairman for his indulgence in allowing me some time on this legislation, and I am honored to be part of the Financial Services Committee argument today for this House bill 280, the Brownfields Redevelopment Enhancement Act, because it will make a real difference for communities throughout this country.

I was a Pennsylvania senator for 10 years; and while I was there, we passed a very forward-thinking brownfields bill that helped to provide more opportunity for development of brownfields without fear of liability. That is one step, and it was important for my State; however, on the Federal level, we have had a program in place, the BEDI program, which is a great program; but there are some impediments to many of our communities being able to utilize that program.

I am a cosponsor of this legislation because it will provide access to funding that is vital to restoring brownfields sites. It is going to improve the BEDI program and make it more practical for America's small cities and communities so that they can thrive.

My district is home to many of these communities that have small brownfields sites right in the middle of town. Revitalizing these sites is key to helping rebuild the economy of these small towns.

The significance of this development was highlighted recently at the U.S. Conference of Mayors in June 2003 when they did their survey. The cities that were surveyed noted that the creation of over 83,000 jobs through redevelopment in 148 cities was because of brownfields redevelopment. However, they also stated that nearly 600,000 more jobs could be created with more liberal use of monies through this program. In addition, by helping to reclaim these old sites, developers do not have to look to undeveloped land to locate businesses or residential properties.

One of the major hurdles to revitalizing these is financing. Unfortunately, this is especially true for these small towns and cities that I mentioned. These are the ones that are most eager to see these sites as host to new development. They face continuous hurdles, and this bill will help remove some of these hurdles.

These grants through BEDI could be a valuable source of funding to revitalize these towns and communities and lead to a brighter future that these towns envision. The program requires communities at this time, though, to take on additional debt. Many of these communities cannot afford to do so. The investment, though, in these communities would provide opportunities for them to grow and to grow their tax base and also add jobs.

I have heard from many in the communities I represent that we need to work to make BEDI grants more available. This bill would do so. By delinking section 108 loans from BEDI grants, H.R. 280 will provide this access to brownfields redevelopment and to this special program which works so well for small communities. It will make it work even better for the small communities in my district and across the Nation.

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

Mr. OXLEY. Mr. Speaker, in closing, let me again recognize a few individuals. GARY MILLER of California, the author of this legislation, has been just dogged in his determination to get this legislation passed. Unfortunately, his plane was delayed coming from California today and so was unable to participate in the debate.

I also want to thank PAUL GILLMOR for his dogged efforts on this, and I appreciate also the cooperation of the ranking member, the gentleman from Massachusetts, and Mrs. MALONEY for their efforts.

It has been 4 years since we began working on this legislation, and I have to say that these are the kinds of bills that do not get a whole lot of attention. They are not overly controversial, but they do a lot of good. They will have a very positive impact on a lot of communities throughout the country.

We debate this under the suspension of the rules, so you will not hear a lot of hue and cry in the media about it. But at the end of the day, it is Congress at its best doing the kind of work we need to do.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. OXLEY. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I would just say that they have one other advantage: they are sufficiently uncomplicated to get the United States Senate to act on them.

Mr. OXLEY. I would echo that. And I am glad we changed the rules, by the way, that one can mention that body instead of referring to it as, quote, the other body.

In any event, this is meaningful legislation that we indeed want to pursue in the other body so that we can get this to the President. It has an enormous upside and potential for communities.

Governor VOINOVICH, when he was Governor before becoming Senator, had a commission which he commissioned in Ohio to study the loss of greenfields in the Buckeye State. One of the things that that commission found was that we could start the flow of that use of very productive farmland in Ohio by better cleaning up brownfields and putting them back to use.

So this bill is basically in that vein, and we think that this will go a long way in that effort.

Mr. GARY G. MILLER of California. Mr. Speaker, I rise today in strong support of H.R. 280, The Brownfields Redevelopment Enhancement Act.

I would like to thank Committee Chairman OXLEY, Subcommittee Chairman NEY, and Ranking Member FRANK for their leadership and assistance in ensuring this important legislation be considered by the full House prior to adjournment.

COMMUNITY REDEVELOPMENT

Brownfields are abandoned, idle, or underused industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination.

It is estimated that there are over 500,000 Brownfield sites across the country.

Brownfields represent more than just unproductive eyesores blighting individual communities.

They threaten our groundwater supply, cost our local communities jobs and revenue, and contribute to urban sprawl.

Brownfield sites hold tremendous potential for community revitalization. Many of these sites are strategically located in or around key areas of communities.

Redevelopment of these sites is both a challenge and an opportunity and returning them to productive use can serve as a catalyst for local economic recovery.

HUD'S INVOLVEMENT IN BROWNFIELDS REDEVELOPMENT

The largest obstacle cities face when redeveloping Brownfield sites is the lack of capital needed to carry out essential early-stage activities.

Because private financiers are often unwilling or unable to provide the funding to take a site through the full redevelopment cycle, local municipalities and local leaders find themselves confronted with the complex task of redevelopment.

The Brownfields Economic Development Initiative (BEDI) grant program was designed to help cities overcome this challenge.

The BEDI program helps communities to convert abandoned or underutilized sites into useful developments, thereby increasing the area's tax base and creating new job opportunities where none existed.

The BEDI program gives cities the opportunity to minimize urban sprawl and preserve existing green space by working with local developers and builders to utilize previously developed properties.

The program gives local communities a valuable tool to address blight, create new jobs, and expand their tax base.

BEDI IS DISTINCT FROM OTHER FEDERAL BROWNFIELD PROGRAMS

There is a clear and critical role for the Department of Housing and Urban Development (HUD) to play in communities' efforts to redevelop Brownfield sites.

Unlike Brownfields programs in other agencies, BEDI funds are targeted for use, with a particular emphasis upon redevelopment.

Further, HUD emphasizes that resources are to be used on projects and activities that will provide near-term results and demonstrable economic benefits, such as job creation and increases in the local tax base.

Funds are used as the stimulus for local governments and private sector parties to commence redevelopment or continue phased redevelopment efforts on Brownfield sites.

Brownfields funds under other federal agencies, such as the EPA, are more focused on environmental clean-up.

HUD does not encourage applications whose scope is limited only to site acquisition and/or remediation (*i.e.,* land banking), where there is no immediately planned redevelopment.

PROBLEM WITH CURRENT STRUCTURE OF BEDI PROGRAM

While HUD's BEDI program is an important tool for communities to redevelop Brownfield sites, in its current form the grant is difficult, if not impossible, for local communities to utilize.

If a local community wishes to pursue Brownfields redevelopment funds from HUD, they must first apply for a Section 108 loan.

In order to secure this loan, they are required to put up a portion of their Community Development Block Grant (CDBG) money as collateral.

The requirement that communities must obtain a Section 108 loan guarantee before they are awarded a BEDI grant has stymied the effectiveness of the BEDI program because it:

Makes it virtually impossible for small cities to access BEDI resources since they do not get their own CDBG entitlement grants from which to meet the required Section 108 collateral pledge.

Serves as a disincentive for small and mid-sized cities.

Discourages small projects.

Has proven difficult for many cities and counties to meet because of debt caps and concern that the addition of more Section 108 debt would jeopardize basic CDBG programs and services.

Without the Section 108 loan guarantee, cities are effectively locked out of the BEDI grant.

H.R. 280

H.R. 280 provides communities with the flexibility they need to finance Brownfields redevelopment projects.

It makes improvements to the BEDI program, ensuring that communities who have traditionally had trouble obtaining financing for Brownfields Redevelopment activities have access to needed capital.

Specifically, the bill authorizes appropriations for the BEDI program and eliminates the requirement that cities obtain Section 108 loan guarantees as a condition to receiving BEDI grant funding.

CONCLUSION

This legislation gives local communities a valuable tool to address blight, create new jobs, and expand their tax base.

With the flexible access to the BEDI grant program that this bill provides, we can help revitilize Brownfields sites across the country.

Cities have an opportunity to minimize urban sprawl and preserve existing green space by working with local developers and builders to utilize previously developed properties.

This bill will empower cities to take ownership of their Brownfields and work with their development community to design projects that utilize existing infrastructure.

Most importantly, it is estimated that more than $2.4 billion in new tax revenues can be generated through Brownfields redevelopment.

Let's give cities access to the up-front financing they need to clean up Brownfields sites. I urge my colleagues to support this crucial legislation.

Mr. SHAYS. Mr. Speaker, I rise in support of H.R. 280, which would allow the Department of Housing and Urban Development (HUD) to make grants to assist in the environmental cleanup and economic development of Brownfields sites.

I believe the Brownfields program is one of the most successful programs the Federal Government has to help revitalize urban areas.

These sites, typically in the heart of urban areas, lie idle because no one wants to incur the large costs associated with Superfund cleanups.

As a result, cities are marked by abandoned buildings and vacant lots while developers construct new buildings on what was previously open space in the suburbs.

Specifically, this legislation ensures that communities that have traditionally had trouble obtaining financing for Brownfields Redevelopment activities have access to needed capital.

Though small, these grants have served as seed money, enabling dozens of communities to leverage millions of state and private dollars to move into actual cleanup phase.

By reusing Brownfields sites we not only rebuild blighted communities, but also target development in city centers and avoid unnecessary urbanization on the fringes of metropolitan areas.

Mr. PASCRELL. Mr. Speaker, I want to express my strong support of H.R. 280, ''The Brownfields Redevelopment Enhancement Act'' and want to thank Representative GARY MILLER for shepherding this important legislation through the House.

This legislation will remove unnecessary obstacles from localities that are poised to transform abandoned or underutilized sites into clean, marketable properties. This type of redevelopment is an important ingredient in the economic recovery of many areas—creating jobs, improving the quality of the environment and spurring the preservation of open space.

There are few issues that we face that have as much strategic potential as redeveloping Brownfields sites.

This redevelopment is not just about real estate—it is a jobs issue, a health issue, an environmental issue, a housing issue and an economic development issue.

A relatively small investment by the Federal Government will yield tremendous benefits for our country's social and economic well being.

The HUD Brownfields Economic Development Initiative (BEDI) is particularly valuable

for neighborhood revitalization, since only BEDI funds are specifically targeted for use in economic development projects.

Unfortunately, current law requires that cities obtain Section 108 loan guarantees as a condition of receiving a BEDI grant.

This makes it difficult for small and medium sized cities to obtain BEDI grants since they are often not able to raise the capital necessary to meet the Section 108 collateral requirement.

Let the Congress pass this common sense legislation to remove the Section 108 requirement and unleash the vast economic potential that lies dormant in our cities across the Nation.

Mr. TURNER. Mr. Speaker, I support H.R. 280, the Brownfields Revitalization Enhancement Act. I want to thank Congressman MILLER from California for his hard work and dedication toward the issue of brownfields redevelopment. I look forward to working with Congressman MILLER in the future on this issue.

Brownfield sites are served by an existing infrastructure and through their remediation, urban sprawl can be reduced. Redeveloping brownfields could create 1.9 billion dollars annually in increased tax revenues for American cities.

H.R. 280 provides grant money to cities and towns to redevelop brownfield sites. This bill also detaches grant availability from section 108 loan guarantees, which allows more communities to have access to critical grant funds.

Mr. Speaker, we must clean up our Nation's brownfields. These contaminated sites are hazards to our communities, and through their remediation we can bring businesses and families back into American cities.

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

The SPEAKER pro tempore (Mr. SODREL). The question is on the motion offered by the gentleman from Ohio (Mr. OXLEY) that the House suspend the rules and pass the bill, H.R. 280, 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.

GENERAL LEAVE

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 280, as amended.

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

There was no objection.

□ 1630

DESIGNATING CERTAIN BUILDINGS OF CENTERS FOR DISEASE CONTROL AND PREVENTION

Mr. BOOZMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4500) to designate certain buildings of the Centers for Disease Control and Prevention.

The Clerk read as follows:

H.R. 4500

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

SECTION 1. ROSA PARKS HEADQUARTERS AND EMERGENCY OPERATIONS CENTER BUILDING.

(a) DESIGNATION.—The Headquarters and Emergency Operations Center building (Building 21) of the Centers for Disease Control and Prevention located at 1600 Clifton Road in Atlanta, Georgia, shall be known and designated as the ''Rosa Parks Headquarters and Emergency Operations Center Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in subsection (a) shall be deemed to be a reference to the ''Rosa Parks Headquarters and Emergency Operations Center Building''.

SEC. 2. MOTHER TERESA GLOBAL COMMUNICATIONS CENTER BUILDING.

(a) DESIGNATION.—The Global Communications Center building of the Centers for Disease Control and Prevention (Building 19) located at 1600 Clifton Road in Atlanta, Georgia, shall be known and designated as the ''Mother Teresa Global Communications Center Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in subsection (a) shall be deemed to be a reference to the ''Mother Teresa Global Communications Center Building''.

The SPEAKER pro tempore (Mr. SODREL). Pursuant to the rule, the gentleman from Arkansas (Mr. BOOZMAN) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas.

GENERAL LEAVE

Mr. BOOZMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4500.

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

There was no objection.

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

Mr. Speaker, H.R. 4500 honors two great leaders, Rosa Parks and Mother Teresa, by designating buildings in their honor.

This bill designates the Headquarters and Emergency Operations Center Building at the Centers For Disease Control and Prevention as the Rosa Parks Headquarters and Emergency Operations Center. Rosa Parks is most well known as the mother of the civil rights movement. In 1955, she defiantly refused to give up her seat on a segregated bus in Montgomery, Alabama, inspiring further civil disobedience. Rosa Parks' dedication to fight for social and economic justice continued beyond that monumental day in 1955, as she spent the remainder of her life fighting against all forms of discrimination.

Rosa Parks received numerous awards for her contributions to the civil rights movement, including the Presidential Medal of Freedom and Congressional Gold Medal. Rosa Parks passed away earlier this year.

H.R. 4500 also designates the Global Communications Center Building at the Centers for Disease Control and Prevention as the Mother Teresa Global Communications Center.

Mother Teresa spent her life assisting those in poverty in Calcutta, India and throughout central Asia. Her inspiration started a movement of volunteers who continue to spread her message and ministry throughout the world. Today, over 100,000 volunteers in 123 countries participate in Mother Teresa's Missionaries of Charity program, bringing hope and aid to the sick and dying.

Mother Teresa received numerous awards and recognition for her humble acts of kindness, including the Nobel Peace Prize in 1979. Mother Teresa died in 1997.

It is an honor to name facilities used to provide essential human services and protect the health and safety of the American people after two women who devoted their lives to similar causes.

I support this legislation and encourage my colleagues to do the same.

Mr. Speaker, I ask unanimous consent that the gentlewoman from Kentucky (Mrs. NORTHUP) be allowed to manage the remainder of my time.

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

There was no objection.

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

Mr. Speaker, I presume this is either All Saints Day or the Christmas season because we are certainly honoring two saints, and I do not think there will be a single ''nay'' vote on this bill. I am pleased to endorse these bills to name buildings respectively after Mother Teresa and Rosa Parks.

As if a bio was needed for Mother Teresa, the record probably should reveal some of the background of Mother Teresa who began life as an ordinary human being like the rest of us. She just went on to sainthood even before she died.

She was born in Macedonia in August of 1910. At the age of 18, she left home to join the Sisters of Loreto, an Irish community of nuns conducting missionary work in India. In 1931, after training in Dublin, Sister Teresa arrived in India, where from 1931 to 1948 she taught at St. Mary's High School in Calcutta. In 1948, Sister Teresa received permission to leave the high

school to minister to the poorest of the poor in the slums of Calcutta. In the ensuing half century, she created a legacy of human charity and good works that have become the standard for all to emulate.

In 1959, she received permission to start her own order known as the Missionaries of Charity whose primary task is to look after those left with no one prepared to look after them.

The Society of Missionaries has spread all over the world, including the former Soviet Union and Eastern Europe. The society provides help to the world's needy in a number of countries and houses alcoholics, the homeless and AIDS sufferers.

Mother Teresa's work is acclaimed throughout the world. Her awards and distinctions are countless. In 1979, she was awarded the Nobel Peace Prize in recognition of her work to bring help to suffering humanity. She is one of only nine women to be awarded the Nobel Peace Prize.

Respect for individual dignity and each person's innate value are at the core of her beliefs and provide the basis for her charitable work. Her order receives the dying, the destitute, abandoned lepers and the poor. Her work and her personal philosophy is grounded in her Christian faith. It is certainly proper and appropriate that the building located on the campus for the Centers for Disease Control at 1600 Clifton Road, Atlanta, Georgia, be named in Mother Teresa's honor.

Also, at the same location, a building dedicated to Rosa Parks will be identified as the Rosa Parks Emergency Operations Center.

We honor Rosa Parks for her courage and conviction. By now, Mr. Speaker, we all know the story of that December evening in 1955, 50 years ago, when a 42-year-old black woman riding a bus in Montgomery, Alabama, refused to give up her seat to a white passenger on demand. Montgomery segregation laws were complex and deeply humiliating, but Rosa Parks' personal and quiet strength and sense of justice changed not only the laws of Montgomery she challenged, but also the laws of the United States of America.

For her boldness, she was arrested and found guilty of disorderly conduct. These actions led to the famous Montgomery bus boycott that lasted over a year and ultimately to a Supreme Court decision that banned segregation in city public transit systems, led also to the great civil rights laws enacted in the 1960s and led also to the civil rights movement itself which followed her lead and took up the struggle with an army of black and white nonviolent activists working in imitation of Rosa Parks.

It is impossible to overstate the impact of her actions in defiance of segregation. Her story has become part of the American story and of the story of Congress itself where she became the first woman to lie in State in the Rotunda in November.

I am honored to support this bill that acknowledges the contributions of two exceptional women.

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

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

Mr. Speaker, it gives me great pleasure to echo the words of the gentlewoman from the District of Columbia (Ms. NORTON) and to have an opportunity to offer H.R. 4500 which names two recently completed Centers for Disease Control buildings after two heroic and renowned women in our Nation's and in fact our world's history: Mrs. Rosa Parks of Tuskegee, Alabama; and Mother Teresa of Calcutta.

In their own ways, each of these women helped to make our country and our world more just and caring. I am sure everyone in this House is aware that Rosa Parks passed away this October, and we have since had a real chance to celebrate her life and her contribution to this Nation. Her courage and her will to do what was right will continue to be an example to all Americans and to the people of other nations who are dedicated to the cause of justice and equality.

Mrs. Parks was a seamstress in Montgomery, Alabama, when, in December, 1955, she refused to give up her seat on a city bus to a white passenger. The bus driver had her arrested for being in violation of the law, granting preferential seating to white passengers. Her subsequent trial and conviction for this act of civil disobedience sparked the Montgomery bus boycott, one of the largest and most successful mass movements against racial segregation in history. It launched Martin Luther King, Jr., as one of the organizers of the boycott, and he came to the forefront of the civil rights movement.

Rosa Parks ignited a civil rights struggle and made possible the eventual overturn of the Jim Crow laws. Over the next four decades, she reminded her fellow Americans of our ideals and our commitment to justice and equal treatment under the law.

She was a recipient of innumerable awards, including the Martin Luther King, Jr., Nonviolent Peace Prize and the Presidential Medal of Freedom. Our country will always be indebted to her for the moral courage she showed to call on our country to live up to our ideals and promises. Senator BARACK OBAMA said it best upon the President's signing of legislation placing a statue of Rosa Parks in Statuary Hall, ''Rosa Parks held no public office, but when the history of this country is written, her name and her legacy will be remembered long after the names of Senators and Presidents have been forgotten. So it is fitting that her legacy, her hopes, and her struggles be immortalized alongside the statues of men and women whose hearts she helped change.''

Mr. Speaker, this bill also pays homage to the life and work of Mother Teresa by naming the Global Communications Center building at the Centers for Disease Control after her.

Mother Teresa was born in Macedonia in 1910, and at an early age, she felt the calling to serve God and her fellow man and joined the Sisters of Loreto that had missions in India. While teaching high school in India, Mother Teresa witnessed the poverty outside of her convent and asked permission to devote her life and her ministries to serving the poor and the sick, bringing them medical care, education and food.

Her remarkable work helped bring comfort to people around the world that society had forgotten or neglected. The Missionaries of Charity, which she founded, carries on her work, operating schools, orphanages and houses for the poor in over 130 countries.

Mother Teresa's saintly good works received acclaim and recognition throughout the world. In 1979, she was awarded the Nobel Peace Prize and later President Reagan awarded her the Presidential Medal of Freedom in 1985.

In 1996, shortly before she died, Congress made her an honorary citizen of the United States, one of the highest honors our country can bestow on foreign nationals. I think it is particularly fitting that her name adorn CDC's Global Communications Center which will allow it to share in the legacy and mission of Mother Teresa's work by serving the world's poor and sick.

Mr. Speaker, thank you for this opportunity to pay tribute to these two profoundly good women who sacrificed so much so we can all live in a freer and more compassionate world. I urge every Member to support H.R. 4500.

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

Ms. NORTON. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois (Mr. DAVIS) and a cosponsor of the bill.

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the distinguished gentlewoman from the District of Columbia for yielding me this time.

I am pleased to cosponsor this resolution with the gentlewoman from Kentucky (Mrs. NORTHUP) and rise in strong support of it passage.

Mr. Speaker, this bill renames two buildings at the Centers for Disease Control and Prevention in honor of two of the world's most outstanding and most accomplished contemporary women.

Designation of building one names the Headquarters and Emergency Operations Center Building of the Centers

for Disease Control and Prevention located at 1600 Clifton Road in Atlanta, Georgia, as the Rosa Parks Headquarters and Emergency Operations Center Building.

Designation two of this bill changes the name of the Global Communications Center building at the Centers for Disease Control and Prevention Building 19 located at 1600 Clifton Road as the Mother Teresa Global Communications Center Building.

Mr. Speaker, we all know that Mother Teresa was one of the greatest advocates for the poor, disadvantaged and downtrodden that the world has ever seen. She, in many instances, almost single-handedly brought greater attention to poverty and the needs of the poor.

□ 1645

And given the mission of the Centers for Disease Control, there is no greater way or better way to draw attention to its continuing needs than to have one of its buildings named in honor of Mother Teresa.

Mr. Speaker, all of us have most recently participated in the celebration of the life of Rosa Parks, and many of us actually were able to attend her funeral. This dainty freedom fighter who defied years of tradition and the law in refusing to give up her seat on a bus in Montgomery, Alabama to a white person, this calculated act of defiance helped to spark the civil rights movement of the late 1950s and 1960s, which resulted in desegregation of public accommodations throughout the South, brought about the Voting Rights Act of the 1960s, actually fostered development of the War on Poverty, and put America in a serious position to look hard at the health care needs of the poor and disadvantaged in its country.

So naming a building at the Centers for Disease Control and Prevention will help us to recognize that health care needs are still unmet; that there are still great disparities that need to be corrected; that there are still areas of research which need to be conducted. And so, Mr. Speaker, I am indeed pleased to join with the gentlewoman from Kentucky in cosponsoring this resolution and urge its passage.

Mrs. NORTHUP. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I particularly want to thank the gentlewoman from Kentucky (Mrs. NORTHUP) for bringing this piece of legislation before the House Chamber today. This is an important statement to be made on a number of points, one of them being that this bill sends an important message that sitting Members of Congress should not take it upon themselves to name public buildings or infrastructure after themselves or other Members. This violates our House rules.

Mr. Speaker, often in this Chamber we have the opportunity to name Federal buildings after worthy individuals. We are about to do that here today. As we elected officials have a responsibility to our constituents and to the laws that we pass, we must spend our time and the American taxpayers' money wisely, and we have to do so also honestly with the attention and care that I know my constituents in Iowa expect.

When we name Federal buildings, we should do so and insist that they be worthy of our time, our Nation's tax dollars, and the trust of those who elected us. And I think that my record here in this Congress does demonstrate that, and that is why I am here on this floor this afternoon, Mr. Speaker. But most recently, the Centers for Disease Control buildings appeared in the Labor-HHS appropriations bill named after two sitting Senators. And it is in violation of our House rules.

Because that conference report has not yet passed both Houses, both bodies, the buildings are currently unnamed. But under the Labor-HHS conference report that was filed just today, the buildings would be named the Arlen Specter Headquarters and Emergency Operation Center and the Thomas R. Harkin Global Communications Center Building. This provision violates House rule XXI, and that prohibits the naming of a public work after a sitting Member of Congress.

Our bill proposes to name the buildings the Rosa Parks Headquarters and Emergency Operations Center and the Mother Teresa Global Communications Center Building. I urge my colleagues to support this legislation. It prevents abuse of power. It adheres to the rules of the House of Representatives, and it also does a couple of very important things, and that is it honors two of the greatest women in my contemporary time: Rosa Parks, who stood tall and sat down 50 years ago, who inspired generations of Americans and actually was a key player in renovating this concept of segregation that still remain.

And 10 years later, we saw the passage of the Voting Rights Act and piece after piece of the civil rights legislation that came about that same period of time was inspired. And I saw a time when it was a glorious time for the civil rights movement, a glorious time when there were peaceful demonstrations throughout the South. And I watched on a black and white television from up in Iowa wondering really what was going on down there. Now I understand it.

At this stage of my life I appreciate it a great deal. I thought I understood it then, but appreciate it far more today, the movement that was begun in significant part by Rosa Parks, who was honored and lay in state here in this Capitol Building, the first woman ever to be given that honor.

And Mother Teresa, a fine Catholic nun, a sister that through prayer and work and sacrifice and devotion and the power of her personality and her character and self sacrifice, moved millions of people, and her legacy remains today.

I look back on Harkin grants that are granted in my State, and also I think of a building named again in that fashion. I have stated that if we are going to name grants after someone, we should name them after the taxpayers that fund them. And if we are going to name buildings, we should name the buildings after people who are not seated Members of Congress, but people who really stand tall for America and for the world.

So I congratulate the gentlewoman from Kentucky (Mrs. NORTHUP) for bringing this legislation today. I am proud to stand on the floor and join in this request to name these two buildings after Rosa Parks and Mother Teresa.

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

I understand the gentleman's point. But I do not understand this bill to be a retort or a response to Senate action. I understand it to be an affirmative act on the part of the bipartisan House of Representatives. The only reason I raise it is because we are not a party to whatever is the discussion that has gone on on that. I do understand the concern, and I listened to it.

But I would not want anything to take away from the way I opened my remarks about All Saints Day and the Christmas season because I think the gentleman perhaps did not mean it. And if I may so, by inserting that, and I am not questioning it, I have no personal knowledge of it, it leaves, I think, an unfortunate impression that I do not think the gentleman means to leave. Perhaps it should have been inserted into the RECORD if the gentleman thought so.

Mr. KING of Iowa. Will the gentlewoman yield?

Ms. NORTON. I will be happy to yield to the gentleman from Iowa.

Mr. KING of Iowa. I thank the gentlewoman. I am referencing House rule XXI. And my point was to illustrate what can come from that. But also it is my emphasis to be here today to honor the two people that we hope to name these buildings after, and that is the focus of my remarks.

Ms. NORTON. Mr. Speaker, the gentleman made that clear. I appreciate that the gentleman made that clear. I was trying to think, as my colleague spoke, about whether or not we have named things after Members of the House while they were still here.

I had a young man, kid from D.C., some people brought him in today, along with a whole group of students, and I showed him pictures, I explained pictures on my wall that when I came to Congress, instead of putting some fake Picassos, I put pictures of old

Washington. I went to the Library of Congress and to the D.C. Historical Society. And this child interrupted me, he is a high school student. He said, why do you not have a big picture of yourself there? It simply provided an opportunity for me to let him know that he ought to wonder about a Member of Congress who had a big picture of herself in her office. I do not know who she ought to have, and I did not suggest to him who she ought to have.

But in this season, when we have the opportunity, and I was called, literally, only a couple of hours ago to say would I manage a bill that would name buildings at the Centers for Disease Control against these two women, I said, well, here is one that I know this is only love and praise and I really think we should rest on that, whatever is the predicament that the gentleman discussed.

And I do not mean to cast any aspersion upon what he said because he is talking about matters that are of some concern, insertions into the bill and so forth. But that is not the spirit in which I came forward on this side to offer this bill, and I do not think it is the gentleman's spirit, and I do not think it is the spirit of the House today. And Merry Christmas everybody.

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

Mrs. NORTHUP. Mr. Speaker, in closing, let me just say that I think that these two women served as wonderful examples of humble and effective service in this country and around the world, and naming these two buildings at CDC is something that I think all Americans would join us in believing would be an appropriate name for those buildings.

Mr. OBERSTAR. Mr. Speaker, I rise in support of H.R. 4500, a bill to designate the Headquarters and Emergency Operations Center building of the Centers for Disease Control and Prevention (CDC) in Atlanta, Georgia, as the "Rosa Parks Headquarters and Emergency Operations Center Building". The bill also honors Agnes Gonxha Bojaxhiu, also known as Mother Teresa of Calcutta, by designating the CDC's Global Communications Center building as the "Mother Teresa Global Communications Center Building".

Mother Teresa devoted her life to helping the poor and sick throughout the world. Her compassion and humanity, in the face of abject poverty, war, and starvation serves as a reminder to us all that when our hearts are focused on helping those who can not help themselves, our potential for greatness is unlimited. Although, at first sight, she appeared to have been a tiny woman, Mother Teresa was strong enough to carry the weight of the world's suffering on her narrow shoulders and to bring love and dignity to those facing the greatest challenges that life can offer.

Mother Teresa was born in Skopje in modern day Macedonia on August 27, 1910. She recalled being pulled to the work of God at the age of 12 and, by age 18, she left her family to join the Sisters of Loreto, an Irish community of nuns with missions in India. After teaching at St. Mary's High School in Calcutta for 17 years she found that she could no longer simply hear the stories of dismal poverty and despair that existed outside the convent walls. In 1948, Mother Teresa left the convent school to devote her time to working among the poorest of the poor in the slums of Calcutta. There she opened a school for poor children though she had no money herself.

On October 7, 1950, Mother Teresa received permission to start her own order, "The Missionaries of Charity". Since its inception in 1950, the Missionaries of Charity has spread to all corners of the world, tending to the most desperately needy in Asia, Africa, Eastern Europe, and Latin America. They also assist in relief work in the wake of natural disasters such as floods, epidemics, famine, and earthquakes, and care for the homeless and those suffering with the AIDS virus.

Mother Teresa's work was not limited to the developing world. In the United States, the Missionaries of Charity have established many soup kitchens, emergency shelters for women, shelters for unwed mothers, homes for the dying, prison ministries, service to hospitals, and nursing homes.

In 1985, she received the Presidential Medal of Freedom; in 1997, she was awarded the Congressional Gold Medal. In 1996, Congress passed and the President signed Public Law 104–218, proclaiming Agnes Gonxha Bojaxhiu—Mother Teresa—to be an honorary citizen of the United States of America. At the time she was only the fifth person to ever receive this honor.

Mother Teresa died on September 5, 1997, in Calcutta. She continued to work with the poor right up until her death.

Mr. Speaker, the bill also designates the headquarters of the Centers for Disease Control and Prevention as the "Rosa Parks Headquarters and Emergency Operations Center Building".

As I noted during debate on H.R. 2967, which designates a Federal building in Detroit, Michigan, in honor of Rosa Parks, she is known as the "mother of the civil rights movement." With one single act of defiance—when she refused to give up her seat on the Cleveland Avenue bus in Montgomery, Alabama—she galvanized a Nation and changed the course of history. On December 1, 1955, Mrs. Parks was sitting in the middle rows of the bus with three other black riders. The bus driver demanded that all four give up their seats so that one white man could sit. Three of the riders complied. Mrs. Parks remained seated.

As Mrs. Parks herself has said in the years following that pivotal moment, she hadn't planned on taking a stand that day. She hadn't planned on becoming the face of the injustices of segregation. She had simply had enough. She was tired of being treated like a second-class citizen. She had had enough.

Rosa Parks' act of courage sparked the civil rights movement.

The strength and presence of a Federal building perfectly captures the character and personality of this icon of the civil rights movement.

It is fitting and just that the lives and accomplishments of Mother Teresa and Rosa Parks are acknowledged with these designations.

I strongly support H.R. 4500 and urge its passage.

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

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the motion offered by the gentleman from Arkansas (Mr. BOOZMAN) that the House suspend the rules and pass the bill, H.R. 4500.

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.

METHAMPHETAMINE REMEDIATION RESEARCH ACT OF 2005

Mr. BOEHLERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 798) to provide for a research program for remediation of closed methamphetamine production laboratories, and for other purposes, as amended.

The Clerk read as follows:

H.R. 798

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 "Methamphetamine Remediation Research Act of 2005".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Methamphetamine use and production is growing rapidly throughout the United States.

(2) Some materials and chemical residues remaining from the production of methamphetamine pose novel environmental problems in locations where methamphetamine laboratories have been closed.

(3) There has been little standardization of measures for determining when the site of a former methamphetamine laboratory has been successfully remediated.

(4) Initial cleanup actions are generally limited to removal of hazardous substances and contaminated materials that pose an immediate threat to public health or the environment. It is not uncommon for significant levels of contamination to be found throughout residential structures where methamphetamine has been manufactured, partially because of a lack of knowledge of how to achieve an effective cleanup.

(5) Data on methamphetamine laboratory-related contaminants of concern are very limited, and uniform cleanup standards do not currently exist. In addition, procedures for sampling and analysis of contaminants need to be researched and developed.

(6) Many States are struggling with establishing assessment and remediation guidelines and programs to address the rapidly expanding number of methamphetamine laboratories being closed each year.

SEC. 3. VOLUNTARY GUIDELINES.

(a) ESTABLISHMENT OF VOLUNTARY GUIDELINES.—Not later than one year after the date of enactment of this Act, the Assistant Administrator for Research and Development of the Environmental Protection Agency (in this Act referred to as the "Assistant Administrator"), in consultation with the National Institute of Standards and Technology, shall establish voluntary guidelines, based on the best currently available scientific knowledge, for the remediation of former methamphetamine laboratories, including guidelines regarding preliminary site

assessment and the remediation of residual contaminants.

(b) CONSIDERATIONS.—In developing the voluntary guidelines under subsection (a), the Assistant Administrator shall consider, at a minimum—

(1) relevant standards, guidelines, and requirements found in Federal, State, and local laws and regulations;

(2) the varying types and locations of former methamphetamine laboratories; and

(3) the expected cost of carrying out any proposed guidelines.

(c) STATES.—The voluntary guidelines should be designed to assist State and local governments in the development and the implementation of legislation and other policies to apply state-of-the-art knowledge and research results to the remediation of former methamphetamine laboratories. The Assistant Administrator shall work with State and local governments and other relevant non-Federal agencies and organizations, including through the conference described in section 5, to promote and encourage the appropriate adoption of the voluntary guidelines.

(d) UPDATING THE GUIDELINES.—The Assistant Administrator shall periodically update the voluntary guidelines as the Assistant Administrator, in consultation with States and other interested parties, determines to be necessary and appropriate to incorporate research findings and other new knowledge.

SEC. 4. RESEARCH PROGRAM.

The Assistant Administrator shall establish a program of research to support the development and revision of the voluntary guidelines described in section 3. Such research shall—

(1) identify methamphetamine laboratory-related chemicals of concern;

(2) assess the types and levels of exposure to chemicals of concern identified under paragraph (1), including routine and accidental exposures, that may present a significant risk of adverse biological effects;

(3) identify the research efforts necessary to better address biological effects and to minimize adverse human exposures;

(4) evaluate the performance of various methamphetamine laboratory cleanup and remediation techniques; and

(5) support other research priorities identified by the Assistant Administrator in consultation with States and other interested parties.

SEC. 5. TECHNOLOGY TRANSFER CONFERENCE.

(a) CONFERENCE.—Not later than 180 days after the date of enactment of this Act, and at least every third year thereafter, the Assistant Administrator shall convene a conference of appropriate State agencies, as well as individuals or organizations involved in research and other activities directly related to the environmental, or biological impacts of former methamphetamine laboratories. The conference should be a forum for the Assistant Administrator to provide information on the guidelines developed under section 3 and on the latest findings from the research program described in section 4, and for the non-Federal participants to provide information on the problems and needs of States and localities and their experience with guidelines developed under section 3.

(b) REPORT.—Not later than 3 months after each conference, the Assistant Administrator shall submit a report to the Congress that summarizes the proceedings of the conference, including a summary of any recommendations or concerns raised by the non-Federal participants and how the Assistant Administrator intends to respond to them. The report shall also be made widely available to the general public.

SEC. 6. RESIDUAL EFFECTS STUDY.

(a) STUDY.—Not later than 6 months after the date of enactment of this Act, the Assistant Administrator shall enter into an arrangement with the National Academy of Sciences for a study of the status and quality of research on the residual effects of methamphetamine laboratories. The study shall identify research gaps and recommend an agenda for the research program described in section 4. The study shall pay particular attention to the need for research on the impacts of methamphetamine laboratories on—

(1) the residents of buildings where such laboratories are, or were, located, with particular emphasis given to biological impacts on children; and

(2) first responders.

(b) REPORT.—Not later than 3 months after the completion of the study, the Assistant Administrator shall transmit to Congress a report on how the Assistant Administrator will use the results of the study to carry out the activities described in sections 3 and 4.

SEC. 7. METHAMPHETAMINE DETECTION RESEARCH AND DEVELOPMENT PROGRAM.

The Director of National Institute of Standards and Technology, in consultation with the Assistant Administrator, shall support a research program to develop—

(1) new methamphetamine detection technologies, with emphasis on field test kits and site detection; and

(2) appropriate standard reference materials and validation procedures for methamphetamine detection testing.

SEC. 8. SAVINGS CLAUSE.

Nothing in this Act shall be construed to add to or limit the regulatory authority of the Environmental Protection Agency.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

(a) ENVIRONMENTAL PROTECTION AGENCY.—There are authorized to be appropriated to the Environmental Protection Agency to carry out this Act $3,000,000 for each of the fiscal years 2006 through 2009.

(b) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—There are authorized to be appropriated to the National Institute of Standards and Technology to carry out this Act $1,500,000 for each of the fiscal years 2006 through 2009.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. BOEHLERT) and the gentleman from Tennessee (Mr. GORDON) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. BOEHLERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 798, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 798, legislation to combat an insidious aspect of the methamphetamine crisis, the environmental consequences and the potential harm to those with no connection to the drugs manufacture or use. I want to thank the gentleman from Tennessee (Mr. GORDON) and the gentleman from California (Mr. CALVERT) for their active pursuit and leadership on this issue, which is of great concern to States and localities that have to deal with the aftermath of busting meth labs.

Over the past decade, methamphetamine, or meth, as it is properly called, has spread across the country, killing individuals, destroying families, and devastating communities. We are all too familiar with the facts of the case. The meth epidemic needs to be attacked on many levels. But we also have to deal with the harmful residue that meth leaves behind in homes and in the soil.

Earlier this year, I visited with Sheriff Gary Howard of Tioga County. I was so impressed with what he told me that we invited him to testify before our committee. Tioga County is located in the southern tier of New York within my congressional district.

Between 1989 and 1999, a decade, he indicated that there were only four meth lab incidents reported for the entire State of New York. Since then, the number of seized meth labs has risen quickly and steadily, from eight in the year 2000, this is the whole State, to 73 in 2003. Of that number, most were found in Tioga County.

Sheriff Howard described the terrible human tragedies associated with meth use. He had our panel in the palm of his hands, including the inherent danger to law enforcement from paranoid and agitated addicts. But he also told me, and us, that anyone who lived near or had reason to visit these active and former meth labs was at risk from unseen hazardous chemicals and dangerous byproducts of meth production. During the manufacture of meth, harmful chemicals are released into the air and distributed throughout the surrounding area. In residential settings, these chemicals penetrate and adhere to countertops and floors. They are absorbed into furnishings and carpets and walls, and their toxic byproducts are frequently poured down the drains or spilled onto the ground, potentially contaminating the soil and drinking wells.

While few studies have been conducted on the long-term consequences of exposure to these chemicals, many of the ingredients used in the manufacture of meth are highly caustic and upon exposure are believed to damage the skin, the eyes, the lungs. They do serious damage to the body.

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Yet, as witnesses testified before our Science Committee, we do not have the scientific knowledge to deal responsibly with former meth labs. Little is known about the risk of moving into a house that has been used as a meth lab; the best way to remediate a former lab so the building can be safely occupied; or the long-term effects on those living in the former labs, including but most

specifically the children and the elderly. They are the most vulnerable.

States and localities are struggling to protect the public from the adverse effects of meth; yet there are no national guidelines on how to remediate a residential lab for reoccupation or what levels of residues are safe. States have become increasingly concerned about the cleanup and remediation issues related to meth labs, and State officials and law enforcement officials have requested assistance in dealing with the growing number of small labs in their States, particularly those located in residential settings.

H.R. 798 should go a long way toward getting States the assistance they need to protect the wider population from meth residues. The bill requires the Environmental Protection Agency to establish voluntary guidelines for the remediation of former meth labs. These guidelines will combine the best of all existing and new information to help States and local governments respond effectively to this growing problem. The bill also requires the EPA to support research to identify persistent chemicals of concern in the use and manufacture of meth, to determine the most effective cleanup and remediation techniques, and to develop assessment and remediation guidance for States and localities based on the short- and long-term consequences of these former residential labs.

Finally, the bill enlists the National Institute of Standards and Technology to support the development of new testing methods to help law enforcement identify and quantify the risks of meth lab sites in the field.

This is a sensible, targeted, bipartisan bill, which, for a modest investment, will help our State and local governments safeguard our communities from the consequences of these toxic neighborhood labs. For this reason, H.R. 798 has been endorsed by the National Association of Counties, the Fraternal Order of Police, the National Association of Realtors, the National Multi Housing Council and the National Apartment Association, the National Sheriffs' Association, and the National Narcotics Officers' Associations' Coalition.

In conclusion, I want to thank the leadership, particularly Mr. BLUNT, for enabling this bill to come to the floor, and I want to thank the gentleman from Indiana (Mr. SOUDER) for his help in this matter. He heads the Speaker's task force dealing with the very sensitive subject of drug abuse prevention.

This bill will make a real difference in our communities, and I urge its passage.

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

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

Mr. Speaker, I rise today in support of H.R. 798, the Methamphetamine Research Remediation Act.

Chairman BOEHLERT has already outlined the provisions of H.R. 798. And I want to reiterate that this is a narrow bill designed to address the health and environmental problems caused by former meth labs. H.R. 798 focuses on the cleanup requirement of former meth labs, a tremendous problem facing communities across the country.

The Drug Enforcement Agency reported more than 17,000 domestic meth lab seizures last year alone. Often in residential settings, these former meth labs are contaminated not only with methamphetamine but also with other toxic residues associated with the production of meth. These chemical residues pollute the inside of a residence as well as septic and water systems. People move into these former meth labs in good faith, expecting a safe environment, but instead find a chemical waste site.

Right now there are thousands of unsuspecting families living in homes that were once illegal meth labs. Dangerous and hidden toxic substances exist in these sites, and children are the most vulnerable to the devastating long-term effects of exposure.

H.R. 798 addresses the specific problems of what type of cleanup is required to ensure that a former meth lab is safe to occupy. I want to stress that H.R. 798 is not a Federal mandate. Rather, it requires the Environmental Protection Agency to develop model, voluntary, health-based cleanup guidelines for use by States and localities.

In addition, H.R. 798 authorizes the National Institute of Standards and Technology to initiate a research program to develop meth detection equipment for field use. This will help law enforcement agents detect active meth labs faster and assist in measuring levels of contamination in former meth labs.

Finally, H.R. 798 requires a study by the National Academy of Sciences on the long-term health impacts of children taken from meth labs and on first responders. And I also remind the Speaker that this bill passed unanimously out of the Science Committee with a number of bipartisan sponsors.

Before closing, I want to thank Mr. CALVERT and Chairman BOEHLERT for their support and assistance in bringing this bill to the floor. I also want to thank the Meth Caucus and its cochairs, Representatives CANNON, CALVERT, LARSEN and BOSWELL, for their strong support, as well as Congressman SOUDER for his help in bringing this to the floor. In addition, the National Alliance for Model State Drug Laws has been an invaluable resource in developing this legislation. And, finally, Mike Quear of the Science Committee staff has done a tremendous amount of work in bringing this legislation to this point.

H.R. 798 is not a total solution to the methamphetamine epidemic. Unfortunately, there will always be people who decide to harm themselves by using and manufacturing dangerous drugs such as meth. H.R. 798 is aimed at protecting innocent people whose lives are endangered by these illegal activities.

I would urge every Member to vote ''yes'' on this bipartisan legislation.

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

Mr. BOEHLERT. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. SODREL), a very valuable member of the Science Committee.

Mr. SODREL. Mr. Speaker, I would like to thank all of those who worked hard to bring this bill to the floor.

Mr. Speaker, I rise in strong support of H.R. 798, the Methamphetamine Remediation Research Act of 2005. I am a cosponsor of this bill, and like many of my colleagues, this bill addresses a growing concern back home in our districts needing immediate attention.

Across the country, almost every community has been touched by the meth crisis. Meth is a toxic mixture of chemicals that gives its users an incredible euphoria, followed by dramatic crashes, paranoia and often violence.

My home State of Indiana has the unenviable distinction as one of the leaders in the number of methamphetamine labs. Everyone in Southern Indiana is painfully aware of the tragic toll meth has taken on our communities. The danger from the meth crisis is great, not only because of the lives destroyed by intentional use and production, but also from unintentional contact with the drug by first responders, unwary home buyers and renters, and innocent children.

The law enforcement officials I have met with on the topic tell me meth can be absorbed through inhalation during the manufacturing process and through the skin from contaminated soil, carpeting, drywall and other housing materials. Groundwater can be contaminated with effects that last long after the meth cooks have left the area.

Few know about the long-lasting problems left by the producers of methamphetamine. These makeshift labs are leaving toxic sites around our communities, our highways and our farmland. We must act and do more to clean up this invisible time bomb.

This bill is a good first step in the process. We must know more about how to treat a meth lab when the first responders arrive on the scene, particularly after a fire explosion. We must know more about the long-term effects of meth on those who occupy these lab sites after the meth cooks are gone. We must know more about how to protect children who happen upon these toxic sites.

Mr. Speaker, I thank our leadership for bringing this bill to the House floor. I urge my colleagues to support passage of this bill to protect our police, our first responders, our loved

ones from the after-effects of meth production. This assistance is especially important to our rural counties. I urge its adoption.

Mr. GORDON. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. COSTA), who was a leader in the California State Senate in fighting this meth epidemic.

Mr. COSTA. Mr. Speaker, as a member of the Science Committee, I would like to thank Chairman BOEHLERT and Ranking Member GORDON for introducing this legislation. I believe it is very important throughout the country.

I rise in strong support of the methamphetamine Remediation Act before us today.

While meth abuse is currently sweeping the country, causing great alarm for law enforcement and health officials, we in California's San Joaquin Valley have been fighting rampant meth abuse, production and clean up for over 20 years.

Meth is California's largest drug threat, and the Valley suffers one of the highest rates of abuse, both in production and use.

According to local law enforcement officials, over 13,500 pounds of meth have been seized over the last 3 years. In 2004, Fresno made 180 meth related felony arrests. These are significant achievements, but there is more to be done.

The San Joaquin Valley law enforcement successfully reduced the number of Superlabs seizures from 27 in 2003 to 9 in 2004. However, the need to ensure the former labs are cleaned to a safe level is key to protecting our communities.

Meth abusers are not the only victims of this destructive drug. The production of meth in meth labs and "super labs" leave dangerous bi-products, putting innocent children and law enforcement into harms way.

I am a co-sponsor of this legislation because it provides communities with the guidelines to properly clean up hazardous contaminants from former meth labs and improves meth lab detection tools.

As a Member of the California State legislature, I authored a law raising penalties for trafficking, manufacturing, and sale of meth to the same level as heroin and cocaine.

I also authored legislation authorizing the forfeiture of any boat, airplane or vehicle used to facilitate the manufacture of meth.

My co-sponsorship of H.R. 798 represents my continued commitment to rid our great Valley of this devastating drug.

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

Mr. BOEHLERT. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. SCHWARZ), a very valued member of the Science Committee but also one who is particularly knowledgeable about this subject matter and has made significant contributions to the development of this package.

Mr. SCHWARZ of Michigan. Mr. Speaker, I would like to thank Chairman BOEHLERT and Ranking Member GORDON from Tennessee for pushing the committee to get this important legislation out.

I have been a physician for 41 years, starting out with problems when people would come into an emergency room high on marijuana, and then we moved to opiates like heroin coming from across the sea, coming from the Asian Continent for the most part, and then cocaine coming up from South and Central America.

But now methamphetamine is made in our own backyards and particularly in areas in this country that are similar to those areas around my home in Michigan. They do not need much. They need chemicals that they can buy in a convenience store or anhydrous ammonia that people can steal from an agricultural operation someplace. It is very, very easy to make. It is very, very addictive, and it is very dangerous, both for those who use it and for those who make it.

This bill deals with the residual things that happen when methamphetamine is made in a lab out someplace usually in the country. What they are left with is a chemical soup.

For every pound of methamphetamine manufactured, 5 pounds of hazardous waste is created. For every lab that has to be cleaned up, somewhere between $8,000 and $15,000 worth of public money is expended. Children are put into foster care because their parents can no longer care for them. It is a huge public health and social problem.

And it is so easy to make. One oxygen molecule from pseudoephedrine, which one can buy over the counter in almost any store, one oxygen molecule taken away and we have methamphetamine. Numbers of arrests coming up almost exponentially in the past 5 years, and the residual in the labs is a terrible thing. It is a horrible thing, and we have to have some systematic way to deal with that residual as we are working on ways to deal with the drug itself.

This bill is a tremendously good start in that direction. And, again, I compliment the chairman, the ranking member, and members of the Science Committee on moving the ball forward, moving it down the field, to help clean up methamphetamine labs.

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

In conclusion, let me just say that Senators SMITH and BAUCUS have taken this exact legislation and introduced it in the other body. So, hopefully, after we pass this today, there will be time this week for the other body to also pass this legislation, get it directly to the President and get some action right away.

So, again, my thanks to Chairman BOEHLERT and his staff and all the Members for bringing this bill up today.

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

□ 1715

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

Mr. Speaker, I appreciate some of the comments of my colleagues, and as chairman I have had the privilege to sort of move the ball forward. But I think it is right that we acknowledge that the ball was put in motion by Mr. GORDON of Tennessee and Mr. CALVERT of California. They have worked in tandem and partnership, and we have produced a good bill worthy of this House and our mission. I am hopeful that not only will we pass on a strong bipartisan vote the measure today but that the Senate will follow through with this. Senator GORDON and Senator BAUCUS on a bipartisan basis are working on it and with good reason.

The problem is meth is a national crisis. It started out small on the west coast; it now affects all 50 States. The producers, as Dr. Schwarz has indicated, can buy the product over the counter, all the ingredients to this; and then they rent an apartment or rent a motel room and quickly cook the stuff to make the final product. That is what we are concerned about. What about the atmosphere that is created?

They tend to go in the more rural areas of America, bypassing the big cities, because they figure there is an undue concentration of law enforcement officials there, and maybe they can get away with it in the more rural settings. They did not reckon on guys like Sheriff Gary Howard, who has got an outstanding record of busting these guys and carting them off to where they belong, to jail.

But then what? What happens to the property? The owner of the property, totally unaware of what was taking place on their property, I understand it, we can all understand that, and then the owner probably says, well, we will clean it up, we will vacuum the floor and paint the walls and it will be okay. Wrong. Not okay. We have got to do more studies, because the residue is there, and we have got to be concerned about that. That is what this is all about, a modest amount of Federal dollars to deal with a very real and meaningful problem.

Mr. LARSEN of Washington. Mr. Speaker, I rise today in strong support of H.R. 798, the Methamphetamine Remediation Research Act. I commend Mr. GORDON, Mr. CALVERT, and Mr. BOEHLERT for their work introducing this important legislation; and bringing it to the floor.

Meth is a scourge on our communities. It is literally a chemical cocktail, made from hazardous, caustic substances. In the process of cooking a batch of meth, those chemicals seep into the interior of a home. Often, unsuspecting, innocent families move into these houses and apartments, completely unaware that the new home was once used to cook meth. It isn't until they become ill that they learn something is wrong, terribly wrong.

DEA reported over 17,000 meth lab busts last year in 47 states. There is currently no federal standard to determine when a former lab is safe to inhabit. This bill will do that.

H.R. 798 will establish a research program to develop voluntary, health-based, model guidelines for the clean-up of former meth labs. It will establish a research program to develop meth detection equipment for use by first responders, and will require a study on the long-term health impacts on first responders and children taken from meth labs.

It is important for us to know when a house used as a meth lab is safe to inhabit again. It is important that we know the health impacts of exposure to a meth lab. This bill will do both of these things. As a Co-Chair of the Meth Caucus, I am proud to see an important meth bill like this one finally see its day on the floor. I urge my colleagues to vote ''yes''.

Mr. CRAMER. Mr. Speaker, I rise today in strong support of H.R. 798, the Methamphetamine Remediation Research Act.

I am a member of the Congressional Caucus to Fight and Control Methamphetamines and an original cosponsor of this legislation.

Before coming to Congress, I was the District Attorney of Madison County, Alabama.

It was in that capacity that I learned that meth is not only a danger to adults who use the drug, but also a great danger to people who live in the homes where meth is used or manufactured, especially children.

Unfortunately, the effects the exposure to meth is something that we are still learning more about.

I support today's legislation because I believe it is important for our communities to understand these residual effects.

H.R. 798 addresses the environmental and second-hand impacts of methamphetamine abuse.

It specifically establishes research programs through the Environmental Protection Agency (EPA) and the National Institute of Standards and Technology (NIST) to: identify the harmful chemicals associated with meth labs; discover the impact exposure to these chemicals have; and identify any residual effects of methamphetamine labs.

Additionally, this legislation creates guidelines for the clean up and decontamination of contained meth lab sites.

It also requires NIST to develop and standardize methamphetamine detection methods.

I would like to thank Congressman GORDON for his leadership in addressing this often-overlooked battle in the fight against methamphetamines.

I encourage my colleagues to approve this bill.

Mr. DICKS. Mr. Speaker, the rapid growth in the production and use of methamphetamine is very serious problem that requires the full attention of Congress. In the State of Washington and in my Congressional district in particular, meth has rapidly become the drug of choice. The police chiefs and sheriffs in my district tell me that the percentage of criminals that are also meth users has grown astronomically over that last ten years, and now it is the most frequently used drug by both violent and non-violent offenders.

This drug is highly addictive and easy to make. As most of my colleagues are aware, meth can be made with instructions that can be found on the internet and using ingredients and equipment that can be purchased over-the-counter in virtually any community. Congress must do more, in my opinion, to fight this growing menace.

The by-products of methamphetamine production are highly toxic and can linger at the point of production long after the equipment and drugs have been taken away. These by-products, even in small amounts, can irritate, burn or even kill individuals coming across a lab site well after the drug producers have gone. As a result, state and local agencies often must take extreme measures to remove all traces of toxicity from a lab site. In my own district, state environmental clean-up engineers have had to remove entire hotel rooms—including the furniture, appliances, dry wall and studs—because contamination from routine production of meth has been so extensive.

Cleaning up these toxic messes is the issue addressed by the legislation proposed by my good friend from the state of Tennessee. This bill calls upon the Environmental Protection Agency, together with the National Institute for Standards and Technology to help provide some expertise and guidance to state and local agencies on guidelines for to follow to safely and effectively clean up meth labs. I commend my friend for offering this sensible and needed proposal, and I encourage my colleagues in the House to support it.

Mr. Speaker, I encourage all Members to support H.R. 798, and I urge my colleagues to continue to work together to eradicate this extremely dangerous and locally produce drug.

Mr. COSTA. Mr. Speaker, I rise in strong support of H.R. 798, the Methamphetamine Remediation Act before us today.

While methamphetamine abuse is currently sweeping the country, causing great alarm for law enforcement and health officials, we in California's San Joaquin Valley have been fighting rampant methamphetamine abuse, production and clean up for over 20 years. Methamphetamine is California's largest drug threat, and the Valley suffers one of the highest rates of abuse, both in production and use.

According to local law enforcement officials, over 13,500 pounds of methamphetamine have been seized over the last three years. In 2004, Fresno made 180 methamphetamine related felony arrests. These are significant achievements, but there is more to be done. The San Joaquin Valley law enforcement successfully reduced the number of Superlabs seizures from 27 in 2003 to 9 in 2004. However, the need to ensure the former labs are cleaned to a safe level is key to protecting our communities.

Unfortunately, methamphetamine abusers are not the only victims of this destructive drug. The production of methamphetamine in labs and ''super labs'' leave dangerous biproducts, putting innocent children and law enforcement into harms way. I am a co-sponsor of this legislation because it provides communities with the guidelines to properly clean up hazardous contaminants from former methamphetamine labs and improves methamphetamine lab detection tools.

As a Member of the California State Legislature, I authored a law raising penalties for trafficking, manufacturing, and sale of methamphetamine to the same level as heroin and cocaine. In addition, I authored legislation authorizing the forfeiture of any boat, airplane or vehicle used to facilitate the manufacture of methamphetamine.

My co-sponsorship of H.R. 798 represents my continued commitment to rid our great Valley of this devastating drug. I urge the adoption of this critical measure.

Mr. COSTELLO. Mr. Speaker, I rise in support of H.R. 798, the Methamphetamine Remediation Research Act, a bill to address the methamphetamine abuse problem and provide support to states and local communities to fight and clean-up methamphetamine (meth) and methamphetamine labs. As a cosponsor of H.R. 798, I believe this legislation takes a crucial first step towards achieving this goal and I applaud Ranking Member GORDON for his leadership on this issue.

As a member of the Congressional Caucus to Fight and Control Methamphetamine and a former law enforcement official, I am actively working with my colleagues to decrease methamphetamine use. In my home state of Illinois, there were 926 methamphetamine seizures reported and 813 methamphetamine arrests in 2004, many in my district in Southern Illinois. In order to combat meth in our communities, I believe we need a comprehensive plan to deal with the environmental, health, and law enforcement challenges facing our communities because of the growing use of this dangerous drug.

Reports show that methamphetamine use in the United States has increased rapidly in recent years. In order to assist local governments prevent and control the spread of methamphetamine, I am pleased grants, such as the Edward Byrne Memorial Justice Assistance Grant, are available for cities and counties to apply for through the Department of Justice. I will continue to assist the local law enforcement agencies throughout my congressional district to ensure they receive funding based on local needs and conditions.

Mr. Speaker, meth labs not only cost communities, they also can create a serious public health threat. It is my continued hope that by raising national awareness about methamphetamine use and providing increased federal resources to combat the methamphetamine problem, we can diminish methamphetamine use. This legislation is a first step toward that goal and I urge my colleagues to support H.R. 798.

Mr. CARNAHAN. Mr. Speaker, I am proud to be an original cosponsor of the ''Meth'' Remediation and Research Act as it will aid our local law enforcement, environmental regulatory, and health care officials in coping with ''meth'' abuse by providing voluntary guidelines to clean up and remediate the highly toxic chemicals that are used to make the drug.

The harmful effects of contamination are not fully recognized and first responders, future inhabitants, and sadly, children are at risk of developing health problems—this legislation seeks to remedy this problem.

I am tremendously sensitive to the problem of ''meth'' abuse due to it's widespread emergence in my district. Last year my home state of Missouri had the unfortunate distinction of being the number one state in the country, by more than double, for methamphetamine laboratory seizures. Furthermore, Jefferson County, which resides in my congressional

district, has the most seizures and arrests related to ''meth'' in the state of Missouri.

I applaud the Science Committee's bipartisan leadership for addressing this growing problem and doing their utmost to move this legislation.

Mr. CASE. Mr. Speaker, I rise today in strong support of H.R. 798, the Methamphetamine Remediation Research Act of 2005, which I was pleased to cosponsor originally.

I commend the dedicated work of the Science Committee in bringing this bipartisan bill to the floor today. I would also like to thank Congressmen Bart GORDON, BEN CALVERT, and Committee Chairman SHERWOOD BOEHLERT, the bill's chief sponsors, for their leadership on this issue.

Last year, 30 methamphetamine labs—including sites where only the chemical were found—were seized in Hawaii. While I fully understand that this number is small in comparison to other states in our country, the number of methamphetamine laboratories is unfortunately growing in our more isolated rural communities like those in Hawaii's Second Congressional District.

H.R. 798 would provide federal support and guidance to our states with rapidly expanding number of closed methamphetamine laboratory sites. The bill would require the Environmental Protection Agency to develop the voluntary guidelines for use by state and local officials and would establish a research program to address the environmental effects from contamination caused by methamphetamine labs and examine ways to clean up such labs and minimize adverse health effects. H.R. 798 would also direct the National Institute of Standards and Technology to conduct research into methamphetamine detection technologies and calls for a separate study by the National Academy of Sciences to examine research on the effects that methamphetamine labs have on the residents of the buildings in which the laboratories were located.

I look forward to continuing to work with any likeminded colleagues on our Congressional Methamphetamine Caucus and otherwise to provide the federal support we need in our collective fight against the national crisis of crystal methamphetamine.

Mahalo (thank you) for this opportunity to express support for H.R. 798.

Mr. CALVERT. Mr. Speaker, I am proud to have joined Mr. GORDON and Mr. BOEHLERT as a lead sponsor of this legislation—H.R. 798, the Methamphetamine Remediation Research Act of 2005. I thank Mr. GORDON for bringing this very important issue to the Congress' attention and Mr. BOEHLERT for steering the bill quickly through the Science Committee. I also thank the Science Committee's Majority and Minority staffs who have diligently worked together for the last two years to develop and revise this legislation.

As a Co-Chairman of the 135-member Congressional Caucus to Fight and Control Methamphetamine, I know the growing meth epidemic in our country shows no deference to district or party line. This is an issue everyone can agree is wreaking havoc on communities across the Nation. As mentioned by my colleagues, H.R. 798 focuses its efforts on the procedures and standards needed to decontaminate a site where a methamphetamine lab is found so our communities can more thoroughly remediate these sites. The creation of voluntary, health-based remediation guidelines for former meth labs, crafted by the Environmental Protection Agency, will protect and ensure the health of our citizens and the surrounding environment.

In my area of Riverside, California, methamphetamine production has reached epidemic proportions with many of these labs having the distinction of being labeled superlabs—these are labs that are capable of producing over ten pounds of finished methamphetamine per batch. One such lab which was seized in 2003 operated out of a barn in a rural area of Riverside County and produced over 6,000 pounds of finished product with a street resale value of over $33 million dollars. Over 4 million pounds of contaminated toxic soil had to be removed with heavy equipment, costing in excess of $226,000. Officials from the California Department of Toxic Substance Control have called this the most difficult and costly methamphetamine lab clean up in California's history.

This is a distressing issue with which my region, and quite frankly, most of America is becoming all too familiar. Our State and local agencies need all the resources and tools that we can provide them within their efforts to address this epidemic. Although we are all aware that much more needs to be done to win the fight against this devastating drug, I am convinced H.R. 789 will be a good start in that fight and will be welcomed by our communities.

I strongly encourage my colleagues to vote yes in favor of H.R. 798 today.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise to offer my support for this legislation, of which I am a cosponsor. As a member of the Energy and Commerce Committee, I have participated in several hearings and mark-ups on methamphetamine legislation.

One of the many unsafe effects of this drug is the environmental harm caused by producing it and disposing of the byproducts. Given that the products necessary to produce meth can be purchased at a drug store, and it can be produced in small quantities, many users make the drug in their basement, garage or kitchen, despite the health and safety risks.

Cooking meth indoors allows toxic fumes to escape into the house and be trapped in furniture and walls, causing additional health concerns for those producing it—and especially for the family and children who live in these homes. The production of meth puts family members and children in harm's way, as there is a possibility of inhaling fumes, absorbing chemicals or accidentally ingesting the toxic materials used to manufacture this drug.

Depending on the process used, each pound of meth produced results in about six additional pounds of waste which will likely end up in our sewer systems, in streams or rivers, or on the ground. Given that some of the key ingredients can be acetone, hydrochloric acid, ether and ammonia, disposing of this byproduct improperly can lead to additional health risks and environmental damage.

I am pleased the House is taking up this legislation to address the negative environmental impacts of methamphetamines, and problems posed by clean-up and remediation by directing the EPA to develop assessment standards and remediation guidelines. H.R. 798 also directs studies to be conducted on the residual effects of methamphetamine production, and supports the development of methamphetamine detection testing.

Mr. Speaker, I urge my colleague to join me in supporting this legislation.

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

The SPEAKER pro tempore (Mr. ADERHOLT). The question is on the motion offered by the gentleman from New York (Mr. BOEHLERT) that the House suspend the rules and pass the bill, H.R. 798, 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.

RECESS

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

Accordingly (at 5 o'clock and 17 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

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

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 3199, USA PATRIOT IMPROVEMENT AND REAUTHORIZATION ACT OF 2005

Mr. PUTNAM, from the Committee on Rules, submitted a privileged report (Rept. No. 109–343) on the resolution (H. Res. 595) waiving points of order against the conference report to accompany the bill (H.R. 3199) to extend and modify authorities needed to combat terrorism, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST FURTHER CONFERENCE REPORT ON H.R. 3010, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Mr. PUTNAM, from the Committee on Rules, submitted a privileged report (Rept. No. 109–344) on the resolution (H. Res. 596) waiving points of order against the further conference report

to accompany the bill (H.R. 3010) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

H. Res. 487, by the yeas and nays;

S. 1047, by the yeas and nays;

H.R. 3422, by the yeas and nays.

The first and third electronic votes will be conducted as 15-minute votes. The second vote in this series will be a 5-minute vote.

SUPPORTING THE GOALS AND IDEALS OF KOREAN AMERICAN DAY

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 487.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CANNON) that the House suspend the rules and agree to the resolution, H. Res. 487, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 405, nays 0, not voting 28, as follows:

[Roll No. 623]

YEAS—405

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

NOT VOTING—28

Bachus
Bonner
Brown, Corrine
Calvert
Clyburn
Costello
Cubin
Davis (FL)
DeGette
Diaz-Balart, M.
Everett
Ford
Fortenberry
Gallegly
Goode
Harris
Hayworth
Hinchey
Hyde
Kind
McDermott
Rehberg
Reynolds
Ros-Lehtinen
Sabo
Udall (CO)
Weiner
Wynn

□ 1901

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PRESIDENTIAL $1 COIN ACT OF 2005

The SPEAKER pro tempore (Mr. BRADLEY of New Hampshire). The pending business is the question of suspending the rules and passing the Senate bill, S. 1047.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. OXLEY) that the House suspend the rules and pass the Senate bill, S. 1047, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 291, nays 113, not voting 29, as follows:

[Roll No. 624]

YEAS—291

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Baca
Baird
Baker
Baldwin
Barrow
Barton (TX)
Bass
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boehner
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Butterfield
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chandler
Clay
Cleaver
Conyers
Cooper
Costa
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Doyle
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Fossella
Frank (MA)
Frelinghuysen
Gerlach
Gibbons
Gilchrest
Gillmor
Gonzalez
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez

Gutknecht
Harman
Hastings (FL)
Hastings (WA)
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
King (NY)
Kirk
Knollenberg
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Lofgren, Zoe
Lowey
Lucas
Lynch
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Peterson (MN)
Petri
Pickering
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Tancredo
Tanner
Tauscher
Taylor (MS)
Thomas
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weldon (PA)
Weller
Wexler
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu

NAYS—113

Akin
Alexander
Barrett (SC)
Bartlett (MD)
Beauprez
Bilirakis
Bishop (UT)
Blackburn
Blunt
Bonilla
Bono
Boozman
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Carter
Chabot
Chocola
Coble
Conaway
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
DeLay
Doolittle
Drake
Duncan
Feeney
Flake
Forbes
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Gohmert
Goodlatte
Granger
Green (WI)
Hall
Hart
Hayes
Hefley
Hensarling
Herger
Hunter
Istook
Jindal
Johnson (IL)
Johnson, E. B.
Jones (NC)
Kennedy (MN)
King (IA)
Kingston
Kline
Kolbe
Kuhl (NY)
Lewis (KY)
LoBiondo
Lungren, Daniel E.
Mack
McCotter
McCrery
McHenry
McMorris
Miller (FL)
Miller (MI)
Miller, Gary
Murphy
Musgrave
Myrick
Neugebauer
Norwood
Otter
Paul
Pence
Peterson (PA)
Pitts
Poe
Price (GA)
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shuster
Sodrel
Souder
Stearns
Strickland
Sullivan
Sweeney
Taylor (NC)
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Young (AK)
Young (FL)

NOT VOTING—29

Bachus
Bonner
Brown, Corrine
Calvert
Clyburn
Cole (OK)
Costello
Cubin
Davis (FL)
DeGette
Diaz-Balart, M.
Everett
Ford
Fortenberry
Gallegly
Goode
Harris
Hayworth
Hinchey
Hyde
Kind
McDermott
Platts
Reynolds
Ros-Lehtinen
Sabo
Udall (CO)
Weiner
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1915

Ms. HART and Messrs. ROYCE, TURNER, BUYER, GINGREY and HERGER changed their vote from ''yea'' to ''nay.''

Mr. NUSSLE and Mr. LATHAM changed their vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agreed to the following resolution:

S. RES. 330

In the Senate of the United States, December 12, 2005.

Whereas Eugene J. McCarthy devoted many years of his life to teaching in public high schools and other institutions of higher learning in the service of the youth of our Nation;

Whereas Eugene J. McCarthy served in the House of Representatives from 1949 to 1959;

Whereas Eugene J. McCarthy served the people of Minnesota with distinction from 1959 to 1971 in the United States Senate;

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Eugene J. McCarthy, former member of the United States Senate;

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Eugene J. McCarthy.

The message also announced that the Senate has passed without an amendment a bill of the House of the following title:

H.R. 4340. An act to implement the United States-Bahrain Free Trade Agreement.

The message also announced that the Senate has passed bills of the following title in which the concurrence of the House is requested:

S. 2093. An act to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to provide funds for training in tribal leadership, management, and policy, and for other purposes.

S. 2094. An act to reauthorize certain provisions relating to Indian tribal justice systems.

HONORING THE 50TH ANNIVERSARY OF THE HONORABLE JOHN D. DINGELL'S SERVICE IN THE HOUSE OF REPRESENTATIVES

Mr. HASTERT. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the resolution (H. Res. 594) honoring the 50th anniversary of the Honorable JOHN D. DINGELL's service in the House of Representatives, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore (Mr. BRADLEY of New Hampshire). Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the resolution, as follows:

H. RES 594

Whereas John D. Dingell learned firsthand about the institution of Capitol Hill at an early age, serving as a House of Representatives Page from 1938 to 1943;

Whereas John D. Dingell served his country during the World War II as a member of the United States Army;

Whereas John D. Dingell has served 50 years in the House of Representatives, since succeeding his late father, the Honorable John David Dingell, Sr., a 12-term incumbent, in a special election to the 84th Congress on December 13, 1955;

Whereas a member of the Dingell family has represented the Detroit metropolitan area in the House of Representatives since 1933;

Whereas John D. Dingell, the Dean of the House of Representatives since the 104th Congress, is the longest serving current Member of the House of Representatives, having been re-elected on 25 subsequent occasions;

Whereas John D. Dingell's term of service is the third-longest term of service in the history of the House of Representatives and the fifth-longest in Congressional history; and

Whereas John D. Dingell has served on the Energy and Commerce Committee (and its predecessors) since the 85th Congress in 1957, and chaired that panel from the 97th through the 103rd Congresses (1981–1995): Now, therefore, be it

Resolved,

SECTION 1. HONORING THE 50TH ANNIVERSARY OF JOHN D. DINGELL'S SERVICE IN THE HOUSE.

The House of Representatives—

(1) honors the lifelong commitment of the Honorable John D. Dingell to the ideals of our Nation;

(2) recognizes the Honorable John D. Dingell's half-century of exceptional dedication to his constituents, to the State of Michigan, and to the United States; and

(3) congratulates the Honorable John D. Dingell on 50 years of superior service in the United States Congress.

SEC. 2. TRANSMISSION OF ENROLLED RESOLUTION.

The Clerk of the House of Representatives shall transmit an enrolled copy of this resolution to the Honorable John D. Dingell.

The SPEAKER pro tempore. The gentleman from Illinois (Mr. HASTERT) is recognized for 1 hour.

Mr. HASTERT. Ladies and gentlemen, it is important for the House to recognize important milestones. Tonight, the Democratic leader and I on behalf of the House take this brief time to honor our colleague JOHN DINGELL.

If Members would also like to add words of congratulations, I would encourage them to insert remarks as part of the CONGRESSIONAL RECORD or partake in a Special Order following votes tonight.

I rise in support of this resolution saluting and congratulating our good friend, JOHN DINGELL, for 50 years of service in the U.S. House of Representatives.

As the Clerk said, only two other House Members have made the 50-year milestone, Jamie Whitten and Carl Vinson. For a half century, JOHN has walked the Halls of this Capitol doing the business of the people of southeast Michigan. And I must say the Congress is a better place because we have men like JOHN DINGELL.

I first met JOHN when I came to the House in 1986, and he had already been here three decades at that time. We really got to know each other better when I started my third term when I was named to the House Energy and Commerce Committee. I knew him as Mr. Chairman. In fact, I think I only started to call him JOHN after I became Speaker.

Mr. DINGELL earned my respect early on. He knew the issues under his committee's jurisdiction, which was just about everything. He knew their legislative history. He knew how to count votes. He knew how to get legislation through the process. He was tough, but he was fair.

His congressional work has done much to benefit the American people. During his time in the House, he has left his mark on historic legislation like the Clean Air Act of 1990, the Safe Drinking Water Act, the Children's Health Insurance Program, and every other major energy and telecommunications bill since the 1970s. In fact, during the 1980s, he oversaw the investigation into the safety of the Nation's blood supply, including the procedures that we now have to ensure that donated blood is disease free.

As Dean of the House, JOHN DINGELL administers the oath of office to the Speaker. The Speaker then administers the oath of office to all the Members as well. I could not be more proud to have had JOHN DINGELL administer my oath four times.

Mr. Speaker, in this age of sound-bite politicians, JOHN DINGELL is the real deal. You always know where he stands, and you can always rest assured that he stands for something. And so today we salute JOHN DINGELL for 50 years of service with dignity, with dedication, with courage, with principle, and with honor. I thank you, JOHN, for your good work.

Mr. Speaker, I yield to the gentlewoman from California (Ms. PELOSI), the Democratic leader, for her remarks.

Ms. PELOSI. Thank you very much, Mr. Speaker.

I am proud to join you in co-sponsoring this resolution honoring the 50th anniversary of the Honorable JOHN D. DINGELL's service in the House of Representatives. As we celebrated at the National Building Museum before, I am pleased to join you once again in congratulating JOHN DINGELL. It is impossible to acknowledge his service and congratulate him for his great leadership without also acknowledging Debbie Dingell, who has been his partner in so much of his life's work.

As I mentioned, Mr. Speaker, you and I had the privilege of celebrating this milestone with Congressman DINGELL at an extraordinary event at the National Building Museum on October 26. Something phenomenal happened that night when Republicans and Democrats came together in unity to praise this great man. Everyone in the bipartisan group, President Clinton, Vice President CHENEY, Governor Granholm of Michigan, and so many of JOHN's colleagues in the House and Senate, including his chairman, JOE BARTON, who regaled us with DINGELL stories that night, agreed that JOHN DINGELL is an American statesman of the highest order.

President Kennedy could have been describing JOHN DINGELL when he said: ''No government is better than the people who serve it. We want the best, we need the best, and we deserve the best.'' For 50 years in JOHN DINGELL we have had the best.

To the pages in the room, I want to say tonight we could really be celebrating his 54th anniversary in the House because from age 12 to 16, he served here as a page, the longest-serving page in history. It was as a page in 1941 that JOHN DINGELL was standing on the House floor when President Roosevelt asked Congress to declare war on Japan. It was World War II that would ultimately call him to service.

He served in the Army with distinction, rising to the rank of second lieutenant. John would later say of his service, ''It taught me the meaning of discipline and respect, two qualities which I believe are key to success in the United States.'' It also began a public life dedicated to making America strong both at home and abroad.

A member of the Greatest Generation, JOHN DINGELL applied his brilliant mind, his great judgment, and his broad vision to making the future better for generations to come. JOHN always made clear that a strong America had to be a healthy America. Continuing a tradition his father began, in every Congress he has introduced a bill for universal national health insurance. Because of his tireless work in securing health care for the elderly, JOHN presided in the House in 1965 when Medicare was passed into law. The gavel he used that day still sits on his desk. He was a very young man at the time, still is.

As part of his focus on future generations, JOHN was one of the first elected officials to link public health with environmental health, and he has had a hand in almost every major environmental legislation of the past 40 years. He has done as much to clean up government as he has to clean up the environment. For the last 50 years, Federal agencies have checked their mail with one eye squinted open hoping they have not received what became known as ''Dingell-grams.''

In the 1980s, the EPA even had an employee whose sole responsibility was responding to Chairman DINGELL's inquires, and it was recognized that her job was not an easy one. To work alongside JOHN DINGELL is to be inspired by the history of our institution and humbled by the seriousness of our work. JOHN is a giant in Congress and a symbol of continuity.

Fifty years ago on December 13, 1955, JOHN DINGELL took over the seat that had been opened by his father. After hearing his father's colleagues eulogize John, Sr., JOHN stepped up and said, ''My father loved and respected the House and all of its Members. If I can be half the man that my father was, I shall feel that I am a great success.''

On this 50th anniversary, we say that we love and respect JOHN DINGELL and by any measure his leadership and his success have been unsurpassed. I am sure that John Dingell, Sr., is very, very proud. We may call JOHN DINGELL the Dean of the House, as the Speaker has done; but for many of us here tonight he has also been a teacher.

I know I speak for all of the Members of the House when I say we are proud to call JOHN DINGELL colleague.

□ 1930

We are all so glad that your lifetime of service continues. The best is yet to come. Thank you, JOHN DINGELL.

Mr. RAHALL. Mr. Speaker, today, December 13, 2005, JOHN D. DINGELL, Jr. marks 50 years of distinguished service to the people of

Michigan. I have enormous respect for my friend, the gentleman from Michigan, who serves the people he represents, and the country, well and with distinction.

I was a member of this body when the last gentleman to serve 50 years in the House was acknowledged—Congressman Jamie Whitten. And the tribute Mr. DINGELL paid to Mr. Whitten also is fitting in tribute to Mr. DINGELL—For all the wisdom the gentleman from Michigan has displayed during his tenure in the House, his constituents have shown even more wisdom in returning him to Congress 25 times.

Upon reflecting on Mr. Dingell's career, I am reminded of the quote by Martin Luther King, Jr. who said, "the quality, not the longevity, of one's life is what is important."

After half a century of service in this body, serving with 10 presidents and in 25 Congresses, all marvel at the longevity of the gentleman's career. But it is the quality of Mr. DINGELL's service that his colleagues, his constituents and the American people remember.

And let us not forget in celebrating the gentleman's past accomplishments and distinguished service that his career is far from over.

True, his efforts on behalf of the Civil Rights Movement, the American laborer and our Nation's neediest individuals helped shape the second half of the 20th Century.

But as we look to the future, a future where JOHN DINGELL will undeniably play a significant role, we are comforted by the fact that the gentleman from Michigan, always true to his word and with a quick wit, will continue to lead us for many years to come.

I am proud of my friend JOHN and thank him for many years of personal kindnesses and professional courtesies.

Mr. CAMP of Michigan. Mr. Speaker, I rise today to pay tribute to the service of a fellow Michigan congressman: the Honorable JOHN DINGELL, who marks today his fiftieth year as a member of this distinguished House of Representatives. The length of his labors is astounding; his constant concern for his constituents is exemplary; and his integrity is simply beyond reproach.

Having been elected to fill the seat and the shoes of his father (who passed away while still in office), Mr. DINGELL has blazed his own path over the past five decades. Impacting virtually every major piece of legislation to be signed into law during the last half century, Mr. DINGELL is one of a handful of lawmakers whose effectiveness does not rely solely on his party being in the majority.

Impressive in both stature and the tenacity with which he pursues his positions, Mr. DINGELL has lent his life to public service. The good citizens of his district and his colleagues here on the Hill are all the better for his tenure; may it long continue.

Mr. ADERHOLT. Mr. Speaker, I would like to congratulate my colleague, JOHN D. DINGELL, of Michigan, on his 50 years of service in the United States House of Representatives this week. He is rightfully called "the Dean of the House," as the longest currently serving Member of the House. Only two Members of the House have ever served longer, and Congressman DINGELL's congressional career began at age 29, when he won election to succeed his father. JOHN DINGELL is known as a Member who is passionate about the welfare of the constituents he represents, and more broadly, all the residents of the United States. He shares his father's great passion for health care for all persons, and was key to the passage of many health care bills, including the Children's Health Insurance Program, and the Mammography Quality Standards Act. His work on health extends naturally to the environment as well, both in terms of holding polluters accountable for cleanup, and in working to preserve America's outdoor treasures for future generations. Michigan, of course, borders Canada, and Congressman DINGELL has done outstanding work both in resolving pollution issues with Canada and in creating North America's first international wildlife refuge. As ranking member of the House Committee on Energy and Commerce, and former chairman, JOHN DINGELL is known for his extensive knowledge and wisdom, and commands deep respect from both sides of the aisle. I am sure there have been many temptations over the years to leave congressional service for a more lucrative career, but it is a testimony to his dedication and integrity that he has reached this milestone in his career. I extend to him, and to his wife Deborah, and the entire family, my sincere congratulations.

Mr. PRICE of North Carolina. Mr. Speaker, I am pleased to join colleagues in recognizing and honoring JOHN DINGELL as he celebrates his fiftieth anniversary as a member of the House of Representatives.

As a young political scientist teaching about the Congress and doing research on the committee system, I knew a good deal about JOHN DINGELL before I joined him in the House in 1987. I studied his role, along with his friend and colleague John Moss, in shaking up the Commerce Committee in the 1970s, decentralizing the then-Chairman's authority and greatly stepping up oversight of the executive. I came to the House hoping that I could someday become a Commerce member myself. By then, JOHN was chairman, and the Committee was the "place to be" for an activist member, known for its broad legislative reach and vigilant oversight.

As it happened, my region had its full quota of Commerce seats, and I successfully pursued Appropriations instead. But I have continued to admire JOHN's work, now as ranking member. He is totally dedicated to this institution as the keystone of American democracy, and he fully understands the importance of active, assertive committees to the institution's capacity for deliberation and sound lawmaking.

JOHN richly deserves the fulsome tributes we have heard from senior and junior colleagues, of every partisan and political stripe, upon this fiftieth anniversary of his winning the seat vacated by his father's death in 1955. Many have also mentioned Debbie Dingell, JOHN's wife and partner in service. Debbie has been an invaluable resource to the House Democratic Caucus in planning issues conferences and other activities, and I recently was privileged to serve with her on our national party's Commission on Presidential Nomination Timing and Scheduling.

Mr. Speaker, I am proud to join in tribute to JOHN and Debbie DINGELL—to thank them for their dedication and perseverance, for their effectiveness as advocates and public servants, and for what they have meant to each of us and to our country as champions of this institution.

The SPEAKER. Without objection, the previous question is ordered on the resolution.

There was no objection.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SMALL PUBLIC HOUSING AUTHORITY ACT

The SPEAKER. The pending business is the question of suspending the rules and passing the bill, H.R. 3422, as amended.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion offered by the gentleman from Ohio (Mr. OXLEY) that the House suspend the rules and pass the bill, H.R. 3422, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 387, nays 2, not voting 44, as follows:

[Roll No. 625]

YEAS—387

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Camp (MI)
Campbell (CA)
Cannon
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Cole (OK)
Conaway
Conyers
Cooper
Costa
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
DeFazio
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra

Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jindal
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
King (IA)
King (NY)
Kingston
Kirk
Kline
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NAYS—2

Foxx
Putnam

NOT VOTING—44

Bachus
Bonner
Brown, Corrine
Calvert
Cantor
Clyburn
Coble
Costello
Cubin
Davis (FL)
Davis, Tom
Deal (GA)
DeGette
Diaz-Balart, M.
Everett
Ford
Gallegly
Goode
Harris
Hayworth
Hyde
Jefferson
Jenkins
Johnson (CT)
Kind
Knollenberg
Lewis (CA)
McCarthy
McDermott
Murtha
Oxley
Platts
Price (GA)
Rangel
Reynolds
Ros-Lehtinen
Sabo
Sánchez, Linda T.
Shaw
Solis
Udall (CO)
Waters
Weiner
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BRADLEY of New Hampshire) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1948

So (two-thirds of those voting having responded in the affirmative) 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.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4099

Mr. BOREN. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 4099.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. 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.

RECOGNIZING AND HONORING AN AMERICAN GIANT: CONGRESSMAN JOHN D. DINGELL, JR.

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

Mr. HOYER. Our friend, Mr. DINGELL. Mr. Speaker, tonight there will only be unanimous bipartisan agreement on this House floor. Tonight, the Members of this body, both Democrats and Republicans, our Speaker and our Democratic leader join together to recognize the extraordinary and many accomplishments of a great Member of this House. And to honor that service to our Nation we honor an American giant: The Dean of the House, our colleague from the State of Michigan, Congressman JOHN DINGELL, Jr.

This day, December 13, 2005, marks Chairman DINGELL's 50th anniversary as a Member of this great body, the people's House. The people are proud of JOHN DINGELL and rightfully so. He is the third longest serving Member in the history of this institution. That means he has survived a long time. And, frankly, 50 years of service is itself something that ought to be honored, but JOHN DINGELL is deserving of honor for much more than longevity.

As I can attest, Congressman DINGELL shows no signs of slowing down. Only Jamie Whitten of Michigan, with whom I served on the Appropriations Committee, with 53 years and 10 months of service, and Carl Vinson, the great Representative of Georgia, with 50 years and 2 months of service have served longer. JOHN DINGELL will surpass, God willing, both of those.

Just consider that during the last half century Congressman DINGELL has searched under 10 presidents. No, that is wrong. JOHN DINGELL serves under no one. JOHN DINGELL has served with 10 Presidents. He has cast nearly 22,000 rollcall votes. In fact, one-fourth of the Members who serve here today, 107 Members to be precise, were born after JOHN DINGELL came to the Congress of the United States.

However, no one should be mistaken. As notable as the length of Congressman DINGELL's tenure is, it is eclipsed by his truly remarkable record of substantive legislation over the last five decades on behalf of his people, on behalf of the people of Michigan, on behalf of the people of this country.

JOHN DINGELL, my constituents, are proud of your service and thankful for your contributions. You have made their lives better. You have made the Chesapeake Bay better. You have made Maryland better. In serving Michigan, you have served us all.

Many of the most important pieces of legislation, on health care, as Leader PELOSI pointed out and as Speaker HASTERT pointed out, on the environment and on workers and consumers rights bear JOHN DINGELL's strong imprint, and a significant number of these bills were written by him.

Examples: The 1990 Clean Air Act, the Endangered Species Act, the Children's Health Insurance Program, the Mammography Quality Standards Act. And he is still fighting for a real Patients Bill of Rights. We should have passed and enacted JOHN DINGELL's Patients Bill of Rights a few years ago. That would have indeed been a testimonial that would have been worthy of his service.

In addition, Congressman DINGELL halls helped craft legislation on issues ranging from telecommunications to drinking water quality, and blocked proposals such as electric utility deregulation that he opposed. Said Senator CARL LEVIN of Michigan, ''he has a role in almost every major legislative effort to help average families,'' working Americans, and his fellow citizens.

And when it comes to effective, tenacious congressional oversight Congressman DINGELL has demonstrated that he has few peers. He has fought to ensure that the intent of the laws were carried out and that tax dollars were spent properly. He wanted to invest, but he wanted that investment to be honest, he wanted that investment to be effective, and he wanted that investment to be carefully husbanded.

The work of his Subcommittee on Oversight and Investigations led to the

firing of the Superfund administrator, the discovery of a defense contractor who charged the Pentagon for boarding a dog, and improper billing practices by universities for research expenses.

I had a 15-minute interview with a reporter from USA Today and, unfortunately, she took two words that I said. I said, yes, JOHN DINGELL is a wonderful man. She said, well, I hear he's pretty tough. I said, he can be sometimes gruff and intimidating. He has intimidated me sometimes. But the vast majority of my comments were about his caring for his fellow human beings, his love for Debbie, and indeed the love and respect and honor that he gives to every one of his colleagues, realizing that they too have been chosen by their constituents to serve in this people's House. The people's House is a greater place, this country is a greater country, the people are a richer people because of the service of JOHN DINGELL.

God bless you, JOHN DINGELL, and thank you.

TRIBUTE TO A COLLEAGUE, THE HONORABLE JOHN DINGELL

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

Mr. UPTON. Mr. Speaker, I rise too, along with all my colleagues, to congratulate our dear friend, JOHN DINGELL, on his 50 years of service as a Member of the United States House of Representatives. Today, we honor not only his work in this Congress but also his lifetime of service to his community and to his country.

Born July 8, 1926, JOHN DINGELL served as a page in this institution, served as a soldier in the United States Army, a forest ranger, and assistant Wayne County prosecutor before replacing his father as Representative from Michigan's 15th Congressional District on December 13, 1955, 50 years ago.

Mr. Speaker, I wish to insert into the RECORD at this point a Certificate of Proclamation from the Governor of our great State making this day Congressman JOHN D. DINGELL Day, as signed by the Governor:

STATE OF MICHIGAN CERTIFICATE OF PROCLAMATION

On behalf of the citizens of Michigan, I, Governor Jennifer M. Granholm hereby proclaim December 13, 2005, as Congressman John D. Dingell Day.

Whereas, For five decades, Congressman John D. Dingell has worked tirelessly for the citizens of Michigan, working for the things that matter most, including a strong manufacturing economy, good paying jobs, a clean environment, and healthcare for every citizen; and,

Whereas, In celebrating his 50th anniversary in Congress, Congressman Dingell is now the third longest serving House member in history; and,

Whereas, Over the course of his 50 years in Congress, Congressman Dingell has cast more than 21,800 roll call votes, served under 10 presidents, and led the House Energy and Commerce Committee; and,

Whereas, Together, Congressman Dingell and his father have represented the citizens of the Detroit area since the Great Depression, a testament to the hard work and dedication the Dingell family has in representing and advocating for the working people of Southeast Michigan; and now therefore be it,

Resolved, That I, Jennifer M. Granholm, Governor of Michigan, do hereby proclaim December 13, 2005, as Congressman John D. Dingell Day in Michigan. I thank Congressman Dingell for being a man of integrity, a man of the people; and most of all, I thank him for his extraordinary commitment and service to the citizens of the great State of Michigan.

JENNIFER M. GRANHOLM,
Governor.

Mr. DINGELL is not only a dear friend; he is an avid hunter and an outdoorsman. And maybe that is why he is such a straight shooter. In my 14 years serving on the Energy and Commerce Committee, I have found that it is far better to have him on your side than having him as an adversary. But when he is, you have to beat him on the merits. Otherwise, you lose.

He has served as an expert on so many subjects that this Congress has dealt with, from telecommunications, to health care, to trade, to energy, and even little things called the Tucker Act. He may be the only Member that really knows the history of that act, which means a lot in the history of this Congress.

He shares with all of us the drive to go after fraud and abuse. In fact, I think it was my very first subcommittee meeting when he was chairman of the Oversight and Investigations Subcommittee, and we were grilling a guy by the name of President Kennedy. No, that is not John F. Kennedy, that was President Kennedy, the former President of Stanford, and the abuse that that university did with taxpayer money.

Mr. Speaker, the current chairman, Mr. BARTON of the Energy and Commerce Committee, recently remarked at the wonderful tribute for JOHN DINGELL, that he thought that most historians would put this gentleman, Mr. DINGELL, in the top ten of all the Members, Republicans and Democrats, that have ever served in this body. I would agree with Mr. BARTON's assessment. It is a lot of Members, a lot of years, and we are fortunate to have someone of Mr. DINGELL's caliber for the years I have served.

For some 50 years, the gentleman from Michigan can be proud, so proud knowing that he indeed made a difference for his country on the field of battle in the Army, but also in the Halls of Congress as a most distinguished and very respected Member.

He is also a Wolverine. That means he represents the University of Michigan, another proud institution, and he has always looked out for the interest of education as well in this body, whether he served on the Education Committee or not.

□ 2000

Mr. Speaker, I join with all of the House in recognizing a wonderful friend, a dear colleague, a great husband, and I know Debbie is here someplace watching; and I simply say, well done. Many of us look forward to serving with you for a long time yet to come, as you continue to make a difference for the people of southeast Michigan, and all of the people that live in this great country.

PROTECTING FIRST AMENDMENT RIGHT OF MILITARY CHAPLAINS

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

Mr. JONES of North Carolina. Mr. Speaker, before I start my remarks, I want to pay respect and gratitude to the gentleman from Michigan who served with my father for a number of years, and also has been a friend to me.

Mr. DINGELL, you are an example of what is good about the House of Representatives.

Mr. Speaker, in my remaining time, I want to speak about a serious problem in my opinion, and that is the fact that chaplains in the American military, those who happen to be of the Christian faith, have been told they cannot use the name Jesus Christ when they pray outside of the church.

Mr. Speaker, I would be on this floor tonight if this were a Jewish rabbi or if it were a Muslim chaplain in the United States military.

Mr. Speaker, 72 Members of the House have sent a letter to the President. This is the first sentence. ''Mr. President, we are disappointed and gravely concerned to learn that the Christian military chaplains are under direct attack and that their right to pray according to their faith is in jeopardy.''

Mr. Speaker, I spoke to a Navy chaplain, and in the last 3 years, I have talked to hundreds of chaplains who have conveyed to me the fact that they are being told outside of their church they cannot pray their faith, and I think this is a tragedy, particularly in our military.

About 10 months ago I spoke to a Navy chaplain in Hawaii who told me he is a Methodist. He told me ''Congressman, let me tell you what happened. I was praying at a service to remember Marines who were killed in Afghanistan and Iraq. When I finished my prayer, I prayed in the name of Jesus Christ, our savior.''

Mr. Speaker, he told me, about an hour and 15 minutes later, he got a call from a Marine major who reminded him, in those kind of settings, you cannot pray in the name of Jesus Christ, and please in the future do not do so.

He was so upset, Mr. Speaker, he went to a friend of his who happens to be a Jewish chaplain, and he said to his Jewish chaplain friend, ''Chaplain, do I offend you when I pray in the name of Jesus Christ?''

The Jewish chaplain said, ''No, you do not. This is your faith and your tradition and you should pray in the name of your savior.'' This came from a Jewish chaplain.

Mr. Speaker, to me this is a very tragic situation. We are asking the President, as Commander-in-Chief, to use his constitutional authority to call up the Secretary of Defense, Donald Rumsfeld, and say, Mr. Secretary, I am Commander-in-Chief and I am asking that you protect the first amendment right of all of our chaplains, whether they be Muslim, Jewish or Christian.

As I begin to close, let me just read a letter that I received from an Army major who is a chaplain. This was last year.

''Dear Congressman Jones:

Thank you for your interest in ending the religious persecution that exists in our military today. I am a chaplain in the United States Army, and I can tell you in all honesty that religious persecution is taking place in the Army on a daily basis. The persecution centers on Christian chaplains praying in the name of our Lord, Jesus Christ.''

Mr. Speaker, I want to make it clear tonight that if we do not protect the right of our chaplains in the military; and I have spoken to many, almost 200 as I said just a few minutes ago, that are telling me that they are being encouraged not to pray outside of the church in the name of their religion and their faith; there is something wrong with that.

We are going to do a news conference tomorrow and ask the President to please protect the first amendment right of our Muslim, Jewish and our Christian chaplains, and I will tell you that the American Center for Law and Justice, ACLJ, they have over 158,000 signatures from people around this country asking the President to use his constitutional authority to protect the first amendment rights of all of our chaplains.

With that, I want to say to the gentleman from Michigan, congratulations, you are a great man and a great patriot. And I close by asking God to please bless our men and women in uniform, to please bless the families of our men and women in uniform, and God please bless and hold in his arms those who have given their life dying for this country, and I ask God to please bless America, and continue, God, to show us the light that we might save this great Nation and do what is right in your eyes.

OPENING BORDERS TO U.S. BEEF

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

Mr. OSBORNE. Mr. Speaker, I also would like to congratulate Mr. DINGELL. Mr. DINGELL lockers next to me in the House gym, and I see him occasionally, and I appreciate the fact that he gets down there on occasion, and we get a chance to talk.

Mr. Speaker, yesterday, the Japanese border was opened to U.S. beef trade. This was good news. This border had been closed since December 2003. In 2003, we exported $1.4 billion in beef to Japan. Since that time, the border has been closed, and we have lost over $3 billion in trade. Regaining the market is not going to be easy. Australia has filled much of the void that was created by this ban on U.S. beef. We also must restore confidence in U.S. beef in Japan. I think roughly two-thirds of the Japanese public are saying that they are not sure that they want to eat beef from the United States. And of course, we have a very safe supply.

We also must ship beef from cows 20 months of age or younger, and to verify that age is going to be difficult because we do not have an animal ID program which is critical for this country. So we hope that this trade can be restored rather quickly.

Over the last year or two, much of the focus on trade issues, particularly in regard to agriculture, has been in regard to the Canadian border and also Japan. But as far as I am concerned, Mr. Speaker, the major issue regarding agricultural trade is not Japan. It is not Canada. It is being played out to some degree this week in WTO talks in China. The major players in these talks in regard to agriculture are the United States and the European Union.

This brings me to a discussion of comparison of these two trading powers. On the chart here, we see the comparison. The economy of the United States is $11.7 trillion a year. The European Union is $9.4 trillion. So they are very comparable economies. Well, the largest two in the world. The import tariffs on European Union goods coming into the United States are roughly 12 percent. In contrast, our goods going into the European Union are being tariffed at 30 percent, more than double. This is hard to understand when you look at the comparison of the economies. The agriculture trade deficit of the United States right now is a minus $6.3 billion to the European Union although we have a slight trade surplus with the overall trade worldwide. This has been a major problem for us. Of course, those tariff differences have been a major issue.

Export subsidies: These are subsidies that are given to promote exports. You see that the European Union is providing roughly $3 billion in export subsidies; the United States, $31 million in subsidies. So it is about a 100 to 1 ratio with the European Union providing $100 for every $1 that we are providing in export subsidies.

Farm subsidy per acre: This is an interesting statistic. The United States subsidizes our farmers $38 an acre, and the European Union subsidizes their agriculture $295 an acre, almost six times as much as we do.

One other interesting statistic of comparison is that we have had two cases of BSE or mad cow disease in the United States, just two. In the European Union, they have had 189,000 cases of BSE in the last 15 years. Last year alone, in 2004, they had 756 cases of BSE where we have had two in the last 3 years in North America. So you would think that we would have a tremendous opportunity to trade beef with the European Union, and yet that has not happened. What has happened is the European Union has not allowed U.S. exports of beef into the European Union at all for the last several years because we use some hormones with our beef. They have used this as a tactic to keep our beef out even though the WTO has declared our beef perfectly safe. So we have had practically no trade with them in this regard.

We also have had genetically modified crops such as corn and soybeans which have been excluded, again for final sanitary reasons which, again, defy logic. They have also shut out our pork and our poultry.

Mr. Speaker, we do not think these issues will be resolved in this current round of trade talks that are occurring now in Hong Kong, but eventually, they must be addressed if there is going to be some equity in world trade. And if the WTO is going to move forward, we absolutely have to have some equanimity in the relations we have with the European Union, and we think that these trade issues need to be resolved.

ALITO CORRECT ON CONSTITUTION

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

Mr. FRANKS of Arizona. Mr. Speaker, before I begin my remarks, I would also like to congratulate Mr. DINGELL for his 50 years of service to this institution and to his country.

Mr. Speaker, it has come to the attention of the American people that the President's nominee for United States Supreme Court, Judge Samuel Alito, wrote in a job application at the Justice Department some 20 years ago statements to the effect that the Constitution does not protect a right to an abortion. Judge Alito's statements regarding Roe v. Wade reflect a widely held belief by many judges and lawyers and scholars across the political spectrum. These legal experts recognize that Roe v. Wade was indeed bad law created out of whole cloth by an

unelected Supreme Court seeking to legislate its social agenda from the bench.

Ironically, if Roe v. Wade was overturned today, it would not end abortion on demand. It would simply leave the matter to the States and to the people through their elected representatives.

Mr. Speaker, this was not the vision of our Founding Fathers. They wrote the U.S. Constitution to specifically protect those that were most innocent and to protect the most basic civil right of all, that being life itself.

The preamble to the Constitution sums up the entirety of their reasons for establishing a constitution in the first place, that we, the people, to ''secure the blessings of liberty to ourselves and our posterity do ordain and establish this Constitution for the United States of America.''

The Constitution expressly states in plain language that one of the primary purposes for its existence is to secure the blessings of liberty to our future children. The phrase in the 14th amendment sums up the entire document. It says, ''No State shall deprive any person of life, liberty or property without due process of law.''

Mr. Speaker, protecting the lives of the innocent and their constitutional rights is why this government exists. How does it secure the blessings of liberty to our posterity to sacrifice their very lives upon the altar of convenience?

Judge Alito was correct; the Constitution does not guarantee the right to hire someone to kill an innocent unborn child and dispose of the body. Our Founding Fathers put pen to paper and proclaimed: We hold these truths to be self-evident that all men are created equal, that they are endowed by their Creator with certain unalienable rights, and that among these are life, liberty and the pursuit of happiness.

When our Founding Fathers proclaimed those words, the course of human history was forever changed.

Mr. Speaker, it is time to have this debate on abortion out in the open.

□ 2015

Those who promote abortion on demand ignore the Constitution and the original intent of our Founding Fathers who took great care to structure a foundation for self-governance that safeguards innocent life and human dignity. America will not remain free if we claim for ourselves the right to destroy innocent human lives simply because they are unwanted or they are at our mercy, or because they lack even the voice to cry out. We cannot embrace the notion that by our own choice we determine the dignity or worth of other human beings. That is the principle of might makes right, and this Nation was founded to dispel that depraved injustice.

Mr. Speaker, the future of this country in freedom depends that the fundamental principle which guarantees the right to the divine gift of life and liberty to each of us must remain intact. This is America's creed. This is our foundation. It is so very simple. We are not born equal; we do not become equal when we reach a certain level of development or age or status. All human beings are created equal. That principle of human equality must not be discarded by the United States of America, because if Americans in the 21st century cannot or will not sustain the will and the courage to protect the innocent, in the final analysis we will never sustain the will or the courage to protect any kind of liberty for anyone.

Mr. Speaker, as the nomination of Judge Samuel Alito moves forward, let us all just remind ourselves that we are Americans, that we walk on the freest soil, and that we breathe the freest air of any people in human history. There is nothing more American than defending innocent human life. So now it is up to this generation, Mr. Speaker, to protect the God-given life to live so that future generations will say of us that we justify our brief moment here. God bless America.

STATUS REPORT ON CURRENT SPENDING LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY 2006 AND THE 5-YEAR PERIOD FY 2006 THROUGH FY 2010

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

Mr. NUSSLE. Mr. Speaker, I am transmitting a status report on the current levels of on-budget spending and revenues for fiscal year 2006 and for the 5-year period of fiscal years 2006 through 2010. This report is necessary to facilitate the application of sections 302 and 311 of the Congressional Budget Act and section 401 of the conference report on the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95). This status report is current through December 5, 2005.

The term ''current level'' refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

The first table in the report compares the current levels of total budget authority, outlays, and revenues with the aggregate levels set forth by H. Con. Res. 95. This comparison is needed to enforce section 311(a) of the Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2006 because those years are not considered for enforcement of spending aggregates.

The second table compares, by authorizing committee, the current levels of budget authority and outlays for discretionary action with the ''section 302(a)'' allocations made under H. Con. Res. 95 for fiscal year 2006 and fiscal years 2006 through 2010. ''Discretionary action'' refers to legislation enacted after the adoption of the budget resolution. This comparison is needed to enforce section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 302(a) discretionary action allocation of new budget authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

The third table compares the current levels of discretionary appropriations for fiscal year 2006 with the ''section 302(b)'' suballocations of discretionary budget authority and outlays among Appropriations subcommittees. The comparison is also needed to enforce section 302(f) of the Budget Act because the point of order under that section equally applies to measures that would breach the applicable section 302(b) suballocation as well as the 302(a) allocation.

The fourth table gives the current level for 2007 of accounts identified for advance appropriations under section 401 of H. Con. Res. 95. This list is needed to enforce section 401 of the budget resolution, which creates a point of order against appropriation bills or amendments thereto that contain advance appropriations that are: (I) not identified in the statement of managers or (ii) would cause the aggregate amount of such appropriations to exceed the level specified in the resolution.

STATUS OF THE FISCAL YEAR 2006 CONGRESSIONAL BUDGET ADOPTED IN H. CON. RES. 95 REFLECTING ACTION COMPLETED AS OF DECEMBER 5, 2005

[On-budget amounts, in millions of dollars]

	Fiscal year 2006	Fiscal years 2006–2010
Appropriate Level:		
Budget Authority	2,144,384	n.a.
Outlays	2,161,420	n.a.
Revenues	1,589,892	9,080,006
Current Level:		
Budget Authority	2,130,625	n.a.
Outlays	2,155,935	n.a.
Revenues	1,607,200	9,176,091
Current Level over (+) / under (–)		
Appropriate Level:		
Budget Authority	–13,759	n.a.
Outlays	–5,485	n.a.
Revenues	17,308	96,085

n.a. = Not applicable because annual appropriations acts for fiscal years 2007 through 2010 will not be considered until future sessions of Congress.

Budget Authority: Enactment of measures providing new budget authority for FY 2006 in excess of $13,759,000,000 (if not already included in the current level estimate) would cause FY 2006 budget authority to exceed the appropriate level set by H. Con. Res. 95.

Outlays: Enactment of measures providing new outlays for FY 2006 in excess of $5,485,000,000 (if not already included in the current level estimate) would cause FY 2006 outlays to exceed the appropriate level set by H. Con. Res. 95.

Revenues: Enactment of measures that would reduce revenue for FY 2006 in excess of $17,308,000,000 (if not already included in the current level estimate) would cause revenues to fall below the appropriate level set by H. Con. Res. 95.

Enactment of measures resulting in revenue reduction for the period of fiscal years 2006 through 2010 in excess of $96,085,000,000 (if not already included in the current level estimate) would cause revenues to fall below the appropriate levels set by H. Con. Res. 95.

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR DISCRETIONARY ACTION REFLECTING ACTION COMPLETED AS OF DECEMBER 5, 2005

[Fiscal years, in millions of dollars]

House committee	2006		2006–2010 Total	
	BA	Outlays	BA	Outlays
Agriculture:				
Allocation	0	0	0	0
Current level	0	0	0	0
Difference	0	0	0	0
Armed Services:				
Allocation	0	0	0	0
Current level	0	0	0	0
Difference	0	0	0	0
Education and the Workforce:				
Allocation	100	100	500	500
Current level	38	20	38	38
Difference	–62	–80	–462	–462
Energy and Commerce:				
Allocation	100	100	2,000	2,000
Current level	141	231	2,283	2,240
Difference	41	131	283	240
Financial Services:				
Allocation	0	0	0	0
Current level	2,000	2,000	2,000	2,000
Difference	2,000	2,000	2,000	2,000
Government Reform:				
Allocation	50	50	50	50
Current level	–1	–1	0	0
Difference	–51	–51	–50	–50
House Administration:				
Allocation	0	0	0	0
Current level	0	0	0	0
Difference	0	0	0	0
Homeland Security:				
Allocation	0	0	0	0
Current level	0	0	0	0
Difference	0	0	0	0
International Relations:				
Allocation	0	0	0	0
Current level	0	0	0	0
Difference	0	0	0	0
Judiciary:				
Allocation	6	6	6	6
Current level	0	0	0	0
Difference	–6	–6	–6	–6
Resources:				
Allocation	8	8	50	50
Current level	0	0	0	0
Difference	–8	–8	–50	–50
Science:				
Allocation	0	0	0	0
Current level	0	0	0	0
Difference	0	0	0	0
Small Business:				
Allocation	0	0	0	0
Current level	0	0	0	0
Difference	0	0	0	0
Transportation and Infrastructure:				
Allocation	3,027	0	4,107	0
Current level	4,195	412	37,125	1,271
Difference	1,168	412	33,018	1,271
Veterans' Affairs:				
Allocation	0	0	0	0
Current level	0	0	0	0
Difference	0	0	0	0
Ways and Means:				
Allocation	350	346	1,537	1,914
Current level	631	638	341	370
Difference	281	292	–1,196	–1,544

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2006—COMPARISON OF CURRENT LEVEL WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUBALLOCATIONS

[In millions of dollars]

Appropriations Subcommittee	302(b) Suballocations as of November 2, 2005 (H. Rpt. 109–264)		Current Level Reflecting Action Completed as of December 5, 2005		Current Level Minus Suballocations	
	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	17,088	18,691	17,031	18,747	−57	56
Defense	403,280	372,696	389,964	401,945	−13,316	29,249
Energy & Water Development	30,495	30,273	30,495	30,696	0	423
Foreign Operations	20,937	25,080	20,937	25,213	0	133
Homeland Security	30,846	33,233	30,846	33,184	0	−49
Interior-Environment	26,159	27,500	26,159	28,760	0	1,260
Labor, HHS & Education	142,514	143,802	141,080	143,150	−1,434	−652
Legislative Branch	3,804	3,804	3,804	3,809	0	5
Military Quality of Life-Veterans Affairs	44,143	81,634	44,143	41,803	0	−39,831
Science-State-Justice-Commerce	57,854	58,856	57,854	58,537	0	−319
Transportation-Treasury-HUD-Judiciary-DC	65,900	120,837	66,518	121,433	618	596
Unassigned	0	430	0	0	0	−430
Total (Section 302(a) Allocation)	843,020	916,836	828,831	907,277	−14,189	−9,559

STATEMENT OF FY2007 ADVANCE APPROPRIATIONS UNDER SECTION 401 OF H. CON. RES. 95 REFLECTING ACTION COMPLETED AS OF DECEMBER 5, 2005

[In millions of dollars]

	Budget Authority
Appropriate Level	23,158
Current Level:	
Elk Hills	0
Employment and Training Administration	0
Education for the Disadvantaged	0
School Improvement	0
Children and Family Services (Head Start)	0
Special Education	0
Vocational and Adult Education	0
Payment to Postal Service	73
Section 8 Renewals	4,200
Shipbuilding and Conversion, Navy	0
Total	4,273
Current Level over (+) / under (–) Appropriate Level	–18,885

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, December 13, 2005.

Hon. JIM NUSSLE,
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2006 budget and is current through December 5, 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 of 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).

Since my last letter, dated September 15, the Congress has cleared and the President has signed the following acts that affect budget authority, outlays, or revenues for fiscal year 2006:

The Second Emergency Supplemental Appropriations Act to Meet Immediate Needs Arising from the Consequences of Hurricane Katrina, 2005 (Public Law 109–62); The National Flood Insurance Program Enhanced Borrowing Authority Act of 2005 (Public Law 109–65); The Pell Grant Hurricane and Disaster Relief Act (Public Law 109–66); The TANF Emergency Response and Recovery Act of 2005 (Public Law 109–68); Tbe Katrina Emergency Tax Relief Act of 2005 (Public Law 109–73).

The Natural Disaster Student Aid Fairness Act (Public Law 109–86); The Community Disaster Loan Act of 2005 (Public Law 109–88); The Department of Homeland Security Appropriations Act, 2006 (Public Law 109–90); The QI, TMA, and Abstinence Programs Extension and Hurricane Katrina Unemployment Relief Act of 2005 (Public Law 109–91).

The Agriculture, Rural Development, Federal Drug Administration, and Related Agencies Appropriations Act, 2006 (Public Law 109–97); An act to extend the special postage stamp for breast cancer research for 2 years (Public Law 109–100); The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (Public Law 109–102); The Energy and Water Development Appropriations Act, 2006 (Public Law 109–103); An act making further continuing appropriations for the fiscal year 2006, (Public Law 109–105).

The Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 (Public Law 109–108); The Military Quality of Life and Veterans Affairs Appropriations Act, 2006 (Public Law 109–114); and The Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115).

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

Sincerely,

DOUGLAS HOLTZ-EAKIN,
Director.

Enclosure.

FISCAL YEAR 2006 HOUSE CURRENT LEVEL REPORT AS OF DECEMBER 5, 2005

[In millions of dollars]

	Budget Authority	Outlays	Revenues
Enacted in previous sessions:[1]			
Revenues	n.a.	n.a.	1,607,650
Permanents and other spending legislation	1,346,289	1,314,337	n.a.
Appropriation legislation	0	382,272	n.a.
Offsetting receipts	−479,872	−479,872	n.a.
Total, enacted in previous sessions:	866,417	1,216,737	1,607,650
Enacted this session:			
Authorizing Legislation:			
TANF Extension Act of 2005 (P.L. 109–19)	148	165	0
An act approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2005 (P.L. 109–39)	0	0	−1
Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (P.L 109–53)	27	27	−3
Energy Policy Act of 2005 (P.L. 109–58)	141	231	−588
Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (P.L. 109–59)	3,444	36	9
National Flood Insurance Program Enhanced Borrowing Authority Act of 2005 (P.L. 109–65)	2,000	2,000	0
Pell Grant Hurricane and Disaster Relief Act (P.L. 109–66)	2	2	0
TANF Emergency Response and Recovery Act of 2005 (P.L. 109–68)[2]	102	105	0
Natural Disaster Student Aid Fairness Act (P.L. 109–86)	36	18	0
Community Disaster Loan Act of 2005 (P.L. 109–88)[2]	751	376	0
QI, TMA, and Abstinence Programs Extension and Hurricane Katrina Unemployment Relief Act of 2005 (P.L. 109–91)	354	341	0
An act to extend the special postage stamp for breast cancer research for 2 years (P.L. 109–100)	−1	−1	0
Appropriations Acts;			
Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (P.L. 109–13)[2]	−39	−21	11
Interior Appropriations Act, 2006 (P.L. 109–54)	26,211	17,301	122
Legislative Branch Appropriations Act, 2006 (P.L. 109–55)	3,804	3,185	0
Homeland Security Appropriations Act, 2006 (P.L. 109–90)	31,860	19,306	0
Agriculture Appropriations Act, 2006 (P.L. 109–97)	99,262	57,294	0
Foreign Operations Appropriations Act, 2006 (P.L. 109–102)	20,979	8,164	0
Energy and Water Appropriations Act, 2006 (P.L. 109–103)	30,459	19,604	0
Science, State, Justice, Commerce Appropriations Act, 2006 (P.L. 109–108)	58,210	35,763	0
Military Quality of Life and VA Appropriations Act, 2006 (P.L. 109–114)[2]	83,519	67,294	0
Transportation, Treasury, HUD Appropriations Act, 2006 (P.L. 109–115)	81,149	69,465	0
Total, enacted this session:	442,418	300,655	−450
Continuing Resolution Authority:			
Continuing Resolution. 2006 (P.L. 109–105)[2]	511,851	314,131	0
Entitlements and mandatories:			
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted	309,939	324,412	n.a.
Total Current Level[2,3]	2,130,625	2,155,935	1,607,200
Total Budget Resolution	2,144,384	2,161,420	1,589.892
Current Level Over Budget Resolution	n.a.	n.a.	17.308
Current Level Under Budget Resolution	13,759	5,485	n.a.
Memorandum:			
Revenues, 2006–2010:			
House Current Level	n.a.	n.a.	9,176,091
House Budget Resolution	n.a.	n.a.	9,080,006
Current Level Over Budget Resolution	n.a.	n.a.	96,085
Current Level Under Budget Resolution	n.a.	n.a.	n.a.

[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.

[2] Pursuant to section 402 of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2006, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the current level excludes: $30,757 million in outlays from funds provided in the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (P.L. 109–13); $7,750 million in outlays from the Emergency Supplemental Appropriations Act to Meet Immediate Needs Arising from the Consequences of Hurricane Katrina, 2005 (P.L. 109–61); $21,841 million in outlays from the Second Emergency Supplemental Appropriations Act to Meet Immediate Needs Arising from the Consequences of Hurricane Katrina, 2005 (P.L. 109–62); $200 million in budget authority and $245 million in outlays from the TANF Emergency Response and Recovery Act of 2005 (P .L. 109–68); $128 million in budget authority and outlays and −$3.186 million in revenues from the Katrina Emergency Tax Relief Act of 2005 (PL. 109–73); −$751 million in budget authority from the Community Disaster Loan Act of 2005 (P.L. 109–88); $47,743 million in budget authority and $26.543 million in outlays from the Continuing Resolution, 2006 (P.L. 109–105); $15,000 million in budget authority and $14,000 million in outlays from the National Flood Insurance Program Further Enhanced Borrowing Authority Act of 2005 (P.L. 109–106); and $1,225 million in budget authority and $1,103 million in outlays from the Military Quality of Life and VA Appropriations Act, 2006 (P.L. 109–114).

[3] Excludes administrative expenses of the Social Security Administration. which are off-budget.
Source: Congressional Budget Office.
Notes: n.a. = not applicable; P.L. = Public Law.

CONGRATULATING APPALACHIAN STATE UNIVERSITY FOOTBALL TEAM

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Mr. Speaker, I rise today to recognize and congratulate the Appalachian State University football team for advancing to the NCAA Division I–AA national championship game this Friday night in Chattanooga, Tennessee.

While this is the 13th time the ASU Mountaineers have made it to the I-AA playoffs, it marks the very first time in history that the team has advanced to the national championship game. It has been a fantastic year for football at Appalachian. The Mountaineers finished the season 8–3 before winning their three playoff games. In addition, the team has won 18 home games in a row at Kidd Brewer Stadium, in Boone, North Carolina. This impressive record helped them go on to win the Southern Conference championship.

The Mountaineers have excelled under the leadership of Coach Jerry Moore, who has been at Appalachian for 17 seasons. Coach Moore is a real asset to the university. He is the winningest coach not only in Appalachian State University history but in the history of the Southern Conference.

Mr. Speaker, I am proud of this football team and their coach, not only for their athletic team but for their teamwork, work ethic, goals, and perseverance. There are two young men on the team who deserve a special recognition. Brian Stokes and Wayne Norman both served their country as marines in Iraq before returning to school. These bright young men bring tremendous leadership and maturity to the football team and serve as positive role models for their peers.

Mr. Speaker, please join me in congratulating the Appalachian State University football team. I wish them the best of luck this Friday. Go Mountaineers.

RECOGNIZING AND HONORING AN AMERICAN GIANT: CONGRESSMAN JOHN D. DINGELL, JR.

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Michigan (Mr. CONYERS) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. CONYERS. 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 today.

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

There was no objection.

Mr. CONYERS. Mr. Speaker, I have over 15 persons including myself who have asked to be included in this Special Order, that is, celebrating the 50th year of service of the Dean of the House of Representatives JOHN DINGELL of Michigan; and I am very pleased and honored to lead this discussion. I would encourage all of the Members to share this time as expeditiously as they can and insert the rest of their materials or remarks into the RECORD.

Let me begin, Mr. Speaker, by pointing out that the first Member of Congress I ever met in my life was JOHN DINGELL, namely, because he was my Congressman. Further, our relationship and family went back before because my father knew JOHN DINGELL's father. Further, we shared contiguous districts across the entire span of my service, and many of our constituents were mutual and frequently, according to the whims of the Michigan legislature the lines that changed from time to time, and frequently my constituents became his as his became mine.

This is a particularly moving event for me because it did not take long for me to realize that one of the more formidable legislators of the 20th century was the same person who worked so hard for my family as his constituents and for the congressional district he represented, but more for all of the citizens of this country.

The legislative prowess and the ability with which he exercised his leadership as chairman of a major committee and the many different and important pieces of legislation have been recounted already tonight and at other events. But I merely want to say that JOHN DINGELL is the Renaissance man of the 20th century in the Congress, the man for all issues, the leader for all challenges, and the person who has created a friendship and a relationship with, as far as I can tell, every single Member of the House of Representatives who has served with him during these 50 years.

So this celebration is absolutely in order. The fact that it has been so widely recognized and so movingly responded to, not only by Members of Congress but by those across the country, it is no easy task to win the admiration and love of the labor movement and yet retain the respect of the corporate economic system leaders of this great country.

And so it is with great pleasure that I begin this recounting of our memories, of our relationships, of our legislative successes with the Dean of the Congress. And it seems fairly clear to most of us that he will soon be able to exceed the staying power of those several Members who exceeded him in 50 years of service. I am, of course, one of those looking happily and proudly toward that day when that occurs.

Mr. Speaker, I yield to the gentleman from Wisconsin (Mr. OBEY), the ranking member.

Mr. OBEY. Mr. Speaker, do we have to tell the truth about the persons we are honoring tonight?

Mr. Speaker, I guess if we have to tell the truth, then I will have to say the same thing I would have said if we did not have to tell the truth, that JOHN DINGELL is one of the great men in the history of this institution.

I want to thank JOHN DINGELL, not because he is Dean of the House, not because he is the third longest serving Member in the history of the House. I think the most notable aspect of JOHN DINGELL's career is not his length of service, but its quality.

When each of us comes to this institution, we come with one of two desires, either to be something and somebody, or to stand for something. In the end, we take little note of those who merely want to be a Member of Congress, or be a United States Senator. But we take great note of those who use their service here to do things on behalf of the country and the people they represent.

JOHN DINGELL and I both share admiration for former Congressman John Moss, who is a great leader in his own right in this institution. John Moss earned a reputation as a lion fighting for justice and for the rights of the common people of this country. Like John Moss, JOHN DINGELL personifies integrity, courage, independence, and dedication to the public interest. JOHN follows in the footsteps of his father. He has championed the cause of wildlife, of wild lands and wild places. He has championed the cause of consumers in an economy of corporate giants.

He has championed the cause of medical research. He has followed in his father's footsteps in championing the cause of health insurance for all Americans. He is truly a social gospel Democrat who understands that we are elected to this House for the same reason that we are placed on this Earth, namely, to try to do good for others.

I want to congratulate JOHN DINGELL for his passion, for his conscience, for his vigor; and I want to thank his remarkable wife, Debbie, for helping him focus his prodigious abilities on behalf

of not only his constituents but so many of our own.

I feel privileged to have served in the same institution with JOHN DINGELL. I am proud of his service, and I want to thank JOHN for the honor that he has done this place by the quality of his service for the last 50 years.

Mr. CONYERS. Mr. Speaker, I yield to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Mr. Speaker, I am so glad to be here with my colleagues. JOHN DINGELL is being lionized here tonight and for good reason, as was true on previous occasions. And I think ''lion'' is a good term to describe JOHN DINGELL. Ferociousness. There is a ferocity about JOHN, about his beliefs, a belief in the common man and woman and their aspirations and their needs.

□ 2030

A ferociousness about the need for health for everybody in this country. He has devoted his life to this. A ferociousness, and I am not on the committee, but Members who have been there tell me that is so true when he investigates. And also for the automotive industry, it is in his blood. It is in his being, raised in southeast Michigan, knowing the importance of it.

A lion is also known for bravery, and, JOHN, you are gutsy. You are brave. You do not simply look to see where the winds are blowing, and that has been a mark of your career.

A lion is also known for eminence. And I think just, for example, and Mr. OBEY and others have talked about the environment, what a lofty person JOHN has been about our earth, about its sacredness, its sanctity.

And also, JOHN, you have been an eminence in terms of the institution here. You believe in it, and you want everybody else to believe in it.

A lion is also known for gruffness, and there is a bit of that in JOHN. He can be very succinct.

So all those characteristics of a lion, I think, apply to JOHN DINGELL as a lion in this place. But we were chatting in my office. Some of the staff has worked directly with JOHN, and everybody has worked with his staff, and we were talking about another characteristic of JOHN that is sometimes lost, and that is gentleness. Some of it comes from his beloved wife, Debbie, but I think it is part of his being.

So we were talking about, and I finish with this, a fable about a lion, the fable about Androcles and the lion. Androcles was a slave, as we might remember, who escaped. He fled from the Emperor. He wandered about and came across a lion. And the lion, he thought, would go after him. But, no, it was kind of moaning and groaning, and so Androcles approached and found the lion with a huge thorn in the paw. And Androcles took out the thorn, and they became friends. And the lion took Androcles, as the Members may remember, to the cave and helped to feed him. But soon afterwards, the lion and Androcles were captured, and the sentence was to throw the slave into, I guess, the center of a ring and throw him to the lion. And so here they came. And the emperor showed up, and all of his court, and they expected that the lion would approach Androcles and maul and eat him. So they let the lion loose. And the lion comes from the den and rushes in, and there is a lot of roaring. And at first, I guess, the lion roars at Androcles, but then as he comes close, he recognizes who it is, and he licks his hands like a friendly dog.

And the emperor hears this story, wondering what had happened, and Androcles tells the story, and the slave is let loose and the lion.

And I close, if this fable applies, and I think it does, to JOHN and his gentleness, I think JOHN would have done something different. Androcles would have said, Look, the lion is loose; however, I think the lion also would have said to the emperor, We will go after you unless you make sure among all your constituents there is universal health care.

And, JOHN, you have been a lion with the ferociousness of your beliefs and all the other qualities but also with a gentleness. And we salute you today. We are proud of you in good measure because you have made this institution something to be very proud of.

Mr. CONYERS. Mr. Speaker, I thank Mr. LEVIN for his comments.

I now am pleased to yield to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, I thank the gentleman for from Michigan for holding this Special Order, this well-deserved Special Order.

I have had the privilege of serving on the Energy and Commerce Committee for 30 years with Mr. DINGELL, and I have seen him through three energy crises, two Clean Air Acts, a complete rewrite of the 1934 Communications Act, the creation of Super Fund, on and on and on and on. And he is, without question, going to go down as one of the great congressmen who have ever served in the history of this institution.

And I am not going to go through the entire litany, but what I am going to do is, because I had a front-row seat all those years, and these years continue, and what I am about to describe to the Members continues even this week in the Energy and Commerce Committee, I am just going to take the Members back through time and give them some idea of what happens on our committee on a regular basis because, before JOHN DINGELL was elected to Congress, he was an assistant District Attorney in the State of Michigan where he learned many skills, including the art of inducing recalcitrant witnesses into cooperating. Some of my most memorable moments as his colleague on the Energy and Commerce Committee have occurred as an observer of this talent, judiciously but forcefully applied, to those who over the years have accepted invitations to give testimony on one subject or another before the Energy and Commerce Committee. I have kept a little list of some of the more effective rhetorical gambits, verbal jabs, crosses and haymakers that tend to leave the witness to whom they are directed a little stunned just as he or she is being called upon to respond.

I have culled the list to bring some of the best, which I humbly share with the Members tonight as we celebrate a public life whose tenure in service is as long as its beneficial impact on America is wide and deep.

Mr. Speaker, I give you the top ten JOHN DINGELL hearing questions that mean you are in real trouble.

Number ten: Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Number nine: Would the gentleman yield for a few questions, as I am trying to better understand where the witness is going, what the witness is saying?

Number eight: Does the very distinguished gentleman know how much affection and respect that I have for him?

Number seven: Perhaps if I direct a few questions to the distinguished majority counsel, we might be able to shed a little light on the gentleman's proposal.

Number six: Is the witness at all familiar with the Tucker Act?

Number five: I hear what you are saying, but what are you telling me?

Number four: That is an excellent answer but not to the question that I asked.

Number three: I am just a poor Polish lawyer. Perhaps you could help explain a few things to me?

Number two: Did you happen to know that my father wrote that law?

And the number one JOHN DINGELL hearing question that means that you are in real trouble: Did you know that I wrote that law?

Mr. Speaker, one of the great congressmen of all time is being honored on his 50th but not by far his last year in this institution. May he stay here forever.

I thank all here for honoring this gentleman tonight. And I thank the gentleman from Michigan (Mr. CONYERS) for holding this Special Order.

Mr. CONYERS. Mr. Speaker, I thank Mr. MARKEY for his statement.

I now yield to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I rise today to honor my good friend, JOHN D. DINGELL of Michigan.

Today marks JOHN's 50th year of service in the U.S. House of Representatives. JOHN's entire life has been one

of service. He has served his community, his State of Michigan and his country as a prosecutor, as a soldier in World War II and now as a congressman.

He is not only the Dean of the House, he is the dean of our Michigan Congressional Delegation. He brings our delegation together to do what is best for the State of Michigan, and our State is a much better place because of all his hard work.

Mr. Speaker, no one in this House has a firmer grasp of the legislative process and the Rules of the House, and JOHN uses his knowledge and experience to move his legislative agenda forward to passage.

JOHN has always taken a balanced approach to the art of governing. While justly earning the title of defender of the automotive industry, JOHN has amassed one of Congress's most meaningful legislative records of protecting our Nation's air, water, land and wildlife. And he has fought tirelessly to protect the rights of organized labor.

This balance tells a lot about the kind of man and the kind of legislator JOHN DINGELL is.

Mr. Speaker, I am proud to number JOHN DINGELL among my colleagues in this House. But I am even more proud to number JOHN among my close, personal friends.

Mr. Speaker, this country is certainly a better Nation because of JOHN DINGELL. This Congress is certainly a better body because of JOHN DINGELL. And I know, Mr. Speaker, that I am a better person because of JOHN DINGELL, and I shall always be grateful for that.

Mr. CONYERS. Mr. Speaker, I thank the gentleman for his statement.

Mr. Speaker, I am pleased to yield to the gentleman from Missouri (Mr. SKELTON), the ranking member of his committee.

Mr. SKELTON. Mr. Speaker, I thank the gentleman for this Special Order and for giving me the opportunity to say a word or two about my friend JOHN DINGELL.

JOHN DINGELL is a friend, a colleague, a gentleman of great knowledge, stature. And at the end of the day, he is known as a pillar of this institution. Fifty years of service to the Nation as a Member of this body. That is wonderful.

It is interesting, having the thrill of a spouse, a wife, who is such a companion to me, I know full well that so much credit goes to the wife of JOHN DINGELL, Debbie Dingell, because she has devoted her life to making this institution better and our country a better place to live. So along with JOHN DINGELL, tonight, we salute Debbie.

In 1944, at the age of 18, John joined the United States Army. He became a second lieutenant and received orders to take part in the first wave of a planned invasion of Japan in November of 1945.

□ 2045

He has been reported to have said that Harry Truman saved his life by using the weapon that he had at hand to end the war with Japan. He finished the military service in the fall of 1946, studied chemistry and law at Georgetown before working as a forest ranger, prosecuting attorney and a lawyer.

When his father passed away while still a Member of this Congress, JOHN was elected to that open seat at the age of 29. He has served Michigan, our country, and this body ever since.

Mr. Speaker, this is an institution of relationships, those who have knowledge, those who have studied this subject and those who understand the word ''friendship.'' If you want something done or something passed, one must have the knowledge and the stature and the respect of others before something becomes law. That is the way this institution works. It is a wonderful, wonderful American way of doing things. JOHN DINGELL is the master of all. He understands the subject matter, he studies it, he speaks well, but, most of all, all of us look to him as a friend.

So we are pleased to salute him tonight as the dean of the House, as a role model for those who will follow in the days and years to come. I can honestly say that each of us who has had the privilege of serving in Congress with JOHN DINGELL says it is a true highlight in our life to do so.

Mr. CONYERS. Mr. Speaker, I am pleased to call upon the gentleman from Texas (Gene Green).

Mr. GENE GREEN of Texas. Mr. Speaker, I would like to thank our ranking member and good friend, JOHN CONYERS, for allowing us to speak tonight and putting together this hour-long Special Order for JOHN DINGELL.

JOHN DINGELL has taught as much as any Member of this House about what it means to represent your district, and, more importantly, what it means to represent the Nation as a whole and to protect the integrity of this House.

JOHN DINGELL has devoted his life to the House of Representatives, the people's House, where his patriotism, intelligence, and trust have been put to the test every 2 years for 50 years; and every other November JOHN has passed that test with flying colors. While the newspapers have recently featured stories of elected officials at all levels who abandon the public's trust and instead look out for themselves or other powerful interests, JOHN has created an unbelievable and unbeatable record of accomplishment fighting for the American consumers for half a century.

He accomplished much of this during his terms as subcommittee and committee Chair of the House Energy and Commerce Committee, which I am honored to serve with him on; but he also continued his strong record of accomplishment as the ranking member. That is the toughest test of effectiveness, being able to get things done when you do not have all the cards.

I am glad that JOHN is still filled with vigor and vitality, and I encourage all Members to seek his advice and wisdom. He is a great resource for all Members, Republican and Democrat.

The mark that JOHN has made on Congress and this House in particular will be enduring. For example, there is no Member that has been more effective at protecting the jurisdiction of this Congress under the U.S. Constitution. JOHN practically invented the modern practice of congressional oversight of the executive branch, which, I may add, we have not been doing for the last few sessions. In addition, he exposed more waste, fraud and abuse in the Federal Government probably than any person in history.

JOHN'S partner in his work is his wife, Debbie, or as he refers to her, as his beautiful wife Debbie; and they are a great team. My wife and I enjoy their friendship, and I have enjoyed serving with JOHN on the Energy and Commerce Committee. But even more fun is when we had the chance to go hunting the few times we could, whether it be quail in Texas or duck on the Eastern Shore or pheasant in northern Maryland. He is a true sportsman in every sense of the word, not only in the field, but as a Member of Congress and his leadership, again, carrying on the tradition that his father did in being an outdoorsman and sportsman.

America owes him a debt of gratitude for his many years, and even more years of service to this Congress and to this country.

I thank, again, my colleague from Michigan for allowing me to speak tonight.

Mr. CONYERS. Thank you so much.

Mr. Speaker, I am delighted now to turn to the gentleman from New Jersey, Mr. FRANK PALLONE, and recognize him at this time.

Mr. PALLONE. Mr. Speaker, I want to thank my colleague from Michigan for organizing this Special Order tonight as a tribute to JOHN DINGELL.

I did not really have any prepared notes tonight. I figured I would get up here and maybe write a few things down before I got up to speak.

I have to say I have been here 17 years, and that seems like such a short time compared to the time that JOHN DINGELL has been here, 50 years; but I have had enough time in those 17 years to watch JOHN and to realize why he is such a giant in this institution. I want to mention a few things.

First of all, I think most important, JOHN DINGELL is so proud to be a Member of the House of Representatives, and he really sees the House as an institution. In the 17 years I have been here, I have watched as the House has been basically put down, denigrated, many times compared not favorably to

the other body or to the other branches of government.

No matter how many times I would come down on this floor, JOHN would remind me about why the House was so important. It was the people's House, and we are elected here every 2 years because we are really more directly representative of the American people than any other institution here in Washington. He is proud to be a Member of this institution, and he wants to make sure that it continues as an outstanding institution.

I think that is one of the reasons that he stayed here for 50 years, or more. We know it is going to be more, because he really thinks it is important to build the House as an institution and to make people proud to be Members here.

The second thing he is so proud of is his committee; and, of course, it is my committee, the Energy and Commerce Committee. If you have watched also in the last 10-or-so years, or maybe more, we have seen the committees sort of break down as institutions. The committees may be seen as less important. Their chairmen, even in the minority now as Democrats, seem less important.

I think once again JOHN feels that that is wrong, that the committees as an institution are just as important as the House as an institution and we need to be proud of them. We need to follow the procedure. We need to have jurisdiction that is defined. We need to have proper process. I think, again, he feels that the institution suffers if we do not follow proper procedure, if we do not follow the process, and he wants to build the institution, not tear it down.

The third thing I want to say is that he is so proud to be a legislator. I think it was DAVE OBEY that said before, some people come down here to be a Congressman or to be a Senator, not to be a legislator and to legislate. He wants to get things done. He wants to get them done on a bipartisan basis, if possible; but, most of all, he wants to get them done. And he wants to hear from the other side. He wants to listen to what the other side of the aisle says. He respects the rights of the minority.

When he was in the majority, and I was there, he always respected the rights of the minority, mainly because he feels that if a person is elected to come down here, then they should have a voice and we should listen to what they have to say so we can get good legislation passed.

Another Member, I think it was GENE GREEN, talked about the oversight and investigative responsibility of Congress. Once again, JOHN always stressed that. He believes that it is an important function of the Congress.

When you think about it, it is not enough to just pass a bill; you want to follow up to make sure it works and it is carried out by the executive branch in the right way. So that is why oversight and investigation are so important, because if we need to make changes, then JOHN wants to say let us make those changes, and he has been forthright in saying that regardless of who is in power, regardless of who is in the majority, that we have to take that oversight and investigation responsibility very seriously.

Now, I have talked about the institutional aspects of JOHN, which I think are so important; but I want to just say a couple personal things before I sit down. First of all, he is always someone that you can turn to for advice. I have not turned to him that many times; but whenever I have, he was always there and offered advice that was very valuable to me.

Next, I want to say he is someone who you can trust. His word is gold. You can take his handshake to the bank, as we say, and that is, unfortunately, not true of every Member; but I think it is more true of him than any other Member, and I think he wants us all to be that way, and it is one of the reasons he is that way.

The last thing I want to mention is Debbie. I see her sitting up there in the gallery, his wife. She has always been by his side, and she also believes in the House as an institution. I have to assume that part of that is because JOHN believes in it, but I also think that she takes on sort of her own responsibility and her own views in that regard. But she shares his views on all the things that I mentioned, and I think those things are so important as well. So I want to thank Debbie as well.

Again, I thank JOHN for being a giant, not because of the legislation that he passed, and I know that it is important, but because of what he stands for and what he believes that this House of Representatives should be.

Mr. CONYERS. Mr. Speaker, I am pleased now to yield to CAROLYN MALONEY of New York in this very moving tribute.

Mrs. MALONEY. Mr. Speaker, I thank the gentleman for yielding and for organizing this important Special Order.

Tonight, we stand to honor Michigan's most famous export, JOHN DINGELL. He has served and led in this body for many years. His partner in life, Debbie Dingell, has been an important part of his work and causes.

It is absolutely amazing how much he has helped improve people's lives through the legislation and causes he has advanced. Because JOHN is so tenacious, determined, knowledgeable and effective, I always seek him out to help me with those causes nearest to my heart. There have been many, but one is the equal rights amendment which like-minded men and women have been trying to pass since the first women's rights meeting at Seneca Falls in New York in 1848.

JOHN believed that the best way to advance women's rights was through an economic argument, so we commissioned and worked together on what became known as the Dingell-Maloney Reports. One called ''A New Look at the Glass Ceiling'' proved that women managers earned significantly less than their male counterparts. Another, ''The Glass Ceiling Under the Microscope,'' proved that this wage gap had persisted unchanged for 20 years. College professors and teachers tell me that they use the Glass Ceiling reports as part of their women's studies curriculum.

JOHN, thank you for helping me on these reports, and for so many other issues, health care, campaign finance reform, energy policy, clean water, clean air.

JOHN is known for many, many, many achievements. He is one of the most outstanding legislators this body has ever seen, but, above all, JOHN cares. He cares about people, and he cares about quality public policy.

We thank Michigan tonight for her proud gift to the Nation, Congressman JOHN DINGELL. And as we say in New York, sto lat, sto lat: may you live 1,000 years, may you serve 1,000 years.

Mr. CONYERS. Mr. Speaker, I am pleased now to yield to the gentlelady from Illinois, JAN SCHAKOWSKY.

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentleman from Michigan for yielding to me.

When I came to the House in 1999, I was often asked what surprised me the most. I answered that it was the passion, energy and depth of engagement of many of the longest-serving Members, and would cite JOHN DINGELL as the example.

JOHN DINGELL has been the driving force behind major landmark progressive legislation, from the Children's Health Insurance Program, to electric utility consumer standards, to environmental protections like the Clean Air Act and Clean Water Act; and he is still going strong.

A master of the legislative process, he is legendary for his oversight hearings, dogged in his determination to protect the public by holding government officials, corporations, and others accountable for their actions.

JOHN DINGELL is a fighter. He continues to be a strong voice for consumers and workers in Michigan and across the country. He told us all at his magnificent 50th anniversary celebration that he has no intention of leaving the House anytime soon and that he intends to be chairman of the Energy and Commerce Committee once again; and I fully believe it will happen, and very soon.

□ 2100

When it does, I will do all I can to support him as he works to win his goal of securing health care for every American.

Some have used the word ''feared'' when talking about John Dingell, and it certainly is true that you want to have him on your side and not against him. But the JOHN DINGELL I have personally experienced is a gentleman to all, a loving husband to his spectacular wife and partner, Debbie, a man who is respectful and generous to his staff, who in turn work tirelessly and effectively and are ever loyal to him. He is patient with newer Members, always willing to share his experiences and, when asked, offer solid advice.

I feel privileged to serve with JOHN DINGELL, a patriot, a role model, mentor, and friend. I thank him for his 50 years of service to our country and wish him many, many more.

Mr. CONYERS. Mr. Speaker, I am now delighted to turn to the gentlewoman from California (Mrs. CAPPS) to help us wind down on this Special Order in honor of the Dean of the Congress.

Mrs. CAPPS. Mr. Speaker, I thank our colleague from Michigan for organizing and for allowing me to speak in this time of tribute. It is truly a high privilege and a rare moment to recognize someone who has served 50 years in this remarkable institution and, of course, that is my colleague JOHN DINGELL.

Of course, I am also privileged to call him a friend and a great mentor. And that extends to Debbie, the beautiful Debbie as he calls her, whom I knew first as a congressional spouse and got a glimpse of the partnership that now I know even better, when I saw her leadership among the spouses who add a lot to this place here and a respect for her tireless work amongst us all.

JOHN DINGELL has been a remarkable role model for me in the House and particularly on the Energy and Commerce Committee. It is an understatement to say it is the highest privilege and a matter of great pride to be able to serve with him, to learn from him, to catch the spirit of tenacity, being a bulldog on issues that you care very deeply about. He works so hard on behalf of his constituents and it shows. No matter the issue, first and foremost, as many years as he has served and as beloved as he is by them, he goes back to them time after time.

It has been a pleasure to be in his district and to see the great affection with which he is held. For me he gave reason and definition to my being here to see that there really, truly are people in places of leadership who are champions for the working people of this country. To those without privilege and strong voice, except through those of us who serve here, he has never lost sight of why he followed in his father's footsteps to be here.

He takes a back seat to no one. Those who have opposed him on issues he cared about have learned what a strong advocate he is and how tough it is to face him. But he is also one of the best examples I have seen in this place of how to work across the aisle, how to maneuver deftly amongst the parliamentary procedures to get things done. When there is a chance to make some progress on an issue, when there is a chance to improve the lives of the American people, JOHN DINGELL will not let party lines stand in the way.

I am so privileged that I have had the opportunity to see someone here, and there are more, there are quite a few, but to see someone with the kind of respect he has for this institution. This connection that we have, going back to the beginning, and the way that he conducts the affairs, a lesson for us all in civility and the way to treat other people, particularly those you serve with and especially with whom you do not agree, making a strong point and yet doing it in such a respectful way.

He has been a most important person to me here in my career in Congress. When I was newly elected, he helped me secure a seat on the committee where I wanted to be to serve particularly on the matters of health care. He guided me through the committee's traditions and procedures and has always been there to help me with any kind of particular need I might have to fulfill the goals I have that are similar to his. And for me, for JOHN, it is being a relentless advocate for health care, for health care for everyone.

When the committee, for example, began addressing the nursing shortage, and that was a priority of mine, he joined with me and made it clear that supporting nurses was a personal priority for him; and I can tell you that if you ask a nurse around this country who represents them and what they care about, it is Mr. DINGELL. And that makes me proud as a nurse to be able to serve with my colleague, Mr. DINGELL.

I watched as the Energy and Commerce Committee marked up a couple years ago now the Medicare bill, JOHN's bill, JOHN's father's bill. JOHN did not take this easy. Long into the night for 3 days in a row he led our efforts to reshape that bill into a better proposal, truer to the ideals that came into being. I could go on and on, but I know this country is a better place because JOHN DINGELL has been here for 50 years. It is something that my children, though they have not met him, will appreciate. It is something for sure that my grandchildren will be beneficiaries of.

And only one thing will make my service here better than it already is, and that will be to serve with JOHN DINGELL as chair of the Energy and Commerce Committee.

Mr. CONYERS. Mr. Speaker, I am delighted now to turn to the gentlewoman from California (Ms. MATSUI) to express her congratulations in this tribute.

Ms. MATSUI. Mr. Speaker, I thank the gentleman from Michigan (Mr. CONYERS) for putting together this special time and for yielding me some time.

Mr. Speaker, I am pleased this evening to honor a dear friend, JOHN DINGELL, who because of life's twists and turns has also become my colleague. It was actually about 30 years ago that I first met JOHN DINGELL. At that time my husband, Bob, was serving on the Sacramento City Council as well as chair of the reelection campaign of Congressman John Moss.

John Moss and JOHN DINGELL had arrived in Congress at about the same time, building a relationship and friendship as the years passed. When John Moss marked his 20th year in office, he asked his friend, JOHN DINGELL, to come to Sacramento to speak. It was at this milestone that Bob and I first met JOHN DINGELL. Little did Bob and I know that this was only the beginning of what would become a very deep and abiding friendship, as 4 years later John Moss would announce his retirement and Bob would run and succeed him in Congress.

Following his election, John Moss offered Bob some sage advice which, among other things, included John Moss's hope that Bob would build his own relationship and friendship with JOHN DINGELL. Bob took this advice to heart and built a friendship with his new colleague. It was clear that JOHN DINGELL respects and deeply cares and loves this institution. He brings knowledge that spans generations to any debate. And Bob, as a junior Member served alongside him on the Energy and Commerce Committee before his assignment to joining Ways and Means, saw why John Moss had given him the advice he had.

Simultaneously, Bob and I also began a friendship with JOHN and his wife, the lovely Deborah. I would be hard pressed to talk about JOHN without also mentioning Debbie as she is a strength in her own right. Their marriage is a true partnership, and because of that when we honor JOHN, we are also honoring Debbie. Together they have made each other stronger. The friendship I have with both JOHN and Debbie is one I truly value.

JOHN, I know that you have many more years to serve in Congress, and I look forward to working with you through all those many years. Congratulations on the first 50 years.

Mr. CONYERS. Mr. Speaker, I am delighted now to recognize a Member of the House Committee on the Judiciary, the distinguished gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank my distinguished colleague from Michigan, and I thank you for yielding and convening us on the floor of the House to have an opportunity to be part of the celebration and

the honoring of our friend and colleague, JOHN DINGELL, for 50 years of service.

I have not had the privilege of serving as a member of the House Energy and Commerce Committee, and so I cannot give testimony to the privilege and the pleasure and the excitement of that room on the first floor in the Rayburn Building. I do know that the fireworks are strong and the leadership is strong because JOHN DINGELL is in the room.

I do, however, have the memories of Mickey Leland, who made it very well known of the excitement he had in having the opportunity to serve on such an important committee and serve alongside of JOHN DINGELL. It was a great step up for the Congressman, and he did great works alongside of JOHN DINGELL as a member of the Committee on Energy and Commerce.

And so, yes, I came here longing after the opportunity to serve on that committee, knowing about JOHN DINGELL's leadership and the great things that could be done. But I am very glad to say that I serve alongside him just down the hall on the Committee on the Judiciary. And even without any membership on that committee, I come here today to cite the kind of counsel that JOHN DINGELL gives to Members, whether it is a minute amendment or a question of an issue going on in his committee or the sharing of his staff to answer questions. I want you to know, Congressman DINGELL, thank you for being a counsel to many Members, whether they served with you in their committee or they just walked past the hall that you are in and are concerned about those issues.

I also want to thank JOHN DINGELL and make mention of the fact that his 50 years saw a lot of tumultuous times, and those times included the 1964 Civil Rights Act and the 1965 Voter Rights Act. Those were difficult times, and no matter whether you were a Member from a northern State or a southern State, there was a great controversy of whether or not you would support that kind of legislation.

Might I say that JOHN DINGELL's courage in standing up to maybe even the obstacles and opposition in his own district, being a vigorous and vibrant supporter of the 1964 Civil Rights Act and the 1965 Voter Rights Bill really gives cause and a basis for me standing here today. For out of that vote that you have made was the creation of what we call majority-minority districts which allowed the maiden holder of this seat, the Honorable Barbara Jordan, to come to Congress as the first African American woman and African American elected to Congress after Reconstruction from the State of Texas.

□ 2115

That was not an easy vote or an easy debate, and those of us who read the history of that debate realize that there was a lot of cajoling and encouraging and sacrifices to be made.

As well I want to thank Congressman DINGELL for another tough time that came along during this recent time in Congress, and that, of course, was the Enron tragedy. I was a Member of the Congress but, of course, not a member of the committee, but of course, Enron was in my congressional district. I went to my ranking member, who I call Chairman DIINGELL, and inquired as to whether or not I could be allowed to sit on the panel as the Enron proceedings began. It was a crowded room, a lot of Members, and he could have easily said it was just simply untenable at the time. Knowing how important it was to our constituents in Houston, many of whom had been laid off, I want to thank you again, Mr. DINGELL, for recognizing the important issues to Members, embracing them and creating a pathway of opportunity.

So, as I rise this evening to be able to cite you for the 50 years and congratulate you, might I thank you for the personal counsel and concern you take on Members' progress and growth and opportunity. Might I thank you for paving the way for sometimes a difficult road, sharing with us maybe the opportunity to pass an amendment or give insight to an issue, albeit we might be on that particular committee and a very powerful committee.

Again, as I met with my senior citizens over this past weekend, talking about the Medicare enrollment part D, I was so proud to be associated with a man who understood what Medicare is supposed to be, the real safety net for senior citizens, something they understand, applaud and appreciate, something that has helped save lives. For many of my seniors, when I asked the question, had they enrolled in Medicare part D or did they understand it, maybe one hand raised in the room. As I asked them whether they had enrolled already, with only a few days before the deadline for them to be covered on January 1, as I looked at their eyes, I was glad to be part of the Dingell plan, who understood the right kind of benefit, a guaranteed prescription drug benefit, that you led the fight on, that someday I know we will have.

So, Mr. DINGELL, you have had 50 years. It may seem like a long time, but I know it has been made lighter by having a wonderful partner like Debbie Dingell alongside of you. Although she handles many of the spouse issues, she is a friend to many of us who are Members of the United States Congress. Her insight and understanding and friendship have certainly been appreciated by all of us. So I think you all make a dynamic duo, a dynamite duo, if you will, and I thank you both for your service to this country.

Thank you, Mr. CONYERS, for giving me the opportunity to salute our friend.

Of course, what I say to him, you are a great American. Certainly a hero, and thank you again for the contributions you make to this great institution, and thank you for allowing us to understand that it is, in fact, a dignified and sacred institution and all who walk into this chamber must show it the respect that you have shown for the years of your service. God bless you as He blesses America.

Mr. Speaker, I rise in strong support of this proposed resolution, ''Honoring Rep. JOHN DINGELL on his 50 years of service to the United States House of Representatives and the people of Michigan.''

Only two members in the history of the House of Representatives have served longer than our friend, Mr. DINGELL. It is almost hard to believe that he has served his country and his fine state of Michigan in this House for 50 years to the day. This is especially difficult for me because I could have sworn he doesn't look a day over 40 years old!

Over the last five decades, Congressman DINGELL has been a steadfast champion of healthcare. At the beginning of every Congress, Congressman DINGELL introduces the same bill to the House floor, providing for a national health insurance system. This bill was authored by his father many years ago when he was serving in Congress. Congressman DINGELL also remains vigilant in his pursuit of a United States Patients' Bill of Rights. Mr. DINGLE's bill would ensure patients' care is in the hands of doctors.

Aside from fighting for better health care for this country, DINGELL may be best known as one the most committed protectors of our environment, being himself an avid hunter and outdoorsman. Perhaps one of his most famous of his bills is the 1990 Clean Air Act, which ensures cleaner air for our children tomorrow by encouraging responsible stewardship of our air quality today. He also fought for the passage of such landmark legislation such as the Endangered Species Act.

JOHN DINGELL, Dean of the House, is a giant among men. His resume reads as one of the great stories of this past century, but five decades of service in the House has not slowed Mr. DINGELL down one bit. If one man could embody all that is great about this Institution of ours, JOHN DINGELL is that man. For half a century, he has resolutely left his mark on some of the most important legislation of our time. He tirelessly and tenaciously serves the interests of his constituents, and of average citizens across the United States. Quite simply, his enduring presence in the House of Representatives has made the United States a better place for all of us.

I urge my colleagues to join me in honoring Congressman JOHN DINGELL for his 50 years of service and devotion to his country he loves so much. We all look forward to many more years of sharing the Halls of Congress with this great man.

Mr. CONYERS. Mr. Speaker, I thank so much Ms. JACKSON-LEE for her very moving tribute.

Mr. DICKS. Mr. Speaker, on this day, when our colleague and friend Congressman JOHN DINGELL is celebrating 50 years of service in the House of Representatives, I believe it is important for all Members—however long they have served—to reflect not only on the number of years that he has served in this institution, but also on the contributions he has made and on the example that he continues to set for all of us.

In the finest traditions of the House, JOHN DINGELL remains a powerful force among us because of the commitment he made 50 years ago as he took the oath of office for the first time in this chamber. He took that oath very seriously that day and has lived up to it each day since, as he has represented the interests of the people in his district in the State of Michigan. His legislative accomplishments are legendary, and I know many Members today have praised him as a champion of health care reform, consumer protection, worker rights and environmental protection. He deserves all of that praise, and more, because he is truly one of the ''workhorses'' around the House of Representatives. Without a doubt, JOHN DINGELL is one of the hardest working Members of Congress I have seen during my tenure here, and I am sure he is one of the hardest working individuals who has ever served in the House. Largely because of that work ethic, most of the Members here have their own personal stories about the help or advice they have received from JOHN on issues of importance in their own districts. Since I was elected to Congress in 1976, and certainly during his tenure as Chairman and now Ranking Member of the Commerce Committee, JOHN DINGELL has helped me and has worked with me on a variety of issues that are important to me and to my constituents in the State of Washington. He fought hard for the creation of the Superfund and to sustain it so that harmful contamination at toxic sites in and around Puget Sound can be identified and cleaned up. He has demanded accountability from the Department of Energy, which is responsible for eliminating the waste that still remains from decades of nuclear production work on the Hanford Reservation. Through his leadership of the investigations subcommittee over many years, he exposed abuses and set a new standard for Pentagon procurement and contracting that helps us expand the purchasing power of our defense dollars today. And as an sportsman and wildlife advocate, he has strongly supported our efforts in the House to increase funding for critical habitat protection and for acquisition of public lands for recreational purposes. I have appreciated his support and his leadership on these issues, and I have appreciated his friendship.

So as the House today recognizes Congressman JOHN DINGELL today for the chronological length of his tenure in this institution, I also want to remark that it is recognizing one of the legislative giants who has made his indelible mark on this chamber not just by his tenure but by the breadth and depth of his influence and his accomplishments here. I congratulate him, but I also look forward to continuing to work with him long beyond today's milestone.

Mr. LEWIS of Georgia. Mr. Speaker, I think it is fitting and so appropriate that Members of the U.S. House of Representatives pay tribute to the Honorable JOHN DINGELL on his 50 years of distinguished service in this body.

I want to take a little time to thank my friend JOHN DINGELL for all he has done to make America a better place.

When I was growing up in rural Alabama, and I would visit the little town of Troy, I saw those signs that said ''White Men, Colored Men, White Women, Colored Women, White Waiting, Colored Waiting.''

I used to ask my mother, my father, my grandparents, and great grandparents, ''Why segregation? Why racial discrimination?''

And they would tell me, ''Don't get in trouble. Don't get in the way.'' JOHN DINGELL got in trouble. He got in the way. And it was good trouble. It was necessary trouble.

For the past 50 years, JOHN DINGELL has said through his leadership and with his votes, that as Americans, we have a right to know what is in the food we eat, the water we drink, and the air we breathe. He has said that all Americans have a right to expect and demand simple justice.

He came here to Washington at a time when there was a great deal of drama all over this Nation related to civil rights and social justice. But JOHN DINGELL wasn't afraid to take a stand for what is right.

Mr. Speaker, I believe it was no accident that 12 days before JOHN DINGELL was elected in 1955, a humble and dignified woman named Rosa Parks decided to stand up by sitting down on a city bus in Montgomery, Alabama.

It was no accident that in 1955, the world learned a 14-year-old boy named Emmett Till was kidnapped and murdered in Money, Mississippi.

It was no accident that in 1955 the U.S. Supreme Court said the Brown v. Board of Education decision should be carried out with ''all deliberate speed.''

It was no accident that in that same year, Congressman JOHN DINGELL took the place of his father in the House of Representatives. And when he did, he took this oath: He said, ''. . . I will support and defend the constitution . . . against all enemies, foreign and domestic . . . and I will faithfully discharge the duties of this office . . . so help me God.''

He has used the power of his office to fight for the cause of justice, to protect what is good, what is honorable, what is great about America. He used all his power to defend the integrity of this great Nation.

I said this about the late Rosa Parks, and I think it also applies to JOHN DINGELL. There is a force that I like to call the spirit of history that can track you down and select you to help right the wrongs of this world.

JOHN DINGELL is one among a chosen few in the U.S. House of Representatives who helped chart a new ethical and legislative future for these United States.

I am among the many who call him the Dean of the House of Representatives. Mr. Speaker, JOHN DINGELL showed us all how it should be done. He is a champion of the people from the great state of Michigan who has brought honor and dignity to this chamber. It has been an honor and a pleasure to serve with him.

Mrs. MCCARTHY. Mr. Speaker, today I honor my friend and colleague, JOHN DINGELL.

Mr. DINGELL has been a member of the House for 50 years. He is truly an institution within this institution.

Mr. DINGELL has been a leader in passing legislation to improve people's lives. And he has an unmatched record of fighting corruption and waste in this body and throughout the government.

I hope my colleagues on both sides of the aisle will take a good look at Mr. DINGELL's record of accomplishment and cooperation.

Mr. DINGELL has demonstrated how well this body can operate and how much we can achieve by setting aside partisan differences and working together to do what's right for the American people.

Whether you are a Democrat or Republican, whether you are on the same side of an issue or have an opposing view, Mr. DINGELL will work with you to make our country a better place.

The ultimate tribute to the Dean of the House on his first 50 years of service would be to follow his lead and end the partisanship and politics of personal destruction that's going on now.

Our country needs members of Congress to lead, not constantly question the motivation of those who do not agree with them.

Mr. DINGELL serves as the founding fathers intended us to serve.

I am proud to call Mr. DINGELL a colleague. And I am honored to call him a friend. And I look forward to working with him in coming years to help make America stronger and better place.

Mrs. JONES of Ohio. Mr. Speaker, I rise today to commend the service of one of our most distinguished members, Mr. JOHN DINGELL. Today we honor the ''Dean of the House'' as he celebrates 50 years of service to the people of the state of Michigan and of this country. We also celebrate his wonderful spouse Debbie Dingell.

During his tenure in the House, Representative DINGELL has fought for access to affordable healthcare, a strong economy, and the protection of our environment. He authored the 1990 Clean Air Act which is credited with cleaning up the air we breathe, while preserving American competitiveness. Additionally he has championed laws that address America's most pressing needs like the Children's Health Insurance Program (CHIP) and the Mammography Quality Standards Act.

He has worked tirelessly for the people of Michigan's 15th District. He established the first international wildlife refuge in North America to protect thousands of acres of natural habitat in both Michigan and Canada. He worked with officials in Wayne County to save local taxpayers more than $350 million of the cost to stop pollution of the Rouge River and has been relentless in his efforts to limit the importation of Canadian waste into Michigan.

Representative DINGELL is truly a leader and trailblazer within the House of Representatives. He not only leads by example but sets the example by which we all strive to emulate. On behalf of the people of the 11th Congressional District of Ohio, I thank you Representative DINGELL for your leadership and wish you continued success.

Ms. CARSON. Mr. Speaker, Detroit, Michigan is known as Motown, mecca for Soul R&B music. Here, in the Halls of Congress, Detroit is known as ''Dingell town.''

Tonight, we continue our salute to Congressman JOHN DAVID DINGELL, Jr. for his 50 years of service as an elected representative in the House of the people.

With the service of Congressman DINGELL's father, the late John Dingell, Sr., in the House for 22 years, the people of Detroit, the state of Michigan, and indeed the Nation have benefited from the Dingell legacy of public service for 72 uninterrupted years.

Congressman DINGELL served in the United States Army during World War II, then attended Georgetown University in Washington, DC, where he graduated in law in 1952. He worked as a Congressional employee, a forest ranger and a prosecuting attorney for Wayne County until 1955, when his father died and he succeeded him in his district.

Congressman DINGELL won the seat in his own right in 1956 and has been re-elected 25 times.

With the retirement of Jamie L. Whitten at the start of a new Congress in January 1995, he became the longest-serving member in Congress. He is only the third person to serve in the House for 50 years, behind only Whitten and Carl Vinson.

Since 1994, Congressman DINGELL has been the Ranking Member of the Energy and Commerce Committee. Before that, he was Chairman for many years of Energy and Commerce.

Congressman DINGELL: Regardless of the change in party majority, the esteem and high regard that your colleagues, and I, past and present, hold for you, will honor you always as Mr. Chairman.

I am pleased to add my best wishes to a statesman and a great American.

Mr. POMEROY. Mr. Speaker, I rise to add my voice to the praise of a remarkable man—one of the most effective legislators ever to grace the Halls of Congress—the gentleman from Michigan, JOHN DINGELL.

Today we celebrate his 50 years in the U.S. Congress. I feel extremely fortunate to have had the chance to observe JOHN DINGELL as one of the most powerful Chairmen of the House and for the last decade a canny Ranking Member, influential by any measure.

If there would ever be a Hall of Fame for Members of Congress, JOHN DINGELL would be admitted on the first ballot.

I consider it a great privilege to have had the chance to learn from a person of such enormous talent, dedication and perservance.

JOHN DINGELL has been steadfast in fighting for the rights and interests of ordinary Americans. He has been unrelenting in his willingness to take on any interest—no matter how powerful—as he has stood up for all who needed such a gifted and forceful champion.

I hope JOHN DINGELL will celebrate many more anniversaries of distinguished service in the House as his tenure continues.

He is a national treasure and we need him now more than ever.

Best wishes JOHN DINGELL. I am proud to be your colleague—prouder yet to be your friend. God bless you.

Mr. STUPAK. Mr. Speaker, thank you, Mr. CONYERS, for the opportunity to stand and recognize one of the finest men to ever serve in the United States Congress.

JOHN DINGELL can be and has been described using a wide variety of adjectives—ranging anywhere from fierce and intimidating to kind and charming and just about everywhere in between. This man has been leaving vivid impressions on those of us he has worked with during his 50 years as a United States Congressman.

Whether one may have come to enjoy the deeply intellectual candor associated with his great knowledge of issues spanning from health care to the environment to labor; or whether one may have become a victim of his witty tongue lashings he has been known to dole out to his opposition or to those testifying before him—either way, these individuals have more than likely walked away from these scenarios respecting Mr. JOHN DINGELL all the more.

Mr. DINGELL is the Dean of the House because he has spent 50 years working diligently to fight for those who may not be able to fight for themselves. He has fought for vulnerable people and worthy causes with an iron first. He has defended large companies even when allies have criticized him because those companies sustain the jobs his constituents depend on to feed their families. He has stood up for unpopular ideas based on righteous values. He has led wars for universal causes in order to see the eventual acceptance of a fair ideal.

The people of southeast Michigan continue to elect JOHN DINGELL to serve and represent them and many others across the country in Congress because he is a good man. He is a shining example as to why term limits are not wise in governance. Consumers would have a hard time investing in a company where a new set of untrained professionals were ushered in to run a major corporation just as their predecessors finally obtained the necessary skills and experiences to truly excel on their behalf.

Each term JOHN DINGELL has brought with him another two years of valuable experiences that help him craft better legislation, provide deeper insight, and mentor his colleagues to be more prepared to lead.

Mr. Speaker, I have the proud privilege of not only standing beside Mr. DINGELL as a friend and colleague from the great state of Michigan, but I am honored to have found his mentorship in our last 6 terms in Congress as some of the most profound advice I could have received.

Congressman DINGELL spent nearly 2 decades heading the Energy and Commerce Committee's Subcommittee on Oversight and Investigation. There he uncovered unparallel fraud and deceptions of companies and government agencies. He drilled witnesses and experts in order to obtain the answers necessary to protect the American people. JOHN DINGELL spent his years on that subcommittee with an unwavering, fiery commitment to do the right thing.

When Congressman JOHN DINGELL, Jr. was inaugurated after winning a special election to succeed his late father, who had served in the House of Representatives since 1932, he told his new colleagues ''if I can be half the man my father was, I shall feel I am a great success.''

As the new ranking Democrat on the Oversight and Investigation Subcommittee where the great JOHN DINGELL accomplished some of the most memorable and most remarkable feats on behalf of the American people, I declare that if I can do half the job JOHN DINGELL has done during his tenure in Congress, I shall feel I am too am a great success.

Mr. Speaker, I would like to once again thank Mr. JOHN DINGELL of Michigan for being a great leader, example, servant, mentor, and friend. Mr. DINGELL and the work he has done in the last 50 years in the United State Congress will be remembered, valued and respected for as long as this great country stands united.

Mr. OWENS. Mr. Speaker, certainly I would like to associate myself with the previous remarks of congratulations, admiration, and appreciation expressed by numerous members of this House about our esteemed and revered colleague, Congressman JOHN DINGELL of Michigan. It is my opinion that wisdom is the invaluable contribution which Chairman DINGELL continues to offer our deliberations; it is wisdom, gained from years of hard work, experience and keen analytical observations. At a time of relentless public policy turmoil and frequent partisan confrontations, this institution needs well-anchored, seasoned, counseling to blend with the know-how and energy of the fresh and the young. JOHN DINGELL's fifty-year life investment in the House of Representatives continually produces a dividend for all Americans.

Mr. CONYERS. If it pleases the House, I would like to invite the object of our affection this evening and through the last few weeks to make a closing comment, and I would yield now to the Dean of the House of Representatives, the honorable JOHN DINGELL.

EXPRESSING THANKS TO FELLOW MEMBERS FOR THEIR REMARKS

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

Mr. DINGELL. Mr. Speaker, I rise to thank my good friend and colleague from Michigan, JOHN CONYERS, my dear friend of long standing, for his gracious kindness in this Special Order tonight, and I thank all of my good friends and colleagues who have participated in that. I am deeply grateful, and I am very proud of the friendship that they show me and that I have for them and the kindness that they have shown me throughout these years I have had the privilege of serving in this body.

I want to say that I have been uniquely blessed. Not only have I had

the privilege of serving wonderful people in the southeast corner of Michigan, people who are uniquely loyal, decent and good, hardworking and patriotic, who believe in their country and who work to make it better and who raise good kids and who are concerned not just about their well-being but about the country and its future, I have also been uniquely blessed in having an extraordinary staff which has stood loyally by me and which has provided me the basis of knowing how to be a good and effective Congressman.

I have had one unique and special blessing, and that is a beautiful woman who has stood by my side all of these years, the lovely Deborah, who has worked with me, worked for me, worked with and for the people that I have the honor to serve and who is much loved in Michigan and here in Washington, whose good works and whose talents are extraordinary and whose decency and loyalty are absolutely unique.

I want to say how proud I am to have served in the Congress. I am proud of my colleagues and grateful to them for their words, and I repeat my thanks to my good friend from Michigan (Mr. CONYERS) and to my other colleagues who have been so gracious to me today, to the Speaker and to the minority leader for their gracious remarks, for the resolution which this body passed and for the privilege of serving with all of my dear friends and colleagues.

I have only good memories of having served in this institution, and I think if there is one characteristic about the service that I have had here it is with what blinding speed those 50 years have gone by and how many wonderful human beings I have known and served with: Members of Congress, members of the staff, people who work in and around the Congress, lobbyists, the constituents that I have had the privilege of serving and the people in the executive branch. We are fortunate, indeed, that we have men and women who will do the things that my colleagues have done here in terms of coming to Washington to serve.

I cannot tell my colleagues how proud I am of them or how grateful I am to them and the appreciation which I feel for all of them, including not just my friend Mr. CONYERS, but I look at my good friend Mr. KILDEE and the gentlewoman from Texas who was so gracious earlier.

It has been a singular privilege for me to be here. This is a wonderful institution. It belongs to the people. They deserve the best we can give, and it is a wonderful institution. I salute my colleagues for what they do. I express to them my respect and admiration and affection and also my gratitude to them for what it is they do.

Mr. Speaker, I want to again express my affection, my respect and my gratitude to those who have participated in this Special Order, including my very special friend Mr. CONYERS.

Thank you.

PEAK OIL PRODUCTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Maryland (Mr. BARTLETT) is recognized for 60 minutes as the designee of the majority leader.

Mr. BARTLETT of Maryland. Mr. Speaker, I would first like to thank Congressman DINGELL for his many years of service to his country. Sometimes there is a young person who is very bright and well-achieved. And it is said of them that they are wise beyond their years. Congressman DINGELL has served 50 years in the Congress. Before that, he served in World War II. Matter of fact, he is just about a year younger than I, so obviously he is not a really young person. I can truly say of Congressman DINGELL that he, too, is wise beyond his years.

As a matter of fact, the subject I am going to talk about tonight is better understood by Congressman DINGELL, I think, than any other Member of the House. I remember a conversation with him some time ago, several months ago, when he noted that he did not believe that oil would ever be $50 a barrel again. I spoke with him tonight, and he said, you know, we probably had better hope that it is not ever $50 a barrel again because the only thing that could cause it to drop to that level would be the demand construction that would be precipitated by a world crisis. Thank you, Congressman DINGELL, for your friendship, and I thank you for your contribution to your country.

The first chart is taken from a publication from a report that was funded by the Department of Energy. I want to make that clear. The principal investigator was Robert Hirsch. He works for SAIC, a very prestigious scientific organization.

''The peaking of world oil production presents the U.S. and the world with an unprecedented risk management problem. As peaking is approached, liquid fuel prices and price volatility will increase dramatically, and, without timely mitigation, the economic, social, and political costs will be unprecedented. Viable mitigation options exist on both the supply and demand side, but to have substantial impact, they must be initiated more than a decade in advance of peaking.''

Dealing with world oil production peaking will be extremely complex, involve literally trillions of dollars and require many years of intense effort.

Mr. Speaker, what is he referring to? To put this in context, as the next slide shows us, we need to go back about six decades. Working for the Shell Oil Company was a scientist by the name of M. King Hubbert, and he watched the exploitation and exhaustion of oil fields. He found that they all tended to follow a similar pattern. Oil came freely at first and then reached a peak production, and then, not surprisingly, the last oil from the field, as a matter of fact, roughly the last half of the oil from the field, was more difficult to get than the first half of the oil from the field.

So he judged that if he could add up all of the little fields in the country and the curve that would be produced by the exploitation and exhaustion of that, and these are called bell curves, they are typical curves of phenomena, that he then could predict when the United States would peak in oil production.

He made this prediction in 1956, and he said that the United States peak oil production would occur about 1970, certainly in the early 1970s. Right on target, the United States peaked in oil production in 1970 or 1971.

The smooth green curve here shows what he predicted. The somewhat more ragged curve with symbols shows the accurate data points. You see how closely this is for the lower 48 States. It shows how closely they followed his predicted curve.

The red curve is the similar curve for the Soviet Union. You notice that on the down side, they peaked some years ago, after us, but some years ago, and on the down side, when the Soviet Union fell apart, they lost a lot of production capacity. Now they are going to have a second small peak, but then on down. Russia is now a major producer of oil in the world, but they were in the past a larger producer of oil in the world.

The next chart shows the sources from which our oil production has come.

□ 2130

And notice that this peak, about 1970, and this curve differ from the previous one in that we have added here the oil from Prudhoe Bay in Alaska. There was a tiny blip on the down slope. Without that oil, there was no blip at all. But in spite of that enormous find in Prudhoe Bay, about a fourth of our total production for a number of years, we still continued our slide down the other side of Hubbert's Peak.

I want to note the yellow there, that is the fabled discoveries of oil in the Gulf of Mexico where there are now, I think, what, 4,000 oil wells. That was supposed to solve our problems with oil for quite some time. Notice the fairly trifling contribution it made. This was a big find. But we and the world use a lot of oil, and that kind of puts it in perspective.

The next chart shows two characteristics of the world. The previous one, the one just removed, we were looking at the United States, and in this one we look at the world. And there are

really two curves here, and they are superimposed because that helps us to understand the situation a little better.

The bar graph here, the dark shows the discoveries of oil; and notice that we started discovering a lot of oil back in the 1940s and the 1950s and the 1960s; and after the 1980s, that is 25 years ago, we have had diminishing discoveries of oil. The heavy black line here shows the use of oil. For many, many years we were discovering far more oil than we used. But since about the early 1980s, every year we have used more oil than we found. And until today, and that is at this point, you can see that we are using several times as much oil as we find, maybe four barrels of oil used for every barrel of oil that we find.

Now, of course one can only extrapolate into the future. But if you make reasonable assumptions for what we will find, and that is this curve here, we could find more; we could also find less. But if you look back through the last 20 years, this is a fairly optimistic assumption of what we will find for the next 25 or 30 years.

And then, of course, you cannot pump oil that you have not found. And so the consumption curve, this curve, suggests that that will peak in about 5 years. But the consumption curve must have under it exactly the same area as is the area under the discovery curve, because obviously you cannot pump oil that you have not found.

We will come back to this chart a little later, and we will mention some of the critical relationships here a time or two as we address other points.

Now, there are a number of critics, and the next chart points to the statements that one critic has made. And we will come to the floor, Mr. Speaker, in the future to talk about other critics and the points that they have made, and we will carefully and respectfully address each of the points that they make.

This critic made four comments, four points. And what he said was, if we really understood this, you would not have any concern about peak oil because we are really not facing a problem, in his view.

I am only going to talk about the first one now, and then we will put this chart down here, and we will pull it up after we have talked about this one and then talk about the second, third, and fourth bullet here.

In the first bullet, he says: Simply put, known reserves can produce far more oil if more aggressively drilled, as in the United States.

That is true, and it is not true. As the next chart shows, this shows the relationship between drilling and pumping oil in this country. By 1980, when Ronald Reagan became President, we had already slid 10 years down the other side of Hubbert's Peak; and we knew in this country, and the world knew, that M. King Hubbert had been correct, that the United States had peaked in its oil production.

Mr. Speaker, I wonder why there was not more recognition given to the fact that M. King Hubbert also predicted when the world would peak, which, considering events like a worldwide recession and the oil price spike hikes and so forth, would be about now. I wonder why more people were not concerned that maybe if M. King Hubbert were right about the United States, he might be right about the world. And if he was right about the world, then we really ought to be paying attention to that.

This curve shows the effect of the extra drilling that was encouraged by the tax policy of the early Reagan years. It showed that that had no effect on the amount of oil that we pump, because we went from positive, pumping more oil than we were consuming, to negative, pumping less oil than we were consuming, in spite of the fact that there was a very large spike here in increased drilling.

So depending upon the state of exhaustion of the oil fields, increased drilling may not produce any increased flow of oil. It certainly did not here. In spite of all this increased drilling, we produced relatively less and less oil. Now, it is true that if there is still a lot of oil left in the fields, you could exhaust it more quickly by drilling more wells.

I think that in this country, Mr. Speaker, we have drilled at least three-fourths of all of the oil wells that have been drilled in all of the world. And the critic was saying if we drilled relatively as many wells in Saudi Arabia as we have drilled in this country, that we could get that oil out more quickly. That may be true. But as we will discover a little later in this discussion, Mr. Speaker, that probably is not a good idea.

There is an old adage that says: If you're in a hole, stop digging. And I think a good corollary to that is, if you are climbing a hill and you know that you will fall off the other side, it is obvious that the higher you climb, the greater the fall will be.

So if there is only so much oil there, if we are able to get it out more quickly now by drilling more holes, then does it not stand to reason that there will be even less oil for the future, and the slope down the other side of Hubbert's Peak will be even sharper?

The next slide shows again a relationship between drilling and the amount of oil that you discover. The red curve here is a hyperbolic model. It approaches in ascentot. It will never quite reach the top because it will go up ever more slowly. And the yellow points here show the actual cumulative discovery of oil. And notice that it follows this very clear ascentotic curve.

What that points to, Mr. Speaker, is that there is probably not a lot more oil in the world that we are going to find. For the last number of years, we have had very good techniques: seismic, 3D modeling with computers. We are really very good now at characterizing the geologic formations in which oil is likely to be found, and we have drilled and exploited all of those that held much promise.

The next chart is another one taken from this very excellent report called the ''Hirsch Report,'' done by SAIC, and funded by our own Department of Energy. This shows the net difference between annual world oil reserves, reserve additions, and annual consumption. And this showed when we flipped over from every year finding more oil than we used to the point that for every year since, what, the early 1980s, as you can see from this chart, the world has found less and less oil than it has pumped.

I would like to now come back to the chart that I showed a few minutes ago because I think that this chart actually shows if you make this curve here a straight line, then that produces the curve that you have just seen. I would like to come back to this and point out that the history of discovery indicates that we probably are not going to have any more really large oil fields discovered. The last of the great oil fields were discovered in the 1980s. And in spite of intense drilling and vastly improved discovery techniques, just about on the average every year since then we have found less and less.

And I would like to point out again something which is very obvious, that you cannot pump oil that you have not found. Now, if you want to change the shape of this consumption curve, and you can change the shape of that curve, if you want to change the shape of that curve and have it ever go up and up, then you are obviously going to have to find a lot more oil.

Now, you can in the short term have it go up somewhat faster if you simply were to drill in Saudi Arabia relatively as many wells as we have drilled in this country. But what that will do, Mr. Speaker, is maybe to extend this curve a bit like this.

But you cannot pump more oil than you have found, so then it will fall off very sharply on the other side. I am not sure that is what our economy needs, and I am not sure that is what the world needs. So I am not certain, Mr. Speaker, that in the absence of finding more oil that it is in anybody's self-interest to find ways to exhaust the oil that we have found more quickly than we are doing it now.

Now, if you believe that just around the corner we are going to find enormous additional amounts of oil, then that might be a supportable philosophy. But I would suggest, looking at this history of our discovery of oil,

that it would be very prudent to not use techniques for more rapidly exhausting the oil until you have found more oil, or we are simply going to be building a larger and larger economy in the world that is going to be even more and more difficult to support as we inevitably run down the other side of Hubbert's Peak.

I would like now to put back up the comments of this critic, and we want to look at the second bullet here. There is enough tar and natural gas in the world to fuel the globe for hundreds of years at current rates of consumption. And I should have underlined it there, the ''at current rates of consumption.'' There are two things I want to talk about on this.

The first is that there is a great deal of natural gas and other sources of hydrocarbons in the world. I am not sure that they are economically exploitable. And the second thing is at current-use rates. Let me finish this, and then I will put the next chart up. And that does not include even more massive amounts of coal that could be turned into gas and oil, and indeed it can be turned into gas and oil.

That is the way Hitler ran his country and his military in World War II, because we cut him off from oil and he made oil from coal. As a matter of fact, when I was a little boy, the lamps you now call kerosene lamps we called coal oil lamps. And that is because it was coal oil that first replaced whale oil before we learned how to refine crude oil and make kerosene. So we can do that.

The next chart points to what Albert Einstein said was the most powerful force in the universe. After we discovered nuclear power as a result of his theory of relativity and his contributions, he was asked, Dr. Einstein, we have now discovered this incredible power source, energy source. What will be next? And he said, you know, the most powerful force in the universe is the power of compound interest.

Now, that is an exponential function. What we show here are several curves, and this lower curve here shows a 2 percent growth rate; and the straight line shows, if you extrapolate that out without compounding, that is you do not add this year's growth to the baseline for next year's growth, if you have money and interest and you take the interest every year and do not let it accumulate. But notice how much it grows if you let it accumulate. And this is only a 2 percent growth rate. There is a 4 percent growth rate. Notice how much more quickly it grows. By the way, a 2 percent growth rate doubles in 35 years.

This steepest curve here is a 10 percent growth rate. I would like to remind you that that is pretty much the curve that China is on, and India very close behind them. China, about 9.5 percent; 10 percent growth rate doubles in 7 years. It is four times bigger in 14 years, it is 8 times bigger in 21 years. That is exponential growth.

□ 2145

Mr. Speaker, if you will do a Google search for Dr. Albert Bartlett, not a relative of mine, but he gives the most interesting 1-hour lecture I have ever heard, and pull up his lecture on exponential growth and energy. He has some excellent analogies to help understand exponential growth.

I will give just one true story from an ancient kingdom where one of the citizens of the kingdom invented chess. The king was so impressed he called his citizen in and said, I will give you any reasonable request for the contribution you make for inventing chess.

The inventor said, I am a simple man with simple needs; Mr. King, if you will simply take my chess board and put one grain of wheat on the first square and double that and put two grains of wheat on the second square and double it and four on the third square and eight on the fourth until you have finally filled all of the squares of my chess board, that is all the reward I would ask. The king thought, silly man, I would have given him a great deal more. No problem.

But had the king understood the power of exponential growth, he would have had to place on that chess board more wheat than the world has harvested in the last 40 years. That is the power of compound growth.

We see that in the next chart that looks at one of these assumptions, and that is that we have a lot of coal. We do. We have 250 years of coal at current use. But if you have to use more of it, and we certainly will have to use more of it as we have less natural gas; today that topped $15 for a thousand cubic feet, the highest ever, and if you increase the use of coal only 2 percent a year and compound that, notice what happens. It shrinks to about 85 years. That is the power of compound growth. And for much of its use, you will not be able to use coal, you will have to make it, as the critics suggested, into gas and oil, and that takes energy to do that, and so now it has shrunk down to about 50 years.

With just 2 percent growth, we will be really lucky if we can get by with increasing the use of coal only 2 percent, but that now lasts only 50 years. It is there. It is a very valuable resource, and we need to use it, but it is not a long-term solution to our problem.

The next chart shows something which is really very interesting. This shows the current consumption, and it is making an interesting assumption. I would like to pause for just a moment because, in another life, I had a course in statistics, and they give you some probabilities here. That is what statistics is all about, probabilities. They have the 95 percent probability and the 50 percent probability and the 5 percent probability. The 5 percent probability means only 1 time in 20 would you expect that to happen. The 95 percent probability is what is called statistically significant, and 97 percent probability is highly significant.

What they have done here is to take the mean and to assume that is the expected value. No, Mr. Speaker, that is not the expected value. The 50 percent probability means there is 50 percent probability it could be more. There is also 50 percent probability it could be less. What they have done, they say that is the mean. That is really, I think, a major distortion of statistics and reflects a misunderstanding of statistics because it could be just as well less than that as more than that.

But this red curve assumes that there will be 50 percent more. The total amount of oil most authorities believe that was recoverable, and we have recovered about half of it, was about 20,000 giga barrels. That is 2,000 billion barrels. This mean is 3,000. This is roughly the 2,000 here, and the 3,000 is here. Notice, even if you assume, which I think is a very rash assumption, that there will be 50 percent more oil than most of the world's experts believe, notice how little that pushes out the peaking. That is what exponential growth does.

Albert Bartlett uses another interesting explanation of exponential growth. He has a little colony of microbes that are growing in a liter flask and notices that they are doubling every minute. When they are only partially full, they say, we better be looking for more territory because we are soon going to fill up this liter vessel. They send out scouts and find not one or two or three more liters. Wow, three times as much as they now have. That should last them for a long time. Remember, they are doubling every minute.

If they fill their present liter flask at midnight, 1 minute after midnight they fill the second one because they double every minute, and in 2 minutes after midnight, they fill the third and the fourth.

That shows why if we find 50 percent more oil than most of the experts believe is there, that will only push out peak oil those relatively few years. If by some means you are able to extract oil more quickly, like drilling a whole lot more wells or using this enhanced recovery technique, you might push the peak out to 2037, but this curve acknowledges a reality that you cannot pump what is not there. And so now you fall off very quickly, and the area between these two curves is going to have to equal the area between these two curves.

So from a very real perspective, Mr. Speaker, if we are not going to find enormously more oil or gas or coal or large amounts of alternatives, it will

not be in the long-term best interest of the world to exploit our present reserves more quickly.

The next chart shows the characteristics that any alternatives will have to be useful because the primary crisis that we face is not just an energy crisis; it is really a crisis of liquid fuels because that is where our economy and the world's economy will be first impacted.

This is an interesting chart, and it has an ordinate and an abscissa. The ordinate is energy-profit ratio. The energy-profit ratio is the amount of energy you have to put in to get out a certain amount of energy, and obviously, the best energy sources will be those where you put in just a little bit of energy, like drilling one well and getting out an awful lot of oil. And the energy profit ratios may be 60 or 80 or 100, and some even 200. That means you get out 200 times as much energy as put into drilling and developing the field.

Now on the abscissa here, we have economic effectiveness in transport. What that means is how convenient it is to use transport. The source that is the highest in both of these is the giant oil fields. None of those exist in this country. They are all in the Middle East and many in Saudi Arabia. But notice that they have a very high energy-profit ratio and also a very high economic effectiveness in transport.

Our oils were just as effective in transport, so they are way over here in the abscissa. But notice they are much more expensive to get than the Middle East oil. This is 1970, and now they are harder and harder to get, and so now we are down at this point where it is maybe five to one. We put in one unit of energy and get out five units of energy. Notice where the tar sands and ethanol are. They are really easy to use once you develop them, but you get very little more energy out of them than you put in them.

Over here we have hydro, coal-fired and nuclear, photo voltaics, and they have really improved, and direct use of coal. So any alternative that we are going to develop to replace our current oil for transportation needs to be put on this table, this chart, to see where it fits. It must have a very high energy-profit ratio, and it should have a very high economic effectiveness in transport quotient.

I will return now to the next of these points made by the critic. He says we have just produced the tip of the shale gas iceberg, and the likely resources in the U.S. are vast. What he is saying is, do not worry about energy; there is absolutely an enormous amount of energy in these shale gases. What they are, are gases trapped so tightly in shale that the only way to get them out is to drill a well and then to put sand and water in that well under a very high pressure, kind of an explosive pressure that fractures the rock and pushes the sand in between the levels of the shale so the gas can now come out. Yes, there is a lot of gas there, and you can get it out by doing that, but it is quite expensive. It is one well for every one relatively small area of the reservoir where this gas is trapped.

What I want to show now is a number of potential sources of energy. As we run down the other side of Hubbard's peak, we are going to have to turn to other sources of energy. Some of those are finite like the tar sands and the oil shales and the shale gas that he was talking about, and coal and nuclear fission and nuclear fusion. I guess the nuclear thing ought to be put in a category kind of by itself because if you are talking about the light water reactors and fissile uranium, you are talking about a finite source. If you are talking about nuclear fusion, and I support all of the money that that technology can absorb, but I do not think that it is likely in any timely manner that we are going to have economically viable fusion to produce power. The general estimates are, in 30 to 50 years, that technology may have matured to where you will be using electricity produced by fusion. That is what happens in the sun and in the hydrogen bomb.

If we were to go to breeder reactors, they are pretty much sustainable, and they would not be finite, so nuclear is in a category by itself. We need to exploit all of these areas, but the energy-profit ratio is very low for those.

Let me give an example of an enormous amount of energy, and we really would have no energy problem if we just could harness that energy. It is called the tides. Every day, the moon lifts all of the oceans about 2 feet. I just pick up two 5-gallon buckets of water, and they are pretty heavy. Can you imagine the amount of energy it takes to lift the oceans 2 feet every day? The oceans are three-fourths of the earth's surface. If we just could capture that energy, we would be home free. But the problem is the energy-profit ratio is very low. There is a lot of energy there. It is very disbursed, very diffuse, very hard to harness, and we still try.

Ocean thermal gradients are another potential source. Here are some potentially enormous sources of energy.

Solar. If we paved our desserts with solar cells, we would have all of the energy we needed. That is a big if. It is about as big an if as getting all of this gas out of the gas shales.

Wind. If we put a wind machine every place the wind was blowing, we would produce incredible amounts of energy, but it is very diffuse, very expensive to build them, and it would take a long time to build enough of them to make any real difference.

Geothermal. If we just drilled down deep enough to tap into the molten core of the earth, there is essentially inexhaustible energy there. But again, the energy-profit ratio, except for a few places where the crust is thin, is very high, and so we are not doing that.

I would like just a word of caution about energy from agriculture. I am a big fan of energy from agriculture, but you must recognize its limitations.

□ 2200

We barely are able to feed the world. Now, you would not believe that by looking at many Americans, but tonight maybe a fifth of the world will go to bed hungry. And so if we are going to take what would otherwise be a food crop like corn or sugarcane and use it for energy, then we have to ask the question, How will we feed the world?

Another caution about energy from agriculture. A lot of the sources of energy are from what is called cellulose or agricultural waste like beet pulp and corn fodder and soybean stocks and switch grass. Now, all of these things are organic. All of them, in one way or another, by sheet composting or some other composting techniques, are returned to the soil to help make what we call top soil. And topsoil is different from subsoil because it has organic material in it that supports life, and it has a quality which we call tilth which is not there if you take the organic material away.

To rob our topsoils of organic material will be the exact equivalent of mining them. You may get away with it for a year or two or a few, Mr. Speaker; but in the long run, unless you husband our topsoils, we will not be able to continue to grow the food we need.

Now, there are potentials for getting energy from agriculture. But they are going to necessarily be limited by our need to feed the world and our need to maintain our top soil. I just heard the other day that for every bushel of corn that we produce in Iowa, three bushels of topsoil go down the Mississippi River. So in spite of no-till farming and the other advanced techniques we have, we still have a problem holding our topsoil.

Here is a great one: waste to energy. Up here in Montgomery County there is a facility that burns waste to produce electricity. I would be proud to have my church next to it or live next to it. You would think it is an office building from the front. The waste comes in in big containers on the back of trucks or trains, and you do not even see it. It is really quite an engineering marvel. We are producing some energy that way. We could produce more and probably should produce more.

The last bullet here: hydrogen. Hydrogen, Mr. Speaker, is not an energy source. Hydrogen is simply a convenient way, and sometimes not all that convenient way because of what it is, an explosive gas. But it is a way to move energy from one place to another. If you think of it in terms of a

battery, then you get the notion of where hydrogen is going to fit into our economy. It is a good idea, because when you finally use the hydrogen, it produces, well, we say no pollutants. It produces a little bit of heat. And it produces water, but you know that is really no pollutants compared to what we get from the internal combustion energy in burning gasoline or diesel fuel.

And you can now use it, not in an internal combustion engine, but if we ever perfect them, we can use it in a fuel cell which gets at least twice the efficiency of the internal combustion engine. So you are now burning something, using something that produces, at the point of use, essentially no pollutants, and which produces about twice the net energy output that you can get by burning it in a combustion engine. So it is a good idea, but fraught with problems because if you are going to carry it as a gas, you have to really compress it, a big thick vessel, the lightest element we have, gas molecules just wanting to separate themselves and get out of there, so you have to have a big heavy vessel to contain it.

If you want to liquify it, it is very cold, a lot of insulation, again a big problem. And the experts believe that if it ever becomes a part of our economy, that it is going to be in a solid state form, in other words, a hydrogen battery. So if you will think of it as something maybe quite better than the electron battery that you have in your car, but very similar to that because it is simply something that takes energy from one place, a nuclear power plant for instance, producing electricity that is then used to split water and produce the hydrogen, taken to another place where you use it like using it in your car.

The next chart shows the details on one of these possible alternatives, and that is ethanol. And on the right, we show there the energy balance in getting gasoline from fuel oil. And it shows there that you must start out with 1.23 million Btus of fossil energy to produce 1 million Btus. That is quite reasonable. You have got to drill for the oil. You have got to transport it. You have got to refine it. You have got to haul it to the service station. You have got to pump it out. That all takes energy, and so you put in 1.23 units and you get out 1 unit of energy.

Now, when it comes to corn, to ethanol, which you get from corn here, you start with solar energy. So you would expect that there is going to be some contribution of solar energy. And this, by the way, I am told by some people, is quite optimistic because Dr. Pimental believes that the usual ways of producing ethanol use more energy than you get out of the ethanol because of all of the applications of fossil fuels to building the farm equipment, plowing the ground, putting the corn in, harvesting the corn, that if you account for all the fossil fuel inputs, he says with the usual techniques you use, you get less energy out of the ethanol than you put in growing the corn.

But I think we will do better than that, and we may get to this goal, and that is, you put in .74 units of energy, and you get out one. Well, that is not a really big energy-profit ratio. You would probably never drill an oil well if that is all you got out of it. That is a very low energy-profit ratio. But it is one of the things that we will need to turn to.

The bottom little pie chart here shows something that will stun most people. Notice the big purple, nearly half segment of that circle. That is the energy that goes into producing corn from natural gas producing the nitrogen fertilizer. Very few people know, Mr. Speaker, that essentially the only source today of nitrogen fertilizer is natural gas. When natural gas is gone, we are going to have to find another big energy source to produce nitrogen fertilizer.

By the way, before we learned how to do that, the only source of nitrogen fertilizer were the barn yard manures. We still have those today, but they do not go very far with the enormous agricultural lands we have, and guano. Guano were the droppings of bats and birds over thousands of years in the tropical islands on the cliffs and the bat caves, and there was a generation ago a major industry of mining guano. If we wait another 10,000 years, there will be some more guano.

If you look at this circle, you will see the contribution of oil and gas and natural gas to producing corn. It is hydrocarbon, very energy intensive. Almost literally, Mr. Speaker, the food you eat is gas and oil. If it were not for gas and oil, you would not be eating that food.

The next chart kind of puts this challenge in perspective, and the analogy I like to use here is that we, in our country, are very much like the young couple that had their grandparents die and left them a big inheritance. And so they have established a lifestyle where 85 percent of all the money they spend comes from their grandparents' inheritance, and only 15 percent comes from their earnings. And they look at the rate they are spending it and at the size of their grandparents' inheritance, and it is going to run out a long time before they retire.

So obviously this young couple is going to do one or both of two things: either they are going to have to spend less money, or they are going to have to make more money. And I use that 85/15. Others will tell you it is 86/14, not quite as good as the 85/15, because this is exactly where we are in energy use in our country. Eighty-five percent of the energy we use comes from natural gas, today at the highest price ever, over $15, and oil and coal. And only 15 percent of it comes from other sources. A bit more than half of that 15 percent, 8 percent of it, comes from nuclear. It is 20 percent of our electricity, but only 8 percent of our total energy production.

As you drive home tonight, Mr. Speaker, every fifth house and every fifth business would be dark if it were not for the electricity produced by nuclear power. And here we have blown up the 7 percent of renewable energy. Now, as we run down the other side of Hubbert's Peak, and as we exhaust, as we surely will, in time, the fossil fuels in our world, this is what we will have to deal with, nuclear and renewables. Look at what these renewables are. Conventional hydro. Nearly half of it. We have tapped out in our country. We might get some microhydro, but the big stuff we have dammed up all the rivers we should have and maybe a few that we should not have.

Second largest contributor: wood. That is the paper industry and the timber industry, wisely using what would otherwise be a waste product.

And then burning waste. I mentioned that in a former chart, and that is 8 percent now. That is 8 percent of 7 percent. That is not a lot, by the way. That could grow and should grow.

And then we get down to the things that we increasingly will have to rely on. Now, this is the 2000 chart, and things like solar and wind have been growing at 30 percent. Mr. Speaker, that doubles in about 2½ years. It is four times bigger in 5 years. So this is 5 years later. So let us say it is four times bigger. So instead of being .07 percent, that is what 1 percent of 7 percent is, is it not, .07 percent, instead of being .07 percent, it is .28 percent. Big deal. A little over one-fourth of 1 percent.

Now, eventually we will have to be getting a major proportion of our energy from such things as solar and wind and agricultural. Today they are trifling amounts. And it takes quite awhile to ramp these things up and a lot of investment. It takes investments of both time and energy and also money.

The next chart, I think, is one that puts in perspective what we are talking about better than perhaps any other chart. And I want to look at the top here. The bottom of it, by the way, we simply, for a short time period, explode the petroleum and natural gas. They are joined here, and it is a little better to see them together. But this shows the history of the world from 1600s on, and it shows the Industrial Revolution that began with wood and we were making steel when we were using charcoal from wood.

And then it shows what happened with coal and how much more energy on the ordinate here is quadrillion Btus of energy. Notice what happened when we found oil and gas. It exploded. That

is the result of exponential growth. That is 2 percent exponential growth.

Now, it is very steep because we have really compressed the abscissa here. And the previous charts, we will show another one that shows it in a big spread out curve like this. But that is spreading out only a few years. If you expanded this abscissa, that curve would look like that.

And by the way, the world's population has generally followed this. We started out with about a billion people, more or less here. And now we have 7 billion people.

Mr. Speaker, we are about 100 to 150 years into the age of oil. It is probable that we are halfway through the age of oil. I would submit that when we found that incredible wealth under the ground, that we collectively, our country and all the other countries in the world, should have stopped and said, gee, what will we do with this? Now, this was incredible wealth. Let me give you a couple of examples of what this meant. One barrel of oil, the refined product which you can buy for less, about a hundred dollars, will give you the work output of 12 people working all year for you. Imagine how far 1 gallon of gas or diesel fuel will carry your car and how long it would take you to pull your car or SUV or truck that far. You get some idea of the quality of energy, of the energy density in these fossil fuels.

If you worked really hard all day long at manual labor, I will get more work out of an electric motor with less than 25 cents' worth of electricity. That is the quality of this wealth that we found. What we should have done is say, gee, what will we do with this, so that mankind, for now and for the future, will benefit most from this incredible wealth that we found under the ground. We did not do that. What we did, we collectively, the whole world, what we did was to pile in and exploit this just as quickly and irresponsibly as the kids who found the cookie jar.

We really, Mr. Speaker, should have taken note—what will we do with this incredible wealth so that it will do the most good for the most people for the most time? In another 100, 150 years we will be through the age of oil, and 5,000 years of recorded history will be just a blip on this long screen. What will our world be like when we have run down the other side of Hubbert's Peak, when we have exhausted the natural gas, when we have converted the coal to gas and oil and used that?

□ 2215

What will we feed our people, 7 billion people now?

The next chart shows some of these characteristics. This shows kind of the energy density quality. These are gigajoules per ton. A joule is a measure of energy. It is a scientific one that most people do not use in their usual discussions, but it shows here, we start with crude oil, and it gets better and better as we refine it. And then the things that we are going to have to replace it with, domestic refuge, brown coal, that will be gone. Straw, dung. We do not burn much dried dung in our country. In some parts of the world, they cook their meals and warm their houses with dried dung. Wood. Black coal, that will be gone. When we are through the age of oil, we will have used the coal. Ethanol, it does not look at all that bad here, does it? Way short of the energy density of these hydrocarbons from fossil fuels but better than most of these other things, many of which will be gone anyhow by that time. This speaks to the challenge that we have.

Let us put the critics chart back up again. And the fourth one here, By the time we are close to peaking out on all of the types of hydrocarbon molecules which can be refined into oil, a host of competing fuel technologies will have overtaken hydrocarbons altogether, using technologies that no one can anticipate today.

I hope he is right. I hope he is right. I also hope that everybody who has played the lottery today is going to win. Obviously, only one out of the millions who played it is going to win. And I think the odds of this happy scenario happening are roughly the same odds that you or I, and I do not play the lottery, but if I did, the odds of my winning the lottery. What could it possibly be?

I would submit that we need to be very careful how quickly we exhaust the resources we have until we are sure what these miracle replacements are going to be. Once they are out there and definable and achievable, then, yes, okay. But short of that, we really need to husband what we have so that we can make this transition as smooth as possible.

The next chart are some quotes that I would like to spend just a moment on because I think they are so significant. Again I would like to emphasize, this is a report that was funded by our Department of Energy, done by the very prestigious SAIC, Dr. Robert Hirsch, a real authority that headed this, and let me read what they said: World oil peaking is going to happen. No wishful thinking will avoid it. It is going to happen. World production of conventional oil will reach a maximum and decline thereafter. It happened in our country. King Hubbert predicted it. Why will it not happen in the world? It will happen in the world. The only question is, when it will happen? Predicting the peaking is extremely difficult because of geological complexities, measurement problems, pricing variations, demand, elasticity, political influences. Peaking will happen but the timing is uncertain. Most of the authorities believe that it will be within the next decade: Oil peaking presents a unique challenge. And then I emphasize here, The world, he says, has never faced a problem like this. And the first chart, it said, unprecedented challenges. Never have there been challenges like this. Without massive mitigation, more than a decade before the fact, the problem will be pervasive and will not be temporary.

Previous energy transitions, wood to coal and coal to oil, as we just looked at, were gradual and evolutionary. Oil peaking will be abrupt and revolutionary, he says.

In our closing moments, I would like to just show some of the things that they were doing. What they have done is to simplify this bell curve to make it a little triangle because they want to use that to depict the solutions that they are suggesting are possible. On the bottom here is an interesting one, and what it shows is that oil price spike hikes have not made any difference in the amount of oil that is available.

This is the production of oil, and this is price spike hike. If making more profit because it sells for more would stimulate production, then one would have thought we would see a big production peak follow this. Notice we do not really see any big production peak following that.

Now, they have simplified this bell curve, and the next chart shows the reason why. This is just a little schematic, and they have a number of alternatives that they could use to fill the gap. The gap is going up like this, and then it is going to fall off, and we would like it to keep on going up so we could keep using more and more, and these are things we would fill the gap with.

The next chart shows what happens if we wait until it happens. Then we have a major, major economic problem because it takes quite a while to get these things going. If we anticipate it by 10 years, we have less of a problem but still a problem. To not have a meaningful problem, we must anticipate it by 20 years. Clearly, we have probably passed that point. By most people's reckoning, we have passed that point.

The next chart is a little schematic that I think shows it very well. This, again, is a 2-percent curve. This is a schematic curve, and what it shows is a 2-percent increase in the rate at which we are using it, which has been the rate at which we are producing it. That will slow as we reach peak oil. And notice that the gap starts to occur before we reach peak oil.

I would submit, Mr. Speaker, that what we do not want to do is to try to meet the challenge of filling that gap because, if we do, we only have a really sharp decline on the other side. What we really need to do is to depress our

use with conservation efficiency so that we have something to invest in the alternatives that we must invest in. With oil at $60 a barrel, obviously there is not as much as we would like to have or it would be cheaper.

I would like to close by putting up again this chart which I think is so significant. This is kind of a global long-term look at the problem. This is where we are, about halfway through the age of oil. Now, we have been as a world and as a country, as a society, rather grossly irresponsible up to this time.

Mr. Speaker, whether we like it or not, oil will peak. We will start down the other side. We will shift to the alternatives. That will be a much less traumatic transition if we plan for it. And my urging tonight is that we need in our country to address this problem with the kind of an overall commitment we had when we fought World War II, and I lived through that, with the kind of a technical commitment we had to putting a man on the moon and the kind of urgency we had in the Manhattan Project. Mr. Speaker, I think that if we have a national, an international program that has those elements in it, that we probably can have a relatively smooth landing. Minus that, it could be a very rough landing not just for us but for all of the world.

Mr. Speaker, the great ingenuity of the American people cannot be harnessed, and I hope that we can challenge them so that we will meet this challenge and have a relatively smooth transition.

THE 30-SOMETHING WORKING GROUP

The SPEAKER pro tempore (Mr. POE). Under the Speaker's announced policy of January 4, 2005, the gentleman from Florida (Mr. MEEK) is recognized for half the remaining time until midnight, approximately 48 minutes.

Mr. MEEK of Florida. Mr. Speaker, it is an honor to address the House once again. I would like to thank not only the Democratic leader but the Democratic leadership for allowing the 30-Something Working Group to come to the floor again not only to address the Members but also interested parties in how our country conducts its business and how we operate this government that the American taxpayers have allowed us to oversee.

There is a lot going on, Mr. Speaker. I must add a lot of it is quite discouraging when we start looking at how we are conducting business here in Washington, D.C. But I think it is very important and very appropriate for not only Mr. DELAHUNT but Ms. WASSERMAN SCHULTZ and also Mr. RYAN of Ohio to come to the floor to share with the American people things that the Democratic side of the aisle are working on to improve their lives.

I can tell the Members try, day in and day out, not only in the committees but here on the floor working on behalf of Americans, protecting Americans here at home, dealing with issues as it relates to implementing the recommendations of the 9/11 reports. As Members know, the 9/11 Commission has given this government failing grades across the board of implementing some of the projects that they would like to see implemented to protect Americans. Also, we have been standing up for Americans that have served in harm's way, veterans, making sure that they are able to get improved health care benefits. But in this particular budget that the Republican majority passed, we know the lines are going to get longer and services are going to be cut back or veterans are going to have to pay more.

We released a report today dealing with Hurricane Katrina. In the same week that the Republican majority, Mr. Speaker, is going to pass a budget on the backs of working Americans to give millionaires tax breaks, we still have families living in tents. Tents. While we are kicking others out of hotel rooms, we are giving tax breaks to millionaires and billionaires. And I think it is important that we understand what is happening right now in the moment.

I do not want to wait for the book to come out, Mr. Speaker. I want to do something about it before one can write the book. And if they are going to write a book, it is going to talk about Americans and Congress came together. Hopefully, we can get some of our Republican colleagues in a bipartisan way to save the American taxpayer and to save the Americans that are in need right now.

There is a lot of concern and focus on what is going on hundreds and thousands of miles away as it relates to a group of individuals that we have done quite a bit for recently in Iraq. Americans simply ask for, not just Democrats in the House but also the Senate has asked the President for a clear plan as it relates to dealing with the issue of Iraq and our troops and making sure that we can bring families together in the very near future.

I think it is important that we continue to hit on these issues. I do not know what the American children and families have done to the Republican majority, but I can say that if they passed this budget, what the majority would like to do on the backs of Americans and in the same week give the wealthiest Americans an unprecedented tax break in the history of this Republic, I think it is something that the American people are going to have to evaluate. The Democrats, on this side, we are trying very much to protect access to health care for Americans. Not a mumbling word, not a mumbling word, from this Congress on this issue of the health care crisis here in Congress. But I am glad that the 30-Something Working Group does not find it robbery to come to the floor to bring light to these issues and make sure that not only Independents, Republicans and Democrats know what is happening here under the Capitol Dome but also know what is not happening.

And with that, I yield to the gentlewoman from the great State of Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, it is a pleasure to join my good friend from Ohio and Massachusetts and Florida here each week.

Just to pick up what the gentleman was talking about, it is, sadly, not only on the gulf coast that we have had the issue of housing difficulties following Wilma. They had the same issue in Katrina on the gulf coast. We have got the same issue going on in Wilma, which was much smaller in scope but affected a significant number of people. We had more people affected by Wilma in terms of electric utility outages than all of Katrina, and we still to this day have Wilma victims in South Florida who have not been given temporary housing assistance, still people who are struggling to find that. Yet we are passing budget reconciliation, budget cut bills. We are passing tax cut bills in the name of offsetting the cost of the relief that we need to provide for Katrina victims and victims of natural disasters when the reality is that what we are doing with budget cuts is a direct result of needing to pay for the tax cuts that were passed just a week later.

And I want to echo what our good friend from Pennsylvania said when he introduced his Iraq War resolution, and he has repeated this a number of times, that just because you say it does not make it true. And our good friends on the other side of the aisle can continue to repeat over and over if they want to that they are offsetting the cost of Katrina relief with budget cuts, but we all know that the reality is, and I mean, we have only to do the math, that when they pass $50 billion in budget cuts one week and then the very next week they pass $70 billion in tax cuts, that is not a Deficit Reduction Act, as they called it and titled that bill, when we are adding $20 billion to the deficit.

I do not know. I go back to my kindergarten and first grade mathematics and can pretty easily sit down with my 6-year-olds, and they can figure out that the math does not work. But, unfortunately, what we have going on here, I guess, the politics of what is going on here is about message. And the Republican leadership's politics is repetition, repetition, repetition. They figure if they repeat the same message over and over again, whether it is true or not, that they figure if it has a kernel of truth, that people will believe it.

□ 2230

But Mr. MURTHA is absolutely right on tax-cut policy, on budget-cut policy, whether it is how we got into the Iraq war and even down to the description of his own resolution. If you say it, just because you say it does not make it true. That is really what we need to get across to the American people.

I would like to yield to my good friend, the gentleman from Ohio.

Mr. RYAN of Ohio. Mr. Speaker, I just totally agree. I think we are talking about some basic principles here of which the government that currently rules is not reflective of what is going on in Ohio, in Florida, in the Gulf States, in Massachusetts. We are clearly not addressing the main issues.

I know my friend from Massachusetts has some comments to make, so I am going to kick it over to him. But I think as we make our presentation tonight, this is not personal with the Republicans, because I think we have all agreed, we have got some good friends on the other side of the aisle. We are just disagreeing with their philosophy of governing.

When you see here tonight, with some great charts that Tom Manatos from our staff has put together for us, the kind of spending that our country is doing in Iraq and the kind of cuts that we have here in the United States, when you see the tax cuts, the amount and who they are going to and the cuts in the budget in specific programs that are geared towards the middle class, Medicare, Medicaid, and the level of sacrifice that average people are being asked to make here, it is unbelievable.

When you talk about Delphi going bankrupt; Ford came out last week, they are going to cut 30,000 jobs and close 10 plants. The economy may be growing, but average middle Americans are not seeing it in their paychecks, and they are seeing tremendous increases in their energy costs and gas and heating oil and the like. I know you have been very instrumental in a variety of ways in Massachusetts to help with that.

Mr. DELAHUNT. Mr. Speaker, I think the point that our colleague Ms. WASSERMAN SCHULTZ was making about arithmetic and the fact that, despite the rhetoric, the reality is that the deficit will increase as a result of the action that this Republican majority will take during the course of this week in concert with the Republican Senate in terms of spending cuts and tax cuts, these so-called reconciliation bills.

I think it is important to note a very disturbing statistic that was referred to in a Wall Street Journal article, and that is that the Federal Government's budget deficit in December, in December 2005, the month just concluded, was in excess of $83 billion. That is for a single month. That is an increase of some 43 percent from a year earlier, that is from November of 2004, and a record high for any November in American history.

So the direction that this country is headed with the economic policies that are debated and voted on, again recognizing that there is a Republican majority, I would submit are heading our Nation into a potential economic tsunami. Distinguished economists from all places on the spectrum have expressed concern. I am sure during the course of our conversation, knowing how well prepared you all are, you 30-somethings, you will be able to provide a quote for our colleagues and for those that are watching our conversation this evening. But stop for one minute and simply think of that figure, $83 billion.

Mr. RYAN of Ohio. Just to clarify that, we are running an $83 billion deficit just for one month, just for the month of November, which means we do not have the money; we are not taking in the money to pay out the bills, and we have got to go and borrow the money. And this $83 billion that the gentleman from Massachusetts was talking about, we are borrowing it from China. We are borrowing it from Saudi Arabia. We are borrowing it from Japan, and we have to pay interest on it.

So we are running up a tab here for the next generation that is not fair. And we are doing things to the next generation, our generation, our generation, that we are going to eventually have to pay the bill.

Mr. MEEK of Florida. Mr. Speaker, reclaiming my time, there was a time and a place that we could say future generations, but we are talking about right now. We are talking about taking and cutting out of the budget child enforcement, Mr. Speaker, enforcement that State attorneys have to go after deadbeat dads, that mothers will lose money out of, deadbeat parents. Let me say that children will go without.

We are talking in this budget about cutting free and reduced lunches for children. We are talking about cutting money out of the veteran affairs. The Republican majority in this budget is instructing through legislation the Veteran Affairs Committee to cut over $650 million out of veteran affairs.

I do not understand. We can talk about future generations as it relates to the budget and the $27,000-plus that they already owe at birth, but let us talk about what is happening right now. The lines are going to get longer for veterans. Under Medicaid, children will not get eye examinations because of this cut.

I could see it if we were to say, Mr. Speaker, we did not have the money for this. But we are giving the money to millionaires. We are giving the money to billionaires.

Mr. DELAHUNT. We are also giving money to the Iraqi people and denying it to the American people.

Mr. MEEK of Florida. Well, Mr. DELAHUNT, I must add to just say this, that we are compassionate to the oil companies. We are giving them money when they are making record-breaking profits. So when folks say, well, Congressman, when we get an e-mail or so to Members of Congress, well, what are you so alarmed about? We are in the majority. What are you concerned about? You gain the majority on the Democratic side, and you can do something different.

We have reams of plans where we want to put American people first. We want to put our troops first, our troops' families first. We want to put our veterans first. We want to put a child that did nothing but was born as an American child first. That is what we want to do. We want to do away with the culture of corruption and cronyism and incompetence. What is wrong with that?

So, Mr. DELAHUNT and Mr. RYAN and Ms. WASSERMAN SCHULTZ, when we talk about future generations, we have to talk about now in the present. We are not talking about Republican families will not suffer under this. They will suffer just as bad as independents and Democratic families.

So I think it is important that we should be alarmed, that Americans should be alarmed. These are the very same individuals, I am sorry, I have to pull my chart out; Mr. DELAHUNT, you can't say this enough, these are the folks that are saying, Trust us, we know how to operate the government.

Then you have a President that could not do it by himself with a Republican majority who made this country more dependent on foreign countries like China, Saudi Arabia, Japan, borrowing $1.05 trillion. I cannot say that enough. In 4 years, that has trumped 42 presidents before him, $1.01 trillion. In 224 years of presidencies, of all the crises we have had, this President seems to have done it in 4 years.

You would think that cities would be a shining example of the Federal commitment after all of this money has been borrowed from foreign nations. No, cities are putting levies and millage and going out to the taxpayers asking for more money, a penny here, a penny there. Meanwhile, back at the ranch, people are getting tax cuts, millionaires are getting tax cuts on the backs of the very people that we are trying to provide a government for.

So, Mr. DELAHUNT and Ms. WASSERMAN SCHULTZ and Mr. RYAN, if we could talk about the present, because we talk about future generations and some folks will say we will have time, we will recover. But this is unprecedented. The deficit has never been this high.

Mr. DELAHUNT. If I could talk about the immediate future for one moment to follow up, because I think you make a prescient point.

While we are standing here today, there was a report that I listened to that indicated that the chairman of the Defense Appropriations Committee, a highly respected and regarded Member of this House, Chairman BILL YOUNG from Florida, and the senior Democrat, the ranking member whom you alluded to earlier, JOHN MURTHA, again, highly regarded, well-respected, served his country in Vietnam, a senior Democrat, on the Defense Appropriations bill that their staffs are preparing, already an additional $100 billion in that supplemental budget to be put to this House, to this Congress, for approval in the not-too-distant future. That is an additional $100 billion that will be utilized in Iraq, not here in America.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, if the gentleman will yield further, we talk about the culture of corruption and cronyism and the total lack of competence on a regular basis in our 30-Something Working Group, and we are really zeroing in on the incompetence tonight, the incompetence and the indifference, because really the two are hand-in-glove.

Mr. DELAHUNT, you talked about the economic tsunami, and I want to follow up on that, but let us build up to the economic tsunami that you have been describing.

First, Mr. MEEK talks about the debt, the debt under this President being more than the combined total of the previous 42 presidents prior to this one.

Now, we have a chart over here that talks about the Defense budget deficits. Let us just look at the two years when we transitioned from President Clinton to President Bush. If you look in fiscal year 2001 and fiscal year 2002, fiscal year 2001, we had a surplus of $128.2 billion. You move into fiscal year 2002, and we have a deficit of $157.8 billion.

Mr. MEEK of Florida. Incompetence.

Ms. WASSERMAN SCHULTZ. If that is not evidence of incompetence, how do you have that big a swing from one year to the next, with the only difference being the person in the White House?

Mr. RYAN of Ohio. Can I just make a point there, because I think it just fits right into there? $100 billion more in Iraq, $200 billion we have already spent, $100 million here for media campaigns. We have Republican media consultants slopping at the trough of the Defense Department so that they can put on a PR campaign in Afghanistan when the Afghanistan people do not even want it. The same in Iraq.

Ms. WASSERMAN SCHULTZ. It keeps going: $157.8 billion; a $377.6 billion deficit the next year; $412.1 billion deficit the year after that. We are getting a little better; we go back to $319 billion. Now we are at $323 billion. So the track record here is that there was one dip in the whole time that this President has been in office, and now we are climbing back again.

Yet, supposedly, we just passed the Deficit Reduction Act. If you are going to zero in on the incompetence, talk about the fact that the 9/11 Commission just came out with a report grading this administration and this Congress an F on the necessary follow-up to their recommendations. There is still no unified list of terror suspects for use by air travel screeners. There has been a misallocation of funds in terms of Homeland Security money. You have big city police and firefighters who still lack the ability to talk to each other. They lack the communications systems that were one of the key recommendations.

Remember, after 9/11, if you know nothing about what happened after 9/11, the thing that sticks in everyone's mind was it was so shocking that these police and firefighters, between agencies, city to county and station to station, could not talk to each other because their communications systems do not line up. They could not talk to the FBI. That has not been fixed. It is just unbelievable.

They are still cutting. They are still cutting. They are still cutting the budget, and they are cutting taxes. They are giving more money to wealthy people, not just your run-of-the-mill average wealthy person, but the top two-tenths of 1 percent of the wealthiest people in America, people who make more than $1 million annually.

So, Mr. DELAHUNT, you talk about an economic tsunami. The policies that have been going on in this administration and in this Congress, it is not just an economic tsunami. What the American people have been hit with is Hurricane Republican. You really cannot describe it any other way, because they have been hit by Katrina, they have been hit by Rita, they have been hit by Wilma. And instead of fixing it, instead of addressing the problems that the American people need addressed, they have now been hit by Hurricane Republican.

□ 2245

Or they are about to. We can stave it off. We could stave if off because there is a conference report. A bill is passed out of the House. A bill is passed out of the Senate. The cuts Mr. DELAHUNT described do not have to happen. There is still time to rethink this and come together and truly work together, which in my 11 months here just has not happened enough. There are isolated pockets of instances when we do work together, and I know compromise is possible.

I am praying that that happens because the aftermath of the Hurricane Republican could be worse than Katrina, but it does not have to be that way. I yield to the gentleman from Florida.

Mr. MEEK of Florida. Can I amend that chart and say Hurricane Republican Majority, because we represent Republicans that believe in what we are talking about here tonight. Goodness gracious, the average Republican's stomach would turn if they even knew half of what is happening in this House. You can have a convention or you can have a pep talk or you can go on a radio show and give one side, but these are facts, not fiction. There are third-party validators behind all of these numbers. They can go on the U.S. Treasury Web site and find that we are borrowing more in the history than any of the other 42 Presidents before this President from foreign countries. The deficit is higher than it has ever been before.

The Republican majority is saying we are not going to leave until we pass this budget on the backs of the American people. I added ''backs of the American people.'' We are not going to leave until we pass this tax cut for millionaires and billionaires and special interests. We are not going to leave until they get what they want or what we want them to have.

Instead of them saying, We are not going to leave until we make sure that Americans do not have to pay three times as much for heating and oil. We are not going to leave until we put forth a bipartisan health care plan. We are not going to leave until veterans get their fair share out of the Federal Government and we do what we are supposed to do. And we are not going to leave until we pressure this administration to come up with a strategy for Iraq because as we were talking earlier, the bottom line is is it for everything that has happened in Iraq, and maybe Mr. RYAN will want to elaborate on this little more, there has been a time line. But when we start talking about our troops, our men and women that are in harm's way, oh, we cannot talk about time lines now.

Talk about the Iraqi elections, the President just gave a speech saying, well, the elections, this is happening and a permanent parliament will be in place. They will be seated sometime in March, and it is going just as planned. Well, guess what, the insurgency knew about the elections, the insurgency knew of every other benchmark that we put forth; but when it comes down to our men and women, four marines died today. When it comes down to our men and women we cannot ask any questions?

Excuse me, we all salute one flag I think. I think just as the President has the prerogative to say that this Member is wrong or Congress is wrong or that Senator is incorrect, we can say the same thing under this democracy, Mr. Speaker. I think the American people have risen up. It is not a question if they have arrived yet to this conclusion, that we need a plan. We need a plan so our troops know clearly what we are asking of them, so the Defense

Department can stop acting like the State Department and replace them with diplomats. Just like Mr. MURTHA has said, we need a diplomatic solution to Iraq.

Yes, we can do things on the horizon. Yes, we can come in and carry out operations here and there, but to have our troops carrying out convoys on the grounds of Iraq so that the insurgency can continue to pick off 10 and five and eight, these are American families. I think we all in this House should be passionate as if we had children in harm's way. Period. Dot.

If my son or daughter were there, I would want a plan, a plan to where it just does not move based on what the President says about stay the course. Stay the course for what? Stay the course for what? For the elections? We have a plan there. We know when the elections are going to happen. The insurgents know when their government is going to be placed. But to say if we reveal that then it will hurt our operations there. Rhetoric.

So I think it is important if we are going to stay here, and I am prepared to stay, I am prepared to stay until we deal with the real energy crisis that we have here at home, until we deal with health care, until we make sure that jobs are secure here in America, until we make sure that we get a real budget that is going to decrease the budget and we are record breaking.

I want to say this in closing out the comments here, an editorial from the Lafayette Daily Advertiser. I talked this out with the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) because we went through Wilma. We were here fighting on behalf of Hurricane Katrina victims and survivors. Meanwhile, while we are fighting, a hurricane hits our district. Now we are having to talk about not only Katrina, but Rita, Wilma, and a number of other storms. This could be in a paper in a Member's district soon: ''Tax Cuts to the Rich Shouldn't Come At Gulf Coast Expense.''

Let me take one paragraph from here:

''We can't afford a levee protection system for south Louisiana, but we can afford to give away $56 billion over the next 5 years to people who don't need it.''

Now this is what the paper is saying. It is not what I am saying.

There is not enough money to help the people pay their mortgage on uninhabitable homes that insurance companies will not pay for, but we will give millions to millionaires, $32,000 extra each year in tax breaks.

Like I said, if it was a perfect world at this point, I would assume that it would be okay, but it is not. We have Americans living in tents. We have Americans thinking about, I heard some Members coming to the floor talking about Christmas, Hanukkah, Kwanza, you name it, the high religious season that we are getting into now. Meanwhile, we are giving notices to Americans that you are going to be evicted, a judge had to step in and say not so. A judge had to step in.

We have Members here that are throwing rocks at the judiciary. I say thank God for the judiciary in this case. Someone needs to stop this culture of corruption and cronyism and incompetence. And I would add incompetence as it relates to evicting Americans. Meanwhile, we are record breaking spending money over in Iraq right now with no plan, no plan to say we need to take the training wheels off the Iraqi Government and let them know. Just like we can have elections on time, we can have a redeployment plan on time and we are offering that option.

I ask some of my Republican colleagues on the other time, and some of them are, a very small group, but I asked them to be able to rise up because when historians in the very near future, and I do say the very near future, when they start looking at what we were doing and, guess what, what the Republican majority was not doing under the circumstances, I think that there is going to be a price to pay politically for the inaction that they have not taken.

Ms. WASSERMAN SCHULTZ. Sometimes incompetence is benign. We all interact with people who make mistakes, who maybe are not up to the par that we would like them to be. But not when the stakes are this high, not when you are talking about the people who are running the Government of the United States of America. I mean, not when incompetence results in debts.

The thousands of people that are harmed or died as a result of Katrina, incompetence hurt them or killed them. Governor Blanco today, thank God for technology, we talked about that last week a little bit. E-mail technology allows us to know now as opposed to what goes in a paper shredder, that the White House, Homeland Security, and FEMA all knew what was going on down in New Orleans immediately following Katrina and as she was approaching; and they either did nothing or did not know what to do.

That kind of incompetence is dangerous. When it is benign you can look the other way and you can sort of throw up your hands and say, well, those are just things you have to deal with when you encounter incompetence. We cannot allow incompetence to reach the heights that we have in this country.

Mr. DELAHUNT. Mr. Speaker, I would suggest that that incompetence has characterized this administration for the past 5 years. And I say that with no glee. I say that purely from a concern about the quality of life that our people are experiencing here in this country as a result of miscalculations, incompetence, and a blind belief and denial of reality.

Do you remember prior to the war when we were told by the Secretary of Defense, and now I am going to quote Mr. Rumsfeld, ''When it comes to reconstruction, before we turn to the American taxpayer, we will turn first to the resources of the Iraqi Government and the international community.''

His deputy Paul Wolfowitz, he made the following statement: There is a lot of money to pay for this that does not have to be U.S. taxpayer money and it starts with the assets of the Iraqi people. We are dealing with a country that can really finance its own reconstruction.

If you remember the name of President Bush's chief economic adviser, Larry Lindsey, when he predicted that the cost of the war with Iraq would range somewhere between 100 and $200 billion, he was dismissed, he was fired.

I do not want tonight to talk about intelligence and the issue of weapons of mass destruction and links to al Qaeda, et cetera, et cetera; but there has consistently been mistakes and miscalculations because there is such a conviction of righteousness, if you will.

Mr. RYAN of Ohio. Mr. Speaker, can I make a comment?

We have the poster here from Newsweek that has our esteemed leader in a bubble and it is called the ''Isolated President.'' And I think this goes to exactly what the gentleman was just saying and what Ms. WASSERMAN SCHULTZ was just saying and what Mr. MEEK of Florida was just saying.

The comments that Secretary Wolfowitz made and Secretary Rumsfeld just were not true. The comments about the tax cuts and what they would do for average people just did not turn out to be true. And about the war and how we would progress just did not come to be true. And the bubble here symbolizes all these people like Mr. Lindsey who are saying, no, it is going to cost us $200 billion and they fire him. And the general who said we are going to need a couple hundred thousand troops in order to do this properly, and they dismissed him too. It turns out that we needed all these troops there.

It just seems that this administration does not want to hear from other outside viewpoints in order for us to fix this problem.

Now, Mr. MEEK was talking about what I found very interesting. I have the President's speech here that he was talking about earlier, and the President talks about the first milestone we had was the transfer of sovereignty at the end of June. And the second milestone was the Iraqi election, and the third milestone, if we had these milestones as Mr. MEEK said, these benchmarks, when we were going to transfer,

when the election was going to be, when the interim government was going to take place, then December 15, which is coming up in just a day or two, we had benchmarks.

□ 2300

So why would we not have benchmarks for when we are going to get out? That is all we are arguing here.

No Child Left Behind, in which we all agreed on, the Republican majority has not funded it, which was a key element, but we agreed that schools need to be accountable, and if you do not hit certain levels, you are not helping kids.

Accountability, the President talks a lot about accountability. We need to just say, Mr. President, this administration, Mr. Secretary, you need to be accountable, need to be accountable in Iraq, accountable for the budget deficit, accountable for cutting food stamps and giving tax cuts to the top 1 percent. You need to take responsibility for that.

Ms. WASSERMAN SCHULTZ. You are absolutely right. The President is trying to get away with saying generically, amorphously, we are not going to withdraw traps and withdraw from Iraq until we have results on the ground, results-oriented withdrawal.

I want to know, my constituents want to know, the American people want to know, what does that mean? Does it mean when the Iraqi troops are 50 percent independent and cannot operate on their own and protect their own country, 75, 23? Which is it? You cannot pick and choose. He cannot be allowed to pick and choose which elements of the process in Iraq he is going to put a number on and which element he is not going to.

Mr. RYAN of Ohio. Mr. Speaker, can I make another comment in addition to what you just said, why are not the people who are in his administration being held accountable? You tell the American people and you talk them into something by saying it is not going to cost you any money, we are going to use the oil revenue, we are only going to be there a little while, we will not need as many troops as we actually do really need; why were not any of those people held accountable for their mistakes, all the mistakes that were being made? We went to Iraq, and we are on the Armed Services Committee, and we support the Defense appropriations and body armor and uparmor. We were on all the letters, all the pressure that was applied to make sure these troops had what they needed. We were there to support them every step of the way. No one's going to tell me that I am not supporting the troops, but someone needs to be held accountable.

All the mistakes that were made, are you telling me that no one should get fired? Who is the guy who hired the contractor who committed fraud in the 1990s and then stole $200,000 in the last year or two? Who hired him? What is this Mike Brown all about? I mean, you hire cronies, they do an incompetent job, and no one gets fired.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, let me just insert one more thing because the Newsweek cover just says it all. In Bush's world, in the President's world, you do not have to have accountability. You do not have to put numbers on anything you do. You do not have to say what percentage prepared the troops have to be, and you are never wrong.

I have had to teach my kids, and they love to insist that they do not make mistakes. That is the orientation of a juvenile. My young children do not understand that sometimes they are wrong and this is okay and that you should learn how to change course. But in Bush's world, in the President's world, that does not happen. Because he is the President, he apparently has surrounded himself with people who either cannot convince him that he is wrong or he has surrounded himself with people that insist on agreeing with him all the time.

Mr. RYAN of Ohio. So when they say after 5 years of all of the misrepresentation and all of the lack of accountability and the incompetence and the cronyism and the corruption, the culture of corruption that we have here, when you come to us 5 or 6 years later, in the midst of a war and huge budget deficits, and you say to the American people just trust us, it becomes very difficult for us to just trust.

Mr. DELAHUNT. Mr. Speaker, I am going to refer in a moment to this chart to my left, but I think in fairness we have to note that just this past week, for the first time, President Bush has acknowledged that mistakes were made. I want to commend him for that, and I know we all share that.

He acknowledged last week ''that the multibillion dollar reconstruction of Iraq,'' and I am using his words now, ''has 'been uneven' and hobbled by corruption, misplaced priorities and insurgent attacks.'' This report is from the Washington Post. It is dated December 8. It goes on to state: ''In an unusually stark assessment of the situation in Iraq,'' the President ''described several strategic errors in managing a rebuilding effort that he said proceeded in 'fits and starts.' By learning from its mistakes,'' the President said ''the administration has reshaped its approach.''

I think it is important that we note that. We welcome that. But it is long, long overdue, and as I said earlier, we are anticipating receiving in the next several months a request, a supplemental request, for an additional $100 billion. Let us talk about what our priorities are in terms of the American people and our involvement in Iraq.

I was here when a supplemental budget came before us. I, and others, advocated that rather than just simply giving this money for reconstruction to the so-called interim government that we put it in the form of a loan. Every other major donor country insisted, clearly providing favorable terms and conditions and years to repay, but that they would be reimbursed so that their children and grandchildren would not have to confront the order of magnitude that we see in terms of our deficits.

Look at this chart for a minute. We are cutting $505 million on student loans, and the interest rates, therefore, will be higher. That is a cut to a generation of students that we need to be engaged at the highest level to compete in this global economy. Yet, at the same time, we are providing $508 million of transportation and communication, including construction of 28 railroad stations in Iraq's southern provinces, and we will never see a dime of that. That is a giveaway. That is a grant. Despite the words of Secretary Rumsfeld and Under Secretary Wolfowitz, that said that we would not have to pay a dime of American taxpayer dollars, what we are doing is we are funding that project and cutting necessary programs for Americans, and we are giving it away overseas.

The tragedy of it all is that there is pervasive corruption going on in Iraq today with those dollars, and the President has acknowledged that. He has acknowledged the fact that there is corruption today in Iraq and American taxpayers dollars are being misused and wasted and stolen. Meanwhile, our own people are suffering.

That is wrong, Mr. Speaker. That ought not to be happening, and there is a responsibility on the part of this Congress, because we have not had a single oversight hearing, despite the requests of many Members, including myself, to take a good and hard look at this massive corruption that is ongoing today as we speak in Iraq.

Ms. WASSERMAN SCHULTZ. Just before we close down in our last couple of minutes, we have been talking about the culture of corruption and cronyism and incompetence, zeroing in on incompetence today, and we are about third party validators. It is not just that we say it.

We got an e-mail on our 30-Something Web site that responded to some of the things we have been talking about. It was actually a Mr. Miller from Connecticut who said, ''You folks are a great breath of fresh air. I like the theme of 'a culture of corruption, cronyism, and incompetence.' Well put, but incomplete. The massive rampant incompetence of this administration,'' he said, ''is a huge problem, no doubt. But for me, a bigger problem is their fundamental disbelief in democratic processes of checks and balances combined with overwhelming ideological arrogance that allows belief to trump evidence.''

I could not have said it better myself.

□ 2310

Mr. RYAN of Ohio. I want to say, and I know Mr. MILLER was being complimentary of us when he said he liked the culture of corruption, but I do not like it. I do not like it.

I do not like coming down here and trying to inform the American people what third-party validators are saying about what is going on down here in a negative way. Because I would hope we could come down here with solutions and work on it and talk about how we are making this better, how we are having oversight hearings and everything else. Do not think for one second we like it. But this is going on here and the American people need to hear about it.

30somethingdems@mail.house.gov. That is 30, the number, somethingdems@mail.house.gov.

Mr. MEEK of Florida. Mr. Speaker, we would like to thank the Democratic leader for the time tonight.

ENERGY CONCERNS

The SPEAKER pro tempore (Mr. POE). Under the Speaker's announced policy of January 4, 2005, the gentleman from Iowa (Mr. KING) is recognized for the remaining time until midnight, approximately 48 minutes.

Mr. KING of Iowa. Mr. Speaker, thank you for the privilege to speak on the floor of the United States House of Representatives. As I listened to the discussion here this evening, some of my material was created by my colleagues on the other side of the aisle, and I wish to begin by responding to some of the remarks that were made.

Again, I hear a consistent message of pessimism and really no message of solution or a plan. In fact, I heard a lament that they are night after night not coming up with the real answers for the American people, and I lament the same thing, and I agree with those statements, Mr. Speaker.

First, some of the notes I wrote down as I picked up on some of the discussion that went on here on the other side of the aisle were concerns about energy and the price of gas and home heating. In fact, there is a government report out some few weeks ago that it is going to cost perhaps 50 to 51 percent more for the average American to heat their home this winter as opposed to last winter. And that is all true.

We tried to move energy policy through this Chamber. In fact, we did move some through this Chamber, but we did not move near enough. I called for drilling on the Outer Continental Shelf and drilling in ANWR. It looks now like we are going to see the new year without a vote on either one of those things. I hope we do and that we get it passed, because it is the right thing to do. But into that bargain there are people that oppose energy development, and here sits this country on 406 trillion cubic feet of natural gas on our Outer Continental Shelf.

Mr. RYAN of Ohio. Will the gentleman yield?

Mr. KING of Iowa. Yes, I would be happy to yield.

Mr. RYAN of Ohio. One of the proposals that we had was to take out the $16 billion in corporate subsidies in the energy bill. Would you be willing to support us on that?

Mr. KING of Iowa. Reclaiming my time, Mr. Speaker, I am talking about expanding the energy here in this country. And whether or not you address any kind of subsidies, whether they exist or not, does not affect our overall energy supply except to discourage the development of that energy, Mr. RYAN.

What I am talking about is that we have 406 trillion cubic feet of natural gas on the Outer Continental Shelf. A lot of it is around Florida, and it is really much of the Florida delegation, and that is not a partisan issue down in that part of the panhandle; but we need to open up that gas, and we need to open it up all the way across for all of America, particularly in the Corn Belt where 90 percent of the cost of our nitrogen fertilizer is the cost of natural gas. It has gone up 400 to 500 percent in the last 5 to 6 years. It used to be $2, and the other day it went to $15. That is my point.

So that is a piece of it. But what I am hearing, and my issue really from what I have heard out of your discussion tonight that I do take issue with is that adding $1 billion to LIHEAP and talking about corporate welfare does not increase the supply of energy in this country. What I am about is increasing the supply of energy, because there is a law of supply and demand. The more energy we have, the lower the cost.

We cannot sit here and turn up the heat in our homes and turn down the development of energy and expect that we are going to have a viable economy. In fact, it is economic suicide for a country with an energy component of our economy like we have to not develop our energy in this country. It puts a price on everything that we do.

ANWR is part of the aspect of that, too. We are sitting on this massive supply of hydrocarbon up on the Arctic shore. I have been up there and walked on that sod. There is not an environmental reason not to drill up there. There are no caribou that live there. There are no trees. It is a frozen Arctic tundra. We do all the work on ice roads. We have proven we can do it next door on the north slope. There has not been a report of an environmental damage or an oil spill or an effect on that environment.

There has been, because I did see some locations where they have gone in and reestablished tundra and it will grow back, it takes 5 to 6 years to do that, I have seen the examples and flown over by air and am confident it can be done. Although the tundra will be disturbed, it is not something that is a permanent scar on the landscape.

But this energy is one piece of it. We need to open up the energy supplies in the United States. It does not do to stand here on the floor and talk about tax breaks for corporations. Some of those are incentives so that they will develop energy. What we have is a statutory and a Presidential executive order that lingers from a previous Presidency that prevents us from drilling offshore. And with this massive supply of natural gas offshore and with this increase in gas prices, it puts us at a disadvantage with the rest of the world.

It happens to be this same natural gas that is $15 here in the United States that peaked out here the other day has a natural gas price of 95 cents in Russia and $1.60 in Venezuela. And those are the countries that are producing fertilizer and shipping it over to us. We have our fertilizer companies in this country that are put on hold. They have had to slow their operations down and practically freeze the development or stop the production of fertilizer. That means the farmers that were going to take delivery of fertilizer late in the year, and some of them to try to beat their year end for tax purposes as well, are not going to have that fertilizer.

It means there will be a rush in the spring and prices are likely to be very high in the spring. But we are not far away from losing our entire fertilizer industry in this country because we refuse to develop the natural gas that is right under our very noses.

I did some calculations. I thought, well, if we are going to bring in liquefied natural gas from the Middle East, or if we are going to be bringing it in from just across the Caribbean, from a place like Venezuela, which is a place that has a lot of natural gas, or Trinidad, Tobago, would be another place where there is a lot of natural gas; and it also sounds like the commitment has been made to build a natural gas pipeline from the north slope of Alaska on down to the lower 48 States. So I thought, well, let me do a few simple calculations.

So there are 38 trillion cubic feet of natural gas on the north slope developed at this point that we can tap into. There is likely much more. And it is 4,779 miles, I believe is the number from mile post zero at the pipeline terminal on the north slope of Alaska on down to, and I picked the middle of the United States, Kansas City, so 4,770 miles from north slope, mile post zero, to Kansas City. How far is it to the mother lode of natural gas down on the south side of the Caribbean, Venezuela, for example? Well, it is 2,700-some miles down there, Mr. Speaker.

So would it make more sense to run a pipeline from Alaska or a pipeline from Venezuela, when that gas is $1.60 and ours here on this continent is up to $15? Of course it would make more sense to bring that pipeline from Venezuela up here. It would enrich Hugo Chavez. It does not make a lot of sense. It does not make a lot of sense to run that pipeline right through some of our significant natural gas reserves in this country that we refuse to develop.

But we could cut about a thousand miles off that 2,700-mile pipeline down to Venezuela, or just actually not bother to build the pipeline at all, Mr. Speaker, and continue to drill wells and hook up lines and move our way right around the gulf coast, right on around the tip of Florida and up the other side and right on up the east coast, and some of it up the west coast, Mr. Speaker, where there are some gas supplies offshore in California that are significant and that have not been tapped either.

I think we should open it up, and I think we should open it up all at once. I think we ought to open it up for natural gas and for crude oil, so that we can take the lid off this slow metering of increasing of supplies that is allowing prices to go up while supplies creep up only marginally.

If Alaska can compete with that, great. They are an outstanding State, and I have been quite impressed with what they have done up there. If it makes sense to run the pipeline down here from Alaska, run that too, and let us pump the energy into this country.

There will be, or it is very likely, I should say, a crude oil pipeline to come down through the United States. It will come from up in Alberta where the tar sands are. There is a huge supply of crude oil up there, a very thick oil; and it takes some technology to get it out of the ground. The Canadians are developing, and I believe have developed, that technology. Those kinds of things need to happen.

The rest of the discussion about who got what tax break and what incentive is there and what kind of class envy we can lay out here for the American people and how much pessimism we can pour out here on this floor every night are redundant subjects with regard to the overall question of increasing the size of the energy pie so that we can afford to heat our homes, our factories, produce our products, and produce our fertilizer and produce our food and keep this world economy rolling.

□ 2320

We need to answer those questions and resolve the energy issue. And I will add nuclear to that and expand coal. I would go with hydroelectric if we could get it. I will use wind. I will use everything we can to increase the size of this energy pie. If we let it compete, then supply and demand and costs of capital and the cost of the energy delivery to the system will be what determines how our whole energy supply is provided.

Some of the other concerns here tonight is the concern about this economy. If a person had just woken up from a long and deep sleep and turned on C–SPAN and listened to the discussion about this economy, they would think that the stock market had crashed and people were jumping out of buildings and committing suicide because there was no hope in our economy. There was no signal whatsoever that we have completed 10 consecutive quarters of 3 percent or more growth. And the last quarter was 4.3 percent growth. That takes us back more than a generation to find a period of growth that has an equivalent period of time of consecutive quarters of this kind of growth. That goes back to the early Reagan years where growth after the Carter administration was not that difficult of a challenge.

Mr. Speaker, growth after coming off of the dot-com bubble and the good years through the 1990s is a far more difficult challenge. And growth after September 11, growth after having to pour resources into a worldwide war on terror, growth getting through this bump of Hurricane Katrina, all of that growth came in spite of those things. It is because we have a Bush tax cut plan that stimulated this economy. There is no rational argument that it has been anything but a very, very successful plan. It has done what it was predicted and designed to do.

I hear over here, it just did not pan out over and over again. Mr. Speaker, the numbers are there. It has panned out. It is here, and it is real. Unemployment numbers are going down, down, down. Economic growth numbers are going up, and the interest rate is going up consistently. They just announced that it is going up one more time. I do not remember how many quarters we have had the interest rate increase, but it is an attempt to hold down this economy that is bursting from the seams.

And how does it do that if we are in the middle of an economic and an energy failure? We have failed to develop our energy because environmental extremists, and nearly everyone on this side of the aisle over here, has refused to let us develop the energy supply, and it is irrational to refuse to develop this energy that sits right here under this country and on the outer continental shelf of this country and pay the equivalent of an extortion price to some of the people around the world who are putting this energy into our system and taking the profits out, and we know a significant amount of money from those profits goes to fund our enemies, and it costs American lives.

Opening up energy here in this country converts to more safety for every American, a higher quality of life for ever American, a stronger economy for every American, and an opportunity to move this Nation towards another level of our destiny.

So this economy is strong. We need to do some things to open up energy. The lament that we are evicting Americans, and we are giving them a notice, telling them they have to find another place to live because we do not think that the taxpayers can fund flying people from New Orleans to Washington, D.C. where the hotels are some of the most expensive hotels in the country and putting them up in five-star hotels indefinitely; that is the lament about evicting Americans.

It is a notice that says, after Christmas some time, you are going to need to find a place to live. I advocated for and wish we had simply put a voucher in their hand instead of trying to find a place for them to live and said go find yourself an alternative location. Rent yourself an apartment, buy yourself a house, do what you need to do.

But this idea that we are going to take everyone by the hand and manage their lives because they lived in a disastrous, counterproductive situation, so Americans have to step up and take responsibility for themselves.

Who among us, if we were going to be bunked in a five-star hotel and there was no limit, no end to that, would not just stay in that five-star hotel? Good room service, laundry service, you have all of the facilities that you need. I suppose the bus picks the kids up for school. I cannot imagine living in a hotel for months on end and thinking that was somehow an entitlement.

There are many things we could have done better with Hurricane Katrina and done them better, but there is not a justification for keeping people in five-star hotels in Washington, D.C. and then feeling guilty when we ask them to find an alternative place to live. I think that is about the end of America's generosity when we go to that point.

Food stamps. The argument that we are starving children comes up over and over again. I sat through hours of that in the Committee on Agriculture when we marked up the reconciliation package. We needed to find some savings. I looked back in the last reporting year, and I wanted to know how many dollars worth of food stamps were handed out to people that did not qualify, food stamp fraud. And in the last reporting year, I would find, $1 billion was handed out to people in food stamps, people that did not qualify, so food stamp fraud.

So we set some conditions on this that were minor conditions and, over the grand scheme of millions of Americans, saved a few million dollars, and it had to do with a policy that said, when you come to the United States, you agree you are not going to put pressure

on our welfare system for 5 years, and we extended that to 7 years for food stamps.

A couple of tweaks of that nature, and we found all of the savings we needed to find in food stamps. It is not the issue of starving children. There are no children that are going to go without food stamps. Their nutrition is going to be there. I do not know anyone in the United States that is suffering from malnutrition, but yet the wailing and the crying from the other side of the aisle has to come up again because there are some Americans that will listen to that and believe that.

A billion dollars in waste in the last year that was reported to me leaves plenty of room for a little tightening of the belt in food stamps. I think we should tighten that right up to the last dollar of the billionth dollar that is there and take all of the fraud out and take a little of the fat out while we are at it. We did not go anywhere near that, but the demagoguery persists.

As I listened tonight to this group of nattering nabobs of negativity, it reminds me of a Vice President that laid that out on the news media some years ago, and I wonder, the argument was that we should not have troops over there in the Middle East spending money on those troops, a hundred billion or $200 billion, whatever their number was tonight, because we do not have a perfect health care system. We do not have a perfect retirement system. Our jobs are not perfect for everyone; our educational system is not perfect for everyone. So? So we should not be defending the safety and freedom of the American people and in the process liberating tens of millions of people who yearn for that freedom? Where are our priorities?

When would this team that is here every night, when would they ever say we think we have it right now, Mr. President? Let me rephrase that, when would this team that we have here nearly every night say, We think we have it right now, Mr. Republican President? When would they ever say the word ''Republican'' in a fashion that had anything to do with objectivity or complimentary fashion? When would they ever say the health care system is as good as it needs to be, and we think we can now take care of our national security? And when would they say our retirement, especially for our military, is up to snuff so we can go ahead and protect our security with the military that we have in uniform, the active duty and Guard and Reserve people that are serving us so well and so honorably?

When would they ever say there is an adequate number of jobs for an adequate price that pays an adequate amount of wages and benefits so now we can take a little extra money and put it into our military and defend our safety and our security?

□ 2330

When would they ever say, Mr. Speaker, that the educational system was adequate for all of our children and our young people and that they had an opportunity for a good K through 12 government education and they could go off to higher learning and they could all go off to college, all at the expense of the taxpayer, of course, Mr. Speaker. When would the health care, retirement, jobs education, when would all of that ever meet the satisfaction of the nattering nabobs of negativity that are here every single night, lamenting how terrible it is here in the United States of America.

Meanwhile, we cannot defend our own borders, and 4 million illegal aliens pour across our southern border every single year for the last few years. Why are they coming here? Are they not watching C–SPAN at night? Do they not see how bad it is? I submit, Mr. Speaker, that they see how good it is. They can go on the Web page. They can click on and see what the Department of Labor statistics are. They can see the economic statistics. They know that there have been 10 consecutive quarters of 3 percent or more growth. They know unemployment is going down. They know there is health care accessible to everyone. They know there is nobody malnourished in the United States of America. They know there is a free education.

How can you go wrong in the United States of America when you compare it to any other nation in the world? And so, at what point, Mr. Speaker, do we say we must provide for the safety and security of the American people, and while we are there, let us give the people that are in those countries that opportunity for freedom and liberty so they can erase the habitat that breeds terror. That is what is going on over there.

And then I hear, well, all we are asking for, Mr. President, is we have got benchmark, benchmark, benchmark. Yes, they mentioned some of the benchmarks, Mr. Speaker, and I have some of them here. And I want to point out these benchmarks in Iraq. March 20, 2003, was the beginning of the liberation of Iraq and it was March 19 over here at 9:30 a.m., if you want to mark your calendar and put the time on, eastern standard time. That was March 20.

By May 12, Paul Bremer was in place. He had replaced Jay Garner as the civil administrator in Iraq, May 12, 2003. July 13, Iraq's interim governing council was inaugurated. So just a few short months, April, May, June, halfway through July, 3½ months, and the Iraqi interim governing council was inaugurated.

By July 22, Saddam Hussein's sons, Uday and Kusay, were eliminated in a fire fight in Mosul. And I have been to that site, Mr. Speaker, and the building is gone. The lot is razed. The only sign of it there is I imagine you have to have a GPS locator to figure that out. The neighbors know. But that was the end of the terror of those two terrorists on July 22, 2003.

December 13, 2003, Saddam Hussein was captured. If my date serves me correctly, this is the 2-year anniversary of the capture of Saddam Hussein. And we have something to celebrate here, Mr. Speaker, and that was that we handed over Saddam Hussein to the civilian government then, and a little bit later down the line, or I will pick that date out here in a moment. But this is the 2-year anniversary of the capture of Saddam Hussein. We were delighted on that day. I am still delighted. He is before a court in Iraq. He is receiving a fair trial. It looks a little bit like a circus from time to time, but the Iraqis will bring this out. And they will provide justice.

I have met with the judges over there. They are courageous people. Their lives are on the line. They must have an objective court, and they have got to get into the record the crimes of the administration so that it is recorded in history and once it is recorded and packaged up, then when punishment is meted out to the perpetrators that committed those crimes against humanity, then the Iraqis can move forward and put that stage into their history. So that was December 13, 2003, 2 years ago today, Mr. Speaker.

On March 8, 2004, the Iraqi governing council signed the interim constitution and that guided them. It was a bill of rights, it was a system of checks and balances, and it made the military subordinate to civilian rule. Those were all significant milestones. A bill of rights for the people that have never had a bill of rights before. And on May 28, 2004, Iyad Allawi was designated Prime Minister in the Iraqi interim government, a Shiite neurologist by profession. And it happened to have been my birthday that day as well. So I will try and remember that as a milestone for a couple of reasons.

And I have admired Iyad Allawi, who came to this Chamber and spoke to a joint session of Congress, and he said thank you America, thanks for liberating us, thanks for making us free. It was a moving speech that he gave, not so much for the language, for the words. The words were very appropriate, but for the way it poured from his heart that day. You could feel that reverberate in these Chambers, Mr. Speaker.

Then on June 1, just 3 days later Mr. al-Yahwir was chosen as president. So this set up the Iraqi governing council and gave them leadership. And then the plan was to hand over the governing of Iraq to their interim governing council on June 30 of 2004. But, Mr. Speaker, the Iraqis have been meeting every deadline, every milestone, except when they beat them.

And on this milestone they beat it because the United States transferred sovereignty to the Iraqi interim government on June 28 as opposed to June 30, 2 days early. And I think it was a good move. It said that nothing has been delayed along this way. It has always been done on time.

Then on June 30, was the day, 2 days after, we handed over the civilian control of Iraq to the Iraqis on June 30 of 2004, we just 2 days later handed over control of Saddam Hussein, the legal custody of Saddam Hussein and 11 other high profile, I will say, perpetrators, Baath party officials to the Iraqis. And they took control of that, and it is entirely appropriate that this trial be conducted by Iraqis. They must do this. Then, another milestone. A huge milestone, January 30, 2005 purple finger day. That was the day that millions of Iraqis went to the polls to elect themselves a new national assembly, and this national assembly's job was to draft a Constitution. So they were elected January 30, 2005 and on March 26 they were seated.

The Iraqi assembly was convened and they went to work in drafting not an interim Constitution now, but a real Constitution, a Constitution that was amendable, but a Constitution for all time. So they went to work to draft that Constitution, a Constitution that was amendable, a Constitution for all time. To the polls, dipped their finger in purple ink. January 30, convened their assembly March 26, 2005. Their new Constitution was presented to the Iraqi National Assembly August 28, 2005.

October 15 of 2005 the Iraqis went to the polls. Seventy-nine percent of them voted to ratify their new Constitution. That sets up the stage that we are in right now, and there are elections taking place in Iraq as we speak, and they are elections that build up to the final and formal election day which takes place on the 15th of December. And at that point, Mr. Speaker, there will be named a full general assembly; a sovereign nation will be formed when, in March, the new general assembly is seated under the new Constitution and that will make Iraq as legitimate a government as exists in the Arab world and, in fact, they will have an argument that theirs is as legitimate a government as exists anywhere in the world.

When seated at the United Nations under their new Constitution and their new sovereignty with leaders that are chosen by the people, they will have and enjoy a measure of legitimacy that meets or exceeds the measure of legitimacy of almost every country in the world, certainly in the Middle East. They will surpass that and set the highest standard of legitimacy. They will be an Arab constitutional republic, a democracy.

That is what we have been working for, Mr. Speaker. That is what the treasure has been poured into Iraq for is to change that habitat in that terrorist part of the world, and it is working. Last Friday, Mr. Speaker, I made a trip out to Bethesda to the national naval medical center. I make it a point to go to either Bethesda or Walter Reed or at Landstuhl in Germany if I happen to be going through there at least once a quarter to visit our soldiers and marines and our corpsmen who are wounded and in the hospital and who paid a significant price to defend our freedom and to promote it throughout the world. It is always an uplifting experience for me. It is always something that encourages me and gives me strength and great faith in this country. Sometimes you walk in the room, and no matter the injuries, if they are in pain it is one thing, but there is often laughter in the room.

□ 2340

There is often a measure of optimism. That optimism often comes from the family, the wife, mother there, maybe the children that are there.

I had great conversations with these Marines last Friday. They pointed out that while so much good work is getting done, the media has not highlighted their efforts to rebuild the critical infrastructure in Iraq and that these important pieces of critical infrastructure lead Iraqis to democratic independence, but we do not hear about it here, Mr. Speaker. And I would point out that there was a report released by the Media Research Center, and it confirms the concerns of the Marines. Out of 1,388 reports broadcast on network news programs, only eight were devoted to recounting episodes of heroism or valor by U.S. troops and only nine featured instances when soldiers reached out to help the Iraqi people. Eight of heroism, nine of helping hand. Calculate the rest of the 1,388 were stories about what was sensationalized bad news, Mr. Speaker. If you sensationalize bad news long enough, the people in the world that are inclined to be the nattering nabobs of negativism will believe it, and that is what is being poured out here on the floor of the House of Representatives each and every night, and this focusing on negativity encourages our enemies.

I will take us back then to the benchmark argument. I have read down through the list of benchmarks that have been met in Iraq. Every benchmark has been met or exceeded. One was exceeded by 2 days of the civilian takeover for the Iraqi people from our CPA and Paul Bremer, and the argument now is, what about all these benchmarks, Mr. President? We need a benchmark to get out, to quote the gentlewoman from Florida.

No, Mr. Speaker, that is the last thing we need, is an announcement on when we might pull out of Iraq.

I happen to remember the previous President set a benchmark to get out of Kosovo. He said we will be there 1 year, no more. We are going to send troops over there, and we are going to send air cover over there, 1 year and no more, and we will be out of Kosovo.

I think we are into the 11th year now since that deployment has been taking place, Mr. Speaker, but it is at least 10. So that benchmark really did not work so well. Benchmarks do not work well in wartime. And even if one could measure that kind of progress and pull out, the enemy is still going to use that to strategize against us. Why is that a difficult concept to understand? If we would say, here is a date on the calendar by which the first American troops are going to get out or the last American troops will be gone, we know very well that the enemy will husband their resources and change their tactics and go underground and store up their munitions and recruit their personnel. They would be able to go out and say, Here, we will take over of Iraq. It will be a terrorist center, and here is how we will handle that: They will be done taking casualties until such time as the Americans are gone.

Remember what happened when we deployed, and that is the kind of word that has been used here, deployed out of Vietnam? I went back and read through some of that legislation from back in that 1973, 1974 and early 1975 era. The legislation that is there confirms my recollection, although my dates were not exactly precise. This Congress took this debate, this national debate, this cut-and-run philosophy to the point where they passed legislation here on the floor of the United States House of Representatives and the United States Senate that forbade any resources from going to even supporting South Vietnamese troops. Not an M–16 bullet for a South Vietnamese troop defending his own freedom in his own country. The Vietnamization program that President Nixon had established, all that shut off. No air cover, no missions flown to protect them, no munitions to support them, squeezed the valve down so there was not a drop of help. In the ensuing aftermath, when helicopters were lifting people off of the U.S. embassy in Saigon and people were doing everything they could to hang on to the struts of those helicopters and they were pouring into boats and going out into the South China Sea to go anywhere to get away from Vietnam and many of the boats capsized and some being sunk intentionally and militarily and thousands of people dying, in fact, tens of thousands of people dying even in the immediate aftermath, millions dying in Southeast Asia in the subsequent aftermath because we did not hold our bargain with the people in Southeast Asia. And millions died, Mr. Speaker.

I heard the gentleman from Ohio say, ''No one is going to tell me that I am

not supporting our troops.'' Mr. Speaker, I will submit this: If you do not support the mission, you are not supporting the troops. If you send a soldier off into a hostile region, send him off to war and ask him to go defend your freedom with his life and to do so in a cause that you say is not justified, wrong war, wrong place, wrong time, Mr. Speaker, how can you ask a person to put his life on the line for a cause you do not believe in, a cause that you will not even put your vote behind or your voice behind? How can you ask them to put their life behind that and then say, No one is going to tell me that I am not supporting our troops? Well, supporting the troops, supporting the mission, and they are inseparable. If you do not support the mission, you are not supporting the troops.

Here is a measure of optimism, Mr. Speaker. We hear about casualties continually. The only measure I found in my research over the last 2½ years or a little more is that Saddam Hussein was killing his own people at an average rate of 182 per day. I have gone back and measured some of that, and I can come up with a bigger number and a little smaller number, but that number seems to fit about in the middle of the Iraqis that were killed at the hands of Saddam Hussein. And so I would submit, Mr. Speaker, that we have been at this operation and Saddam has been out of power for approximately 1,000 days; so there are 182,000 Iraqis alive today that would not be if we had not enforced a regime change in Iraq and liberated the Iraqi people; 182,000 alive today, Mr. Speaker. And, yes, there have been casualties, and we have lost more than 2,000 Americans. And there have been something in the neighborhood of 30,000 or perhaps more Iraqis that have been killed in this conflict, civilian Iraqis for the most part. So if we are at the 32,000 to 34,000 number, let us just say 32,000 because that number works out round enough that I can do the math in my head, subtract that 32,000 from 182,000, and we come up with 150,000 Iraqis alive today that would not be if they had not been liberated by coalition troops, especially Americans. That is no small feat. That is no small endeavor to free 25 million people and to have a net savings in lives over 2½ years of 150,000 people. Do we not ever measure the positive side of this ledger, or is it always that the nattering nabobs of negativity cannot get to that plus side so I have to come down here nearly every night and bring this thing back around to reality, Mr. Speaker? And I will continue to do that as long as this message needs to come out to the American people.

I carry a few more messages here that happen to point out some points that I think we do not see in the news media. I have to put on my glasses for this one.

What are some of the changes that are taking place in Iraq in a positive way? And I have a chart here before me. This is a chart that shows the number of Iraqis taking action to provide tips they received from the population. In March of 2005, the early part of this year, there was not much confidence in Iraq that we were going to stick this out. So there were 483 tips given on who the terrorists were, and how do we send troops in there to bust the terrorists? Four hundred and eighty-three tips. They did not all pan out, but that is an indication of the Iraqis being willing to cooperate. That was March, 483. April, 1,591 tips; May, 1,740; June, 2,519 tips; July, 3,303; August, 3,341. And that is where my bar chart stops. So we have gone from 483 tips in March to 3,341 in August. That tells us the Iraqi people are stepping up to provide their own safety, their own security, cooperating with American troops and coalition troops and Iraqi troops, of which about 210,000 are trained. Most of them are combat ready. All of them are operational in one form or another. Some of them are top-ranked troops that will match up with any in the world.

□ 2350

Yet, I hear this drumbeat, the nattering nabobs of negativity, that there is only one battalion that is really combat ready. Well, that is really not true. There are quite a few battalions combat ready. At the time there was only one battalion that was ranked at the very highest level of ready. All of our troops are not ranked at that highest level all the time either. They waiver in and out of that level of readiness, depending on where their training is and what kind of condition that their equipment is in.

So I wanted to make a point here in the last couple of minutes of why it is important to support our troops.

Muqtada al-Sadr. This is a quote that I heard from Al-Jazeera TV in Kuwait City as I waited to go into Iraq June 11, 2004. ''If we keep attacking Americans, they will leave Iraq the same way they left Vietnam, the same way they left Lebanon, the same way they left Mogadishu.''

Where does a person like Muqtada al-Sadr get such an idea that if he keeps attacking Americans, we are going to leave? Is it from reading the history books? Is it from reading other literature, Mr. Speaker? Is it from observations of history as wishful thinking? I would submit it could be all of those things. But I want to do a little bit from history.

I have here, Mr. Speaker, a book written by an author who hails from my district, Sioux City, Iowa. This is Colonel George Bud Day's book, ''Duty, Honor, Country.'' Colonel Day is the most highly decorated American hero that we have who is living today.

This book is about him being a prisoner of war in Vietnam, Mr. Speaker. It lays out a tone that I think every American should know, every American child should study, and this book should be turned to page 155, Duty, Honor, Country by Colonel Bud Day, Medal of Honor winner.

He writes as he is in the prison camp in Vietnam, and this is the mindset of our enemies, he writes, ''The Vietnamese were positive of victory and that their cause was predestined for success. Their propaganda organs had been convinced that massive rioting against the war was commonplace in the United States and in support of the commies. That was the Jane Fonda message.''

He goes on. He says, ''It was disheartening at a quiz, which means an interrogation, to have Senator Fulbright or some looney politician declaring himself on the enemy's side of the argument. Many a torture was accomplished just to force a POW to say or agree to the same things that were attributed to fellow Americans, Senators and Representatives. It got to the point where the Vietnamese did not have to write their own propaganda against the U.S. They could simply quote Senator Gruening from Alaska, Fulbright from Arkansas, KENNEDY from Massachusetts or a Congressman of the same ilk. I was sickened by these statements,'' writes Colonel Day, ''for the U.S. Congress passed the questionable Gulf of Tonkin Resolution which sent me to Southeast Asia. Loyalty I felt was a two-way street. It is a bit disconcerting not to be able to tells the difference between the words of a U.S. Senator and those of your enemy. More devastating to our cause was the fact that the North Vietnamese thought these statements to be semi-official U.S. policy. When combined with propaganda, it stiffened the Vietnamese backs immeasurably,'' and I emphasize this point, Mr. Speaker, ''adding significantly to the U.S. death list on the battlefield and the death of several POWs in Hanoi.''

That is not a hard lesson to understand when you encourage the enemy by sitting in the gun emplacements in North Vietnam, as Jane Fonda did, or speaking out against this effort relentlessly night after night, as happens here on the floor of the United States Congress. It encouraged our enemies in Vietnam, it encourages our enemies around the world today.

In fact, I happened to come across a Web page, and there is a quote here from Colonel Bud Day, and his answer today is, ''JOHN KERRY launched his political career more than 30 years ago by comparing the actions of U.S. troops in Vietnam to those of the armies of Genghis Khan.'' I think that is not a refuted statement. But here is a point that exists today.

Mr. Speaker, after the comparison of the acts of Genghis Khan to create the political career, now we have the same

individual saying to the American people, picked up immediately by Al-Jazeera, we all know, saying ''American soldiers in the dead of night terrorizing kids and children, women, breaking religious customs.'' The same individual, this is the Senator that came to Iowa for a year-and-a-half and said wrong war, wrong place, wrong time, gave aid and comfort to our enemies then, gives aid and comfort to our enemies now.

Mr. Speaker, if that were the only one, it would not be so bad. Maybe we could isolate an individual like that. But it is sad to say it is not the only one. I have another example, a blast from the past.

Here is our blast from the past, the individual, the other Senator from Massachusetts. I will not tell you that I just happened to pick a State randomly and pick two of their Senators. No, this is on purpose, Mr. Speaker.

This is the Senator referenced in the book Duty, Honor, Country from more than 30 years ago. He is still here and today he says, ''This war was made up in Texas. This whole thing was a fraud. Iraq is George Bush's Vietnam.''

Now do we understand, Mr. Speaker, why our enemies believe that Iraq can be another Vietnam? Not because of the forests or the mountains to hide in or the place for guerrilla warfare to take place, because we read in Zarqawi's letter that there are not any mountains to hide in, there are not any forests to hide in, and that the Iraqi people are willing to take the insurgents in and protect them and let them operate from their are as rare as red sulfur.

So the structure of this war in Iraq does not allow for that kind of guerrilla warfare. Yes, it is an urban warfare of a kind, but it is not at all like Vietnam. Iraq is a desert, Vietnam is a jungle. Vietnam has mountains and forests and jungle, Iraq has sand dunes and buildings. There is a huge differential though between the two countries because the Iraqis really do not want to hide these insurgents, and in Vietnam they were forced to hide them. In fact, there were places for the enemy to hide regardless of whether they had the cooperation of the civilians.

But the same individual who encouraged the enemies then, who is attributed by the most decorated American hero as contributing to the loss of American lives and particularly the lives of POWs, is still at it, Mr. Speaker, still at it. ''This was made up in Texas. This whole thing was a fraud. This is George Bush's Vietnam.''

Is that not some good Al-Jazeera material, Mr. Speaker? And I am not done. This material roles out every day in this country. We are trying to keep up with it by printing posters and putting quotes in there, and I am going to try to come down here on a periodic basis and try to keep the American people up to speed.

But I am glad that our soldiers are too busy with their diplomacy and the liberation of Iraq to be watching the news and have to listen to all of this debate. But I am determined to stand here and defend their efforts. And I support their mission and our soldiers, and that mission and the soldiers and the support for them cannot be separated. You cannot argue that I support them and I do not support the mission, Mr. Speaker.

So, in conclusion, we have a duty here on the floor of the United States Congress and in our jobs across this land as we represent our country and the people from our districts and as we interact with them and with the media to inform the American people that our military mission is on track in Iraq, the political sequence of events is on track in Iraq, and that the economic solution is around the corner. When they truly establish a sovereign Nation in Iraq, which will take place after these elections on the 15th, and when they are seated in March and when they sign a contract to develop that oil and the cash starts to flow into Iraq and free enterprise kicks in and the government gets the kinks out of its systems, and as the Iraqis step forward and do more and more providing the safety and security for the Iraqi people, this will be resolved to the satisfaction of history, if not the satisfaction of the nattering nabobs of negativity.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POE). Members are reminded to refrain from improper references to Senators.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCDERMOTT (at the request of Ms. PELOSI) for today on account of illness.

Mr. WYNN (at the request of Ms. PELOSI) for today on account of a family obligation.

Mr. MARIO DIAZ-BALART of Florida (at the request of Mr. BLUNT) for today on account of family reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DINGELL) to revise and extend their remarks and include extraneous material:)

Mr. HOYER, for 5 minutes, today.

Mr. MEEHAN, for 5 minutes, today.

(The following Members (at the request of Mr. UPTON) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 5 minutes, today and December 14 and 15.

Mr. OSBORNE, for 5 minutes, today and December 14.

Mr. BURGESS, for 5 minutes, today and December 14 and 15.

Mr. FRANKS of Arizona, for 5 minutes, today.

Ms. ROS-LEHTINEN, for 5 minutes, December 14.

Mr. MCCAUL of Texas, for 5 minutes, December 14.

Mr. ENGLISH of Pennsylvania, for 5 minutes, today.

Mr. POE, for 5 minutes, December 15.

Mr. NUSSLE, for 5 minutes, today.

Ms. FOXX, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, December 15.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. UPTON, for 5 minutes, today.

Mr. DINGELL, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1295. An act to amend the Indian Gaming Regulatory Act to provide for accountability and funding of the National Indian Gaming Commission; to the Committee on Resources.

S. 2094. An act to reauthorize certain provisions relating to Indian tribal justice systems; to the Committee on Resources in addition to the Committee on the Judiciary for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), the House adjourned until today, Wednesday, December 14, 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:

5611. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Ethylhexyl Glucopyranosides; Exemption from the Requirement of a Tolerance [OPP-2002-0166; FRL-7729-6] received September 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5612. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Alkyl (C10-C16) Polyglycosides; Exemptions from the Requirement of a Tolerance [OPP-2003-0362; FRL-7729-7] received September 13, 2005, pursuant to 5

U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5613. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Announcement of the Delegation of Partial Administrative Authority for Implementation of Federal Implementation Plan for the Nez Perce Reservation to the Nez Perce Tribe [R10-OAR-2005-TR-0001; FRL-7970-2] received September 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5614. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Myclobutanil; Re-Establishment of a Tolerance for Emergency Exemption [OPP-2005-0248; FRL-7736-1] received September 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5615. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Tralkoxydim; Pesticide Tolerance [OPP-2005-0175; FRL-7722-6] received November 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5616. A letter from the Principal Deputy Associate Administrator, Environmental Protetcion Agency, transmitting the Agency's final rule—Fluoxastrobin; Pesticide Tolerances [OPP-2003-0129; FRL-7719-9] received September 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5617. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Lieutenant General David D. McKiernan, United States Army, to wear the insignia of the grade of general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

5618. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Steven R. Polk, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

5619. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of General Leon J. LaPorte, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

5620. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—2-ethoxyethanol, 2-ethoxyethanol acetate, 2-methoxyethanol, and 2-mthoxyethanol acetate; Significant New Use Rule [OPPT-2004-0111; FRL-7740-7] (RIN: 2070-AJ12) received November 29, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5621. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; New Jersey Architectural Coastings Rule [Region 2 Docket No. R02-OAR-2005-NJ-0002, FRL-7999-8] received November 29, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5622. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plan; Indiana [R05-OAR-2005-IN-0007; FRL-7999-3] received November 29, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5623. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; California; Carbon Monoxide Maintenance Plan Update for Ten Planning Areas; Motor Vehicle Emissions Budgets; Technical Correction [R09-OAR-2005-CA-0010; FRL-8002-4] received November 29, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5624. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Kentucky; Redesignation of the Christian County, Kentucky Portion of the Clarksville-Hopkinsville 8-Hour Ozone Nonattainment Area to Attainment for Ozone; Correction [R04-OAR-2005-KY-0001-200521(c); FRL-7999-5] received November 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5625. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Indiana: Final Authorization of State Hazardous Waste Management Program Revision [FRL-8001-3] received November 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5626. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Massachusetts: Extension of Interim Authorization of State Hazardous Waste Management Program Revision [FRL-7998-8] received November 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5627. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Imperial and Santa Barbara County Air Pollution Control Districts [R09-OAR-2005-CA-0006; FRL-7998-4] received November 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5628. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—TSCA Inventory Update Reporting Partially Exempted Chemicals List; Addition of 1,2,3-Propanetriol; Technical Correction [OPP-2005-0075; FRL-7744-8] (RIN: 2070-AC61) received November 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5629. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Department's final rule—Underground Injection Control Program—Revision to the Federal Underground Injection Control Requirements for Class I Municipal Disposal Wells in Florida [FRL-7999-7] received November 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5630. A communication from the President of the United States, transmitting a supplemental consolidated report, consistent with the War Powers Resolution, to keep Congress informed about the deployments of U.S. combat-equipped armed forces in support of the global war on terrorism, Kosovo, and Bosnia and Herzegovina, pursuant to Public Law 93–148; (H. Doc. No. 109–73); to the Committee on International Relations and ordered to be printed.

5631. A letter from the Secretary, Department of Education, transmitting the semiannual report of the activities of the Office of Inspector General during the six month period ending September 30, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5632. A letter from the Secretary, Department of Health and Human Services, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2005 through September 30, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5633. A letter from the Secretary, Department of Labor, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2005 through September 30, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5634. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-212, ''Technical Amendments Act of 2005,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

5635. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-195, ''Closing of a Portion of a Public Alley in Square 5217, S.O. 03-1548, Act of 2005,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

5636. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-210, ''Anti-Drunk Driving Clarification Temporary Amendment Act of 2005,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

5637. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-208, ''Department of Small and Local Business Development Clarification Temporary Amendment Act of 2005,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

5638. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-207, ''Natural Gas Taxation Relief Temporary Act of 2005,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

5639. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-199, ''Producer Summary Suspension Temporary Amendment Act of 2005,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

5640. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-198, ''Health-Care Decisions for Persons with Mental Retardation and Development Disabilities Temporary Amendment Act of 2005,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

5641. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-197, ''Heating Oil and Artificial Gas Consumer Relief Temporary Act of 2005,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

5642. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-196, ''Gasoline Fuel Tax Examiniation Temporary Act of 2005,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

5643. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5644. A letter from the Secretary, Department of Veterans Affairs, transmitting the semiannual report on activities of the Inspector General for the period April 1, 2005, through September 30, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5645. A letter from the Chairman, Federal Housing Finance Board, transmitting pursuant to the requirements of Section 4 of the Government Performance and Results Act of 1993 and Part 6 of Circular A-11 of the United States Office of Management and Budget, the Board's annual performance and accountability report for FY 2005; to the Committee on Government Reform.

5646. A letter from the Director, Holocaust Memorial Museum, transmitting the Museum's annual commercial activities inventory report as required by the Federal Activities Inventory Reform (FAIR) Act of 1998; to the Committee on Government Reform.

5647. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the semiannual report of the Inspector General of the National Aeronautics and Space Administration for the period ending September 30, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5648. A letter from the Chairman, National Credit Union Administration, transmitting the semiannual report on the activities of the Inspector General for April 1, 2005, through September 30, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

5649. A letter from the Chairman, National Endowment for the Arts, transmitting the semiannual report on activities of the Inspector General for the period April 1, 2005, through September 30, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5650. A letter from the Office of the District of Columbia Auditor, transmitting a report entitled, ''Letter Report: Auditor's Identification of District Government Employees Earning Annual Salaries of At Least $90,000 But Less than $100,000 During Fiscal Year 2001 Through 2004''; to the Committee on Government Reform.

5651. A letter from the Acting Director, Office of Federal Housing Enterprise Oversight, transmitting the Office's report that the standards of reasonable assurance pertaining to internal management controls during FY 2005 have been met as required by the Federal Managers' Financial Integrity Act; to the Committee on Government Reform.

5652. A letter from the General Counsel, Office of Government Ethics, transmitting the Office's final rule—Additional Exemption Under 18 U.S.C. 208(b)(2) (RIN: 3209-AA09) received December 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5653. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Special Local Regulations: Offshore Super Series Boat Race, St. Petersberg Beach, FL [CGD07-05-116] (RIN: 1625-AA08) received November 29, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5654. A letter from the Attorney-Advisor, Maritime Administration, Department of Transportation, transmitting the Department's final rule—Application Fee Increase for Administrative Waivers of the Coastwise Trade Laws [Docket Number: MARAD-2005-21105] (RIN: 2133-AB50) received October 31, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5655. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; McCook, NE [Docket No. FAA-2005-21608; Airspace Docket No. 05-ACE-18] received November 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5656. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Lincoln, NE [Docket No. FAA-2005-21707; Airspace Docket No. 05-ACE-22] received November 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5657. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Area Navigation Instrument Flight Rules Terminal Transition Routes (RITTR); Charlotte, NC [Docket No. FAA-2005-20246; Airspace Docket No. 04-ASO-15] (RIN: 2120-AA66) received November 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5658. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Cortland, NY; Ithaca, NY; Elmira, NY; Endicott, NY; Sayre, PA [Docket No. FAA-2005-22494; Airspace Docket No. 05-AEA-22] received November 16, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5659. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Binghamton, NY [Docket No. FAA-2005-22100; Airspace Docket No. 05-AEA-16] received November 16, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5660. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Area Navigation Instrument Flight Rules Terminal Transition Routes (RITTR); Cincinnati, OH [Docket No. FAA-2005-20699; Airspace Docket No. 04-ASO-19] (RIN: 2120-AA66) received November 16, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. OXLEY: Committee on Financial Services. H.R. 2695. A bill to amend the McKinney-Vento Homeless Assistance Act to protect the personally identifying information of victims of domestic violence, dating violence, sexual assault, and stalking (Rept. 109–336). Referred to the Committee of the Whole House on the State of the Union.

Mr. REGULA: Committee of Conference. Conference report on H.R. 3010. A bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes (Rept. 109–337). Ordered to be printed.

Mr. POMBO: Committee on Resources. H.R. 1728. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating the French Colonial Heritage Area in the State of Missouri as a unit of the National Park System, and for other purposes; with an amendment (Rept. 109–338). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 3626. A bill to authorize the Secretary of the Interior to study the feasibility of enlarging the Arthur V. Watkins Dam Weber Basin Project, Utah, to provide additional water for the Weber Basin Project to fulfill the purposes for which that project was authorized; with an amendment (Rept. 109–339). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 3153. A bill to reauthorize the Upper Colorado and San Juan River Basin endangered fish recovery implementation programs (Rept. 109–340). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 2720. A bill to further the purposes of the Reclamation Projects Authorization and Adjustment Act of 1992 by directing the Secretary of the Interior, acting through the Commissioner of Reclamation, to carry out an assessment and demonstration program to control salt cedar and Russian olive, and for other purposes (Rept. 109–341 Pt. 1). Ordered to be printed.

Mr. OXLEY: Committee on Financial Services. H.R. 3422. A bill to amend the United States Housing Act of 1937 to exempt small public housing agencies from the requirement of preparing an annual public housing agency plan; with an amendment (Rept. 109–342). Referred to the Committee of the Whole House on the State of the Union.

Mr. GINGREY: Committee on Rules. House Resolution 595. Resolution waiving points of order against the conference report to accompany the bill (H.R. 3199) to extend and modify authorities needed to combat terrorism, and for other purposes (Rept. 109–343). Referred to the House Calendar.

Mrs. CAPITO: Committee on Rules. House Resolution 596. Resolution waiving points of order against the further conference report to accompany the bill (H.R. 3010) making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes (Rept. 109–344). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Agriculture discharged from further consideration. H.R. 2720 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Pursuant to clause 2 of rule XII the Committee on Homeland Security discharged from further consideration of H.R. 4437.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 4437. A bill to amend the Immigration and Nationality Act to strengthen enforcement of the immigration laws, to enhance border security, and for other purposes, with an amendment; (Rept. 109–345, Pt. 1); referred to the Committees on Education and the Workforce, and Ways and Means for a period ending not later than December 14, 2005, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of those committees pursuant to clause 1(e) and clause 1(t), rule X, respectively. Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mrs. NORTHUP (for herself, Mr. DAVIS of Illinois, Mr. KING of Iowa, and Mr. FLAKE):

H.R. 4500. A bill to designate certain buildings of the Centers for Disease Control and Prevention; considered and passed.

By Mr. HYDE:

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

By Mr. NORWOOD (for himself, Mr. DAVIS of Tennessee, and Mr. GRAVES):

H.R. 4502. A bill to amend the Migrant and Seasonal Agricultural Worker Protection Act to provide an exemption for workers who work year-round and for other purposes; to the Committee on Education and the Workforce.

By Mr. NORWOOD (for himself, Mr. DAVIS of Tennessee, and Mr. GRAVES):

H.R. 4503. A bill to amend the Migrant and Seasonal Agricultural Worker Protection Act to provide for mandatory mediation; to the Committee on Education and the Workforce.

By Mr. NORWOOD (for himself, Mr. DAVIS of Tennessee, and Mr. GRAVES):

H.R. 4504. A bill to amend the Migrant and Seasonal Agricultural Worker Protection Act to provide for recovery of attorneys fees and a statute of limitations, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISSA:

H.R. 4505. A bill to provide for a credit for certain health care benefits in determining the minimum wage for employers required to pay a minimum wage at a rate higher than the current Federal rate; to the Committee on Education and the Workforce.

By Mr. CONYERS (for himself, Mr. BERMAN, Mr. NADLER, Mr. SCOTT of Virginia, Ms. ZOE LOFGREN of California, Mr. DINGELL, Mr. FRANK of Massachusetts, and Ms. HARMAN):

H.R. 4506. A bill to amend the USA PATRIOT Act to extend the sunset of certain provisions of that Act and the lone wolf provision of the Intelligence Reform and Terrorism Prevention Act of 2004 to March 31, 2006; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Intelligence (Permanent Select), and International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY:

H.R. 4507. A bill to establish a Federal program to provide reinsurance for State natural disaster insurance programs; to the Committee on Financial Services.

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. LOBIONDO, Mr. FILNER, Mr. BOUSTANY, Mr. COBLE, Mr. BOYD, Mr. BAKER, Mr. TAYLOR of Mississippi, Mr. MELANCON, Mr. SIMMONS, Mr. FORTUÑO, Mr. HOEKSTRA, Mr. MACK, Mr. ALEXANDER, Ms. SCHWARTZ of Pennsylvania, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 4508. A bill to commend the outstanding efforts in response to Hurricane Katrina by members and employees of the Coast Guard, to provide temporary relief to certain persons affected by such hurricane with respect to certain laws administered by the Coast Guard, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ABERCROMBIE (for himself and Mr. CASE):

H.R. 4509. A bill to designate the facility of the United States Postal Service located at 1271 North King Street in Honolulu, Oahu, Hawaii, as the ''Hiram L. Fong Post Office Building''; to the Committee on Government Reform.

By Ms. JACKSON-LEE of Texas (for herself, Ms. WATSON, Mr. RUSH, Ms. LEE, Mr. BRADY of Pennsylvania, Mr. HASTINGS of Florida, Ms. KILPATRICK of Michigan, Mr. MCDERMOTT, Mr. CONYERS, Mr. SERRANO, Mrs. MALONEY, Mr. BISHOP of Georgia, Mr. PALLONE, Mr. BROWN of Ohio, Mr. MEEKS of New York, Ms. KAPTUR, Mr. CHABOT, Ms. MILLENDER-MCDONALD, Ms. SLAUGHTER, Mr. GILCHREST, Mr. LINCOLN DIAZ-BALART of Florida, Mr. HOEKSTRA, Ms. WOOLSEY, Mr. GENE GREEN of Texas, Mr. SHIMKUS, Mr. MARKEY, Mr. DINGELL, Mrs. CAPPS, and Ms. MATSUI):

H.R. 4510. A bill to direct the Joint Committee on the Library to accept the donation of a bust depicting Sojourner Truth and to display the bust in a suitable location in the rotunda of the Capitol; to the Committee on House Administration.

By Mr. CANTOR (for himself and Mr. BURGESS):

H.R. 4511. A bill to amend the Internal Revenue Code of 1986 to allow the use of flexible spending and health reimbursement arrangements in combination with health savings accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. DEFAZIO (for himself and Mr. DANIEL E. LUNGREN of California):

H.R. 4512. A bill to direct the Secretary of Homeland Security to conduct a pilot program to evaluate the use of automated systems for the immediate prescreening of passengers on flights in foreign air transportation; to the Committee on Homeland Security.

By Mr. FRANK of Massachusetts:

H.R. 4513. A bill to temporarily extend the applicability of Terrorism Risk Insurance Act of 2002; to the Committee on Financial Services.

By Mr. JINDAL (for himself, Mr. THOMPSON of Mississippi, Mr. MCCRERY, Mr. PICKERING, Mr. WICKER, and Mr. BONNER):

H.R. 4514. A bill to assist low-income families, displaced from their residences in the States of Alabama, Louisiana, and Mississippi as a result of Hurricane Katrina or Hurricane Rita, by establishing within the Department of Housing and Urban Development a homesteading initiative that offers displaced low-income families the opportunity to purchase a home owned by the Federal Government, and for other purposes; to the Committee on Financial Services, 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. KUHL of New York (for himself, Mr. HUNTER, Mr. YOUNG of Florida, Mr. BOEHLERT, Mr. RANGEL, Mr. WALSH, Mr. REYNOLDS, Ms. SLAUGHTER, Mr. HIGGINS, Mr. MCHUGH, Mr. HINCHEY, Mr. SWEENEY, Mr. MCNULTY, Mrs. KELLY, Mrs. LOWEY, Mr. KING of New York, Mr. ENGEL, Mr. FOSSELLA, Mrs. MCCARTHY, Mr. BISHOP of New York, Mr. ISRAEL, Mr. ACKERMAN, Mr. CROWLEY, Mr. NADLER, Mr. OWENS, Mr. MEEKS of New York, Mr. WEINER, Mr. SERRANO, Mr. TOWNS, Mrs. MALONEY, and Ms. VELÁZQUEZ):

H.R. 4515. A bill to designate the facility of the United States Postal Service located at 4422 West Sciota Street in Scio, New York, as the ''Corporal Jason L. Dunham Post Office''; to the Committee on Government Reform.

By Mr. MCHUGH (for himself, Mr. SWEENEY, Mrs. KELLY, Mr. FOSSELLA, Mr. KUHL of New York, Mr. WALSH, Mr. KING of New York, Mr. REYNOLDS, Mr. BOEHLERT, Mrs. MALONEY, Mr. TOWNS, Mr. ENGEL, and Mr. CROWLEY):

H.R. 4516. A bill to establish the Hudson-Fulton-Champlain Quadricentennial Commemoration Commission, and for other purposes; to the Committee on Government Reform.

By Mr. MEEK of Florida (for himself, Mr. MARIO DIAZ-BALART of Florida, Mr. JINDAL, Ms. WASSERMAN SCHULTZ, Mr. HASTINGS of Florida, Ms. CORRINE BROWN of Florida, Ms. KILPATRICK of Michigan, Mr. OWENS, Mr. PAYNE, and Mr. LINCOLN DIAZ-BALART of Florida):

H.R. 4517. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to restore Federal aid for the repair, restoration, and replacement of private nonprofit educational facilities that are damaged or destroyed by a major disaster; to the Committee on Transportation and Infrastructure.

By Mr. PALLONE:

H.R. 4518. A bill to amend title 5, United States Code, to deny Federal retirement benefits to Government officials convicted of certain crimes; to amend title 18, United States Code, to increase the penalties for certain corruption-related offenses; and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHADEGG:

H.R. 4519. A bill to amend the Public Health Service Act to extend funding for the operation of State high risk health insurance pools; to the Committee on Energy and Commerce.

By Mr. STARK (for himself, Mr. RANGEL, Mr. WAXMAN, Mr. SPRATT, Mr. LEVIN, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. MCNULTY, Mr. BECERRA, Mr. DOGGETT, Mr. POMEROY, Mrs. JONES of Ohio, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. EMANUEL, Mr. MARKEY, Mr. PALLONE, Mrs. CAPPS, Mr. ALLEN, Ms. BALDWIN, Mr. CAPUANO, Mr. FARR, Ms. HARMAN, Ms. MATSUI, Mr. FRANK of Massachusetts, Mr. HONDA, Mr. BERMAN, Mr. VAN HOLLEN, Ms. LEE, Mr. KILDEE, Mr. KANJORSKI, and Ms. WOOLSEY):

H.R. 4520. A bill to amend part B of title XVIII of the Social Security Act to assure equitable payment for physicians services under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUPAK:

H.R. 4521. A bill to prohibit the Secretary of Defense from purchasing certain steel or equipment, products, or systems made with steel that is not melted and poured in the United States; to the Committee on Armed Services.

By Mr. STUPAK:

H.R. 4522. A bill to amend the Higher Education Act of 1965 to provide for student loan forgiveness to encourage individuals to become and remain school administrators in low income areas; to the Committee on Education and the Workforce.

By Mr. ABERCROMBIE (for himself, Mr. LARSON of Connecticut, Mr. CAPUANO, Mr. DOYLE, Mr. SHERMAN, Mr. HOLT, Mr. MURTHA, Mr. RYAN of Ohio, Mr. PETERSON of Pennsylvania, Mr. PASCRELL, Mr. KANJORSKI, Mr. UDALL of New Mexico, Mr. LEWIS of Georgia, Mr. MCNULTY, Mr. HOLDEN, Mr. BRADY of Pennsylvania, Ms. WATERS, Ms. HOOLEY, Mrs. MCCARTHY, Mr. FATTAH, Ms. SCHWARTZ of Pennsylvania, Mr. VISCLOSKY, Ms. LINDA T. SÁNCHEZ of California, Mr. MENENDEZ, Mr. FARR, Mr. HOYER, Mr. SERRANO, Ms. MCCOLLUM of Minnesota, Mr. GEORGE MILLER of California, Mr. BERRY, Mr. ETHERIDGE, Mr. BOYD, Ms. DELAURO, Mr. CARDOZA, Mr. CROWLEY, Mr. THOMPSON of California, Mr. ALLEN, Mr. BARROW, Ms. KAPTUR, Mr. EDWARDS, Mr. MARKEY, Mr. SANDERS, Mr. INSLEE, Mr. GENE GREEN of Texas, Mr. NADLER, Mr. RUSH, Mr. DEFAZIO, Mr. DELAHUNT, Mr. FILNER, Mr. TANNER, and Mr. HASTINGS of Florida):

H. Res. 597. A resolution recognizing and congratulating Don Ho on his career in music; to the Committee on Education and the Workforce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. UPTON introduced a bill (H.R. 4523) for the relief of Ibrahim Parlak; 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: Mr. WESTMORELAND.
H.R. 114: Mr. MEEHAN.
H.R. 136: Mr. INGLIS of South Carolina.
H.R. 226: Mr. BUTTERFIELD and Mr. ALLEN.
H.R. 284: Mr. GILLMOR.
H.R. 303: Mr. SHAYS.
H.R. 389: Mr. MOORE of Kansas and Mr. SANDERS.
H.R. 503: Mr. RYAN of Ohio and Mr. CONYERS.
H.R. 517: Mr. BUTTERFIELD, Mr. DAVIS of Alabama, Mr. SNYDER, and Ms. MCKINNEY.
H.R. 615: Mr. ENGLISH of Pennsylvania and Mr. JEFFERSON.
H.R. 670: Mr. SHERMAN.
H.R. 676: Ms. SCHAKOWSKY and Mr. CAPUANO.
H.R. 752: Mr. BOSWELL.
H.R. 769: Mr. DAVIS of Illinois, Mr. KILDEE, Mr. GARRETT of New Jersey, and Ms. DELAURO.
H.R. 896: Mr. MATHESON and Mr. BOUSTANY.
H.R. 925: Mr. BOOZMAN.
H.R. 1020: Mr. SANDERS.
H.R. 1053: Mr. MCCOTTER, Mr. ROTHMAN, Mr. HINCHEY, Mr. KOLBE, and Mr. BERMAN.
H.R. 1070: Mr. BOUSTANY.
H.R. 1073: Mr. KING of Iowa.
H.R. 1074: Mr. KING of Iowa.
H.R. 1075: Mr. KING of Iowa.
H.R. 1177: Mr. SIMPSON, Mr. ROTHMAN, Mr. FILNER, Mr. KUHL of New York, Mr. RUPPERSBERGER, Mr. SAXTON, Mr. MCGOVERN, Mr. RAHALL, Mr. BOUCHER, Mr. MENENDEZ, Mr. MURPHY, Mr. THOMPSON of Mississippi, Mr. EVANS, and Mr. PAYNE.
H.R. 1188: Mr. GORDON and Mr. INGLIS of South Carolina.
H.R. 1259: Mr. VAN HOLLEN and Mr. PORTER.
H.R. 1290: Mr. RAMSTAD.
H.R. 1298: Mr. THOMPSON of Mississippi and Ms. SOLIS.
H.R. 1310: Mr. ANDREWS.
H.R. 1357: Mr. CONAWAY.
H.R. 1426: Mr. MURPHY.
H.R. 1471: Mr. MORAN of Virginia.
H.R. 1498: Mr. SAM JOHNSON of Texas.
H.R. 1578: Ms. ROS-LEHTINEN, Mr. CRENSHAW, Mrs. MALONEY, Mr. DAVIS of Kentucky, Mr. CAPUANO, Ms. HARRIS, Mr. NEUGEBAUER, Mr. FORD, Ms. SCHWARTZ of Pennsylvania, Mrs. NORTHUP, Mrs. LOWEY, Mrs. TAUSCHER, Mr. MCHUGH, and Mr. COLE of Oklahoma.
H.R. 1588: Ms. MOORE of Wisconsin.
H.R. 1645: Ms. SCHWARTZ of Pennsylvania.
H.R. 1646: Mr. VAN HOLLEN, Mrs. MCCARTHY, Mr. FITZPATRICK of Pennsylvania, Mr. SMITH of Washington, Mr. SKELTON, Mr. SANDERS, Mr. DOGGETT, Mr. BRADY of Pennsylvania, Mr. CONYERS, Mr. SCOTT of Georgia, Mr. WEXLER, and Mr. MCHUGH.
H.R. 1668: Mr. TOWNS.
H.R. 2048: Mr. ALEXANDER, Mr. BUTTERFIELD, Mr. BOUCHER, Ms. BERKLEY, and Mr. ANDREWS.
H.R. 2134: Ms. CORRINE BROWN of Florida.
H.R. 2206: Mr. BOSWELL.
H.R. 2238: Mr. BROWN of South Carolina.
H.R. 2317: Mr. GIBBONS and Mr. KUCINICH.
H.R. 2345: Ms. NORTON, Mr. CUMMINGS, Ms. WATSON, Ms. JACKSON-LEE of Texas, Mr. ACKERMAN, and Mr. OWENS.
H.R. 2369: Mr. BROWN of Ohio.
H.R. 2378: Mr. GRAVES and Mr. PAUL.
H.R. 2428: Ms. ROYBAL-ALLARD, Mrs. CAPPS, and Ms. HOOLEY.
H.R. 2637: Mr. BISHOP of New York.
H.R. 2669: Mr. MCCOTTER, Mr. WEXLER, Mr. SANDERS, Mr. GUTIERREZ, Mr. SAXTON, Mr. PASTOR, Mr. LEACH, Ms. HOOLEY, Ms. DELAURO, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2793: Mr. CUMMINGS and Mr. JENKINS.
H.R. 2861: Mr. STRICKLAND.
H.R. 2892: Mr. FORTUÑO and Mr. CONYERS.
H.R. 2963: Ms. WOOLSEY.
H.R. 2971: Mr. INGLIS of South Carolina.
H.R. 3037: Mr. SABO and Ms. MCKINNEY.
H.R. 3080: Mr. RADANOVICH, Mr. HOSTETTLER, Mr. SHIMKUS, Mr. ROGERS of Kentucky, Mr. TURNER, and Mr. DEAL of Georgia.
H.R. 3137: Mr. EVERETT.
H.R. 3142: Mr. BRADY of Pennsylvania.
H.R. 3145: Mr. SMITH of New Jersey and Mr. GRIJALVA.
H.R. 3195: Ms. WOOLSEY and Mr. COSTELLO.
H.R. 3337: Mr. FORTUÑO.
H.R. 3361: Mr. CARDIN and Mr. CONYERS.
H.R. 3375: Mr. SHAYS.
H.R. 3449: Mr. CASE.
H.R. 3476: Ms. CARSON and Mr. SAM JOHNSON of Texas.
H.R. 3478: Mr. BUTTERFIELD, Mr. SNYDER, and Mrs. MALONEY.
H.R. 3546: Mr. FARR, Mr. SANDERS, and Ms. WOOLSEY.
H.R. 3607: Mr. HINCHEY.
H.R. 3617: Mr. STRICKLAND and Ms. GRANGER.
H.R. 3657: Mr. GRIJALVA.
H.R. 3753: Mrs. SCHMIDT.
H.R. 3760: Mr. MARKEY.
H.R. 3787: Mr. EVANS.
H.R. 3794: Mr. THOMPSON of Mississippi.
H.R. 3838: Ms. ESHOO and Mr. HOLT.
H.R. 3861: Mr. FILNER, Mr. INSLEE, Mr. OLVER, Mr. CLEAVER, Mr. SNYDER, Mr. ACKERMAN, Ms. JACKSON-LEE of Texas, and Mr. UDALL of Colorado.
H.R. 3876: Mr. PRICE of North Carolina.
H.R. 3883: Mr. RENZI, Mr. SENSENBRENNER, Mr. RAMSTAD, Mr. RYAN of Wisconsin, Mr. STUPAK, and Mr. WAMP.
H.R. 3888: Mr. EVANS and Ms. SOLIS.
H.R. 3925: Ms. DEGETTE.
H.R. 3940: Mr. BOUSTANY.
H.R. 3973: Mr. MILLER of North Carolina.
H.R. 3985: Mr. BOSWELL, Ms. LORETTA SANCHEZ of California, Mr. MEEKS of New York, Mr. VAN HOLLEN, Ms. MATSUI, Mrs. LOWEY, and Mr. SMITH of Washington.
H.R. 4015: Mr. KENNEDY of Minnesota.
H.R. 4019: Mr. MARCHANT and Mr. CHABOT.
H.R. 4092: Mr. OWENS, Mr. ORTIZ, Mr. GRIJALVA, Mr. WAXMAN, and Mr. BUTTERFIELD.
H.R. 4158: Mrs. MCCARTHY.
H.R. 4167: Mr. REYNOLDS, Mr. KANJORSKI, Mr. STEARNS, Mr. SAXTON, Mr. REICHERT, Mr. MCHUGH, Mrs. MILLER of Michigan, and Mr. KING of Iowa.
H.R. 4170: Mr. COBLE.
H.R. 4194: Mr. WAMP.
H.R. 4200: Mr. SHIMKUS and Mr. FRANKS of Arizona.
H.R. 4217: Mr. WAMP.
H.R. 4222: Mr. VAN HOLLEN.
H.R. 4246: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 4254: Mr. VAN HOLLEN and Mr. CONYERS.
H.R. 4259: Mr. BROWN of Ohio.
H.R. 4282: Ms. WOOLSEY.
H.R. 4299: Mr. COLE of Oklahoma and Mr. ISTOOK.
H.R. 4315: Mr. SAXTON, Mr. BONNER, Mr. GREEN of Wisconsin, Mr. RAMSTAD, Mr. BOUSTANY, Mr. ENGLISH of Pennsylvania, Ms. WOOLSEY, Mr. HAYES, Mr. SESSIONS, Mr. KING of New York, Mr. SNYDER, Mr. KUHL of New York, and Mr. GERLACH.

H.R. 4318: Mr. BONNER, Mrs. Drake, Miss MCMORRIS, Mr. GOHMERT, Mr. TANCREDO, Mr. CANNON, Mr. FORTUÑO, Mr. BEAUPREZ, Mr. WALDEN of Oregon, Mrs. MUSGRAVE, Mr. SHADEGG, Mr. LINDER, Mr. PITTS, Mr. PRICE of Georgia, Mr. RADANOVICH, Mr. RENZI, Mr. WELLER, and Mr. REHBERG.

H.R. 4341: Mr. RADANOVICH, Mr. SCOTT of Georgia, and Ms. HERSETH.

H.R. 4351: Mr. RYAN of Ohio, Mr. VAN HOLLEN, Ms. DELAURO, Mr. DEFAZIO, Mr. ROTHMAN, Ms. KILPATRICK of Michigan, Mr. PALLONE, Mr. CONYERS, and Mr. EVANS.

H.R. 4372: Mr. OWENS, Mr. BACA, and Mr. WEXLER.

H.R. 4384: Mr. GRIJALVA, Mr. FRANK of Massachusetts, Mr. CONYERS, and Mr. LEACH.

H.R. 4392: Mr. CONYERS and Mr. STARK.

H.R. 4407: Mr. PETERSON of Minnesota.

H.R. 4408: Mr. PRICE of Georgia.

H.R. 4416: Ms. JACKSON-LEE of Texas, Mr. PAYNE, Mr. OWENS, Mrs. CHRISTENSEN, Mr. EVANS, Ms. MCKINNEY, and Mr. BUTTERFIELD.

H.R. 4437: Mr. PICKERING, Mr. BAKER, Mr. BURGESS, Mr. SHUSTER, Mr. WILSON of South Carolina, Mr. POE, Mr. KLINE, Mr. MCHUGH, Mr. LEWIS of California, Mrs. BONO, Mr. ROYCE, Mr. MURPHY, and Mr. RYUN of Kansas.

H.R. 4463: Mr. MCDERMOTT, Ms. ESHOO, Mr. ABERCROMBIE, Mr. DAVIS of Alabama, Ms. WASSERMAN SCHULTZ, Mr. SANDERS, Mr. PAYNE, Ms. LINDA T. SÁNCHEZ of California, Mr. RUPPERSBERGER, and Ms. ZOE LOFGREN of California.

H.R. 4465: Ms. BALDWIN, Mr. CAPUANO, Mr. BROWN of Ohio, Mr. ANDREWS, and Mr. UDALL of Colorado.

H.R. 4472: Mr. FOLEY, Mr. FORBES, Mr. GALLEGLY, Mr. GIBBONS, Mr. PENCE, Mr. PORTER, Mr. GREEN of Wisconsin, Mr. KLINE, Mr. KENNEDY of Minnesota, Mr. GILLMOR, Mr. WESTMORELAND, Mr. MOORE of Kansas, Mr. ROYCE, Mrs. CAPITO, Ms. HARRIS, Mr. POE, Mr. CALVERT, Mr. GOODE, Ms. GINNY BROWN-WAITE of Florida, and Mr. GRAVES.

H.R. 4479: Mr. GRIJALVA, Mr. HINCHEY, Mr. MICHAUD, Ms. NORTON, Mr. TOWNS, Mr. CONYERS, and Mr. PALLONE.

H.R. 4481: Mr. STUPAK, Ms. DELAURO, and Mr. FRANK of Massachusetts.

H.R. 4491: Mr. STUPAK.

H.R. 4492: Mr. KUCINICH, Mr. CONYERS, and Mr. OWENS.

H. J. Res. 54: Mr. VAN HOLLEN.

H. J. Res. 63: Mr. RAMSTAD.

H. J. Res. 73: Mr. GEORGE MILLER of California, Mr. BACA, Ms. LINDA T. SÁNCHEZ of California, Mr. DOGGETT, Mr. OWENS, Ms. WATSON, Mr. LEWIS of Georgia, Mr. HINCHEY, Mr. KUCINICH, Mr. TOWNS, Ms. ROYBAL-ALLARD, Mrs. NAPOLITANO, and Mr. OBERSTAR.

H. Con. Res. 106: Mr. JOHNSON of Illinois.

H. Con. Res. 177: Mr. SAXTON and Mr. BRADY of Pennsylvania.

H. Con. Res. 222: Mr. SNYDER, Mr. POMBO, and Mrs. DRAKE.

H. Con. Res. 302: Mr. PITTS, Mr. GOODLATTE, Mr. ENGLISH of Pennsylvania, Mr. COLE of Oklahoma, and Mr. CONAWAY.

H. Con. Res. 311: Mr. NEAL of Massachusetts.

H. Res. 85: Mr. HINOJOSA.

H. Res. 483: Mr. FORTUÑO and Mr. ENGLISH of Pennsylvania.

H. Res. 487: Mr. AL GREEN of Texas and Mr. KUCINICH.

H. Res. 498: Mr. PETRI.

H. Res. 526: Mr. SKELTON.

H. Res. 529: Mr. HINCHEY.

H. Res. 566: Mr. UDALL of Colorado, Mr. CASE, Mr. CARNAHAN, Mr. RADANOVICH, and Ms. LINDA T. SÁNCHEZ of California.

H. Res. 573: Mr. CONYERS, Mr. GRIJALVA, and Mr. PAYNE.

H. Res. 574: Mr. MCNULTY, Mr. SCHIFF, Ms. ZOE LOFGREN of California, Mrs. NAPOLITANO, Mr. SHERMAN, Ms. LINDA T. SÁNCHEZ of California, Mr. LANTOS, and Mr. FARR.

H. Res. 575: Mr. FRANKS of Arizona, Mr. SCHIFF, Mr. MICHAUD, Mr. SIMPSON, Mr. LANGEVIN, Mr. MOORE of Kansas, Mr. MCHUGH, Mr. NADLER, Mr. SAXTON, Mr. LARSEN of Washington, Ms. SCHAKOWSKY, Mr. HASTINGS of Florida, Ms. PELOSI, Mr. SMITH of Washington, Ms. HOOLEY, Miss MCMORRIS, Mr. COSTA, Mr. GINGREY, Ms. CORRINE BROWN of Florida, Mr. JOHNSON of Illinois, Mr. EVERETT, Mr. MILLER of Florida, Mr. KINGSTON, Mrs. BIGGERT, Mr. MEEK of Florida, Ms. LINDA T. SÁNCHEZ of California, Mr. BISHOP of Utah, Mr. MARSHALL, Mr. SPRATT, Mr. BARRETT of South Carolina, Mr. MEEKS of New York, Mrs. MUSGRAVE, Mr. TANCREDO, and Mr. CLYBURN.

H. Res. 579: Mr. ISTOOK, Mr. RYUN of Kansas, Mr. CARTER, Mr. PITTS, Mr. MILLER of Florida, Mr. DOOLITTLE, Mr. GOODLATTE, Mr. MCCOTTER, Mr. COLE of Oklahoma, Mrs. EMERSON, and Mr. FORBES.

H. Res. 590: Ms. BERKLEY, Mr. RADANOVICH, Mr. GILLMOR, Mr. MORAN of Virginia, and Mr. BOOZMAN.

H. Res. 592: Mr. CASTLE.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 4099: Mr. BOREN.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4437

OFFERED BY: MR. FILNER

AMENDMENT NO. 1: At the end of title VII, add the following:

SEC. 709. IMMIGRATION-RELATED DISCRIMINATION.

(a) STUDY.—The Attorney General shall conduct a study on the effect increased enforcement of employer sanctions has on discrimination in the workplace based on national origin or citizenship since 2000.

(b) REPORT.—Not later than two years after the date of the enactment of this Act, the Attorney General shall submit to Congress a report on the study under subsection (a). Such report shall include recommendations regarding how such discrimination may be prevented.

H.R. 4437

OFFERED BY: MR. FILNER

AMENDMENT NO. 2: Section 1546(a) of title 18, United States Code, is amended in the first paragraph by inserting ''distributes (or intends to distribute),'' before ''or falsely'' the first place it appears.

Section 1546(a) of title 18, United States Code, is amended in the first paragraph by inserting ''distributed,'' before ''or falsely'' the second place it appears.

H.R. 4437

OFFERED BY: MR. FILNER

AMENDMENT NO. 3: At the end of the bill, insert the following:

TITLE IX—EMERGENCY SERVICES

SEC. 901. SHORT TITLE.

This title may be cited as the ''Pay for All Your Undocumented Procedures (PAY UP!) Act of 2005''.

SEC. 902. AUTHORIZING FEDERAL PAYMENT TO EMERGENCY AMBULANCE AND MEDICAL SERVICES PROVIDERS FOR THE COST OF UNCOMPENSATED CARE OF ALIENS AIDED BY THE BORDER PATROL OR OTHER FEDERAL IMMIGRATION OFFICIALS.

(a) IN GENERAL.—In the case described in subsection (b), the Secretary of Homeland Security shall, from amounts appropriated under subsection (c), provide payment to the hospital, health clinic, or other provider of the ambulance or other emergency services described in subsection (b) appropriate reimbursement for the costs of such emergency services, but only to the extent that such costs are not otherwise reimbursed through any Federal program and cannot be recovered from the alien or another person.

(b) CASE OF INJURED ALIEN DESCRIBED.—A case described in this subsection is the case of an alien to whom a Border Patrol agent or other Federal immigration official provides assistance in any form, directly or indirectly, in seeking or obtaining emergency medical assistance, including contacting an ambulance service for the transport of the alien to an appropriate medical facility for the receipt of emergency services.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each fiscal year, beginning with fiscal year 2006, such sums as may be necessary to carry out this section.

H.R. 4437

OFFERED BY: MR. FILNER

AMENDMENT NO. 4: At the end of the bill add the following:

TITLE IX—DOCUMENTARY REQUIREMENTS

SEC. 901. SHORT TITLE.

This title may be cited as the ''Visitors Interested in Strengthening America (VISA) Act of 2005''.

SEC. 902. WAIVER OF DOCUMENTARY REQUIREMENTS FOR CERTAIN NON-IMMIGRANT CHILDREN AND ACCOMPANYING ADULTS.

Section 212(d)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(4)) is amended—

(1) by striking ''(4)'' and inserting ''(4)(A)'';

(2) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively; and

(3) by adding at the end the following:

''(B)(i) Upon application by an alien who is citizen or national of Mexico, and who is applying for admission as a visitor under section 101(a)(15)(B) from Mexico, the Department of Homeland Security official in charge at a port of entry may, in the exercise of his or her discretion, on a case-by-case basis, waive either or both of the requirements paragraph (7)(B)(i) of subsection (a), if the official is satisfied that the alien is in possession of proper identification, as provided under clause (ii), and the alien is a child coming for a regular medical appointment (as evidenced by proof such as a letter from the medical professional concerned), or is the parent (or other adult chaperone) accompanying such a child, except that the number of adults admitted under this subclause shall not exceed one per child;

''(ii)(I) For purposes of this subparagraph, in the case of a child, proper identification shall include a passport, birth certificate, or other proof of citizenship or nationality.

''(II) In the case of an adult, proper identification shall include a passport, birth certificate, or other proof of citizenship or nationality, and a government-issued driver's license, or similar document issued for the

purpose of identification, that contains personal identifying information and a photograph.

''(iii) For purposes of this subparagraph—

''(I) the term 'child' means an unmarried person under 16 years of age; and

''(II) the term 'adult' means any person who is not a child.''.

EXTENSIONS OF REMARKS

PAYING TRIBUTE TO MARSHA McELLIGOTT

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. HINCHEY. Mr. Speaker, I rise today to pay tribute to a dear member of my staff, Marsha McElligott, who will soon retire after nearly 31 years of service to the House of Representatives. I have been fortunate enough to work with Marsha since I was sworn into office in January of 1993, but that was not the beginning of her congressional career. In fact, nearly her entire working life has been devoted to public service.

After graduating from the Katharine Gibbs School, she went to work for my predecessor in representing this district, Congressman Matthew McHugh. She served as his assistant in the Ithaca city prosecutor's office, in the Tompkins County District Attorney's office and then in his private law practice. When Matt was elected to Congress in 1974, she joined him as a caseworker on his staff and stayed through his retirement in 1992. I am very grateful to have inherited her service when I was elected in 1993.

Most of the people in Ithaca, where she's worked for all 31 years, would be surprised to learn that she's never lived in the congressional district. Rather, she's lived all of her life in Watkins Glen, in a neighboring county. It's remarkable for the fact that her knowledge of the communities of this congressional district is so deep and her work has always been so seamless that I think most of my constituents would assume that she had, in fact, been an Ithaca native.

Her service is also unusual in that she has devoted so many years to two members of Congress, Matt McHugh and myself. While we undoubtedly have different styles and have run our congressional offices in different manners, Marsha never missed a beat when she came to work for me, and I doubt that constituents who had received her help ever noticed any transition. They only noticed how very well served they were in her hands.

A congressional career that spans more than 30 years has become very rare, and I fear that there are few Marsha McElligotts left in congressional employment, staff members who are so deeply, personally dedicated to serving the public, serving the Members for whom they work, and upholding the very best goals and ideals of this institution.

I've always said that being a caseworker is the hardest job in a congressional office—it's demanding, it's stressful, and it requires infinite patience and persistence. It takes a very special person to do that job well and for such a long time. I can think of no finer embodiment of these qualities than Marsha McElligott. She has true respect for the role of Congress and for the difference that an individual Member can make in the lives of his or her constituents by providing access to the halls of government.

Like many of our longest-serving and most dedicated staff, Marsha has been relatively anonymous. Constituents may remember for decades the name of the Member of Congress who helped them earn their citizenship, or get their veterans' benefits, or solve a problem with the IRS, but they probably won't remember the name of the staff member who helped them.

That anonymity is a testament to how deeply dedicated to the greater good that Marsha, and staffers like her, truly are. I offer it as a compliment. Some people who work in a public service position for a long time come to be known for their own personalities and their own political careers. For Marsha, her devotion has been to Congressman McHugh and me and to the people of the congressional district. She has been utterly selfless, subsuming her own opinions to be instead the voice of the members of Congress she has served and working always for the good of our constituents, not her own personal gain. Because she is always the picture of discretion, she has the unfailing trust of our constituents, my staff and me.

There are thousands of people in the congressional district I represent—immigrants and new citizens, college students, veterans, people with disabilities, young, old, rich and poor—whose lives have been bettered by the efforts of Marsha McElligott. Marsha's a very modest person, but I believe there's no exaggeration in saying that she's made a difference in the future of our nation, because of her particular devotion to two areas of her work: bringing new citizens into our country and helping to select the finest leaders of our armed forces.

For hundreds of refugees, visa applicants, or those needing help with the naturalization process, Marsha's patience and compassion has meant the difference between hope and despair, success and failure, united or divided families. The long and exhausting process these special cases require have proven no match for Marsha's limitless diligence and desire to serve those in need of help. Many of these cases were presented by people who didn't speak English or didn't know our customs, people who were scared and intimidated. She made a good introduction to these people of what America was all about, and what American government means in the lives of individuals. People who were frightened by the immigration process when they came to our offices were reassured by her direct personal contact, her no-nonsense attitude and the confidence she inspired that she'd sort out whatever sort of bureaucratic mess they were in. A generation of immigrants to the Finger Lakes region from all over the world became citizens because of her.

Hundreds of young men and women seeking appointments to the nation's military academies also have Marsha to thank for their entry into these elite institutions. Marsha's ability to coach these future leaders of our armed forces successfully through the nomination process is worthy of great admiration and praise.

I could go on and on about her professional accomplishments, but I want to close by saying what she has meant to me personally. She has been a pleasure to know and to work with, and I've relied on her wisdom and experience in these 13 years more times than I can count. Day in and day out, she has regularly, faithfully and loyally provided the very best service any Member of Congress could hope for, for more than three decades. I congratulate her as she prepares for this new chapter of her life and know that her husband David, their children and families look forward to spending more time with her.

RECOGNIZING THE SIGNIFICANT CONTRIBUTIONS OF THE NEVADA COMMISSION ON TOURISM

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. PORTER. Mr. Speaker, today I rise with my colleagues, Congresswoman SHELLEY BERKELEY and Congressman JIM GIBBONS, to recognize the significant contributions of the Nevada Commission on Tourism in leading the United States in tourism marketing and promotion in China.

Since 2002, the Nevada Commission on Tourism has been instrumental in collaborating with Chinese officials to strengthen international ties with this burgeoning tourist economy. The Nevada Commission on Tourism is the first U.S. tourism entity at any government level to be granted a license by the Chinese government to advertise its tourism attractions to prospective Chinese tourists. All of this was achieved in less than 1 year and with minimal costs to taxpayers.

The result of their efforts has not solely benefited the State of Nevada, but has encouraged tourism to all parts of the United States. Statistically, Chinese tourism to the United States has increased by 20 percent from 2003 to 2004, when Nevada was able to achieve its licensing goals. Therefore, through their innovative efforts, the Nevada Commission on Tourism has paved the way for other States to actively participate in marketing to this uniquely lucrative economy.

We are encouraged by the tremendous growth in Chinese tourism and we recognize that there is fertile ground in this burgeoning

international travel and tourism market. Further, we are optimistic that other states will follow Nevada's lead and actively begin to market travel and tourism to China, the world's largest market place.

Mr. Speaker, again, we applaud the uniquely monumental efforts of the Nevada Commission on Tourism and look forward to witnessing an even greater increase in Chinese tourism to our State and other tourist destinations throughout the United States.

HONORING JAMES RIZZO ON HIS CAMPAIGN TO BE ELECTED TO THE CHAUTAUQUA COUNTY LEGISLATIVE DISTRICT 23

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. HIGGINS. Mr. Speaker, I rise today to honor James Rizzo, a resident of Chautauqua County for his quest to become the elected representative to the twenty-third legislative district in the Chautauqua County Legislature. Although Mr. Rizzo was not able to realize his dream he has been able to make an impact on other's lives in a different way.

The campaign trail is a difficult path to take. Any person with a dream may enter but only a few are able to reach the end. Mr. Rizzo traveled that path with his head held high and a smile on his face the entire way. I have no doubt that his kind demeanor left a lasting impression on the voters of district 23.

Chautauqua County is blessed to have such strong candidates with a desire to make this county the wonderful place that we all know it can be. Mr. Rizzo is one of those people and that is why Mr. Speaker I rise to honor him today.

HONORING THE DISTINGUISHED SERVICE OF DICK PALMER

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. GORDON. Mr. Speaker, I rise today to recognize the distinguished career of Dick Palmer, a Murfreesboro, Tennessee, native who has been the voice of the Middle Tennessee State University Blue Raiders for 25 years.

A 1960 graduate of MTSU, Dick is a Blue Raider through and through. His presence on the airwaves certainly will be missed. For more than 46 years, Dick has been involved in sporting events in Tennessee, from his 9 year stint calling play-by-play for Jackson high school sports to his work with the Memphis Blues baseball team, Memphis Pros ABA team, and Memphis Grizzlies World Football League team.

Although he will be retiring from MTSU broadcasting at the end of this season, I have no doubt that Dick will continue to be an active and valued member of the Murfreesboro community. Not only a family businessman in charge of operations for Palmer Wholesale, Dick also has served as a mentor and role model to countless young people as a Little League baseball coach. I even had the privilege of being coached by Dick when he was my seventh grade basketball coach at Hobgood Elementary School.

Dick's dedication to his community and to the Blue Raiders is truly an inspiration and a shining example of Middle Tennesseans at their best. It has been a pleasure knowing him since I was a young man, and I am proud to call him a family friend. I thank him for all of his contributions to Middle Tennessee and wish him all the best for his retirement.

SIKHS ENTHUSIASTICALLY CELEBRATE GURU NANAK'S BIRTHDAY WITH REVERENCE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. TOWNS. Mr. Speaker, last month, Sikhs gathered from around the world to celebrate the birthday of Guru Nanak, the founder of Sikhism, with devotion, enthusiasm, and reverence. Over 25,000 Sikhs gathered in Nankana Sahib, in what is now Pakistan, for the celebration.

The celebration included reading of the Sikh holy scripture, the Guru Granth Sahib, the singing of hymns, a procession through the streets, and speeches. One of the speeches was given by Dr. Gunnit Singh Aulakh, President of the Council of Khalistan, the organization that leads the Sikh struggle for independence. Dr. Aulakh's speech was punctuated with slogans of ''Khalistan Zindabad,'' which means ''Long live Khalistan.'' Khalistan is the name of the Sikh state that declared its independence on October 7, 1987.

The celebration was carried live on Pakistani television and on Punjab Radio from London, which is available worldwide.

Guru Nanak had two companions, one Hindu and one Muslim. He was a shining example of acceptance of all. When Guru Nanak passed away, his burial shawl was torn in half and burned by the Hindus, and buried by the Muslims. Both Hindus and Muslims revered him.

Yet today, Hindus persecute the Sikhs, the followers of Guru Nanak. More than 250,000 Sikhs have been murdered at the hands of the Indian government. According to the Movement Against State Repression, MASR, over 52,000 are being held without charge or trial as political prisoners in ''the world's largest democracy.'' Over 50,000 young Sikh men were picked up by the government, tortured, murdered, and then secretly cremated. Their bodies were declared ''unidentified'' and never returned to their families.

Christians and Muslims throughout the country are also being persecuted. Over 300,000 Christians in Nagaland and over 90,000 Kashmiri Muslims have been killed by the government. In addition, tens of thousands of Assamese, Bodos, Dalits, Manipuris, Tamils, and other minorities have been killed.

Are we going to stand idly by and let this happen? By stopping our aid and trade with India and by declaring our support for the fundamental democratic principle of self-determination, we can help bring real peace, prosperity, freedom, and stability to South Asia.

Mr. Speaker, I would like to insert the Council of Khalistan's very informative press release about the celebration of Guru Nanak's birthday into the RECORD at this time.

[From the Council of Khalistan, Nov. 22, 2005]

SIKHS CELEBRATE GURU NANAK'S BIRTHDAY WITH DEVOTION, ENTHUSIASM, REVERENCE

WASHINGTON, DC.—Over 25,000 Sikhs gathered in Nankana Sahib (now in Pakistan) last week for the celebration of the birthday of Guru Nanak, the first Guru of the Sikh religion. About 15,000 were from Pakistan, about 4,500 were from India, and the rest were from abroad. Slogans of ''Khalistan Zindabad'' resonated throughout Nankana Sahib during the day's speeches.

The celebration began with the performance of Akand Path, which is the The Guru Granth Sahib, the Sikh holy scripture, was read without interruption for 48 hours leading up to Guru Nanak's birthday. Hymns were sung as midnight struck. In the morning, the Pakistan Gurdwara Prabandhak Committee (PGPC) presented government officials and others with siropas. According to Sikh tradition, the afternoon was marked by a procession led by the Guru Granth Sahib, followed by the Panj Piaras, and then the Sangat, of all the Gurdwaras in Nankana Sahib, ending back at Gurdwara Janam Asthan. The evening program featured speeches given by various Sikh leaders, including Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, which leads the Sikh struggle for independence. When Dr. Aulakh raised slogans of ''Khalistan Zindabad,'' the Sangat responded with great enthusiasm. The Sikh Nation knows that political power is essential for the enhancement of any religion. The Sikh Nation also knows that the gold was added to cover the building of Darbar Sahib when the Sikihs ruled Punjab from 1765 to 1849. Since then, it is also called the Golden Temple. After midnight the celebration concluded with ceremonies according to the Sikh rehat maryada.

The Sang at showed great devotion and reverence on this pious occasion. Guru Nanak was the founder of the Sikh religion. (''Marya Sikha Jagat Sitch Nanak Nirmal Panth Chalaya.'') It was an occasion of great happiness for the Khalsa Panth. The events were carried live on Pakistani TV and on Punjab Radio from London, which is heard throughout the world. Sikhs who were able to participate in the celebration were very fortunate.

Guru Nanak confronted Sabar, the Moghul ruler of the time and called him a Jabbar (oppressor) and spoke out against the tyranny of the rulers of that time. He was even imprisoned by Babar, along with his followers. Guru Nanak travelled extensively, to the Middle East, where he visited Baghdad, and throughout India, along with his two companions, one Hindu, one Muslim. He spread his message of truthfulness, respect for the rights of individuals, earning an honest living, sharing with the needy, and praying to Almighty God. He was revered by Hindus and Muslims alike. When he left this world, his body was not found. The sheet covering his body was torn in two. The Hindus cremated it and the Muslims buried it, each according to their customs.

Guru Nanak is remembered as Baba Nanak Shah Faqir, Hindu Da Guru, Mussleman Da

Pir. He preached the equality of all the human race, including gender equality.

Sikhism is a divinely revealed, monotheistic, independent religion which has 25 million followers and is the world's fifth largest religion. The Guru Granth Sahib, the Sikh holy scripture, was written by the Gurus themselves as revealed to them by God. Nobody can add or delete anything in the holy scripture, which is considered to be a living Guru after the tenth Nanak, Guru Gobind Singh Sahib.

IN RECOGNITION OF THE CONTRIBUTIONS AND SERVICE OF SOLANO COUNTY SUPERVISOR SKIP THOMSON

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mrs. TAUSCHER. Mr. Speaker, I rise today to recognize the exceptional value of Skip Thomson's thirty plus years of dedicated service to the citizens of Solano County.

In 1976, Skip Thomson began his career by accepting a position as Appraiser Aide in the Assessor's Valuation Division. Shortly thereafter he and his high school sweetheart, Gail Woods, were married, and within ten years Skip and Gail Thomson were blessed with two sons. Their oldest son, Loren, is a First Lieutenant in the California National Guard and is currently serving our country in Iraq. Their second son, Brandon, is currently a sophomore at Sierra Junior College in Rocklin, California, and is pursuing a Liberal Arts Degree.

After 16 years of service in the Assessor's Valuation Division, Skip Thomson campaigned for and won a position as a member of the Solano County Board of Supervisors. Skip served three terms representing the Fifth District, which encompasses 52 percent of Solano County, including the cities of Dixon, Rio Vista, south Vacaville and Suisun City. While serving as a member of the Board, one of Skip's proudest achievements was ensuring Travis Air Force Base the ability to expand if and when necessary.

After leaving his county board position, Skip Thomson was elected County Assessor/Recorder. Under his direction, a plan was developed and implemented that finalized the recording process of a 38,000 document backlog that existed when he took office. For this accomplishment, Skip and his staff were recognized for their achievements in the County's Annual Report.

Skip Thomson has spent his entire career working for his community and for the citizens of Solano County. As he enters retirement, I would like to wish Skip, Gail, and their sons many wonderful years of happiness, prosperity, and good health.

HONORING JOHN BROWN ON HIS CAMPAIGN TO BE ELECTED TO THE CHAUTAUQUA COUNTY LEGISLATIVE DISTRICT 19

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. HIGGINS. Mr. Speaker, I rise today to honor John Brown, a resident of Chautauqua County for his quest to become the elected representative to the nineteenth legislative district in the Chautauqua County Legislature. Although Mr. Brown was not able to realize his dream he has been able to make an impact on other's lives in a different way.

The campaign trail is a difficult path to take. Any person with a dream may enter but only a few are able to reach the end. Mr. Brown traveled that path with his head held high and a smile on his face the entire way. I have no doubt that his kind demeanor left a lasting impression on the voters of district 19.

Chautauqua County is blessed to have such strong candidates with a desire to make this county the wonderful place that we all know it can be. Mr. Brown is one of those people and that is why Mr. Speaker I rise to honor him today.

IN PRAISE OF THE RICHMOND STEELERS FOOTBALL TEAM

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today to pay special tribute to the Richmond Steelers Football Team as they return from the National Youth Football Pigskin League Tournament in Las Vegas. About 128 teams from around the country compete in the Tournament. I am proud to represent them in Congress.

The Richmond Steelers, 200 boys and one girl, under the direction of Head Coach Fred Harris, have long been a story of success in the history of national youth football. The Steelers have won five consecutive California state youth football titles and have compiled a 59–3 record over that span. The team reached their highest mark last year as they took first place in the Midget Division of the Pigskin Tournament.

More than the trophies, the Steelers represent salvation for children who otherwise face numerous hardships. In August 2004, players were devastated by the murder of Terrance Kelley, a former Steelers player and De La Salle High School football star who was on his way to the University of Oregon on a football scholarship. In August of this year, the day before the team's first practice game, beloved Midget coach Waleed Elahi was shot and killed. Waleed and his brother Khalid started an early morning breakfast program to ensure that players had a nutritious meal each morning before going to school.

This year, the opportunity to defend their title was nearly stripped from the Steelers, as they lacked the funds to travel to Las Vegas for the championship games. The team receives no outside funding and relies on membership fees and donations to survive. Steelers President Adrian Muhammad, when asked about the team's situation, said that unless there was a miracle, the team would not be able to afford the trip.

However, miracles still do happen. Once word got out, the community responded, and donations came pouring in. Residents and businesses from Contra Costa County banded together to help the team raise $30,000 in just a few weeks. With such an overwhelming response, the Steelers were able to make the trip.

The Steelers returned to Richmond with four honors, a first place trophy won by the Pee Wees, two second place trophies won by the Midgets and the Mighty Mites, and the Junior Midget's third place bronze medals. However, for these children and the community at large, the fact that the trip was even made possible is every bit as important as the outcome of the games. The individuals, businesses and community organizations of Richmond pooled their resources and together provided the necessary funding. This effort in support of our children represents the very best in community spirit and is an example of hope that we can all celebrate.

Mr. Speaker, it is my honor to recognize the journey that the coaches and players of the Richmond Steelers, and the community in which they live, have traveled this year. Please join me in celebrating their success.

HONORING DONALD L. WOODS

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. HENSARLING. Mr. Speaker, today I would like to honor the tremendous career of Donald L. Woods, who is retiring after more than 13 years of service to the United States Attorney's Office, Western Division.

A Vietnam veteran, Donald Woods served in the United States Navy from 1962–1967. As a young Lieutenant, he was a pilot of anti-submarine aircraft aboard the USS *Bennington* aircraft carrier. From 1967–1982 he flew with Braniff Airlines as a flight engineer and pilot.

In 1989, he became a Certified Public Accountant. From 1990–1992, he served as an investigator with Federal Deposit Insurance Corporation, FDIC. In 1992, he transferred to the Department of Justice, United States Attorney's Office, in Austin, Texas, as an auditor for bank fraud cases.

During the late 1980s, Austin was the site of numerous failures of federally insured banks and savings and loans. Donald Woods was actively involved in the investigation and prosecution of the owners, directors, and officers of these financial institutions. He utilized his accounting skills to investigate and later testify to financial statements and transactions used to defraud federally insured financial institutions and their investors.

Over the course of his career, Donald Woods has demonstrated his commitment to

the American justice system and to maintaining the integrity of our financial institutions. Today I would like to recognize his outstanding service to the legal profession and his dedication to the people of Texas and the United States of America.

HONORING ADVENTURES IN MURPHRY'S BURROW

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. GORDON. Mr. Speaker, today I rise to recognize the outstanding work of Nancy Phillips and all of the other talented individuals who help to create Adventures in Murphry's Burrow, a children's television show that airs on Murfreesboro, Tennessee's local cable station.

Children, parents and all residents of Murfreesboro can benefit from the educational content provided on Adventures in Murphry's Burrow. The show introduces children, as well as adults, to community leaders and government figures. In addition, children take an active part in the show by submitting questions to the show's featured guest.

I commend each and every individual who has worked to make Adventures in Murphry's Burrow successful. Nancy creates, writes, and produces the show. She is assisted by co-producer Steve Burris and Alan Bozeman, director of the Channel 3 cable station. Wayne White designed the show's star puppet, Murphry. Linda Gilbert was instrumental in involving the Murfreesboro City School System in the program, and Marilyn Mathis works to promote the program within the school system and community.

I thank them all for their wonderful service to the community, and I wish them continued success as they create new adventures for Murphry and the children of Murfreesboro.

HONORING LULA TAYLOR FOR HER YEARS OF SERVICE TO THE CHAUTAUQUA COUNTY LEGISLATIVE DISTRICT 11

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. HIGGINS. Mr. Speaker, I rise today to honor Lula Taylor, a resident of Chautauqua County for her service to the eleventh legislative district in the Chautauqua County Legislature. Ms. Taylor has had the opportunity to serve not only as a strong member of the legislature but to her community as a strong community activist.

The campaign trail is a difficult path to take. Any person with a dream may enter but only a few are able to reach the end. Ms. Taylor traveled that path with her head held high and a smile on her face the entire way. I have no doubt that her kind demeanor left a lasting impression on the voters of district 11.

Lula is one of those people that leave a huge impact on her community. For many years her efforts to better Chautauqua County have left a lasting impression not only on the county itself but in its residents. Her face, voice, opinions and successes were a staple in the legislature. Our county and our residents are better for the undying work Ms. Taylor did during her tenure.

A true testimony to Ms. Taylor can be found in many areas of the county and in many people whose lives she touched. One doesn't have to look far to see what a strong work ethic can do.

Lula is one woman who never stops working for the things she believes in. She serves on the County Human Service Committee, Chautauqua County Board of Health, Chautauqua County Health Network Inc. Advisory Board, Office for the Aging Advisory Board, County Home Advisory Board, Safe House Committee, and is an AIDS Awareness Advocate. Her community activism is a true testament to her love of Chautauqua County.

Chautauqua County is blessed to have such strong individuals with a desire to make this county the wonderful place that we all know it can be. Ms. Taylor is one of those people and that is why Mr. Speaker I rise to honor her today.

RACISM OF INDIAN FOUNDER EXPOSED

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. TOWNS. Mr. Speaker, the unveiling of a statue of Mohandas K. Gandhi in Johannesburg, South Africa, set off a discussion about the anti-black racism of the founder of India.

When the eight-foot high Gandhi statue was unveiled, portraying him as a young human-rights lawyer, many leaders attacked Gandhi's anti-black statements. "Gandhi had no love for Africans," said one letter in The Citizen, a South African newspaper. "To him, Africans were no better than the 'Untouchables' of India."

As you may know, Mr. Speaker, the dark-skinned aborigines of the subcontinent, known as Dalits or "Untouchables," occupy the lowest rung on the ladder of India's rigid and racist caste system. The caste system exists to protect the privileged position of the Brahmins, the top caste. Although it was officially banned by India's constitution in 1950, it is still strictly practiced in Hindu India.

Others have pointed out that Gandhi ignored the suffering of black people during the colonial occupation of South Africa. When he was arrested and forced to share a cell with black prisoners, he wrote that they were "only one degree removed from the animal." In other words, Mr. Speaker, he described blacks as less than human. We condemn anyone who says this in our country, such as the Ku Klux Klan and others, as we should. Why is Gandhi venerated for such statements?

In addition, G.B. Singh, a Gandhi biographer, has looked through many pictures of him and never seen one single black person. Gandhi also attacked white Europeans.

Gandhi is honored as the founder of India. These statements and attitudes reveal the racist underpinning behind the secular, democratic façade of India. It explains a worldview that permits a Dalit constable to be stoned to death for entering the temple on a rainy day, that allows the murders of over 300,000 Christians in Nagaland, over 250,000 Sikhs in Punjab, Khalistan, over 90,000 Muslims in Kashmir, tens of thousands of Christians and Muslims elsewhere in the country, including Graham Staines and his two young sons, and tens of thousands of Assamese, Bodos, Dalits, Manipuris, Tamils, and other minorities. It explains why the pro-Fascist, Hindu militant RSS is a powerful organization in India, in control of one of its two major political parties.

India must abandon its racist attitudes and its exploitation of minorities. It must allow the enjoyment of full human rights by everyone. Until it does so, we should stop our aid and trade with India. Furthermore, Mr. Speaker, the essence of democracy is the right to self-determination. India must allow self-determination for Kashmir, as it promised the United Nations in 1948, in Punjab, Khalistan, in Nagaland, and wherever the people seek to free themselves from the boot of Indian oppression. We should put this Congress on record in support of self-determination for the people of the subcontinent in the form of a free and fair plebiscite on the question of independence. Khalistan declared its independence on October 7, 1987. The people have never been allowed to have a simple, democratic vote on the matter. Instead, India continues to oppress the people there with over half a million troops.

Mr. Speaker, reporter Rory Carroll of The Guardian wrote an excellent article on the controversy about the Gandhi statue. I would like to place it in the RECORD at this time.

[The Guardian, Friday Oct. 17, 2003]

GANDHI BRANDED RACIST AS JOHANNESBURG HONOURS FREEDOM FIGHTER

(By Rory Carroll)

It was supposed to honour his resistance to racism in South Africa, but a new statue of Mahatma Gandhi in Johannesburg has triggered a row over his alleged contempt for black people. The 2.5 metre high (8ft) bronze statue depicting Gandhi as a dashing young human rights lawyer has been welcomed by Nelson Mandela, among others, for recognising the Indian who launched the fight against white minority rule at the turn of the last century.

But critics have attacked the gesture for overlooking racist statements attributed to Gandhi, which suggest he viewed black people as lazy savages who were barely human.

Newspapers continue to publish letters from indignant readers: "Gandhi had no love for Africans. To [him], Africans were no better than the 'Untouchables' of India," said a correspondent to The Citizen.

Others are harsher, claiming the civil rights icon "hated" black people and ignored their suffering at the hands of colonial masters while championing the cause of Indians.

Unveiled this month, the statue stands in Gandhi Square in central Johannesburg, not far from the office from which he worked during some of his 21 years in South Africa.

The British-trained barrister was supposed to have been on a brief visit in 1893 to represent an Indian company in a legal action, but he stayed to fight racist laws after a conductor kicked him off a train for sitting in a first-class compartment reserved for whites.

Outraged, he started defending Indians charged with failing to register for passes and other political offences, founded a newspaper, and formed South Africa's first organised political resistance movement. His tactics of mobilising people for passive resistance and mass protest inspired black people to organise and some historians credit Gandhi as the progenitor of the African National Congress, which formed in 1912, two years before he returned to India to fight British colonial rule.

However, the new statue has prompted bitter recollections about some of Gandhi's writings.

Forced to share a cell with black people, he wrote: ''Many of the native prisoners are only one degree removed from the animal and often created rows and fought among themselves.''

He was quoted at a meeting in Bombay in 1896 saying that Europeans sought to degrade Indians to the level of the ''raw kaffir, whose occupation is hunting and whose sole ambition is to collect a certain number of cattle to buy a wife with, and then pass his life in indolence and nakedness''.

The Johannesburg daily This Day said GB Singh, the author of a critical book about Gandhi, had sifted through photos of Gandhi in South Africa and found not one black person in his vicinity.

The Indian embassy in Pretoria declined to comment, as it prepared for President Thabo Mbeki's visit to India.

Khulekani Ntshangase, a spokesman for the ANC Youth League, defended Gandhi, saying the critics missed the bigger picture of his immense contribution to the liberation struggle.

Gandhi's offending comments were made early in his life when he was influenced by Indians working on the sugar plantations and did not get on with the black people of modern-day KwaZulu-Natal province, said Mr. Ntshangase.

''Later he got more enlightened.''

KEARA SAMMONS OF SMOKEY HILL HIGH SCHOOL VARSITY CROSS COUNTRY TEAM

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. TANCREDO. Mr. Speaker, I would also like to applaud the accomplishment of Keara Sammons of Aurora, Colorado. Keara Sammons won the individual high school women's cross country State title. Keara was assisted by her teammates—Lisa Allen, Jeanette Ames, Stephanie Boehm, Steven Bolger, Lindsey Dezman, Nick Donkoh, Grant Duin, Eiger Erickson, Stasia Erickson, Alexander Evans, Luke Fischer, Zachary Fuller, Jennifer Gamboa, Jeanna Hanna, Michael Harris, Corey Jefferson, Michael Kasberg, Sarah Lyle, Andrew Matz, Daniel Mickey, Brittany Nelson, Miriam Olin, Hollee Pentico, Kallie Powers, Stephen Reagan, Matthew Robida, John Sawvel, Matthew Schulz, Matthew Sewick, Erica Smith, Thomas Smith, Erin Stratton, Carter Turnbull, Lauren Vail, Jacob Varey, Casey Vockrodt, Chanel Williams, Teddi Wold, Aaron Wood, Megan Woodworth and Eric Young. Keara and these student-athletes were coached by Greg Weich, Brian Manley, Jeff Bliven and Amy Fox.

Keara continued the impressive streak of Buffalo women who have won 6 of the past 7 State individual women's cross country titles. Keara won by more than 20 seconds, however, her victory was not enough for the Smoky Hill Buffalo girls to win the team title, the first time in 4 years they have not won.

The Buffalos have trained intensively while maintaining a standard of academic excellence throughout the season. It is my pleasure to honor their championship, and to wish them all the best in their future endeavors.

HONORING SUZANNE GRIFFITH

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mrs. BLACKBURN. Mr. Speaker, today I rise to recognize the achievements of Suzanne Griffith. For 21 years Suzanne has served with the Bartlett, Tennessee Chamber of Commerce. She has truly helped make our community a better place to live and work, and for that we can't thank her enough.

Suzanne began her career with the Chamber as the first full-time employee, and today she serves as its President. That sort of dedication is rare these days and we should all take a moment to mark the occasion.

During Suzanne's years at the Chamber she helped foster remarkable commercial development in Bartlett. What started as a rural community has become a thriving, economically diverse town that has given thousands of families a wonderful place to live and grow.

From 1984 to 2004, Tennessee recognized Bartlett as a ''Three-Star'' recipient for consistent strong economic growth, expansion, and capital improvements. Suzanne was instrumental in helping Bartlett achieve this record of achievement, and it's a credit to her work that today Bartlett has surpassed the requirements of the ''Three-Star'' program.

The Bartlett we know and love is in no small part due to Suzanne Griffith's work. We thank her for her vision, her hard work, and wish her well as she retires from the Bartlett Chamber of Commerce.

HONORING ANTHONY TERESI FOR HIS YEARS OF SERVICE TO THE CHAUTAUQUA COUNTY LEGISLATIVE DISTRICT 13

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. HIGGINS. Mr. Speaker, I rise today to honor Anthony Teresi, a resident of Chautauqua County for his service to the thirteenth legislative district in the Chautauqua County Legislature. Mr. Teresi has had the opportunity to serve not only as a strong member of the legislature but as chairman to subcommittees within.

The campaign trail is a difficult path to take. Any person with a dream may enter but only a few are able to reach the end. Mr. Teresi traveled that path with his head held high and a smile on his face the entire way. I have no doubt that his kind demeanor left a lasting impression on the voters of district 13.

Anthony is one of those people that leave a huge impact on his community. For many years his efforts to better Chautauqua County have left a lasting impression not only on the county itself but in its residents. His face, voice, opinions and successes were a staple in the legislature. Our county and our residents are better for the undying work Mr. Teresi did during his tenure.

A true testimony to Mr. Teresi can be found in many areas of the county and in many people whose lives he touched. One doesn't have to look far to see what a strong work ethic can do.

Chautauqua County is blessed to have such strong individuals with a desire to make this county the wonderful place that we all know it can be. Mr. Teresi is one of those people and that is why, Mr. Speaker, I rise to honor him today.

IN MEMORY OF GARFIELD W. THOMPSON

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. BURGESS. Mr. Speaker, I rise today to remember the Honorable Garfield W. Thompson, 89, a former state representative, a labor leader, and a friend to the Fort Worth community. Mr. Thompson passed away on Wednesday, December 7, 2005.

Garfield W. Thompson was born June 29, 1916, in Grandview, Texas. His family made Fort Worth its home when he was a young boy. He was a 1934 graduate of historic I.M. Terrell High School. At the outbreak of World War II he enlisted in the U.S. Army where he bravely served and was honorably discharged. In 1942, he married Dorothy Ruth Williams.

He worked as a waiter for Texas and Pacific Railroad until retirement after 28 years. He then worked as a custodian at the Tarrant County courthouse. There, he served as the president of the Tarrant County Courthouse AFL–CIO union, and he was later elected regional representative of the Tarrant County Central Labor Council.

Mr. Thompson was elected to the Texas House in 1984 and served District 95 for 10 years until his retirement from public office. In addition to his years in public service, Mr. Thompson was chairman of voter registration for the National Association for the Advancement of Colored People and was an active member of the American Legion, a member and former president of the Ambassadors Club, an elder of St. Peter's Presbyterian Church and a former president of the Men of the Church.

He was granted an honorary doctorate in government from the University of Houston and was a dedicated public servant. He loved and was particularly proud of his Stop Six community. Through all of his grand pursuits, nothing ranked above the love he had for his family.

Today, I would like to recognize and celebrate Garfield W. Thompson's life. It was an honor to represent him in Washington. He was intelligent, thoughtful and a true American. Mr. Thompson will be deeply missed by his family and the people of Fort Worth.

TRIBUTE TO F&M TRUST COMPANY

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. SHUSTER. Mr. Speaker, I rise today to honor the F&M Trust Company serving both Franklin and Cumberland Counties in Pennsylvania. On February 5, 2006, the F&M Trust Company will celebrate its 100th anniversary.

In America, numerous organizations have sprouted and grown upon the foundation of service to others in order to ensure a progressive society, creating communities committed to generosity and equality. In December 1905, a group of businessmen, lawyers, farmers, doctors, and merchants met in Chambersburg, Pennsylvania to discuss the organization of a trust company. They wanted to form a corporation that would better serve the community by offering services such as personal guardianships, trusteeships, and title guarantees. One month later, the Commonwealth of Pennsylvania granted the bank a charter under the name "The Farmers and Merchants Trust Company of Chambersburg, PA." By February 5, 1906, the bank opened its doors for the first time.

Throughout the years, banks have been challenged from the depths of the Great Depression through the ongoing consolidation of financial institutions. F&M Trust has met these challenges head on. As banks began to emerge from the depression, our communities witnessed great growth; along with it, the traditional way of banking was changing. The F&M Trust Company began to grow in existing markets and developed new markets by progressively integrating new with traditional products and services. By 1993, F&M Trust became the largest locally owned and managed community bank in Franklin County.

The F&M Trust Company's growth and success can be attributed to many individuals throughout our company's history. While the men who formed the company established the foundation for success, the directors, management, and staff of F&M have been responsible for continuing their commitment to communities, customers, shareholders, and employees through the years.

For its commitment to the citizens of Franklin and Cumberland Counties throughout the last one hundred years, I am extremely grateful to the F&M Trust Company.

Happy Birthday F&M Trust Company, and best wishes for many more!

TRIBUTE TO CHIEF UNITED STATES DISTRICT JUDGE CONSUELO B. MARSHALL

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. BERMAN. Mr. Speaker, I rise today to ask my colleagues to join in saluting my good friend Chief United States District Judge Consuelo B. Marshall. Judge Marshall has stepped down from her role as Chief Judge and was honored by the Los Angeles Chapter of the Federal Bar Association on December 6, 2005, for her lifetime commitment to public service.

Judge Marshall has devoted her distinguished career to the struggle for civil rights, justice and tolerance for all people. After service as Deputy City Attorney for the City of Los Angeles, and a period with the firm of Cochran & Atkins, she was appointed as a commissioner on the Los Angeles Superior Court where she was assigned to Juvenile Court, Family Court, and Civil law and Motions. In 1976, she became an Inglewood Municipal Court Judge. In 1977, she was elevated to Los Angeles Superior Court Judge and assigned to the criminal division. In 1980, President Jimmy Carter appointed her to the United States District Court for the Central District of California and in 2001, she became the first woman to serve as Chief Judge of that District—an outstanding achievement.

Judge Marshall is an exceptional woman whose accomplishments are legion. The Los Angeles County Bar Association recently named Judge Marshall the Outstanding Jurist of the Year. She is also the recipient of numerous other awards, including the Los Angeles County Dr. Martin Luther King, Jr. Award, the Kappa Alpha Psi Fraternity Thomas Bradley Distinguished Citizen Award, the Women Lawyers Association Los Angeles Ernestine Stahlhut Award, the Langston Bar Association Bernard S. Jefferson Jurist of the Year Award, and many more, too numerous to mention.

In addition to her professional duties, Judge Marshall generously contributes her time and energy to many worthwhile organizations. She currently serves on the Los Angeles Board of Governors of the Association of Business Trial Lawyers. She served as a member of the Board of Directors for the Weingart Center, a non-profit facility providing health and social services for the homeless, and the Legal Aid Foundation of Los Angeles. She also served on the United States Sentencing Commission's Drug Violence Task Force which was created in an effort to understand the relationship between drugs and violence.

Judge Marshall was a well respected and admired faculty member of The Rutter Group and the Trial Advocacy Workshop at Harvard Law School and has lectured extensively in many parts of the world.

It is my distinct honor to salute Consuelo Marshall for the exemplary leadership she has shown as a Judge and for her outstanding contribution to the field of law.

HONORING JANE FAGERSTROM FOR HER YEARS OF SERVICE TO THE CHAUTAUQUA COUNTY LEGISLATIVE DISTRICT 12

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. HIGGINS. Mr. Speaker, I rise today to honor Jane Fagerstrom, a resident of Chautauqua County for her service to the twelfth legislative district in the Chautauqua County Legislature. Jane has had the opportunity to serve as a strong member of the legislature and an active member of the community.

The campaign trail is a difficult path to take. Any person with a dream may enter but only a few are able to reach the end. Ms. Fagerstrom traveled that path with her head held high and a smile on her face the entire way. I have no doubt that her kind demeanor left a lasting impression on the voters of district 12.

Jane is one of those people that leave a huge impact on her community. For many years her efforts to better Chautauqua County have left a lasting impression not only on the county itself but on its residents. Her face, voice, opinions and successes were a staple in the legislature. Our county and our residents are better for the undying work Ms. Fagerstrom did during her tenure.

A true testimony to Jane can be found in many areas of the county and in many people whose lives she touched. One doesn't have to look far to see what a strong work ethic can do.

Chautauqua County is blessed to have such strong individuals with a desire to make this county the wonderful place that we all know it can be. Jane is one of those people and that is why Mr. Speaker I rise to honor her today.

PERSONAL EXPLANATION

HON. JIM MARSHALL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. MARSHALL. Mr. Speaker, correction: I intended to vote against the U.S.-Bahrain Free Trade Agreement and attempted to do so. Upon inquiring with the clerk why my vote was recorded as a "yes" instead of a "no", the clerk checked the electronic record and discovered that I had pressed the "no" button several times on the preceding vote. At no time did I intend to cast a "yes" vote on the agreement. To date, I have voted against every trade agreement that has come up while I have been in Congress, including the agreement with Bahrain.

TRIBUTE TO RAYMOND J. MAPA

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Ms. PELOSI. Mr. Speaker, on January 3, 2006, Raymond J. Mapa, Senior Property

Manager of the Phillip Burton Federal Building and U.S. Courthouse in San Francisco, will retire after an extraordinary 41-year career in federal service. Ray epitomizes professionalism, community outreach and the American Dream.

Ray came to San Francisco from the Philippines at a young age, and was naturalized at the Federal Building and Courthouse he would later manage.

Ray attended the University of San Francisco and, in 1964, began his civil service career with the U.S. Post Office Department. After one year the General Services Administration's Federal Supply Service selected him for a ''trainee'' program in Inventory Management. Ultimately, Ray advanced to the position of Director of the Inventory Management Division.

After holding several positions in the Federal Supply Service, Ray moved to the field of property management. He left a rich legacy. Managing the Phillip Burton Federal Building and U.S. Courthouse, particularly in the post-September 11 era, presents significant challenges. Ray's focus on building security led to close cooperation with the U.S. Marshals Service, the Department of Homeland Security and local law enforcement. This collaboration contributes to the safety of all building tenants and visitors.

As tenants of the Phillip Burton Federal Building and U.S. Courthouse, my staff and I appreciate Ray's steadfast commitment to customer service. He instilled these high standards in his employees and it has resulted in a superior level of customer satisfaction.

As Ray's career draws to a close, I wish him, his wife Emma, and his children Christopher, Penny, Renee and Angela—the best life has to offer. Finally, to Raymond's grandchildren, Raymond and Emma, and his future grandchildren, I offer my wishes for the brightest of futures, guided by the stars of your grandfather's great accomplishments.

TRIBUTE TO LOWELL HIGH SCHOOL FOOTBALL TEAM

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. VISCLOSKY. Mr. Speaker, it gives me great pleasure to pay tribute to the outstanding achievements of an exceptional group of students from Lowell High School, located in Indiana's First Congressional District. On Saturday, November 26, 2005, the Lowell High School Football Team won the Class 4A State Championship game.

The people of Lowell, as well as the entire Northwest Indiana community, can be proud of the following members of the football team: Michael Kreczmer, Jeffrey Clemens, Zach Porras, Jacob Gill, Zachary Zolmer, Scott Gray, James Ritter, John Black, Lukas Palmer, Jonathan Cap, Joshua Kuiper, Christopher Jacobson, Max Znika IV, Michael Dowling, Christopher Briggs, Christopher Lampa, Johnny Underwood, Joshua Lofrano, Chad Small, Mark Puskar, Steffan Peck, Christopher Thompson, Dean Frigo, Jeffrey Barker, Timothy Lukasik, Matthew Garton, Joseph Carlson, Daniel Remboski, Paul Demro, Ethan Winel, Tyler Overdorf, Eugene Wentworth, Kaleb Layman, David Lang, Anthony Hurst, Ryan King, Trenton Keelen, Nicholas Traficanti, Andrew Steuer, Chris Caputo, Matthew Heabel, Brandon Werblos, Jed Travis, Joshua Hayden, Robert Becker, Jr., Jon Sgouroudis, Mark Lunsford, Michael Staniewicz, Randy Layman, Eric McGee, Joe Wojcik, Justin Jackson, Gerald Jackson, Ben Rigby, Eric Roadruck, Dustin Warren, Robert Stluka, Mina Jae Park, Manager Sagan Roney, and Manager Lindsay Rothas.

In addition, I would like to recognize the other members of the Lowell State Championship Team: Athletic Trainer Bobby Wong; Student Trainers Ashley Barragan, Jessica Besaw, Nicole Carlson, Courtney DuBord, Nicole Ford, Samantha Norfleet, Krystol Pigg, and Stephanie Revere; the Varsity Cheerleaders, Junior Varsity Cheerleaders, and their coaches—Cindi Blandford, Linda Glaze, Druanne Smith, and Don Bales. The team's success is also due to the outstanding ability and leadership of its teachers and coaches. In particular, Kirk Kennedy, Jim Carlson, Jim Kiechle, Keith Kilmer, Brad Stewart, Trent Staggs and Ed Miracle should be commended for the devotion they have demonstrated as coaches. Additionally, Lowell Principal James Koger and Assistant Principals Mike Chelap and Ben Ingram should be recognized for their strong support of the football team. The accomplishments of these outstanding individuals are a reflection of their hard work and dedication. Their effort, determined preparation, and rigorous approach have made them the best in the state. They have also brought pride to themselves, their families, their school, and their community.

Mr. Speaker, I would like to once again extend my most heartfelt congratulations to the members of the Lowell High School Football Team for their commitment to excellence, as well as to the faculty members who have instilled in their students the desire to succeed. I am proud to have been given this opportunity to recognize these future leaders, and I look forward to their future achievements as they continue to rise to the top!

THREE-MONTH EXTENSION OF THE PATRIOT ACT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. CONYERS. Mr. Speaker, today I am introducing legislation to extend the PATRIOT Act for three months so that conferees may go back to the bargaining table and produce a conference report that is truly bipartisan and bicameral.

The conference report scheduled for debate this week completely ignores the many concerns expressed by Democrats and Republicans, civil libertarians both left and right, prosecutors and defenders, librarians, gun owners and religious groups. It is in fact facing a bipartisan filibuster in the Senate.

That is why Senator LEAHY and I are introducing a 3-month extension of the PATRIOT Act. It will allow the government uninterrupted use of these authorities until the Congress can agree on reasonable checks and balances that will make sure the war on terror doesn't become a war against innocent Americans.

HONORING TARA HALL VIELE FOR HER YEARS OF SERVICE TO THE CHAUTAUQUA COUNTY LEGISLATIVE DISTRICT 14

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. HIGGINS. Mr. Speaker, I rise today to honor Tara Hall Viele, a resident of Chautauqua County for her service to the fourteenth legislative district in the Chautauqua County Legislature. Tara has had the opportunity to serve as a strong member of the legislature and an active member of the community.

The campaign trail is a difficult path to take. Any person with a dream may enter but only a few are able to reach the end. Tara traveled that path with her head held high and a smile on her face the entire way. I have no doubt that her kind demeanor left a lasting impression on the voters of district 14.

Tara is one of those people that leave a huge impact on her community. For many years her efforts to better Chautauqua County have left a lasting impression not only on the county itself but on its residents. Her face, voice, opinions and successes were a staple in the legislature. Our county and our residents are better for the undying work Tara did during her tenure.

A true testimony to Tara can be found in many areas of the county and in many people whose lives she touched. One doesn't have to look far to see what a strong work ethic can do. In the future Tara will continue to better Chautauqua County as she raises her two sons and provides a strong education to her students at Jefferson Middle School.

Chautauqua County is blessed to have such strong individuals with a desire to make this county the wonderful place that we all know it can be. Tara is one of those people and that is why Mr. Speaker I rise to honor her today.

IN RECOGNITION OF ROBERT W. LAZAR

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Ms. VELÁZQUEZ. Mr. Speaker, I rise today to honor the retirement of Robert W. Lazar, a man who has made tremendous contributions for small businesses throughout the state of New York, and our nation. Mr. Lazar has graciously served our business community through the New York Business Development Corporation (NYBDC) for the past 35 years.

Mr. Lazar carries with him an extensive and impressive record of helping small businesses across the state of New York. He began his

service with the NYBD in 1971, and since that time he has successfully operated in a number of roles within the organization. Since 1987, Mr. Lazar has served as the President and CEO and has been credited with leading his company to unprecedented growth.

With over 1.7 million small businesses in New York, the NYBDC serves a vital role in our state by assisting these businesses in obtaining the financial assistance they so desperately need to start and grow an enterprise. In addition, NYBC also provides much needed credit opportunities to the increasing number of minority and women-owned firms—many of which have difficulty in accessing these types of options elsewhere.

The contributions he has made to our state's small businesses during his tenure at NYBDC have been endless. I have had the pleasure of working with Mr. Lazar in both my capacity as a Member representing Brooklyn, and as the Ranking Democrat on the House Small Business Committee. Some of my fondest memories over the past years include visiting small business owners together, hearing about the aspirations, dreams, and challenges our local businesses are facing, and working to help meet their needs. Small businesses throughout New York have been fortunate to have such a dedicated, and successful, advocate as Bob working to ensure firms have access to capital and opportunity—and we are lucky that his efforts on behalf of small businesses will continue forward.

Throughout the years, Mr. Lazar has created a long list of accomplishments and has received numerous awards for his services. Mr. Lazar has been a steadfast advocate for small business legislation both in New York and Washington. Because of his efforts, the Small Business Administration's (SBA) 504 lending program, one of the most widely used small business loan programs, is now a more viable source of small business lending for entrepreneurs throughout the nation. In addition, as the President of NYBDC, he has played a key role in helping to expand the use of SBA programs, and in contributing to the development of new loan programs through public-private partnerships. These accomplishments benefited not only New York small businesses—but also entrepreneurs nationwide.

In 2000, he was recognized as the ''Small Business Advocate of the Year'' in the state of New York by the Empire State Development Corporation. He was named as ''Entrepreneur of the Year Award'' in 2004 by Capital District Business Review, and has been honored with several leadership awards over the past few years. The truth is that Bob could have been recognized as ''Small Business Advocate of the Year'' every year.

He has served New York's small businesses with tireless dedication, effort and success. The doors he has opened for women and minority business owners, and the assistance Mr. Lazar has granted to aspiring entrepreneurs across the state have been an invaluable asset—and these achievements have set the path for the future small business owners of New York. I know that Bob's contributions to entrepreneurs will not end with his retirement—and that small businesses in New York and across the nation will continue to benefit from his dedication.

I hope that the U.S. House of Representatives will join me today in recognizing Mr. Robert Lazar on his retirement—and in honoring and thanking him for his work and dedication to small businesses in both New York, and the nation.

TRIBUTE TO MATT CUNNINGHAM

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. PENCE. Mr. Speaker, on December 3, 2005 at the annual Firefighter Holiday Dance & Awards in Anderson, Indiana, firefighter Matt Cunningham was named Anderson's Firefighter of the Year. Mr. Cunningham, thirty years old and a lifelong resident of Anderson, was honored with this award because of his dedicated service to the community and outstanding record within the Anderson Fire Department and Engine Co. 6. The award, a medallion for his dress uniform, was presented by the Evening Exchange Club of Anderson.

Mr. Cunningham exemplifies all that is good with this Nation's local first responders. During this year alone, Mr. Cunningham has assisted with or single-handedly pulled four individuals from burning structures. His courage, selflessness and devotion are to be commended and serve as an example to us all.

Only in his third-year of firefighting, Mr. Cunningham clearly has found his calling. At the awards ceremony he stated that firefighting ''was something I stumbled into and I'm elated I did.'' He continued, ''I love being in Anderson. I love it. The fire department in Anderson stays busy.''

Mr. Speaker, it is wonderful to hear such enthusiasm. Matt Cunningham serves his community as a firefighter of the highest caliber, and I am proud today to honor and recognize him for being named Firefighter of the Year in Anderson, Indiana.

HONORING TONY CLARK ON THE COMPLETION OF HIS INTERNSHIP

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. GORDON. Mr. Speaker, I rise today to recognize the contributions Tony Clark has made while interning in my Washington, D.C., office. Tony has been a wonderful addition to the office and has performed many great services to the constituents of Tennessee's Sixth Congressional District.

Tony now must return to Tennessee for his final semester at Vanderbilt University. In May, he will graduate with a degree in Technology and Public Policy Studies. Tony has made the Dean's List every semester, an accomplishment that comes as no surprise to me after witnessing the dedication that goes into every task he undertakes.

During his internship, Tony has been a tremendous help to me and my staff as he has assisted us in various projects. He has addressed constituent concerns, created booklets to let teachers know about educational resources available from federal agencies and endeared himself to visitors as he guided them through the U.S. Capitol.

I hope Tony has enjoyed his internship as much as my staff and I have appreciated his hard work and eager attitude. I wish him all the best in the future.

AKALI LEADERSHIP BETRAYS SIKH NATION

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. TOWNS. Mr. Speaker, on November 17, leaders of the Akali Dal, the predominant Sikh party, walked out of a seminar in Lahore after Dr. Gurmit Singh Aulakh, Preside: of the Council of Khalistan, predicted that India will break up. The Akali leaders said ''We came to unite, not to divide India.''

In front of an audience of about 1,500 people, Dr. Aulakh predicted that Kashmir will soon be free and India will break into five or six separate countries, including Khalistan. Former Home Minister L.K. Advani, President of the Bharatiya Janata Party, has said that ''if Kashmir goes, India goes.'' Steve Forbes of Forbes magazine predicted in his magazine that India will break apart as the Austro-Hungarian Empire did.

The Akali leaders who walked out were clearly representing the Research and analysis Wing (RAW), the intelligence operation of the Indian government. Yet as Inderjit Singh Jaijee reported in The Politics of Genocide, more than 250,000 Sikhs were murdered by the Indian government, according to figures compiled by the Punjab State Magistracy. Another 52,268 are being held as political prisoners, according to the Movement Against State Repression (MASR.) Some of these political prisoners have been held since 1984.

Prime Minister Manmohan Singh has apologized for the November 1984 Delhi massacres in which over 20,000 Sikhs were killed. This establishes the guilt of the Indian government beyond any doubt. If he really wants to make amends, he should end India's occupation of Khalistan, the Sikh homeland that declared its independence on October 7, 1987.

India has also killed over 300,000 Christian in Nagaland, over 90,000 Muslims in Kashmir, and tens of thousands of Assamese, Bodos, Dalits, Manipuris, Tamils, and others. Tens of thousands of Muslims and Christians have been killed in other parts of the country. India is not a single country, but a multinational state that cannot hold together. We must do our part to see that this happens peacefully by supporting self-determination for all the people of South Asia. We should also cut off our aid to India and our trade as well until basic human rights are observed fully and enjoyed by all.

Mr. Speaker, the Council of Khalistan's recently issued a press release about the betrayal of the Sikhs by the Akali Dal. I would like to put this release into the RECORD for the information of my colleagues and the people.

AKALIS AGAIN BETRAY SIKH NATION

WASHINGTON, DC, Nov. 22, 2005.—On November 17, 2005, the Akali Dal again showed its true colors, as its leaders walked out of a seminar in Lahore after Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, predicted the breakup of India during a speech in support of liberating Khalistan, the Sikh homeland, Khalistan. The Sarbat Khalsa passed a resolution on April 29, 1986 for a free Khalistan and established the Panthic Committee. The Panthic Committee declared Khalistan's independence on October 7, 1987, forming the Council of Khalistan to lead the independence struggle.

About 1,500 people attended the seminar. Dr. Aulakh predicted that Kashmir will soon be free and India will break up into six or seven countries' and Khalistan will be free. The Akali leaders said, ''We came to unite, not to divide India.'' This was a clear indication that those leaders were representing RAW, not those of the Sikh Nation. True Sikhs pray every morning ''Raj Kare Ga Khalsa'' (''the Khalsa shall rule.'') Former Jathedar of the Akal Takht Professor Darshan Singh has said, ''If a Sikh is not a Khalistani, he is not a Sikh. ''

India has murdered over 250,000 Sikhs since 1984, according to figures compiled by the Punjab State Magistracy and human rights groups and reported in the book The Politics of Genocide by Inderjeet Singh Jaijee. It has also killed more than 90,000 Kashmiri Muslims since 1988, over 300,000 Christians in Nagaland since 1947, and thousands of Christians and Muslims elsewhere in the country, as well as tens of thousands of Assamese, Bodos, Dalits (''Untouchables,'' the dark-skinned aboriginal people of South Asia), Manipuris, Tamils, and other minorities.

The Indian Supreme Court called the Indian government's murders of Sikhs ''worse than a genocide.'' According to a report by the Movement Against State Repression (MASR), 52,268 Sikhs are being held as political prisoners in India without charge or trial. Some have been in illegal custody since 1984! Amnesty International reported that tens of thousands of other minorities are also being held as political prisoners. We demand the immediate release of all these political prisoners.

Cases were registered against dozens of Sikhs for raising the Sikh flag at the Golden Temple on the anniversary of the Golden Temple attack in the presence of over 30,000 Sikhs. Warrants have been issued for their arrest. The flag of Khalistan was also raised on Republic Day, January 26. 35 Sikhs were arrested at that time. Some of them have been denied bail.

Recently, Indian Prime Minister Manmohan Singh formally apologized to the Sikh Nation for the genocide against the Sikhs in November 1984 in which over 20,000 Sikhs were killed just in Delhi and surrounding areas while Sikh police were locked in their barracks and Indian radio and television called for more Sikh blood. This apology establishes the Indian government's responsibility for the genocide against the Sikh Nation. India must end its occupation of Khalistan, which is the root cause of this genocide. Sikhs are a sovereign nation and they are fighting for their freedom.

Indian police arrested human-rights activist Jaswant Singh Khalra after he exposed their policy of mass cremation of Sikhs, in which over 50,000 Sikhs have been arrested, tortured, and murdered, then their bodies were declared unidentified and secretly cremated. He was murdered in police custody. His body was not given to his family. History shows that multinational states such as India are doomed to failure. Countries like Austria-Hungary, India's longtime friend the Soviet Union, Yugoslavia, Czechoslovakia, and others prove this point. India is not one country; it is a polyglot like those countries. Steve Forbes, writing in Forbes magazine, said that India is doomed to disintegrate like the Austro-Hungarian Empire. ''India is not a homogeneous state,'' Forbes wrote. ''Neither was the Austro-Hungarian Empire. It attacked Serbia in the summer of 1914 in the hopes of destroying this irritating state after Serbia had committed a spectacular terrorist act against the Hapsburg monarchy. The empire ended up splintering, and the Hapsburgs lost their throne.'' India is doomed to fall apart just as Austria-Hungary and the others did.

''We must continue to pray for and work for our God-given birthright of freedom,'' Dr. Aulakh said. ''We must continue to press for the liberation of Khalistan,'' he said. ''Without political power, religions cannot flourish and nations perish. India claims to be a democracy. It is time it recognized the right of self-determination for all people in South Asia.''

HONORING VIVIAN TAYLOR FOR HIS YEARS OF SERVICE TO THE JAMESTOWN CITY COUNCIL

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. HIGGINS. Mr. Speaker, I rise today to honor Vivian Taylor, a resident of Chautauqua County for his service to the people of Jamestown as a member of the Jamestown City Council. Vivian has had the opportunity to serve as a strong member of the council and an active member of the community for many years.

The campaign trail is a difficult path to take. Any person with a dream may enter but only a few are able to reach the end. Mr. Taylor traveled that path with his head held high and a smile on his face the entire way. I have no doubt that his kind demeanor left a lasting impression on the people of Jamestown.

Vivian is one of those people that leave a huge impact on his community. For many years his efforts to better Jamestown have left a lasting impression not only on the city itself but on its residents. His face, voice, opinions and successes were a staple in the council. Our city and our residents are better for the undying work Mr. Taylor did during his tenure.

A true testimony to Vivian can be found in many areas of the county and in the many people whose lives he touched. One doesn't have to look far to see what a strong work ethic can do. What a true honor it must have been to pass the torch along to his grandson, Michael Taylor, as he ascended into the council. The Taylor family legacy is one to be respected and I'm sure it will continue for years to come.

Chautauqua County is blessed to have such strong individuals with a desire to make this county the wonderful place that we all know it can be. Vivian is one of those people and that is why, Mr. Speaker, I rise to honor him today.

INTRODUCTION OF THE MEDICARE PHYSICIAN PAYMENT REFORM ACT OF 2005

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. STARK. Mr. Speaker, throughout this year, myself, my colleagues, and our staff have been bombarded by physician lobbyists desperate to prevent a 4.4 percent reduction in Medicare payments scheduled to go into effect in January 2006. While I can empathize with their desire for more money—who doesn't want a raise?—I think it's time that we quell this fevered pitch with a dose of reality and a few facts. That is why I am introducing the Medicare Physician Payment Reform Act today.

Without Congressional intervention, physician fees will decrease 4.4 percent next year and an estimated 5 percent reduction for many years thereafter. This is due to what is widely agreed upon to be a flawed formula in the payment system known as the sustainable growth rate (SGR).

That being said, it is important to note that even if the cuts go into effect next year, total spending for physician services would more than likely increase. This is because physicians have been steadily providing more services, and more intensive services, in recent years. While some growth may be desirable—for example providing additional preventive services—data show that much of the current growth has no clinical benefit or may even be harmful. Although I agree that our current SGR mechanism is flawed, I have serious reservations about repealing it without putting something in its place that will account for the increase in volume and intensity of physician services in Medicare.

At the same time physician groups and members of Congress have been focused on the SGR, other issues with the physician fee schedule have emerged, including the accuracy of pricing for primary care services. These issues, although less well known, are critical to maintaining beneficiary access to high quality care. It has been 14 years since the current reimbursement system was implemented. It is time for Congress to receive an evaluation of how well this system is meeting its goals. In our effort to find a permanent solution to the SGR, we should not miss an opportunity to address these underlying issues.

Medicare Physician Payment Reform Act calls on the Medicare Payment Advisory Committee (MedPAC) to conduct a comprehensive review of the physician payment system, including recommendations on the accuracy of Medicare pricing and alternatives to the SGR. To allow time for MedPAC to complete their work, the bill provides for a 1.5 percent increase for the next 2 years for physicians.

The bill also provides two important additional components. First, the bill protects beneficiaries from Part B premium increases that would otherwise result from the physician update. Second, it repeals the so-called ''45 percent trigger,'' which was created in the Medicare Modernization Act of 2003 to restrict Medicare's general revenue support. If this

trigger is left in place, physician increases will force a counter-productive, cyclical effort to cut Medicare spending.

Given problems with potentially unjustifiable increases in volume and intensity of physician services, coupled with other perverse financial incentives in the system, repeal of the SGR is irresponsible and unaffordable. Likewise, the status quo is unacceptable. It is clear that problems with the physician fee schedule go far beyond the difficulties of the SGR, and Congress needs expert guidance to find solutions.

Congress has become quite proficient at short term solutions to Medicare physician payment problems. Unfortunately, this near-sighted view comes at the expense of other Medicare changes that could directly improve benefits or decrease costs for Medicare beneficiaries. This bill lays out a plan for a permanent solution enabling physicians to count on fair annual payment adjustments. It's better for physicians, patients and the American taxpayer.

Numerous proposals have been introduced to find solutions to these payment problems and such a fix is included in the Senate version of the pending budget reconciliation legislation. The concept of pay for performance is also heavily promoted as a potential solution, though everyone should admit that it would take many years for it to be implemented and prove effective.

I think it's imperative we ask the experts for their recommendations before acting, while at the same time ensuring access is maintained and beneficiaries are protected. The Medicare Physician Payment Reform Act of 2005 will provide the intellectual foundation to enable Congress to enact a thoughtful, permanent solution for the physician reimbursement system by 2008. I urge my colleagues to consider this approach as the best alternative to ensure that physicians are appropriately paid and beneficiaries are protected.

PERSONAL EXPLANATION

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. FRANKS of Arizona. Mr. Speaker, I deeply regret that I was unable to be present on the House floor to cast my vote in favor of H.R. 4297: the Tax Relief Extension Reconciliation Act of 2005. This bill will maintain and expand the low-tax environment that has catalyzed our Nation's now-booming economy. I strongly support this legislation. Please be assured that I would have voted in favor of the legislation had I been present, and I look forward to voting in favor of the conference report.

ONGOING OBSTACLES THAT MINORITY BUSINESSES FACE IN OBTAINING CONTRACTS

HON. CYNTHIA McKINNEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Ms. McKINNEY. Mr. Speaker, I support the extension of the Defense Department's program ensuring that its Federal contracting process in no way supports or subsidizes the discrimination that has long been a problem in the contracting business. The extension of the program through September 2009 is needed to help achieve that goal.

Congress has learned a great deal about the effects of discrimination in denying contracting opportunities for minority-owned businesses. The ugly reality is that contracting has long been dominated by ''old-boy'' networks that make it very difficult for African Americans, Latinos, Asians, and Native Americans to participate fairly in these opportunities, or even obtain information about them.

Years of Congressional hearings have shown that minorities historically have been excluded from both public and private construction contracts in general, and from Federal defense contracts in particular. Since its adoption, the Defense Department program, called the 1207 program, has helped level the playing field for minority contractors. But there is still more to do, as the additional information we have received since the program was last reauthorized makes clear.

Ever since the program was first adopted in 1986, racial and ethnic discrimination—both overt and subtle—have continued to erect significant barriers to minority participation in federal contracting. In cases, overt discrimination has prevented minority-owned businesses from obtaining needed loans and bonds. Prime contractors, unions, and suppliers of goods and materials have preferred to do business with white contractors rather than with minority firms.

These problems affect a wide variety of areas in which the Department offers contracts, and the problems are detailed in many recent disparity studies, including:

City of Dallas Availability and Disparity Study, Mason Tillman Associates, Ltd. (2002);

City of Cincinnati Disparity Study, Griffin & Strong, P.C. (2002);

Ohio Multi-Jurisdictional Disparity Studies, Mason Tillman Associates, Ltd. (2003);

Procurement Disparity Study of the Commonwealth of Virginia, MGT of America, Inc. (2004);

Alameda County Availability Study, Mason Tillman Associates (2004);

City of New York Disparity Study, Mason Tillman Associates, Ltd. (2005).

The 1207 program helps to correct these problems of discrimination without imposing an undue burden on white-owned businesses. Small businesses owned by white contractors are eligible to receive the benefits of the program if they are socially or economically disadvantaged.

All of us benefit when recipients of federal opportunities reflect America's diversity, and I'm proud to support the reauthorization of the 1207 program.

CONGRESSIONAL GLAUCOMA CAUCUS TRIBUTE TO STANLEY J. BUD GRANT, PRESIDENT & CEO, FRIENDS OF THE CONGRESSIONAL GLAUCOMA CAUCUS FOUNDATION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. RANGEL. Mr. Speaker, a few years ago, several of my colleagues and I voiced our concerns about glaucoma and its devastating affects to Mr. Stanley Grant. What I will present today is the outcome of that encounter. I am pleased to share with this distinguished body the outstanding work of a responsive and caring citizen, Mr. Stanley J. Bud Grant. Mr. Grant is the President and CEO of the Friends of the Congressional Glaucoma Caucus Foundation. His leadership has brought to this endeavor the vision, the energy and the enthusiasm that has led the Foundation to achieve considerable success. As one of the Founding Members of the Congressional Glaucoma Caucus, a non-partisan body, I have observed the work of the foundation, first hand, and have watched the Congressional Glaucoma Caucus grow to more than 80 Members.

The mission of the Foundation is to serve as the action arm of the Congressional Glaucoma Caucus by providing free glaucoma and vision screenings for at risk groups in congressional districts throughout our beloved country. Screenings for diabetes and hypertension, both risk factors for glaucoma, are documented in the family history, with these screenings frequently being incorporated into the screening protocol.

The emphasis has been on glaucoma screenings since this dreaded eye disease affects more than 3,000,000 Americans and is a silent thief of sight. It can attack children, but is more commonly seen in the later years. Far too many of our people go blind from this disease without even knowing they had it. The true tragedy is that their sight could have been preserved if they had been screened and the disease caught in the early stages. Picture if you will, the boundless joy that the patient and the staff experience when sight is saved.

Since 2001, more than 82,000 men and women from all walks of life have been screened. The early signs of glaucoma were detected in 11,500 individuals. Another 13,000 had vision problems other than glaucoma. Equally important was the fact that 57,000 were given the good news that no eye disease was detected.

One outstanding initiative has been the Student Sight Savers Program. Through this project grants have been awarded to 46 medical schools and teaching hospitals across the country. The aim is to expose medical students to a clinical specialty, ophthalmology in their earlier years of medical school. Through this community service initiative, medical students across the country have screened as many as a quarter of the patients.

We, thus bear witness to a man and his dream. A dream we shared. He joined with many of my colleagues, and myself in seeking

to preserve the sight of our people. He convinced glaucoma specialists, other experts and a team of volunteers to follow his lead. Mr. Grant also had the unwavering and committed support of his wife, Mrs. Eleanor Beers Grant. She not only lent him encouragement, but she became quite active in the affairs of the Foundation.

In his indefatigable pursuit, he challenges all of us to match his efforts. He is, moreover, sensitive to the cultural strands of our great nation and the need to seek out and care for those who lack health care services. He has taken his staff on mobile vans into what would be considered inaccessible areas.

This great body has honored many a deserving individual. I am extremely proud to offer a special tribute and recognize Stanley J. Bud Grant for all that he has done and will continue to do on behalf of the American people.

REBUILDING NEW ORLEANS

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. RAHALL. Mr. Speaker, 106 days ago, the world watched as one of the worst natural disasters in the history of the United States came crashing down on our Gulf Coast. I spent much of the last weekend in New Orleans, touring the affected areas and speaking with folks about the recovery efforts.

The effects of the hurricane and its aftermath are eerily similar to natural disasters that in recent years have befallen my home state of West Virginia—floods of the 100-year variety.

Displaced families. Businesses boarded up. A sense of despair and unease in the community. Helpless citizens looking for someone, anyone, to provide some guidance to a sound and quick recovery.

The damage done to the Gulf Coast and New Orleans, in particular, is well documented. But so are the promises made to those residents who call New Orleans home. And those promises have so far gone unfulfilled.

Billions of dollars will be needed to rebuild New Orleans. First and foremost, the levee system, which failed New Orleans' residents in the aftermath of the hurricane, must be upgraded to protect from future 100-year storms. Some estimates put that cost at more than $32 billion—and many in Washington are balking at the price tag.

My question is this: Can't we afford America? We have spent more than $300 billion in Iraq and Afghanistan, yet this Republican Congress doesn't have a concrete plan to rebuild New Orleans, or the budget blueprint to do it. We are investing billions of American taxpayer dollars for bridges, levees and infrastructure in Baghdad, yet we can't get a commitment from our leaders to rebuild the levees in New Orleans for Americans. We have enacted tax cut after tax cut—most recently a $95 billion cut for the wealthiest Americans—yet 78,000 American families displaced by the hurricane are still waiting for FEMA trailers in Louisiana.

And what about West Virginia? Parts of southern West Virginia are still recovering from the major floods of the past five years. Many families displaced by those floods have yet to be able to move back to their homes. And we are still unable to secure the necessary investment from the Corps of Engineers to prevent this kind of flood from ever happening again.

It is long past time to look inward and focus on the many issues confronting Americans in America. The flooding of New Orleans exposed more concerns than just the failure of the levee system. Investment in our schools, health care system, infrastructure and homeland security needs to be high on our list of priorities going forward.

This Administration and this Congress have decisions to make. For the sake of all of us who have been—and will be again—affected by severe flooding, it is my sincere hope that they choose to stand with the American people and invest in the rebuilding of New Orleans and the Gulf Coast.

TRIBUTE TO GORDY NEWSTROM

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. OBERSTAR. Mr. Speaker, I rise today to pay tribute to Gordon (Gordy) Newstrom, who was a true pioneer and visionary in commercial aviation. A long-time resident of Grand Rapids, Minnesota, Gordy Newstrom passed away yesterday, December 12, 2005, at the age of 93.

After training Naval Air Cadets during World War II, Gordy Newstrom returned to Coleraine, Minnesota to establish a flight school in 1944. That same year, Gordy Newstrom founded a charter airline service which he named Mesaba Airlines, to reflect its Minnesota roots. ''Mesaba'' is a Chippewa Indian word meaning ''soaring eagle.'' For several years, Gordy Newstrom operated Mesaba Airlines as a Fixed Base Operator, while sharing his love of aviation by teaching aspiring pilots to fly. In 1950, Gordy Newstrom moved Mesaba's operations from Coleraine to Grand Rapids, Minnesota. Gordy Newstrom owned the company for its first 26 years of operation; in 1970 he sold it to the Halverson family of Duluth, who began the airline's first scheduled service in 1973.

Over the years, Mesaba Airlines has evolved into the eighth largest regional airline in the United States, with the distinction of being the nation's oldest regional airline. Although many operators in the aviation industry have come and gone, the airline founded by Gordy Newstrom celebrated 61 years of continuous service earlier this year. Today, Mesaba Airlines flies to 100 destinations throughout the United States and Canada, through a cooperative agreement with Northwest Airlines.

To honor the many remarkable contributions Gordy Newstrom made to aviation and Northern Minnesota, the region's airport was renamed the Grand Rapids/Itasca County Airport-Gordon Newstrom Field. It was a well-deserved tribute to the founding father of Mesaba Airlines to honor his vision, dedication and determination.

An avid pilot throughout his life, Gordon Newstrom logged more than 40,000 hours in the cockpit, until piloting his last flight five years ago at the age of 87.

I am proud and honored to share with my colleagues this brief, but deserved tribute to Gordy Newstrom, who gave so much of himself to enrich the lives of others and to serve his community and his country.

HONORING RON CEFALO

HON. ROB BISHOP

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. BISHOP of Utah. Mr. Speaker, in this chamber, we often hear rhetoric of great praise for athletes, authors and statesman. With great fanfare we announce legitimate accomplishments, Other times the rhetoric is to trumpet our own actions and plans with grand gestures, receptions and press.

An American humorist, Al Capp, once said, ''The man who is not trying to reform the world—will!'' Those who truly change our world are those who labor daily, without praise, to create a better life for themselves and those around them.

Today I would like to introduce the body to a man who is changing the world—not by doing something no one else can, but by doing something of which everyone is capable, but few choose to do. This gentleman is changing the world one person at a time.

Ron Cefalo, is a science teacher at Box Elder High School. He was recently recognized for his outstanding efforts in exciting kids on a regular basis to the world of physical science. That by itself is something not easy to do. The Air Force Association, after a rigorous search, first named Ron the AFA Teacher of the Year for Northern Utah. Later he was also chosen from the regional winners as the Air Force Association Teacher of the Year for the State of Utah.

In his 37th year of teaching, Ron can claim such accomplishments as sending two projects into space on the shuttle and coaching an award winning Academic Olympiad Team. Each year Ron takes students to the annual Utah State University Physics Day at Lagoon, an amusement park in Utah, which competitively demonstrates the properties of physics to 5,000 kids from Nevada, Idaho, Wyoming and Utah. Earlier this year Ron Cefalo's group took home seven awards in four different categories. Ron also won first place in the instructor competition for Curriculum Development. Utah State physics professor JR Dennison noted, ''Ron has been participating and winning since the inception of USU Physics Day at Lagoon in 1990. In fact, Ron was one of the participants at a summer workshop for secondary teachers held at USU in 1989 when the idea for a USU Physics Day was founded. Ron has been a tremendous asset to us . . . in connection with the American Association of Physics Teachers' regional activities and as a source of some of the best students in physics here at USU.''

His greatest achievement is his ability to draw students through hands-on projects into his lessons. Even though setting up student lab projects takes extra time, money and effort, it is these demonstrations that shook the school, once literally, and had students clamoring to enroll in his class.

Ron Cefalo knows that the success of a teacher is only as great as the success of his students. As a dedicated teacher, Ron instructs year-round, spending his summers at Johns Hopkins University, working at a center for gifted youth from all over the world. One summer, a gifted, but troubled student from a dysfunctional home intentionally broke a number of items in one of the classrooms. Another instructor considered the boy to be ''too dangerous'' and kicked him out of the class. The Principal, faced with the option of sending the boy home early, asked Ron to give the kid one last chance. Ron Cefalo willingly stepped forward and took this troubled youth into his classroom and taught him without further incident.

As expressed in the lyrics of Utah's Senator ORRIN HATCH in the song, ''Every Day Hero'':

Some people have helping hands that go a second mile
They're willing to love and lift a brother for a while
Everyday Heroes live in every neighborhood.
Everyday Heroes, helping in the way a neighbor should.
Giving just a little time; sharing just a little love.
God bless each one of those everyday heroes.

It was an honor to teach alongside an ''Every Day Hero'' before coming to Congress, and I personally know the commitment Ron brings to his job and the ''helping hands that go a second mile''.

Each of Ron Cefalo's students recognize his uncommon talent for making them personally feel important and realize that they have value and someone cares. Every year Ron helps kids mature and learn. Every month Ron gives of himself for others. Every week Ron creates a learning environment in which kids want to participate. Every day Ron makes the world a better place.

ON THE INTRODUCTION OF A BILL TO NAME A POST OFFICE AFTER SENATOR HIRAM FONG

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. ABERCROMBIE. Mr. Speaker, Senator Hiram L. Fong gave over 30 years of outstanding public service to the people of Hawaii. He began his career of public service at the age of 31, by serving from 1938 to 1954 in Hawaii's territorial House of Representatives.

Early on, Senator Fong showed his ability to work well with both Democrats and Republicans as he forged a coalition of independents from both parties and was elected Speaker of the House during his first term.

Senator Fong went on to serve 17 years in the United States Senate, where he was the first Asian-American U.S. Senator. After leaving politics, he focused on building a financial empire based on real estate, insurance and financing.

Born on October 15, 1906, in Kalihi, Senator Fong was the seventh of 11 children in an immigrant family. He worked his way through the University of Hawaii and graduated from Harvard Law School.

His public service was distinguished by his ability to bridge party and ethnic lines. He did so by championing civil rights, labor rights and immigration reform. At the same time, he was a firm believer in the free market and the need to stand on one's own feet.

The Senator's electoral victories owe greatly to the support of the labor unions, particularly the International Longshore and Warehouse Union, ILWU. In its testimony in support of the establishment of the Senator Hiram L. Fong Commission by the Hawaii State Legislature, the ILWU stated,

> The Senator was a successful businessman and a Republican, but he never forgot his humble beginnings. He was a strong supporter of civil rights and often ''crossed the aisle'' to cooperate on issues important to Hawaii's unions and workers.
>
> This was recognized by the ILWU Local 142 who endorsed his candidacy and campaigned for his re-election.
>
> It would be appropriate to recognize and honor Senator Hiram L. Fong, who we believe, in his heart and soul, understood what it meant to represent the people of Hawaii without ideological politicized division.

Senator Fong's legislative accomplishments owe greatly to the collaboration and cooperation of Democratic colleagues, particularly the other Senator from Hawaii, Oren E. Long, and Senate Majority Leader, Senator Lyndon Johnson.

Upon the Senator's death in 2004, Frank Damon, administrative assistant to Senator Fong in 1959–61, wrote in a letter to a local newspaper, the Honolulu Advertiser:

> A major accomplishment of Senator Hiram L. Fong during the early days of Hawaii's statehood was the passage of Senate Bill 3395 (introduced by his colleague Senator Oren E. Long) which established the East-West Center. The ultimate success of this bill, incorporated into the Mutual Security Act of 1959, could not have occurred without the leadership and political acumen of Hawaii's two new senators, Sen. Fong and Sen. Oren E. Long, a former Governor of Hawaii.
>
> Senator Fong, a Republican, met often and successfully with members of the Eisenhower Administration; and Sen. Long, a Democrat, won the advocacy of Lyndon Johnson, President of the Senate. Our Hawai'i senators persuaded many of their senatorial colleagues to join them, bringing the total sponsors to 49, a number unheard of at that time and perhaps even today. Prominent scholars such as Everett Dirksen, Mike Mansfield, Hubert Humphrey and Robert Byrd joined as cosponsors.''

The establishment of the East-West Center was a tribute to Senators Fong and Long. In the early days of statehood the two colleagues collaborated on much important legislation, particularly the omnibus bill, which made Hawaii a full and sovereign Federal State along with the other 49. Other important legislation included the Interstate Highway system, the National Parks, full inclusion in the land grant university system, the new Hawaii Institute of Geophysics, etc.

Senator Fong died on August 18, 2004, at the age of 97.

After Senator Fong's passing, the Hawaii State Legislature established the Senator Hiram L. Fong Commission in order to honor and recognize the distinguished political, business and community leader. The Commission consisted of eleven members selected from the Fong family, the Chinese-American community, the business community, the labor unions and the University of Hawaii.

After extensive deliberations, the Commission made seven recommendations on how the State of Hawaii should honor Senator Fong. One of the recommendations is to designate a post office after the distinguished Senator.

That is why I am introducing this bill today, to designate the post office located at 1271 North King Street in Honolulu as the Hiram L. Fong Post Office Building. I hope my colleagues will join me in this worthy endeavor.

TRIBUTE TO C.A. ''MACK'' MCKINNEY

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. JONES of North Carolina. Mr. Speaker, I rise to recognize an American hero, a loyal friend to everyone who wears the uniform of our Nation's military. C.A. ''Mack'' McKinney, veteran of three wars and distinguished military legislative advocate for over 30 years died November 15, 2005. He was 80 years old.

In 1942, Mack McKinney enlisted with the Marine Corps at age 17 to join America's. fight against tyranny and oppression, and shipped off to war. He served honorably and tirelessly for over 29 years and participated in the invasion of Okinawa during World War II, the Korean conflict, and the Tet Offensive during the Vietnam War before retiring as a Sergeant Major of Marines in 1971. McKinney is the recipient of 16 medals and commendations including the Combat Action Ribbon.

McKinney's service to this country did not end with his retirement, however. Over the next 34 years he lent his time and efforts to improving the recruiting, retention and readiness of the Armed Forces by petitioning Congress for military compensation and benefits packages commensurate with the ''extraordinary demands and sacrifices associated with military service.'' McKinney devoted his talents to a number of organizations dedicated to bettering the lives of America's fighting forces, as well as their families. At the time of his death he was legislative counsel for the Fleet Reserve Association (FRA), headquartered in Alexandria, Va.

Mack McKinney began his long public-service career with the Marine Corps League (MCL) and the Non-Commissioned Officers Association (NCOA). He played a key role in these organizations and was credited with helping stem the losses of highly skilled mid-career military personnel by convincing leaders of the Senate and House Armed Services Committees to authorize two consecutive double-digit pay raises during the late 1970s.

Recognizing that there is strength in numbers, McKinney became a driving force behind the creation of The Military Coalition (TMC) in 1985, and the original 12 co-founding organizations stopped legislation that would have zeroed out retired pay cost-of-living adjustments for a 7 year period. He served as TMC co-chairman, coordinator and administrator—having been reelected as the latter on November 3, 2005. He also mentored numerous TMC organization representatives, imparting them with his vast knowledge of military benefits and the legislative process. Today TMC is comprised of 36 military and veterans' organizations and represents more than 5.5 million active duty, National Guard, Reserve, retirees and veterans of the uniformed services as well as their families and survivors.

In 1987 McKinney was appointed a member of the Veterans Administration Committee on Cemeteries and Memorials, a position he held until 1993.

NCOA recognized his accomplishments by establishing an award in his name—the C.A. ''Mack'' McKinney Award—presented annually to current or former uniformed service members who exemplify professionalism, dedication, and service to the country.

He was also the first ever recipient of the Marine Corps League's Gunnery Sergeant John Basilone Award for Commitment, and was honored by the U.S. Coast Guard with the Meritorious Public Service Award ''for providing consistent and exceptional support to the Coast Guard.''

McKinney was a member of numerous professional organizations and held leadership roles in many of them. He was a founding member and President Emeritus of the Exchange Club of Capitol Hill and helped found the Gang of 30 for the purpose of fostering good fellowship and staying abreast of Corps' activities for active duty and retired Marines. He was a lifetime member of the Veterans of Foreign Wars, the Disabled American Veterans, First and Third, Marine Divisions Associations, Marine Corps Aviation Association, Congressional Marines, Marine Corps Law Enforcement Foundation, Marine Corps Heritage Foundation, the Marine Corps Association and the Fleet Reserve Association. He was also a charter member of and second president elected to head the Combined National Veterans Association as well as a charter member of the Combined National Veterans Associations of America.

In 2004, he was awarded the Department of Defense Medal for Distinguished Public Service, the Award citation reads in part:

> Mr. McKinney played a decisive role in winning enactment of virtually every significant legislative initiative affecting compensation and benefits for active, Reserve and Guard, and retired service members...

Above and beyond his enviable work ethic, Mr. Speaker, Mack McKinney's most memorable quality was his impressive knowledge of legislative issues affecting the service member. McKinney could speak to the issues passionately and convincingly, whether it was one-on-one, or to an entire room. He had a way of speaking that drew attention to his words, and his presence commanded attention. Well known at military retiree and transition seminars, McKinney constantly implored service members to stay abreast of the issues that affected their quality-of-life, remarking often that ''what Congress gives, Congress can take away.''

McKinney was also famous for his sense of humor and was quick with a joke. When remarking about his time in the Marine Corps he would say, ''I stayed in 29 years and 6 months because I didn't want to make it a career.'' In an interview with Navy Times reporter Rick Maze in 2000, he remarked on his position with the FRA, one he held for 10 years: ''I've been here longer than all but a handful of Senators and Representatives but I'm not ready to retire. In fact, my wife won't let me. She says she married me for better or worse but not for lunch.''

Mr. Speaker, Sergeant Major Mack McKinney worked until the very end to better the quality-of-life for America's veterans and their families. He held strong to his belief that: ''There is a lot more that needs to be done, and I'm going to keep trying to do it. Enlisted people need someone looking out for them.'' I am proud to have known Mack and honored to call him my friend, I will miss him dearly. Mack McKinney is survived by his beloved wife of 52 years, Rosemarie, three children, six grandchildren and two great grandchildren.

A BILL TO NAME THE KAPALAMA POST OFFICE IN HONOLULU, HAWAII AFTER THE LATE U.S. SENATOR HIRAM L. FONG

HON. ED CASE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Mr. CASE. Mr. President, I rise today in full support of a bill I have cointroduced to provide a small token of permanent recognition—the naming of the prominent Kapalama post office in Honolulu, Hawaii—of the late, great U.S. Senator Hiram L. Fong of Hawaii, whose long life—he died last August at the age of 97—was dedicated to reshaping, for the betterment of all, the social and political landscape of twentieth-century Hawaii.

Born into poverty in Honolulu on October 1907, Hiram L. Fong was the seventh of 11 children of Chinese-immigrant parents. His father, Fong Sau Howe, originally from China's Kwangtung Province, arrived in Hawaii in 1872, one of 45,000 Chinese immigrants who came to Hawaii to work on the plantations of the islands' once dominant sugar industry. His mother, Fong Lum Shee, arrived in Hawaii when she was 10 years old to work as a maid.

By all accounts, Hiram Fong was enterprising, even as a child. He shined shoes, delivered poi, sold newspapers, led visitors to local tourist spots as well as caddied nine holes of golf for 25 cents.

He attended Hawaii's public schools and was a member of McKinley High School's famous class of 1924, whose 216 members, many of them first-generation immigrants, became some of Hawaii's most distinguished lawyers, business executives, and public servants. Hiram Fong himself became the first resident of Hawaii to receive the Horatio Alger Award for overcoming poverty to achieve great success in law, business, and public service.

As a student at the University of Hawaii, Fong found time to edit the student paper and the yearbook, become a member of the volleyball, rifle and debate teams, and serve as president of the YMCA and Chinese Students Alliance, all the while working at the Pearl Harbor Naval Shipyard as a supply clerk. He somehow managed to graduate from the University of Hawaii with honors in 1930 after just three years.

After working at what was then the Suburban Water System of Oahu from 1930 to 1932, Hiram Fong attended Harvard Law School. Upon graduation in 1935, he returned to Honolulu to work as a deputy city attorney.

In 1938, when he was 31, he founded the law firm of Fong, Miho, Choy and Robinson, and entered and won a race for a seat in the Territorial House of Representatives. A member of the Republican Party, he forged a coalition of independent Republicans and Democrats to win election as speaker of the Territorial House, where he would serve a total of 14 years, including three terms as speaker.

Hiram Fong's political career was interrupted by World War II, when he was called to active duty with the Army Air Corps. He served as judge advocate with the 7th Fighter Command of the Seventh Air Force. He later retired as a colonel in the U.S. Air Force Reserve.

As a member of the Hawaii Territorial House, Fong supported legislation designed to help organized labor and working families. In 1945, he supported what became known as the ''Little Wagner Act,'' which allowed agriculture workers to unionize. It was Hiram Fong's understanding of and identification with Hawaii's laborers and plantation workers and fellow immigrant families that enabled him, a Republican in an increasingly Democratic Party-dominated Hawaii, to continue winning elections.

His one electoral defeat, which ended the first phase of his political career, came in 1954, when he lost his race for re-election to the Territorial House seat by a mere 31 votes. Hiram Fong then focused on real estate, insurance, and investments, and established a number of successful island firms: Finance Factors, Finance Realty, Finance Home Builders, and Finance Investment, to name a few.

In the statehood year of 1959, Fong embarked on the second phase of his political career by running for and winning one of the two new United States Senate seats created for the newly established State of Hawaii. He won re-election in 1964 and 1970, and served with honor and distinction, beloved by all in his native Hawaii and beyond, until his retirement on January 2, 1977. At his retirement, Senator Fong was the ranking Republican on the Senate Committee on Post Office and Civil Service.

But even then, Senator Fong, as he was universally known thereafter with great affection, returned home and to his various business enterprises and to the devotion of and to his expanded family. Well into his nineties, he was a remarkable sight as he strode through downtown Honolulu on his way to and from work, excited by what the day brought and eager to continue his long string of accomplishments. At his death, his body lay in state in Hawaii's State Capitol as whole generations

of citizens paid tribute to a remarkable man who led a remarkable life.

It is both fitting and appropriate that we provide this modest memorial, as he would have wished, in order to remember the essence of public service and a life well lived by Hawaii's quintessential native son, Hiram L. Fong.

CONGRESS SHOULD LISTEN TO ETHAN SENSER

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Ms. SCHAKOWSKY Mr. Speaker, I want to share with my colleagues a letter that I recently received from Ethan Senser, a remarkable 7th grade student who attends the Sager Solomon Schechter Middle School in Northbrook, Illinois. Ethan's letter is a persuasive and thoughtful call to action for all of us about the need to prevent global warming and protect the environment for this and future generations.

Ethan not only asks Congress to respond to the looming dangers of global warming and environmental destruction, he lays out clear and eminently doable measures that we can take to achieve those goals. He has provided us with a common sense list of steps to take, from the promotion of energy-efficiency appliances and cars to public transportation to alternative fuel production as a substitute for drilling in environmentally-fragile areas like ANWR. By following Ethan's suggestions, our legislative legacy will be to leave the world a cleaner, safer and better place. If not, Ethan's generation will face the enormous task of cleaning up environmental disasters that we can act now to prevent.

Finally, I want to commend Ethan not just for his ideas but for his activism. He is not just asking Congress to act, relying on us to fix problems. Ethan wants to know what he can do as a young student who is concerned about the environment. Here, too, Ethan is sending a correct and compelling message: that the protection of the planet is everybody's business.

I know that, after reading Ethan's letter, my colleagues will be as impressed with his commitment and vision as I am. And, I hope that it will result in enactment of the legislative priorities that he has suggested we pursue.

DEAR CONGRESSWOMAN SCHAKOWSKY: My name is Ethan Senser. I am in 7th grade at Sager Solomon Schechter Middle School in Northbrook, IL. I am very worried about global warming and how it will affect the world in the future. There are several things that I am concerned about. I am worried about air pollution from cars and factories. I am concerned with the rain forests. The rain forests are disappearing because of the need for lumber and grazing land for cattle. Forests are also being destroyed in this country for lumber. Forests are important because trees remove carbon dioxide from the air, a major greenhouse gas that causes global warming. They are also important animal habitats and many animals are in danger of becoming extinct because of their loss of a place to live and feed. With global warming I am also worried about the Polar ice caps melting and raising the sea level. If this happens cities that are on a coastline would be in serious danger of flooding.

I am hoping that Congress will do something to help stop global warming before it goes too far. I think that Congress should try to make more laws to really help the environment. They should make sure that there is no drilling for oil in the Alaskan nature preserve. Besides ruining animal habitats, tanker accidents can pollute the water. Congress should pressure auto companies to make more fuel efficient cars. They should give incentives for the development of alternative fuels. They should also try to get factories to find ways to produce their products in a safer, cleaner way. There should be more pressure on people to use public transportation. Also, people could be encouraged to use bikes more often. More cities should try to use Carpool lanes to get people to carpool. Companies should make environmental friendly products. Household appliances makers should do the same. More products should be made in recyclable containers. Paper products could be made on recycled paper as well as pop bottles. Many products are over packaged and should be sold in simpler, smaller packaging.

I am writing to you, Congresswoman Schakowsky, because I want to get involved in ways to help stop global warming. As a member of the House Committee on Energy and Commerce, and someone also very concerned about the environment, do you have any suggestions on how a middle school student can make a difference?

TRIBUTE TO RADIO STATION KALW

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 13, 2005

Ms. ESHOO. Mr. Speaker, I rise today to honor Radio Station KALW for its continuing service to the people of the San Francisco Bay Area and to congratulate KALW on its fifty-fifth anniversary of operations.

KALW began broadcasting in 1941. It was the first FM radio station in San Francisco, the first educational FM station in the United States, the second non-commercial FM station in the country and the first non-commercial FM station west of the Mississippi River.

In a time of media consolidation, KALW maintains its independence and its dedication to local news. Its programs reflect the extraordinary richness and diversity of the people of the Bay Area.

KALW has received more than a dozen national excellence awards in the past five years for its exemplary news coverage. In its programs it draws on the expertise of a brain trust of local community members, including scholars, job coaches, musicians, independent bookstore owners and many others.

Mr. Speaker, I ask my colleagues to join me in paying tribute to a remarkable national resource, radio station KALW, and extending to everyone involved with the station our congratulations on its fifty-fifth anniversary.